



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

**FEB 24 1986**

Docket Nos.: 50-445

MEMORANDUM FOR: Chairman Palladino  
 Commissioner Roberts  
 Commissioner Asselstine  
 Commissioner Bernthal  
 Commissioner Zech

FROM: Vincent S. Noonan, Director  
 PWR Project Directorate #5  
 Division of PWR Licensing-A

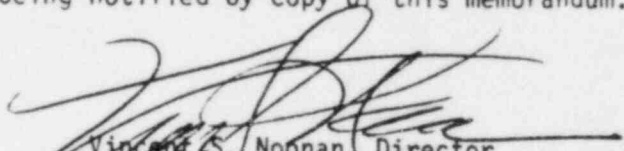
SUBJECT: BOARD NOTIFICATION - COMANCHE PEAK STEAM  
 ELECTRIC STATION UNIT 1 CONSTRUCTION  
 PERMIT CPPR-126  
 (BOARD NOTIFICATION NO. 86-05)

This Notification is being provided to the Commission in accordance with the revised Commission's notification policy of July 6, 1984, to inform the Commission on all issues on the cases before the Commission.

During a routine review of various licensing documents for Comanche Peak commencing on January 24, 1986, the staff review found that the construction permit for Unit 1 had expired on August 1, 1985. The applicant had not made a timely filing for a renewal. The construction permits had previously been extended for Unit 1 and 2, and Unit 2 is now scheduled to expire on August 1, 1987.

On February 10, 1986, the NRC staff extended the latest construction completion date for Comanche Peak Unit 1 to August 1, 1988. A copy of the Order and related letter to Applicants and Evaluation is enclosed.

The parties to the proceeding are being notified by copy of this memorandum.



Vincent S. Noonan, Director  
 PWR Project Directorate #5  
 Division of PWR Licensing-A

Enclosure:  
 Letter to Applicants dated February 10, 1986

cc: See next page

8602250073

cc: P. Bloch, ASLB  
W. Jordan, ASLB  
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SECY (2)  
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OPE  
ACRS (10)  
Parties to the proceeding  
See next page



Docket No. 50-445

UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

FEB 10 1986

William G. Council  
Executive Vice President  
Texas Utilities Generating Company  
400 North Olive Street, L.B. 81  
Dallas, Texas 75201

Dear Mr. Council:

Subject: Order Extending the Latest Construction Completion Date -  
Comanche Peak Unit 1

In response to your request of January 29, 1986, as supplemented on February 4, 1986, the Nuclear Regulatory Commission has issued an Order extending the latest construction completion date for Comanche Peak Steam Electric Station, Unit 1. The Order extends the latest construction completion date specified in Construction Permit No. CPPR-126 to August 1, 1988.

A copy of the Order granting the extension and the NRC staff's evaluation of the request are enclosed. The Order has been forwarded to the Office of the Federal Register for publication.

Sincerely,

A handwritten signature in black ink, appearing to read "Vincent S. Noonan".

Vincent S. Noonan, Director  
PWR Project Directorate No. 5  
Division of PWR Licensing-A

Enclosure:

1. Order
2. Evaluation

cc w/ enclosures:  
See next page

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W. G. Council  
Texas Utilities Generating Company

Comanche Peak Steam Electric Station  
Units 1 and 2

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EVALUATION OF REQUEST FOR EXTENSION  
OF THE CONSTRUCTION PERMIT COMPLETION DATE  
COMANCHE PEAK STEAM ELECTRIC STATION, UNIT NO. 1  
TEXAS UTILITIES ELECTRIC COMPANY, ET AL.  
DOCKET NO. 50-445

Introduction

By letter dated January 29, 1986, as supplemented February 4, 1986, Texas Utilities Electric Company, Texas Municipal Power Agency, Brazos Electric Power Cooperative, Inc. and Tex-La Electric Cooperative of Texas, Inc. (applicants) requested that the latest construction completion date for Comanche Peak Steam Electric Station, Unit No. 1, specified in Construction Permit No. CPPR-126 be extended to August 1, 1988.

Evaluation

Good Cause

In their letters of January 29 and February 4, 1986, applicants state that "good cause" exists to warrant the extension requested. They observe that although construction of the facility is essentially completed, significant additional efforts, which in fact commenced in the fall of 1984, are necessary to address and resolve questions raised by the staff in the course of its review as well as issues raised by the Licensing Board and other parties in the operating license hearing. These matters must be resolved to assure that all regulatory requirements have been or will be met.

In the staff's judgment, these matters were not foreseen when the applicants requested and were granted an extension of the construction permit in April 1982 nor have the applicants been dilatory in pursuing completion of the plant and resolution of outstanding issues. The staff, therefore, concludes that "good cause" for the delay has been demonstrated by the

applicants so . . . to warrant an extension of the construction permit for Unit 1.

