



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

September 25, 2001

MEMORANDUM TO: George A. Mulley, Jr.
Senior Level Assistant for Investigative Operations
Office of the Inspector General

FROM: William D. Travers 
Executive Director for Operations

SUBJECT: REFERRAL TO OIG

On September 17, 2001, I received the attached e-mail from Ross B. Landsman, a Region III Project Engineer, related to a Differing Professional Opinion (DPO) that he submitted on December 4, 2000. Based on a discussion Isabelle Schoenfeld, OEDO DPO/DPV Coordinator, had with you on September 24, 2001, I am forwarding the e-mail to you for appropriate action. I have also attached for your information, an April 2, 2001, memorandum from me to Mr. Landsman dispositioning his DPO and a chronological listing of documents related to Mr. Landsman's Differing Professional View (DPV) and DPO. If you have any questions, please contact John Craig, 415-1703.

Attachments: As stated

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✓ ISchoenfeld

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DATE	09/25/01		09/25/01	09/25/01	09/25/01

OFFICIAL RECORD COPY

From: Ross Landsman | *RL*
To: William Travers
Date: Mon, Sep 17, 2001 12:11 PM
Subject: Cook Containment Walls

The last time that I came to you to talk to you personally, about Chemetron issues, you asked me to put my concerns in writing so they could be properly addressed. I know you're very busy, especially in our current circumstances, and wanted to save you time, so for this issue, I put my concerns in writing first, and didn't come to you personally. Thanks for the time. Ross

In an attachment to your April 2, 2001, memo to me regarding the resolution of the Cook containment walls differing professional opinion (DPO), you requested NRR address the issues identified by the DPO panel in Section 2.1.2 of their report. Specifically, that the NRR staff did not document, in our summary of the June 1, 2000, Unit 2 meeting, that the reviewer and I, and the rest of the staff did not agree with the licensee's method of analysis or their assumptions. At that time, I was concerned that the licensee would sharpen their pencils, get the walls to appear to be ok (get the interaction coefficients more than 1.5), even though we did not agree with their analysis methods and assumptions, and the issue would fall in the cracks unless I did something. That concern generated my differing professional view (DPV). Subsequent to the DPV, the licensee continued to use the same methods and assumptions that we did not accept. That's what generated the DPO. In fact, the DPO report acknowledges the licensee continues to use the same methods that the staff did not accept for Unit 2, for its Unit 1 assessments (Ref. 17 and 18 in the DPO Report).

The licensee is probably still using unacceptable methods and assumptions.

After the DPO report was issued, a final Unit 1&2 meeting was held on June 11, 2001. It should be noted, that neither the original Unit 2 reviewer nor I, who knew what the real structural issues were, were invited. In the summary of that meeting, the staff failed to document their basis for accepting the licensee's analysis although the DPO report recommended that the staff's basis for acceptance be clearly documented.

In early meetings on this issue, specific information on actual stresses was provided, could be evaluated, and the flaws in the licensee's results exposed. The NRR staff, as well as the licensee, recognized this and did not include any actual numbers (stresses, factor's of safety, interaction coefficients, etc.) in either the NRC summary of the June 11, 2001, meeting or the licensee's associated handouts. As a result, no one could question the real status of the

containment walls; the only information presented was that the licensee "indicated that all calculations had been completed and all structures have adequate margin and comply with the design basis requirements stated in the FSAR." Did the licensee use yield line theory analysis, a dynamic increase factor, increased reinforcing steel strength without supporting data, better yet, did they meet the design basis interaction coefficients of 1.5? All these were the issues with which the NRC disagreed during the June 1, 2000, meeting, but were never documented. One still cannot tell from the June 11, 2001, meeting summary what specific methods and assumptions the licensee used nor what the NRR staff reviewed (if anything).

I am writing you this because of three circumstances:

First, I just read in the latest issue of the NRC newsletter that my DPO panel chairman just finished his SES candidate development program. Was his potential career path cause for him to ensure that the DPO report language was politically correct and did not point the blame at any of your staff? Were all the DPO members' inputs used for the report or were they censored?

Second, after I read the June 11, 2001, meeting summary, I asked to go to the site and inspect/review the actual calculations to determine if the assumptions used were appropriate and to see if the factors were really acceptable since it appears no one actually looked at them. However, the Cook branch chief told me that there were no hours in the inspection program to support me going to the site. To me, this seems to be a specious reason for refusing my request.

Third, I believe the NRR staff was unwilling to acknowledge the errors in the licensee's analyses, because doing so would stand in the way of the Cook plant restart.

In summary, I believe the CEQ fan room walls are still unacceptable and do not meet our requirements. Therefore, the Cook containments will not protect the health and safety of the general public from the design basis accident!