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12/1/80



UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

APPLICATION OF TEXAS UTILITIES  
GENERATING COMPANY, ET AL. FOR AN  
OPERATING LICENSE FOR COMANCHE  
PEAK STEAM ELECTRIC STATION  
UNITS #1 AND #2 (CPSES)

Docket Nos. 50-445  
and 50-446

SUPPLEMENT TO  
CASE'S ANSWERS TO APPLICANTS' FIRST SET OF  
INTERROGATORIES AND REQUESTS TO PRODUCE

COMES NOW CASE (Citizens Association for Sound Energy), hereinafter referred to as CASE, Intervenor herein, and files this, its Supplement to CASE's Answers to Applicants' First Set of Interrogatories and Requests to Produce.

In its November 17, 1980, Grant of Time Extension to CASE, the Board granted this Intervenor additional time "for CASE to acquire better understanding of discovery in NRC licensing proceedings and to afford CASE additional opportunity to prepare its requested supplement to its answer to Applicants' motion to compel CASE of September 18, 1980 and to overcome serious deficiencies in its answer to Applicants' interrogatories and requests, which deficiencies may reflect CASE's misunderstanding of the nature and purpose of discovery." CASE has now had an opportunity to review much of the material in the NRC Issuances and we believe we do indeed have a better understanding of the discovery process. We appreciate the Board's allowing this additional time to supplement our answers. (We do not anticipate that we will also have time to supplement our 10/2/80 answer to Applicants' Motion to Compel; we feel that this Supplement is more important, and we are devoting our time and energies to responding to it.)

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1. CASE does not believe the Comanche Peak plant has been constructed in accordance with regulations and requirements of the NRC, the construction permits for CPSES Units 1 and 2, the commitments made by the Applicant in the PSAR; we do not believe it will be safe to operate; and we believe that there is every possibility that if it is allowed to operate in the condition in which it has been built there will at some time during the plant's life be a catastrophic accident with devastating consequences not only to the immediately-surrounding area, but to the Dallas/Fort Worth metroplex area as well. In addition, we have accepted the wording, as revised, of the Board as set forth in the wording of the Contention (although we still maintain that the Board's wording unnecessarily limited the areas with which we are concerned and we will be pursuing this matter further).
  
2. CASE relies on the following as the basis for Contention 5:
  - a. NRC Inspection and Enforcement (I&E) Reports, including but not limited to the following, copies of which Applicants already have:
    - (1) Those discussed in CASE's previous pleadings in these proceedings. As stated in CASE's 5/7/79 Contentions, page 54, item 7:

"There are numerous other problems with construction and procedures which are indicated in the I&E reports, and CASE would incorporate them all herewith by reference. It is our intention to pursue them in detail during the hearings, and to present related testimony by expert witnesses."
    - (2) CASE is aware that the Applicants have recently revised their procedures and responsibilities at CPSES. In addition to earlier I&E Reports, we are attaching summary sheets of some of the most recent I&E Reports, which indicate to CASE that the problems have not been resolved by Applicants changes, but are still continuing. (See pages 3, 4, 5, and 6 of this pleading.)
    - (3) I&E Reports which we will receive in the future. There is a delay of about a month between the time Applicants are notified by the NRC of violations and the time CASE receives our copy of such notification. We anticipate that there have already been other I&E reports issued to Applicant which we have not yet received, and that there will be more in the future.

NRC Inspection & Enforcement (I&E) Reports, Regarding Comanche Peak Nuclear Power Plant (CPNPP)

50-445 and 50-446/

I&E Report No. & Date

Type of Violation Involved

Problem Involved

80-02 (3/20/80)

Allegations of lax Quality Control, etc.

Investigation of allegations in regard to lax Quality Control procedures, welding problems and weld defects attributed to three Authorized Nuclear Inspectors (ANI) in 12/6/79 DALLAS TIMES HERALD article were determined to have no merit by NRC. CASE is not satisfied that allegations have no merit since this is similar to the kind of allegations which were made at the South Texas Project (STNP) which the NRC Region IV office also stated had no merit; it was not until an NRC investigation was made at the national level that allegations at STNP were proven to be true; see STNP investigation.

80-01 (2/15/80)

Unresolved item

Class 1-to-Class 2 Transition Orifices; it was not clear from the revised drawing or from the Component Modification Card how the oversize hole through the pipe wall would be reduced to achieve the configuration required.

Unresolved item

Test report acceptance; it appeared that the A/E was approving the format of the report, not its contents...the stated phrase does not mean what it says; it appeared to the RRI that site engineering staff had provided an inappropriate instruction for the attachment welding, that the vendor had "approved" the inappropriate design, and that site quality control had inspected the actual work and accepted the impossible.

80-01 (1/23/80)

Violation, Infraction, Construction Permits, 10 CFR 50, App.-B, V

Failure to provide instructions and procedures appropriate to the circumstances; instructions and procedures provided for securing Class IE Battery Chargers to the building structure are inappropriate to the circumstance in that 8 3/8" fillet welds were required; it is impossible to achieve the required fillet weld size for four of these weld locations because material thickness is less than .200 inches; the 4 welds do not conform to required thickness for 3/8" fillet weld; welding was accepted by site QC even though welds could not be made in the manner required.

NRC Inspection & Enforcement (I&E) Reports, Regarding Comanche Peak Nuclear Power Plant (CPNPP)

50-445 and 50-446/

I&E Report No. & Date

Type of Violation Involved

Problem Involved

80-08 (4/18/80)

Unresolved item

Clarification of Rockbestos electrical cable qualification; there was no clear evidence that the three separate type tests of cables had been accomplished nor was there evidence in the report that individual conductor tests had been performed as required.

Unresolved item

Clarification of electrical cable repair procedures; review indicates a lack of clarity in requirements of procedure.

80-08 (4/2/80)

Violation, Deficiency,  
Construction Permit,  
10 CFR 50.55(e)

Failure to report a significant construction deficiency; attempts to remove concrete "honeycomb" in certain interior walls of the Unit Two Containment Building had developed into an unexpectedly difficult deficiency; Permit Holder performed extensive engineering evaluations for purpose of establishing methods of repair or for evaluating adequacy of structure without repair, not reported to NRC.

80-03 (3/20/80)

Unresolved item

Aluminum-bronze discs for service water valves; failure to perform heat treatment could result in stress corrosion cracking under unspecified corrosive environments; since the water in the Service Water System has a potential for being mildly brackish and therefore corrosive, the RRI considered that a potential for catastrophic failure of the disc does exist and that in the event of such failure, the Service Water System might not be able to perform its safety function.

