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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

before the
ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	Docket Nos. 50-445-OL
TEXAS UTILITIES GENERATING)	50-446-OL.
COMPANY et al.)	
)	(Application for an
(Comanche Peak Steam Electric)	Operating License)
Station, Units 1 and 2))	
)	

APPLICANTS' RESPONSES TO "CASE INTERROGATORIES (9/5/86)"

Pursuant to 10 C.F.R. §§ 2.740, 2.740b, and 2.741, the Applicants respond herein to CASE's Interrogatories, which were served by mail on September 5, 1986.

General Responses

Applicants have disregarded the instructions contained in paragraphs numbered 1-2 and 4-5 under the heading "Instructions," which are inconsistent with the Rules of Practice. In each case, the information provided in response to interrogatories is based either upon the personal knowledge of the person signing these interrogatories or upon information that is not within his

person. He but is known to Texas Utilities
Generating Company, for itself and as agent for the
co-owners of Comanche Peak Steam Electric Station. See
Fed. R. Civ. P. 33. Supplementation will be provided under
the circumstances described in 10 C.F.R. § 2.740e.

Specific Responses

CASE'S interrogatories were preceded by the
following statement:

These interrogatories concern the statement on
page 7 of Applicants' Current Management Views and
Case Management Plan (6/28/85) that:

"TUGCO management is not satisfied
with the status of the plant and
would not proceed to operate it, even
if authority were to be granted,
until all of the outstanding concerns
have been addressed, their safety
significance determined, generic
implications and collective
significance considered, and
necessary corrective actions have
been completed."

Interrogatory No. 1: Was the quoted statement intended
to represent the opinion of TUGCO management?

Answer: Yes, as defined hereinafter.

Interrogatory No. 2: To whom does the phrase "TUGCO
management" refer in the quoted statement? What specific
persons are included in the phrase? List them by name and
position.

Answer: The phrase "TUGCO management" refers to the
following individuals:

Mr. M. D. Spence, President, TUGCO

Mr. W. G. Counsil, Executive Vice President, TUGCO

Mr. J. W. Beck, Vice President, TUGCO

Interrogatory No. 3: Did all of TUGCO management agree with the statement? Identify specifically any members who disagreed, listing them by name and position.

Answer: All of "TUGCO management" personnel agreed with the statement.

Interrogatory No. 4: For each individual identified in Interrogatory 2:

a. Identify the basis for his or her dissatisfaction with the status of the plant. Describe specifically the concerns that gave rise to this dissatisfaction and the facts or opinions that gave rise to these concerns.

b. Identify specifically the sources upon which the individual relied in forming his or her opinion, including any pertinent briefings or documents. If it is possible to identify some but not all of these sources, so state. Identify as many as possible and explain why the others cannot be identified. Upon which of these sources did the individual principally rely?

c. Briefly describe each document identified in response to this Interrogatory. Explain whether it was a memorandum produced specifically for the individual concerned, or some other kind of document, and, if so, what kind it was.

Answer: Applicants direct CASE to pages 2 through 7 of the subject report. This text describes "TUGCO management's" assessment of the background associated with the subject report in the June 1985 timeframe and the status

of the plant at that time. The basis of "TUGCO management's" dissatisfaction with the status of the plant should be obvious from a review of that text. Specifically, the TRT findings were published and Revision 2 of the CPRT Program Plan was being prepared, TUGCO had already ordered the modification or replacement of a number of pipe supports (p. 6), discrepancies had been identified and the Applicants had committed to take corrective actions where necessary.

By way of further elaboration, Applicants point out that on May 1, 1985, Mr. Counsil had joined TUGCO as Executive Vice President responsible for Nuclear Engineering and Operations. At the same time, Mr. Beck had assumed the position of Vice President responsible for Quality Assurance/Quality Control, Fuel Services, and Nuclear Licensing. During the approximately two months between May 1 and June 28, Applicants were in the process of preparing the "Applicants' Current Management Views and Management Plan for Resolution of All Issues" and the "Comanche Peak Response Team Program Plan and Issue Specific Action Plans (Revision 2)", both of which were issued on June 28, 1985. Regarding Mr. Counsil, he had spent these two months becoming familiar with the project and evaluating all aspects of the project based upon his experience at Northeast Utilities. This evaluation process included physical inspection of the plant as well as discussions with project personnel, various contractors and consultants and

attorneys. Since Mr. Council was at this time generally familiarizing himself with his new job, it is impossible to identify with any more specificity those discussions which may have provided factual input for his opinion. Based upon this evaluation process, Mr. Council initiated the Stone and Webster work on pipe supports and participated, along with Mr. Spence and Mr. Beck, in the preparation of the report from which CASE has extracted the paragraph which is the subject of this set of interrogatories.

As set forth in Applicant's responses to CASE Request for Production of Documents No. 3 (June 27, 1986), there were no briefings, briefing documents, or memoranda produced specifically for the individuals listed in the response to Interrogatory 2 from which they formulated their statement.

