

CASE

(CITIZENS ASSN. FOR SOUND ENERGY)

RELATED CORRESPONDENCE

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EXPRESS MAIL

March 17, 1983

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Administrative Judge Marshall E. Miller
Atomic Safety and Licensing Board
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Dr. Kenneth A. McCollom, Dean
Division of Engineering, Architecture
and Technology
Oklahoma State University
Stillwater, Oklahoma 74074

Dr. Walter H. Jordan
881 W. Outer Drive
Oak Ridge, Tennessee 37830

Gentlemen:

SUBJECT: In the Matter of
Application of Texas Utilities
Generating Company, et al. for
An Operating License for
Comanche Peak Steam Electric Station
Units #1 and #2 (CPSES)
Docket Nos. 50-445 and 50-446

Board Notifications and Other Reports

In response to the Board's request in its March 9, 1983, Memorandum and Order (Memorializing Conference Call) encouraging parties to provide their positions on the question of the relevance and significance of Board Notifications and other reports to the Comanche Peak proceedings, CASE is filing this very brief assessment. We have necessarily been precluded from any detailed analysis because of the press of time and preparing for the upcoming April 4-8 hearings.

Hayward-Tyler Pump Company - Inspection/Investigation Reports
99900345/82-01, 82-02, 82-03, 82-04 -- To CASE the most significant aspect of this information which was provided to the Board is that it did not address or indicate in any way one of the most disturbing revelations of the investigation.

In addition to the problems with the QA/QC program of Hayward Tyler Pump Co., there were also problems with the investigations of the allegations of whistleblowers done by the NRC Region IV office. (Region IV, as CASE understands it, is in charge of monitoring vendors all over the country, in addition to its other duties regarding plants such as Comanche Peak.)

A Region IV draft investigative report dealing with the Hayward Tyler Pump Company had been furnished to the licensee (HTPC) at a meeting held in Region IV in February 1982. This report detailed the findings of a two-month probe into company operations. This led to hearings in early 1982 before Congressman Edward J. Markey's Subcommittee on Oversight and Investigations of the Committee on Interior and Insular Affairs, U. S. House of Representatives.

Additional hearings have been scheduled regarding the Hayward Tyler Pump matter and the NRC's investigation of it before Congressman Markey's Sub-Committee on April 8, 1983.

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Hayward-Tyler Pump Company (cont.) - CASE was supplied by the NRC Staff with the documents which were provided in response to Freedom of Information Request 82-117 and 82-193. We are attaching copies of just a few of the documents included in these packets for the Board's information; we would hope the Board would ask that the Staff supply it with the information from the two FOIA requests.

CASE is concerned with the Hayward-Tyler Pump matter for two reasons: (1) With regard to the pumps which have been purchased for use at Comanche Peak; and (2) with regard to the NRC Region IV's investigation into the allegations of whistleblowers. Obviously this is relevant in both ways, and potentially significant.

SALP, re: Inspection Reports 99900784/82-01, Chicago Bridge & Iron Co., and 99900761-82-01, Reliance Electric Co. - and Inspection Report 82-25/82-13, re: Chicago Bridge & Iron which states "...our review of TUGCO vendor QA records for this manufacturer showed that approximately 90 percent indicated unacceptable vendor inspection performance for the time period of 1980 through 1982. This vendor had, however, been denoted by your rating system as having an acceptable performance for 1980 and 1981." This is not only relevant but significant, since it deals with matters brought up by CASE witness Charles Atchison and confirms some of his concerns.

Board Notification - Alleged Design Deficiency (BN 82-105) - This is relevant and significant in two ways also. (1) Some of the concerns expressed by Mr. Van Meter are similar and related to the concerns of CASE witnesses Mark Walsh and Jack Doyle; for example, Mr. Van Meter states: "...pipe clamps are used in a negligent manner that causes additional stress in the wall of the pipe, in the case of stainless steel pipes. Hence, the methodology of evaluating this problem practically and economically was never developed, and consequently no analysis is performed." (Emphasis in the original.) (2) It is not clear who released this information; however, Mr. Van Meter made it perfectly clear that it was to be treated confidentially. It was released without his prior knowledge or consent by the NRC, as confirmed by telephone conversations personally between CASE and Mr. Van Meter following CASE's receipt of this Board Notification.

Information from Construction Appraisal Team (CAT) Inspection of CPSES, under cover letter of 3/2/83. - Found "a breakdown on work and quality control in safety-related portions of the heating, ventilation, and air conditioning (HVAC) systems..." etc. This is obviously directly relevant to CASE's contention 5 and is significant in several ways, including: how a problem of this magnitude went unnoticed by Applicants and the NRC for as long as it did; coupled with the recent NRC findings regarding Chicago Bridge & Iron, what reason is there for confidence in any of Applicants' monitoring of vendor items; etc.

