

335

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

Before Administrative Judges:

'84 OCT -9 A11:38

Peter B. Bloch, Chairman
Dr. Kenneth A. McCollom
Dr. Walter H. Jordan

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

SERVED OCT 9 1984
Docket Nos. 50-445
50-446

In the Matter of

TEXAS UTILITIES ELECTRIC COMPANY, et al.

(Application for
Operating License)

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

October 5, 1984

MEMORANDUM AND ORDER
(Discovery on Cross-Over Leg Restraints)

As part of its response to Applicants' motion for precritical testing, CASE brought Notice of Violation 50-445/84-08-02 to our attention. Although we considered the matter irrelevant to precritical testing, we considered it sufficiently important to request Applicants to treat this particular portion of the CASE response as if it were a motion for discovery. Tr. 14006-07.

Having reviewed Applicants' Response to CASE Motion for Discovery Regarding Inspections of Main Coolant System Crossover Leg Restraints, we have concluded that there is sufficient importance to the allegation in the violation¹ for us to permit discovery. In their Supplemental Response of September 7, 1984, at 2, Applicants indicate that

It is unclear whether the inspector saw the QC inspector's checklists for the crossover leg restraints. TPD-12 was not

¹ "[I]nspections were not made of the installations of the Unit 1 crossover leg restraints, nor were any documents requiring such an inspection issued." Inspection Report, Appendix A, Item B, at 2.

DS02

presented to the inspector.

We also note that there does not appear to be any documentation for the statement that "Approximately two years ago, a decision was made to intentionally postpone completion of the installation (shimming and torquing) of the crossover leg restraints until after completion of Hot Functional Testing."² Furthermore, hot functional testing was completed and there is no explanation of why testing has been put off to the power ascension testing.

This violation relates to the open item concerning the adequacy of documenting of deficiencies through inspection checklists. This particular checklists seems to have been misplaced in the shuffle. Discovery relating to this matter will assist the Board in assessing its significance.

O R D E R

For all the foregoing reasons and based on consideration of the entire record in this matter, it is this 5th day of October 1984

ORDERED:

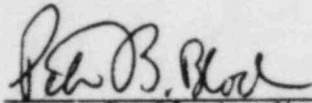
CASE may file requests for discovery concerning the adequacy of documentation and testing of the cross-over leg restraints on or

² Id.

Cross-over leg restraints: 3

before October 15, 1984.

FOR THE
ATOMIC SAFETY AND LICENSING BOARD

A handwritten signature in cursive script, appearing to read "Peter B. Bloch".

Peter B. Bloch, Chairman
ADMINISTRATIVE JUDGE

Bethesda, Maryland