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Dr. Judith H. Johnsrud

Environmental Coalition on Nuclear  
Power

433 Orlando Avenue

State College, Pennsylvania 16801

May 29, 1981



In the Matter of  
METROPOLITAN EDISON COMPANY, ET AL.  
(Three Mile Island Nuclear Station, Unit No. 2)  
Docket No. 50-320 OLA

Dear Judy:

As discussed with you by telephone on April 27, 1981 during the course of the meeting that date on ECNP's proposed contentions, enclosed are papers which would be filed with the Board indicating ECNP's withdrawal of its proposed contentions 2 and 5. The papers included are:

- Stipulation Regarding Settlement of Issues;
- Joint Motion to Approve Stipulation; and
- Order Granting Joint Motion to Approve Stipulation.

As you can see, Fox Trowbridge has executed the Stipulation and Joint Motion on behalf of the licensee and I have executed them on behalf of the NRC Staff. It only remains for the Stipulation and Joint Motion to be signed by you on behalf of ECNP and then the papers, including the proposed Order which I drafted, can be transmitted to the Board.

We would appreciate your prompt attention to these papers and are confident that they represent the telephone discussion which you and I had. Please return the papers to me after signing them, so that I may transmit them to the Board. As always, I am available to discuss any questions regarding these papers which you may have.

Sincerely,

Stephen H. Lewis  
Counsel for NRC Staff

Enclosure: As Stated

cc: see next page

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cc w/o enclosure:

John F. Wolf, Esq., Chairman

Dr. Oscar H. Paris

Mr. Frederick J. Shon

Karin W. Carter

Mr. William A. Lochstet

George F. Trowbridge, Esq.

Atomic Safety and Licensing Board

Atomic Safety and Licensing Appeal Board

Secretary

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of

METROPOLITAN EDISON COMPANY,

(Three Mile Island Nuclear Station,  
Unit 2)

Docket No. 50-320 OLA

STIPULATION REGARDING SETTLEMENT OF ISSUES

For the purpose of resolving Contentions 2 and 5 asserted in intervenor Environmental Coalition on Nuclear Power's ("ECNP") "Supplement to Request for Hearing," dated June 23, 1980, but not yet admitted as contentions in this proceeding, the licensee (Metropolitan Edison Company), ECNP, and the NRC Staff hereby stipulate as follows:

1. In consideration of the information supplied to it by the Licensee and Staff at the meetings held on July 11 and August 18, 1980, as documented by the diagram attached to the letter of October 14, 1980 to Dr. Johnsrud from Ms. Ridgway (copy attached), ECNP withdraws its proposed Contention 2.

2. In consideration of the modifications of Proposed Technical Specifications 6.10.1 and 6.10.2 effected by the Amendment of Order dated April 28, 1980 and the licensee's further stipulation that it will turn over to any successor licensee of TMI, Unit 2 the records required to be maintained by Specifications 6.10.1 and 6.10.2 (with respect to Specification 6.10.1 this obligation shall be limited to those records for which the five year retention period has not yet expired), ECNP withdraws its proposed Contention 5.

3. No amendments to the license for TMI, Unit 2 or the Proposed Technical Specifications attached thereto are necessary to effectuate this stipulation.

4. This agreement is subject to the grant of the "Joint Motion to Approve Stipulation," which accompanies this Stipulation, by the Atomic Safety and Licensing Board.

Dated this 22nd day of May, 1981 Stephen H. Lewis  
Counsel for NRC Staff

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 1981 \_\_\_\_\_  
For ECNP

Dated this 27th day of May, 1981 David F. Lewis  
Counsel for Licensee

# SHAW, PITTMAN, POTTS & TROWBRIDGE

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EDWARD B. CROSLAND  
COUNSEL

October 14, 1980

Dr. Judith H. Johnsrud  
Environmental Coalition on  
Nuclear Power  
433 Orlando Avenue  
State College, Pa. 16801

Dear Judy:

At the July 11, 1980 meeting of Licensee, the NRC Staff, and the petitioners in the TMI-2 OLA proceeding, one of Licensee's technical representatives diagrammed the TMI-2 boration control system for you, in our discussion of your proposed Contention 2. In light of the diagram, you stated that you were considering withdrawing that contention.