Steam Generator problems at CPSES, BN 83-11 - Indicates CPSES may be operated at only 70% of power, obviously indicating a major problem. Obviously directly relevant to CPSES and significant in two ways: (1) the steam generator problem itself; and (2) the fact that the NRC Staff did not report this to the Board until it was brought to the Board's attention by CASE in its now-stricken 1/18/83 Motion for Board Order for NRC Staff and Applicants to Provide Documents (the Staff's Board Notification is dated 2/3/83).

IE Bulletin 82-01, Rev. 1, Supplement 1 (and previous related bulletins) - Alteration of Radiographs of Welds in Piping Subassemblies - There have been at least a few instances of altered radiographs discovered at CPSES. This also has to do with the monitoring of vendor items from ITT Grinnell by Applicants and NRC. Relevant to CPSES and significant when added to other problems regarding vendor items.

Welds in Main Control Panels - Board Notification Nos. 82-90, 82-34, 82-34 Rev. 1, and other related notifications - In BN 82-90 it is stated that Comanche Peak 1 and 2 were among those plant to which panels had been shipped having known deficiencies. Relevant and potentially significant.

BN 82-123 - USGS Open File Report on "Probabilistic Estimates of Maximum Acceleration and Velocity in Rock in the U. S." - Potentially relevant and significant since CASE understands that there was an earthquake or tremor in Louisiana within the past few weeks.

Board Notification 83-13 - EG&G Draft Report on Identification and Ranking of Nuclear Plant Structures, Systems, and Components, and Graded Quality Assurance Guidelines - Pertains to the identification and quality assurance treatment of "safety-related" structures, systems and components and implementation by Appendix B to 10 CFR 50, which is one of the bases for CASE's Contention 5. CASE has not completed reviewing this document and may not be able to before the April 4 hearings; however, it appears to be relevant and potentially significant to CPSES.

Generic Letter No. 82-33, Supplement 1 to NUREG-0737 - Requirements for Emergency Response Capability - Provides additional information regarding requirements and guidelines regarding acceptable means for meeting the basic requirements for certain items pertaining to emergency response capability. Relevant to CPSES and potentially significant.

CASE has not had time because of the press of working on items to be considered in the April 4-8 hearings, to further analyze these matters, although there are others which appear to be relevant and potentially significant.

Respectfully submitted,

CASE (Citizens Association for Sound Energy)


(Mrs.) Juanita Ellis, President

cc: Service List
(Express Mail to parties)

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Congress of the United States
House of Representatives
Washington, D.C. 20515

December 15, 1981

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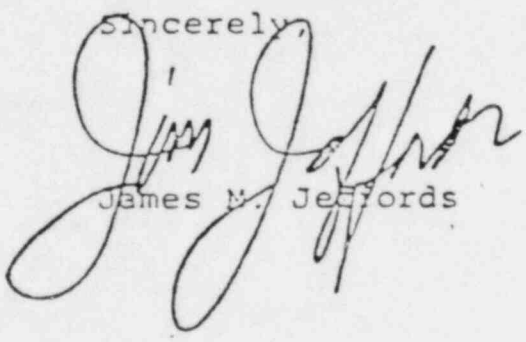
Nunzio J. Palladino
Chairman
Nuclear Regulatory Commission
1717 H Street, N.W.
Washington, D.C. 20555

Dear Chairman Palladino:

I am writing in regard to the investigation by the NRC of the quality control practices of the Hayward Tyler Pump Company in my district.

As you know, charges of faulty pumps and inspection practices by Hayward Tyler are not new. Several years ago, I was in touch with the NRC on this issue and the Commission launched an investigation. Recently, several employees have alleged that this investigation was not thorough and that Hayward Tyler continues to manufacture defective equipment. These charges have been sent to you with a cover letter from Congressman Markey, Chairman of the Subcommittee on Oversight and Investigations.

This letter is to request that the Commission keep me informed of its progress in this investigation. If I can be of assistance to you, please do not hesitate to contact David Wilson of my staff.

Sincerely,

James M. Jeffords

JMJ:dw

FEB 1 1982

enclosed

MEMORANDUM FOR: Commissioner Bradford

FROM: William J. Dircks, Executive Director for Operations

SUBJECT: HAYWARD TYLER PUMPS

REFERENCES: (1) Memorandum from Commissioner Bradford to William Dircks, "Hayward Tyler Pumps," dated December 23, 1981

(2) Memorandum from William Dircks to Commissioner Bradford, "Hayward Tyler Pumps," dated January 18, 1982

Your memorandum of December 23, 1981, (Reference 1) requested information regarding pumps manufactured by the Hayward Tyler Pump Company. My memorandum of January 18, 1982 (Reference 2) provided a partial response to your questions. Based on the information obtained thus far in the ongoing Region IV investigation, we now can provide more detailed response to the questions raised in your memorandum.

