

SHAW, PITTMAN, POTTS & TROWBRIDGE

A PARTNERSHIP OF PROFESSIONAL CORPORATIONS

1800 M STREET, N. W.
WASHINGTON, D. C. 20036

DOCKETED
USNRC

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RAMSAY D. POTTS, P.C.
STUART L. PITTMAN, P.C.
GEORGE F. TROWBRIDGE, P.C.
STEPHEN D. POTTS, P.C.
GERALD CHARNOFF, P.C.
PHILLIP D. BOSTWICK, P.C.
R. TIMOTHY HANLON, P.C.
GEORGE M. ROGERS, JR., P.C.
FRED A. LITTLE, P.C.
JOHN B. RHINELANDER, P.C.
BRUCE W. CHURCHILL, P.C.
LESLIE A. NICHOLSON, JR., P.C.
MARTIN D. KRALL, P.C.
RICHARD J. KENDALL, P.C.
JAY E. SILBERG, P.C.
BARBARA M. ROSSOTTI, P.C.
GEORGE V. ALLEN, JR., P.C.
FRED DRASNER, P.C.
R. KENLY WEBSTER, P.C.
NATHANIEL P. BREED, JR., P.C.
MARK AUGENBLICK, P.C.
ERNEST L. BLAKE, JR., P.C.
CARLETON S. JONES, P.C.

THOMAS A. BAXTER, P.C.
JAMES M. BURGER, P.C.
SHELDON J. WEISEL, P.C.
JOHN A. McCULLOUGH, P.C.
J. PATRICK HICKEY, P.C.
GEORGE P. MICHAELY, JR., P.C.
J. THOMAS LENHART, P.C.
STEVEN L. MELTZER, P.C.
DEAN D. AULICK, P.C.
JOHN ENGE, P.C.
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STEPHEN B. HUTTLER, P.C.
WINTHROP N. BROWN, P.C.
JAMES B. HAMLIN, P.C.
RANDAL B. KELL, P.C.
ROBERT E. ZAHLER
RICHARD E. GALEN
ROBERT B. ROBBINS
STEVEN M. LUCAS
DAVID M. RUBENSTEIN
LYNN WHITTLESEY WILSON
MATIAS F. TRAVIESO-DIAZ
VICTORIA J. PERKINS

(202) 822-1000

TELECOPIER

(202) 822-1099 & 822-1199

TELEX

89-2693 (SHAWLAW WSH)

CABLE "SHAWLAW"

WRITER'S DIRECT DIAL NUMBER

(202) 822-1051

JOHN H. O'NEILL, JR.
JAY A. EPSTIEN
RAND L. ALLEN
TIMOTHY B. MCBRIDE
ELISABETH M. PENDLETON
PAUL A. KAPLAN
HARRY H. GLASSPIEGEL
THOMAS H. McCORMICK
WILLIAM P. BARR
SUSAN M. FREUND
JOHN L. CARR, JR.
PHILIP J. HARVEY
ROBERT M. GORDON
BARBARA J. MORGEN
BONNIE S. GOTTLIEB
HOWARD H. SHAFFERMAN
DEBORAH B. SAUSER
SCOTT A. ANENBERG
CAMPBELL KILLEFER
SETH H. HOOGBASIAN
SHEILA McC. HARVEY
DELISSA A. RIDGWAY
KENNETH J. HAUTMAN

DAVID LAWRENCE MILLER
ANNE M. KRAUSKOPF
FREDERICK E. KLEIN
GORDON R. KANOFKY
JEFFREY S. GIANCOLA
HANNAH E. M. LIEBERMAN
SANDRA E. FOLSOM
MARCIA R. NIRENSTEIN
JUDITH A. SANDLER
EDWARD D. YOUNG, III
ROBERT L. WILLMORE
WENDELIN A. WHITE
STANLEY E. BARG
KRISTI L. LIMBO
LESLIE K. SMITH
VIRGINIA S. RUTLEDGE
KATHERINE P. CHEEK
JANICE LEHRER-STEIN
TRAVIS T. BROWN, JR.
GAIL E. CURREY
RICHARD H. KRONTHAL
STEPHEN B. HEIMANN

