

8/20/84

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

TEXAS UTILITIES GENERATING  
COMPANY, et al.

Docket Nos. 50-445-1  
and 50-446-1

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

CASE'S ANSWER TO APPLICANTS' MOTION FOR SUMMARY DISPOSITION  
OF CASE'S ALLEGATIONS REGARDING U-BOLTS ACTING AS TWO-WAY RESTRAINTS

Pursuant to 10 CFR 2.749, CASE (Citizens Association for Sound Energy), Intervenor herein, files this, its Answer to Applicants' 5/23/84 Motion for Summary Disposition of CASE's Allegations Regarding U-Bolts Acting As Two-Way Restraints /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.

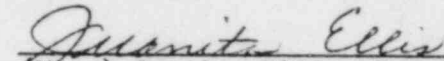
Since the issues discussed are highly technical and complex, CASE could do little more than repeat the statements made by Mr. Walsh, which would serve little purpose and unduly burden the record. This is true with the following exceptions. We do wish to specifically call the Board's

/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.

attention to statements made by Applicants throughout their pleading which are, at a minimum, very misleading and which, in some cases, either constitute or bordon on material false statements. We ask that the Board consider Applicants' statements in that light. We call the Board's attention especially to the discussion in answer 6 (pages 11-14) and answer 7 (pages 15-16) in this regard.

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  
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