

K. J. Miller
Florence, Ky. 41042

January 21, 1978

Mr. James G. Keppler
Director
Nuclear Regulatory Commission Region III
799 Roosevelt Road
Glen Ellyn, Illinois 60137

REGISTERED CORRESPONDENCE



Dear Mr. Keppler:

After reading your letter of Dec. 4, I am greatly surprised by the lack of understanding you people show after reading all of my various letters. Obviously we do not achieve understanding in our communications. This makes everything more difficult. However, in your letter there are inaccuracies and areas where I cannot agree with your reply.

First, I would think on any matter where Nuclear Safety may be involved that an in depth investigation would be made. However, I would agree that it could start with only one or two areas, but, if some degree of substantiation developed, then the investigation would be deeper and more extensive and as more substantiation developed, in depth investigation would gradually evolve.

To further illustrate this point we can use the following:

Allen-Breck Tig welded Zimmer fittings when they were not certified. Musky said a small quantity. As I recall, it was either very near 100, or more than 100. The question then is, what is small? Now this is an illustration of what happened when 6 welders were able to pass only 14 out of a total requirement of 48 if they were to weld on all jobs as they came along. Now, do I have to tell the NRC how many more times this was repeated? I don't think so, I think this is your job to find out how many more times it occurred. I knew that it occurred. I don't know how many times. All of above is in reference to your second paragraph and to item 8 in your letter.

In regard to your item 1, on September 30th I marked up the areas of non-compliance with 10CFR50. Everyone of these items is a basic requirement in any QC program and must never be waived under any circumstance. I have selected only 7 items, but, these are the heart of any QC program. If these had been adhered to there would be no problem.

In regard to your item 2, there was a mixup in the material. Have your people verified the total weights? Needed weight for job against weight of material on records shown them? Something happened to the paperwork. To what depth and extent has the NRC gone to uncover this fact? In respect to the welds, I have checked out 2 welding books and both specifically state that the Testing Process and the production process have to remain IDENTICAL. They were never identical at Musky. This is very easy to establish. Why has it not been done? On what authority or backup, do you have to say they need not be identical? If they are not to be the same, why make the test to begin with? What you are saying in effect is, any old weld is good enough. This is wrong, wrong wrong. The answer is that all welds can be good welds and should be good welds. A minimum good weld is a pressure vessel weld. It is as simple as that. Musky knows this, but decided not to disturb their incentive setup to do it. Yet their QC manual would lead you to believe the opposite. Surely somebody at NRC must know right from wrong.

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24. With regard to the seals, describe in detail the function and safety significance of these seals during reactor operation.

MVPP has not yet completely determined all aspects of seal operation.

25. State whether the Project is asserting that seals in question are subject to reactor pressure during operation?

See answer to interrogatory 24.

26. Describe in detail the safety significance of the seals when the reactor is in a cold shutdown condition.

See answer to interrogatory 24.

27. State what information the Project has that the Applicants did not intend to repair or replace all seals not meeting all specifications.

MVPP has no information that Applicants have corrected the problem.

28. If any seals which did not meet specifications have been repaired or replaced, state why this would not meet the Project's particular allegations regarding the seals.

See answer to interrogatory 27.

Leah S. Kosik

Leah S. Kosik
Attorney for MVPP

Dated: May 9, 1979

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In reference to your item 3, I again repeat that the testing and production process must be IDENTICAL and remain IDENTICAL. A retest can only be made AFTER the man receives necessary and needed training and practice. The length of time would be contingent on the need for same. However 10 minutes of training and practice is completely ridiculous. This is the length of training and practice that occurred. Common sense will tell you that training, including length and extent is entirely contingent on the need. Then as proficiency is attained, a retest would be in order.

In reference to your item 4, Mr. Spievack was called in to review our situation and to see if he could set up a training program for our welders. I called him in. He flatly told me the day he was in, that under no circumstances would he allow his school to become associated with Misky welders. He felt that in the long run it would be injurious to the reputation of his school. He said it is far more difficult to "untrain" and then "retrain" than just to train. He said before he left that he would write up a report of his findings so that we would know where we stood. For your information the welding as of August 1, 1978 is EXACTLY the same as it was the day Mr. Spievack observed it. Misky welders never received the training they need. A program to train them at Northern Kentucky Vocational school was set up. Only one man of the 20 plus who signed up, completed the program. This was R. Pratt an Industrial Engineer. Twenty Plus signed up, Only 11 showed up for the first session, 5 or 6 for the second, 3 or 4 for the third, 2 for the next 2 sessions, then only R. Pratt. This was the only genuine attempt at training. Since shortly after Mr. Spievacks visit R. Pratt and myself would go out periodically in shipping and look at welds. We did this to see if there was any noticeable change. Some days there were more, some days less, but always we could find plenty of bad welds. In March of this year we found some of the worst welds we ever saw on some aluminum Electray. It was so bad I brought F. Banta out to show him. He was unimpressed and unconcerned. He later told me, "they were welded a long time ago." I checked, and it was—3 days ago. Needless to say, it was shipped as is. It didn't come back, so by your definition it was good Welds!

