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ASSESSMENT OF THE RESPONSE  
BY REGION III TO ALLEGATIONS CONCERNING  
THE OFF-GAS FILTER BUILDING AT THE  
LASALLE NUCLEAR STATION

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Summary

Between January 26 and March 8, 1982, Region III received allegations of structural deficiencies in the roof of the off-gas filter building at the LaSalle County Nuclear Station. Region III concluded an inspection and/or investigation of these concerns was not warranted. On March 24, 1982, the State of Illinois Attorney General filed a petition requesting a Show Cause Proceeding concerning several issues of claimed safety significance including the reported off-gas filter building deficiencies. As a result of this petition, IE conducted an independent assessment of actions taken by Region III in response to the allegations related to the off-gas filter building, and to determine the propriety of the decision not to pursue the matter. The assessment disclosed that Region III properly examined, researched and documented the allegations. Specific action by Region III included contacts with the allegor, quiries of Region III staff personnel with expertise in BWR plant systems and an evaluation of the safety significance of the off-gas filter building by reviewing the LaSalle Final Safety Analysis Report (FSAR). The independent assessment concurred with Region III's conclusion that the allegations pertained to a non-safety related building, system and equipment which required no additional action or follow-up by the NRC regulatory process. The IE assessment also included an analysis of the technical adequacy of the off-gas filter building roof to refute or substantiate the allegations. The results of this technical evaluation are reported by separate documentation.

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ENCLOSURE 1

Purpose of Inquiry

This inquiry was conducted by IE to obtain an independent assessment of actions taken by Region III in response to allegations of structural deficiencies in the off-gas filter building at the LaSalle County Nuclear Station.

Background

On March 24, 1982, Tyrone C. Fahner, Attorney General, State of Illinois, filed a petition to suspend operating license proceedings and to institute a Show Cause Hearing. The issues involved alleged rebar cutting and alleged structural deficiencies in the roof of the off-gas filter building. These concerns had reportedly been previously verbally communicated to Region III. The Illinois Attorney General's petition with the forwarding letter is Attachment (1).

On March 29, 1982, a conference call was held between James G. Keppler, Harold R. Denton, Edson G. Case, Richard C. DeYoung and Victor Stello to discuss the issues contained in the petition. They agreed to have IE conduct an independent review and assessment of the allegation concerning the deficiencies in the off-gas filter building. This independent approach was recommended since the petition expressed concern that Region III had previously concluded that an investigation of these alleged deficiencies was not warranted. It was also determined that the IE review should include both an assessment of Region III's handling of the verbal notifications regarding this allegation and an analysis of the technical adequacy of the off-gas filter building. Keppler's memorandum to DeYoung, dated March 30, 1982, reporting this information, is Attachment (2).

On March 30, 1982, Richard C. DeYoung, Director, IE, appointed Edward C. Gilbert, Senior Investigator, IE, and Robert E. Shewmaker, Senior Civil-Structural Engineer, IE, to conduct the independent assessment of (a) actions taken by Region III in response to allegations related to the off-gas filter building and (b) the structural adequacy of the off-gas filter building.

INVESTIGATOR'S NOTE: The results of the technical evaluation of the structural components of the building are documented in a separate report.

Review of the Region III Files

The following pertinent documents from Region III files were made available to IE for review on March 30 and 31, 1982:

- a. Memorandum for the Region III files, dated January 28, 1982, from Robert F. Warnick, Director, Enforcement and Investigation Staff, Region III (Attachment (3)) - This document reports that on January 26, 1982, Doug Longenie, a newscaster for Channel 5 television, telephonically contacted Warnick. Longenie related the receipt of allegations regarding the LaSalle County Nuclear Station from [REDACTED] who had worked at the plant. [REDACTED] alleged that while drilling 8 inch anchor bolts in the ceiling of the off-gas filter building they penetrated the roof which was suppose to be 12 inches thick. Warnick told Longenie that Region III would contact [REDACTED] and follow up on the allegations.

