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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of)

LONG ISLAND LIGHTING COMPANY)

(Shoreham Nuclear Power Station,)
Unit 1).)

) Docket No. 50-322 (OL)

MOTION TO COMPEL LILCO TO FILE A
WRITTEN REPORT CONCERNING THE TELEDYNE
ENGINEERING SERVICES DESIGN REVIEW OF SHOREHAM

Suffolk County hereby requests the Board to issue an order compelling LILCO to file with the Board and all parties within five (5) days from the date thereof a written report (a) detailing the status of the design review being conducted by Teledyne Engineering Services ("Teledyne"), (b) explaining the reasons for the delays in the issuance of the Teledyne final report and estimating the date of such report, and (c) describing all contacts and communications between LILCO and Teledyne with respect to the review.

On March 15, 1982, LILCO met with the Director of the Office of Nuclear Reactor Regulation ("NRR"). At that meeting, LILCO presented an overview of Shoreham's QA program which, according to LILCO, provided "confidence" that the kind of problems which had been found in the quality and construction of other nuclear plants were not present at Shoreham.

However, by letter dated April 16, 1982, LILCO informed the NRC that it had commissioned Teledyne to conduct a design review of one system in the Shoreham plant. LILCO asserted that its decision to commission Teledyne emphasized Shoreham's "commitment to quality." It acknowledged, however, that Teledyne also had been hired "to address the NRC concerns raised as a result of recent design and construction problems at other facilities." A copy of LILCO's April 16, 1982 letter is attached hereto as Exhibit 1.

Although the scope of the Teledyne review is limited to one core spray loop system, LILCO claims that the review is "representative of the controls applied to the design, construction and verification of all plant systems." See Exhibit 1. For this reason, Suffolk County believes that the Teledyne review is directly relevant to the QA/QC contentions in this proceeding.^{1/} LILCO's own QA/QC testimony agrees with this position, asserting the Teledyne review will add additional assurance to Shoreham's QA program. Thus, among other things, the review is examining the installed piping, components and supports of the core spray loop system in order to determine whether the QA program properly monitored and documented the design, procurement and installation procedures used for that system. LILCO Exhibit 21, at 128-30.

^{1/} Contention 12, for example, alleges that LILCO has not adequately demonstrated that the QA program for the design and installation of structures, systems and components for Shoreham was conducted in compliance with 10 CFR Part 50, Appendix B. In addition, Contention 15 contends that the Shoreham QA/QC program has involved inadequate review and physical inspection to verify compliance with 10 CFR Part 50, Appendix B.

Suffolk County has previously made known its position that the Teledyne review is highly relevant to these licensing proceedings. See, e.g., Tr. 20,123. Indeed, during the course of the QA/QC hearings, the County sought to cross-examine the LILCO witness panel on the subject of the Teledyne effort. That examination was limited by the unavailability of the Teledyne report. See Tr. 12,532-33. At no time, however, was the County's line of questioning challenged on the basis of its relevancy to the matters in contention. To the contrary, the County was led to believe that, once Teledyne's review was complete, it would be entirely appropriate to inquire into the findings and conclusions of the final report.^{2/} In this regard, the Staff also indicated its desire to review extensively the Teledyne report. See Tr. 17,557-58.

The Teledyne review and final report were scheduled for completion last August, but still the report has not been issued. This delay of some eight months has clearly disadvantaged the County. This Board, at the urging of LILCO and the Staff, has now effectively closed the record on the County's QA/QC contentions. See Tr. 20,309. For that reason, any request for a hearing on

^{2/} The County notes the careful consideration given by the Board and the parties to the Torrey Pines Technology ("Torrey Pines") review of Shoreham's construction. Certainly, Teledyne's review of the Shoreham design control program, albeit limited to only one system, is no less relevant to the County's QA/QC contentions, especially in light of the fact that Torrey Pines assumed for the purposes of its review that the plant's design was adequate.

the Teledyne review effort will be held to a standard "very close to the reopening standard." Tr. 20,307.^{3/} Under this standard, it will apparently be incumbent on the County to demonstrate the significance of the Teledyne final report to the QA/QC issues in evidence. Only if that initial and subjective burden is met will the Board then consider whether to allow examination into the Teledyne review effort. See Tr. 20,307-09.

The County's review of the preliminary findings and other limited data thus far made available by Teledyne has indicated that the County's concerns about the safety and QA/QC significance of Shoreham's design may be justified. The County's review, however, has necessarily been restricted by the failure of Teledyne to complete and issue its final report. For this reason, the County has requested the Board to encourage the prompt completion of the report so that the findings of the report can be included in the Board's overall findings on the adequacy of Shoreham's QA/QC program. See Tr. 20,126. The Board, however, has declined this request.

