

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

Before the Atomic Safety and Licensing Board '84 OCT 11 A11:12

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

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

THREE MILE ISLAND ALERT'S SUPPLEMENTAL
RESPONSE TO LICENSEE'S THIRD SET OF
INTERROGATORIES AND THIRD REQUEST FOR
PRODUCTION (DIECKAMP MAILGRAM)

Interrogatory No. 19

TMIA currently intends to call as witness in this proceeding Victor Gilinsky, former Commissioner of the Nuclear Regulatory Commission ("NRC").

Dr. Gilinsky was the senior NRC commissioner at the time of the TMI-2 Accident. He participated in the May 7, 1979 site visit by the Subcommittee on Energy and the Environment of the Committee on Interior and Insular Affairs of the House of Representatives. During this site visit he spoke to Mr. Dieckamp about the pressure spike and reporting of the pressure spike to the Commission. This site visit became the subject of the New York Times article of May 8, 1979, which prompted the "Dieckamp mailgram". Dr. Gilinsky also was an addressee of the Dieckamp mailgram.

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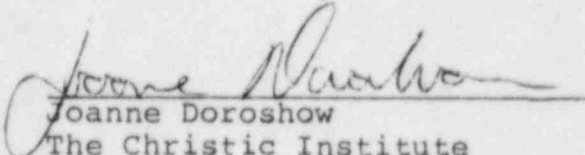
TMIA proposes to offer Dr. Gilinsky's testimony for the following purposes:

- 1). Dr. Gilinsky's conversation with Mr. Dieckamp on May 7, 1979 and, in his role as Commissioner, communications with the licensee during the accident and its aftermath, is relevant and probative evidence concerning Mr. Dieckamp's state of mind at the time of sending the mailgram and his purpose in sending the mailgram to Congressman Udall and Commissioner Gilinsky.
- 2). Dr. Gilinsky, as an addressee of the mailgram and from his communications directly with Mr. Dieckamp and the licensee, can testify on his understanding of the relevant portions of the mailgram.
- 3). Dr. Gilinsky, as the senior Commissioner at the time of the accident, can testify as to the information the Commission relied on in making its decisions regarding the accident, and the information the licensee was obligated to report to the Commission in order to permit the Commission to make its decisions.

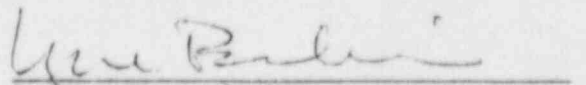
Mr. Dieckamp, if he did not know at the time of sending the mailgram that it contained inaccurate statements, should have known of the inaccurate statements since he should have made the inquiries necessary to assure the accuracy of all information he included in the mailgram. The Commission's expectations and regulations regarding licensee's reporting of information to the NRC, which were communicated to the licensee, are probative of Mr. Dieckamp's understanding of his obligations to report information about the pressure spike, the actuation of

containment sprays, hydrogen generation or burn, in-core thermocouple temperature readings, and core damage, to the Commission. It is also probative of Mr. Dieckamp's responsibility to ensure the accuracy of any information on such matters when reported to the Commission, Congress or the public.

Respectfully submitted,



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Dated: October 9, 1984

Attorneys for Three Mile Island
Alert

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I hereby certify that a copy of the foregoing TMIA's Second Supplemental Response to Licensee's First Set of Interrogatories, TMIA's Response to Licensee's Third Set of Interrogatories, and TMIA's Supplemental Response to Licensee's Third Set of Interrogatories, have been served this 9th day of October, 1984, by mailing a copy first class, postage prepaid to the following:

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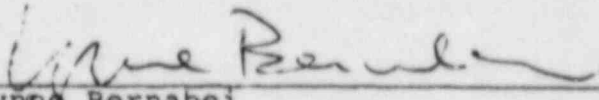
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