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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD



In the Matter of

TEXAS UTILITIES ELECTRIC
COMPANY, et al.

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

Docket Nos. 50-445
and 50-446

(Application for an
Operating License)

CASE'S ADDITIONAL RESPONSE TO
LICENSING BOARDS' 11/11/85 MEMORANDUM
(STATISTICAL INFERENCES FROM CPRT SAMPLING)

CASE (Citizens Association for Sound Energy), Intervenor herein, hereby files this, its Additional Response to Licensing Boards' 11/11/85 Memorandum (Statistical Inferences from CPRT Sampling) /1/.

It is CASE's belief that NRC regulations are clear and that the requirements of 10 CFR Part 50, Appendix B, constitute an unavoidable requirement which Applicants cannot meet with a substitute inspection plan. It is CASE's position that Applicants' entire argument regarding Appendix B as contained in their pleadings in response to the Board's 11/11/85 Memorandum are totally without merit and are inappropriate for consideration in response to the Boards' 11/11/85 Memorandum; we therefore are not attempting to address this matter in this pleading. The argument regarding Appendix B is an entirely different question and one which goes to the very

/1/ CASE sought, and was granted by the Licensing Board Chairman, additional time in which to file this response; neither Applicants nor NRC Staff had any objections. CASE previously filed its initial Response to Board Memorandum (Statistical Inferences from CPRT Sampling) on February 3, 1986. In addition, CASE has filed other pleadings which are referenced herein which have applicability to this matter.

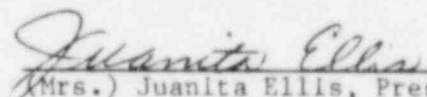
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heart of the entire case. If the Board feels that briefs are needed from the parties to address this issue (if the Board believes there is indeed an issue at all), we ask that it so advise the parties and allow the opportunity to fully address this particular matter in separate pleadings.

CASE's response herein is contained in the attached Affidavits of CASE Witnesses Jack Doyle and Mark Walsh. Their content is, we believe, self-explanatory, and their overall purposes are set forth in the first paragraph of Mr. Doyle's affidavit and the first two paragraphs of Mr. Walsh's affidavit; we will therefore not repeat them here, but incorporate their affidavits and attachments herein by reference. We have at times utilized this procedure in the past and trust that this is satisfactory in this instance.

Respectfully submitted,



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