

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)

METROPOLITAN EDISON COMPANY)

(Three Mile Island Nuclear)
Station, Unit No. 1))

Docket No. 50-289
(Restart)

UNION OF CONCERNED SCIENTISTS
MOTION FOR BOARD ORDER ON PORV BLOCK VALVE TEST RESULTS

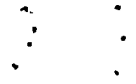
Enclosed is a copy of a letter from the Electric Power Research Institute (EPRI) to Westinghouse dated January 14, 1981. Although the copy is unsigned, Robert D. Pollard discussed the substance of the letter with its author on February 26, 1981, who did not dispute its accuracy.

The letter states that testing of some PORV block valves has demonstrated an inability to close against full flow. It also states that the NRC has been informed of some of these test results.

UCS believes that the EPRI letter raises questions concerning some of the issues being litigated, and the conduct of the NRC staff, in the TMI-1 restart proceeding. In particular, the subject matter of the letter is relevant to UCS Contention No. 5 and the sufficiency of the block valve testing program (See NUREG-0737, Task II.D.1) which establishes July 1, 1982 as the date for "verification" of block valve functionability.

UCS contention 5 is as follows:

*dupe of
81-313-455*



"Proper operation of power operated relief valves, associated block valves and the instruments and controls for these valves is essential to mitigate the consequences of accidents. In addition, their failure can cause or aggravate a LOCA. Therefore, these valves must be classified as components important to safety and required to meet all safety-grade design criteria."

The Direct Testimony of Robert D. Pollard on Behalf of the Union of Concerned Scientists Regarding UCS Contention No. 5, dated October 10, 1980, addressed the safety significance of PORV block valves. (See particularly page 5-12).

In developing NUREG-0737, the NRC staff apparently believed that block valve testing was needed only to confirm that the valve "can be operated, closed, and opened for all fluid conditions expected under operating and accident conditions." (NUREG-0737, page 3-73) Such a belief may be the staff's reason for "establishing July 1, 1982 as the date for verification of block valve functionability." (Ibid, emphasis added) The EPRI letter raises substantial doubt about the validity of any belief, absent complete testing, that the TMI-1 block valve can function properly to terminate a LOCA caused by a stuck-open PORV.

In light of the above, UCS moves that the Board order the staff to:

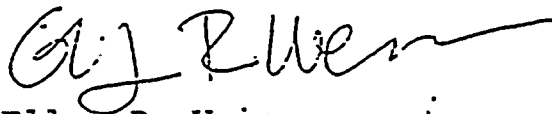
- 1) Provide the parties with all information obtained to date from the ongoing PORV, safety valve, and block valve testing programs;



30

- 2) Explain why the staff failed to bring the information concerning block valve failures to close, referred to in the EPRI letter, to the attention of the Board and the parties; and
- 3) File written testimony on whether TMI-1 should be permitted to restart prior to completion of the PORV, safety valve, and block valve testing programs.

