PDR

UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION V
1990 N. CALIFORNIA BOULEVARD
SUITE 202, WALNUT CREEK PLAZA
WALNUT CREEK, CALIFORNIA 94596

January 21, 1980

Docket No. 50-133

Pacific Gas and Electric Company
77 Beale Street
San Francisco, California 94106

Attention: Mr. Philip A. Crane, Jr.
Assistant General Counsel

Gentlemen:

The enclosed Bulletin No. 80-02 is forwarded to you for action. A written response is required. If you desire additional information regarding this matter, please contact this office.

Sincerely,

for R. H. Engelken
Director

Enclosures:
1. IE Bulletin No. 80-02
2. Listing of IE Bulletins Recently Issued

cc w/enclosures:
W. Barr, PG&E
W. A. Raymond, PG&E
E. Weeks, PG&E, Humboldt Bay

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SSINS No.: 6820
Accession No.:
7912190553

UNITED STATES
NUCLEAR REGULATORY COMMISSION
OFFICE OF INSPECTION AND ENFORCEMENT
WASHINGTON, D.C. 20555

DUPLICATE

January 21, 1980

IE Bulletin No. 80-02

INADEQUATE QUALITY ASSURANCE FOR NUCLEAR SUPPLIED EQUIPMENT

Description of Circumstances:

The Marvin Engineering Company (MEC) of Inglewood, California was the subject of a special NRC inspection conducted on September 18-21, 1979 to evaluate their overall QA and QC programs which had come under severe criticism by a former Marvin Engineering employee. The special inspection was judged necessary since the Marvin Engineering Company was a known subcontractor and supplier to General Electric of BWR reactor internal feedwater spargers and feedwater thermal sleeves. The results of the NRC's inspection established that serious deficiencies exist in the implementation of the MEC quality assurance program relative to the manufacture of these components. During this inspection, twenty seven deviations from applicable codes, and contractual and regulatory requirements were documented in the areas of material identification and control, process control, welding and nondestructive examination.

Corrective Action

The Marvin Engineering Company has been issued the NRC's detailed inspection report of the Company, and given 30 days to inform the NRC how the deviations discussed in the report will be corrected and preventive action taken.

Action To Be Taken

All BWR licensees and construction permit holders shall supply the following information within 90 days for operating plants and 120 days for plants under construction.

1.a. Have reactor feedwater spargers and thermal sleeves manufactured and/or fabricated by the Marvin Engineering Company been purchased and/or installed in your facility? Since Marvin Engineering is principally a subcontracting Company, determine if your equipment originated with the Marvin Company and was eventually supplied to your facility through another contractor/supplier.

1.b. Provide a description of this equipment to include its purchase date and its design function during both normal and accident conditions.

2. For each piece of identified equipment, provide the performance history associated with its usage. This should include the cause of any failures or malfunctions and the frequency of such events.

3. Provide information on the suppliers and receiver's QA/QC program in effect at the time of purchase. This information should be discussed in terms of it providing sufficient bases for judging that the integrity of the equipment is sufficient to permit plant operation during normal and accident conditions.

Approved by GAO, B180225 (R0072); clearance expires 7-31-80. Approval was given under a blanket clearance specifically for identified generic problems.

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IE Bulletin No. 80-02
January 21, 1980

