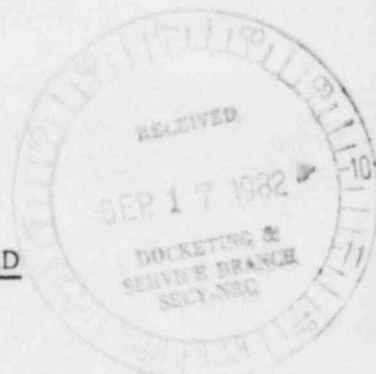


878.

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 and
COMPANY, <u>et al.</u>)	50-446
)	
(Comanche Peak Steam Electric)	(Application for
Station, Units 1 and 2))	Operating Licenses)

OL

APPLICANTS' RESPONSE TO CASE
MOTION FOR DISCOVERY REGARDING
INSPECTIONS OF MAIN COOLANT
SYSTEM CROSSOVER LEG RESTRAINTS

On August 18, 1984, Citizens Association for Sound Energy ("CASE") filed a Partial Answer in Opposition to Applicants' Motion for Authorization to Issue a License to Load Fuel and Conduct Certain Precritical Testing ("Answer"). As part of that Answer, CASE attached NRC Inspection Report 50-445/84-08, 50-446/84-04 (July 26, 1984) ("Inspection Report") and made a motion for discovery prior to responding fully to the Applicants' 10 C.F.R. § 50.57(c) motion. Answer at 2. The discovery request was renewed and discussed orally during the Conference Call of August 22, 1984. Tr. 14,004-14,007. At that time, CASE made it clear that it was seeking discovery on Notice of Violation 50-445/84-08-02 (Inspection Report, Appendix A, Item B) related to inspections of installations of the Unit 1 Main Coolant System crossover leg restraints. Tr. 14,004 (Ellis). The Board indicated its agreement with Applicants that this matter is irrelevant to the Applicants' § 50.57 (c) motion. The Board

stated, however, that the issue for Applicants' further response is whether the matter is relevant to the pending quality assurance contention and therefore whether discovery is justified. Tr. 14,006-07 (Bloch). The Applicants' response to this question follows.

Applicants submit that the discovery request on the NRC's Notice of Violation should be denied because (1) the matter is irrelevant to the pending quality assurance issues, and (2) CASE has not demonstrated that the issue is significant and should be raised as a new issue in the proceeding.

I. DISCUSSION

In Notice of Violation 50-445/84-08-02 the NRC determined that QC "inspections 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. The crossover leg restraints at issue are located on the Main Coolant System and are part of the piping seismic restraint. The crossover leg restraints are a type of whip restraint system. Applicants responded to the NRC Notice of Violation in a letter from B. R. Clements to R. L. Bangart, August 23, 1984 ("Response") and a supplement from B. R. Clements to R. L. Bangart, September 5, 1984 ("Supplement"). The Applicants' Response and Supplement are included with this pleading as Attachments 1 and 2, respectively.

CASE requested discovery on the NRC's Notice of Violation 50-445/84-08-02 in the context of its response to the Applicants' § 50.57(c) motion. As noted above, the Board concluded that the subject matter is irrelevant to Applicants' motion. Beyond that, CASE made no showing of any relevance of the Notice of Violation to a specific quality assurance issue pending in this proceeding. Instead, CASE incorrectly assumes that the quality assurance contention automatically encompasses NRC inspection reports, even if they do not relate to incidents or matters already in litigation. Similarly, CASE has made no attempt to explicitly demonstrate the significance of the matter which would justify discovery and the opening of a new issue in the proceeding. See Vermont Yankee Nuclear Power Corporation, ALAB-136, 6 AEC 520, 524 (1973). Nor has CASE made any attempt to address the five factors of 10 C.F.R. § 2.714(a)(1) for admission of new contentions. CASE has therefore failed in its burden to demonstrate the existence of a triable issue, and is not entitled to discovery.

The Board must apply a rule of reason in deciding this question. It should not permit this new issue to be raised under the admitted contention without a strong showing of its significance to the outcome of the case. The raising of issues must end at some point in any trial; records must be closed; litigation must eventually come to an end. The NRC Staff will continue its inspection efforts at Comanche Peak for the life of

the project, and undoubtedly other violations will be found and enforcement actions taken. Obviously the Board cannot admit every new matter raised in Staff inspection reports. It is because the NRC Staff is involved to see such matters through that the Board need not address each new matter in the operating license hearings. The Board can and should rely on the Staff to handle the instant matter, there being no showing that it raises a significant new issue that is important to the outcome of the case.