80-03 (2/7/80)

Violation, Infraction,  
Construction Permits,  
10 CFR 50, App. B, V

Failure to follow procedures for cable pulling; installed cables were not protected from abrasion or other damage in that a large Hilti bolt was attached to the end of a pull rope to facilitate threading the rope through the conduit and when the rope was pulled through the conduit, the sharp-edged blunt end of the bolt was on the top thereby generating a condition for abrasion or other damage to the installed cables; the cable was not lubricated prior to pulling it through the conduit.



NRC Inspection & Enforcement (I&E) Reports, Regarding Comanche Peak Nuclear Power Plant (CPSES)

50-445 and 50-446/

<u>I&amp;E Report No. &amp; Date</u>	<u>Type of Violation Involved</u>	<u>Problem Involved</u>
80-15 (6/23/80)	Violation, Infraction, Construction Permits, 10 CFR, App. B, II, FSAR	Failure to establish quality assurance program for Class 5 pipe support systems as required; Class 5 piping systems are those in the non-nuclear safety category whose failure in a seismic event could result in a loss of capability of a safety-related function.
80-13 (5/21/80)	Violation, Infraction, Construction Permit, 10 CFR 50, App. B, V	Failure to follow welding procedure; 4th, 5th and 6th weld layers on a Safety Injection system field weld had been deposited using GTAW process instead of SMAW process.
	Violation, Infraction, Construction Permit, 10 CFR 50, App. B, V	Failure to follow electrical inspection procedures; QC inspector did not check to see if the individual conductors had been terminated to the proper place in the connector, nor that the pins had been properly inserted into the connector and locked in place; omission of detailed inspection of terminations of multi-pin connectors is a common practice.
80-12 (4/30/80)	Reporting of significant construction deficiencies, 10 CFR 50.55(e)	Meeting held with NRC and TU personnel re: reportability and documentation of significant construction deficiencies, and reporting of other significant events of interest to NRC not required by current regulations.
80-11 (4/9/80)	Violation, Infraction, Construction Permit, 10 CFR 50, App. B, V	Failure to follow piping installation procedures; suction nozzle flange of Safety Injection Pump was being used as the temporary (and only means of support) support for pipe spools.
80-09 (4/7/80)	Violation, Infraction, Construction Permits	Excessive rate of groundwater withdrawal during construction; exceeded 250 gpm on March 19, April 25, December 4, and December 7, 1979.
80-01/01 (4/7/80)	Unresolved item:	Effectiveness of site inspection program; trash and wood scrap in areas under venus transmission line towers; inspector stated that this raises questions as to the effectiveness of the site inspection program.
80-08 (4/18/80)	Violation, Infraction, Construction Permits, 10 CFR 50, App. B, V	Failure to follow procedures for reporting and repair of damaged electrical cable; the implications of the incident have a potential impact on safety in that it is indicative of a breakdown in the Construction Quality Assurance Program, according to the NRC Resident Reactor Inspector (RRI).

NRC Inspection & Enforcement (I&E) Reports, Regarding Comanche Peak Nuclear Power Plant (CPNPP)

50-445 and 50-446/

<u>I&amp;E Report No. &amp; Date</u>	<u>Type of Violation Involved</u>	<u>Problem Involved</u>
80-20 (10/21/80)	Deviation, FSAR Unresolved item	Incorrect design of pressurizer spray control valve piping Spent Fuel storage racks identified with sign "NON-Q" (not within scope of licensee's Q/A program) and in lay-down positions
	Unresolved item, FSAR	Design of the AC Instrument Distribution Panels; safety and nonsafety cables tightly tied together contrary to FSAR commitment to maintain a 6" space between safety and nonsafety cables within panels
80-20 (9/24/80)	Violation, Infraction, NRC Construction Permits CPR-126 & 127, 10 CFR 50, Appendix B, Criterion V	Unsuitable weld surface condition as required by magnetic particle test procedures; NRC Resident Reactor Inspector (RRI) and other inspectors noted discrepant conditions in welds in components
80-18 (9/19/80)	Violation, Deficiency, Construction Permits, 10 CFR 50.55(e)	Failure to report a significant construction deficiency; nearly 200 welds in safety-related piping systems reported as being undersized (and therefore presumably under-strength) were not reported to NRC
	Unresolved item	Absence of Weld Returns; beam seat clips welded to the column flanges and web did not have weld returns
	Unresolved item	Embedment of anchor bolts through floor topping; concrete anchor bolts embedded might not develop design strength values due to having been embedded through an architectural concrete floor topping; bolt embedded length might not be adequate to develop the design loads required.
80-17 (7/31/80)	Violation; Infraction, Construction Permit, 10 CFR 50, App. B, V	Failure to follow drawing for weld prep details; reactor coolant loop piping weld preps for Unit 2 did not conform to drawing, counterbore transition taper was 30° and 33° instead of maximum angle of 10°.
80-15 (7/23/80)	Violation, Deficiency, Construction Permits, 10 CFR, App. B, V	Failure to follow construction procedures required by drawings; drawings were not available on CPNPP site at time of fabrication of components and therefore could not have been followed.

2. (continued)

- b. Regarding CASE's 5/7/79 Contentions, page 50, items 1, 2, and 3, discussions with present and former workers at the CPSES. In addition to the preceding, CASE has discussed certain construction problems and quality assurance/quality control problems with former and present workers at the Comanche Peak plant, and they have provided us with information which, we believe, will enable us to obtain through the discovery process adequate information to support their allegations, without their having to be called as witnesses.

All of these contacts were with the strict understanding and agreement between CASE and those workers that their names would be kept confidential and would be revealed to no one with the NRC or the utility, because said workers are in fear of losing their jobs, being harassed, being physically abused, or even jeopardizing their lives and the lives of their family members. Discussion and public statements by Carl Seyfrit, head of the Region IV NRC Office in Arlington, Texas, have made it clear that there is no way the NRC can assure adequate protection of such potential witnesses. CASE therefore feels that we cannot reveal the names of such workers. If we cannot obtain supportive evidence adequate to stand without their having to testify, we will again approach them to see if they will agree to testify; if not, we will then have to consider whether or not to drop that portion of our contention which would have to rely solely on their testimony. However, we do not believe this will be necessary.

We therefore move that the Board grant CASE a protective order regarding disclosure of such workers' names, with the understanding that should there be a change of circumstance such that the workers decide to testify, all parties will be so advised in time to enable the parties to pursue discovery, depositions, etc., without placing them at undue disadvantage. However, as previously stated, it is not anticipated at this time that any of these workers will have to testify, because we believe we have enough information to be able to document their allegations without their testimony.

- c. Commitments made by Applicants in their PSAR which, according to the I&E Reports, they haven't lived up to.
- d. Commitments made by Applicants in their Construction Permits which they haven't lived up to.
- e. Previous CASE pleadings in these proceedings regarding this Contention, including discussions during the pre-hearing conferences.
- f. We expect to obtain further documentation for this Contention through discovery from the concrete pour records, Deficiency and Disposition

2. f. (continued)

Reports, Non-Conformance Reports, Corrective Action Requests, and other items which we have already requested and will be requesting through the discovery process.