Enclosure

RECENTLY ISSUED
IE BULLETINS

| Bulletin No. | Subject | Date Issued | Issued To |
|---|---|---|---|
| 80-01 | Operability of ADS Valve Pneumatic Supply | 1/11/80 | All BWR power reactor facilities with an OL |
| 79-01B | Environmental Qualification of Class IE Equipment | 1/14/80 | All power reactor facilities with an OL |
| 79-28 | Possible Malfunction of Namco Model EA 180 Limit Switches at Elevated Temperatures | 12/7/79 | All power reactor facilities with an OL or a CP |
| 79-27 | Loss Of Non-Class-1-E Instrumentation and Control Power System Bus During Operation | 11/30/79 | All power reactor facilities holding OLs and to those nearing licensing |
| 79-26 | Boron Loss From BWR Control Blades | 11/20/79 | All BWR power reactor facilities with an OL |
| 79-25 | Failures of Westinghouse BFD Relays In Safety-Related Systems | 11/2/79 | All power reactor facilities with an OL or CP |
| 79-17 (Rev. 1) | Pipe Cracks In Stagnant Borated Water System At PWR Plants | 10/29/79 | All PWR's with an OL and for information to other power reactors |
| 79-24 | Frozen Lines | 9/27/79 | All power reactor facilities which have either OLs or CPs and are in the late stage of construction |
| 79-23 | Potential Failure of Emergency Diesel Generator Field Exciter Transformer | 9/12/79 | All Power Reactor Facilities with an Operating License or a construction permit |
| 79-14 (Supplement 2) | Seismic Analyses For As-Built Safety-Related Piping Systems | 9/7/79 | All Power Reactor Facilities with an OL or a CP |

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

| | | |
|---|---|---|
| In the Matter of | ) | |
| HOUSTON LIGHTING AND POWER | ) | Docket Nos. 50-498A |
| COMPANY, et al. (South | ) | 50-499A |
| Texas Project, Units 1 | ) | |
| and 2) | ) | |
| | ) | |
| TEXAS UTILITIES GENERATING | ) | Docket Nos. 50-445A |
| COMPANY, et al. (Comanche | ) | 50-446A |
| Peak Steam Electric | ) | |
| Station, Units 1 and 2) | ) | |

APPLICATION FOR ISSUANCE OF SUBPOENAS

The Department of Justice ("Department"), pursuant to 10 C.F.R. §2.720, hereby makes an application for the issuance of subpoenas to produce documents identified hereinafter and attached to this application.

On November 14, 1979, the Department deposed Mr. F.R. Woerner, General Commercial Manager of Texas Electric Service Company. During the course of Mr. Woerner's deposition it was revealed that certain files in the custody or control of Mr. Woerner, which were not within the scope of the subpoena previously issued to Mr. Woerner, could be relevant to the issue of competition in the electric utility industry in the State of Texas and surrounding states, certain electrical practices of Texas Electric Service Company, the structure of the electric utility industry in and reasonably adjacent to the State of Texas and the interstate versus intrastate operation of utilities in and around the State of Texas.

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Respectfully submitted,

Susan Braden Cyphert

Susan Braden Cyphert
Attorney
Antitrust Division
U.S. Department of Justice

Washington, D.C.
January 17, 1980

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SCHEDULE

I.

DEFINITIONS

1. "Document" means, without limiting the generality of its meaning, all original (or copies where originals are unavailable) and non-identical copies (whether different from originals by reason of notation made on such copies or otherwise) of all written, recorded or graphic matter, however produced or reproduced, whether or not now in existence, of corrsepondence, telegrams, notes or sound recordings of any type of conversation, meeting or conference, minutes of directors' or committee meetings, memoranda, inter-office communications, studies, analyses, notes, books, records, reports, summaries and results of investigations and tesrs, reviews, contracts, agreements, pamphlets, diaries, calendar or diary entries, maps, graphs, charts, statistical records, computer data or papers similar to any of the foregoing, however denominated, including preliminary versions, drafts or revisions of any of the foregoing and any supporting, underlying or preparatory material.

II.

CLAIM OF PRIVILEGE

If any document is withheld under claim of privilege, furnish a list which identifies each document for which privilege is claimed and which includes the following information for each such document: date, subject matter, sender, recipient, person to whom copies were furnished together with their job titles, the basis on which privilege is claimed, and the paragraph(s) of this subpoena to which such documents responds.

III.

INSTRUCTIONS REGARDING GROUPING AND NUMBERING DOCUMENTS

It is requested that the documents submitted be grouped according to the individual paragraph of the subpoena section to which they are responsive and, within each such group, the documents should be arranged, as much as possible, in chronological order.