A. The Notice of Violation is Not Relevant to Pending Issues

The issue on which CASE seeks discovery is not relevant to any specific issue currently pending before this Board. While it is true that quality assurance in general is the contention before this Board (Contention 5), the specific issues for litigation have been articulated and scoped by the Board's March 15, 1984 Memorandum (Clarification of Open Issues) and December 28, 1983 Memorandum and Order (Quality Assurance for Design). The issue of the crossover leg restraints has never been previously raised for litigation. The Board has already held in the Conference Call of August 22, 1984, that the Inspection Report is not relevant to the existing issue of the upper and lower lateral restraints as suggested by CASE. Tr. 14,004 (Bloch). That issue specifically concerns restraints on the steam generators and does not encompass crossover leg restraints.

No issue currently in this proceeding can be construed to include the crossover leg restraints. First, this matter does not relate to the existing design quality assurance issues. The crossover leg restraint matter raised in the NRC Inspection Report concerns specific QC inspections that have not been completed by the Applicants. Whether or not a specific QC inspection has been performed is irrelevant to design issues. Moreover, the design issues in this proceeding concern pipe supports. The crossover leg restraints are not pipe supports, but instead are whip restraints. The Board's decision on these issues could not be altered by evidence on the NRC Inspection Report. No other issue listed in the Board's March 15, 1984 Memorandum clarifying open issues is even arguably related to the Notice of Violation.

In sum, CASE's discovery request is inappropriate because CASE makes no attempt to demonstrate the relevance of the matter to existing issues, and in fact the matter raised by CASE is not relevant to any issue. Although design quality assurance is generally in issue through Contention 5, litigation in this proceeding is defined by the specific open issues established by the Board's prior orders. If CASE wishes to raise a new specific issue under the category of quality assurance, it must demonstrate the safety significance of that issue with reference to the factors set forth in 10 C.F.R. § 2.714(a)(1) which would justify discovery and litigation.

B. CASE Has Not Demonstrated The Existence Of A Significant Safety Issue And Is Not Entitled to Discovery

The Notice of Violation on which CASE seeks discovery does not raise a significant safety issue and, thus, should not be admitted as a new issue in this proceeding. CASE's discovery request, without any showing of relevance or significance, and without any reference to the factors set forth in 10 C.F.R. § 2.714(a)(1) should therefore be denied.

Hundreds of NRC Staff inspections of Comanche Peak will be carried out prior to operation of the facility and throughout the plant's operating life. Every notice of violation issued by the Staff does not create a significant issue which must be litigated in licensing hearings. The particular notice cited by CASE in its instant discovery request is a good example of an isolated quality assurance finding by the NRC Staff which has no safety significance.

As indicated in the NRC Inspection Report, the NRC inspector could not locate documentation for QC inspections which would verify alignment of the crossover leg restraints and torquing of the anchorage bolts. In its original Response to the NRC Staff, Attachment 1 to this pleading, the Applicants indicated that the inspections of the installations had not been completed and that they would perform the inspections. Response at 3. Applicants then supplemented their original Response to the NRC Staff. This is outlined in Attachment 2 to this pleading.

This Supplement demonstrates that the Notice of Violation has no safety significance and is not symptomatic of a QA breakdown. In fact, as explained in the Supplement, the Notice of Violation does not represent a quality assurance deficiency at all.

Specifically, QC inspection checklists exist for the crossover leg restraint installations. Supplement at 2. There are 4 inspection checklists, each covering two restraint installations. The final inspections of the completed restraint installation remain listed as open items. This includes inspection of the installation of the shims and torquing of the bolts. These inspections, however, were intentionally deferred by agreement of the QA organization and the Startup organization until completion of construction work on the installation during the hot functional test program on the piping. The construction work is deferred in order to allow normal thermal growth of the pipes during the hot functional test, prior to installing the shims and torquing the anchorage bolts on the restraints. Supplement at 2. Without allowing for these normal expansions and shifts of the pipes, the final clearance and shim requirements cannot be established. It is therefore a reasonable approach to defer the final installation of the shims, torquing of the anchorage bolts, and inspection of the shims and bolts.

