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March 15, 1985

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

Herbert Grossman, Esquire  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

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

Re: In the Matter of Texas Utilities Generating Co.,  
et al. (Docket Nos. 50-445-2 and 50-446-2) *OC-2*

Gentlemen:

Footnote 2 of the Memorandum issued on March 12, 1985 denying the CASE Motion For Evidentiary Standard states that the Board's February 15, 1985 Order "should be interpreted to apply to the pending request for admissions" and that to "the extent the Staff is not addressing matters covered in these requests, it should inform Applicants, who should then respond within 20 days to such matters."

The Applicant objected to responding to CASE's request for admission at least until completion of the work of the Comanche Peak Response Team. This work will not be completed until all the TRT findings are published, and Applicant evaluates and responds to the findings with objections, proposed correction or both.

The Staff's SSERs make clear that its work is not completed with the publication of the SSERs. In many instances the SSER requests Applicant to do more work to identify the scope of a problem and/or propose specific solutions (not suggested by the Staff) to fix the problems already found. In recent public meetings the Staff representatives have made clear that the current batch of SSERs will be followed after Applicant identifies the specific corrective actions it intends to take by a final SSER. The Staff has also indicated that it will respond to the CASE Request for Admission as its SSERs are issued relevant to the request.

In light of all these developments coupled with the Board's recent Order we assume that the time schedule for responses to CASE's requests for admission are

Applicant

- 1) Respond to any request for admission within 20 days after the Staff indicates it is not looking into the issue.
- 2) Respond to other requests for admission within a reasonable time (perhaps 20 days) after the Applicant files with the Board its CFRT evaluation and proposed actions (if any) with respect to the particular subject of the admission.

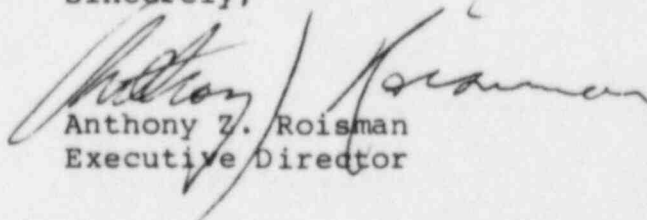
Staff

- 1) Respond to requests for admission within a reasonable time (perhaps 20 days) after it has completed its final SSER with respect to the subject of the admission.

As Staff reports are produced such as new SSERs and the final SSER, CASE will expand its request for admissions in order to facilitate the narrowing of issues on which the Board will hold some of the remaining hearings. These particular hearings would focus on the issue of the adequacy of the implementation of QA/QC by Applicant, based on the TRT findings, SSERs and Applicant response and the adequacy of the proposed solution to the problem. It is possible, as our earlier motion assumed, that these issues can be resolved on a motion for summary judgment. Our understanding of the Board's recent order is that we must at least await the completion of the Staff SSER process, which now includes a final SSER, and Applicant's response thereto to renew our request for a finding on the pervasive breakdown of the QA/QC program and the need for an independent reinspection program or, if Applicant does not choose to do an independent reinspection, the outright denial of the operating license.

If these understandings of the Board's order are incorrect, we suggest a conference call to clarify matters.

Sincerely,

  
Anthony Z. Roisman  
Executive Director

cc: Service List