

TERA

NRC PUBLIC DOCUMENT ROOM  
UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	\$	
	\$	
HOUSTON LIGHTING & POWER COMPANY	\$	Docket No. 50-466
	\$	
(Allens Creek Nuclear Generating	\$	
Station, Unit 1)	\$	

APPLICANT'S RESPONSE TO  
JOHN F. DOHERTY'S CONTENTION 42

Houston Lighting & Power Company (Applicant)  
hereby submits the following response to the late-filed  
contention #42 filed by John F. Doherty (Intervenor) on  
August 20, 1979.

Contention #42 is based on NUREG-0578 "TMI-2  
Lessons Learned Task Force Status Report and Short-Term-  
Recommendations" and Applicant's response thereto as set  
forth in a letter of August 9, 1979, from Applicant to the  
NRC (served contemporaneously on the Board and the parties).

Specifically, Intervenor contends that although  
Applicant's response to Item 2.1.3(a) (re power operated  
relief valve position indication) commits to comply with the  
NRC's requirements, Applicant "... does not say how th.  
will be done . . ." This is plainly wrong. The attachment  
to Applicant's letter specifically referenced by Intervenor  
(E. A. Turner to H. R. Denton, August 9, 1979) delineating

1087 041

7910030 618 G

the Allens Creek "lessons learned" commitments addresses two acceptable solutions: "HL&P recognizes this recommendation as part of an effort to provide unambiguous information to allow operators to ascertain the status of the reactor coolant pressure boundary integrity. ACNGS will comply with this recommendation by providing direct position indication or reliable flow indications" (attachment, page 2, item 2.1.3.a).

Intervenor has provided no information indicating that Applicant's positive and specific commitment is inadequate. This contention is without basis and should therefore be dismissed.

Respectfully submitted,

C. Thomas Biddle Jr

OF COUNSEL:

BAKER & BOTTS  
3000 One Shell Plaza  
Houston, Texas 77002

LOWENSTEIN, NEWMAN, REIS,  
AXELRAD & TOLL  
1025 Connecticut Ave., N.W.  
Washington, D.C. 20036

J. Gregory Copeland  
C. Thomas Biddle, Jr.  
Charles G. Thrash, Jr.  
3000 One Shell Plaza  
Houston, Texas 77002

Jack R. Newman  
Harold F. Reis  
Robert H. Culp  
1025 Connecticut Ave., N.W.  
Washington, D. C. 20036

ATTORNEYS FOR APPLICANT  
HOUSTON LIGHTING & POWER COMPANY

1087 042

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	§	
	§	
HOUSTON LIGHTING & POWER COMPANY	§	Docket No. 50-466
	§	
(Allens Creek Nuclear Generating	§	
Station, Unit 1)	§	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing  
"Applicant's Response to John F. Doherty's Contention 42"  
in the above-captioned proceeding were served on the fol-  
lowing by deposit in the United States mail, postage pre-  
paid, or by hand-delivery this 25th day of August,  
1979.

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

Dr. E. Leonard Cheatum  
Route 3, Box 350A  
Watkinsville, Georgia 30677

Mr. Gustave A. Linenberger  
Atomic Safety and Licensing  
Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Chase R. Stephens  
Docketing and Service Section  
Office of the Secretary of the  
Commission  
U.S. Nuclear Regulatory Commission  
Washington, D. C. 20555

R. Gordon Gooch, Esq.  
Baker & Botts  
1701 Pennsylvania Avenue, N. W.  
Washington, D. C. 20006

Richard Lowerre, Esq.  
Assistant Attorney General  
for the State of Texas  
P. O. Box 12548  
Capitol Station  
Austin, Texas 78711

Hon. Charles J. Dusek  
Mayor, City of Wallis  
P. O. Box 312  
Wallis, Texas 77485

Hon. Leroy H. Grebe  
County Judge, Austin County  
P. O. Box 99  
Bellville, Texas 77418

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

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

1087 043

Steve Sohinki, Esq.  
Staff Counsel  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

John F. Doherty  
4438 1/2 Leeland  
Houston, Texas 77023

Madeline Bass Framson  
4822 Waynesboro Drive  
Houston, Texas 77035

Robert S. Framson  
4822 Waynesboro Drive  
Houston, Texas 77035

Carro Hinderstein  
8739 Link Terrace  
Houston, Texas 77025

D. Marrack  
420 Mulberry Lane  
Bellaire, Texas 77401

Brenda McCorkle  
6140 Darnell  
Houston, Texas 77074

F. H. Potthoff, III  
7200 Shady Villa, #110  
Houston, Texas 77055

Wayne E. Rentfro  
P. O. Box 1335  
Rosenberg, Texas 77471

James M. Scott, Jr.  
8302 Albacore  
Houston, Texas 77074

C. Thomas Biddle Jr.  
C. Thomas Biddle, Jr.

1087 044