The fact that there is incomplete construction work remaining on the crossover leg restraints was documented in Test Procedure Deviation (TPD) No. 12. Steps 7.6.2 and 7.6.3 of the

Reactor Coolant System test procedure call for verification of installation of shims and monitoring of the shim clearances in a hot condition for the crossover leg restraints. TPD No. 12 calls for deferral of this thermal monitoring of the shims until power ascension testing. The final QC inspections of the installations therefore cannot be completed until completion of all construction work on the installation during plant heat-up after fuel load.

In sum, QC inspection checklists for the crossover leg restraints do exist, thereby demonstrating that the need for the inspections was recognized by Applicants. The inspections are incomplete because the necessary construction work is not yet completed. Applicants have reaffirmed their commitment to conduct the necessary inspections at the appropriate time. Supplement at 2. The Notice of Violation has no safety significance and the involvement of the Board and parties through discovery and litigation of a new issue is not warranted.

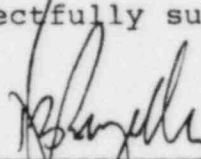
In NRC precedent it has been consistently recognized that an isolated quality assurance deficiency (such as a single notice of violation in one area) is not relevant to the Board's overall finding of reasonable assurance that the plant is constructed properly and can be operated without endangering public health

and safety. See Union Electric Co. (Callaway Plant, Unit 1), ALAB-740, 18 NRC 345, 346 (1983); Pacific Gas and Electric Co. (Diablo Canyon Nuclear Power Plant, Units 1 and 2), ALAB-756, 18 NRC 1340, 1345 (1983). This is especially true in a situation such as the present Notice of Violation where adequate explanation exists or corrective measures will be taken by the Applicants. It would be inconsistent with this NRC precedent to allow CASE to raise new issues and conduct discovery based on each NRC inspection report related to quality assurance issued in the future. There are finite limits to both the issues that are relevant to this proceeding and the time available for the Board and parties to conduct inquiries which duplicate NRC Staff responsibilities. CASE's discovery request on one routine inspection report -- with no safety significance -- should be denied.

III. CONCLUSION

For the reasons stated above, CASE's motion for discovery related to inspections of the Main Coolant System crossover Leg restraints should be denied.

Respectfully submitted,



Nicholas S. Reynolds
BISHOP, LIBERMAN, COOK,
PURCELL & REYNOLDS
1200 Seventeenth Street, N.W.
Washington, D.C. 20036
(202) 857-9817

Counsel for Applicants

September 14, 1984

TEXAS UTILITIES GENERATING COMPANY

SKYWAY TOWER * 400 NORTH OLIVE STREET, L.B. #1 * DALLAS, TEXAS 75201

BILLY R. CLEMENTS
VICE PRESIDENT, NUCLEAR OPERATIONS

August 23, 1984
TXN #4271

Mr. Richard L. Bangart, Director
Region IV Comanche Peak Task Force
U.S. Nuclear Regulatory Commission
Office of Inspection and Enforcement
611 Ryan Plaza Drive, Suite 1000
Arlington, TX 76011

Docket No.: 50-445

Comanche Peak Steam Electric Station
Response to NRC Notice of Violation
and Notice of Deviation
Inspection Report No. 84-08
File No.: 10130

Dear Mr. Bangart:

We have reviewed your letter dated July 26, 1984 on the inspection conducted by Messrs. J. E. Cummins, L. E. Martin, C. R. Oberg, and W. F. Smith of activities authorized by NRC Construction Permit CPPR-126 for Comanche Peak, Unit 1. We have responded to the findings listed in Appendix A and B of that letter.

To aid in the understanding of our response, we have repeated the requirement and your finding followed by our preventative actions. We feel the enclosed information to be responsive to the Inspectors' findings. If you have any questions, please advise.

