



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

February 18, 1992

Docket No 50-445

Sandra Long Dow
R. Mickey Dow
1078 Wellington, #135
Ottawa, Ontario K1Y-2Y3
Canada

Dear Mr. and Ms. Dow:

In its decision denying your Motion to Reopen the Record (Motion) in connection with the Comanche Peak licensing proceedings, CLI-92-01 (January 17, 1992), the U.S. Nuclear Regulatory Commission (NRC) referred your allegations addressed to the question of pipe support design at Comanche Peak to the NRC staff under Section 2.206 of Title 10 of the Code of Federal Regulations (10 CFR 2.206) to review these allegations to the extent that they may apply to Unit 1.

In your Motion, you allege that Texas Utilities (TU Electric or licensee) witnesses repeatedly made false and misleading statements to the Atomic Safety and Licensing Board between 1982 and 1985, and that these false and misleading statements prompted the Board to rely on and adopt false or misleading facts concerning the question of pipe support design when issuing its December 28, 1983, Memorandum and Order in that case. Specifically, you allege that the Board was led to believe that

The evidence establishes that each of the three pipe support design organizations has its own specific scope of responsibility for a specific group of supports. There is no need for cross communication between the three groups since they share no common, in-line design responsibility...The Board concludes that the Applicants have adequately defined and documented the responsibility and paths of communications between...the pipe support design groups. No NRC regulation has been violated.

You also allege that after the NRC issued the December 28, 1983, Memorandum and Order, TU Electric filed a series of motions for summary disposition that included affidavits in which affiants knowingly made false statements to the effect that each of the three design organizations had "separate and distinct responsibilities for the design of pipe supports" and all design changes during construction are "returned to the original designer for correction and rechecking."

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February 18, 1992

As provided by 10 CFR §2.206, the NRC will take appropriate action on your request within a reasonable time. I have enclosed for your information a copy of the notice that is being filed with the Office of the Federal Register for publication.

Sincerely,

Original signed by
Thomas E. Murley

Thomas E. Murley, Director
Office of Nuclear Reactor Regulation

Enclosure:
Notice

cc w/enclosure:
See next page

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*For previous concurrences see attached ORC

No legal objection.

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