Further, the County's desire to obtain any information possible concerning the Teledyne review has been frustrated by the Staff. On three occasions during the last few weeks, the

^{3/} While the Board has stated that this standard is not meant to be a "burden" to the County, noting that the County cannot be held accountable for the delay in issuance of the Teledyne report (see Tr. 20,307), the Board's decision nevertheless does require a more rigorous standard for the County than would be the case if the Teledyne report had been timely issued.

Staff has scheduled, and then cancelled, meetings with LILCO and Teledyne to discuss Teledyne's review effort and its preliminary findings of Shoreham's design.^{4/}

Most disturbing of all, on March 29, 1983, the County was informed by the Staff that there would be no Staff meeting with LILCO and Teledyne until the final report was completed and issued by Teledyne. The County was advised that this postponement and change in Staff position were made at the request of the management of LILCO and Teledyne. Thus, at this time, there is still no final report, and any opportunity for the County to obtain additional information about the Teledyne review effort has been further restricted by LILCO.

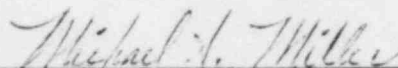
The unexplained delays in the issuance of the Teledyne report, the mysterious cancellation of meetings, and the manner in which information regarding these matters has been blacked out, raise important issues regarding the review. Without impugning the motives of LILCO or Teledyne or in any way suggesting improper contact between them, the County believes that it, the Board, the Staff and other parties would benefit by an explanation of these matters.

^{4/} The Staff's initial meeting was scheduled for March 1, 1983. That meeting was later cancelled and rescheduled for March 17, 1983. However, shortly before the March 17 meeting was to be held, it was cancelled and rescheduled to March 30, 1983. This meeting was also cancelled and, at this time, the Staff has not determined when the meeting will be rescheduled. The Staff's notices for the March 1, March 17 and March 30 meetings are attached hereto as Exhibit 2.

Accordingly, the County respectfully requests the Board to order LILCO to prepare and file the report heretofore described.

Respectfully submitted,

David J. Gilmartin
Patricia A. Dempsey
Suffolk County Department of Law
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Attorneys for Suffolk County

April 8, 1983



LONG ISLAND LIGHTING COMPANY

175 EAST OLD COUNTRY ROAD • HICKSVILLE, NEW YORK 11801

MILLARD S. POLLOCK
VICE PRESIDENT - NUCLEAR

April 19, 1982

SNRC #689

Mr. Harold R. Denton, Director
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Assurance of Shoreham Design and Construction QA Control
Shoreham Nuclear Power Station - Unit 1
Docket No. 50/322

Dear Mr. Denton:

On March 15, 1982, my Staff and I met with you to present an overview of LILCO's Quality Assurance Program and to highlight the basis for our confidence that the recent problems which have been found in the quality of design and construction at other plants are not inherently present in the Shoreham Project. Enclosures A through E to this letter, document for you the material which was presented at that meeting and respond to requests for additional information and clarification of several topics.

To further emphasize Shoreham's commitment to quality and to address the NRC concerns raised as a result of recent design and construction problems at other facilities, we have decided to proceed with an independent review that will be representative of the controls applied to the design, construction and verification of all plant systems. The scope of this review will encompass a full Core Spray Loop and is described in Enclosure F. We have contracted with Teledyne Engineering Services to undertake this effort on the basis of their technical depth, resources, experience with similar worksopes at LaSalle and Diablo Canyon, and their independence from the design, construction and quality assurance of Shoreham Nuclear Power Station. We anticipate forwarding to you a detailed Program Plan by May 10, 1982 and having all work completed prior to exceeding a 5% power level.

Mr. Harold R. Denton
April 19, 1982
Page Two

Independent of the referenced review to be undertaken, my confidence that Shoreham has been engineered, designed, and constructed properly and that the plant that now sits at the Shoreham site does reflect the plant shown on our design drawings and in our design calculations is based upon the following rationale:

1. The organizations which have designed and built Shoreham have a long and successful record in projects of this type. LILCO selected a large broad based, nuclear experienced architect engineering firm, Stone & Webster Engineering Corporation (SWEC), at the beginning of the project to provide the lead and directly manage and control virtually all the design and engineering. Our Nuclear Steam Supply vendor, General Electric Company, interfaces directly with SWEC on Shoreham design and has also been a leader in the development of nuclear power. Both of these organizations have rigorously applied design control programs since 1969 and are audited extensively, internally and externally, by LILCO and other utilities.
2. The Shoreham design and construction has been effectively organized and controlled through the project management concept within SWEC and LILCO. This project management concept has provided for the centralization of design responsibility within SWEC and the close monitoring of this effort by LILCO Project personnel. It is our belief that the application of these comprehensive management controls has resulted in a final product which will not suffer from problems which have "fallen through a crack."
3. The LILCO QA involvement with design, engineering and construction activities has been widespread, comprehensive and administratively independent. LILCO has always acknowledged that the satisfactory performance of QA/QC functions requires manpower commitments by ourselves and Stone & Webster Engineering Corporation. More than two thousand (2,000) audits have been conducted on design and construction activities during the past nine (9) years. Problems have been identified and the appropriate corrective and preventive actions taken.

