February 1, 1990

Mrs. Betty Brink, Board Member
Citizens for Fair Utility Regulation
7600 Anglin Drive
Fort Worth, Texas 76148

Dear Mrs. Brink:

SUBJECT: ERRATA TO STAFF RESPONSE TO CFUR ISSUES

Please replace pages 3, 4, and 7 of the staff response issued on January 30, 1990 with the revised pages 3, 4, and 7 attached hereto. Marginal bars indicate the areas of change.

Sincerely,

Original signed by:

James E. Lyons, Chairman
Allegation Review Committee
Comanche Peak Project Division

Enclosure:
Revised Page

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The risk that the CPSES spent fuel pools will not have sufficient storage capacity is an economic risk only, not a safety risk. The CPSES spent fuel pools meet the minimum design capacity guidelines for a dual shared facility of one full core discharge plus two normal fuel discharge cycles (322 fuel assemblies for CPSES) as set forth in ANS 57.2. The CPSES Technical Specifications, which will be a part of the license, limit the storage capacity to no more than 1116 fuel assemblies as is currently designed. Any future changes to the storage capacity will require a license amendment and the attendant opportunity for a hearing. However, it should be noted that the Commission has determined that spent fuel pool modifications using previously approved methods involve a no significant hazard consideration as defined in 10 CFR 50.92 and, therefore, do not require that a hearing be held prior to issuance of the amendment.

The Commission addressed the issue of long term storage of spent fuel in its August 31, 1984 Waste Confidence Decision. Currently, 10 CFR 51.23 states in part:

> The Commission has made a generic determination that for at least 30 years beyond the expiration of reactor operating licenses no significant environmental impacts will result from the storage of spent fuel in reactor facility storage pools or independent spent fuel storage installations located at reactor or away-from-reactor sites.

The background discussion from the review and proposed revision of the Waste Confidence Decision and a conforming amendment to 10 CFR Part 51, which was published in the Federal Register on September 28, 1989, (Attachment 1) describes the actions taken to date by the Commission. The proposed revision to the Waste Confidence Decision reaffirms and supplements the 1984 findings and the environmental analyses supporting them.

3. Issue

Check valve failures that occurred during hot functional testing in April and May 1989 were critical and would have contaminated systems outside containment. TU Electric's response to the check valve failures was inadequate, according to the NRC's July 10, 1989 report. Additional Borg-Warner check valve problems have been identified by the NRC since initial failures in April and May.

Evaluation

As stated in the December 7, 1989 meeting, CFUR's concerns were derived from the findings in the NRC's Augmented Inspection Team's (AIT) report and subsequent NRC inspection reports and letters regarding the check valve failures. The NRC review of Borg-Warner check valve issues is still in progress. Previous inspections related to this topic are documented

in NRC Inspection Reports 50-445/89-30, 50-446/89-30; 50-445/89-52, 50-446/89-52; 50-445/89-64, 50-446/89-64; 50-445/89-71, 50-446/89-71; 50-445/89-73, 50-446/89-73; 50-445/89-84, 50-446/89-84; and 50-445/89-88, 50-446/89-88.

The NRC staff has concluded that the applicant's corrective action program to reset and control the bonnet elevation of Borg-Warner check valves will effectively prevent the previously observed phenomenon where the valve disk jammed under the seat ring. Although some problems have been encountered in the implementation of these corrective actions, the applicant's commitment to conduct a functional backflow test and/or radiographic examination for each valve will provide reasonable assurance that all Borg-Warner check valves are capable of performing their design function.

In NRC Inspection Report 50-445/89-73, 50-446/89-73 (Attachment 2), the NRC identified 12 open items regarding various issues stemming from the AFW backflow events. To date, two of these open items have been closed as documented in NRC Inspection Reports 50-445/89-84, 50-446/89-84 and 50-445/89-88, 50-446/89-88 (Attachments 3 and 4). All open items will be closed out prior to licensing and the closeouts will be documented in NRC Inspection Report 50-445/90-03, 50-446/90-03 and subsequent reports.

