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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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In the matter of:

MEETING BETWEEN
COMMISSIONER ASSELSTINE AND MR. YIN

Location: Washington, D.C. Pages: 1 - 11

Date: Thursday, July 26, 1984

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

MEETING
BETWEEN COMMISSIONER ASSELSTINE AND MR. YIN

Nuclear Regulatory Commission
1717 H Street, N.W.
Room 1116
Washington, D.C.

July 26, 1984

A meeting was held, pursuant to notice.

PARTIES INVOLVED:

COMMISSIONER ASSELSTINE
MR. YIN

P R O C E E D I N G S

1
2 COMMISSIONER ASSELSTINE: Isa (Phonetic),
3 basically, what I wanted to do was, was talk to you
4 briefly before we got into a Commission meeting where
5 we were being asked to, to make a decision one way or
6 the other about what your concerns are and what's been
7 happening since we last had a Commission meeting and I
8 had a chance to hear from you then because I've seen
9 some of the newspaper stories and Tom Devine's thing.
10 And what I wanted to do was find out from you what
11 the problems were and what the difficulties are in terms
12 of you looking at the things that I thought we all agreed
13 you were going to look at.

14 MR. YIN: Okay. The issue really, we have..
15 the issue, really, involving three different areas.
16 First, of course, is the seven license condition items
17 that we have to address before any full power license
18 hearings.

19 The second issue is the adequacy of the
20 independent verification program which was co-sponsored,
21 co-managed or sponsored by the NRR organization. And the
22 third item is the overall adequacy of programmatic
23 controls, QA/QC type of issue.

24 All three areas I have difficulties with.
25 The first area, seven license condition, I don't believe

1 the, the review team have spent enough time in looking,
2 and look at enough samples to draw a conclusion that they
3 have presented. Most of their conclusion they draw
4 was without any document, back-up information. As well
5 as the independent design verification, it seems to
6 me is a conflict of interest for NRR to be involved, to
7 be really responsible, in the first place.

8 It was originally my, part of my inspection
9 plan. I had request their participation based on the
10 consideration first. If I find out some problems, it
11 will be a finding against our own people.

12 COMMISSIONER ASSELSTINE: Yes.

13 MR. YIN: Secondly, you know, since they said
14 they already concluded the program was adequate. So,
15 if there's any problems that we identify, perhaps they
16 will have an answer, readily to address the issue.

17 COMMISSIONER ASSELSTINE: Yes.

18 MR. YIN: So, that was the reason I, I liked
19 them. I waited and waited for them to participate. But
20 it turn around that I was more or less got excluded
21 from the process. So, I wasn't too happy about that
22 situation.

23 The third item like the programmatic issues,
24 I don't believe the staff have taken forceful enforce-
25 ment actions. There was no enforcement conference held

1 and no enforcement action taken. We never really forced
2 them to operate a program. So, a major problem such as
3 quick fix program and the on-site project engineering
4 group design activities was allowed to keep on going for
5 months until they see the light that they have no way
6 to, to get out of it. They abolished the system.

7 So, it's very different from what Region III
8 would normally do. And, furthermore, I was also denied
9 the, to follow-up on how the new program is, is working.
10 And, so, I have some concern in that area, too.

11 So, all three major areas I have difficulties
12 with.

13 COMMISSIONER ASSELSTINE: Yes.

14 MR. YIN: And since I was denied participation
15 in all of them and I just thought that maybe my purpose
16 with the group was no longer (inaudible) and I, and I
17 request to be, to be out. And I discussed with Mr.
18 Kaplan and he agreed that I should get out. And he, in
19 turn, talked to Mr. Harold Denton.

20 Harold Denton request three things. First, he
21 want me to finish up the report, which I just did. He
22 wants me to participate a meeting and Kaplan was not
23 too strong about that. He, you know, because I don't
24 feel like that I want to participate any further in
25 dealing with NRR, and which we did not comply with. And

1 I don't think Harold has any problem with that.

2 The third item was to comment on the seven
3 license condition issues, which I did. So, I have ful-
4 filled my commitment to the NRR.