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- b. Memorandum for the Region III files, dated February 10, 1982, from James E. Foster, Investigator, Region III (Attachment (4)) - This reports that on February 4, 1982, Foster telephonically contacted [REDACTED] who requested confidentiality. In regard to the off-gas filter building, [REDACTED] stated that holes drilled for expansion anchors in the ceiling at the 725 foot elevation penetrated the concrete and asphalt roof covering. [REDACTED] advised that water which had accumulated on the roof came down through the holes. [REDACTED] also reported the existence of cracks in the concrete since the holes were drilled too close. [REDACTED] noted some patching was subsequently performed.
- c. Memorandum for the Region III files, dated February 26, 1982, from Gerald A. Phillip, Senior Investigator, Region III (Attachment (5)) - This documents that on February 22, 1982, Phillip received information that Mrs. Judith S. Goodie, Assistant Attorney General, State of Illinois, had called Region III concerning the allegations made by [REDACTED] to Longenie. Prior to returning Mrs. Goodie's telephone call, Phillip reviewed the allegations contained in the two memoranda (Attachments (3) and (4) pertain) and discussed the status and resolution of the matter with Roger Walker, Chief, Reactor Projects Section 1-C, Region III. Based primarily upon information obtained from Walker, Phillip determined that the allegation regarding the off-gas filter building is not of concern to the NRC since this structure is not considered safety related, i.e. subject to seismic considerations. On February 23, 1982, Phillip telephonically contacted Mrs. Goodie. He told her that Region III was evaluating the various allegations to ascertain what action would be taken. In this regard, he explained that since the off-gas filter

building is not a safety related structure, the allegation concerning the roof thickness was not within the regulatory purview of the NRC. Mrs. Goodie apprised Phillip of an additional allegation by [REDACTED] regarding the drilling into rebar. Phillip acknowledged he was not previously aware of this allegation which would be of interest to the NRC. Subsequent to Phillip's conversation with Mrs. Goodie, Phillip had additional discussions with Region III personnel who furnished amplifying information indicating none of [REDACTED] original allegations required further action by the NRC. Therefore, Phillip concluded that with the exception of the reported drilling into rebar, all of [REDACTED] allegations had been satisfactorily resolved and/or did not require pursuing by the NRC. Phillip recommended that the NRC's explanation and position concerning [REDACTED] various allegations be conveyed to [REDACTED] and that [REDACTED] be queried regarding the alleged drilling into rebar to ascertain whether that matter warranted further action by Region III.

d. Memorandum for the Region III files, dated March 13, 1982, from Foster (Attachment (6)) - This reports that on March 6 and 8, 1982, Foster was telephonically contacted by Mrs. Goodie who reported that [REDACTED] had told her that rebar was often cut by [REDACTED] crew when they drilled cores or holes. Foster responded that he would attempt to discuss this with [REDACTED] since [REDACTED] had not mentioned the cutting of rebar during their previous conversations. Mrs. Goodie also expressed concern that the allegation concerning the off-gas filter building was not being pursued by the NRC since she understood some equipment in the building was intended to reduce or mitigate radioactive releases in the event of an accident. Foster explained to



her that since the off-gas filter building is a non-safety, non-seismic structure, it should not contain safety-related equipment. Mrs. Goodie remarked that she had spoken to "nuclear experts" who had advised her differently. Foster recontacted [REDACTED] on March 8, 1982. [REDACTED] revealed that when [REDACTED] crew hit rebar during core drilling in the reactor building and off-gas filter building, a special crew was called who then used a water cooled diamond drill to cut the rebar. [REDACTED] added that this practice was continued until approximately September 1980 when a "work notice" system was instituted by Quality Control to stop the uncontrolled cutting. [REDACTED] identified [REDACTED] as a current employee on site who may be able to provide additional information. Foster suggested various actions to resolve the allegation, and recommended that the issue receive priority attention by Region III.

e. Memorandum for Charles E. Norelius, Director, Division of Engineering and Technical Programs, Region III, from Warnick, dated March 25, 1982 (Attachment (7)) - This reflects that on March 22, 1982, Warnick discussed the alleged core drilling through rebar with Norelius. In view of the imminent issuance of an operating license at LaSalle and the unavailability of investigators, Norelius agreed to have his Division assume responsibility for resolving the allegation.

f. Memorandum for the Region III files, dated March 31, 1982, from Foster (Attachment (8)) - This reports that on March 26, 1982, Foster telephonically apprised Mrs. Goodie that Region III had not been aware of the allegations of rebar cutting made by [REDACTED] a former LaSalle employee, prior to

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the Attorney General's petition being filed. Mrs. Goodie explained there had been no intent to withhold information and she had assumed Region III was aware of [REDACTED] concerns and had contacted him. Foster also asked why [REDACTED] allegations were not included in the petition. Mrs. Goodie responded that [REDACTED] had declined to submit an affidavit since [REDACTED] desired confidentiality.

g. Off-Gas Building Roof Report, dated March 29, 1982 (Attachment (9)) - This report, submitted by Daniel L. Shamblin, construction engineer, Commonwealth Edison, refuted the alleged structural roof deficiencies in the off-gas filter building which had been cited in the Illinois Attorney General's petition.

