

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD



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In the Matter of,)
)
TEXAS UTILITIES ELECTRIC) Docket Nos. 50-445-OL
COMPANY, et al.,) 50-446-OL
) (Application for an
) Operating License)
(Comanche Peak Steam Electric)
Station, Units 1 and 2)) Docket No. 50-445-DPA
) (Construction Permit
) Amendment)
-----)

"INDIVIDUAL RESIDENTS" MOTION TO INTERVENE
AND FOR SUA SPONTE RELIEF

Petitioners Betty Brink, Charles Brink, Suzanne Mabe, Father Carmen Mele, D.P., Ralph Watterson, Kasey Rushing, Clifford Rushing, Michael Reznikoff and Priscilla Reznikoff (hereinafter, "Individual Residents") hereby move this Court for leave to intervene in the above-captioned proceeding for the limited purposes stated herein.

Petitioners are all residents of the state of Texas and reside in close proximity to the Comanche Peak Steam Electric Station (CPSES). Petitioners are identified as follows:

1. Betty Brink of 7600 Anglin Drive, Fort Worth, Texas 79119. Ms. Brink has personal knowledge that she lives within a fifty mile radius of the CPSES construction site. Ms. Brink is the Executive Director of the Citizens for Fair Utility Regulation (CFUR).
2. Charles Brink of 7600 Anglin Drive, Fort Worth, Texas 79119. Charles Brink has personal knowledge that he resides within a fifty mile

radius of the CPSES construction site.

3. Suzanne Mabe of 2400 6th Ave., Fort Worth, Texas 76110. Ms. Mabe has personal knowledge that she lives within a fifty mile radius of the CPSES construction site.

4. Father Carmen Mele, O.P., Office of Parish Justice Ministries Diocese of Fort Worth, 800 W. Loop B20 S. Fort Worth, Texas 76108. Father Mele has personal knowledge that his place of work is within a fifty mile radius of the CPSES construction site.

5. Ralph Watterson of 1707 6th Ave., Fort Worth, Texas 76110. Mr. Watterson has personal knowledge that he resides within a fifty mile radius of the CPSES construction site.

6. Kasey Rushing of 527 Tish, Apt. 903, Arlington, Texas 76006. Upon information and belief, Kasey Rushing resides within a fifty mile radius of the CPSES construction site.

7. Clifford Rushing of 527 Tish, Apt. 903, Arlington, Texas 76006. Upon information and belief, Clifford Rushing resides within a fifty mile radius of the CPSES construction site.

8. Michael Reznikoff of 6000 Forest Hill Drive, Fort Worth, Texas 76119. Mr. Reznikoff has personal knowledge that he resides within a fifty mile radius of the CPSES construction site.

9. Priscilla Reznikoff of 6000 Forest Hill Drive, Fort Worth, Texas 76119. Ms. Reznikoff has personal knowledge that she resides within a fifty mile radius of the CPSES construction site.

Petitioners did not know that settlement negotiations were being conducted between CASE and the utility; petitioners were never consulted directly or indirectly to any of the terms contained in the Joint Stipulation

dated July 1, 1988; petitioners first learned of the proposed settlement on or about July 5, 1988 through the news media; and petitioners have never seen a copy of any settlement agreement, secret or otherwise, including the Joint Stipulation. Upon information and belief, petitioner understand that numerous confidential settlements exist relating to the dissolution of these proceedings.

Petitioners need time to review the concerns of John Doe, a Comanche Peak whistleblower who has requested anonymity during this proceeding.

Due to the public rights implicated and affected by the proposed settlement and dissolution of these proceedings, and the impact of the settlement on our lives, property, health and well-being, petitioners hereby pray for the following relief:

(1) that all settlement agreements which in any way relate to the Joint Stipulation, including all such settlements referenced in the pleadings filed by petitioner John Doe, be ordered publicly released.

(2) that the hearing scheduled for Wednesday July 13, 1988 be continued for a period of 60 days from release of all settlement agreements.

(3) that petitioners shall be allowed to review the above-referenced settlements and the public record in this case, and shall file within the 60 day period:

- (a) any objections to the proposed settlement;
- (b) a formal motion for late intervention in these proceedings as provided by 10 C.F.R. 2.714;
- (c) a motion for substitution of the parties; and
- (d) any other motions, objections or comment which may be required.

Given the reasonable nature of this request and the impossibility for

petitioners to adequately pose objections to the settlement by next Wednesday,
we request that this relief be granted sua sponte.

Petitioners are pleased to inform the Court that John Doe and CFUR
consent to this request.

Respectfully submitted,



MICHAEL D. KOHN, ESQ.
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DAVID K. COLAPINTO, ESQ.

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Attorneys for Petitioner

July 8, 1988

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of the foregoing document was hand-delivered to Administrative Law Judge Peter B. Bloch, 4350 Eastwest Highway, 4th Floor, Bethesda, MD, on the 8th day of July, 1988;

and by first class mail, postage prepaid, except where * denotes that service was accomplished by hand, on the 9th day of July, 1988 to the following parties:

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Attention: Docketing & Service Branch
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Washington, D.C. 20555
(3 copies)

Chairman ASLB Panel
U.S. Nuclear Regulatory Commission
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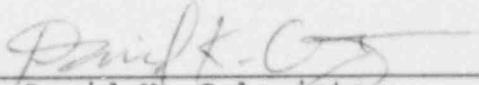
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