

UNITED STATES NUCLEAR REGULATORY COMMISSIONDOCKET NOS. 50-445 AND 50-446TEXAS UTILITIES ELECTRIC COMPANYCOMANCHE PEAK STEAM ELECTRIC STATION, UNITS 1 AND 2ISSUANCE OF DIRECTOR'S DECISION UNDER 10 CFR § 2.206

Notice is hereby given that the Director, Office of Nuclear Reactor Regulation, has taken action with regard to a Petition for action under 10 CFR 2.206 received from Sandra Long Dow and R. Micky Dow (Petitioners) dated May 19, 1992, regarding the Comanche Peak Steam Electric Station, Units 1 and 2.

The Petitioners requested that the Commission order the immediate shutdown of Unit 1 of the Comanche Peak Steam Electric Station and institute a proceeding to modify, suspend, or revoke the license held by the Texas Utilities Electric Company (TU Electric or the licensee) for Unit 1. The Petitioners also requested the Commission to suspend any consideration of extending or modifying the construction permit for Unit 2 of the facility until resolving any proceeding on the license for Unit 1.

Petitioners asserted as a basis for their Motion that the licensee failed to demonstrate the necessary character and capability that are the primary factors to be considered in granting a license, and has shown a "downward spiral" in violations and reportable incidents. Petitioners also assert wrongdoing by the NRC Region IV staff. To support this general assertion, the Petitioners alleged that numerous specific

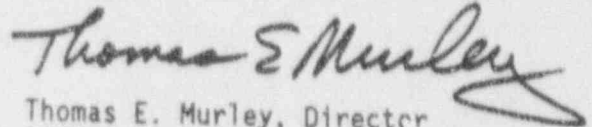
incidents occurred since November 1991 including: (1) 100 mile-per-hour winds in the access tunnel between Units 1 and 2 resulted in an employee being blown into a radiation area; (2) resin was spilled into the core; (3) a "hot" valve was cut in two causing a radiation release and exposure to several individuals; (4) 26 documented "reportable incidents", numerous areas showing concern by Region IV, and at least 6 reactor trips; (5) the NRC proposed fines for violations nearing \$100,000 for 1992; (6) the spent fuel pool was without cooling water for approximately 20 hours causing an abnormal rise in temperature; (7) a photograph showing control room personnel asleep is widely circulated in the plant; and (8) the licensee failed to label and mislabeled pressure valves and limit switches.

The Director of the Office of Nuclear Reactor Regulation has decided to deny the Petition. The reasons for this denial are explained in the "Director's Decision Under 10 CFR 2.206," (DD-92-06) which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, D.C. 20555, and at the Local Public Document Room for the Comanche Peak Steam Electric Station, at the University of Texas at Arlington Library, Government Publication/Maps, 701 South Cooper, P.O. Box 19497, Arlington, Texas 76019. A copy of the decision will be filed with the Secretary for the Commission's review in accordance with 10 CFR 2.206(c) of the Commission's regulations. As provided by this regulation, the Decision will constitute the final action of the Commission 25 days after the

date of issuance of the decision unless the Commission on its own motion institutes a review of the decision within that time.

Dated at Rockville, Maryland, this 19th day of November 1992.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in dark ink, appearing to read "Thomas E. Murley". The signature is fluid and cursive, with a prominent loop at the end of the last name.

Thomas E. Murley, Director
Office of Nuclear Reactor Regulation