#### Interviews of Region III Personnel

James E. Foster was interviewed on April 1, 1982. Foster reviewed and attested to the accuracy of the Region III memoranda reporting the receipt, handling and resolution of allegations regarding LaSalle (Attachments (3) through (8) pertain). He advised he initially became aware of [REDACTED] allegations when he received Warnick's memorandum dated January 28, 1982 (Attachment (3)). He continued that Warnick asked him to "look into" the allegations by obtaining more information. Therefore, on February 4, 1982, he (Foster) telephonically contacted [REDACTED]. Foster stated he does not recall [REDACTED] mentioning that reportedly daylight could be observed through holes drilled in the off-gas filter building roof since he (Foster) would have included this information in his memorandum of their conversation. Foster averred that his memorandum of February 10, 1982 (Attachment (4)) contains all significant information furnished

by [REDACTED] He added that this was prepared from copious notes he had taken of the conversation, and that he subsequently gave his notes to G.A. Phillip. He added that the safety significance of the off-gas filter building was not discussed during his first contact with [REDACTED] or addressed in the ensuing memorandum since, at the time, he was not personally familiar with this building. Foster remarked that he subsequently discussed the off-gas filter building with Roger Walker, the former Resident Inspector at LaSalle who is very knowledgeable of BWR's. He stated that Walker assured him the building and the equipment housed in the building are not safety related; and he noted they reviewed Table 3.2-1 of the LaSalle Final Safety Analysis Report (FSAR) which verified this non-safety related classification. Foster also pointed out that to his knowledge Region III had not conducted any inspections or investigations of the off-gas filter building since it is not a seismic structure. He disclosed that as reported in his memorandum of March 13, 1982 (Attachment (6)), he informed both [REDACTED] and Mrs. Goodie of the non-safety classification of the off-gas filter building and related equipment during telephone conversations on March 6 and 8, 1982. He added that Mrs. Goodie claimed that "nuclear experts" had told her differently, however she did not identify these individuals. Foster advised the primary intent of his March 13 memorandum was to document and initiate priority action concerning the rebar cutting allegations on safety-related structures which had also been reported in Phillip's memorandum of February 26, 1982 (Attachment (5)). He added that at this juncture he had no reservations concerning the decision not to pursue the off-gas filter building allegations in view of the information provided by Walker and contained in the FSAR,



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In this regard, Foster advised that he concurs with the conclusions and resolutions concerning all [REDACTED] allegations specified by Phillip in his memorandum of February 26, 1982. Foster related that as a result of the Attorney General's petition of March 24, 1982, a meeting was held in Region III on March 26, 1982. He advised that he (Foster), Warnick, Norelius, Phillip, Keppler, Frank Hawkins and Richard Knop were in attendance. He stated they discussed the various allegations which had been made against the LaSalle Nuclear Station, the thoroughness of Region III's handling of the allegations, the classification of the off-gas filter building as a non-safety, non-seismic structure and the possible necessity of an independent assessment of the situation by IE. Foster remarked that his first knowledge of the allegations made by [REDACTED] regarding the rebar drilling resulted from the appearance of [REDACTED] affidavit in the Attorney General's petition. He noted the information was very detailed and he had no reason to question its validity or accuracy. Foster stated he was upset that Region III did not have the benefit of [REDACTED] testimony at an earlier date to assist in their review of the alleged rebar drilling. He stated that he telephoned Mrs. Goodie on March 26, 1982 to point out that [REDACTED] information had not previously been made available to Region III. He advised that his memorandum of March 31, 1982 (attachment (8)) documents this conversation. Foster added that during the March 26 meeting, Hawkins disclosed that he had spoken to [REDACTED]. Foster advised that Mrs. Goodie attended a meeting comprised of representatives of Region III, the office of Nuclear Reactor Regulation (NRR) and Commonwealth Edison held in Bethesda, MD, on March 31, 1982. He understood that during this meeting Mrs. Goodie commented that he

