

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

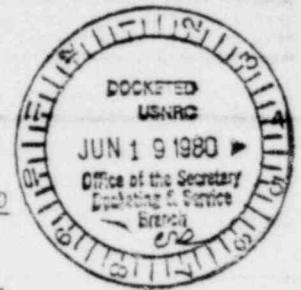
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

HOUSTON LIGHTING AND POWER  
COMPANY, ET. AL.

(South Texas Project  
Units 1 and 2)

Docket Nos. 50-498  
50-499



ANSWERS OF CITIZENS CONCERNED ABOUT NUCLEAR POWER, INC. TO  
NRC STAFF INTERROGATORIES TO, AND REQUEST FOR DOCUMENTS FROM,  
CITIZENS CONCERNED ABOUT NUCLEAR POWER

PREFACE

The staff of the Nuclear Regulatory Commission submitted interrogatories to Citizens Concerned About Nuclear Power in November, 1979. During the same period of time, CCANP received interrogatories from the Applicants.

In December, 1979, CCANP submitted answers to the interrogatories from the Applicants with a prefatory note that: "Each set of interrogatories requests essentially the same information. Therefore, CCANP submits the following answers to both sets of interrogatories .... Should the Nuclear Regulatory Commission staff find this procedure unacceptable and so inform CCANP, CCANP will resubmit answers in conformance with the form of the NRC interrogatories."

Subsequently, the NRC staff informed CCANP that they would like to have answers to their interrogatories.

In reviewing once again the questions of the NRC staff, CCANP again reaches the conclusion that the questions are essentially answered in either the answers to Applicants' first interrogatories, hereinafter referred to as Applicants' First or the answers to Applicants' second interrogatories, hereinafter referred to as Applicants' Second. CCANP, therefore, references herein the answers to the Applicants' interrogatories which answer the NRC staff interrogatories.

ANSWERS TO INTERROGATORIES

1-1 a. Upon what person or persons do you rely to substantiate your case on Contention 1.

1. On the surveying error, CCANP relies upon E. A. Turner, Vice President, Power Plant Construction & Technical Services, Houston Lighting and Power Company.

2. On the extensive voids, CCANP relies upon C. W. Oprea, Jr., Executive Vice President, Houston Lighting and Power Company.

3. On the lost field document relating to cadweld inspection, CCANP relies on Messrs. R. E. Hall and A. B. Rosenberg of the Nuclear Regulatory Commission staff in Arlington, Texas.

4. On the membrane damage, CCANP relies upon Mr. Daniel E. Swayze and upon the Non-Conformance Reports at the South Texas Nuclear Project.

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5. On the missing reinforcement bars, CCANP relies upon Mr. Daniel E. Swayze and upon the Non-Conformance Reports at the South Texas Nuclear Project.

6. On the cadwelds not capable of being verified, CCANP relies upon Mr. Daniel E. Swayze and upon the Non-Conformance Reports at the South Texas Nuclear Project.

7. a. On the design changes, CCANP relies upon Mr. Daniel Swayze.

b. On the personnel other than the original designer approving design changes, CCANP relies upon Mr. Daniel E. Swayze.

c. On the unqualified personnel making design changes, CCANP relies upon Mr. Daniel E. Swayze.

d. On the falsification of pour cards, CCANP relies upon Mr. Daniel E. Swayze.

e. On the assaults, intimidations, etc. directed at inspectors, CCANP relies upon Mr. Daniel E. Swayze; the various persons preparing reports on the beating of Mr. James Marshall (See Applicants' Second, Exhibit 23); Messrs. D. W. Hayes, R. Herr, H. S. Phillips, E. P. Jernigan, R. M. Compton, and R. B. Landsman of the Nuclear Regulatory Commission staff; and the as yet unidentified inspectors addressing these problems in NRC Report No. 50-498/79-19; 50-499/79-19

1-1 b. Provide the addresses and education and professional qualifications of any persons named in your response to a. above.

Identification of Mr. Daniel E. Swayze is provided in Applicants' First, Section I, page 5.

Identification of the other persons noted above, particularly their qualifications, is not possible for CCANP.

