

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

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

'84 AUG -6 P2:32

INTERVENOR THREE MILE ISLAND ALERT'S
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS
TO NUCLEAR REGULATORY COMMISSION STAFF

TO: Nuclear Regulatory Commission Staff.

Intervenor Three Mile Island Alert ("TMIA"), pursuant to 10 C.F.R. 2.741, hereby requests the Nuclear Regulatory Commission ("Commission" or "NRC") staff to produce and make available for inspection and/or copying each document in the possession or custody of the NRC staff or subject to the control of the NRC staff, its agents, or its attorneys, as requested below, by or before August 12, 1984.

DEFINITIONS

(a) The Nuclear Regulatory Commission or "NRC" shall mean the Nuclear Regulatory Commission, its branches, departments, sections, offices, subdivisions, its present and former commissioners, administrators, management, employees, agents, representatives, consultants, or officials, or their agents, attorneys or representatives.

(b) "General Public Utilities" or "GPU" shall mean

General Public Utilities, any of its subsidiaries, including but not limited to GPU Nuclear Corporation and Metropolitan Edison Company or its and its subsidiaries' branches, divisions, departments, sections, affiliates, offices, and present and former officers, directors, management, board of directors, employees, staff, officials, agents, consultants, attorneys, representatives or their attorneys, representatives and agents.

(c) "Babcox and Wilcox" or "B&W" shall mean the Babcock & Wilcox Company, its subsidiaries, branches, divisions, departments, sections, affiliates, officers, or its and its subsidiaries present and former officers, directors, management, board of directors, employees, officials, staff, agents, consultants, attorneys, representatives or their attorneys, representatives and agents.

(d) The I&E Investigation and/or I&E Report shall mean NUREG-0760 and/or the investigation leading to NUREG-0760, entitled "Investigation into Information Flow During the Accident at Three Mile Island," dated January, 1981.

(e) The Senate Report shall refer to the report on the Three Mile Island Accident completed by the Subcommittee on Nuclear Regulation of the Senate Committee on Environment and Public Works, and the investigation leading to that report.

(f) The SIG Report shall refer to the report and/or investigation of the NRC Special Inquiry Group headed by Mitchell Rogovin, entitled NRC "Special Inquiry Report," dated January, 1980.

(g) The Kemeny Report shall refer to report of the special commission appointed by President Carter to investigate the Three Mile Accident entitled "The Report of the President's Commission on Three Mile Island."

(h) "Document" shall mean every writing of every type or description, and every other instrument or device by which, through which or on which information has been recorded and/or preserved, including but not limited to memoranda, notes, letters, drawings, files, graphs, charts, photographs, slide presentations, handwritten notes, logs, ledgers, studies, data sheets, appointment calendars, telephone messages, meeting minutes, calculations, computations, financial statements, voice recordings and other data compilations or every other device or medium on which or through which information of any type is transmitted, recorded or preserved.

(i) "Person" shall refer to any natural person, firm, partnership, joint venture, trust, corporation, holding company or other entity, natural or legal, domestic or foreign.

(j) "Communication" shall mean discussion, conversation, letter, memorandum, telephone call, message or direction, whether written, oral, and whether in person, by telephone or by mail.

INSTRUCTIONS FOR USE

A. All documents are to be made available for inspection and/or copying which are in your possession or under your control, or in the possession or under the control of your commissioners,

officials, executives, employees, staff, directors, management, attorneys, investigators, inspectors, consultants, auditors, accountants, offices, branches, divisions, or their agents, representatives or attorneys.

B. If the NRC staff contends that any document responsive to any request for production listed below is privileged in whole or in part, or otherwise objects to any part of any request, state the reason for each objection or grounds for exclusion, and identify each person having knowledge of the factual basis, if any, on which the privilege or other ground is asserted.

C. If any document responsive to any request for production is no longer in existence, then answer the following questions:

1. identify what information was maintained;
2. identify the type of document which contained such information;
3. state the time period during which such document was maintained;
4. state the circumstances under which such document ceased to exist;
5. state the date when such document ceased to exist;
6. identify all persons having knowledge of the circumstances under which such document ceased to exist; and

7. identify all persons who have knowledge or had knowledge of the document and the contents thereof.

D. This Request for Production is deemed to be continuing such that the NRC staff is requested to supplement production with all responsive documents which come into its possession, custody or control subsequent to production of documents pursuant to intervenor's request.

DOCUMENTS TO BE PRODUCED

All documents which constitute, mention, refer to, concern or relate to the following:

1. The Senate Report, including but not limited to interviews conducted in the course of the investigation leading to the Senate Report; documents reviewed and referenced in the report; and any drafts of the report or personal notes of the investigators conducting the investigation and/or writing the report.

2. Reports, investigations, inquiries, studies and/or research by the NRC Office of Inspector and Auditor into the Three Mile Island Accident; incidents or events occurring during the accident; conditions of the reactor during the accident; flow of information to federal and state authorities during the accident; knowledge of NRC about the accident, including the severity of the accident. This request includes but is not limited to drafts of all OIA reports concerning the Three Mile Island Accident, including drafts and scoping papers of reports on James Higgins and Don Neely's knowledge about the TMI Accident during the

accident; drafts and scoping papers for OIA's participation in the I&E report and investigation leading to NUREG-0760; investigator notes and other files about any OIA investigations, inquiry, study, or report on the accident or participation in the I&E report.