Interrogatory No. 5: For each individual identified in Interrogatory 2:

a. Explain specifically why he or she would not have proceeded to operate the plant at the time the statement was made, even if authority had been granted to do so. For instance, did that individual believe that it would not be possible to provide reasonable assurance that the health and safety of the public would not be endangered by the operation of the plant?

b. Identify the sources for each individual's opinion described in 5.a., including any pertinent briefings or documents. If it is possible to identify some but not all of these sources, so state; identify as many as possible; and explain why the others cannot be identified. Upon which of these sources did the individual principally rely?

c. Briefly describe each document identified in response to this Interrogatory. Explain whether it was a memorandum produced specifically for the individual

concerned or some other kind of document, and, if so, what kind it was.

Answer: The answer to this interrogatory is contained within the paragraph itself, i.e., "TUGCO management" would not have proceeded to operate the plant until all of the outstanding concerns have been addressed, their safety significance determined, generic implications and collective significance considered, and necessary corrective actions have been completed. In addition, as is stated in the report (see especially page 6) the possible effect on plant safety of the TRT's findings had as of June 1985 yet to be evaluated. See also Response to Interrogatory 4, supra.

Interrogatory No. 6: For each individual identified in response to Interrogatory 3:

- a. With which part of the statement did he or she disagree?
- b. What were the reasons for this disagreement?
- c. What were the documents and other sources of information on which the individual relied in forming his or her opinion? Include any pertinent briefings or documents. On which sources did the individual principally rely?
- d. Briefly describe each document identified in response to this Interrogatory. Explain whether it was a memorandum produced specifically for the individual concerned or some other kind of document, and, if so, what kind it was.

Answer: Not applicable.

SignaturesAs to Answers:

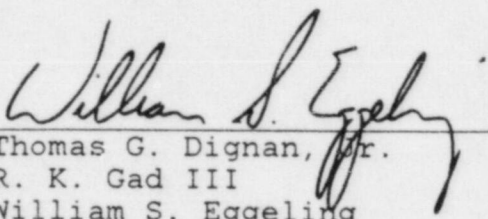
I, L. Ed Powell, being first duly sworn, do depose and say that I am the Manager, Administration, that I have assisted in the preparation of the foregoing answers, and that the foregoing answers are true, except insofar as they are based on information that is available to the Applicants but not within my personal knowledge, as to which I, based on such information, believe them to be true.

L. Ed Powell
L. Ed Powell

Sworn to before me this
22th day of September, 1986

Lester Johnson
Notary Public
My Commission Expires:

As To Objections


Thomas G. Dignan, Jr.
R. K. Gad III
William S. Eggeling
Kathryn A. Selleck
Ropes & Gray
225 Franklin Street
Boston, MA 02110
(617) 423-6100
Counsel for the Applicants

CERTIFICATE OF SERVICE

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I, William S. Eggeling, one of the attorneys for the Applicants herein, hereby certify that on September 22, 1986, I made service of the within document by mailing copies thereof, postage prepaid, to:

Peter B. Bloch, Esquire
Chairman
Administrative Judge
Atomic Safety and Licensing
Board
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Dr. Walter H. Jordan
Administrative Judge
881 W. Outer Drive
Oak Ridge, Tennessee 37830

Chairman
Atomic Safety and Licensing
Appeal Panel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Stuart A. Treby, Esquire
Office of the Executive
Legal Director
U.S. Nuclear Regulatory
Commission
7735 Old Georgetown Road
Room 10117
Bethesda, Maryland 20814

Mr. James E. Cummins
Resident Inspector
Comanche Peak S.E.S.
c/o U.S. Nuclear Regulatory
Commission
P.O. Box 38
Glen Rose, Texas 76043

Mr. William L. Clements
Docketing & Services Branch
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Chairman
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mrs. Juanita Ellis
President, CASE
1426 S. Polk Street
Dallas, Texas 75224

Renea Hicks, Esquire
Assistant Attorney General
Environmental Protection Division
P.O. Box 12548, Capitol Station
Austin, Texas 78711

Anthony Roisman, Esquire
Executive Director
Trial Lawyers for Public Justice
2000 P Street, N.W., Suite 611
Washington, D.C. 20036

Dr. Kenneth A. McCollom
Administrative Judge
1107 West Knapp
Stillwater, Oklahoma 74075

Ms. Billie Pirner Garde
Midwest Office
3424 N. Marcos Lane
Appleton, WI 54911

Elizabeth B. Johnson
Administrative Judge
Oak Ridge National Laboratory
P.O. Box X, Building 3500
Oak Ridge, Tennessee 37830

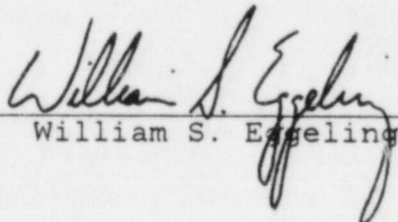
Ellen Ginsberg, Esquire
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Nancy Williams
Cygn Energy Services, Inc.
101 California Street
Suite 1000
San Francisco, California 94111

Mr. Lanny A. Sinkin
Christic Institute
1324 North Capitol Street
Washington, D.C. 20002

Mr. Robert D. Martin
Regional Administrator,
Region IV
U.S. Nuclear Regulatory Commission
Suite 1000
611 Ryan Plaza Drive
Arlington, Texas 76011

Geary S. Mizuno, Esquire
Office of the Executive
Legal Director
U.S. Nuclear Regulatory Commission
Maryland National Bank Bldg.
Room 10105
7735 Old Georgetown Road
Bethesda, Maryland 20814


William S. Eggeling