Enclosure 1 is a tabulation provided by the Hayward Tyler Pump Company of the nuclear-grade (ASME code stamped) pumps they manufactured for nuclear domestic and foreign nuclear power plants. A total of 230 pumps and component supports (baseplates) are listed. Of these, only five have been purchased for use in operating plants; four at the Salem Station and one (with baseplate manufactured by Hayward Tyler) at the Oconee Station. The safety functions of the Oconee pumps and the status of the pumps purchased for Salem are discussed later in this memorandum.

None of the pumps listed in the enclosure are Quality Group A, as defined by Regulatory Guide 1.26. Eight of the pumps ordered for the Hope Creek Station are ASME Class 2 (equivalent to Quality Group B). All of the remaining pumps are ASME Class 3 which is equivalent to Quality Group C.

Enclosure 2 presents a summary of Enclosure 1 for domestic plants not having an operating license. Enclosure 2 shows the plant or purchaser, the utility, the pump service (as provided by Hayward Tyler) and the number of pumps for the domestic nuclear power plants. There is adequate time during the licensing review process to take appropriate action on Hayward Tyler pumps for the plants listed in Enclosure 2. The specific action to be taken will depend on the results of the on-going investigation and the safety importance of the individual pumps.

The NRC staff has briefly evaluated the status or significance of potential failure of the Hayward Tyler pumps at the two operating nuclear power stations identified above (Oconee and Salem). In regard to Oconee, a Hayward Tyler pump was installed during the Spring of 1981 to provide a third train of spent fuel

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cooling. The staff's preliminary assessment is that adequate spent fuel cooling would be maintained even with failure of the Hayward Tyler pump to function along with a failure in one of the other two trains that provide spent fuel cooling. Similarly, a structural failure of the Hayward Tyler pump does not appear to be problematical. The piping connections to the spent fuel pool are arranged so that a structural failure of the piping or pumps would not cause the pool water level to be drained or syphoned below an acceptable level.

In regard to the Salem Nuclear Generating Station, Public Service Electric and Gas has purchased four Hayward Tyler Pumps for a future modification of the waste monitoring system. Construction work associated with this modification has not begun; therefore, the pumps are not currently installed. The licensee has stated to the NRC project manager that they wish to be informed of the results of the ongoing NRC investigation and will delay installing these pumps while awaiting further guidance from the NRC staff.

You should also be aware that Region IV has an investigation underway on recent allegations of QA discrepancies at Hayward Tyler. That investigation is basically complete and the report is being put together. I expect to receive the report the week of February 22 and will advise the Commission promptly.

We trust this information is responsive to your request.

(Signed) William J. Dircks

William J. Dircks
Executive Director
for Operations

Enclosure:

1. Hayward Tyler Pump Company - National Board Registration Log
2. Hayward Tyler Pumps - Domestic Nuclear Power Plants

cc: Chairman Palladino
Commissioner Gilinsky
Commissioner Ahearne
Commissioner Roberts
SECY
OGC
OPE

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* RETYPED IN OEDO TO ADD PARA. 3 ON PAGE 2 - See Previous Concurrences

OFFICE	OIE	OIE	OIE	OIE	EDO		
SURNAME	RBaer *	EJordan *	JSniezek *	RCDeYoung *	WJDircks *		
DATE	2/10/82	2/10/82	2/10/82	2/10/82	2/ /82		

Enclosure 2
Hayward Tyler Pumps - Domestic Nuclear Power Plants

PLANT or PURCHASER	UTILITY	PUMP SERVICE	NUMBER OF PUMPS
South Texas 1 & 2	Houston Power & Light	Component cooling water pump with baseplate	6
		Reactor make-up	4
		Essential cooling water	6
		Electrical Auxiliary Building chilled water	8
		Essential cooling water screen wash booster pump	6
Ortsville 1 & 2	TVA	Fuel pool	8
		Essential service water pump with baseplate	4
Dixie Bend	TVA	Fuel pool	4
		Essential service water pump with baseplate	2
Yellow Creek	TVA	Reactor drain pump	4
		Boric acid make-up	4
		Fuel pool cooling water	4
		Normal component cooling water	4
		Component cooling system	4
Essential raw cooling water	2		
Daguerre Point	Boston Edison	Boric acid make-up	2
		Equipment drain pump	2
Cerro Verde 2	Arizona Public Service	Gas stripper system	6
Sanche Peak	Texas Utilities Generating	Station service water	4

