

8/6/84

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

DOCKETED  
USNRC

In the Matter of  
  
TEXAS UTILITIES GENERATING  
COMPANY, et al.  
  
(Comanche Peak Steam Electric Station  
Station, Units 1 and 2)

'84 AGO -9 A11:11  
Docket Nos. 50-445-1  
and 50-446-1

OFFICE OF SECRETARY  
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BRANCH

CASE'S ANSWER TO APPLICANTS' MOTION FOR SUMMARY DISPOSITION  
OF CERTAIN CASE ALLEGATIONS REGARDING AWS AND ASME  
CODE PROVISIONS RELATED TO DESIGN ISSUES

Pursuant to 10 CFR 2.749, CASE (Citizens Association for Sound Energy),  
Intervenor herein, files this, its Answer to Applicants' 5/17/84 Motion  
for Summary Disposition of Certain CASE Allegations Regarding AWS and ASME  
Code Provisions Related to Design Issues /1/.

CASE's Answer is as stated in the attached CASE's Answer to Applicants'  
Statement of Material Facts As to Which There Is No Genuine Issue of Fact,  
which has been prepared in the form of an Affidavit and which was prepared  
under the supervision of CASE witness Mark Walsh.

Since the issues discussed are highly technical and complex, CASE could  
do little more than repeat the statements made by Mr. Walsh, which would  
serve little purpose and unduly burden the record. This is true with the  
following exceptions. We do wish to specifically call to the Board's

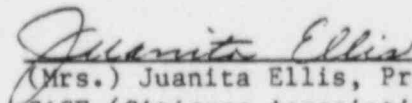
/1/ See discussion of background and procedures to be followed regarding  
the series of Motions for Summary Disposition on design and design  
quality assurance (QA) filed by Applicants, contained in the Board's  
6/29/84 Memorandum and Order (Written-Filing Decision, #1: Some  
AWS/ASME Issues, at pages 1-3); see also transcript of 7/26/84 on-the-  
record telephone conference call.

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attention the discussion under answer 2 (page 6), answer 10 (pages 16 and 17), and answer 15 (page 21), it appears to CASE that Applicants have made statements which are very misleading and either constitute or border on material false statements. We ask that the Board consider Applicants' statements in that light.

As stated by Mr. Walsh, Applicants' Motion for Summary Disposition does not adequately address the actual issues which have been raised. However, even in the limited context of Applicants' Motion, it is clear from reviewing the answers by Mr. Walsh that there are many genuine issues of fact which are still in controversy. We believe the Board should decide in CASE's favor regarding those issues (as well as regarding the many issues which have not yet been adequately addressed by Applicants).

Respectfully submitted,

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