(Foster) had stated the NRC had confirmed allegations that the roof of the off-gas filter building was less than 12 inches thick. Foster noted that Cordell Williams, who was present when Mrs. Goodie made this statement, excused himself from the meeting to call him (Foster) regarding this remark. Foster related he assured Williams that Mrs. Goodie was mistaken since the NRC had not determined the roof was less than 12 inches thick. Further, he declared that he never made this statement to Mrs. Goodie during their various conversations on March 6, 8 and 26, 1982. In this regard, he reiterated that he informed Mrs. Goodie that since the off-gas filter building is classified non-seismic and non-safety related, it would not contain safety related equipment; and the NRC does not have a regulatory responsibility for a non-safety related structure. Foster also pointed out that a report prepared by Commonwealth Edison on March 29, 1982 (attachment (9)) indicated the roof was built according to specifications, will serve its' intended function and contains no abnormal cracking. Foster also disclosed that on March 31, 1982 he learned Mrs. Goodie had telephonically contacted NRR on March 18, 1982 concerning the drilling of rebar allegations. He provided a copy of Mrs. Goodie's letter documenting the conversation. This letter, dated March 18, 1982, is Attachment (10). Foster expressed dismay concerning a comment by Mrs. Goodie in the letter indicating that he (Foster) was going to write a report on his investigation regarding this allegation. He explained that during his discussions with Mrs. Goodie he had only told her that Region III would "look into" the alleged rebar cutting. Foster concluded that he documented all pertinent information regarding the various allegations and that Region III accomplished all necessary action within the regulatory guidelines to satisfy and resolve the allegations.

Foster also prepared and submitted a partial chronology of events related to the various allegations including the off-gas filter building. The chronology is Attachment (11).

Gerald A. Phillip was interviewed on April 1, 1982. Phillip reviewed the Region III file material regarding the LaSalle allegations (Attachments (3) through (8) pertain) and considered it an accurate account of the Region's actions. He advised that on February 22, 1982 he received a message that Mrs. Goodie had called the Region III office seeking information concerning the LaSalle allegations. He observed that prior to this time he was only generally aware of the allegations through conversations with J.E. Foster. Phillip stated that he assumed the responsibility for returning Mrs. Goodie's call since Foster was in a travel status on an unrelated matter. He advised that prior to contacting Mrs. Goodie he researched the issues by reviewing the memos prepared by R.F. Warnick and Foster (Attachments (3) and (4)), speaking with R. Walker and examining the LaSalle FSAR. He remarked that Walker told him the off-gas filter building is a non-safety related structure and Walker showed him a chart in the FSAR which confirmed this classification. Phillip stated he telephonically contacted Mrs. Goodie on February 23, 1982 and apprised her of the contents of the memos which Warnick and Foster had submitted. Additionally, based upon information he had obtained from Walker, he explained the NRC's position regarding the various allegations to her. In this regard, he informed her the NRC did not intend to pursue the alleged structural deficiencies in the off-gas filter building since it was considered a non-safety related structure. Phillip noted that Mrs. Goodie did not question his explanation although he did not know whether she was familiar

with the NRC regulatory distinction between a safety and non-safety related item. He continued that he suggested to Goodie that she call Foster the following week since Region III was still evaluating the allegations to determine what action was required. Phillip disclosed that during this conversation, Mrs. Goodie also raised the issue of the alleged rebar cutting which she had reportedly obtained during a discussion with [REDACTED]. Phillip stated he told Mrs. Goodie he was not aware of this allegation although it is of interest to the NRC. He advised that following his conversation with Mrs. Goodie he received information which resolved a few of the allegations made by [REDACTED]. Phillip related he documented this information and his conversation with Mrs. Goodie in a memorandum dated February 25, 1982 (Attachment (5)). Phillip pointed out that the memorandum included his opinion that with the exception of the alleged rebar drilling, none of [REDACTED] concerns appear to warrant further action. He conceded that he did not retain the notes which he had taken during his telephone conversation with Mrs. Goodie. Phillip advised that when Foster returned to the office on March 1, 1982, he briefed Foster on his conversation with Mrs. Goodie and suggested that he (Foster) contact [REDACTED] regarding the rebar allegation. Phillip remarked that his only additional involvement in the off-gas filter building allegation was his attendance at a meeting in Region III on March 26, 1982. He explained that six or seven Region III personnel met with the Regional Administrator to discuss the petition filed by the Illinois Attorney General. He noted that Walker and Foster agreed with him that the off-gas filter building is not within the regulatory purview of the NRC since it is considered a non-safety related structure. Phillip

opined that the Attorney General's concerns are primarily politically motivated since he is apparently using the allegations to gain publicity for his election campaign. He furnished a copy of an editorial which appeared in the March 28, 1982 issue of the Chicago Tribune supporting this contention. This article is Attachment (12).

