

MEMORANDUM TO: Jay A. Hopkins, Senior Allegation Coordinator

FROM:

X Gavula 10/14/98
James A. Gavula, Branch Chief
Engineering Support Branch 1 (ESB1)

SUBJECT: REVIEW OF DOCUMENTS - ALLEGATION NO. RIII-98-A-0159 (D.C. COOK)

ESB1 has reviewed the transcript of the August 19, 1998, "Informal Public Hearing: Petition Pursuant to 10 CFR 2.206, Donald C. Cook Nuclear Plants Units 1 and 2, Docket Nos. 50-315 & 50-316." Based on our review, we have identified three concerns as follows:

Concern A: The licensee's February 6, 1997, response to the NRC request for additional information pursuant to 10 CFR 50.54(f) was not accurate.

This concern was identified on page 7, line 12, Mr. Boger (NRC), and page 32, line 9, Mr. Lochbaum, of the transcript and is potentially a violation of 10 CFR 50.9. ESB1 notes that this concern was raised as an issue in the October 9, 1997 10 CFR 2.206 petition by the allexer. Although this concern was raised as an issue, there was no direct allegation that the February 1997 submittal was materially false. The NRR Project Manager is reviewing this issue from the perspective of whether the February 1997 submittal was adequate and whether the licensee should re-respond. The Project Manager is not reviewing the February 1997 submittal for material accuracy with respect to 10 CFR 50.9. For consistency with how the December 9, 1997 submittal is being addressed, ESB1 recommends adding this concern to the allegation file for follow-up inspection.

Concern B: Nuts and bolts are used in place of ice basket screws contrary to design drawings.

This concern was identified on page 21, starting on line 12, Mr. Lochbaum, of the transcript and is potentially a violation of 10 CFR 50, Appendix B, Criterion III. The issue of ice basket fasteners is currently being reviewed through the inspection process and is discussed in Inspection Report 50-315;316/98005. ESB1 recommends that this concern not be entered into the allegation system because it is already being addressed through inspections.

Concern C: The Region II allegation process is improper.

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There are several transcript references to an improper allegation process within Region II by Ms. Harris. Some of the references are: 1) ~~Region II allegation process is a black hole~~ (page 13, line 18); 2) ~~Region II improperly closed out allegation issues because allexer asked questions instead of making statements of allegation~~ (page 17, line 17); 3) ~~Region II is lazy and incompetent in dealing with safety issues~~ (page 18, line 16); and 4) ~~"Your Region II boys and OI have no shame when it comes to abusing TVA employees,"~~ (page 20, line 6). ~~The discussions in the transcripts note that a meeting was held with OIG in March 1997 (page 16, line 16).~~ Consequently, these issues may have already been reviewed by OIG. ESB1 recommends referring this concern to OIG.

E-mail: OAC3

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