

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

BEFORE THE COMMISSION

In the Matter of)
METROPOLITAN EDISON COMPANY)
(Nuclear Generating Station)
Unit 1)

'82 AUG -6 AIO:23

Docket FILE OF SECRETARY
DOCKETING & SERVICE
BRANCH

50-289

AAMODT MOTION FOR AN EXTENSION OF TIME TO FILE THEIR COMMENTS
CONCERNING THE BOARD'S DECISION OF JULY 27

The Commission by Order of March 10, 1982 announced that it would not make any decisions regarding the restart of TMI-Unit 1 until the Board's decision (of July 27) had issued and the parties had time to file comments and reply comments. These comments were to be filed within fourteen days after the service of the Board's decision with reply comments no later than seven days after service of initial comments. We find after initial study of the Board's decision, that we do not have sufficient time in which to comment. On Monday, August 2, we so notified Mr. Rothchild, an attorney with the Commission. He informed us that our motion for an extension of time must be made in writing. The motion is made herewith and for the following reasons.

The Board's decision arrived at an importune time; no warning was given so that prior commitments could be rearranged. We are busy with our own affairs. We are also committed to a response, due August 6, concerning another matter before the Appeal Board (emergency planning for TMI-Unit 1). This matter requires us to peruse a voluminous document (approximately 500 pages) received just seven days ago at the same time as

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the Board's decision and to respond, if needed, to this and other information. Therefore, we cannot devote our resources to the Board's decision until August 7, at the earliest. We find, from our initial reading of the Board's decision, that we are in substantial disagreement. We are surprised by the decision in view of the Special Master's Report. We believe that we will need considerable time to fully consider the Board's findings and reasoning before we can comment. The Commission evidently wanted to give the parties adequate time to comment. We would consider fourteen days barely enough time if we were unencumbered by prior commitments. The Board's decision is lengthy (184 pages) and the product of three months or more of the Board's deliberation. We need a full fourteen days when we are free to study and respond to the Board's decision. We request, therefore, that the Commission extend the comment period with service of comments on August 20 and reply comments on August 27.

The Commonwealth of Pennsylvania does not oppose our motion for an extension of time. The Licensee and Staff do oppose despite the fact that by their calculations of the deadline for filing of comments we are requesting only four additional days. (The Licensee and Staff informed us that they consider service of comments by August 16 to be responsive to the Commission's Order.) The Licensee and Staff would, however, be agreeable to receipt of comments on August 20 (in the case of the Licensee by way of hand-delivery and in the case of the Staff, alternatively, by Express Mail). We were not able to reach the legal representative of Three Mile Island Alert and do not, therefore, have their position. We find that the delivery services suggested by the Licensee and Staff would shorten the time we would have to

prepare comments. We have fully considered the minimum amount of time we need in making our request. We do not find a shortening of that time to be prudent.

Respectfully submitted,

Marjorie M. Aamodt

Marjorie M. Aamodt

August 4, 1982 - Served this day by deposit in U. S. mail, first class, to the Commission, the Appeal Board, the Board, the parties mentioned therein, and the Union of Concerned Scientists.