- g. The rule of reason. We believe that there is no way the NRC can catch each and every construction error or deficiency with its limited manpower and staff. We are concerned that there are, in addition to the numerous problems which the NRC has addressed in its I&E Reports, many others which they have not yet discovered but which will show up later, perhaps after the plant has gone into operation. Further, we note that many of the problems which the NRC has discovered have been directly due to allegations which have been made by workers or former workers at the plant; we believe that there is the possibility that, as the plant nears completion and they realize that it will soon be loading nuclear fuel and going into operation, other workers may come forward and report other problem areas, deficiencies, etc. either to the NRC or to Intervenors.

3. No.

4. No records were kept of meeting or contacts with the other intervening parties. Most contact with other Intervenors has been with regard to procedural matters and involves disclosure of what CASE considers to be the mental impressions, conclusions, opinions, or legal theories of representatives of the parties, which is precluded from discovery under 10 CFR 2.740(b)(2).

We have been in contact with the other Intervenors from time to time regarding some aspects of our contentions, primarily to see if there was the possibility and/or desire of working together on them. However, it was decided that this was neither feasible nor desirable, and we are not working on any of our contentions in a coordinated fashion. The contacts have not been of a substantive nature in that they are not expected to play a role in the presentation or preparation of CASE's position on its contentions, and CASE's participation in such contacts is not expected to play a role in the presentation or preparation of the position of ACORN or CFUR on their contentions.

5. No records were kept of meetings or contacts with other individuals or groups with respect to our contentions except as specifically noted elsewhere in this pleading. However, for the past seven years, CASE has been in contact and had numerous conversations and discussions, in person, by telephone, and through indirect contacts with numerous groups and individuals regarding



5 (continued)

various aspects of the Comanche Peak plant which could be broadly considered to be "with respect to these contentions." (See page 12 of CASE's 9/3/80 Answers to Applicants' First Set of Interrogatories and Requests to Produce, hereinafter referred to as CASE's 9/3/80 Answers.)

We have spoken by telephone or in person with: Dr. John W. Gofman, Egan O'Conner, Richard Pollock, Sister (Dr.) Rosalie Bertell, Dr. David Nichols, Dr. George W. Crawford, Dr. Jeff Sutherland, Marvin Resnikoff, Richard E. Webb, Ralph Nader, Dr. James Nelson, Dr. Thomas Mancuso, Dr. Barrie Kitto, Dr. Charles W. Huver, Dr. Irvin D. J. Bross, Dr. Philip Bierbaum, Carl Hecovar, Vince Taylor, Dr. Barry Commoner, Dr. Thomas Cochran, Charles Komanoff, Robert Pollard, Dr. Carl Johnson, and others; we have talked by phone or in person to intervenors in other Texas hearings, in Pennsylvania, Michigan, New Mexico, New Jersey, Wisconsin, and California. We have talked by phone or in person to numerous employees in various positions with the Texas Utilities companies. We have been in contact with numerous local, state and national public interest groups.

Our contacts with these individuals and groups have helped to increase our knowledge, broaden our understanding of issues and the regulatory process, and helped us to interpret the meaning of some of the documents we have obtained through the years; therefore, all of these individuals and groups have, in a very broad sense, contributed to all of CASE's contentions.

However, insofar as sitting down with us and actively participating in the actual presentation or preparation of CASE's position on specific contentions, they have not (except as specifically indicated elsewhere in this pleading). Indeed, those individuals and groups would probably be hard pressed to know themselves just how they may have contributed to our contentions in the broad sense; certainly CASE would be hard pressed to try to express which individuals or groups said something or supplied some bit of information which later would help CASE to formulate its contentions. At the present time, we do not know whether or not some of them may testify for us; we will, of course, advise all parties as soon as this is determined.

With regard to past and present workers at the Comanche Peak plant, see response to Question 2.b., page 7, of this pleading.

6. See answer on page 41, last paragraph, of CASE's 9/3/80 Answers.
7. See answer on page 41, last paragraph, of CASE's 9/3/80 Answers.
8. Unknown at this time.

9. Yes.

- a. (1) See pages 3, 4, 5, and 6, 2nd Column "Type of Violation Involved," of this pleading.
- (2) Failure to Implement the Quality Assurance Program for Civil Construction -- I&E Report 79-11  
Failure to Follow Inspection Procedure for Inspection of Class IE Cable Tray Supports -- I&E Report 79-06  
Failure to Follow Equipment Maintenance Instructions -- I&E Report 79-04  
Failure to Follow Concrete Placement Procedure -- I&E Report 79-03  
Failure to Follow Welding Procedures -- I&E Report, NRC Inspections on August 21-25, 1978  
Failure to Follow Weld Monitoring Procedures -- I&E Report, NRC Inspections on August 21-25, 1978  
Failure to Adequately Control and Tag Nonconforming Items -- I&E Report, NRC Inspections on August 21-25, 1978  
Failure to Achieve Adequate Radiographic Sensitivity -- I&E Report 78-20  
Failure to Follow Welding Procedures -- I&E Report 78-18  
Failure to Promptly Report a Significant Deficiency -- I&E Report 78-16  
Failure to Follow Concrete Testing Procedures -- I&E Report 78-13  
Failure to Follow Welding Procedure -- I&E Report 78-12  
Failure to Adequately Control and Tag Nonconforming Items -- I&E Report 78-12  
Failure to Follow Piping Installation Procedures -- I&E Report 78-11  
Failure to Maintain Proper Flow in lower Squaw Creek -- I&E Report 78-08  
Failure to Follow Concrete Testing Procedures -- I&E Report 78-07  
Failure to Follow Pipe Fabrication Procedures -- I&E Report 78-05  
Failure to Remove Weld Surface Defect Prior to Final Acceptance -- I&E Report 77-10  
Failure to Provide Welding Procedures at the Location Where the Prescribed Activity is Performed -- I&E Report 77-10  
Failure to Follow Procedures for Certification/Documentation of Inspectors -- I&E Report 77-02  
Failure to Maintain Document Control -- I&E Report 76-08  
Failure to Follow Procedures for QA Documentation of Surveillance Activities -- I&E Report 76-08  
Failure to Follow Procedures for Welding of Safety Related Components -- I&E Report 76-07  
Failure of QA Supervisor to Exercise Delegated Stop-Work Authority Regarding Welding of Safety Related Components -- I&E Report 76-07  
Failure to Provide Prescribed Documented Instructions or Work Procedures Regarding Installation of Containment Building Seismic Category Class I Pipe Restraint Embeds -- I&E Report 76-01

