

AFFIDAVIT OF JOSEPH ISAAC TAPIA

County of Tarrant     }  
State of Texas         } SS

JOSEPH ISAAC TAPIA, being duly sworn, deposes and says:

1. I am employed by the United States Nuclear Regulatory Commission, Region IV, in Arlington, Texas, as an Inspector (Civil Engineer). As part of my official duties, during the past five years I have been responsible for the inspection and related investigation of soils, foundations, concrete and steel structures, and the construction, testing, repair, and maintenance of such structures at reactor sites, both in construction and operation, and at fabrication shops as necessary, to observe and report as to the status of compliance with applicable industry codes and standards, commitments and regulatory guides.

2. I have conducted numerous inspections, both announced and unannounced, at the Waterford Unit 3 facility during the past five years. I have had occasion to observe the progress of the Applicant's construction of that facility and, in particular, I have observed the progress and practices related to the Applicant's concrete construction.

3. During the past five years, the applicant has submitted to the NRC four Construction Deficiency Reports within the context of 10 CFR 50.55(e) which involve safety-related concrete. Each deficiency was reviewed, found to have been adequately resolved and subsequently closed out in NRC Inspection Reports No. 50-382/77-06, 77-07, 77-15, and 80-03.

4. During the past five years, the NRC Office of Inspection and Enforcement has conducted seven inspections of concrete construction activities. The results of these inspections are documented in NRC Inspection Reports No. 50-382/75-05, 75-10, 76-01, 76-04, 76-06, 76-11, and 77-05. The Applicant was cited on two occasions for items of noncompliance related to its concrete construction practices. Notices of those items of noncompliance were issued on January 4, 1977 (Inspection Report No. 50-382/76-11), and on June 10, 1977 (Inspection Report No. 50-382/77-05).

5. Following the issuance of the abovementioned Inspection Reports and Notices of items of noncompliance, representatives of the NRC Office of Inspection and Enforcement, Region IV, have had occasion to speak with representatives of the Applicant and/or its concrete contractors, J. A. Jones Construction Company and Fegles Power Service, and to observe their activities and practices in addressing those items identified in the abovementioned Inspection Reports. On the basis of these discussions and personal observations, the NRC Office of Inspection and Enforcement, Region IV, concluded that all such items have been satisfactorily resolved.

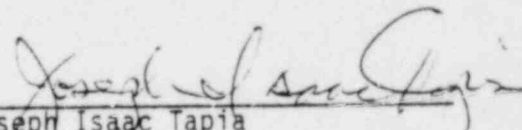
6. I have reviewed and am familiar with Contention 22 filed by the Joint Intervenors in this proceeding concerning alleged defects in the Applicant's safety-related concrete construction. On the basis of my personal observations and knowledge, I believe that there is no basis in fact which supports that contention. I have been informed that Contention 22 was filed as a result of

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a newspaper article published in the April 3, 1979, issue of the New Orleans States-Item. I have been informed that the NRC Office of Inspection and Enforcement investigated this matter and concluded that there was insufficient basis to pursue the allegations further.

7. I believe that there are no outstanding defects of any significance in the Applicant's safety-related concrete construction, on the basis of my personal observations and knowledge. The Applicant's safety-related concrete construction is satisfactory and provides reasonable assurance that the health and safety of the public will be protected following the commencement of operation of the Waterford Unit 3 facility.

  
Joseph Isaac Tapia

Subscribed and sworn to before me, a Notary Public in and of the County of Tarrant, State of Texas, this 11th day of September 1981.

  
Notary Public

My Commission expires: 11-10-84

GRACE O'DELL, Notary Public  
In Tarrant County For State Of Texas  
My Commission Expires November 10, 1984

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

Docket No. 50-382

Docketing and Service Section (1)\*  
Office of the Secretary  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Sherwin E. Turk  
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