

# CASE

(CITIZENS ASSN. FOR SOUND ENERGY)

1426 S. Polk  
Dallas, Texas 75224

214/946-9446

March 11, 1983

83 MAR 16 A10:46

Administrative Judge Marshall E. Miller  
Atomic Safety and Licensing Board  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Dr. Kenneth A. McCollom, Dean  
Division of Engineering, Architecture  
and Technology  
Oklahoma State University  
Stillwater, Oklahoma 74074

Dr. Walter H. Jordan  
881 W. Outer Drive  
Oak Ridge, Tennessee 37830

Gentlemen:

SUBJECT: 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

Response to CASE's 1/28/83 Request for  
Show Cause Order

We are attaching a copy of the response which we received from the Director of Office of Inspection and Enforcement, NRC, Washington, in answer to our 1/28/83 Request for Show Cause Order regarding the NPSI and ITT Grinnel design criteria, etc.

We assume from the response that we will receive an answer sometime following the hearings now scheduled for April 4-8, 1983.

However, we also would note for the Board's consideration the fact that the NPSI and ITT Grinnel design criteria and design guidelines are referred to in the NRC I&E Report 82-26/82-14 which the Staff has stated will form the basis for the Staff's testimony on the Walsh/Doyle allegations. (See cover letter of February 22, 1983, from Counsel for NRC Staff to the Licensing Board.)

It should be noted that the Feb. 15, 1983, cover letter to I&E Report 82-26/82-14 included (last paragraph) the usual provision for Applicants to notify the NRC if anything contained in the I&E Report was of a proprietary nature pursuant to 10 CFR 2.790. There is no indication that Applicants filed pursuant to that provision, and we are therefore requesting that Applicants supply us with the NPSI and ITT Grinnel design criteria and design guidelines as part of the informal discovery provided for by the Board in its 3/8/83 conference call. Nowhere in the record of these proceedings is there a sworn statement by Applicants that the NPSI and ITT Grinnel design criteria are proprietary information (other than the representation of Applicants' counsel which, as the Board noted in its Jan. 4, 1983, Memorandum and Order, the Board does not consider as constituting evidence).

8303180400 830311  
PDR ADOCK 05000445  
G PDR

Respectfully submitted,

*Juanita Ellis*  
(Mrs.) Juanita Ellis, President

D503

cc: Service List

Richard C. DeYoung, Director, Office of Inspection and Enforcement, NRC, Washington



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

MAR 06 1983

'83 MAR 16 A10:46

Docket Nos. 50-445  
50-446  
(10 CFR 2.206)

Mrs. Juanita Ellis, President  
Citizens Association for Sound Energy  
1426 S. Polk  
Dallas, TX 75224

Dear Mrs. Ellis:

This letter is sent to acknowledge receipt of your petition on behalf of the Citizens Association for Sound Energy that requests action pursuant to 10 CFR 2.206 with respect to the Comanche Peak Station. Your petition alleges that the licensee's failure to have certain documents within its possession which pertain to the design of certain components of the Comanche Peak Station constitutes a violation of NRC regulations. Consequently, you have requested that I order the company to show cause why it should not be found in violation of NRC regulations or, in the alternative, why it should not provide the requested documents.

In accordance with 10 CFR 2.206, I will inform you of my decision whether to grant or deny your petition within a reasonable time. Enclosed for your information is a copy of a notice that is being sent to the Federal Register for publication.

Sincerely,

A handwritten signature in cursive script, appearing to read "R C DeYoung".

Richard C. DeYoung, Director  
Office of Inspection and Enforcement

Enclosure: As stated

cc: Texas Utilities Generating Co.  
Nicholas S. Reynolds, Esq.

[7590-01]

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-445 & 50-446]

Texas Utilities Generating Co., et al.

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

Receipt of Petition under 10 CFR 2.206

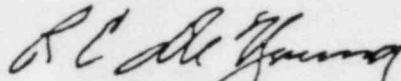
Notice is hereby given that the Citizens Association for Sound Energy has filed a request for action pursuant to 10 CFR 2.206 with respect to the Comanche Peak Station which is being constructed by the Texas Utilities Generating Co. under construction permits issued by the Nuclear Regulatory Commission. The petition alleges that the company's failure to have certain design documents within its possession constitutes a violation of NRC regulations. Consequently, the petitioner requests that the Director, Office of Inspection and Enforcement issue an order to show cause why the licensee should not be found in violation of NRC regulations or, in the alternative, produce the documents.

In accordance with 10 CFR 2.206, appropriate action will be taken on the petition within a reasonable time. Copies of the petition are available for public inspection in the Commission's public document room at 1717 H Street, N.W., Washington, DC, 20555, and in the local public document rooms for the

Comanche Peak Station at the Somerville County Public Library, On the Square,  
P.O. Box 1417, Glen Rose, Texas, 76043 and the University of Texas Library,  
Arlington, Texas, 76019.

Dated at Bethesda, Maryland, this 3rd day of March, 1983.

FOR THE NUCLEAR REGULATORY COMMISSION



Richard C. DeYoung, Director  
Office of Inspection and Enforcement