9. a. (2) (continued)

Failure to Provide QC Surveillance Procedures Regarding Containment Building Seismic Category Class I Embeds Installations -- I&E Report 76-01

Failure to Provide Prescribed Documented Instructions or Procedures For Conducting QC Surveillance of the Containment Building Steel Liner Installation -- I&E Report 76-01

Failure to Incorporate Approved Design Changes Into Applicable Design Specification and Work Procedures -- I&E Report 76-01

Failure to Provide Documented Instructions or Procedures As Prescribed Regarding Examination and Repair Activities on Seismic Category Class I Components -- I&E Report 76-01

Failure to Implement Prompt Corrective Action and Provide Adequate Measures to Preclude Repetition Regarding Concrete Aggregates -- I&E Report 75-13

Failure to Adhere to Procedure Requirements Regarding Concrete Placement -- I&E Report 75-10

Failure to Adhere to Procedure Requirements Regarding Concrete Transit Mix -- I&E Report 75-10

Excessive Rate of Groundwater Withdrawal During Construction -- I&E Report Regarding Inspection Conducted June 6 and 10, 1975

(3) Other I&E Reports for the periods July through December, 1979, and Prior to June, 1975. (We had thought we had copies of the July through December, 1979 I&E Reports; however, we discovered in the process of typing this Answer that we did not have these specific months. Also, we had not made copies of I&E Reports prior to June, 1975. However, Applicants have in their possession all the I&E Reports regarding CPSES; it is our intention to pursue problem areas identified in all of them.)

(4) Other Deficiencies and Deviations identified in I&E Reports. We have not attempted to detail all the other Deficiencies and Deviations contained in I&E Reports referenced in 9.a(2) and 9.a(3) of this pleading; however, these are also included in the provisions which we contend Applicants have not satisfied.

b. See answer 9.a. preceding.

c. Statements contained in the I&E Reports referenced in answer 9.a. preceding.

10. By "Applicants' failure to adhere," we mean that Applicants have fallen short of doing what they promised to do, that they have been deficient in the construction of CPSES, that they have omitted doing things that they were supposed

10 (continued)

to do, that they have not stuck to the terms and conditions of the construction permits for Comanche Peak, Units 1 and 2, that they have not complied with the requirements of 10 CFR Part 50, Appendix B.

11. Rectify all the deficiencies and problems identified in answers 2, 9, and 10 of this pleading and any similar deficiencies and problems which have not yet been identified or which will be occurring in the future, and establish and maintain a consistent quality assurance-quality control program which does comply with the requirements of the construction permits for CPSES and 10 CFR Part 50, Appendix B, and with the promises made in Applicants' FSAR.
12. Statements contained in the I&E Reports referenced in answer <sup>2 and</sup> 9.a. preceding, requirements set forth in the construction permits for CPSES and in 10 CFR Part 50, Appendix B, and the commitments made in Applicants' FSAR.
13. Yes
  - a. See answer 9.a. preceding.
  - b. See answer 9.a. preceding.
  - c. See answer 9.c. preceding.
14. See answer 11 preceding.
15. See answer 12 preceding.
16. All of them, in all probability; this is our present intention.
17. See answers 2 and 9 of this pleading. See answer 12 preceding.
18. See answers 2 and 9 of this pleading.
19. See answer 11 preceding. See answer 12 preceding.
20. Probably.
21. This depends primarily on the information contained in some of the documents which are to be made available for CASE to inspect, which we have not yet had an opportunity to inspect. We will update our answer to this question as soon as we know the answer.
22. See answers 2 and 9 of this pleading and answer 21 preceding.
23. See answer 11 preceding.
24. See answer 12 preceding.



25. By "substantial questions" in Contention 5, we mean uncertainties, due to Applicants' failure to comply with regulations and to adhere to the QA/QC provisions required, of such magnitude and to such extent that CASE questions the underlying strength, solidity, ability to withstand stress and pressures, ability to contain radioactivity either in routine operation or in the event of an accident at CPSES, and substance of the plant structures themselves, as well as whether or not CPSES can and will be operated in such a manner that it will not be inimical to the public health and safety.
26. By "adequacy" in Contention 5, CASE means sufficient for the requirements to assure that the plant can be operated in such a manner that it will not be inimical to the public health and safety; such as is lawfully and reasonably sufficient.
27. 50.57(a)(1 through 6).
28. See answer 12 preceding.
29. See answer 11 preceding.
- 30 through 54, inclusive. With regard to these questions, all of which concern Contention 23: "Neither the Applicants nor the Staff has adequately considered the health effects of low-level radiation on the population surrounding CPSES in as much that the CPSES design does not assure that radioactive emissions will be as low as is reasonably achievable," the Board ruled in its 10/31/80 Rulings on Objections to Board's Order of June 16, 1980 and on Miscellaneous Motions that Contention 23, "as presently worded, is admissible to the extent that it challenges Applicants' compliance with Commission regulations governing the release of radiation and/or radioactive materials."
- Initially, CASE had approached Dr. Rosalie Bertell regarding the possibility that she might testify regarding this contention. She indicated that she would prefer to await the Board's decision (made 10/31/80) regarding exactly what would be allowed regarding this contention. CASE had been unable to contact Dr. Bertell prior to filing its 11/20/80 Motions to Grant CASE Separate Intervenor Status and to Appoint CASE as Lead Party for Consolidated Contentions; we have now contacted her. Dr. Bertell advises that she does not wish to testify regarding this contention in its accepted form.
- CASE had hoped that we would be able to go farther in this contention than the wording as accepted by the Board will allow; however, the present wording, we believe, would allow us to look at only the tip of the iceberg. We wish to register our exception to the Board's ruling and plan to pursue this further on appeal. In the meanwhile, CASE regretfully withdraws from this Contention 23 as worded. This, of course, makes moot the comments regarding Contention 23 on page 2 of CASE's 11/20/80 Motion to Appoint CASE as Lead Party for Consolidated Contentions.

