April 25, 1990

PRELIMINARY NOTIFICATION OF EVENT OR UNUSUAL OCCURRENCE PNO-ADSP-90-11

This preliminary notification constitutes EARLY notice of events of POSSIBLE safety or public interest significance. The information is as initially received without verification or evaluation, and is basically all that is known by the ADSP staff on this date.

FACILITY: TU Electric
Comanche Peak Unit 1
Docket No. 50-445
Glen Rose, Texas

Licensee Emergency Classification:
____ Notification of Unusual Event
____ Alert
____ Site Area Emergency
____ General Emergency
__X__ Not Applicable

SUBJECT: TRANSPORTATION OF HAZARDOUS MATERIAL

On Saturday morning, April 21, 1990, 3 trucks (2 U-Haul and an 18-wheeler) were sent by TU Electric to Chalk Mountain to pick up paint which allegedly contains asbestos. While the truck was loading, a former painting foreman and current alleger at CPSES arrived. The individual stated that the paint was hazardous material and should not be moved. The individual took video tape footage of the loading and the trucks. The individual contacted the NRC onsite staff, the Headquarters Operations officer, the highway patrol, and the Texas Water Commission. The Department of Transportation, OSHA, and EPA may also have been contacted.

The trucks were loaded with the paint cans and taken to the CPSES site. While on site, a truck trailer snagged a telephone line which broke a power pole and interrupted power to some administration buildings and the EOF. No plant loads were lost.

The paint originally had been sold by TU Electric to a salvage dealer who resold it to the owner of the property where it was being picked up. The utility intends to dispose of the paint as hazardous waste. The NRC onsite staff understands that TU Electric is meeting with the Texas Water Commission on April 24, 1990 to discuss this issue.

The alleger has been informed by the NRC onsite staff that they would followup on TU Electric actions.

This PN is being issued because of possible interest by other government agencies and potential media interest. However, local media interest has not yet occurred. The NRC does not plan to issue a news release.

The State of Texas will be informed.

The Comanche Peak Project Division received initial notification of this occurrence in person from the licensee on April 22, 1990. The information presented herein has been discussed with the licensee and is current as of 10:00 a.m. (CST) on April 24, 1990.

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6 ENGINEERED SAFETY FEATURES

6.1 Engineered Safety Features Materials

6.1.2 Organic Materials

In Appendix L of SER Supplement 9, the staff evaluated the protective coatings area at CPSES and concluded that the applicant's proposal to amend the FSAR to eliminate the commitment that coatings inside the containment buildings be qualified was acceptable. Appendix M of Supplement 9 contains the NRC Technical Review Team (TRT) assessment of allegations and concerns related to protective coatings. The TRT's assessment revealed specific deficiencies in the protective coatings area and resulted in recommendations for corrective actions. These recommended actions were listed in Appendix M of Supplement 9. The corrective actions, which were related to the backfit test program, traceability, coatings procedures, and the Coatings Exempt Log, were modified on the basis of the staff's conclusions in Appendix L of Supplement 9.

On the basis of its evaluation of the protective coatings area and the TRT's assessment of allegations and concerns related to this area, the staff recommended in Supplement 9 that the applicant (1) document the status of some protective coating systems inside the containment buildings and (2) implement a surveillance program for protective coating maintenance.

The applicant provided the requested information in letters dated June 7, 1985, November 18, 1985, and December 16, 1986. The staff's evaluation of these submittals is discussed in Appendices L and M of this supplement.

Conclusion

On the basis of its evaluation of the applicant's submittals of June 7, 1985, November 18, 1985, and December 16, 1986, and as discussed in Appendices L and M of this supplement, the staff concludes that the applicant's proposed surveillance program for protective coating systems inside the Unit 1 and 2 containment buildings, the documentation of the status of the existing coatings work, and the actions taken by the applicant on the protective coating systems meet the guidelines in Appendices L and M of Supplement 9 and are, therefore, acceptable. The staff also concludes that the applicant need not perform the in situ temperature and pressure testing for coating adhesion previously recommended in Supplement 9. Therefore, the outstanding issue regarding containment sump performance for CPSES Units 1 and 2 is considered closed.

6.3 Emergency Core Cooling System

6.3.5 Performance Evaluation

In a letter dated June 2, 1986, Westinghouse notified the NRC of the need for some additions to and corrections of the emergency core cooling system (ECCS)

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APPENDIX L

THE EFFECTS OF PAINT AND INSULATION DEBRIS ON THE PERFORMANCE OF POST-ACCIDENT FLUID SYSTEMS AT COMANCHE PEAK STEAM ELECTRIC STATION, UNITS 1 AND 2

On the basis of its evaluation in Appendix L of SER Supplement 9, the staff requested that the applicant propose a pre- and post-operational coatings testing and surveillance program for CPSES Units 1 and 2. The staff also provided specific guidelines for developing such a program. By letters dated June 7 and November 18, 1985 and December 16, 1986, the applicant provided the requested information for staff review.