1-1 c. Identify which of the above persons you intend to call as witnesses on this contention.

For the moment, Mr. Swayze is the only person CCANP intends to call as a witness. Should the identities of the inspectors interviewed in NRC Report No. 50-498/79-19; 50-499/79-19 be denied to CCANP, then CCANP intends to call the persons who prepared that report and perhaps other personnel in the NRC office in Arlington, Texas and Washington, D.C..

1-2 Provide summaries of the views, positions or proposed testimony on Contention NO. 1 of all persons named in response to Interrogatory 1-1, that you intend to present during this proceeding.

1. On the surveying error, Mr. Turner stated: "Due to a survey calculation error, the basemat of Unit 2 Mechanical-Electrical Auxiliary Building was constructed one foot short on the east side of the building."

2. On the extensive voids, Mr. Oprea reported to the NRC on the extent of the confirmed voids and stated: "it was determined that if left uncorrected, these voids could have compromised the structural integrity of the Containment shell in that the as-built configuration would not have met its design load and shielding criteria."

3. On the lost field document relating to cadweld inspection, Messrs. Hall and Rosenberg stated: "Cadweld location field sketch No. FSQ 030 had been lost and was no longer available."

4. On the membrane damage, see Applicants' First, Answers 10 and 11, pages 8 through 10 and Applicants' Second, Answers 19 and 20, pages 16 through 17. Again, CCANP takes note that while the position of the Applicants today is that they favor complete and open discovery, the records requested by CCANP during discovery at the plant site regarding membrane placement and inspection were denied to CCANP on the grounds that the contention did not specify the buildings for which records were requested.

5. On the missing reinforcement bars, see Applicants' First, Answers 12 through 15, page 10 and Applicants' Second, Answer 24, page 18.

6. On the cadwelds not capable of being verified, see Applicants' First, Answers 16 and 17, pages 11 through 16; Applicants' Second, Answers 27 through 33, pages 18 through 20; and Applicants' Second, Answer 35, pages 21 and 22.

7. On Contention 1, numbers a through c, see Applicants' First, Answers 19 through 31, pages 16 through 18 and Applicants' Second, Answers 36 through 41, pages 22 and 23.

On Contention 1, number 7 d, the falsification of pour cards, see Applicants' First, Answers 31 through 34, page 18 and Applicants' Second, Answer 42, pages 23 through 26.

On Contention 7 e, intimidation, see Applicants' First, Answers 35 through 37, pages 18 and 19; Applicants' Second, Answer 43 through 45; NRC Report No. 50-498/79-19; 50-499/79-19; NRC Order to Show Cause (Effective Immediately) dated April 30, 1980.

1-3 State the specific bases and references upon which the persons in Interrogatory 1-1 rely to substantiate their views regarding Contention 1.

1. Mr. Turner apparently relied on surveyors hired to examine the building in question.

2. Mr. Oprea apparently relied on the evaluation of voids conducted by the Applicants and their contractor.

3. Messrs. Hall and Rosenberg apparently relied on their own inability and that of the Applicants to locate the missing document.

4. Mr. Swayze relies on his memory.

5. Mr. Swayze relies on his memory and CCANP relies on the NCRs.

6. Mr. Swayze relies on his memory and CCANP relies on the NCRs.

7. Mr. Swayze relies on his memory for a through e. The Applicants apparently rely on the statement taken of individuals who witnessed the attack on Mr. Marshall (e). Messrs. Hayes, Herr, Phillips, Jernigan, Compton, and Landsman apparently rely on the sworn statements and other information they gathered during their investigation. The unidentified inspectors apparently relied on either their direct experiences

or reports received from fellow workers.

1-4 Identify (noting the basis for each identification) the location of the voids which "exist in the concrete wall enclosing the containment building."

The voids, both suspected and confirmed, are identified in NCR #S-C 3461 and the 27 drawings attached thereto. The voids the Applicants admit to are found in Notification SFN: V-053C, further identified as ST-HL-Ae-419 submitted to the NRC in February of 1980 by Houston Lighting and Power.

1-5 Identify the "field document relating to cadweld inspections" that you assert has been lost.