55. Those set forth in 10 CFR 51.20, including, but not limited to the following:

Health effects of the uranium fuel cycle; health effects of low-level radiation from routine and unplanned emissions from the facility; health effects of possible accidents at the facility, from the least harmful to the worst possible; models used to calculate low-level radiation doses; calculation of number of expected cancers from operation of CPSSES; uranium supply; water use; evacuation and emergency procedures; unresolved generic safety issues; decommissioning; transportation of low- and high-level wastes; storage of low-level and high-level wastes; capacity factors; discharge of effluents into water; transmission lines; herbicide usage; selection of site; population concentrations; meteorological considerations; hydrology - watershed; realistic assessment of expected performance of plant compared to design rating; endangered species; construction costs; total costs of plant; operating costs; reliability; power generating costs; external project costs; marine environmental impacts; archeological aspects; economic effects of the uranium fuel cycle; economic effects of health effects of low-level radiation from routine and unplanned emissions from the facility; alternative sources of energy comparisons between different possibilities; costs of overcapacity; land use; taxation basis of the land after plant is shut down; energy conservation; excess capacity; terrestrial ecology; aquatic ecology; air pollution; regional historic, scenic, cultural, and natural features; right-of-way disruptions; visual impacts; chemical and biocide waste; sanitary and other waste; gaseous effluents; noise pollution; surface water; ground water; possibility of accidents from aircraft; thermal effluent; environmental effects of possible accidents at the facility, from the least harmful to the worst possible; economic effect of accidents on the surrounding area; economic effect of accidents on ratepayers who are paying for the plant; release of radioactive waste to watershed; side effects of transportation of spent fuel; analysis of who will pay for the cost of nuclear waste and nuclear fuel accidents in transit to or from the plant; security costs; effects of security as regards loss of civil liberties and loss of privacy; cost and effects of external flooding; need for power; risk comparison between operating CPSSES and not operating it; adequacy of site geology; seismic considerations; effect on health of workers exposed to radiation; financial cost of health effects to workers exposed to radiation; increased fuel costs; analysis of need for CPSSES, by year, for its 40-year life as compared to what alternatives will be available during that time; inflationary impacts on costs of all aspects of CPSSES; inflationary impacts on the Dallas/Fort Worth metroplex area of the increase in costs of electricity due to the construction and including of construction work in progress in the rate base for CPSSES, as well as such inflationary impacts due to the cost over-runs experienced at CPSSES; socioeconomic impact of the plant upon local communities, including large influx of workers and families on a temporary basis requiring building of more schools, increased police protection, etc. and effect of leaving remaining residents to continue to pay for costs of such increased facilities when transient workers move on; operating costs of CPSSES; power generating costs of CPSSES.

55 (continued):

In addition, all items listed as costs in Applicants' cost/benefit analysis not mentioned in the preceding list.

56. 10 CFR 51.20.

57. CASE believes the only benefit to be derived from CPSES is that it will produce electricity when it's in operation; even so, we do not believe that that electricity will be needed, economical, or safe.

CASE does not believe that it is proper to include as a benefit the increased employment and tax revenues, as Applicants have done in the ER, page 11.0-3, Amendment 1, September 1980, section 11.1.2 INDIRECT BENEFITS: "Employment opportunities and the disposable income generated (both by temporary and by permanent employees) constitute a significant indirect benefit of CPSES. Increases in the local tax base and tax revenues that will be derived by Somervell and Hood Counties are also recognized as an important indirect benefits of the project." Increased employment and tax revenues cannot be included on the benefit side in striking the ultimate NEPA cost-benefit balance for a particular plant (Vermont Yankee Nuclear Power Corp., Vermont Yankee Station, ALAB-179, 7 AEC 159, 177 (1974)). Further, we believe that increased local employment and wage incomes, increased local business activity, increased tax revenues will be offset by the loss of local employment and wage incomes (thus creating unemployment with its attendant costs), decreased local business activity (some businesses, especially bars and taverns, may have to go out of business entirely with resulting unemployment, possibly moving from the area of income-producing and tax-producing businesses; other businesses will suffer decreases in income), and increased tax revenues will be offset by increased costs for building new schools for transient workers' families, police protection, increased jail facilities (present <sup>Glen Rose</sup> facilities were not even sufficient to contain those individuals who engaged in civil disobedience by going over the fence in the past, and such activities may increase in the future), increased fire protection, etc., when the transient workers leave the area.

CASE also does not believe it is proper at this time to include as a benefit "expanded community services and public facilities (such as development of Squaw Creek Reservoir)" unless and until Applicants finalize arrangements with the State of Texas regarding this matter. (See letter of June 10, 1980 from David J. Preister, Assistant Attorney General, Environmental Protection Division, Texas Attorney General's Office, letter of July 3, 1980, from Billy R. Clements, Vice-President, TUGCO, and CASE's 7/14/80 Supplement to Item 1. (CASE Contention 1) of CASE Motion for Reconsideration of Certain CASE Contentions...last paragraph of page 3 through page 5. At the present time, such arrangements have not been made and there is no indication as to when they will be made.

57 (continued):

With regard to the ecological surveys which have been performed in the region of CPSES during the past several years regarding the mammal, invertebrate, reptilian, avian, and floral communities of the CPSES area, CASE believes that the disruption of the daily lives of animals and birds, the removal of part of their natural habitat, the destruction of some floral areas forever, more than outweigh any alleged benefits of such ecological surveys.

With regard to Applicants' statements in 8.1.2.5 Improvement to Area Facilities (page 8.1-18 of ER), CASE hardly sees how upgrading of Farm Roads 201 and 51, which was necessitated by "an extensive volume of vehicle traffic to and from the CPSES plant site" during the early phases of project construction" which "resulted in significant wear to local roadways," can be counted as a "benefit" without recognizing a corresponding and offsetting "cost." Further, we do not see the creation of the Squaw Creek Reservoir as a great enhancement to the sport and recreational opportunities for area residents when admittedly "there are other recreational reservoirs located within a short commuting distance from the CPSES;" recognition must also be given to the negative benefit of loss of privacy, increased traffic, and increased air pollution to those on the route to and from the Reservoir.

With regard to Applicants' statements in 8.1.2.6 Public Education (page 8.1-18 of the ER), CASE believes that the "local information office... established in Glen Rose to provide area residents with details pertaining to the CPSES project in particular, and to nuclear issues in general" is primarily a public relations effort to make the plant more acceptable to the residents, to promote the use of nuclear energy as a power source, and should more properly be called propaganda rather than public education.

There may be some value under the Public Education section regarding the archeological survey of the CPSES area which was conducted in 1972. However, the statement by Applicants that "The great majority of this historical data would have been lost beyond recovery had it not been for this detailed survey" is undocumented and perhaps undocumentable. Further, one of the reasons for this survey was that Applicants uncovered dinosaur tracks which would have perhaps been lost forever due to actions by Applicants had they not cut out the track and moved it elsewhere to preserve it.

Applicants state in 8.1.3 Summary of Benefits (page 8.1-19, September 1980 Amendment to ER). that "A summary description of the benefits of the CPSES project is presented in Table 8.1-21, and in Section 11.1." However, although Amendment page 8-iv indicates that there are new tables added, Tables 8.1-21 and 8.1-22, CASE did not receive these two Tables. We had not noticed this oversight until we were preparing this pleading, and we ask that Applicants supply us with a copy of these two Tables.



