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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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OFFICE OF SECRETARY  
EXECUTIVE & SERVICE  
BRANCH

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
METROPOLITAN EDISON COMPANY )  
(Three Mile Island Nuclear )  
Station, Unit No. 1) )

Docket No. 50-289 SP  
(Restart Remand  
on Management)

NOTIFICATION BY LICENSEE OF  
INTENDED JOINT MAILGRAM EXHIBIT REFERENCES  
AND DEPOSITION STIPULATIONS

During TMIA's cross-examination of Mr. Dieckamp, TMIA referred to an April 6, 1979 interview of Craig Faust and a March 29, 1979 interview of Hugh McGovern. Tr. at 28,672 to 28,682. TMIA represented that Mr. Faust believed or indicated he believed that the pressure spike indicated a real increase in pressure at the time it occurred. Tr. at 28,673. TMIA also represented that Mr. McGovern did not question that the pressure spike indicated a real increase in pressure. Tr. at 28,682.

Licensee accepts neither TMIA's characterizations of the

statements of these two individuals nor TMLA's failure to mention other statements by those individuals which put their reactions to the pressure spike in context. Accordingly, Licensee intends to refer in proposed findings to the following portions of the joint mailgram exhibits.

Licensee intends to refer to item 28 of the Joint Mailgram Exhibit, page 145, lines 13-17, where Mr. Faust testified that both he and Edward Frederick suggested at the time of the spike an instrument malfunction as the cause. Licensee also intends to refer to pages 6 and 7 of item 133 of the Joint Mailgram Stipulation.

Licensee also intends to refer to the May 4, 1979 interview of Hugh McGovern, item 21 of the Joint Mailgram Exhibit, page 8, in which Mr. McGovern indicates that they thought the spike was an electrical spike, not an actual pressure spike. For the same reason, Licensee intends to refer to the September 3, 1980 interview of Mr. McGovern, item 111 of the Joint Mailgram Exhibit, pages 3-7.

Licensee has also proposed to TMLA that it agrees to stipulate into evidence page 32, lines 8 through 23, of TMLA's deposition of Mr. McGovern in which Mr. McGovern explains the meaning of his March 29, 1979 statement. In his March 29, 1979 interview, Mr. McGovern dictated:

"1400 Had a [loss] of 2-32A and 2-42A[,] loss of radiation area monitors and an RX building pressure spike that went off scale on narrow range meter -- definite spike straight up, straight back down . . . had full RX building (spray pumps and BS-VPS, DH-V8's) isolation and cooling. Someone secured spray pumps, shut BS-VI's and DH-V8's (Hugh did) and unisolated equipment for building."

TMIA's representation in its questioning of Mr. Dieckamp that this statement indicates that McGovern did not question that the pressure spike indicated a real increase in pressure is refuted by Mr. McGovern's explanation in his deposition.

Q. Okay. Now there's no statement -- again, I'm looking on the 2 p.m. entry, the 1400 entry on this page, no indication as to believing the spike was due to an electrical malfunction, is that correct?

A. That is incorrect.

Q. The electrical malfunction?

A. The loss of 2-32A and 2-42A are motor control centers, electrical buses on the 328 level of the auxiliary building. The loss of radiation area and (sic) monitors and the reactor building spike I attributed to either the electrical malfunction of the equipment on the 328 level of the auxiliary building or some sort of a catastrophic event on the 328 building (sic), a fire or something else along those lines.

Q. I understand that, and I understand your hypothesis. But what I'm asking now is does it state in this paragraph other than by inference, by this hypothesis, that the spike was due to an electrical malfunction?

A. No, it does not. I ask you also to recall that this was taken about 3:00 in the morning following a very long day before.

TMIA Deposition of H. McGovern (Sept. 26, 1984) at 32.

During TMIA's cross-examination of Mr. Dieckamp, TMIA also misrepresented the deposition testimony of Messrs. Lentz and Creitz. TMIA stated that Mr. Lentz had testified that the strip chart could be removed without disrupting the recording. Tr. at 28,868. As page 105, line 7, to page 109, line 1, of Mr. Lentz's deposition reveal, Lentz did not so testify. TMIA

has agreed to stipulate this portion of the Lentz deposition into evidence. With respect to the deposition testimony of Mr. Creitz, TMIA has already explained its misstatement. Tr. at 29,067. TMIA has agreed to stipulate into evidence the portion of the Creitz deposition beginning on page 20, line 15, and ending on page 30, line 7.

Respectfully submitted,

SHAW, PITTMAN, POTTS & TROWBRIDGE

*Ernest L. Blake, Jr.*

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David R. Lewis

Counsel for Licensee

Dated: November 27, 1984