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In order to facilitate the handling of the documents which will be received it would be appreciated if each of the documents would be numbered consecutively. It is suggested that in numbering the documents each page be numbered, except in those instances where the documents are bound together, when numbering only the first page is appropriate. This procedure, if followed, will preserve the identity of all the documents coming from the company, and also insure the accurate and expeditious return of these documents to the company.

If it is impossible for you to search your files and provide the documents described below, you may designate an appropriate person to act for you in this regard. Should any questions arise concerning this subpoena, please contact Susan B. Cyphert (202-724-6667) or David A. Dopsovic (202-724-7937) at the following address:

Department of Justice
P.O. Box 14141
Washington, D.C. 20044

IV.

DOCUMENTS TO BE PRODUCED

1. All documents which relate or refer, in any way, to the El Paso Company.

2. All documents which relate or refer, in any way, to United States Gypsum Company or Corporation.

3. All documents which relate or refer, in any way, to PPG (formerly Pittsburgh Plate Glass Company).

4. All documents which relate or refer, in any way, to Gulf Oil Company.

5. All documents which relate or refer, in any way, to Texaco Company or Corporation.

6. All documents which relate or refer, in any way, to other industrial customers of Texas Electric Service Company in the custody or control of Mr. F.R. Woerner in his position as General Commercial Manager.

7. All documents which relate or refer, in any way, to the "Load Relief Plan" referred to in Woerner Deposition Exhibit No. 5.

8. All documents which relate or refer, in any way, to inspections requested by Mr. F.R. Woerner and inspection reports received by Mr. Woerner.

CIVIL SUBPOENA TO PRODUCE DOCUMENT OR OBJECT

# United States of America

NUCLEAR REGULATORY COMMISSION

In the matter of:

HOUSTON LIGHTING AND POWER COMPANY, et al. (South Texas Project, Units 1 and 2)

TEXAS UTILITIES GENERATING COMPANY (Comanche Peak Steam Electri~ Station, Units 1 and 2)

DOCKET NO. 50-498A, 50-499A, 50-445A, 50-446A

TO

F.R. Woerner
General Commercial Manager
Texas Electric Service Company
Fort Worth, Texas

POOR ORIGINAL

YOU ARE HEREBY COMMANDED to appear at Room ..... Texas Electric Service Company .....

in the city of ..... Fort Worth, Texas .....

on the ..... 23rd ..... day of ..... January ..... 19 80 ..... at ..... 9:30 ..... o'clock A.M.

to testify

in the above entitled action and bring with you the document(s) or object(s) described in the attached schedule.

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY _____

_____

*Attorney for Antitrust Division*
*United States Department of Justice*
*Washington, D.C. 20530*
*Telephone* .....

..... 19 .....

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10 C.F.R. 2.720 (f)

*On motion made promptly, and in any event at or before the time specified in the subpoena for compliance by the person to whom the subpoena is directed, and on notice to the party at whose instance the subpoena was issued, the presiding officer or, if he is unavailable, the Commission may (1) quash or modify the subpoena if it is unreasonable or requires evidence not relevant to any matter in issue, or (2) condition denial of the motion on just and reasonable terms.*

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

| | | |
|---|---|---|
| In the Matter of | ) | |
| HOUSTON LIGHTING AND POWER CO., et al.(South Texas Project, Units 1 and 2) | ) | Docket Nos. 50-498A 50-499A |
| TEXAS UTILITIES GENERATING COMPANY (Comanche Peak Steam Electric Station, Units 1 and 2) | ) | Docket Nos. 50-445A 50-446A |

POOR ORIGINAL

CERTIFICATE OF SERVICE

I hereby certify that service of the foregoing Application for Issuance of Subpoenas has been made on the following parties listed hereto this 17th day of January 1980, by depositing copies thereof in the United States mail, first class, postage prepaid.

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Chairman
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U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

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U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

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U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

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Chairman
Michael C. Farrar, Esquire
Thomas S. Moore, Esquire
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Washington, D. C. 20555

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