



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

August 5, 1991

Docket No. 99900404
EA 91-027

Mr. Gary M. Clark
Executive Vice President
Industries and Corporate Resources
Westinghouse Electric Corporation
11 Stanwix Street
Pittsburgh, Pennsylvania 15222

Dear Mr. Clark:

I am responding to Westinghouse's May 9, 1991, letter to the U. S. Nuclear Regulatory Commission (NRC) which replied to our concerns related to the sale by Westinghouse Electric Supply Company (WESCO) of 250 commercial-grade molded-case circuit breakers to Spectrum Technologies USA, Incorporated (Spectrum). In our April 10, 1991, letter we identified a serious concern related to WESCO's supply of commercial-grade equipment to Spectrum. Although the purchase order from Spectrum to WESCO specifically required new circuit breakers and certificates of conformance (CoCs), WESCO purchased the circuit breakers from a subvendor that dealt mainly in reconditioned equipment and provided these reconditioned breakers to Spectrum with falsified CoCs that certified that the breakers were new equipment. Our staff reviewed this situation and determined that WESCO willfully misled Spectrum, and, ultimately, the licensee and the NRC, concerning the quality of the circuit breakers supplied.

Your response indicated that Westinghouse has strengthened its corporate policy to require that dedication services be performed under the direction and supervision of the Energy Systems Business Unit and to require notices on commercial-grade products to ensure that customers are not misled in any way by documentation for commercial-grade products. In addition, WESCO will include notices in future proposals and product literature stating that these products may not be suitable for use in nuclear plants and that published information should not be relied upon as the basis for dedicating commercial-grade products for use in nuclear safety-related applications.

In your response, you did not mention any sanctions or corrective training for the named individuals. Please inform me of any actions taken by Westinghouse in regard to the named individuals. We have reviewed your response and concluded that your programmatic corrective actions, if appropriately implemented, should prevent recurrence of the events described. Nevertheless, the significance of the circumstances involved in the supply of

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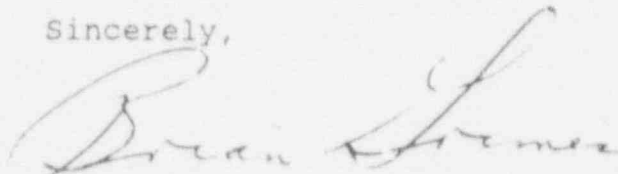
Mr. Gary Clark

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these circuit breakers has prompted us to issue an NRC information notice to emphasize the importance of verifying traceability of equipment to the original equipment manufacturer and verifying the accuracy of subvendor certifications and to describe the circumstances of this case. This information notice is also intended to alert licensees to the possibility that MCCBs previously obtained from WESCO or Spectrum may have been unqualified and subsequently dedicated for safety-related service without an adequate basis. Therefore, the licensee's actions in response to NRC Bulletin 88-10, "Nonconforming Molded-Case Circuit Breakers," may have been inadequate if they depended solely upon unverified vendor certifications to demonstrate the traceability of MCCBs to the circuit breaker manufacturer.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter will be placed in the NRC's Public Document Room.

Sincerely,



Brian K. Grimes, Director
Division of Reactor Inspection
and Safeguards
Office of Nuclear Reactor Regulation

August 5, 1991

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Mr. Gary Clark

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Sincerely,

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Brian K. Grimes, Director
Division of Reactor Inspection
and Safeguards
Office of Nuclear Reactor Regulation

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