OF SECRET
ING & SER
BRANCH

September 21, 1982

Peter B. Bloch, Esquire
Administrative Judge
Atomic Safety and Licensing
Board
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Dr. Jerry R. Kline
Administrative Judge
Atomic Safety and Licensing
Board
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Dr. Hugh C. Paxton
Administrative Judge
1229 41st Street
Los Alamos, New Mexico 87544

In the Matter of
Wisconsin Electric Power Company
(Point Beach Nuclear Plant, Units 1 & 2)

Dear Administrative Judges:

We have received a letter dated September 15, 1982 from Decade's Peter Anderson providing further argument on the question of inter-granular attack (IGA) detection by eddy current inspection. While we believe that Decade's letter was not appropriate in the instant procedural context, and that the erroneous logic therein does not require a response, we feel a brief response is necessary to avoid creating the inference on the record that Licensee accepts Decade's argument.

Decade's argument is that Mr. Porter's letter of February 28, 1980 (Appendix III-B of Decade's July 21, 1982 Motion Concerning Litigable Issues) infers that eddy current testing is

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Administrative Judges

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unreliable in the region above the tubesheet. Decade arrives at this conclusion by asserting that the Porter letter infers that grain separation (cracks) in a steam generator tube will reseal once the primary pressure inside the tube is removed, and will therefore be undetectable.

Nothing in the Porter letter or the discussions during the September 9, 1982 telephone conference could possibly lead to that remarkable inference.

As the Board correctly noted at Tr. 1286, the Porter letter said that IGA above the tubesheet would be detectable because the internal pressure would cause detectable grain separation; grain separation for the IGA within the tubesheet simply had not occurred.

Thus, the Porter letter provides no contradictions, or negative inferences, with respect to the statement of material fact in Licensee's Motion for Summary Disposition that eddy current testing is adequate and sufficient for the inspection of sleeved tubes (Statement 21, Contention 3) or that eddy current inspection of the sleeve within the tubesheet is actually enhanced relative to the unsleeved tube (Statement 18, Contention 3).

Licensee's opinion on the legal sufficiency of the Porter letter, as used by Decade in opposition to the Motion for Summary Disposition, remains as expressed during the telephone conference.

Respectfully submitted,

SHAW, PITTMAN, POTTS & TROWBRIDGE

By



Bruce W. Churchill
Counsel for Licensee

cc: Service List

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of)
)
WISCONSIN ELECTRIC POWER COMPANY) Docket Nos. 50-266
) 50-301
(Point Beach Nuclear Plant,) (OL Amendment)
Units 1 and 2))

SERVICE LIST

Peter B. Bloch, Chairman
Atomic Safety and Licensing
Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dr. Hugh C. Paxton
1229 - 41st Street
Los Alamos, New Mexico 87544

Dr. Jerry R. Kline
Atomic Safety and Licensing
Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Atomic Safety and Licensing
Appeal Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Docketing and Service Section
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Stuart A. Treby, Esq.
Office of the Executive
Legal Director
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Richard G. Bachmann, Esq.
Office of the Executive
Legal Director
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Kathleen M. Falk, Esq.
Wisconsin's Environmental Decade
114 North Carroll Street
Suite 208
Madison, Wisconsin 53703

Francis X. Davis, Esq.
Monroeville Nuclear Center
Westinghouse Electric Corporation
P. O. Box 355
Pittsburgh, PA 15230

Barton Z. Cowan, Esq.
John R. Kenrick, Esq.
Eckert, Seamans, Cherin & Mellott
Forty-Second Floor
600 Grant Street
Pittsburgh, PA 15219