3. NUREG-0760, including but not limited to any drafts of the I&E report, or any portion of it; investigators' notes and/or personal files; scoping papers; internal memoranda; and all documents contained in OIA and I&E files which relate in any way to the Three Mile Island Accident.

4. Tapes, transcripts, or other documents concerning communications between B&W and GPU, on the one hand, and NRC about the Three Mile Island Accident; any events or conditions of the plant occurring during the accident; and reporting of information to state and federal authorities about the accident. Provide only those documents which are not otherwise available in the NRC's Public Document Room.

5. The Dieckamp mailgram to Congressman Udall dated May 9, 1979, including but not limited to any documents related to or reviewed in the course of any investigation, inquiry, study or report on Mr. Dieckamp's statements in that mailgram or on whether or not any statement in the mailgram constituted a material false statement; any legal opinions of the NRC supporting the conclusion in NUREG-0760 that the statements made in the Dieckamp mailgram do not constitute material false statements.

6. Knowledge and/or awareness of GPU or B&W that a hydrogen explosion had occurred at approximately 1:50 p.m. on March 28, 1979; knowledge or awareness of GPU or B&W that a pressure spike had occurred in the reactor building at approximately 1:50 p.m. on March 28, 1979; knowledge, awareness, or concern of GPU or B&W of the existence of hydrogen in the reactor building at approximately 1:50 p.m. on March 28, 1979; and knowledge or awareness of GPU or B&W of the actuation of the containment sprays at approximately 1:50 p.m. on March 28, 1979.

7. Notes of NRC inspector Donald Raymond concerning the Three Mile Island Accident, including but not limited to his notes of May 8, 1979 concerning a conversation with Mr. Miller on April 30, 1979.

8. Any notes of any other NRC inspector and/or personnel present on the TMI site, either Units 1 or 2, at any time between March 28 and March 30, 1979. This request includes but is not limited to the personal notes of James Higgins and Don Neely concerning the TMI Accident and/or events and conditions of the plant occurring during the accident.

9. The pressure spike which occurred at approximately 1:50 p.m. on March 28, 1979, or the actuation of the containment spray pumps caused by the pressure spike, including but not limited to all strip charts or other documents recording the pressure spike; any operator logs or telephone logs which mention, refer to or otherwise concern the pressure spike; or documents recording that the containment sprays had been actuated.

10. Any checks made of plant conditions and/or checks of the containment after observation of the pressure spike or activation of the containment sprays at about 1:50 p.m. on March 28, 1979, including but not limited to documents indicating that checks were conducted; records of the conditions of the containment or plant shortly after 1:50 p.m. on that date; and any written instructions and/or comments about these checks.

11. The Preliminary Notifications issued on March 28 through March 30, 1979 about the Three Mile Island Accident, including but not limited to any final or draft copies of PNO 79-67; PNO 79-67a; any personal notes or logs providing the information contained in the PNO's; and any documents referring to the accuracy and completeness of any information contained in the PNO's.

ALSO PRODUCE THE FOLLOWING:

12. All personal files, telephone logs, telephone messages, personal notes, incident message forms, or logs of the following persons concerning the Three Mile Island Accident; the events occurring at TMI-2 on March 28, March 29 or March 30, 1979; the conditions of TMI-2 on March 28, March 29 or March 30, 1979, or reporting of the events and/or conditions of TMI-2 to the NRC or the Commonwealth of Pennsylvania authorities at any time:

- a. James Higgins;
- b. Don Neely;
- c. Karl Plumlee;
- d. George Smith;

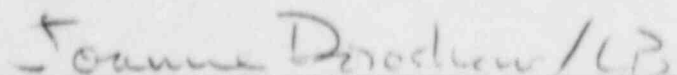
- e. John Davis;
- f. Lee Gossick;
- g. Edson Case;
- h. Don Haverkamp;
- i. Boyce Grier;
- j. Karl Abraham;

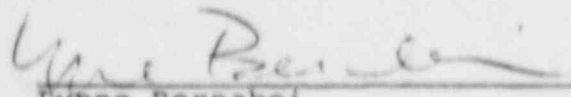
k. Any other NRC personnel who were present at any time on March 28 to March 30, 1979 at the Three Mile Island site;

l. Any other NRC personnel in either Region 1 or in NRC headquarters who communicated at any time from March 28 to March 30, 1979 about the TMI-2 Accident with GPU or B&W.

13. All documents identified in response to Interrogatory Nos. 2, 4, 9, 10, 11, 12, 13, 14, 15, 16 and 19.

Respectfully submitted,


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DATED: August 3, 1984

Attorneys for Three Mile Island
Alert

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of)
METROPOLITAN EDISON COMPANY) Docket No. 50-289 SP
(Three Mile Island Nuclear) (Restart - Management Phase)
Station, Unit No. 1) '84 AGO 16 P2:32

I hereby certify that I have served this 3rd day of August,
1984 a copy of the foregoing Intervenor Three Mile Island Alert's
First Request for Production of Documents to Nuclear Regulatory
Commission Staff
on the following by mail, first-class, postage prepaid:

Administrative Judge
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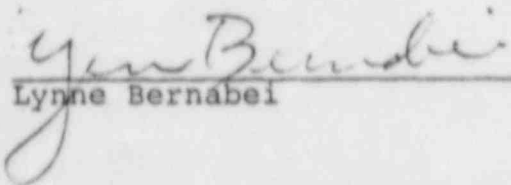
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