5 COMMISSIONER ASSELSTINE: Okay. So, you're
6 basically now out of..

7 MR. YIN: That's correct.

8 COMMISSIONER ASSELSTINE: ..the Diablo process.

9 MR. YIN: As a matter of fact, they talked to
10 ..Mr. Davis called me up yesterday, informed me that it
11 was request to present, to be, to be at the Commissioner's
12 meeting. And I told him that I don't feel like
13 participating because I was completely out of the
14 picture already. So, he said, okay, you know. You
15 don't want to go, you don't have to go.

16 And about thirty minutes later he call me up,
17 he say, you must go. So, that's why I'm coming back
18 here now.

19 COMMISSIONER ASSELSTINE: You said you were,
20 you weren't allowed to participate, weren't permitted
21 to participate. So, you weren't part of the review
22 teams that, that have been back at Diablo since the
23 Commission meeting to, to follow-up on each of these
24 things?

25 MR. YIN: That's true..

1 COMMISSIONER ASSELSTINE: Yes.

2 MR. YIN: ..because the way the schedule is
3 kind of a, the same time I was taking vacation overseas
4 and, also, I just come back after accompanying ACRS, to
5 do some site touring at Diablo.

6 COMMISSIONER ASSELSTINE: Yes.

7 MR. YIN: So, physically, I couldn't
8 accomodate their schedule. Now, it was IDVP observation
9 review. It was kind of a short notice, and I don't,
10 I didn't really have a choice of my own.

11 COMMISSIONER ASSELSTINE: Yes.

12 MR. YIN: And we arrived Monday afternoon,
13 spend the afternoon talking about the issues ourself, in
14 conduct an inspection.

15 So, we started out on Tuesday morning and
16 there was more than two hours of presentation. And
17 the special, so-called special review team members wasn't
18 really aware of what the concern item is. So, I had
19 to go through the concern items, one by one.

20 And, so,..and, also, the biggest problem is
21 the document was not there. A lot of micro film paper
22 referred to many other document, was not even in, in
23 Krauss' (Phonetic) office. It was stored in (inaudible)
24 about 30 miles south of the office, was impossible to
25 get it the same day.

1 And, also, it's burden by my own schedule
2 difficulty because I have to be home Thursday..

3 COMMISSIONER ASSELSTINE: Yes.

4 MR. YIN: ..because my mom was visiting me,
5 and I have to go to the airport to custom clearance and
6 was in Chicago. So, that week I spent about less than
7 twelve hours. Really, hasn't really got too much
8 accomplished at all.

9 And, so, I requested to come back, spend my
10 own time travel Sunday so I can get on with it first
11 thing Monday morning, but my request was denied. Likewise,
12 I like to look into a larger (inaudible) QA program
13 review because they have concluded everything was in
14 contrary to what I had found out. So, I like to review
15 their records. So, why they assess the program to be
16 satisfactory but based on my (inaudible) it was completely
17 unacceptable.

18 Again, that request was denied. In the same
19 day, I also request that since we, we know that they
20 abolished the design activity, that it used to be
21 conducted by on-site project engineering group, I know
22 how the transition is going to happen, whether or not
23 we're going to have some problems.

24 Again, that request was also denied. So, I
25 went home and it doesn't feel too comfortable about the

1 whole thing. So, I talked to Mr. Kaplan and mentioned
2 that I wasn't too pleased with how NRR was handling the
3 situation. And he, he thought about it. And he also
4 talked to Harold Denton and, finally, they all agreed
5 that I was allowed to get out.