No. FSQ 030

1-6 Identify (noting the basis for each identification) the specific location of the "membrane seals in the containment structure which are damaged."

CCANP believes that there are damaged membrane seals on the Unit 1 and Unit 2 fuel handling buildings and the Unit 1 and Unit 2 mechanical electrical auxiliary building.

The basis for this identification is M. Swayze's memory.

1-7 Identify (noting the basis for each identification) the specific location of the "missing reinforcement bars".

CCANP believes there are missing reinforcement bars around the equipment hatch or equipment door. For this contention, CCANP relies on the memory of Mr. Swayze.

From the NCR log at the plant site, missing bars were found in the following locations:

Pours C11-555; C11-58; C12-W14; C11-W44A; C11-340; C12-58; C12-W17; C11-W44; C11-W24F; C11-W29; C11-W450; C11-344; C11-W34; C11-355; C11-W99A; C11-W37; C11-W205; C11-W76.

1-8 Identify (noting the basis for each identification) the specific location of the cadwelds "which are not capable of being verified".

See Applicants' First, Answers 16 and 17, pages 11 through 16 and Applicants' Second, Answers 27 through 33, pages 18 through 20.

1-9 Specifically identify all "efforts" referred to in Contention 1.7.a. and explain in detail how these "efforts" were "thwarted".

See Applicants' First, Answers 19 through 24, pages 16 through 17.

1-10 Identify the "personnel" in Contention 1.7.b as well as your bases for your belief that such "personnel" had no "knowledge of the purpose of the original design".

See Applicants' First, Answer 25, page 17.

1-11 Identify the "personnel" in Contention 1.7.c as well as your bases for your belief that such "personnel" were "unqualified in the type of design where the change was made".

See Applicants' First, Answer 29, page 17 and Applicants'



Second, Answer 41, page 17.

1-12 Identify: a) which pour cards referenced in Contention 1.7.d were "falsified" and indicate what areas of the facility are affected, if any, explaining the bases for your belief that the alleged falsification would affect the facility and its ability to operate safely; and b) the names of the persons who "falsified" the pour cards as well as the dates (as accurately as possible) of such falsification.

See Applicants' First, Answers 32 through 34, page 18; Applicants' First, Answer 36, page 19; and Applicants' Second, Answer 42, pages 23 through 25.

As to the bases for our belief that the alleged falsification would affect the facility and its ability to operate safely, CCANP asserts that the inspection program was specifically for the purpose of assuring the safe construction of the plant. If the inspection process was suborned to the extent that there was a "continuing trend" for inspectors to sign off on inspections whether the work was in conformance or not, then there can be no assurance of the safe construction of the plant. Without this assurance, there can be no assurance that the facility will operate safely.

1-13 Identify the type, extent, and date of assaults referenced in Contention 1.7.e as well as the names of those persons involved with each assault.

See Applicants' First, Answer 35, pages 18 and 19 Applicants' Second, Answer 43, page 26.

1-14 Identify all instances of "threats of bodily harm", "firing", and "behavior designed to intimidate" referenced in Contention 1.7.e describing for each instance the names of the persons involved.

See Applicants' First, Answer 35, page 18; Applicants' First, Answer 37, page 19; and Applicants' Second Answers 43 through 45, pages 26 through 28.

1-15 Identify all the inspections (giving dates and specific detail with respect to what was to be inspected) that were never done as a result of the "intimidations" referenced in Contention 1.7.e. In addition, state the names of the persons who were to conduct each of these inspections.

See Applicants' First, Answers 32 through 34, page 18; Applicants' First, Answer 36, page 19; and Applicants' Second, Answer 42, pages 23 through 25. In addition, since the NRC itself found a "continuing trend" of inspectors signing off on items whether these items were in compliance or not to avoid confrontations, there is little likelihood that all these items can ever be identified.

1-16 Identify all documentary or other material that you intend to use during this proceeding to support this contention and that you intend to offer as exhibits on this contention or refer to during your cross-examination of witnesses presented by applicants and/or the NRC staff.