Mr. Harold R. Denton
April 19, 1982
Page Three

SNRC #689

4. Further confidence in Shoreham's quality has been gained through the results of reviews and audits performed by outside sources such as third party design reviews and investigations, third party audits and special NRC investigations. Shoreham has been subjected throughout its history to very careful scrutiny not only because of our own concern for plant safety, but frankly because of the pressures of the anti-nuclear movement upon the various regulatory agencies. I do not believe that any plant has been more closely watched than the Shoreham Plant and I do not believe that any plant has received such consistent "good marks" as a result of this scrutiny.
5. Finally, LILCO and SWEC are conducting additional quality verification programs at this time. These programs span the verification of implementation of licensing commitments, design changes, piping analysis, piping and support configurations, electrical raceway qualifications, documentation packages and drawing updating. These programs represent a substantial manpower commitment dedicated to design and construction verification and will provide LILCO management with added assurance of Shoreham's quality.

It is my understanding that LILCO will be required to submit to you, sixty (60) days prior to Fuel Loading, a final statement assuring that the plant is designed and built safely and in accordance with the licensing conditions. The basis for our conclusions in this statement will be the summarization of facts presented in this submittal, the satisfactory results of the numerous quality verification programs for design and construction which are presently being conducted by LILCO and SWEC, and the conclusions reached from the independent verification being performed by Teledyne Engineering Services.

Mr. J. L. Smith of my Staff is available at (516) 929-6700, Extension 255 for any additional information you or your Staff require.

Yours very truly,

M. S. Pollock

M. S. Pollock
Vice President-Nuclear

Enclosures

cc: All parties
J. Higgins



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

EXHIBIT 2

FEB 15 1983

Docket No. 50-322

MEMORANDUM FOR: A. Schwencer, Chief
Licensing Branch No. 2
Division of Licensing

FROM: R. Caruso, Project Manager
Licensing Branch No. 2, DL

SUBJECT: FORTHCOMING MEETING WITH LONG ISLAND LIGHTING COMPANY
(LILCO) AND TELEDYNE ENGINEERING SERVICES (TELEDYNE)

DATE & TIME: Tuesday, March 1, 1983
9:00 AM - 4:00 PM

LOCATION: Room P-110
Phillips Building
Bethesda, MD

PURPOSE: To discuss the Independent Design Verification Program
Findings for Shoreham.

PARTICIPANTS: NRC LILCO Teledyne
R. Caruso J. Smith, et al. D. Landers, et al.
R. Bosnak
E. Sullivan

R. Caruso
R. Caruso, Project Manager
Licensing Branch No. 2
Division of Licensing

cc: See next page

EXHIBIT 2

Shoreham

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Dr. Peter A. Morris
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NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

MAR 15 1983

Docket No.: 50-322

MEMORANDUM FOR: A. Schwencer, Chief
Licensing Branch No. 2, DL

FROM: R. Caruso, Project Manager
Licensing Branch No. 2, DL

SUBJECT: FORTHCOMING MEETING WITH LONG ISLAND LIGHTING COMPANY
(LILCO) AND TELEDYNE ENGINEERING SERVICES (TELEDYNE)

DATE & TIME: Wednesday, March 30, 1983 *
10:30 am - 4:00 pm

LOCATION: Room P-114
Phillips Building
Bethesda, MD

PURPOSE: To discuss the Independent Design Verification Program
findings for Shoreham.

PARTICIPANTS: NRC LILCO Teledyne
R. Caruso J. Smith, et.al D. Landers, et.al
R. Bosnak
E. Sullivan
J. Knight
W. Haass
J. Gilray

A handwritten signature in cursive script, appearing to read "R. Caruso".

R. Caruso, Project Manager
Licensing Branch No. 2, DL

cc: See next page

*This meeting was originally scheduled for Thursday, March 17, 1983

Shoreham

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
)

LONG ISLAND LIGHTING COMPANY)

(Shoreham Nuclear Power Station,)
Unit 1).)
_____)

) Docket No. 50-322 (O.L.)

CERTIFICATE OF SERVICE

I hereby certify that copies of Suffolk County's Motion to Compel LILCO to File a Written Report Concerning the Teledyne Engineering Services Design Review of Shoreham, dated April 8, 1983, have been served upon the following this 8th day of April, 1983 by first-class mail, postage prepaid.

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DATE: April 8, 1983