In addition to the open items, the NRC has issued an enforcement action, EA-89-219 dated January 25, 1990 (Attachment 5). That action is being taken to emphasize the importance of the lessons learned from the check valve failure events.

An issue not raised in the Stay Request, but in CFUR's subsequent November 8, 1989 letter to the NRC, was that the NRC had identified additional Borg-Warner check valve problems since the initial failures in April and May. TU Electric reported the failure of a swing arm in a Borg-Warner check valve installed in the service water system. As the result of discovering the failed swing arm, the NRC staff is reviewing the service suitability of the Borg-Warner check valve swing arms. The applicant, along with its consultant, Aptech, conducted an extensive series of nondestructive tests on the swing arms to identify and replace the discrepant swing arms. An extensive engineering analysis was performed to demonstrate the acceptability of those swing arms which were not replaced. That analysis is now under review and the NRC will ensure that the check valves operate properly prior to making a decision on a Unit 1 fuel load license.

The AIT report indicated that, during the check valve failure events, operations personnel failed to effectively recognize and act on conditions adverse to quality. The staff's concerns regarding those findings are described in the subsequent enforcement action (EA-89-219). However, we consider the significance of these findings related to TU Electric's transition from construction activities to an operational environment.

Bulletin 87-02 required that a general sample of fasteners from warehouse stock be tested. As required by the bulletin, TU Electric had the fasteners tested by a laboratory they had qualified to perform this type of testing. The tests were performed in accordance with the requirements of the applicable fastener's specification, grade, and class. TU Electric responded by letters dated July 22 and January 11, 1988, and found that all of the fasteners tested were acceptable for use. CAR-88-36 addressed the generic adequacy of fasteners other than fasteners supplied by Aircom. It was concluded that no generic problem existed based for the most part on the results of testing to support IE Bulletin 87-02. In addition, the NRC concluded in NUREG-1349 (a summary of utility test data responding to IEB 87-02) that the test results generally "did not indicate a safety concern relating to the use of mismarked or counterfeit fasteners in the nuclear industry." NRC Inspection Reports 50-445/88-56, 50-446/88-52; 50-445/89-03, 50-446/89-03; 50-445/89-18, 50-446/89-18; and 50-445/89-78, 50-446/89-78 (Attachments 6 through 9) addressed Supplements 1 and 2 to NRC Bulletin 87-02 as well as other matters related to counterfeit parts.

As documented in the NRC inspection reports referenced above and TU Electric corrective action report (CAR) numbers 88-34, 35, and 36, in response to NRC Bulletin 87-02, a significant number of safety related and non-safety related fastenters of questionable quality and quality documentation were purchased from Aircom Fasteners, Inc., a fastener distribution company.

As a result, TU Electric tested 96 of the fasteners from Aircom which had not been installed in the plant for conformance to specification requirements. As documented in the TU Electric and NRC documents referenced above, only very minor deviations from specification requirements for chemical and physical properties were noted. Thereby TU Electric demonstrated that this sample of 96 Aircom fasteners selected for test would be acceptable for use had they been installed.

Subsequently, after review of the foregoing information by the NRC staff and in response to questioning, TU Electric selected a representative sample of 200 fasteners installed in electrical cable tray support systems. This sample was biased to include fasteners most likely supplied by Aircom Fastener Inc. These 200 fasteners were removed and subjected to the same physical and chemical testing as were the initial 96 fasteners noted above to determine if they met the purchase order and specification requirements. As a result of chemical and physical testing of this sample of 200 previously installed fasteners, supplied in part by Aircom, the NRC is satisfied that these fasteners met the requirements of the specification or, in those few cases where they departed from the specification, the deviations did not affect the structural capability of the fasteners. Thus, they are adequate for the intended service.

In addition to the NRC activities discussed above, NRC representatives witnessed the testing of these 200 fasteners at South Western Laboratories on October 30 and November 1, 1989 and observed that all