6 COMMISSIONER ASSELSTINE: Is the special
7 review team just NRR or NRR and Region V together or..

8 MR. YIN: Special review team was never
9 really formally formed.

10 COMMISSIONER ASSELSTINE: Okay.

11 MR. YIN: Just happens to be this group of
12 people there. So, later on I think they addressed them
13 to be special review team. Originally, I think there
14 was, there was a team, this panel peer review team,
15 included maybe two or three people, that I don't
16 remember exactly who was involved. But happens to be
17 there more (inaudible) in (inaudible) that day. So,
18 they probably included a lot more people and everybody
19 have a chance to look at the records.

20 So was not really formally prepared. The
21 reason that we spent so much time in that day is also
22 they were not too familiar with the issue. And I have
23 to spend time, item by item, using the view, view graph
24 to tell them what my real concern was.

25 So, it wasn't really going, going very

1 smoothly. So, that more or less summarized it, what,
2 what my basic concern and uncomfortable feelings about
3 that report.

4 COMMISSIONER ASSELSTINE: How does the
5 review effort in each of these areas differ from what
6 would say typically be done in Region III?

7 MR. YIN: Okay. In Region III we normally
8 will put down the day I review, the people I contact,
9 the specific item, I look at it and fully document
10 whatever I look at. As you can see, my previous
11 preliminary inspection report, the names, the place,
12 the time, everything is documented.

13 But, here, we don't see anything similar to
14 that. They also differ from the size of sample. We
15 normally take away large sample size. But, here, we
16 have cases like four hangers that they have reviewed and
17 they concluded all 15,000 quick fixes was without any
18 difficulties or problems. And I don't think that was
19 acceptable.

20 There's also one major difference, is when the
21 problem identified, we do not feel like that we can be
22 a police and a judge in one body. We always asked the
23 licensee to, to address it on a generic basis.

24 For instance, if we find out that piping
25 calculation input is incorrect in sample cases, then

1 I certainly will ask the licensee to, to explain why.
2 Now, in the case like that, they certainly will have no
3 answer because we're talking, really, apples and oranges.

4 So, you probably will end up that we are
5 going to request the licensee to review 100% of the
6 calculation just in the area of geometry and input. We
7 only look at small sample. So, anything that we look
8 at, we treat it seriously. And we will ask the licensee
9 to expand the sample size. But it was not done here in
10 the review team.

11 COMMISSIONER ASSELSTINE: I take it you
12 have not had an opportunity to review the final products
13 in these, these areas?

14 MR. YIN: The only, the only, only material
15 I reviewed and comment are those documents in the SSER.

16 COMMISSIONER ASSELSTINE: Okay.

17 MR. YIN: Other than that, I haven't
18 reviewed anything, although I did request a lot more
19 information, but I guess my request was simply kind of
20 ignored.

21 COMMISSIONER ASSELSTINE: Okay. Can you
22 think of anything else that maybe I ought to know
23 about in terms of the problems you've had in, in trying
24 to do the Diablo reviews?

25 MR. YIN: No. The only thing I can think of

1 is the testimony that I have prepared, I have
2 recommended that in order to really to provide the
3 Commissioner a clearer picture, that I think additional
4 investigation and review should be conducted. And the
5 time period that I estimate is three to five weeks,
6 provided we were allowed to, to, to have sufficient
7 authority to ask the licensee to operate a program as
8 it goes along.

9 For instance, if we identify a deficiency
10 in the geometry area, if the licensee cooperated and
11 reviewed the calculation, to check and make sure there's
12 no geometry problem, and I think within a short period
13 of time we can clean up the mess.

14 COMMISSIONER ASSELSTINE: Okay, good. Thank
15 you very much, Isa.

16 MR. YIN: You're welcome.
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CERTIFICATE OF PROCEEDINGS

This is to certify that the attached proceedings before
the NRC COMMISSION

In the matter of: Telephone conference between
Commissioner Asselstine and Mr. Yin

Date of Proceeding: July 25, 1984

Place of Proceeding: Washington, D.C.

were held as herein appears, and that this is the original
transcript for the file of the Commission.

Official Reporter - Typed

Official Reporter - Signature

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