Yours very truly,

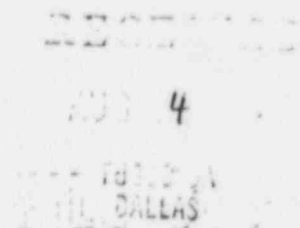
Billy R. Clements

BRC:msc

Enclosure

c: NRC Region IV - (0 + 1 copy)

Director, Inspection & Enforcement (15 copies)
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555



APPENDIX A

NOTICE OF VIOLATION

Texas Utilities Electric Company
Comanche Peak Steam Electric Station (CPSSES)
Unit 1

Docket: 50-445/84-08
Construction Permit: CPPR-126

Based on the results of an NRC inspection conducted during the period of November 14, 1984, through March 31, 1984, and in accordance with the NRC Enforcement Policy (10 CFR Part 2, Appendix C), 49 FR 8583, dated March 8, 1984, the following violations were identified:

A. Gaps on Unit 1 Polar Crane Bracket and Seismic Connections Exceed Design Requirements

10 CFR 50, Appendix B, Criterion V requires that, "activities affecting quality shall be prescribed by documented instructions, procedures, or drawings, of a type appropriate to the circumstances and shall be accomplished in accordance with these instructions, procedures, or drawings."

Design Change Authorization 9872 required that all gaps on the Unit 1 polar crane bracket and seismic connections greater than 1/16 inch be shimmed.

Contrary to the above on February 13, 1984, the NRC inspector reviewed the polar crane bracket and seismic connections listed below and observed that there were unshimmed gaps that exceeded 1/16 inch.

<u>Girder Number</u>	<u>Connection location on Girder (looking from inside containment)</u>	<u>Approximate Gap</u>
23	center	1/8"
23	right	1/8"
26	right	3/16"
20	center	5/32"
20	left	3/16"
19	right	3/16"
17	center	5/32"
16	right	1/8"

This is a Severity Level IV Violation (Supplement II.D) (445/8408-01).

Corrective Steps Which Have Been Taken and the Results Achieved

As a result of the concerns observed during the NRC inspection, a review has been conducted of the existing gap conditions. The gaps appear to be attributable to self-adjustment of the girders following equipment (crane) operation. Self-adjustments are typical in installations which incorporate flexible design

considerations allowing limited movement in specified directions. In the crane girders, the bolting connections allow such adjustments to respond to such effects as local loaded or unloaded conditions due to position of the crane.

Site Engineering has prepared as-built information of the residual gaps in the polar crane girder bearing side plates and seismic supports. Evaluation by the architect/engineer (Gibbs & Hill) has concluded the existing conditions are acceptable without further action. No adverse conditions have been observed.

Corrective Steps Which Will Be Taken to Avoid Further Violations

To preclude similar concerns, Site Engineering will perform a complete review of the Unit 2 installation of the polar crane girder bearing side plates and seismic supports prior to completion of the work.

Date of Full Compliance

The existing conditions will be adopted by issuance or revision of design change no later than August 24, 1984.

B. Failure to Perform Inspections of Installation Activities Related to Unit 1, Main Coolant System Crossover Leg Restraints

Criterion X of Appendix B to 10 CFR Part 50 requires that inspections and activities affecting quality shall be established and executed by or for the organizations performing the activity to verify conformance with the documented instructions, procedures, and drawings for accomplishing the activity.

Texas Utilities Electric Company Quality Assurance Plan, in Section 4.0 requires that planned written inspection procedures be utilized. The plan further requires that inspection activities include the types of equipment to be measured, the methods of examination, and the criteria.

Contrary to the above, it was determined that inspections were not made of the installations of the Unit 1 crossover leg restraints, nor were any documents requiring such an inspection issued. Specifically, the requirements for installation, as specified in Gibbs & Hill Drawing 2323-S1-0550, were not inspected and documented. The eight crossover restraints (2 per loop) are major components of the main coolant piping seismic restraints and support system.

This is a Severity Level IV Violation. (Supplement II.D) (445/8408-02)

Corrective Steps Which Have Been Taken and the Results Achieved

The installations shall be inspected to current design documents in accordance with the established QA/QC Program.

Corrective Steps Which Will be Taken to Avoid Further Violations

A review of this issue showed that documentation does exist on the installation, however, it was found to be incomplete to substantiate the acceptability of the installation under the quality program. It should be noted that craft and QC had recognized the need for the components to be inspected, however, the documentation was not completed. Therefore, this situation appears to be isolated in its occurrence and no further action outside of the re-inspection is anticipated.

