



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

Files

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MEMORANDUM FOR: Nunzio J. Palladino, Chairman
FROM: William J. Dircks, Executive Director
for Operations
SUBJECT: RESPONSE TO QUESTIONS CONCERNING BYRON

Following is the response to your note of February 2, 1984.

"According to the Chicago Tribune, NRC waited 2½ years before alerting other utilities about safety problems at Byron."

Part A

"Why did NRC wait?"

Answer: The inspection referred to was done in March 1980. Region III advised Commonwealth Edison promptly of inspection findings as they pertained to Systems Control equipment supplied to the Byron and Braidwood sites. The Vendor Inspection Branch advised the vendor on April 14, 1980 of its findings and required a response indicating corrective actions taken. The Vendor Inspection Branch inspection report was published in the "White Book", NUREG-0040, Volume 4, No. 2, dated June 30, 1980. This is the standard means of notifying industry of vendor inspection findings. An Information Notice was issued by IE on September 17, 1982 when the findings of the March 1980 inspection at Systems Control Corporation, along with similar findings from other vendors who supply similar equipment, demonstrated a generic problem.

"Also, were the Commissioners informed of these problems, and if so, when?"

Answer: The Commissioners were not specifically informed of the problem with Systems Control Corporation. The findings were being handled in the normal manner within the staff. The problems at Byron were specifically identified and incorporated in the applicant's corrective action program. This was not considered to be a major finding requiring Commission notification.

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PDR COMMS NRCC
CORRESPONDENCE PDR

"Does the Byron decision indicate a continuing inability on the part of our inspection program, either nationwide or in Region III, to detect in a timely manner construction QA problems?"

Answer: No. In this case, the matter addressed by the Board had been the subject of NRC inspections as discussed above.

"Should we reinstitute the independent design and construction reviews for NTOL Plants?"

Answer: The staff continues to review on a case-by-case basis the need for individual applicants to provide additional assurance that the design process used in constructing their plants has fully met NRC regulations and licensing commitments. For many plants, such staff reviews have led to applicant's voluntarily agreeing to arrange for an independent audit of the design process for their plant (IDVP). Such audits have been primarily oriented to the design process although some audits have included a review of the construction process. IDVPs are not a mandatory requirement for all NTOL's. However, the report to Congress on quality assurance for design and construction which is currently being reviewed by all staff offices prior to being forwarded to the Commission concludes that periodic independent audits should be required for all plants under construction, including a review of the design process at the appropriate time. The Commission will be asked to approve the commencement of rulemaking to institute this requirement concurrent with the Commission's review of the Congressional QA Report.

In addition to IDVPs the staff has its integrated design inspections (IDI) program and its construction assessment team (CAT) program. Approximately three plants per year will receive an IDI: Byron received an IDI during May-June 1983. Approximately four plants per year will receive CAT inspections although we are assessing at this time the value of increasing the number of inspections: Byron received a Region-based CAT inspection during March-May 1982 and the findings led to the reinspection program.

Part B

"Will the Byron situation be covered in the report sent to Congress under the Ford Amendment?"

Answer: Information related to the ASLB decision against issuing an operating license to Commonwealth Edison for Byron is not included in the report to Congress under the Ford Amendment because the Byron application is a licensing matter still to be considered by the Commission.

(Signed) William J. Dircks

William J. Dircks, Executive Director
for Operations

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