The applicant has developed a surveillance program for testing, inspection, and documentation of the protective coating systems inside the containment buildings of Units 1 and 2. The program includes (1) qualification and training of inspection personnel; (2) inspection and test procedures that specify operational methods for each inspection and test, inspection equipment, the frequency of testing and inspection, the acceptance criteria for each inspection and test, and recordkeeping to document each inspection and test; (3) verification of storage and handling of protective coatings; (4) calibration of measuring and test equipment; (5) reporting, disposition, and tracking of coating degradation and deficiencies; (6) completion, issuance, and control of documentation; and (7) maintenance and control of the Coatings Exempt Log for Unit 1.

The applicant provided the methods and criteria for operational surveillance of the coatings inside the containment buildings of Units 1 and 2. Before plant operation and at each respective refueling outage, a surveillance of the protective coatings will be conducted to identify and report any current or incipient coating degradation or failure. Coating repairs will be performed in accordance with the as-low-as-reasonably-achievable (ALARA) guidelines for radiation exposure.

The surveillance program addresses the selection of painted areas for inspection that have high radiation exposure, that may not have full quality assurance or quality control verification (as indicated in the Coatings Exempt Log), or that are adjacent to the containment sump areas.

The applicant's surveillance program does not include in situ temperature and pressure testing for coating adhesion, as recommended in Supplement 9 of the SER. The applicant justified this omission on the grounds that (1) adequate assurance of the acceptability of the coatings' initial conditions will be provided through the comprehensive backfit test program and final walkdown inspections; (2) inservice conditions will be verified through the coating surveillance and testing program during each refueling outage; and (3) the

recommended testing is destructive to the coatings and, in view of other actions prescribed in the surveillance program, is considered (by the applicant) an unwarranted hazard to testing personnel.

The staff has determined that, with the applicant's commitment to conduct periodic tests, inspections, and surveillance of the protective coating systems, the previously recommended in situ temperature and pressure testing would not provide significant additional information on coating conditions. Accordingly, in situ testing for coating adhesion need not be performed. The staff finds that the proposed surveillance program meets all of the other guidelines for a preoperational and periodic coatings testing and surveillance program that appear in Appendix L of Supplement 9 and that the program is acceptable. This outstanding issue is, therefore, closed.

APPENDIX M

NRC STAFF EVALUATION AND RESOLUTION OF TECHNICAL CONCERNS
AND ALLEGATIONS REGARDING PROTECTIVE COATINGS INSIDE
THE REACTOR CONTAINMENT BUILDING AT
COMANCHE PEAK STEAM ELECTRIC STATION, UNIT 1

Appendix M of SER Supplement 9 contains the results of the NRC Technical Review Team's (TRT's) assessment of allegations and concerns in the protective coatings area. The TRT's assessment resulted in recommendations for corrective actions to be taken by the applicant. These corrective actions, which were related to the backfit test program, traceability, coatings procedures, and the Coatings Exempt Log, were modified on the basis of the staff's conclusions in Appendix L of Supplement 9. The staff requested that the applicant submit information regarding these corrective actions and documenting the status of protective coating systems inside the containment building.

The applicant provided the requested information for staff review in letters dated June 7 and November 18, 1985, and December 16, 1986. The results of the staff's evaluation of these submittals are provided below.

(1) Backfit Test Program

The applicant applied the Elcometer calibration correction to each Elcometer reading that was obtained during the period of improper calibration. An evaluation of the adhesion test results by the applicant showed, with a 95 percent confidence limit, that as much as 20 percent of the coated surfaces on miscellaneous steel items inside the containment building of Unit 1 could have failed to meet the minimum test criterion. Accordingly, 36,000 square feet of coating on miscellaneous steel surfaces have been added to the Coatings Exempt Log for Unit 1. The staff has determined that this action meets the guidelines for the backfit test program in Appendix M of Supplement 9 and is, therefore, acceptable.

(2) Traceability

The applicant provided a listing of all nonconformance reports on protective coating systems inside the containment buildings with technical justifications for the use-as-is disposition of the discrepant coating materials. The technical justifications were reviewed by the Comanche Peak Coating Engineering Manager and an independent, third-party consultant and found to support the acceptability of the batches of the discrepant coating materials listed in the nonconformance reports. The staff determined that this provision meets the guidelines for traceability in Appendix M of Supplement 9 and is, therefore, acceptable.