Date of Full Compliance

The inspections shall be completed no later than August 24, 1984.

APPENDIX B

NOTICE OF DEVIATION

Texas Utilities Electric Company
Comanche Peak Steam Electric Station (CPSES)
Unit 1

Docket: 50-445/84-08
Construction Permit: CPPR-126

Based on the results of an NRC inspection conducted during the period of November 14, 1983, through March 31, 1984, and in accordance with the NRC Enforcement Policy (10 CFR Part 2, Appendix C), 49 FR 8583, dated March 8, 1984, the following deviation was identified:

Deviation from Design Information for Installation of Seismic Category I/Seismic Category II Structural Steel for the Bolted Connections Between the W16x40 and the Wall on Platform OP-11 in the Pressurizer Compartment.

1. CPSES FSAR Section 1A(B), on Page 1A(B)-26, states, "The quality assurance program for design and construction at CPSES incorporates the intended objectives of ANSI N45.2.11." (Draft 2, Revision 2 - May, 1973)

Contrary to the above, the licensee did not incorporate the intended objectives of ANSI N45.2.11 into the design of certain personnel access platforms at CPSES. A review of the design documentation, including Gibbs & Hill Drawing 2323-S1-0556, Revision 4, Design Change Authorization (DCA) 9764, Revision 3, and DCA 1090, indicated that the above platform was originally designed as nonsafety-related.

2. ANSI N45.2.11 (Draft 2, Revision 2 - May, 1973), Paragraph 3, requires that design input requirements be specified to the level of detail necessary to permit the design activity to be carried out in a correct manner and should include basic functions, loads, and physical interfaces. ANSI N45.2.11, Paragraph 8, requires that design changes be subjected to design control measures commensurate with the above.

Contrary to the above, the design documentation was upgraded to Seismic Category II with the particular beams supporting safety-related instrument tubing for two channels of pressurizer level upgraded to Seismic Category I. DCA 1090 required that the bolted connections between the W16x40 and the wall be "hand tight only", but did not address any locking device or thread upset to prevent nut backoff.

3. AISC Manual for Steel Construction in the Specification for Design, Fabrication, and Erection of Structural Steel for Building in Section 1.23.5 addresses the need for tightening high strength bolted connections to prevent the nut from loosening and falling off.

In deviation from the above, DCA 9764 upgraded the platform to Category I and changeout of material, but did not change the connection requirements specified in DCA 1090.

This a deviation (445/8408-03).

Corrective Steps Which Have Been Taken and the Results Achieved

A design change (DCA-19, 469 Rev. 1) was issued in mid-December, 1983 to require threads of bolts on Platform OP-11 to be spoiled. In addition, a complete review of Unit 1 and Common and Unit 2 structural installations/designs has been or will be performed to identify and properly disposition the "hand-tight" issue. Rework has been or will be accomplished by appropriate design change documents.

Corrective Steps Which Will Be Taken to Avoid Further Deviation

The stated corrective action will preclude further deviation.

Date of Full Compliance

The corrective actions for Unit 1 and Common are complete. The reviews required for Unit 2 are scheduled for completion by October 1, 1984.

TEXAS UTILITIES GENERATING COMPANY
SKYWAY TOWER • 400 NORTH OLIVE STREET, L.B. 81 • DALLAS, TEXAS 75201

BILLY R. CLEMENTS
VICE PRESIDENT, NUCLEAR OPERATIONS

September 7, 1984
TXX-4294

Mr. Richard L. Bangart, Director
Region IV Comanche Peak Task Force
U.S. Nuclear Regulatory Commission
Office of Inspection & Enforcement
611 Ryan Plaza Drive, Suite 1000
Arlington, TX 76011

Docket No.: 50-445

COMANCHE PEAK STEAM ELECTRIC STATION
SUPPLEMENTAL RESPONSE TO NRC NOTICE OF VIOLATION
AND NOTICE OF DEVIATION
INSPECTION REPORT NO. 84-08
FILE NO.: 10130

Dear Mr. Bangart:

In a response dated August 23, 1984 we responded to the findings attached to your letter of July 26, 1984 on the inspection conducted by Messrs. J.E. Cummins, L.E. Martin, C.R. Oberg, and W.F. Smith of activities authorized by NRC Construction Permit CPPR-126 for Comanche Peak, Unit 1. In accordance with my telephone conversation of August 27, 1984, we are now supplementing our August 23, 1984 response.

