

DOCKETED
USNRCOctober 5, 1984⁸⁴ OCT -9 A10:37UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSIONOFFICE OF SECRETARY
REGULATORY & SERVICE
BRANCHBEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	Docket Nos. 50-445 ^{OL} and
TEXAS UTILITIES ELECTRIC)	50-446 ^{OL}
COMPANY, <u>et. al.</u>)	
)	(Application for
(Comanche Peak Steam Electric)	Operating Licenses)
Station, Units 1 and 2))	

APPLICANTS' MOTIONS TO SET SCHEDULE
FOR BRIEFS ADDRESSING CYGNA PHASE 3
ISSUES AND FOR EXPEDITED RESPONSESI. INTRODUCTION

On July 16, 1984 Cygna Energy Services ("Cygna") issued its Report on Phase 3 of the Comanche Peak Independent Assessment Program ("Phase 3 Report"). This report was commissioned by the Applicants in order to provide the Licensing Board with the information necessary to satisfy the Board's concerns regarding quality assurance for design articulated in its Memorandum and Order (Design Quality Assurance), December 28, 1983.

Applicants herein request that the Board establish a schedule by which all parties will simultaneously file briefs setting forth their respective positions on the Cygna Phase 3 Report. The objective of this procedure will be to allow the Board, having received the views of the parties, to address and dispose of Cygna Phase 3 as an issue in this proceeding.

Applicants also herein request that the Board hold a conference call on Thursday or Friday, October 11 or 12, 1984, to receive the parties' responses to this motion.

II. PROPOSED SCHEDULE

Phase 3 of the Cygna Independent Assessment Program ("IAP") is an expansion of the earlier Comanche Peak IAP (Phases 1 and 2) for which Cygna issued a final report on November 5, 1983. Phase 3 was commissioned directly as a result of the Board's suggestion that the Applicants consider an independent design review to resolve the open items in the December 28, 1983 Memorandum and Order.¹ The scope of the Phase 3 extension of the IAP was expressly based upon the Board's desire for additional information concerning the design quality assurance program for piping and pipe supports and, in particular, with respect to that program's satisfaction of Appendix B Criterion I and Criterion XVI.² It is the Applicants' position that now that the Phase 3 Final Report has been published, the report and the matters it was designed to address should be resolved as issues in this proceeding.

¹ See Memorandum and Order (Quality Assurance for Design), December 28, 1983; see also Tr. 10,337-39 (February 24, 1984).

² See "Applicants' Plan to Respond to Memorandum and Order (Quality Assurance for Design)", February 3, 1984; "Supplement to Applicants' Plan to Respond to Memorandum and Order (Quality Assurance for Design)", March 13, 1984.

Toward that end, Applicants propose that the Board establish a schedule for all parties to file their positions on the Phase 3 findings. These briefs should identify those aspects, if any, of the Phase 3 Report which each party believes should be the subject of further consideration by the Board, either through summary disposition or in evidentiary hearings. All parties should file their briefs simultaneously. Following receipt of the briefs, Applicants propose that the Board hold a conference call to receive any necessary responses to the briefs.

The Applicants' proposed schedule is as follows:

Day 0	Board adopts schedule
Day 15	Parties file positions on the status of the Cygna Phase 3 findings
Day 20	Conference Call

It is in the interest of all concerned that the remaining issues in this proceeding be addressed promptly and efficiently. Any outstanding concerns related to Cygna Phase 3 should be identified and resolved as expeditiously as possible. The proposed approach and schedule for addressing the Phase 3 Report will serve that purpose consistent with all parties' rights to be heard.

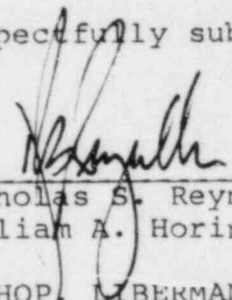
To further facilitate the expeditious resolution of this matter, Applicants also move that the Board expedite responses to this motion to set a schedule for briefs addressing Cygna Phase 3

issues. Applicants move that the Board hold a conference call on Thursday or Friday, October 11 or 12, 1984, to hear the parties' positions on Applicants' motion.

III. CONCLUSIONS

For the reasons stated above, the Board should direct the parties to file simultaneous briefs on the Cygna Phase 3 Report. The Board should also adopt the above proposed schedule for the briefs and a subsequent conference call.

Respectfully submitted,



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October 5, 1984

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicants' Motions to Set Schedule for Briefs Addressing Cygna Phase 3 Issues and For Expedited Responses," in the above-captioned matter was served upon the following persons by express delivery (*), or deposit in the United States mail, first class, postage prepaid, this 5th day of October, 1984, or by hand delivery (**) on the 9th day of October, 1984.

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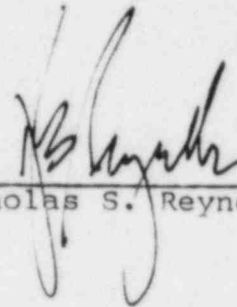
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