UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
	)	Docket Nos. 50-348-CivP
ALABAMA POWER COMPANY	)	50-364-CivP
	)	
(Joseph M. Farley Nuclear Plant, Units 1 and 2)	)	
	)	(ASLBP NO. 91-626-02-CivP)

REBUTTAL TESTIMONY OF WILLIAM LEVIS ON BEHALF
OF THE NRC STAFF CONCERNING GEMS LEVEL TRANSMITTERS

Q1. State your full name and current position with the NRC.

A. William Levis, Senior Resident Inspector, Davis Besse Nuclear Power Station.

Q2. Have you prepared a copy of your Professional Qualifications?

A. A copy of my Professional Qualifications has been admitted previously into evidence as Staff Exh. 1.

Q3. What is the purpose of your testimony?

A. The purpose of my testimony is to rebut portions of the Alabama Power Company (APCo) Testimony regarding violations of the environmental qualification (EQ) requirements for the GEMS level transmitters at the Farley nuclear plant which led to the civil penalty that is the subject of this hearing. The APCo testimony which is the subject of this rebuttal testimony is contained in Direct Testimony of Jesse E.

Love, James E. Sundergill and David H. Jones on Behalf of Alabama Power Company (ff. Tr. 978) and Direct Testimony of Philip A. DiBenedetto on Behalf of Alabama Power Company (ff. Tr. 1227).

Testimony of Love, Sundergill and Jones

Q4. Who first discovered the low or missing silicone oil levels in the GEMS level transmitters? (p.201, Q&A 183)

A. The first GEMS transmitter without any silicone oil was found by NRC inspectors in the company of licensee representatives. Subsequent to that, APCo found three more GEMS transmitters in an environmentally unqualified condition, because of silicone oil at a level not supported by the qualification documentation.

Q5. Is APCo correct in its assertion that the low silicone oil level in the GEMS level transmitters was an installation/maintenance problem and not an environmental qualification problem? (p.202, Q&A 185)

A. No. In answer to APCo Q185 Mr. Sundergill states that the lack of oil in the GEMS transmitters does not indicate a weakness in the environmental qualification process. In his testimony, Mr. Sundergill initially testified that "the four specific examples of installation deficiencies in the GEMS containment sump transmitters do not properly

reflect on APCo's EQ program." When cross examined on this point, Mr. Sundergill changed his testimony to "the four specific examples of installation or maintenance." (Tr. 1170). Mr. Woodard in his testimony, however, testifies that Alabama Power Company did not create a separate organization whose job was EQ management. Mr. Woodard testified that APCo "integrated these requirements into our plant organization." (Tr. 1301). The point is that the environmental qualification regulation requires licensees to establish a program for qualifying the electric equipment important to safety as that equipment is installed in their plants. The GEMS transmitters were identified by APCo on their master list as requiring qualification. Four of the transmitters were in a configuration for which APCo had not established environmental qualification. If the equipment is not properly installed and maintained, it may not work when required, notwithstanding how many test reports say the piece of equipment is qualified.

Alabama Power Company had no idea or record of the condition of the GEMS level transmitters as of the environmental qualification compliance deadline of November 30, 1985. The APCo technical panel of Messrs. Love, Sundergill, and Jones that testified on the GEMS transmitters stated they had no knowledge of the silicone oil level in the transmitters as of November 30, 1985 in response to questioning on this point by Judge Carpenter. (Tr. 1171). The nonconforming silicone oil level condition went unnoticed by APCo until the NRC discovered the

condition on a transmitter during the November 1987 inspection. The NRC inspectors were offered no records that would indicate that the GEMS transmitters had not been in that condition since before the compliance deadline of November 30, 1985. In his deposition during discovery in this proceeding, Mr. Berryhill, who was APCo's Manager of System Performance, an organization which included the quality control group, testified that APCo did not know how or why the nonconforming silicone oil condition occurred.

> Q. All right. Would you say that that was a maintenance problem if you're familiar with the particular situation?
>
> A. Well, you know, if I speculated on it I can't say why what we found existed. We couldn't go back and establish -- to my knowledge it was never -- generally when something like that happens we -- and as I recall in this case too you do a very thorough research of your documentation, and you go back and interview a lot of people, and in most cases the interview turns up who did what in the past.
>
> I don't recall that we found an individual, but from my viewpoint I believe that it was probably some mistake or whatever you want -- you know, that during that maintenance process maybe the fluid was not put back in, but again I have no documented evidence either way how it got there.
>
> I do know that for one of those that I believe it was almost all the fluid gone as I recall.

Deposition of Robert Berryhill, June 26, 1991, p. 43-44.

This example of four of the eight GEMs transmitters having low silicone oil levels, combined with the lack of discipline APCo displayed in the installation of the V-type terminations leads me to conclude that EQ program requirements were not understood or implemented at the craft level at the Farley plant. This demonstrated

lack of assurance of EQ requirements and the apparent insensitivity to the importance of EQ equipment and its corresponding special requirements on the part of craftsmen and their management at Farley indicates to me a weakness in the environmental qualification process and not just an installation or maintenance problem as Mr. Sundergill would have the Board believe.

Testimony of DiBenedetto

Q6. Has the NRC Staff suggested that "component disassembly" be included as part of walkdowns? (pp.47-48, Q&A 47)

A. Mr. DiBenedetto's response to APCo Q47 leaves you with the impression that complete disassembly was required to perform walkdowns to get the level of detail that the NRC inspectors were looking for during NRC inspections or that would have been expected of a licensee during licensee verification of proper installation. This is not true. The only "disassembly," if you want to call it that, that was required for the NRC inspectors to do their inspections during the NRC walkdowns was the removal of switch covers, conduit covers, junction box covers and actuator covers. This is also the level of detail that other licensees required of me when I was an engineering consultant on EQ matters, prior to my employment with the NRC.

Q7. Does this complete your testimony regarding this matter?

A. Yes.