Richard C. Knop, Chief, Projects Branch #1, Region III, was interviewed on April 1, 1982. He advised he initially became aware of [REDACTED] allegations regarding LaSalle in February 1982. He explained that R. Walker and possibly J. Foster and/or G. Phillip were in his office reviewing items of noncompliance. Knop understood that Mrs. Goodie had contacted Phillip to express an interest in the allegations, however he (Knop) could not recall or was not informed of the specifics of their conversation. In regard to the off-gas filter building, Knop stated they had determined the building was depicted as a seismic category II and as such was not a safety-related structure according to Section 3.2.1 of the LaSalle FSAR. He pointed out that this classification had been developed by the licensee and subsequently approved by NRR. He was aware of no independent efforts or further evaluation of this non-safety classification by Region III. Additionally, he did not believe inspection activities had been directed toward the off-gas filter building since there was no requirement for this from a construction standpoint. Knop noted that a safety-related category classification applies to pressurized water reactors (PWR's) with gaseous hold-up tanks, however the LaSalle facility is a boiling water reactor (BWR) without these tanks. He continued that with this understanding, everyone agreed that the allegation pertaining to the off-gas filter building did



not warrant additional action by the NRC since the building is a non-safety related structure. Therefore, to his knowledge, Region III did not physically examine or survey the building in respect to the alleged structural deficiencies. Knop stated that as a result of the Attorney General's petition dated March 24, 1982 (Attachment (1)), he (Knop) attended a meeting convened by the Region III Regional Administrator on March 26, 1982. He explained that J. Keppler wanted to insure that the off-gas filter building allegation had been properly evaluated and handled by the Region since the petition implied the Region had acted improperly by not pursuing the allegation. Knop advised that all attendees at the meeting concurred with the non-safety related assessment of the building which did not necessitate further action by the Region. However, in view of the Attorney General's concerns, they discussed the advisability of requesting an impartial analysis of the situation by another Region or IE. Knop could offer no additional information.

Charles E. Norelius, Director, Division of Engineering and Technical Programs, Region III, was interviewed on April 1, 1982. He stated he never became involved in pursuing the allegations concerning the off-gas filter building since the Region III investigators had concluded they pertained to a non-safety related structure and system. He added that he had no reason to question this decision and he did not consider it necessary to initiate an independent assessment of the non-safety classification of the building. Norelius related his first knowledge of the [REDACTED] allegations occurred when he received J.E. Foster's memorandum dated March 13, 1982, (Attachment (6)), which recommended priority attention be directed toward the rebar drilling allegation. He noted that neither this issue nor the other allegations had previously been discussed by R.F. Warnick during daily meetings of the

Region III Directors. Norelius related that as a result of Foster's memorandum he discussed the matter with Warnick and contacted R. Walker to ascertain what actions had been initiated. He disclosed that Walker responded by a memo the following day acknowledging he was aware of the allegations and recommending that Frank Hawkins assist Foster in resolving the rebar drilling issue. Additionally, Walker reported that the off-gas filter building has no structural requirements according to Table 3.2.1 of the LaSalle FSAR. Norelius provided a copy of Walker's undated memo which is set forth as (Attachment (13)). Norelius stated he furnished Foster's March 13 memorandum to Cordell Williams who assigned Hawkins to conduct the inspection. He advised that on March 25, 1982 Hawkins told him he had made inquiries regarding the rebar drilling issue but he had not pursued the off-gas filter building allegation. Norelius stated he attended a meeting in Bethesda, MD, on March 31, 1982 in which Mrs. Goodie had remarked that Foster had indicated the NRC had confirmed the allegation of the roof being less than twelve inches thick. He continued that C. Williams then called Foster who denied making this statement. Mrs. Goodie was apprised of Foster's denial and told that the off-gas filter building allegation was not investigated by the NRC since it was not a category 1 (safety related) structure. Norelius added that to his knowledge, Region III had not examined the thickness of the roof or made any statements concerning its construction. Norelius concluded that in his opinion the Region acted properly in not pursuing this allegation since the building was determined to be a non-safety related structure.

Cordell C. Williams, Chief, Plant Systems Section, Region III, was interviewed on April 1, 1982. He advised that prior to this date the only documentation regarding the LaSalle allegations that he was aware of was Foster's memorandum to Warnick dated March 13, 1982 (Attachment (6)). He explained that Norelius had given this memorandum to him during the week of March 22 - 26, 1982 with a request to initiate an inspection concerning the rebar drilling allegation. Williams related that he then assigned the matter to Hawkins who conducted appropriate inquiries concerning the rebar, and had an exit interview of his findings on March 24, 25 or 26, 1982. He related that Hawkins had completed his inspection prior to the Attorney General's petition being made available to Region III. Williams remarked that he agrees with the opinions of Foster, Phillip and Warnick that the off-gas filter building is a non-seismic, non-safety related structure, and, as such, does not require inspection and/or investigation by the NRC.

