

# CASE

(CITIZENS ASSN. FOR SOUND ENERGY)

EXPRESS MAIL

May 4, 1983

Mr. William Horin  
Debevoise & Liberman  
1200 - 17th St., N. W.  
Washington, D. C. 20036

Dear Bill:

SUBJECT: In the Matter of  
Application of Texas Utilities  
Generating Company, et al. for  
An Operating License For  
Comanche Peak Steam Electric  
Station Units #1 and #2 (CPSES)

ITT Grinnel and NPSI Design Criteria

As we discussed today, we have reviewed the proposed protective agreement between CASE and ITT-Grinnel which you dictated to me over the telephone, and as we discussed, there are some problems which we have with the wording. It appears to us to be a little too restrictive as to what we can and cannot do with the information obtained.

As you suggested, we have drafted a revised proposal and it is enclosed. I will call you in the morning so that we can discuss this prior to the time when you will receive it, but I wanted to get it off to you as soon as possible to expedite matters as quickly as possible.

With regard to the NPSI Design Criteria, as you mentioned today in our telephone conversation, it is our understanding that the drafting of a protective agreement is also in the works and that you will be back in touch with us right away on this also.

As I advised you today, Judge Bloch wants a conference call regarding this if it has not been resolved by 4:00 P.M. tomorrow afternoon (your time).

We will be talking further to you about this tomorrow, but we would like to also get some idea of the status of the interrogatories we mailed on 4/28/83. We still plan to supplement these, as we stated in our 4/28/83 pleading; however, we have been pretty busy with the preparation of Answers to Briefs and Prefiled Surrebuttal Testimony, as I'm sure you have been too.

Sincerely,

CASE (Citizens Association for Sound Energy)

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PDR ADDCK 05000445  
G PDR

*Juanita Ellis*  
(Mrs.) Juanita Ellis, President

cc: Service List (Express Mail to Board and Parties)

DSO3

1426 S. Polk  
Dallas, Texas 75224

214/946-9446



50-445  
-446

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

APPLICATION OF TEXAS UTILITIES  
GENERATING COMPANY, ET AL. FOR  
AN OPERATING LICENSE FOR  
COMANCHE PEAK STEAM ELECTRIC  
STATION UNITS #1 AND #2  
(CPSES)

Docket Nos. 50-445  
and 50-446

PROTECTIVE AGREEMENT

In response to the request of Citizens Association for Sound Energy (CASE) for copies of a portion of the ITT-Grinnel Design Criteria for pipe supports in the Comanche Peak Steam Electric Station, CASE and ITT-Grinnel have reached agreement with respect to ITT-Grinnel's making said portion and the information contained therein available to CASE and with respect to the use to which CASE will put said portion and information. That agreement is contained in the following provisions:

(1) On execution of this agreement by CASE, ITT-Grinnel will furnish to CASE through attorneys for Texas Utilities Generating Company a copy of each of pages 21-75 (both inclusive) of ITT-Grinnel Engineering Standards Volume II, which ITT-Grinnel represents to be fully responsive to CASE's requests for: the matrix or other form of listing the allowable stress used in the design of pipe supports; and the member properties required to be used by ITT-Grinnel.

(2) CASE undertakes that it will use these pages and the information thereon solely In the Matter of APPLICATION OF TEXAS UTILITIES GENERATING COMPANY, ET AL. FOR AN OPERATING LICENSE FOR COMANCHE PEAK STEAM ELECTRIC STATION UNITS #1 AND #2 (CPSES), before the Nuclear Regulatory Commission's

Atomic Safety and Licensing Board, Docket Nos. 50-445 and 50-446, or in any subsequent appeals or other activities before the Nuclear Regulatory Commission.

(3) ITT-Grinnel agrees that the use by CASE representatives referred to in (2) includes presentation of the copies thus furnished and the information thereon as evidence.

(4) In thus agreeing to such presentation, ITT-Grinnel is not thereby also agreeing to later voluntarily provide an employee as a witness at any hearing before the Board to explain how the information on the furnished pages was obtained or to testify on any other matter relating to such pages or such information or otherwise.

(5) Without in any way limiting the generality of CASE's undertaking in paragraph (2), CASE agrees that it will not disclose the furnished pages or the information thereon to any other (than ITT-Grinnel) pipe hanger manufacturers or employees or representatives thereof, except to the extent that CASE may engage in the future services of such a manufacturer's employees or representatives as its own consultants in the matter identified above. Should CASE retain any such consultant(s), CASE agrees that it will assure that such consultant(s) are bound by the protective provisions of this agreement.

(6) Except for copies of the furnished pages which ITT-Grinnel submits to the Board and to representatives of Texas Utilities Generating Company, CASE will keep all other copies in its possession or control, and after the matter identified above is finally resolved, return to ITT-Grinnel all such copies in its possession and control, except to the extent that the copies become part of the public record through rulings by the Board or

through other appropriate actions.

(7) If CASE decides to present the furnished pages or the information contained thereon to the Board as evidence in this matter, CASE will explain that ITT-Grinnel regards this information as proprietary, and CASE will offer with those pages a copy of this agreement.

Agreed to:

Juanita Ellis  
(Mrs.) Juanita Ellis, President  
CASE (Citizens Association for Sound Energy)

DATE: May 4, 1983

ITT-Grinnel

R. B. Mulcahey, P. E.

Vice President - Director of Engineering

DATE: \_\_\_\_\_