(3) Coatings Procedure

After a review of the technical requirements for containment building coating work, which resulted in the rewriting of all the procedures and instructions pertaining to coating application, inspection, testing, and documentation, the applicant provided a nonsafety-related containment coatings program. The program includes criteria to achieve quality coating material and workmanship; namely, the use of coating materials that meet the design-basis-accident (DBA) conditions, compliance with the technical requirements of paint application specifications, quality verification of coating work, and traceability of coating quality verification documentation. The staff determined that this provision meets the guidelines for coatings procedures in Appendix M of Supplement 9 and is, therefore, acceptable.

(4) Coatings Exempt Log

The applicant has updated the estimates of the exempted coating areas inside the containment building of Unit 1. In so doing, the applicant included in the Coatings Exempt Log for Unit 1 (1) the total coating surface area on miscellaneous steel items that failed the adhesion test, (2) the coating areas that have unsatisfactory dry film thicknesses, (3) the coating areas that are not qualified under DBA conditions and (4) the coating work that was applied in inaccessible or limited-access areas where all specified requirements were not met. The staff has determined that this action meets the guidelines for the Coatings Exempt Log in Appendix M of Supplement 9 and is, therefore, acceptable. The outstanding issue regarding containment sump performance is considered closed.

DALLAS, TEXAS
TIMES-HERALD
M - 246,370
S - 338,963 88
JUN 11 1990

TU agrees to buy back toxic paint

It caused illness, purchasers claim

By Jim Morris
OF THE TIMES HERALD STAFF

They were advertised as superior paints that would last for years.

They were so durable, in fact, that they coated surfaces inside the Comanche Peak nuclear power plant near Glen Rose. And the price was remarkable: $2 a gallon or less.

But the small-town people who bought at least 5,000 gallons of surplus from TU Electric between May 1987 and April 1988 say they later found the "bargain" had a hidden cost: the epoxy paints and sealants, with cryptic names like Carbo Zinc 11 and Imperial Nutech 1201, made them sick.

Buyers say they suffered a variety of ailments — breathing difficulties, rashes, extreme fatigue, swollen testicles — after using the materials, some of which contained asbestos. They are angry with TU Electric, which, they contend, failed to warn them of the dangers. The utility denies the charge.

The Government Accountability Project, a consumer group in Washington, D.C., has taken up the cause of the paint buyers, accusing TU Electric of trying to find a cheap way to dispose of what is actually hazardous waste.

The project's Mick Harrison maintains the products are "toxic, highly corrosive and easily catch fire."

TU Electric spokeswoman Kathi Miller said that, asbestos aside, the ingredients are the same as most paints. Buyers, she said, were given "material safety data sheets" detailing the products' contents and possible effects.

Nevertheless, Miller said TU Electric has agreed to buy back the chemicals and will run newspaper advertisements offering to reclaim them. The company also will clean up storage areas where any of the substances have leaked into the soil, she said.

In offering to buy back the

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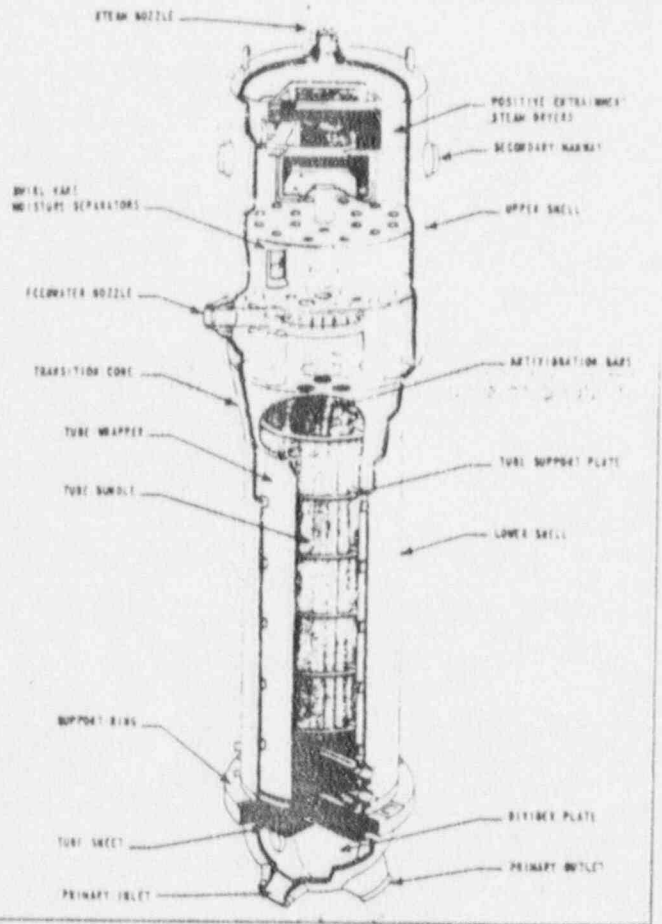

Diagram of a steam generator

products, TU Electric is not admitting error but is simply being a "good neighbor," Miller said.