Roger Walker, Chief, Reactor Projects Section 1-C, Region III, and former Resident Inspector, LaSalle County Nuclear Station, was interviewed on April 1, 1982. He acknowledged that in early February 1982 he received an "information only" copy of Warnick's memorandum dated January 28, 1982 (Attachment (3)). He recalled that Foster, Warnick and Knop subsequently sought his assistance in resolving the various allegations. Accordingly, he researched the various issues. In respect to the off-gas filter building, Walker declared that to the best of his knowledge and based upon Table 3.2.1 of the LaSalle FSAR, this building has no structural requirements and contains no equipment to mitigate radioactive releases during an accident.

Therefore, he recommended that since the allegation pertained to a non-safety related structure, no further action by the NRC was warranted. Walker disclosed that at a later date Foster showed him his (Foster's) memorandum dated March 13, 1982 (Attachment (6)) wherein Mrs. Goodie was quoted as saying "nuclear experts" had questioned the classification of the building as non-safety related. He continued that he (Walker), Foster and Phillip attempted to call Mrs. Goodie regarding this issue but she was not available. He recalled that Foster left a message to have Mrs. Goodie return his call. Walker stated that subsequently Norelius solicited his comments on Foster's March 13, 1982 memorandum. He advised that he responded with a memo to Norelius (Attachment (13)) wherein he recommended an expeditious investigation of the rebar cutting allegation and reiterated his determination that the off-gas filter building was a non-safety related structure which did not require additional action by the NRC. He related that Hawkins arrived at the LaSalle site on March 24, 1982 to conduct inquiries concerning the alleged rebar drilling. Walker concluded that Region III responded properly to all the allegations within the regulatory purview of the NRC.

Attempts to Interview Additional Region III Personnel

The following additional Region III personnel were variously involved in the Region's actions in response to the alleged structural deficiencies in the off-gas filter building roof: J. G. Keppler, R. F. Warnick and F. C. Hawkins. none of these individuals were available for interview on April 1 and 2, 1982 while this independent IE assessment was being conducted.

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Conclusions

Based upon an examination of pertinent documents and interviews of cognizant Region III personnel, no improprieties were surfaced in Region III's handling of the allegations related to the off-gas filter building. Upon receipt of the allegations, Region III personnel initiated appropriate inquiries and reviewed the LaSalle FSAR to determine whether the allegations pertained to a safety related structure, system or component. Since knowledgeable Region III staff and reference material revealed the allegations concern non-safety items, no further action was taken. All pertinent information was properly documented and the original alleege and other interested parties were notified of the findings. No additional follow-up was required by Region III since the NRC regulatory process does not address non-safety related issues.

Attachments

1. Petition by T. C. Fahner, dated 03-24-82
2. Memorandum from J. G. Keppler, dated 03-30-82
3. Memorandum from R. F. Warnick, dated 01-28-82
4. Memorandum from J. E. Foster, dated 02-10-82
5. Memorandum from G. A. Phillip, dated 02-26-82
6. Memorandum from J. E. Foster, dated 03-13-82
7. Memorandum from R. F. Warnick, dated 03-25-82
8. Memorandum from J. E. Foster, dated 03-31-82
9. Report by D. L. Shamblin, dated 03-29-82
10. Letter from Mrs. J. S. Goodie, dated 03-18-82
11. Chronology of pertinent events, undated
12. Article from Chicago Tribune, dated 03-28-82
13. Memorandum from R. Walker, undated

Reported by:

Edward C. Gilbert 4/16  
Date

Edward C. Gilbert  
Senior Investigator  
Office of Inspection &  
Enforcement



ATTACHMENT ( 1 )

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TYRONE C. FAHNER  
 ATTORNEY GENERAL  
 STATE OF ILLINOIS  
 160 NORTH LA SALLE STREET  
 CHICAGO 60601

*Dick Hooper*  
 Please see  
 me about  
 this ASAP.  
 Thanks.  
 Jim  
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TELEPHONE  
 793-3100

EXP

RESS MAIL

March 24, 1982

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

Attention: Chief Docketing and Service Section

Re: Request to Institute A Show Cause  
 Proceeding and for Other Relief  
 Commonwealth Edison Company  
 Docket Nos. 50-373, 50-374

Dear Sir:

Please find enclosed an original and 3 copies of Request  
 To Institute A Show Cause Proceeding and for Other Relief for  
 filing with the Nuclear Regulatory Commission. Please file  
 the original and 2 copies as required by 10 C.F.R. 2.708(d).  
 Please stamp the third copy as "filed" and return it to this  
 office in the enclosed self-addressed stamped envelope.