58. 10 CFR 51.20, Applicants' Environmental Report (ER), and the rule of reason.
59. Yes. We don't believe Applicants have adequately considered all the factors involved as required in 10 CFR 51.20.
60. 10 CFR 51.20. Based on that regulation, CASE believes that a realistic and in-depth assessment of the actual costs directly related to the CPSES must be considered in the cost/benefit analysis which Applicants are required to provide in the ER.
61. Whether or not all the costs and benefits are adequately considered, and whether or not the benefits outweigh the costs. See answers 55 and 57.
62. All costs and benefits must be considered; thus, all are of significance and importance. CASE would recommend that primary consideration be given to those items which have the greatest impact and the most long-lived impact. Thus, we would rank them:
- (1) Costs in terms of health and dollars of storage and/or disposal of radioactive wastes;
  - (2) Costs in terms of health and dollars of a worst-case accident at CPSES, especially with regards radioactivity released;
  - (3) Costs in terms of health and dollars of the nuclear fuel cycle;
  - (4) The numerous items which have or may have some bearing or relation to the above items (1) through (3), such as unresolved safety issues, decommissioning, transportation of spent fuel and low-level wastes, discharge of effluents into water, population concentrations, meteorological considerations, hydrology - watershed, groundwater, surface water, air pollution, etc.
  - (5) All other costs.
63. 10 CFR 51.20, and the rule of reason; this seems to CASE to be a logical approach.
64. Whether or not, after all the costs and benefits have been adequately considered, the benefits outweigh the costs. CASE doesn't believe that supplying power that isn't needed outweighs the possible environmental costs, health effects and dollar costs due to an accident at CPSES, or that supplying electricity for 30 or 40 years outweighs the cost in terms of environmental, health and dollars of having to store radioactive waste for centuries.
65. 10 CFR 51.20, and the rule of reason; this seems to CASE to be a logical approach.
66. a. With regard to Contention 24, we are not saying that the fact that Applicants have failed to adequately consider 24a, 24b, 24c, or 24d alone would necessarily mean that a favorable cost/benefit balance cannot be made, but that these are factors which must all be considered, and

66. a. (continued):

that since they have not been adequately considered, a favorable cost/benefit balance cannot be made; further, should all other factors be equal in the cost/benefit analysis, a negative benefit finding regarding any one or more of these four sub-parts would mean that a favorable cost/benefit balance cannot be made.

b. In addition to 66.a. above, CASE does not believe Applicants have adequately considered the costs of safely decommissioning CPSES, especially since they have changed their choice of decommissioning to specify that they are going for immediate dismantlement; if adequate consideration is given to such costs, CASE believes that a favorable cost/benefit balance cannot be made when such costs are added to those others which must be considered.

67. 10 CFR 51.20; Applicants' Environmental Report (ER), Amendment 1, September 1980, Section 5.8, and Section 8.2.1.3, NUREG/CR-0130 and Addendum; previous CASE pleadings.

68. No.

69. No.

70. No.

71. Yes.

72. See answer on page 41, last paragraph, of CASE's 9/3/80 Answers.

73. See answer on page 41, last paragraph, of CASE's 9/3/80 Answers.

74. See answer on page 41, last paragraph, of CASE's 9/3/80 Answers.

75. See answer on page 41, last paragraph, of CASE's 9/3/80 Answers.

76. CASE had previously been operating on the assumption that the information contained in Applicants' ER (OLS), pages 5.8-1 through 5.8-3 (Section 5.8) was applicable; however, in their September 1980 Amendment 1 to the ER, Applicants have changed their choice of decommissioning to specify that they are going for immediate dismantlement, rather than a slower dismantling after a number of years, and the costs estimates have risen considerably. CASE is still evaluating these changes and will be supplementing our responses later regarding this contention.

Generally, we believe the costs estimated are too low, that Applicants don't know what they're getting into with this method of dismantling, that they don't know the costs involved, the potential legal problems, how this is going to be paid for and who's going to pay for it, how they're going to

76. (continued):

physically dismantle the plant, how they're going to protect their workers from radiation while dismantling the plant, etc.

77. Applicants' ER (OLS), Section 5.8 and Section 8.2.1.3.

78. 10 CFR 51.20; 10 CFR Part 50, Appendix C, I. B.

79. No.

80. Not applicable.

81. See Answer 76, paragraph 1.

82. Yes.

a. Yes.

b. See Answer 76.

c. See Answer 67 and 76.

d. See Answer 67.

e. See Answer 67.

83. Prove that what CASE has stated in the 2nd paragraph of Answer 76 is incorrect; answer CASE's and the NRC Staff's interrogatories satisfactorily.

84. See Answer 67 and 78.

85. Consider all the items in Answer 55 adequately and prove that the benefits outweigh the costs.

86. 10 CFR 51.20.

87. By "safely" in regard to decommissioning, we mean done in a manner so as not to contaminate the workers at the plant with radioactivity with resultant cancers, genetic effects and injury, so as not to contaminate the surrounding areas with radioactivity which could render such areas uninhabitable for years, so as not to subject workers or members of the public to the threat of danger, harm or loss, from radioactivity or from accidents; so as not to damage or harm the flora and fauna, animal life, birds, water, air, or archeological aspects of the area.

88. Webster's Dictionary; 10 CFR 50.57; the rule of reason.
89. Yes.
90. The mode of decommissioning which Applicants plan to use for CPSES must be considered; 10 CFR 51.20; 10 CFR Part 50, Appendix C, I.B.
91. Whatever structures, facilities or equipment are involved in the decommissioning mode chosen by Applicants must be considered; in the case of immediate dismantlement, which is now being proposed by Applicants, this would include all structures, facilities and equipment.
92. Applicants' ER (OLS), Section 5.8 and Section 8.2.1.3; 10 CFR 51.20.
93. Yes. Depends in part on which mode of decommissioning is used; also in part upon what NRC requirements are at the time of decommissioning; also in part upon how accurate Applicants' analysis of costs are (i.e., as more plants are decommissioned, more will be known about actual costs experienced) which in turn may be partly contingent upon when the plant is decommissioned.
94. The rule of reason; Applicants' ER (OLS), Section 5.8, original and September 1980 Amendment, which shows a change in cost projections from \$18.4 million in 1981 dollars to \$100 million in 1980 dollars.
95. We have not yet arrived at a specific dollar cost; generally, it should be the dollar amount arrived at when a complete and accurate analysis is made of all costs associated with decommissioning CPSES.
96. It should be considered along with all the other costs: See Answer 62.
97. 10 CFR 51.20. See answer 63.
98. See Answer 66.a. In addition, CASE does not believe that Applicants have really considered the costs in terms of health, as well as the economic costs of a possible accident in the on-site storage of spent fuel at all, certainly not to the extent that the possible consequences of such an accident warrant. If adequate consideration is given to such costs, CASE believes that a favorable cost/benefit balance cannot be made when such costs are added to those others which must be considered.
99. 10 CFR 51.20. See CASE 9/3/80 Answers, page 6, first full paragraph and last paragraph, and page 41; Applicants' FSAR; previous CASE pleadings.