In reference to your item 5, the ONLY way to ever know if you can reasonably expect a good weld is to find out if the welder has the capability thru a test. Anytime his ability is under question he is retested. Incidentally, I noticed that this same situation came up at Zimmer in an NRC inspection report. This involved 2 welders from Young & Bertke who were installing air handling equipment. Gladstone Laboratory was called and they came out IMMEDIATELY and retested these 2 men. So, some NRC people do not share your view. I am extremely curious as to why you refuse to retest the Misky welders. I feel this is extremely critical and germane to the entire weld situation. Instead, for an answer, I get "a View we do not share." Judgements should be based on facts, not "views."

In reference to your item 6, "Weld Testing". The first "testing" was visual and everything looked rosy, per Mr. Foster. Then a test or tests was made and a decision was made that they are good. This is hog wash, it simply can't be. On the Louisville Gas & Electric job (Mr. Foster has a copy of the report) a full trailer load of trays and fittings were returned. Looking at it like you do, it wasn't bad. Only 40% of the welds broke. Fully 60% of the welds were good. So, all we should have done was to check or test some of the 60% welds. These would be good by your test and we could then have told Louisville Gas & Electric, "the welds are good, we tested them to NRC acceptance standards." You are doing exactly this, the only difference being, neither you nor I knew what the % is. The principle is exactly the same.

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In regard to your item 7, you are very mistaken. After Mr. Spiveack made his report I worked pretty hard for a long time to learn how to visually identify welding defects with a high degree of accuracy. However, when absolutely nothing is done to train the Inspectors, then whatever quality there is in a weld is left up entirely to the welder. His primary concern is quantity for incentive, he could care less for quality. Indirectly, you are saying this is OK. McDonalds has higher standards for their Hamburger palaces than you express for Nuclear work.

In regard to your item 10, here again you are in error. Mig Welding with a bead is permissible and is what should have been done. Instead, a Mig Spot, half on and half off the joined items was used. The specifications clearly prohibits a spot weld. What they got was only $\frac{1}{2}$ of a spot weld. Misky had no procedure for aluminum bronze welding and no welders certified in its use. So they made half spots. Monday evening October 16, 1978 Mr. Foster called me and reported on the status of the Clinton investigative activities. He said the welding of the fittings was in non-compliance essentially as I reported. He also reported problems uncovered on the straights. In later reports he repeated most of this plus added information. He once told me that none of this material could be installed in the containment area. On December 5, 1978, (one day later than your letter) essentially the same. Now I read your item 10 and it sounds like things at Clinton are not so bad. If you will read the first paragraph of my letter of October 19, 1978 to Mr. Foster confirming above and that I considered my involvement in Clinton at a close. Why is this now reopened?

In regard to item 9, I concur!

Summary:

As I stated in my original letter so much of this occurred on all the nuclear jobs it became a pattern of operating non-compliance. When a man is killed with 5 bullets, what difference does it make whether bullet No. 3 or bullet No. 4 killed him? He is still dead!

Your group is responsible for INSPECTION AND ENFORCEMENT and now you say you want the Utilities and the Engineering Companies to complete your work. The flaw here is you don't really know what to tell them to complete. This seems to me nearly incredible!

If patience is a virtue, then I am beginning to feel virtuous.

I sincerely hope this letter accomplishes a little better understanding.

Yours truly,

Edwin P. Hofstadter

Edwin P. Hofstadter

cc: Michael E. Bancroft
James E. Foster

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VERIFICATION

State of Ohio)
County of Hamilton, ss

Saul A. Rigberg, being first duly sworn, states that he has been duly authorized to execute, verify and file the enclosed documents, that he has read the contents of same and that the statements contained therein are true and correct to his best information, knowledge and belief.

Saul A. Rigberg

Saul A. Rigberg

Subscribed and sworn to before me this 9th day of May, 1979.

Mary E. Rolfes
Notary Public

MARY E. ROLFES
Notary Public - State of Ohio
My Commission Expires April 25, 1981

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CERTIFICATE OF SERVICE

I hereby certify that copies of the Answers to the Nuclear Regulatory Commission's Interrogatories, Objections to Certain of the Nuclear Regulatory Commission's Interrogatories, Answers to Applicants' Interrogatories, and Objections to Certain of Applicants' Interrogatories have been sent to the following parties by ordinary U.S. mail on the 17th day of May, 1979.

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