The morass, being investigated by the U.S. Department of Transportation and other agencies, gives rise to several questions: What constitutes hazardous waste, which, under the law, must be discarded in an approved facility? Who decides whether an item is too dangerous to sell to the public? And how often do sales of dangerous products occur?

Roger Meacham, a spokesman for the U.S. Environmental Protection Agency in Dallas, said federal law sets out "very specific definitions and criteria" for hazardous waste — and TU Electric's paints don't qualify.

And the Texas Water Commission's Bill Colbert, who doubts

Please see WASTE, A-13

Paul Iverson/Dallas Times Herald

These are cans of the toxic paint on Tommy Chew's land. A general contractor, he says he has sold and used the paint.

WASTE

From A-11

TU Electric will be cited by his agency, said the paints fit into a "gray area" of the law that distinguishes between product and waste.

Some consumer and environmental advocates say companies and even the government exploit these legal ambiguities to foist unsafe products on an unsuspecting public.

"The sad facts of life are that this happens quite a bit," said Pauline Ewald, an environmental consultant in Richmond, Va., and former director of Virginia's state toxic waste cleanup program. The military, Ewald said, is one of the worst culprits.

Ewald said a "loophole" in the federal hazardous waste law "allows the generator of a waste to determine when it becomes a waste. If you don't declare it a waste, it doesn't become a waste, and it doesn't have to be treated as such."

Ewald suspects the chief motivation for selling such materials is money — money saved by not having to pay someone to properly dispose of waste. Some corrosive liquids, she noted, can cost $2,000 per tanker truckload to discard.

Why would people buy unfamiliar materials? Ewald said it's just human nature to seek a bargain.

The consequences of careless salvaging can be serious. Consider Westinghouse's sale of electrical capacitors in Bloomington, Ind., from the late 1950s until the mid-1970s.

Thousands of the capacitors were bought by scrap dealers, who broke them open to remove copper tubing. The result: PCBs, which are believed to cause cancer, spilled out around the city.

Today, according to the EPA, there are six major PCB-contaminated sites in Bloomington, four on the agency's National Priorities List for cleanup under the Superfund program.

"There may be a host of smaller areas," said Dan Hopkins, an EPA official in Chicago. "Some

Paul Iverson/Dallas Times Herald

W.E. Boyd and Linda Porter sit beside a swimming pool outside of Iredell that Boyd's son was painting with the toxic material when he suffered a stroke. Porter, a former employee of the nuclear plant in Glen Rose, says she was run out of her job after complaining of exposure to the materials.

we may not find for a long time."

Westinghouse has agreed to pay for the cleanup, which, Hopkins said, may cost $200 million to $300 million.

It's unclear how many people are stuck with cans of TU Electric paint; some cans were resold by people who bought them in bulk from TU Electric.

Jerry Chew, a car dealer in the Bosque County town of Iredell, said he bought about 50 five-quart cans from another man. Chew said he used some of the paints on truck beds and tool boxes, and sold some.

"I thought I was buying some high-dollar paint," Chew said. "I didn't have any idea I was buying toxic chemicals."

Chew said he suffered dizziness, swollen testicles, rashes and other health problems after using the paints. He said the cans bore no warning labels.

Now, Chew said, his customers are threatening "to whip me and sue me" and he wants reimbursement from TU Electric.

In April, TU Electric cleaned up 2,000 gallons of paint stored in a field near Glen Rose and reimbursed the people who had purchased it. A former Comanche Peak worker, Linda Porter of Argyle, had complained to state and federal officials that some of the cans were corroded and leaking.

Porter blames airborne asbestos and silica particles for her permanent hoarseness and the red blotches on her arms. At least, she said, workers were given dust masks, and some were given no protection at all. Porter claims she was laid off because she complained about the working conditions.

Porter and more than 50 other former Comanche Peak workers are suing the utility, prime plant contractor Brown and Root and the manufacturers and distributors of the paints, contending they were not given adequate information about the products, which their lawsuit terms "unfit for human use."

The utility would not comment about the suit.