100. No.

101. No.

102. CASE has spoken by telephone on several occasions with Richard E. Webb regarding this contention. However, at this time it has not been decided whether or not Mr. Webb will be testifying for CASE in these proceedings, and we did not rely upon him or his work as the basis for this contention. We don't have the dates of such conversations immediately available without having to make a detailed survey of records; however, they were during the time frame between about February 1979 until the present. See CASE 4/10/80 Position on Contentions, pages 26 through 32.

As previously stated, we will advise all parties when and as decisions and agreements are made regarding this contention, in accordance with 10 CFR 2.740(e). (See CASE 9/3/80 Answers.)

103. Yes.

104. See CASE 9/3/80 Answers, page 41.

105. See CASE 9/3/80 Answers, page 41.

106. See CASE 9/3/80 Answers, page 41.

107. See CASE 9/3/80 Answers, page 41.

108. See Answer 98 preceding. Depending upon the magnitude of the accident, which could vary considerably, there would be health effects (including cancers, deaths, genetic effects, etc.) which would affect the immediate area, possibly Fort Worth, the Metroplex area (the area surrounding Dallas/Fort Worth), the Dallas area, and even further, as well as the financial costs to the people in those areas from radioactive contamination of their property, the possible loss of their land for years (or perhaps, for all practical purposes, forever as far as its usefulness to those people), costs of evacuation, medical treatment, housing, clothing, etc., costs to the utility and/or ratepayers for actual damage to the plant itself, to pay for replacement electricity (though, at the rate Applicants' projections are going, this might not be any problem at all for them -- however, according to their projections, this would be a large cost factor), costs of court suits, etc.

109. 10 CFR 51.20; the rule of reason; see Answer 99.

110. 10 CFR 51.20; the rule of Reason.

111. No.

112. Not applicable.

113. Unknown at this time; probably not; it is impossible at this point to tell exactly what the true costs of CPSES are because Applicants have not adequately considered everything which they are required to under 10 CFR 51.20.

114. Yes.

a. Yes.

b. Applicants have not included all data regarding possible accidents involving the onsite storage of spent fuel.

c. Applicants' ER (OLS).

d. See Answer 108.

e. See Answer 109.

115. Provide a detailed analysis of all costs associated with possible accidents in the onsite storage of spent fuel. Answer all CASE and NRC Staff interrogatories regarding such analysis satisfactorily.

116. 10 CFR 51.20; the rule of reason.

117. See Answer 115 preceding. Prove that benefits outweigh the costs.

118. See Answer 116 preceding.

119. See CASE 4/10/80 Position on Contentions, pages 26 through 32; it is expected that CASE's witness will go into more detail with regard to these possible accidents and all parties will be advised as soon as such detailed information is available.

120. All of them.

121. CASE has not analyzed this yet; it is expected that our witness will answer this.

122. See Answer 121; and Answer 119 preceding.

123. See Answer 121 preceding, and Answer 119 preceding.
124. See Answer 121 preceding, and Answer 119 preceding.
125. See Answer 121 preceding, and Answer 119 preceding.
126. See Answer 121 preceding, and Answer 119 preceding.
127. See Answer 121 preceding, and Answer 119 preceding.
128. See Answer 121 preceding, and Answer 119 preceding.
129. CASE has not analyzed this yet; see Answer 121 preceding.
130. See Answer 121 preceding.
131. See Answer 108 preceding.
132. Possibly; there could also be steam explosions, fires, etc.
133. Possibly all those contained in the spent fuel; see Answer 121.
134. See Answer 121 preceding.
135. See Answer 121 preceding.
136. See Answer 108 and 121 preceding.
137. See Answer 121 preceding.
138. See Answer 121 preceding.
139. See Answer 121 preceding.
  
140. See Answer 66.a. preceding. See CASE 4/10/80 Position on Contentions, page 21, second paragraph, and CASE 5/7/79 Contentions, pages 25 and 26, item 4. In addition, CASE does not believe Applicants know what the costs of fuel for CPSES will be, that they will be higher than Applicants estimate, and that Applicants have not adequately considered such costs; if adequate consideration is given to such costs, CASE believes that a favorable cost/benefit analysis cannot be made when such costs are added to those others which must be considered.
  
141. 10 CFR 51.20; Applicants' ER (OLS) 8.2.1.2 (pages 8.2-2 and 8.2-3); Texas Utilities Company Prospectus, 1/23/79 through the present (see CASE 5/7/79 Contentions, pages 25 and 26, item 4).

142. No.

143. No.

144. No, although this has been the subject of discussion in DP&L rate hearings, and as set forth in Answer 5 preceding.

145. Yes.

146. See CASE's 9/3/80 Answers, page 41.

147. Yes. See CASE's 9/3/80 Answers, page 41.

148. See CASE's 9/3/80 Answers, page 41.

149. See CASE's 9/3/80 Answers, page 41.

150. See Answer 140 preceding.

151. See Answer 140 preceding.

152. 10 CFR 51.20.

153. No.

154. See Answer 140 preceding.

155. Yes.

a. Yes.

b. See CASE 5/7/79 Contentions, pages 25 and 26, item 4, and Answer 140 preceding.

c. See Answer 141 preceding.

d. See Answer 140 preceding. Applicants should base their estimate of costs, if possible, upon firm contracts; if firm contracts are not available or have not been entered into, Applicants should use other studies or analyses of costs which will be applicable in the time frame when they anticipate they will have to purchase the fuel, not based on the 1980 market values. Fuel cycle costs of CPSES fuel should be included.

e. See Answer 141 preceding; the rule of reason.

156. See Answer 155d above. Provide detailed analysis of costs; answer all CASE and MRC Staff questions regarding such analysis satisfactorily.

157. See Answer 141 preceding.




158. Consider all the costs set forth in Answer 55 and prove that the benefits outweigh the costs. See also Answer 156 preceding.
159. 10 CFR 51.20. See Answer 141 preceding.
160. No; however, a more accurate cost/benefit analysis could be made if this were the case.
161. See Answer 160 above.
162. See Answer 160 above.
163. No, but there should be a reasonable assurance that enough fuel will be discovered to fuel the Comanche Peak plant and that such fuel will be available for use specifically at CPSES.
164. Yes. All costs should be considered which contribute in any way to the cost of the fuel which will be used at CPSES, including fuel cycle costs.
165. See Answer 155d; in addition, 10 CFR 51.20, and the rule of reason.
166. See Answer 155d.
167. See Answer 155d and 117 preceding.
168. This question refers to Interrogatories 168 and 169; however, we assume Applicants intend to refer to Interrogatories 166 and 167 and are answering accordingly. See Answer 141 preceding; the rule of reason.
169. No.
170. The rule of reason.
171. See Answer 66a preceding. Also, CASE does not believe that Applicants have adequately considered the costs of waste storage regarding the waste produced at CPSES; if adequate consideration is given to such costs, CASE believes that a favorable cost/benefit balance cannot be made when such costs are added to those others which must be considered.
172. See CASE 4/10/80 Position on Contentions, page 21, last paragraph, through page 25, and CASE's 5/7/79 Contentions, page 26, item 5, and page 27. The House Report "Nuclear Power Costs" will be made available for inspection and copying; contact the writer for an appointment. 10 CFR 51.20.

