

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

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In the Matter of	)	
	)	
METROPOLITAN EDISON COMPANY	)	Docket No. 50-289
	)	(Restart-Management Phase)
(Three Mile Island Nuclear	)	
Station, Unit 1)	)	
	)	
	)	

THREE MILE ISLAND ALERT'S RESPONSE TO  
LICENSEE'S FOURTH SET OF INTERROGATORIES

TMIA has used the words skills and knowledge in the normal usage of these words. Skills are one's abilities, proficiencies, expertise or abilities. Knowledge is the body of information, concepts, or subject matter which one has mastered. Webster's New World Dictionary (1964).

Interrogatory No. T-31(b), (c), and (d)

See standard of character and competence, management attitude and integrity identified in the following cases: Houston Lighting and Power Co. (South Texas Project, Units 1 and 2), LBP-84-13, \_\_\_\_ NRC \_\_\_\_ (March 14, 1984); and cases cited therein; Consumers Power Co. (Midland Plant Units 1 and 2), ALAB-106, 6 AEC 182(1973); Virginia Electric and Power Co. (North Anna Nuclear Power Station, Units 1 and 2), LBP-77-68, 6 NRC 1127, 1151 (1977); aff'd, 571 F.2d 1289 (4th Cir. 1978); Carolina Power and Light Co. (Shearon Harris Nuclear Power Plant, Units 1, 2, 3, and 4), LBP-79-19, 10 NRC 37 (1979); Consumers Power Co. (Midland Plant, Units 1 and 2), CLI-83-2, 17 NRC 69, 70 (1983); Consumers Power Co. (Midland Plant, Units 1 and 2), LBP-84-20, \_\_\_\_ NRC \_\_\_\_

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(may 7, 1984); FCC v. WOKO, 327 U.S. 223 (1946); Leflore Broadcasting Co. v. FCC, 636 F.2d 454 (D.C. Cir. 1980); Hamlin Testing Laboratories, Inc., 2 AEC 423, 428-29 (1964); Metropolitan Edison Co. (Three Mile Island Nuclear Station, Unit No. 1), CLI-80-5, 11 NRC 408 (1980); Petition for Emergency and Remedial Action, CLI-78-6, 7 NRC 400, 418 (1978) and cases cited therein. See also Webster's Third New International Dictionary 376 (unabridged ed. 1976).

Interrogatory No. T-31(e)

TMIA is not required to create or implement tests adequate to ensure that operators are trained adequately to operate TMI-1. Therefore, the information requested by the interrogatory is not relevant to any issue in this proceeding and not reasonably calculated to lead to the discovery of admissible evidence. 10 CFR 2.740(b)(1).

Interrogatory No. T-31(f)

TMIA and TMIA attorneys have provided the information and or opinions on which the above answers are based. All documents on which the answers are based are identified in the answers to each subpart.

Interrogatory T-32

(a) The meaning of "rigorous implementation of the TMI-1 licensed operator training program" is obvious from TMIA's initial and supplemental responses to this interrogatory.

(b), (d) TMIA is not required to propose tests to ensure rigorous implementation or whether the requirements, commitments, and conditions imposed by the Licensing Board and NRC Staff have been met.

(c) The specific requirements, commitments and conditions

placed on the TMI-1 licensed operator training program include the following:

- (1) ASLB PID (July 27, 1982), par. 2421, at 182-183.
- (2) NUREG-0680, Supp. 5, at 11-8.

Interrogatory T-33

The meaning and interpretation of "adequate" is as stated in the dictionary: "sufficient, suitable, or equal to a requirement or occasion."

See TMIA initial and supplemental responses to Licensee Interrogatory Nos. T-4, T-5 and T-6.

Interrogatory T-34

See TMIA's responses to Interrogatory Nos. T-14 and T-15; T-19(a), T-25 and T-26; T-27 and T-28; and T-30, in TMIA's response to Licensee's First Set of Interrogatories; to Interrogatory Nos. T-4 and T-5(b) and (c); T-30, subparts (3), (4), (7), and (10) in TMIA's Supplementary Response to Licensee's First Set of Interrogatories and to Interrogatories Nos. T-6, T-22, T-23, T-23, and 24(c) in TMIA's Second Supplemental Response to Licensee's First Set of Interrogatories.

Interrogatory T-35(a)

See TMIA's initial and supplemental responses to Interrogatory Nos. T-4, T-5, T-6, T-22, and T-23.

Interrogatory T-35(b)

The information requested by this interrogatory is not relevant to any issue in this proceeding and not reasonably calculated to lead to the discovery of admissible evidence.  
10 CFR 2.740(b)(1).

Interrogatory T-36

See initial and supplemental TMIA responses to T-4, T-5, T-6, T-22, and T-23.

Interrogatory T-37

- (a) See TMIA response to T-31(b) and (c).
- (b) See TMIA response to T-4 and T-5(c) in TMIA's Supplemental Response to Licensee's First Set of Interrogatories.
- (c) See TMIA response to T-30 in TMIA's Supplemental Response to Licensee's First Set of Interrogatories.
- (d) See TMIA response to T-1 and T-2 in TMIA's Response to Licensee's First Set of Interrogatories.

Interrogatory T-38

TMIA believes the meaning of "tainted" as used in regard to Mr. Hukill, Dr. Long, Mr. Frederick and Mr. Newton, is clear from TMIA's initial and supplemental responses to T-4, T-5, T-6. See also Final Certification Statement concerning Mr. Frederick approved by Ross and Toole on 7/16/84 and Hukill on 8/17/84 and later denied by Hukill on 8/23/84, with four page explanation.

Interrogatories T-41 and T-42

See TMIA response to Interrogatory T-30 in TMIA's Supplemental Response to Licensee's First Set of Interrogatories.

Interrogatories T-43, T-44, and T-45

The information sought in this interrogatory is not relevant to any issue in this proceeding and not reasonably calculated to lead to the discovery of admissible evidence.

10 CFR 2.740(b)(1).

Interrogatory T-46

BETA and RHR Reports

Interrogatories T-47, T-48, and T-49

See TMIA response to Interrogatory T-30 in TMIA's Supplemental Response to Licensee's First Set of Interrogatories.

Interrogatory T-50

This interrogatory requests information that is not relevant to any issue in this proceeding and not reasonably calculated to lead to the discovery of admissible evidence.

Interrogatory T-51 and T-52

TMIA objects to production of information in response to this question on the ground of the attorney work product doctrine.

Interrogatory T-53

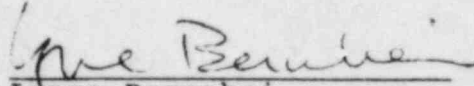
TMIA currently intends to call no witnesses on the remanded issue of training.

Interrogatory T-54

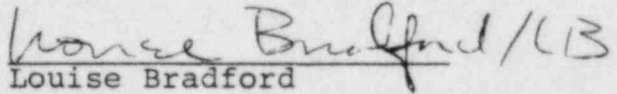
TMIA currently does not intend to introduce any documents in prefiled testimony. TMIA objects to production of documents and or information concerning cross-examination of licensee witnesses on the ground of the attorney work product doctrine.



Respectfully submitted,



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 /LB

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