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UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION III  
601 WARRENVILLE ROAD  
LISLE, ILLINOIS 60532-4351

January 27, 1998

David A. Lochbaum  
Union of Concerned Scientists  
1616 P Street, NW  
Suite 310  
Washington, DC 20036

SUBJECT: ALLEGATION NO RIII-98-A-0011

Dear Mr Lochbaum:

This letter refers to your public meeting on January 12, 1998, in which you expressed concerns related to activities at the D. C. Cook, Watts Bar, and McGuire nuclear power plants (the licensees). You were concerned about the potential generic problems with the ice condenser containments at all three sites and about D. C. Cook's 10 CFR 50.59 evaluation process, response to an NRC confirmatory action letter, net positive suction head (NPSH) calculations, engineering calculations generally, and response to a 10 CFR 50.54(f) request. Additionally, you were concerned about the NRC's 10 CFR 2.206 petition process and about the NRC's inspection process.

Enclosure 1 to this letter documents your concerns as we understand them. We have initiated actions to examine the facts and circumstances of your concerns. If we have misunderstood or mischaracterized your concerns as described in the enclosure, please contact one of the Region III Office Allegation Coordinators at the address provided below. Your concerns related to the Watts Bar, and McGuire plants were forwarded to Oscar De Miranda, Region II Office Allegation Coordinator. For any further information on these matters, please contact Mr. De Miranda at the address provided in Enclosure 1.

We have reviewed your concerns related to Westinghouse, to the NRC's 10 CFR 2.206 petition process, and to the NRC's inspection process and determined that the issues are best addressed by the appropriate NRC program office in the Office of Nuclear Reactor Regulation (NRR). These issues have been forwarded to Ms. Jean Lee, NRR Office Allegation Coordinator for coordination of the resolution of the concerns. For any further information on these matters, please contact Ms. Lee at the address provided in Enclosure 1.

An evaluation of these types of technical concerns will normally be conducted within 6 months, although complex issues may take longer. You will be informed of the results of our review. In resolving your concerns, the NRC intends to take all reasonable efforts not to disclose your identity. Enclosure 2 to this letter is the NRC brochure, "Reporting Safety Concerns to the NRC." The brochure contains information that you may find helpful in understanding our process for review of safety concerns. It includes an important discussion of the NRC's identity protection procedures and limitations. (Please read pages 5-7.) As stated in the brochure, you are not considered a confidential source unless an explicit request of confidentiality has been formally granted in writing.

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Received  
from Brent Clayton  
5/8/98

⑦

6/21

15

Mr. D. A. Lochbaum

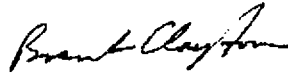
-2-

AMS No. RIII 98-A-0011

The information regarding protecting your identity was discussed with you on January 23, 1998. You indicated that you did not object to having your identity released, and you did not object to having the concerns referred to the licensee.

Thank you for notifying us of your concerns. We will advise you when we have completed our review of these matters. If you have any questions, please contact one of the RIII Office Allegation Coordinators or me by writing to the U.S. Nuclear Regulatory Commission Region III at 801 Warrenville Road, Suite 255, Lisle, Illinois 60532-4351, or calling the NRC Region III switchboard toll free at (800) 522-3025. Your cooperation is appreciated.

Sincerely,



H. Brent Clayton  
Enforcement Officer

**Enclosures:**

- (1) Summary of Concerns
- (2) NUREG/BR-0240, "Reporting Safety Concerns to the NRC"

cc w/enclosure 1: AMS File No. RIII-98-A-0011

Mr. D. A. Lochbaum

-2-

AMS No. RIII 98-A-0011

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Thank you for notifying us of your concerns. We will advise you when we have completed our review of these matters. If you have any questions, please contact one of the RIII Office Allegation Coordinators or me by writing to the U.S. Nuclear Regulatory Commission Region III at 801 Warrenville Road, Suite 255, Lisle, Illinois 60532-4351, or calling the NRC Region III switchboard toll free at (800) 522-3025. Your cooperation is appreciated.

Sincerely,

H. Brent Clayton  
Enforcement Officer

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cc w/enclosure 1: AMS File No. RIII-98-A-0011

\* SEE PREVIOUS CONCURRENCE

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To receive a copy of this document, indicate in the box: "C" = Copy w/o attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	RIII *	N	HQ *	N	RIII <i>BB</i>	N	RIII	N
NAME	Hopkins/ml		Lee (via phone)		Berson		Clayton <i>BC</i>	
DATE	01/ /98		01/ /98		01/27/98		01/28/98	

OFFICIAL RECORD COPY

ENCLOSURE 1

AMS File No. RIII-98-A-0011

Our current understanding of your concerns are summarized below. If you have any additional or clarifying information related to these concerns, please contact one of the Region III Office Allegation Coordinators at the address provided in the letter.

Concern 1:  
Multiple Problems with the D. C. Cook Ice Condenser Containment. Examples of the problems included (a) configuration and testing of the containment ice condensers and (b) bay doors and components of the ice baskets.

Concern 2:  
The problems identified above, (a) configuration and testing of the containment ice condensers and (b) bay doors and components of the ice baskets, were known but not properly reported by D. C. Cook, Watts Bar, McGuire, and Westinghouse.

Your concerns related to the Watts Bar and McGuire plants were forwarded to Oscar De Miranda, Region II Office Allegation Coordinator. For any further information on these matters, please contact Mr. De Miranda at the address below:

U.S. Nuclear Regulatory Commission  
Region II  
P. O. Box 2257  
Atlanta, GA 30303-34158  
ATTN: Oscar De Miranda  
(404) 562-4424

Concern 3:  
Inadequate Corrective Actions - It is not evident that the licensee (D. C. Cook) made any attempt to determine if safety evaluations prepared under the "old process" led to inappropriate conclusions.

Concern 4:  
Insufficient Sample Size for the licensee's (D. C. Cook) Engineering Calculations in Response to the NRC's December 12, 1997 confirmatory action letter (CAL).

Concern 5:  
Missing and Inaccurate information in more than one net positive suction head (NPSH) calculation at D. C. Cook.

Concern 6:  
Inadequate response to the NRC's 10 CFR 50.54 (f) request, dated October 9, 1996. The licensee's (D. C. Cook) response, dated February 6, 1997, indicated that there were no major problems with two safety systems. A subsequent NRC inspection identified several problems. The licensee is currently addressing the specific hardware problems, but has not addressed the larger programmatic problems. The fundamental issue is that the licensee was unable to find problems that the NRC identified and is therefore unable to determine if there are problems in other safety systems.

ENCLOSURE 1

AMS File No. RIII-98-A-0011

Concern 7:

The NRC's 10 CFR 2.206 petition process is seriously and fundamentally broken.

Concern 8:

You were concerned about the NRC's inspection process. Specifically, you stated that the NRC has never expanded the scope for system sampling inspections.

Your concerns related to Westinghouse, to the NRC's 10 CFR 2.206 petition process, and to the NRC's inspection process (concerns 7, 8, and part of 2) have been forwarded to Ms. Jean Lee, Office of Nuclear Reactor Regulation, Office Allegation Coordinator for coordination of the resolution of the concerns. For any further information on these matters, please contact Ms. Lee at the address below:

U.S. Nuclear Regulatory Commission  
One White Flint North  
11555 Rockville Pike  
Rockville, MD 20003-2738  
ATTN: Jean Lee  
(301) 415-2918

To ensure that any information you mail to Ms. Lee is promptly forwarded to the correct department, please indicate that the envelope should be opened by the addressee only.