173. No.
174. No.
175. No. See Answer 5 preceding.
176. Yes.
177. See Answer on page 41 of CASE's 9/3/80 Answers.
178. See page 41 of CASE's 9/3/80 Answers.
179. See page 41 of CASE 9/3/80 Answers.
180. See page 41 of CASE 9/3/80 Answers.
181. See CASE 4/10/80 Position on Contentions, page 21, last paragraph, through page 25, and CASE's 5/7/79 Contentions, page 26 and 27, item 5.
182. 10 CFR 51.20; the rule of reason; see Answer 181 above.
183. No.
184. Not applicable.
185. See Answer 171 and 172.
186. Yes.
- a. Yes.
  - b. Applicants have not included all data regarding waste storage which are required.
  - c. 10 CFR 51.20; Applicants' ER (OLS).
  - d. Applicants should include a detailed, complete analysis of all costs associated with waste storage due to CPSES. We expect that our witness will go into further detail regarding more specifics; however, CASE has not analyzed this further at this time.
  - e. See first sentence, Answer 172 preceding.

187. Provide a detailed, complete analysis of all costs associated with the storage of waste due to CPSES. Answer all CASE and NRC Staff interrogatories regarding such analysis satisfactorily.
188. 10 CFR 51.20; the rule of reason.
189. See Answer 187 preceding. Prove that benefits outweigh the costs.
190. See Answer 188 preceding.
191. All wastes produced as the result of the fission reaction at CPSES (we expect that our witness will go into further detail regarding more specifics; however, CASE has not analyzed this further at this time); any other wastes produced as a result of the operation of CPSES, including but not limited to low-level wastes such as clothing, gloves, etc. (see preceding comment in parentheses).
192. Yes.
193. Yes.
194. With regard to the basis for our response to Interrogatory 189, see Answer 190. Regarding Interrogatories 191 through 193, 10 CFR 51.20; see also CASE's 4/10/80 Position on Contentions, pages 21 (last paragraph) through 25.
195. See Answer 191.
196. See Answer 191.
197. Yes.
198. See second sentence of Answer 194 above.

CASE has attempted to answer each and every question posed by Applicants; if any were not answered, it was an oversight and we will attempt to answer them if Applicant will point them out to us.

Respectfully submitted,

  
\_\_\_\_\_  
(Mrs.) Juanita Ellis, President  
CASE (Citizens Association for Sound Energy)  
1426 S. Polk, Dallas, TX - 75224  
214/946-9446

12/1/80

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

APPLICATION OF TEXAS UTILITIES  
GENERATING COMPANY, ET AL. FOR AN  
OPERATING LICENSE FOR COMANCHE  
PEAK STEAM ELECTRIC STATION  
UNITS #1 AND #2 (CPSES)

Docket Nos. 50-445  
and 50-446

CERTIFICATE OF SERVICE

By my signature below, I certify that true and correct copies of Supplement to CASE's Answers to Applicants' First Set of Interrogatories and Requests to Produce have been sent this day, the 1st day of December, 1980, to the names listed below via First Class Mail (in the case of names marked \*, with Certificate of Mailing):

\* Valentine B. Deale, Esq., Chairman  
Atomic Safety and Licensing Board  
1001 Connecticut Avenue, N. W.  
Washington, D. C. 20036

Dr. Forrest J. Remick, Member  
Atomic Safety and Licensing Board  
305 E. Hamilton Avenue  
State College, PA 16801

Dr. Richard Cole, Member  
Atomic Safety and Licensing Board  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

\* Nicholas S. Reynolds, Esq.  
Debevoise & Liberman  
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Marjorie Rothschild  
Counsel for NRC Staff  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

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100 Main Street (Lawyers Bldg.)  
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Assistant Attorney General  
Environmental Protection Division  
P. O. Box 12548, Capitol Station  
Austin, Texas 78711

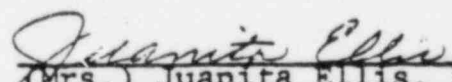
Mr. Richard Fouke  
1668-B Carter Drive  
Arlington, TX 76010

Atomic Safety and Licensing Board  
Panel  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Atomic Safety and Licensing  
Appeal Panel  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Docketing and Service Section  
Office of the Secretary  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Arch C. McColl, III, Esq.  
701 Commerce Street, Suite 302  
Dallas, TX 75202

  
Mrs. Juanita Ellis, President  
CASE (CITIZENS ASSOCIATION FOR  
SOUND ENERGY)



# CASE

(CITIZENS ASSN. FOR SOUND ENERGY)

1426 S. Polk  
Dallas, Texas 75224

214/946-9446

December 1, 1980

Secretary  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Attn: Chief, Docketing and Service Section

Dear Sir:

Subject: Docket Nos. 50-445 and 50-446  
Application of Texas Utilities Generating  
Company, Et Al. for an Operating License  
for Comanche Peak Steam Electric Station  
Units #1 and #2 (CPSSES)

Pursuant to subject hearings, we are attaching the original of the verification attached to CASE's December 1, 1980, Supplement to CASE's Answers to Applicants' First Set of Interrogatories and Requests to Produce.

Sincerely,

CASE (CITIZENS ASSOCIATION FOR SOUND ENERGY)

*Juanita Ellis*  
(Mrs.) Juanita Ellis  
President

Attachment

cc: Service List

STATE OF TEXAS )  
                          )  
COUNTY OF DALLAS )

Juanita Ellis, being duly sworn, deposes and says:

That she is President of CASE (Citizens Association for Sound Energy), and knows the contents of the foregoing Supplement to CASE's Answers to Applicants' First Set of Interrogatories and Requests to Produce; and that the same is true of her own knowledge and belief.

Juanita Ellis  
Juanita Ellis

SWORN to and subscribed  
before me on this 1st day  
of December, 1980

Paul H. Marco  
Notary Public

My Commission Expires: 12/31/80

(SEAL)



The original of this page has been mailed under separate cover, First Class Mail, to the Secretary, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555, Attention: Chief, Docketing and Service Section, on this 1st day of December, 1980.