

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

DOCKETED
USNRC

In the Matter of)
SOUTH CAROLINA ELECTRIC AND GAS)
COMPANY, et al.)
Virgil C. Summer Nuclear Station,)
Unit 1)

'82 AGO 17 A9:54

Docket No. 50-395 OL

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

INTERVENOR'S MOTION TO REOPEN
THE RECORD AND CONDUCT FURTHER PROCEEDINGS

AND
REQUEST FOR A STAY

Intervenor hereby moves to reopen the record and conduct further proceedings in this matter including discovery and further evidentiary hearings to consider newly discovered evidence of serious quality assurance deficiencies and uncorrected safety-related defects in the Summer plant. I request that the operating license for the plant be denied unless these defects are fully corrected and that a stay of the Board's August 4, 1982 Decision and the operation of the plant be granted pending such reopening.

The attached affidavit of Harold L. Jennings, a former cadwelder who worked on the Summer plant containment building during 1975 and 1976, states that he personally falsified 30 to 40 cadwelds on the heaviest grade #18 reinforcing bars, knows that other welders on his shift engaged in this practice, and believes this practice to have been common at the plant. He states that few of these false cadwelds were caught by quality control inspection and corrected.

Mr. Jennings informed me of this practice on July 22, 1982, but at that time declined to publicly reveal his identity, stating to me that he feared for his personal safety and for the safety of his family from reprisals by the constructor of the plant, Daniel International, and SCE&G. On August 6, 1982, he agreed to make his identity and information public in order to prevent the imminent operation of the plant before these safety defects are corrected.

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In the licensing hearing for the plant the Board considered my quality control (QC) contention 9:

The quality control of the Summer plant is substantially below NRC standards as evidenced by consistently substandard workmanship in several aspects, during the construction of the plant.

In its Supplemental Partial Initial Decision dated August 4, 1982, on page 30 the Board ruled for SCE&G on my QC contention 9:

57. Despite such examples of soft testimony, however, we find from the evidence adduced that there is reasonable assurance there will be no uncorrected safety-related inadequacies in the as-built Summer facility, and that the quality control of the construction of the Summer plant is acceptable. (emphasis added)

Proof of the facts stated in Mr. Jennings' affidavit would certainly affect the outcome of the licensing proceeding and require a different result from the finding made by the Board on my QC contention 9. I am making this request at the earliest time that Mr. Jennings' information is available. I believe that it addresses systematic defects of the gravest safety significance.

F.S.A.R. Section 3.8.1.1.1.2 describes the use of cadwelding in joining rebar in the cylinder wall of the reinforced concrete reactor building (the containment). Figure 3.8-11 illustrates the wall reinforcement.

Section 3.8.1.6.2.2 of the F.S.A.R. states:

Cadweld Splices

Reinforcing bars, sizes #11, #14 and #18, are spliced using Cadweld splices in specified locations. The Cadweld splices develop the tensile strength of the reinforcement. (emphasis added)

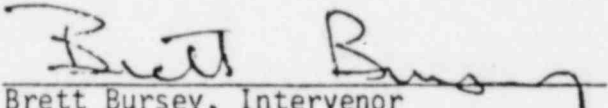
Clearly the defective Cadwelds cannot "develop the tensile strength of the reinforcement."

I also hereby request a stay of the Board's August 4, 1982 Decision pursuant to 10 CFR Section 2.788 of the Summer plant until this motion to reopen can be considered and these defects corrected.

I believe that I have made a strong showing that I am likely to prevail on my Motion to Reopen; I believe that I and the general public may be harmed irreparably if the plant is allowed to operate and the containment is breached in an accident due to the defective welds; any harm to SCE&G must be very slight since it does not now need the capacity from the plant and it still must fix the defective steam generators prior to full power operation; the public interest clearly supports full review of these safety defects and their corrections before plant operation.

I first made this request for a Stay and informed the Board and parties of this Motion to Reopen by telephone on August 9, 1982.

August 10, 1982


Brett Bursey, Intervenor

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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& Gas Company, et al.)
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CERTIFICATE OF SERVICE

I hereby certify that copies of "Intervenor's Motion to Reopen the Record and Conduct Further Proceedings and Request for a Stay" were served upon the following persons by deposit in the United States mail, first class postage prepaid this 12th day of August 1982.

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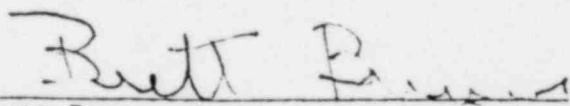
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