CCANP intends to use every inspection report ever done by the NRC on this plant which contains material relevant to the contention. Research is underway at the present time to identify just which reports fall into this category. CCANP intends to use all construction records of the plant which

support this contention, of which there are hundreds of pages copied during discovery. CCANP intends to use internal documents of the Applicants and their contractor which have been attached as exhibits to Applicants' First and Applicants' Second.

Contention No. 2

2-1 a. Upon what person or persons do you rely to substantiate your case on Contention 2?

1. On 50-498/77-03, CCANP relies upon W. A. Crossman, R. G. Taylor, and W. C. Seidle of the NRC Region IV staff.

2. On 50-498/78-03 as reported in 50-498/77-05, CCANP relies upon R. C. Taylor, R. E. Hall, R. A. Hermann, W. E. Vetter, and C. L. Heck of the NRC Region IV staff.

3. On 78-08, review of this report indicates that there may have been a mistake in the reformulated contentions. 50-493 and 50-499/78-07 also dated in May of 1978 contain information related to falsification of documents. CCANP relies upon W. G. Hubacek, A. B. Rosenberg, L. D. Gilbert, and Ron J. Garcia of the NRC Region IV staff.

b. Provide the addresses and education and professional qualifications of any persons named in your response to a. above.

CCANP is unaware of the qualifications of the NRC personnel.

c. Identify which of the above persons you intend to call as witnesses on this contention.

If necessary, CCANP will call all persons noted above as witnesses.

2-2 Provide summaries of the views, positions or proposed testimony on Contention No. 2 of all persons named in response to Interrogatory 2-1, that you intend to present during this proceeding.

1. An inspector with Pittsburgh Testing Laboratory falsified sand inspection records. The inspector's action apparently resulted from production pressures.

2. This item on falsified sand inspection records was closed out after analysis of records.

3. Four bolted joints marked at joint as only partially inspected. Review of record print showed inspection as complete.

2-3 State the specific bases and references upon which the persons in Interrogatory 2-1 rely to substantiate their views regarding Contention 2.

1. Interviews with personnel involved.

2. Item closed out after inspection of records generated by falsifier and comparison of those records with other inspectors doing similar work.

3. Visual inspection; on-site review.

2-4 Indicate in detail what aspects or language of the Inspection Reports cited in Contention 2 support your assertion

that STP construction records have been falsified by employees of Houston Lighting and Power Company and Brown and Root. In addition, set forth the names of those employees referenced in Contention 2 who falsified STP construction records, indicating how and when these documents were falsified.

1. In the findings of this investigation, the NRC staff concluded the records were falsified and that the falsification was the falsifier's response to production pressures rather than malice. (See also 4C.1, C.2, and D.1 of the report.)

2. The close out is detailed in 4VII. B..

3. The IE inspector informed the licensee that marking the record print to indicate that the inspection of the joint was completed when the inspection was not completed is in noncompliance with 10 CFR 50, Appendix B, Criterion XIV.

2-5 Identify all documentary or other material that you intend to use during this proceeding to support this contention and that you intend to offer as exhibits on this contention or refer to during your cross-examination of witnesses presented by applicants and/or the NRC staff.

1. Inspection and Enforcement Report 50-498/77-03.

2. Inspection and Enforcement Report 50-498/77-03.

3. Inspection and Enforcement Report 50-498; 50-499/77-07.

#### Contention No. 3

3-1 a. Upon what person or persons do you rely to substantiate your case on Contention 3?

Dale G. Bridenbaugh and Richard Hubbard

b. Provide the addresses and education and professional qualifications of any persons named in your response to a. above.

MHB Technical Associates, 1723 Hamilton Avenue, Suite K, San Jose, California, 95125.

Mr. Bridenbaugh is a graduate engineer, thoroughly familiar with the operation of nuclear generating plants, including operating difficulties that lead to reductions in nuclear power plant reliability and operability. He received his Bachelor of Science in Mechanical Engineering from South Dakota School of Mines and Technology in 1953. From June, 1953 until February, 1976, he worked as an engineer and manager with the General Electric Company in the areas of power generation equipment design, manufacture, and operation. During the last ten years with General Electric, Mr. Bridenbaugh had the responsibility for management of the operation of nuclear power plants and development and implementation of solutions to operational problems. Since 1976, Mr. Bridenbaugh has been a partner and technical consultant in MHB Technical Associates.