Reasonableness of Period of Time Requested

Applicants request that the construction permit be extended to August 1, 1988. In support of the request, they state that, while they anticipate that their current efforts to resolve the outstanding technical issues through the Comanche Peak Response Team (CPRT) Program will be completed by the end of the second quarter of 1986 and they are, therefore, hopeful that all remaining steps necessary to obtain an operating license will be completed well before the August 1, 1988 date, a margin of uncertainty for contingencies, such as the hearing and decision schedule, should be allowed.

The Staff has evaluated the applicants' request and agrees that the period of time requested is reasonable. Although the applicants anticipate completion of the CPRT activities in mid-1986, it is not unreasonable to expect that new matters may arise either as a result of program implementation or from external sources such as the hearing process or by allegations, which could require further time to bring to resolution; in fact, the history of this proceeding suggests that it is prudent to anticipate such issues. The CPRT results are also to be presented to the Licensing Board in order to complete ongoing licensing hearings. No date for such further hearings has yet been set. Accordingly, while with diligent efforts on the part of the applicants to complete all matters now known to be outstanding, the completion of the licensing process may be able to meet a project operating date in mid-1987, there is sufficient uncertainty with respect to schedules for completion of all outstanding issues to support the reasonableness of August 1, 1988.

Conclusion

Because the request is merely for more time to complete construction already authorized by Construction Permit No. CPPR-125, and does not seek authorization for activities not previously authorized, it is obvious that it does not involve a significant increase in the probability or

consequences of an accident previously evaluated, or create the possibility of a new or different kind of accident from any accident previously evaluated, or involve a significant reduction in a margin of safety. Accordingly, the NRC staff has concluded that the action does not involve a significant hazards consideration.

Based on the foregoing, the NRC staff further concludes that, pursuant to 10 C.F.R. 50.55(b), the applicants have shown good cause for the delay and that the requested extension is for a reasonable period of time.

Date: February 10, 1986



NUCLEAR REGULATORY COMMISSION  
TEXAS UTILITIES ELECTRIC COMPANY, ET AL.  
COMANCHE PEAK STEAM ELECTRIC STATION, UNIT 1  
DOCKET NO. 50-445

ORDER EXTENDING LATEST CONSTRUCTION COMPLETION DATE

The Texas Utilities Electric Company, Texas Municipal Power Agency, Brazos Electric Power Cooperative, Inc., Tex-La Electric Cooperative of Texas, Inc. (Applicants) are the holders of Construction Permit No. CPPR-126 issued by the Atomic Energy Commission <sup>1/</sup> on December 19, 1974 for construction of the Comanche Peak Steam Electric Station Unit 1, a nuclear facility utilizing a Westinghouse Electric Corporation nuclear steam supply system presently under construction at the Applicants' site in Somervell County, Texas.

By letter dated January 29, 1986, as supplemented on February 4, 1986, the Applicants filed a request for extension of the latest construction completion date specified in Construction Permit No. CPPR-126 to August 1, 1988. The Applicants state that, although construction on Comanche Peak Unit 1 was essentially completed early in 1985, major efforts to reinspect and reanalyze various structures, systems, and components are currently underway. These efforts are being conducted by the Applicants' Comanche Peak Response Team to

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<sup>1/</sup> Effective January 20, 1975, the Atomic Energy Commission was abolished and its regulatory authority transferred to the Nuclear Regulatory Commission.

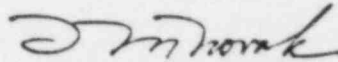
verify both design and construction adequacy as well as to respond to numerous issues raised in the operating license proceeding, by the NRC's Technical Review Team, and by other sources. This activity has been ongoing since the fall of 1984. The Applicants anticipate that it will not be complete before the second quarter of 1986. Because of uncertainties associated with these activities and with the hearing process, the Applicants request an extension until August 1, 1988 to cover such contingencies.

As discussed more fully in the staff's related Evaluation of Request dated February 10, 1986, we have concluded that good cause has been shown for the delay, and that the requested extension is for a reasonable period. We have further concluded that the requested extension involves no significant hazards consideration, and therefore no prior public notice is required.

The NRC staff has prepared an environmental assessment and finding of no significant impact which was published in the Federal Register on February 7, 1986 (51 FR 4834). The NRC staff has concluded that this action will not have a significant impact on the quality of the human environment and therefore no environmental impact statement need be prepared.

The Applicants' letter dated January 29, 1986, as supplemented on February 4, 1986, and the NRC staff's letter and evaluation dated February 10, 1986 issued in support of this Order are available for public inspection at the Commission's Public Document Room, 1717 H<sup>o</sup> Street, N.W., Washington, D.C., and at the Somervell County Public Library, On the Square, Glen Rose, Texas 76043.

IT IS HEREBY ORDERED that the latest completion date for  
CPPR-126 be extended to August 1, 1988.



Thomas M. Novak  
Acting Director  
Division of PWR Licensing-A

Date of Issuance: February 10, 1986

DISTRIBUTION LIST FOR BOARD NOTIFICATION

Comanche Peak Units 1&2  
Docket Nos. 50-445/446

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