

October 31, 1984

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

- BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
TEXAS UTILITIES ELECTRIC)	Docket Nos. 50-445
COMPANY, <u>et al.</u>)	50-446
)	
(Comanche Peak Steam Electric)	
Station, Units 1 and 2))	

AFFIDAVIT OF VINCENT S. NOONAN ON THE
CYGNA PHASE 3 REPORT

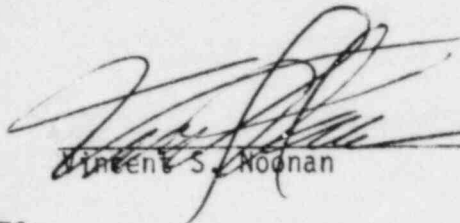
I, Vincent S. Noonan, being duly sworn, do depose and state as follows:

1. I am the Comanche Peak Project Director for the NRC Staff's ("Staff's") Project Task Force for CPSES.
2. The Staff's review of the Cygna Phase 3 Report began on October 22, 1984. The Staff currently projects that its review will be completed by December 7, 1984. Until the Staff's review is complete, the Staff will not be able to state its position regarding which portions of the Cygna Phase 3 Report should be litigated.


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3. While the Staff would not object to the other parties identifying issues from the Cygna Phase 3 Report which they contend should be the subject of litigation, the Staff questions whether it would be productive for the parties to identify those issues until the Staff has completed its review and developed its position on the Cygna Phase 3 Report. As I stated earlier, the Staff will have a position regarding what portions of the Cygna Phase 3 Report should be litigated when it completes its evaluation of that report. Until that time, the Staff will not be able to effectively assist the Board in developing a comprehensive and coherent record on this subject. Moreover, the Board has not yet disposed of the piping and pipe support design and QA issues which are the subject of Applicants' motions for summary disposition. Litigation of the Cygna Phase 3 Report will undoubtedly involve many of the same issues addressed in Applicants' motions for summary disposition. It would be an inefficient use of the Staff's, as well as the Board's and the other parties' resources, to repeatedly litigate the identical piping and pipe support design and QA issues. This is especially true where the Board's resolution of the summary disposition motions could reduce the number of issues which actually need to be litigated at a hearing session on the Cygna Phase 3 Report. For these reasons, the Staff believes that the Board should await the completion of the Staff's review of the Cygna Phase 3 Report, as well as the resolution of the Applicants' summary disposition motions, before requesting the parties' views on the Cygna Phase 3 Report.

The above statement are true and correct to the best of my knowledge and belief.


Vincent S. Noonan 10/31/84

Subscribed and sworn to before me
this 31st day of October, 1984


Notary Public

My Commission expires: 7/1/86

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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF RESPONSE TO APPLICANTS' MOTIONS TO SET SCHEDULE FOR BRIEFS ADDRESSING CYGNA PHASE 3 ISSUES AND FOR EXPEDITED RESPONSE" in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class, or deposit in the Nuclear Regulatory Commission's internal mail system (*), or by express mail or overnight delivery (**), or by hand delivery (***), this 31st day of October, 1984:

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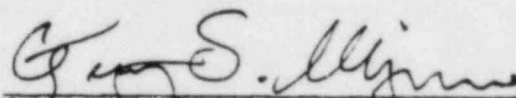
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