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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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USNRC

'84 NOV -1 A11:34

Before Administrative Judges:

Peter B. Bloch, Chairman
Herbert Grossman, Esq.
Dr. Walter H. Jordan

OFFICE OF SECRETARY
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BRANCH

SERVED NOV 1 1984

In the Matter of

TEXAS UTILITIES ELECTRIC COMPANY, et al.

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

Docket Nos. 50-445-0L2
50-446-0L2

ASLBP No. 79-430-06A 0L

November 1, 1984

MEMORANDUM

(Documents About James Cole)

CASE's motion for production of documents, dated October 10, 1984 shall be granted. CASE has good cause for late filing because they were unaware of Mr. Cole's role in the "liner plate incident" until September 1, 1984 and because they made this request within a reasonable time after their document reviewer gave them a reason to seek discovery. Furthermore, any lateness in seeking discovery is offset by late disclosure of documents by Applicants with respect to other discovery requests. The test for appropriateness of discovery is found in 10 CFR §2.740: whether "the information sought appears reasonably calculated to lead to the discovery of admissible evidence."

O R D E R

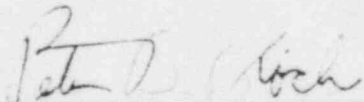
For all the foregoing reasons and based on consideration of the entire record in this matter, it is this 1st day of November 1984

DS02

ORDERED:

By November 7, 1984, Applicants shall deliver to those on the official service list all records (including drafts and not limited in any way by whether the record is a document or is in some other physical form, such as a photo, tape or disk) related to the termination of James Cole, including his last job performance evaluation, any complaints or disciplinary records, and any NCRs filed by him in the week before his termination.

FOR THE
ATOMIC SAFETY AND LICENSING BOARD


Peter B. Bloch, Chairman
ADMINISTRATIVE JUDGE

Bethesda, Maryland