Mr. Hubbard has a Bachelor of Science in Electrical Engineering from the University of Arizona and a Masters in Business Administration from the University of Santa Clara. From 1960 to 1976, Mr. Hubbard worked for General Electric Company. Mr. Hubbard held various supervisory positions regarding the application, design, and manufacture of nuclear reactor components, including reactor control and safety

systems. At the time of his resignation from General Electric, Mr. Hubbard was the Manager of Quality Assurance for the Nuclear Energy Control and Instrumentation Department. Since his resignation, Mr. Hubbard has worked with MdB Technical Associates.

c. Identify which of the above persons you intend to call as witnesses on this contention.

Dale G. Bridenbaugh and Richard Hubbard

3-2 Provide summaries of the views, positions or proposed testimony on Contention No. 3 of all persons named in response to Interrogatory 3-1, that you intend to present during this proceeding.

Pressurized water reactors, such as the Westinghouse reactors being installed at the South Texas Nuclear Project, are known to develop pressures in excess of design limits, particularly during start up and shut down.

3-3 State the specific bases and references upon which the persons in Interrogatory 3-1 rely to substantiate their views regarding Contention 3.

From their long experience with nuclear power plants, Mr. Bridenbaugh and Mr. Hubbard have accumulated extensive information on the operating performance of such plants. They have offered testimony in numerous hearings, including the River Bend and Diablo Canyon proceedings. Their basis for the overpressurization contention is actual instances of overpressurization in nuclear power plants.

3-4 Identify all documentary or other material that you intend to use during this proceeding to support this contention and that you intend to offer as exhibits on this contention or refer to during your cross-examination of witnesses presented by applicants and/or the NRC staff.

NUREG 0410: NRC Program for the Resolution of Generic Issues Related to Nuclear Power Plants, January 1978; NUREG 0224: Final Report on Reactor Vessel Pressure Transient Protection for Pressurized Water Reactors, September, 1978; NUREG 0510: Identification of Unresolved Safety Issues Relating to Nuclear Power Plants, January, 1979; NUREG 0649: Task Action Plans for Unresolved Safety Issues Related to Nuclear Power Plants, February, 1980 - in this NUREG, the staff has identified this issue as "staff resolved" but is still carried because not implemented in all cases.

STATE OF TEXAS §  
COUNTY OF BEXAR §

BEFORE ME, the undersigned authority, on this day personally appeared LANNY ALAN SINKIN, known to me to be a credible person, who on his oath says that he is the co-coordinator of CITIZENS CONCERNED ABOUT NUCLEAR POWER, INC. and that he has read the foregoing Answers of Citizens Concerned About Nuclear Power, Inc. to NRC Staff Interrogatories to, and Request for Documents from, Citizens Concerned About Nuclear Power.

*Lanny Alan Sinkin*  
LANNY ALAN SINKIN, CO-COORDINATOR

SUBSCRIBED AND SWORN to before me by LANNY ALAN SINKIN on this the 13th day of June, 1980.

*Lothar M. Dietl*  
Notary Public in and for  
Bexar County, Texas

My Commission expires: 12/31/81



UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

HOUSTON LIGHTING AND POWER  
COMPANY, ET. AL.

(South Texas Project  
Units 1 and 2)

Docket Nos: 50-498  
50-499

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing "ANSWERS OF CITIZENS CONCERNED ABOUT NUCLEAR POWER, INC. TO NRC STAFF INTERROGATORIES TO, AND REQUESTS FOR PRODUCTION OF DOCUMENTS FROM CITIZENS CONCERNED ABOUT NUCLEAR POWER" in the above-captioned proceeding were served on the following by deposit in the United States Mail, postage prepaid this 13th day of June, 1980.

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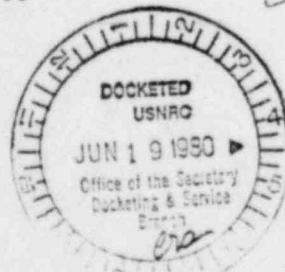
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Docketing and Service Section (4)  
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June 13, 1980



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