Very truly yours,

JUDITH S. GOODIE  
 Assistant Attorney General  
 Environmental Control Division  
 188 West Randolph Street  
 Suite 2315  
 Chicago, Illinois 60601  
 (312) 793-2491

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 Enclosures

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UNITED STATE OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
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COMMONWEALTH EDISON COMPANY )  
)

LaSalle County Nuclear )  
Generating Station, Unit 1 )  
and Unit 2 )

Docket Nos. 50-373  
and  
50-374

REQUEST TO INSTITUTE A SHOW CAUSE PROCEEDING  
AND FOR OTHER RELIEF

The People of the State of Illinois (Illinois), by TYRONE C. FAHNER, Attorney General of the State of Illinois, pursuant to the Atomic Energy Act and 10 C.F.R. §2.206, hereby requests the United States Nuclear Regulatory Commission (Commission), or the Director of Nuclear Reactor Regulation, to institute a proceeding pursuant to 10 C.F.R. §2.202, to suspend operating license proceedings and for other appropriate relief, in light of newly discovered safety issues.

I. PROCEDURAL BACKGROUND

Commonwealth Edison Company (Edison) has been authorized by Construction Permit Nos. CPPR-99 and CPPR-100 to build the LaSalle

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County, Illinois Nuclear Station consisting of two generating units, Unit 1 and Unit 2. Construction has been ongoing since 1974 or earlier. The construction of Unit 1 is substantially complete. Unit 1 is scheduled for commercial service in September, 1983. Unit 2 is scheduled for completion in October, 1983. Operating license proceedings for Unit 1, Docket No. 50-573, and Unit 2, Docket No. 50-374, are pending before the Commission. Illinois is informed that no hearing has been requested or noticed in said operating license proceedings. Illinois is also informed that Edison has advised the Office of Nuclear Reactor Regulation that it is ready to obtain an operating license for fuel loading and low power testing of Unit 1, pursuant to 10 C.F.R. §2.764(b), (E).\*

## II. STATEMENT OF FACTS

1. Several of the buildings which comprise LaSalle Station Units 1 and 2, including the reactor buildings, are physically connected to each other. In some instances a single building houses equipment which serves both units. Therefore the construction practices which are the subject of this Request to Institute a Proceeding (Request), and which are more fully described below, relate to Unit 1 and to Unit 2.

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\* On March 2, 1982 Robert J. Schultz, a vice president of Edison, stated that Edison expected to load nuclear fuel and to begin low power testing within 30 to 40 days. Ill. Commerce Commission Docket No. 82-0026, report of proceedings, p.370.

equipment, at least as early as 1978, until the end of 1979, holes in the reinforced concrete walls, floors, and ceilings of the reactor buildings and other buildings were, as a matter of course, drilled through the reinforcing steel or rebar. Depending upon the size of the hole and the thickness of the rebar, this drilling practice may damage or completely sever one or more lengths of rebar, or cut chunks out of the rebar.

3. The affidavit of [REDACTED] a driller who worked at the LaSalle County construction site during the years 1978, 79, and 80, is attached to this Request as Exhibit 1 and is incorporated herein by reference. [REDACTED] affidavit explains in greater detail the drilling practices alleged herein.

4. An unknown number of drilled holes, ranging in the order of thousands, are likely to have been cut through steel reinforcement in the concrete walls of safety related buildings, including the reactor buildings. Although Illinois does not have access to Edison's records which document these drilling practices, it understands from the affidavit of [REDACTED] that such records were made at the time the alleged practices occurred. These records, or drill sheets, are essential to the Commission's



determination of the extent to which steel reinforcement was damaged or severed in the concrete structure of Units 1 and 2 during construction. The records are believed to be presently in Edison's possession or control. The Commission has access to drill sheets, engineering plans, and other construction records, pursuant to 10 C.F.R. §50.70(a) and 42 U.S.C. §2232(a).

5. According to [REDACTED] affidavit, the practice of drilling through rebar was discontinued, or subjected to the case by case approval of an engineer, some time in late 1979 or early 1980. Illinois has no information which suggests that any engineering approval was ever obtained from Edison's engineering consultants for the rebar cutting which occurred prior to 1980.

