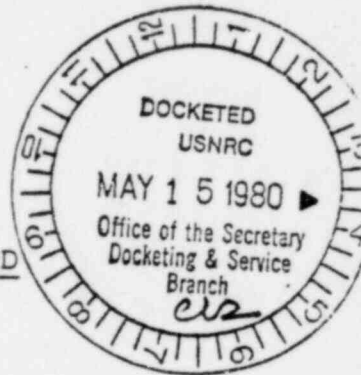


May 12, 1980

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD



In the Matter of

TEXAS UTILITIES GENERATING COMPANY, ET AL.

(Comanche Peak Steam Electric Station,  
Units 1 and 2)

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§  
§  
§

Docket Nos. 50-445  
50-446

ACORN'S STATEMENT OF POSITION WITH REGARD  
TO WORDING OF A QA-QC CONTENTION

ACORN has argued that it would be a violation of the public interest to limit the QA-QC contention with more restrictive wording than:

"The Applicants have failed to establish and execute a quality assurance/quality control program which adheres to the criteria in 10 CFR Part 50, Appendix B."

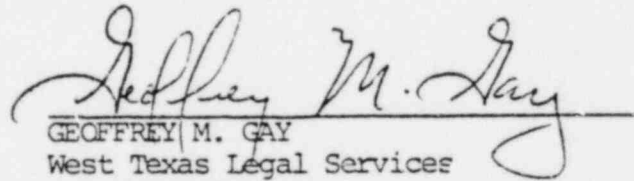
That argument finds new support in the fact that the NRC earlier this month fined Houston Lighting and Power Company \$100,000.00 and issued an order requiring the Applicants for the South Texas Nuclear Project to show cause why that facility should not be shut down until faulty quality assurance programs can be corrected. The Commission's Office of Inspection and Enforcement acknowledged that the problems at STNP have largely been associated with Brown and Root quality assurance program implementation. Brown and Root is the contractor at CPSES and STNP and the problems at STNP with regard to quality assurance are relevant to CPSES.

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From the arguments of Applicant and Staff at the pre-hearing conference on April 30, 1980, it is obvious to ACORN that it is the desire of those parties to limit the discovery on QA-QC to a very few items. Such a limitation would grant Applicant a motion on summary judgment without having them swear to evidence. The specific items to which the Applicant and Staff desire to limit the contention are merely symptoms of the overall failure of the QA-QC program. It is consistent with the interests of justice and the ruling of the Appeal Board in the recent Allens Creek decision, ALAB- 590, to keep the wording of the QA-QC contention as broad as possible at this stage of the proceeding.

Respectfully submitted,

  
GEOFFREY M. GAY  
West Texas Legal Services  
Lawyers Building  
100 Main Street  
Fort Worth, Texas 76102  
(817) 336-3943

ATTORNEY FOR INTERVENOR, ACORN

DATED, this 12th day of May, 1980.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

TEXAS UTILITIES GENERATING COMPANY, ET AL.

(Comanche Peak Steam Electric Station,  
Units 1 and 2)

Docket Nos. 50-445  
50-446

CERTIFICATE OF SERVICE

I hereby certify that copies of ACORN's Statement of Position With Regard to Wording of a QA-QC Contention in the above-captioned proceeding have been served on the following by deposit in the United States Mail, on this the 12th day of May, 1980:

Elizabeth S. Bowers  
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U.S. Nuclear Regulatory Commission  
Washington, D. C. 20555

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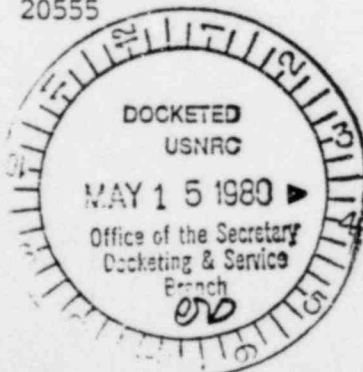
David Priester  
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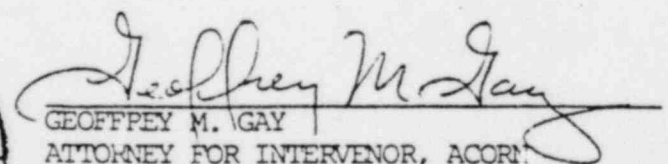
Mr. Richard Fouke  
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Atomic Safety and Licensing Board  
Panel  
U.S. Nuclear Regulatory Commission  
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Atomic Safety and Licensing Appeal  
Panel  
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GEOFFREY M. GAY  
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