

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

In the Matter of)
METROPOLITAN EDISON COMPANY)
(Three Mile Island Nuclear)
Station, Unit 1))

Docket No. 50-289



THREE MILE ISLAND ALERT SUPPLEMENTAL
IMMEDIATE EFFECTIVENESS COMMENTS
ON PARTIAL INITIAL DECISIONS
REGARDING MANAGEMENT ISSUES

Three Mile Island Alert hereby submits these comments to supplement its comments on whether the Partial Initial Decisions on management issues should become immediately effective, previously submitted to the Commission September 11, 1981 and August 20, 1982. Although not specifically requested to file such comments, TMIA believes that in light of significant new evidence which has recently materialized on management competence and integrity issues, and the change in position by the NRC staff regarding these issues evidenced in its May 19, 1983 memo to the Commission, it is imperative that the Commission recognize that some of this evidence draws into question the credibility of the Licensing Board decision and the safety of TMI-1.

For an analysis of some of this new evidence, TMIA refers the Commission to TMIA's accompanying Motion to Reopen the Record, cautioning that this motion is not nearly complete in its analysis of the "open" issues identified by the staff in its May 19 memo, particularly with regard to the B&W trial record, the "whistleblowers'" allegations, and

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the Hartman matter. The amount of new evidence on management issues with which we as parties have been deluged in the past few weeks would have required superhuman efforts to have reviewed in this short timeperiod. (We restate herein our request for more time to comment on the GPU v. B&W trial record. TMIA is now scrambling to review this enormous amount of material. The June 1 deadline set by the Commission for the parties' review of the entire record cannot be met by TMIA. In light of the fact that the trial exhibits were not placed in the public document room in Harrisburg until late April, and that the exhibits were virtually impossible to use until someone arrived from the NRC to help organize them on May 13, it will be literally impossible to meet the Commission's deadline. We also should note that the staffs in the public document rooms in both Harrisburg and Washington have been enormously helpful and cooperative in assisting us and should be recognized for their efforts in trying to organize such an inordinate number of documents in such a short timeperiod).

However, because we are concerned that the Commission may jump to make an immediate effectiveness decision before this information can be read and digested by all those involved with this case, TMIA believes it is necessary to notify the Commission of its hearing request so that the Commission not make its decision until the new evidence can be properly presented to and evaluated by the Appeal Board -- i.e., after hearings are completed.

Further, TMIA reasserts its past due process objections to the scheduled May 24, 1983 staff briefing of the Commission on these issues, since it is outside the context of a full adjudicatory hearing with opportunity for cross-examination by all parties. (See, TMIA December 17, 1981 letter to the Commissioners; Comments dated January 13, 1982).

Respectfully submitted,

By:

A handwritten signature in cursive script, appearing to read "Joanne Doroshov", written over a horizontal line.

Louise Bradford
Joanne Doroshov

May 23, 1983

Three Mile Island Alert