This supplementary response should be considered in conjunction with our August 23, 1984 response. We have retained the same main headings as in our original response for ease of reference. If you have any questions, please advise.

Very truly yours,

Billy R. Clements

BRC:tlg

Enclosure

cc: R.D. Martin
NRC Region IV - (0 + 1 copy)

Director, Inspection & Enforcement (15 copies)
U.S. Nuclear Regulatory Commission
Washington, DC 20555

APPENDIX A
NOTICE OF VIOLATION

A. Gaps on Unit 1 Polar Crane Bracket and Seismic Connection Exceed Design Requirements

The NRC had cited Applicants in 1982 for a failure to perform inspections of installation activities related to the Unit 1 containment polar crane. This violation was documented by Applicants on NCR M-82-00894.

The disposition of NCR M-82-00894 directed that the polar crane girder connection finger shims previously installed per Design Change Authorization (DCA) 9872 */ were to be removed and inspected and any deviations from the requirements of DCA 9872 were to be identified to engineering for resolution. The licensee removed and inspected all of the finger shims associated with the Unit 1 polar crane bracket and seismic connections. During this inspection, any gap greater than 1/16 inch was shimmed and any shim that did not meet the design requirements of DCA 9872 was replaced. This included the replacement of ten finger shims that were found to have clipped fingers. Operational traveler CE-82-370-8104 was issued to accomplish and document the shim inspection and rework directed by NCR M-82-00894.

In accordance with traveler CE-82-370-8104, the new shims were installed per the requirements of DCA 9872. The shim inspection and rework was inspected and documented by quality control (QC) inspectors on NCR M-82-00894. This NCR was closed on January 24, 1983. The QC inspection of the shim rework satisfied all pertinent requirements. This item was subsequently closed by the NRC Staff. See NRC Inspection Report Nos. 50-445/84-08 and 50-446/84-04, Appendix C, p. 4.

In the course of the subject NRC inspection, gaps in excess of the specified criteria (1/16 inch) were observed. As stated in our response dated August 23, 1984, the conditions appear to be the result of crane and bolting self-adjustment. The existing gap dimensions have been evaluated by site engineering and are acceptable. A site design change (DCA-9872, Rev. 4, dated August 24, 1984) has been issued to document the acceptability of the existing conditions.

B. Failure to Perform Inspections of Installation Activities Related to Unit 1, Main Coolant System Crossover Leg Restraints

In this Notice of Violation the NRC inspector determined that inspections were not made of the installations of the eight (2 per loop) Unit 1 crossover leg restraints, and that no documents requiring such an inspection were issued.

*/ DCA 9872 required that all gaps greater than 1/16 inch on the Unit 1 polar crane bracket and seismic connections be shimmed.

Enclosure
TXX-4294

In our initial response to this item, B.R. Clements to R.L. Bangart, August 23, 1984, TXX-4271, we stated that some documentation for the installations had been identified, but it had not been completed to establish the acceptability of the installations under the quality program. We therefore committed to inspect the eight crossover leg restraint installations to current design documents no later than August 24, 1984.

As part of our continuing review of this matter, we have established why QC inspections of the installations have not been completed. QC inspection checklists for the crossover leg restraints (attached to NCR-M84-100281) demonstrate that the inspections performed on these restraints over six years ago left open the inspection items related to fitting the shims and torquing the bolts. 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. This would allow for normal thermal expansion prior to installation of the shims and torquing of the anchorage bolts. This construction work on the shims was documented in Test Instruction/Procedure Deviation (TPD) Report No. 12 on the Reactor Coolant System. TPD-12 calls for the further construction work on the shims for the restraints during power ascension testing. Only at that time will be thermal monitoring of the shims take place. Additionally, work required to be completed during plant heat-up after fuel load is identified as a known work item on the Master System Punchlist, as a result of NCR-M84-100182. Further work required by TPD-12 has been carried as an open item in the Test Deferral Package since the issuance of TPD-12 on May 25, 1983.

