



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

March 18, 1983

Marshall E. Miller, Esq., Chairman
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dr. Kenneth A. McCollom
Administrative Judge
Dean, Division of Engineering,
Architecture and Technology
Oklahoma State University
Stillwater, OK 74078

Dr. Walter H. Jordan
Administrative Judge
881 W. Outer Drive
Oak Ridge, TN 37830

In the Matter of
Texas Utilities Generating Company, et al.
(Comanche Peak Steam Electric Station, Units 1 and 2)
Docket Nos. 50-445 & 50-446

Dear Administrative Judges:

In accordance with the Board's "Memorandum and Order (Memorializing Conference Call)," March 9, 1983, the Staff has evaluated the Board Notifications filed in this proceeding in order to determine the relevance and significance to this proceeding of the matters raised by these materials. The Staff has set forth in Attachment 1 a listing of Board Notifications provided by the Staff to the Board and parties, including those cited in the Board's Memorandum and Order. For the reasons discussed in Attachment 2 (the Staff's evaluation of the identified Board Notifications), the Staff has concluded that Board Notification 83-29 (March 2, 1983), relating to the Construction Appraisal Team ("CAT") Inspection of Comanche Peak, is the only Board Notification which is both relevant and significant to the issues in controversy in this proceeding. With regard to Board Notification 82-105 ("Alleged Design Deficiency"), the Staff is still assessing its relevance and significance to this proceeding. Certain other Board Notifications relating to welds in main control panels and apparent deficiencies in Midland-Ross "Superstrut" Material were found to be relevant, but for the reason discussed in Attachment 2, were determined not to be significant to this proceeding. The remaining Board Notifications were determined to be neither relevant or significant to the Comanche Peak proceeding. They were sent to the Board in conformance with the Staff's policy that the Staff will send new information relevant and material to safety or environmental issues to the Boards regardless of the

specific issues which have been placed in controversy. Aside from Board Notifications, the Board's Memorandum and Order cited report "82-01-04" which is the Staff's Inspection/Investigation Report (99900345/82-01, 82-02, 82-03, 82-04) relating to the Hayward Tyler Pump Company one of the Applicants' vendors. The Staff has concluded that while that report is relevant to the issues in this proceeding, it is not significant to the proceeding and need not be offered into evidence. This report documents an investigation and inspection conducted as a result of allegations received by NRC pertaining to the Hayward Tyler Pump Company (HTPC) QA program. It identifies and documents in a Notice of Nonconformance several instances of nonconformance with the requirements of HTPC's QA program and notes that deficiencies existed in the implementation of HTPC's QA program. This report was provided to the Board and parties because the Staff had indicated in its testimony that an investigation was in progress. Since the report documented the results of the investigation, the Staff provided the report. The Staff believes that this report is not significant to the Comanche Peak proceeding because it relates to the QA program of one of Applicants' vendors and does not demonstrate any specific deficiencies in Applicants' QA program. As the Staff testified, four HTPC pumps were delivered to Comanche Peak for use in safety-related systems. The two pumps for Unit 1 have been operating intermittently since 1980. There is no indication in the vendor data reviewed by the resident inspector that the pumps are deficient. However, HTPC submitted a Part 21 report that indicated that a spare part (pump shaft) may be deficient. This shaft has been returned to the vendor as noted in the Inspection/Investigation Report at page I-5. The Inspection/Investigation Report does not provide additional information (aside from the fact that a spare shaft was returned, as noted above) that specifically relates to the status of the pumps at Comanche Peak. Therefore the Staff sees no reason why this report should become part of this record.

Sincerely,

Marjorie U. Rothschild
Counsel for NRC Staff

Attachments: As stated
cc w/attach: Service List

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