



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION III  
799 ROOSEVELT ROAD  
GLEN ELLYN, ILLINOIS 60137

*NRC Central  
Files*

October 1, 1979

Docket Nos. 50-546  
50-547

Mr. Thomas D. Dattilo  
Attorney at Law  
311 East Main Street  
Madison, Indiana 47250

Dear Mr. Dattilo:

This is in response to your letter of September 4, 1979, in which you requested certain information relative to concrete placement activities at the Marble Hill nuclear site.

The Nuclear Regulatory Commission's construction inspection program includes the practice of reviewing, on a sampling basis, nonconformance reports initiated by the licensee and its contractors. The number of these reports at any nuclear construction site is considerable. The purpose of this review is to determine whether the licensee and its contractors are implementing their quality assurance programs for detecting nonconforming activities, and whether these nonconforming activities receive proper evaluation, correction and disposition. If the inspector finds that proper attention is being given to these matters by the licensee and its contractors, the nonconformances are not viewed as being a serious breakdown in construction supervision. On the other hand, when nonconforming activities are either not identified by the applicable quality assurance programs or are not being dealt with properly, enforcement action is then taken. When this initial enforcement action fails to bring about the needed corrective actions, escalated enforcement is initiated (Management Meetings, Immediate Action Letters, Civil Penalties, Orders). As you know, several of these escalated actions were taken at Marble Hill beginning in April 1979.

With regard to the three specific inquiries you presented in your letter, our office did have knowledge during mid to late 1978 of some instances in which concrete not fully meeting the licensee's specifications was installed by the Newberg Construction Company and that improper concrete vibrating may have occurred (as evidenced by observed honeycombing). Our inspectors also were aware that the qualifications of some offsite US Testing personnel had been questioned by Public Service of Indiana in an audit of US Testing activities at its Hoboken, New Jersey laboratory, which provided some testing services for Marble Hill. It was concluded, however, that the identification and followup of problems by the Public Service of Indiana and its contractors were reasonable and responsible. Further, the existence of these documented nonconformances at that time, was not judged to be abnormal or indicative of a serious breakdown in the quality assurance program.

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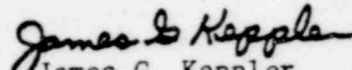
Mr. Thomas D. Dattillo

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10/1/79

As we find it neither necessary nor appropriate, we respectfully decline your request to respond to your letter under oath. Furthermore, we see no reason for relinquishing our statutory responsibility to inspect and investigate activities at Marble Hill.

Sincerely,

  
James G. Keppler  
Director

: cc w/incoming ltr dtd 9/4/79:  
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