The final QC inspections of the crossover leg restraint installations will not be appropriate until final shim monitoring and adjustment is completed and the bolts torqued. We will conduct the necessary inspections when an engineering determination indicates the timeliness for completing the inspections.

The Notice of Violation was based on the information presented to the inspector. It is unclear whether the inspector saw the QC inspector's checklists for the crossover leg restraints. TPD-12 was not presented to the inspector. In light of this information, we believe that the Notice of Violation is incorrect because (1) the completion of the inspections of the restraints were intentionally postponed, and (2) testing documentation does demonstrate the need for the inspections.

Copies of the documents referred to and the information regarding postponement of the inspections have been provided to Mr. Chet Oberg, NRC representative at the CPSES site for his review.

APPENDIX B
NOTICE OF DEVIATION

Deviation from Design Information for Installation of Seismic Category I/Seismic Category II Structural Steel for the Bolted Connections Between the W16x40 and the Wall on Platform OP-11 in the Pressurizer Compartment.

Applicants described in their original response to the Notice of Deviation specific measures undertaken to assure the prevention of nut backoff on the subject connection and other similarly classified structural steel bolted connections in both Units 1 and 2. That response addressed the underlying technical concern raised in the notice. We address below the apparent conclusion that the cause of the deviation was a failure of the design control process for reclassifying the subject platform.

The Notice of Deviation incorrectly concludes that the absence of special measures to prevent nut backoff on the subject beam resulted from a deficiency in the process of upgrading the safety classification of platform OP-11. In upgrading the safety classification of the platform all then-existing design specification requirements applicable to that classification were incorporated into the upgraded design. The design specifications then in force, and as then interpreted, governing nut installation on seismic category I structural steel bolted connections did not require the use of thread upset or locking devices. (It should be noted that the edition of the AISC Manual to which Applicants are committed does address the need to tighten high-strength bolts but does not discuss the need for separate measures to prevent nut backoff.) Thus, the platform was upgraded in conformity with the then-current design requirements. At a subsequent time the decision was made to revise the applicable specifications to require measures to prevent nut backoff on this type of structural steel connection. Applicants then undertook the corrective action described in our previous response to assure that this new requirement was implemented throughout the plant.

In conclusion, the subject deviation resulted from the application of the then existing requirements for bolted connections and not a failure to implement appropriate design control measures as suggested in the Notice of Deviation.

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 and
COMPANY, et al.) 50-446
)
(Comanche Peak Steam Electric) (Application for
Station, Units 1 and 2)) Operating Licenses)

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing "Applicants' Response to CASE Motion for Discovery Regarding Inspections of Main Coolant System Crossover Leg Restraints" in the above-captioned matter were served upon the following persons by hand delivery,* or by deposit in the United States mail,** first class, postage prepaid, this 14th day of September, 1984:

*Peter B. Bloch, Esq.
Chairman, Atomic Safety and
Licensing Board
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

*Dr. Walter H. Jordan
881 West Outer Drive
Oak Ridge, Tennessee 37830

**Dr. Kenneth A. McCollom
Dean, Division of Engineering
Architecture and Technology
Oklahoma State University
Stillwater, Oklahoma 74074

**Mr. John Collins
Regional Administrator,
Region IV
U.S. Nuclear Regulatory
Commission
611 Ryan Plaza Drive
Suite 1000
Arlington, Texas 76011

**Chairman, Atomic Safety and
Licensing Appeal Panel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

**Mr. William L. Clements
Docketing & Service Branch
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

*Stuart A. Treby, Esq.
Office of the Executive
Legal Director
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

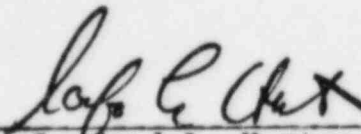
**Chairman, Atomic Safety and
Licensing Board Panel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

**Renea Hicks, Esq.
Assistant Attorney General
Environmental Protection
Division
P.O. Box 12548
Capitol Station
Austin, Texas 78711

**Lanny A. Sinkin
114 W. 7th Street
Suite 220
Austin, Texas 78701

**Mrs. Juanita Ellis
President, CASE
1426 South Polk Street
Dallas, Texas 75224

*Ellen Ginsberg, Esquire
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555



Sanford L. Hartman

cc: John W. Beck
Robert Wooldridge, Esq.