

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

DOCKETED
USNRC

Administrative Judges:

James Gleason, Chairman
Dr. Oscar H. Paris
Frederick J. Shon

'82 OCT 18 AM 11:54

In the Matter of

CONSOLIDATED EDISON COMPANY OF NEW YORK
(Indian Point, Unit 2)

DOCKETING & SET
BRANCH
Docket Nos. 50-247-SP
50-236-SP

POWER AUTHORITY OF THE STATE OF NEW YORK
(Indian Point, Unit 3)

October 13, 1982

WEST BRANCH CONSERVATION ASSOCIATION'S REPLY TO
MEMORANDUM AND ORDER OF OCTOBER 1, 1982

Pursuant to page 15 in above described document West Branch Conservation Association (WBCA) states below the "threshold finding" in order to retain as a contention 2.2(d).

We do not agree with the statement on page 24, lines 1 through 3, that finding facts and making remedies after an event is sufficient. WBCA's recommendations are aimed toward further safety by attempting to anticipate problems. The Director's Order is a compilation of remedies, all of the errors that led to the flood in unit #2 are now after the fact. No method has been set to prevent a different, and possibly a same magnitude, event.

The leaks, the faulty water level controls need not have been unknown. On the basis of that event we contend

For WEST BRANCH CONSERVATION ASSOCIATION, INC.
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Zipporah S. Fleisher
by Zipporah S. Fleisher
Secretary

there is a possibility of similar but undetected faults, which might be detected by an inspection program which does not only respond to crises.

A sophisticated tracing of circuits and systems should be instituted at both units. Such a program would improve the level of safety as called for in Question 2. The corrected measures taken could also be further band-aids. And should a similar failure be lurking it represents a significant risk. To our knowledge, and from past performance, the NRC has no program to reinspect all systems including those which are not safety related. (Sump pumps were not considered safety related until after the flood.)

The fan coolers were supposed to last for the life of the plant - we are trying to avoid future breakdowns, not just addressing what has already been repaired. In order to institute such a program WBCA contends that the record should show that attempts are being made to avoid what might appear to be common mode failures but which can build up into a calamity.

Con Ed was fined \$210,000 for doing something wrong. Examples are: sump pump float control - the rod had no guide at the bottom and jammed. It had hung up and jammed previously. Part of the trouble with leaks had to do with breaks in the cement lining of certain pipes, and which was known and predictable. The containment floor pitched the wrong way allowing water to jump the curbs. Water

level indicators were not properly calibrated. There were no external indicators of the pumping operation. The whole series of events led up to the flooding of the reactor pit and is an indication of a low level of quality control and construction.

The two pronged requirement on page 2 of the Order of October 1, subsection II. A (3) (a) and (b) could be met by a complete inspection and ensuing program of continuing inspection.

Safety would be enhanced and perhaps unit #2 would not be repaired with epoxy patches that went undetected, again. Nor would wiring of the pumps be on the wrong side of the fuses.

CONTENTIONS UNDER #5

We need a clarification of how Question 5 will be handled. What is the standing of an intervenor under your description on page 31? Also under Contention 2.2.1?

We received the October 1 Order, postmarked October 4, on October 8. In order to reply to an in-hand date of October 15 we are not addressing questions put to us about contention 5.1 due to time constraints and awaiting disposition of above request regarding the status of Contention 2.2(d).

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

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Before Administrative Judges:

James Gleason, Chairman
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In the Matter of

CONSOLIDATED EDISON COMPANY OF
NEW YORK, INC. (Indian Point,
Unit No. 2)

POWER AUTHORITY OF THE STATE OF
NEW YORK, (Indian Point,
Unit No. 3)

Docket Nos. 50-247-SP
50-286-SP

October 13, 1982

CERTIFICATE OF SERVICE

This is to certify that I have this day placed in the first class U. S. mail a copy of the REPLY TO MEMORANDUM AND ORDER OF OCTOBER 1, 1982 to those parties listed below.

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