

JOEL DECKARD  
5TH DISTRICT, INDIANA



BEDFORD OFFICE  
2805 WASHINGTON  
BEDFORD, INDIANA  
(812) 824-4444  
MONDAY, TUESDAY  
THURSDAY AND FRIDAY  
  
PAOLI OFFICE  
BOYD BUILDING  
WEST MAIN STREET  
PAOLI, INDIANA  
SATURDAY, 8:00 AM  
  
VINCENNES OFFICE  
28 NORTH FIFTH STREET  
VINCENNES, INDIANA  
(812) 824-4444  
MONDAY-FRIDAY  
  
WASHINGTON OFFICE  
DAVIES COUNTY COMMISSIONER'S OFFICE  
WASHINGTON, INDIANA  
(812) 824-4444  
FRIDAY, PM

COMMITTEES:  
GOVERNMENT OPERATIONS  
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Congress of the United States  
House of Representatives  
Washington, D.C. 20515

WASHINGTON, D.C. OFFICE:  
507 CANNON HOUSE OFFICE BUILDING  
WASHINGTON, D.C. 20515  
(202) 225-4536  
MONDAY-FRIDAY, PM

May 15, 1980

EVANSVILLE OFFICE:  
210 S.E. SIXTH STREET  
EVANSVILLE, INDIANA 47713  
(812) 423-4279  
MONDAY-FRIDAY, PM

John F. Ahearne, Chairman  
Nuclear Regulatory Commission  
Washington, D.C. 20555

Gentlemen:

This is in reference to the Commission meeting with Cordell Williams and Victor Stello of the Office of Inspection and Enforcement concerning the Marble Hill Nuclear plant being constructed by Public Service Indiana at Madison, Indiana.

I have a number of concerns I wish to share with you in regard to the recommendations of the I & E to allow a gradual resumption of nuclear related construction at the site. I understand that the Commission has given itself five days from the briefing to decide whether to accept the staff recommendations. I am sorry that this letter will not be able to reach you before the expiration of that time period. I wish to note, however, that Mr. Keppler and Mr. Williams of Region III stated in response to questions following the meeting that certain unresolved problems will delay the resumption of nuclear construction for at least another three weeks. Because of the incremental nature of the planned resumption, I assume the minds of the NRC staff and Commission members will remain open to the receipt of new information that would warrant reconsideration of the decision to allow construction.

According to Mr. Cordell Williams' statement, seismic sampling of in-place concrete to date has resulted in no findings of structural faults in the interior. I find it remarkable that no voids have been discovered in the interior when so many serious voids were found on the exterior. As Commissioner Hendrie pointed out at the briefing, the seismic findings would indicate a remarkably good and consistent aggregate in the concrete. However, since the aggregate used in the interior and in the exterior is identical, the exterior voids and honeycombs would require an evaluation of the aggregate opposite to that reached by Commissioner Hendrie.

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Because the findings of the seismic sampling are contrary to the known condition of the exterior, this contradiction tends to cast some doubt on the seismic test itself or on the sampling technique used. The test seems to be reliable judging from the coring results. Therefore, the adequacy of the sampling technique should be explored.

A member of my staff attempted to question Mr. Williams on this matter following the briefing. He was told that sampling was adequate but that the information regarding the actual amount tested was contained in a voluminous report available only through the Madison Public Library at Madison, Indiana. This seems to be a public document, and I am concerned that it is not available through the NRC's Public Document Room in Washington, D.C. The report was presented over six weeks ago at a public meeting in Madison. Could you please explain why it is not available here at this time?

I would appreciate your analysis of the adequacy of the sampling conducted. What percentage of the total concrete placement has been tested? If sampling is ongoing, what is the projected percentage?

I have been asked by Mr. Thomas Datillo, counsel for Save the Valley, to request your assurance that no resumption of construction be permitted until an independent consultant has examined the information regarding the integrity of existing structures. Can you give me that assurance?

In report number 50-546/79-11 the small number and lack of nuclear experience of the QA/QC staff was cited as a major contributing factor of the problems experienced by PSI. In that same report are included graphs which express the number of QA/QC personnel as a ratio of the total construction personnel of PSI and Newburg. In the text of the report on page 10, PSI QC are listed as a ratio of total QC personnel on site. During the conference Mr. Williams stated that the QA/QC personnel had increased to over 100 persons. I am curious to know whether those ratios have changed and what the projected ratios will be when all work resumes. Please state whether the current and projected numbers are of actual QC inspectors or total staff of the QC organizations.

During the course of the Commission briefing, the subject of the former US Testing employee currently under subpoena by the NRC was raised. A question was asked regarding his allegations that he was told to bypass bad loads of concrete in the random sampling procedure. That matter has apparently not been resolved.

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In response to the question, Commissioner Hendrie stated that if the employee was able to visually tell a good load from a bad one, he would undoubtedly be the most valuable man the concrete industry could have. I wish to nominate another for that distinction: the former site supervisor who apparently instructed him in the practice, and allegedly ordered the former employee to take these actions.

I wish to remind the Commissioner that the same allegation, or one remarkably similar, was reported by Region III inspectors in NRC Inspection Report Number 50-546/79-09, pages 13,14:

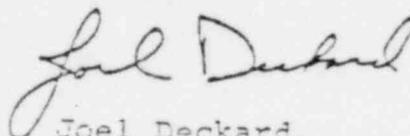
Personnel interviewed stated that during tightening sampling, due to high slump, they had observed N-MH (Newburg-Marble Hill) QC production personnel remove trucks of questionable acceptability from the line, substitute trucks not batched in sequence which contained concrete of acceptable slump, then subsequently dump the trucks which were originally removed.

This in effect, avoids the requirement to discontinue concrete production and allows all concrete outside the allowable limits to be placed.

Because of the high degree of similarity of the allegations, I would appreciate a summary of the NRC efforts to resolve both matters.

I appreciate your taking the time to address these concerns. I am looking forward to your response.

Sincerely,



Joel Deckard,  
Member of Congress

JD:rls