6. The removal, damaging, or severance of unknown amounts of reinforcing steel in the walls of the reactor buildings and other related structures presents a substantial health and safety issue which requires the immediate attention of the Commission. Attached to this Request as Exhibit 2 is the affidavit of Dale Bridenbaugh, an expert in the field of nuclear plant construction. According to Mr. Bridenbaugh, the practice of cutting through reinforcing steel should be thoroughly

investigated prior to plant operation. He states that if the rebar was damaged or severed without appropriate structural analysis, and if the drilling practice was widespread, "it seems nearly certain that some safety-related structures . . . would have been affected." (Exhibit 2, at 3-4) Mr. Bridenbaugh explains that the potential consequence of degradation in structural quality is the "failure of the structures and/or systems to perform their safety related functions under accident or seismic conditions." (Exhibit 2 at 5) He recommends that any repairs which may be required to remedy structural degradation be made before the safety systems are called upon to prevent or mitigate the consequences of an accident.

7. A second type of structural deficiency at LaSalle Station has come to the attention of Illinois. The off-gas building is a structure which serves Units 1 and 2. A former construction foreman, whose identity is being kept confidential by the Region III staff, had told Region III that the concrete ceiling or roof of the off-gas building was actually only 8 inches thick even though the specifications called for this roof to be 12 inches thick. Illinois is also informed that a transformer sits atop this roof, and that the concrete has cracked substantially due to the number of anchor bolt holes drilled in it. The

affidavit of Dale Bridenbaugh states that the off-gas building houses equipment containing radioactive gases. (Exhibit 2 at 4) The off-gas building also contains monitoring equipment for measuring radiation levels in the building. The inadequate thickness and cracked concrete of the roof on the off-gas building, the presence of anchor bolt holes which may have been drilled through rebar in the concrete roof, and the presence of a heavy transformer on top of this roof, raise a question of possible damage to the equipment housed in the off-gas building in the event the roof or ceiling should fail.

3. In view of the substantial health and safety issues presented in this Request and in the affidavits attached hereto, the loading of nuclear fuel into the reactor building of Unit 1 is inadvisable at this time. The affidavit of Dale Bridenbaugh attests to the reasons why fuel loading should be postponed. (Exhibit 2 at 5) The presence of nuclear fuel severely limits the ability of investigating personnel to perform the necessary investigation, by making access to some portions of the plant either extremely difficult or impossible. Until the Commission fully examines the potential safety hazard presented by the cutting of reinforcing steel as alleged herein, it will not be known whether corrective measures will be needed to ensure the structural integrity and safety of Units 1 and 2. The presence of nuclear fuel within the structure of Unit 1 will make more difficult not only the investigation itself, but also the performance

of any corrective measures which may be ordered by the Commission for Units 1 and 2.

9. Illinois has not previously been a party to any proceeding concerning the licensing of the LaSalle County Nuclear Station. The facts alleged in this Request which create a substantial issue of health and safety were not known to the Requestor Illinois until February, 1962. Thus it is only now that the Attorney General of Illinois finds it necessary to seek the relief requested herein. The continued protection of the health and safety of the People of Illinois requires that the questions raised by this Request be fully resolved before the Commission authorizes the operation, at low power or at full power, of Units 1 and 2.

### III. REQUESTED RELIEF

For the reasons set forth above, Illinois requests that the Commission institute a proceeding pursuant to 10 C.F.R. §2.202 and:

1. Immediately suspend consideration of Edison's request for a fuel loading and low power testing license at Unit 1 until the Commission investigates the allegations contained in this Request and decides whether to institute a show cause proceeding.

2. Suspend or stay all proceedings concerning Edison's applications for operating licenses for the LaSalle County Nuclear Station Units 1 and 2, including in particular consideration of the granting of authority to begin fuel loading and low power testing, until the Commission investigates the structural integrity of the LaSalle Station and determines the extent to which corrective measures will be required to eliminate any potentially hazardous condition.

3. Upon a determination by the Commission in the requested proceeding that corrective measures will be required to eliminate such hazardous condition as may be found, modify the construction permits for Units 1 and 2 accordingly.

4. Grant a hearing in the requested proceeding and admit Illinois as a party thereto.

5. Order such additional relief as may be appropriate under the circumstances.



In the alternative, if the Commission chooses to consider this Request within the framework of the pending operating license proceedings, the Commission is requested to admit Illinois as a party to such proceedings (Docket Nos. 50-373 and 50-374) and grant a hearing therein limited to the matters raised in this request.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

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