At our August 18 meeting, you stated that you were withdrawing your proposed Contention 2, but requested a copy of the diagram for your records. A copy is here enclosed. Please note that the diagram is at the same level of detail as the diagram drawn at our July 11 meeting.

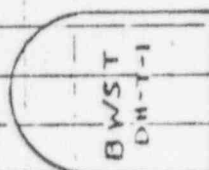
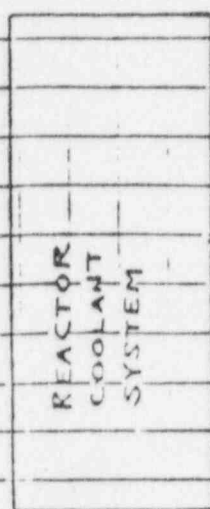
Sincerely,

*Delissa*

Delissa A. Ridgway

cc: Lawrence J. Chandler, Esq.  
Steven C. Sholly  
William A. Lochstet

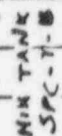
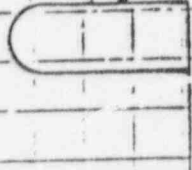
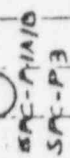
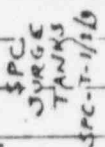
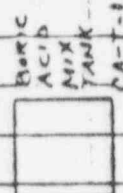
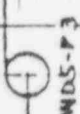
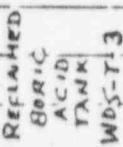
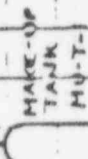




DH-V5A/B



MU-V16A/B/C/D



UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of

METROPOLITAN EDISON COMPANY, ET AL

(Three Mile Island Nuclear Station  
Unit 2)

}  
Docket No. 50-320 OLA  
}

JOINT MOTION TO APPROVE STIPULATION

For the purpose of resolving Contentions 2 and 5 asserted in intervenor Environmental Coalition on Nuclear Power's ("ECNP") Supplement to Request for Hearing," dated June 23, 1980, but not yet admitted as contentions in this proceeding, the licensee (Metropolitan Edison Company), ECNP, and the NRC Staff have entered into the attached "Stipulation Regarding Settlement of Issues." Pursuant to the provisions of this Stipulation, the above identified parties hereby move the Atomic Safety and Licensing Board to approve the subject Stipulation.

A proposed Order granting the instant motion is provided for the Board's consideration.

Respectfully submitted,

Stephen H. Lewis  
Counsel for NRC Staff

For ECNP

George F. [Signature]  
Counsel for Licensee

Dated at Bethesda, Maryland  
this      day of

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of

METROPOLITAN EDISON COMPANY, ET AL.

(Three Mile Island Nuclear Station,  
Unit 2)

Docket Nos. 50-320 OLA

ORDER GRANTING JOINT MOTION TO APPROVE STIPULATION

On , 1981 this Atomic Safety and Licensing Board was served with a Joint Motion filed by the licensee, intervenor Environmental Coalition on Nuclear Power ("ECNP"), and the NRC Staff requesting approval of the "Stipulation Regarding Settlement of Issues" attached thereto. According to the Joint Motion, the subject Stipulation was entered into for the purpose of resolving proposed Contentions 2 and 5 asserted by ECNP in its "Supplement to Request for Hearing," dated June 23, 1980, but not yet admitted as contentions in this proceeding. The Stipulation contains the bases upon which the above-identified parties have settled the two proposed contentions.

The Licensing Board regards the Joint Motion and subject Stipulation as furthering the principles of settlement and compromise of NRC proceeding. Accordingly, it is hereby ORDERED that the Stipulation among the licensee, ECNP, and the NRC Staff is approved.



-2-

FOR THE ATOMIC SAFETY AND LICENSING BOARD

John F. Wolfe, Esq., Chairman

Dated at Bethesda, Maryland  
this        day of