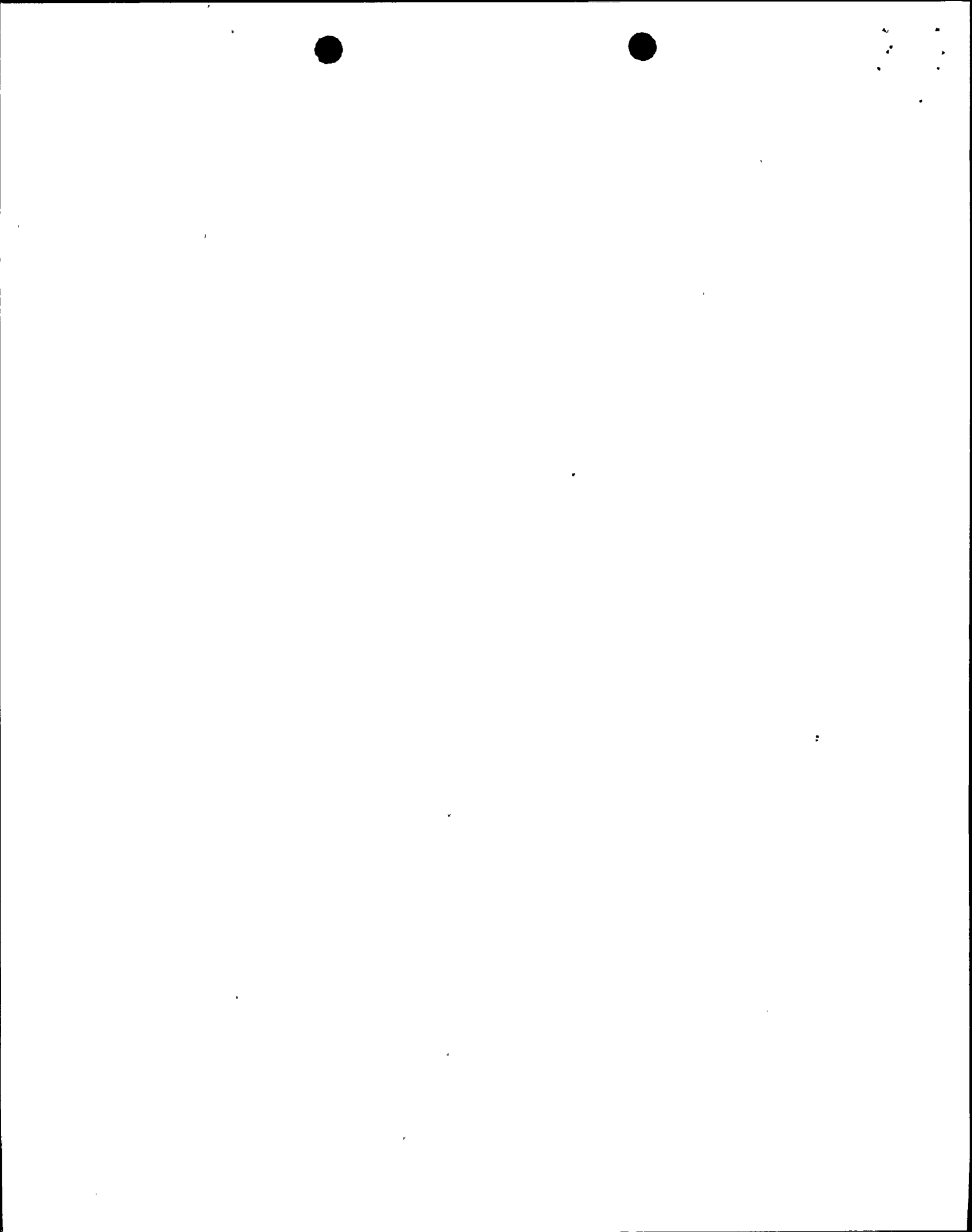
Respectively submitted,



Ellyn R. Weiss
HARMON & WEISS
1725 I Street, N.W.
Suite 506
Washington, D.C. 20006

Counsel for the Union of
Concerned Scientists

DATED: March 3, 1981



UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)

PACIFIC GAS AND ELECTRIC COMPANY)

(Diablo Canyon Nuclear Power)
Plant, Unit Nos. 1 and 2))

Docket Nos. 50-275 O.L.
50-323 O.L.

(Low Power Proceeding)

CERTIFICATE OF SERVICE

I hereby certify that copies of the "RESPONSE OF GOVERNOR EDMUND G. BROWN, JR. TO THE NRC STAFF AND PACIFIC GAS AND ELECTRIC COMPANY DOCUMENT PRODUCTION REQUESTS" in the above-captioned proceeding have been served on the following by U.S. mail, first class, on March 30, 1981.

Richard S. Salzman, Esq., Chairman
Atomic Safety and Licensing Appeal Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dr. W. Reed Johnson
Atomic Safety and Licensing Appeal Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dr. John H. Buck
Atomic Safety and Licensing Appeal Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Chairman
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Chairman
Atomic Safety and Licensing Appeal Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mr. John F. Wolf, Chairman
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555



11

Mr. Glenn O. Bright
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dr. Jerry R. Kline
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

William J. Olmstead, Esq.
Edward G. Ketchen, Esq.
Lucinda Low Swartz, Esq.
Office of Executive Legal Director
BETH 042
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
ATTENTION: Docketing and Service Section

Mrs. Elizabeth Apfelberg
c/o Nancy Culver
192 Luneta Drive
San Luis Obispo, California 93401

Janice E. Kerr, Esq.
Public Utilities Commission
5246 State Building
350 McAllister Street
San Francisco, California 94102

Mrs. Raye Fleming
1920 Mattie Road
Shell Beach, California 93449

Mr. Frederick Eissler
Scenic Shoreline Preservation Conference, Inc.
4623 More Mesa Drive
Santa Barbara, California 93105

Mr. Gordon Silver
Mrs. Sandra A. Silver
1760 Alisal Street
San Luis Obispo, California 93401

John Phillips, Esq.
Center for Law in the Public Interest
10203 Santa Monica Drive
Los Angeles, California 90067

Bruce Norton, Esq.
Norton, Burke, Berry & Junck
3216 North Third Street, Suite 300
Phoenix, Arizona 85012



25

Philip A. Crane, Jr., Esq.
Pacific Gas and Electric Company
P.O. Box 7442
San Francisco, California 94106

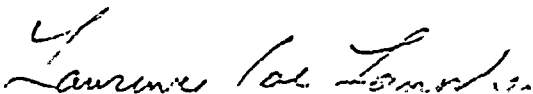
David S. Fleischaker, Esq.
1735 Eye Street, N.W., Suite 709
Washington, D.C. 20006

Arthur C. Gehr, Esq.
Snell & Wilmer
3100 Valley Bank Center
Phoenix, Arizona 85073

Mr. Richard B. Hubbard
MHB Technical Associates
1723 Hamilton Avenue, Suite K
San Jose, California 95125

Mr. Carl Neiberger
Telegram Tribune
P.O. Box 112
San Luis Obispo, California 93402

Byron S. Georgiou, Esq.
Legal Affairs Secretary
Governor's Office
State Capitol
Sacramento, California 95814



Lawrence Coe Lanpher
HILL, CHRISTOPHER AND PHILLIPS, P.C.
1900 M Street, N.W.
Washington, D.C. 20036

March 30, 1981



11