

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

TEXAS UTILITIES GENERATING  
COMPANY, et al.

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

Docket Nos. 50-145-1  
and 50-446-1

CASE'S STATEMENT OF MATERIAL FACTS AS TO WHICH  
THERE IS NO GENUINE ISSUE  
REGARDING APPLICANTS' PLAN AND SUPPLEMENT TO APPLICANTS' PLAN  
TO RESPOND TO MEMORANDUM AND ORDER (QUALITY ASSURANCE FOR DESIGN)

1. Applicants (along with the other parties) agreed to handle the design/design QA issues by mail in the form of Motions for Summary Disposition and responses unless the Board believes that additional information or testimony is needed.
2. It has been represented by Applicants to the Board and parties that Applicants have filed all of their Motions for Summary Disposition on the design/design QA issues.
3. In their 2/3/84 Plan to Respond to Memorandum and Order (Quality Assurance for Design), Applicants stated (page 4):

"In order to provide additional independence, Applicants intend to retain the services of an expert from the academic community who will be asked to review the basic engineering principles to be addressed in the Plan and to provide testimony to the Board. Applicants are in the process of selecting an individual with the necessary academic and professional background that will qualify the person as an indisputable expert. We will provide the Board with the name and qualifications when the person is selected."

4. In their 3/13/84 Supplement to Applicants' Plan to Respond to Memorandum and Order (Quality Assurance for Design), Applicants' stated (page 1):

"Applicants also committed to retain the services of an independent expert to review the basic engineering principles being addressed in the Plan."

5. Applicants did not include this independent, indisputable expert from the academic community as a participant in any of their various Motions for Summary Disposition.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

CERTIFICATE OF SERVICE

By my signature below, I hereby certify that true and correct copies of  
CASE's Second Motion for Summary Disposition, Regarding Applicants' Plan and  
Supplement to Applicants' Plan to Respond to Memorandum and Order (Quality  
Assurance for Design)

have been sent to the names listed below this 22nd day of October, 1984,  
by: Express Mail where indicated by \* and First Class Mail elsewhere.

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Chairman \*  
Atomic Safety and Licensing Appeal  
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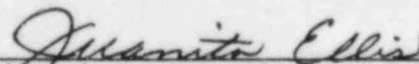
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