WALTER SCHEIDT, CHAIRMAN

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20518

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STAFF DIRECTOR
STANLEY BOYDLE
ASSOCIATE STAFF DIRECTOR
AND COUNSEL
LEE McELVAIN
GENERAL COUNSEL
TIMOTHY W. BLIDDEN
REPUBLICAN COUNSEL

March 10, 1982

Mr. Munzio Palladino
Chairman
U.S. Nuclear Regulatory Commission
1717 H Street, N.W.
Washington, D.C. 20555

Dear Mr. Chairman:

On December 11, 1981, I wrote to you requesting an investigation into worker allegations against the Hayward Tyler Pump Company of Burlington, Vermont, a major manufacturer of nuclear pumps. Soon afterward, the Nuclear Regulatory Commission (NRC) launched an investigation out of its Region IV office in Arlington, Texas; which was scheduled for completion in late February.

Late last week, my staff received word from Carlton Kammerer, Director of the Office of Congressional Affairs in Washington, of a serious problem in the conduct of the agency's investigation. Investigators in the Region IV office violated NRC procedures by turning over to Hayward Tyler a copy of a draft report detailing the findings of a two-month probe into company operations. This breach of NRC procedures suggests an improper relationship existing between agency investigators and company officials which now calls into question the entire conduct and results of the Hayward Tyler probe.

As Chairman of the Oversight and Investigations Subcommittee of the House Interior Committee, I believe Congress is entitled to an immediate explanation from the agency of the circumstances surrounding the release of a draft report to Hayward Tyler. I have scheduled a hearing on Friday, March 19, 1982, at 9:45 a.m.; the exact location of the hearing will be announced later. In the course of this hearing, I hope to determine whether the integrity of the NRC's work has been violated by this unauthorized release and what your agency intends to do to make certain that such mistakes do not occur again in the handling of sensitive and serious charges against nuclear vendors.

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Mr. Chairman
Page Two
March 10, 1982

Please provide as witnesses for the hearing the following NRC officials from your Region IV and Washington offices:

John Collins, Director of Region IV Office;

James Gaqliardo, former head of investigation, Region IV;

Karl Seyfrit, Deputy Regional Administrator, Region IV;

William Dircks, Director of Operations, Washington;

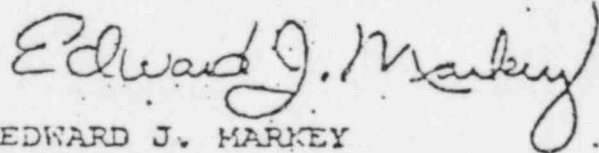
Richard DeYoung, Director of Inspections, Washington;

James Cummings, Director, Office of Inspector and Auditor, Washington.

In addition, pursuant to Rules 10 and 11 of the House wherein my Subcommittee has jurisdiction for Congressional oversight of your agency, I am requesting that you furnish my Subcommittee staff with a copy of your entire transmittal of February 12 to Hayward Tyler as well as copies of all books, records, correspondence, memoranda, papers, and other documents related to this investigation. This should include but is not limited to any correspondence between the Region IV and the Washington offices regarding the progress of the investigation, documentation relating the February 12 meeting between Region IV investigators and pump company representatives, and the decision to transfer the investigation to Washington. I also would like copies of any written communications between Region IV investigators and the Hayward Tyler Pump Company, from the time the investigation was begun in mid-December until its termination in mid-February. I would like to have these and any other relevant documents by the close of business Friday, March 12, 1982.

Thank you for your cooperation in this matter.

Sincerely,



EDWARD J. MARKEY
Chairman
Subcommittee on Oversight
and Investigations
818 House Annex #1
Washington, D.C.
(202) 225-2196

Enclosure

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS
SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS

Witness Administrative Information

The Subcommittee requires that each witness submit 75 copies of their proposed testimony at least 72 hours in advance of the hearing. In the event that this is not possible, please contact Cheryl Canova of the Subcommittee staff at (202) 225-2196 in order to make other arrangements. Copies of any visual aids to be used should be included with copies of this statement. If a projector or other visual aid equipment is required, please contact the Subcommittee at least three days in advance of the hearing.

The written statement may be of any length. However, to permit adequate time for questions, you will be asked to summarize the statement in no more than 10 minutes. Material which is more detailed, technical, or which supplements the written or oral testimony may be supplied at the time of the hearing. This material will be included in the printed hearing record where appropriate. All material, particularly figures and charts, should be clean, clear, and suitable for reproduction. In the case of photographs, it will be necessary that the witness provide glossy prints for incorporation into the record.

The hearing will be open to the public. Supporting staff or counsel may accompany the witness if desired.