

January 22, 1990

The Honorable Lloyd Bentsen  
United States Senator  
961 Federal Building  
Austin, Texas 78701

Dear Senator Bentsen:

I am responding to your letter of December 28, 1989, in which you forwarded a letter from Kendall and Virginia McCook regarding the concerns raised by Citizens for Fair Utility Regulation (CFUR) about the safety of the Comanche Peak Steam Electric Station.

On October 16, 1989, CFUR filed a Request for Stay with the U.S. Nuclear Regulatory Commission (NRC) in anticipation of the issuance of a low-power license for Comanche Peak. The Commission denied the request because of a pending lawsuit filed by CFUR in the Fifth Circuit of the U.S. Court of Appeals. However, the Commission directed the NRC staff to resolve CFUR's concerns in accordance with the Commission's procedures for handling allegations.

As part of that process, the NRC staff held a meeting with CFUR's representatives on December 7, 1989, to discuss their concerns, as described in the McCooks' letter. The NRC staff will use the transcript from that meeting to categorize and evaluate CFUR's issues. The NRC staff will assure that these issues are acceptably resolved before a low-power license is issued for Comanche Peak Unit 1. In addition, the NRC staff will inform CFUR, in writing, of the disposition of their concerns in accordance with our allegation management procedures. We will provide you with a copy of the staff's evaluation at the same time.

The NRC has in no way "gloss(ed) over serious safety problems" at Comanche Peak. On the contrary, we have thoroughly investigated issues related to Kapton wiring, substandard fasteners, welding, construction quality and the other concerns raised by CFUR. These issues were discussed in our letters to you dated September 19, October 13, October 16, November 9, December 1, and December 5, 1989.

Contrary to the McCooks' belief that these issues "are probably impossible to solve with any certainty in a reasonable period of time," we believe that these issues can be resolved in a reasonable period of time. Based on these and other comments made by the CFUR representatives, it appears that at least some of the CFUR representatives will not be satisfied with the staff's resolution

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of these issues. Nevertheless, the NRC will not issue a license for Comanche Peak until we are satisfied that there is reasonable assurance that plant operation will not endanger the health and safety of the public.

I trust that this information is responsive to your request.

Sincerely,

Original Signed By:  
James M. Taylor

James M. Taylor  
Executive Director  
for Operations

Distribution: See next page

\*For previous concurrences, see attached ORC

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NAME	:CIGrimes:cm	:BCalure	:DCrutchfield	:TEMurley	:JMTaylor	: <i>ORC</i>
DATE	:1/08/90	:1/09/90	:1/10/90	:1/11/90	:1/18/90	:1/22/90

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UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

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The Honorable Lloyd Bentsen

- 2 -

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James M. Taylor  
Executive Director  
for Operations

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The Hon. Lloyd Bentsen

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UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

**ACTION**

EDO Principal Correspondence Control

FROM: DUE: 01/17/90 EDO CONTROL: 0005033  
DOC DT: 12/28/89  
FINAL REPLY:

Sen. Lloyd Bentsen

TO:

Dennis Rathbun, OCA

FOR SIGNATURE OF: \*\* GRN \*\* CRC NO: 90-0006

Executive Director

DESC:

ROUTING:

ENCLOSES LETTER FROM KENDALL & VIRGINIA MCCOOK  
CONCERNING COMANCHE PEAK

RMartin, RIV

DATE: 01/03/90

ASSIGNED TO: CONTACT: NRR Murley

SPECIAL INSTRUCTIONS OR REMARKS:  
REF. EDO 4765

NRR RECEIVED: JANUARY 4, 1990  
ACTION: ADSP:CRUTCHFIELD

NRR ROUTING: MURLEY/SNIEZEK  
MIRAGLIA  
PARTLOW  
GILLESPIE  
MOSSBURG

<p><b>ACTION</b></p> <p>DUE TO NRR DIRECTOR'S OFFICE</p> <p>BY <u>January 11, 1990</u></p>
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OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET

PAPER NUMBER: CRC-90-0006                                  LOGGING DATE: Jan 3 90  
ACTION OFFICE: EDO  
AUTHOR: Lloyd Bentsen--Const Ref  
AFFILIATION: UNITED STATES SENATE  
LETTER DATE: Dec 28 89            FILE CODE: ID&R-5 Comanche Peak  
SUBJECT: Licensing of the Comanche Peak facility  
ACTION: Direct Reply  
DISTRIBUTION: OCA to Ack, DSB  
SPECIAL HANDLING: None  
NOTES: Lloyd Bentsen  
DATE DUE: Jan 18 90  
SIGNATURE: .    DATE SIGNED:  
AFFILIATION:

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Date 1-3-90  
Time 1:30

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