

withheld on point - LT

From: David Vito <sup>LT</sup>  
To: Gregory Cwalina <sup>NRK</sup>  
Date: Fri, Nov 3, 2000 9:48 AM  
Subject: Re: IP2 SG

EX 5

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Also, I think that there may have been someone from Region I listening in on some or all of the conversations with Con Ed in 5-6/97. I will get back to you on when the ARB will be held, to see if we can get some NRR participation.

>>> Gregory Cwalina 11/03 9:36 AM >>>

I just talked with Rick Ennis, one of the technical reviewers of this issue. Here's the point that the staff is trying to make:

If IP2 had told us about the crack during the phone calls in May and June of 1997, the NRC may have made the licensee look at the tube and similar tubes again, before they started up. If a problem was identified, the NRC and licensee may have been more aware of these types of degradation and taken measures to more thoroughly review the tests and possibly have prevented this year's tube rupture.

Instead, when it was not reported during the phone calls, the staff did not review the July 29 report as thoroughly, treating it as more of an historical record.

The concern is that the licensee deliberately withheld the information, knowing that it would affect plant startup from the outage.

Rick stated that the NRC reviewers notes of the phone calls do not mention that tube. He does not know if ConEd has any records that could be reviewed to determine if ConEd was aware of the tube degradation at the time of the phone calls and prior to the July 29 report.

I guess one of us should probably have an ARB to discuss the issue. Since it's IP specific, you can arrange one, or we can do it here. If we do it, it will most likely be referred to you anyway, that is, if we determine it should be pursued. My gut feeling is we should not pursue for reasons specified in my earlier email, but we should get that position supported by an ARB.

I also just got your last email. Let me know what you guys think and how we should handle.

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