



September 27, 1984

Mr. James L. Milhoan
Section Chief, Licensing Section
Quality Assurance Branch
Office of Inspections and Enforcement
Mail Stop EWS - 305A
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Dear Mr. Milhoan:

Re: Illinois Power Company
Clinton Power Station
Independent Design Review

By letter dated September 5, 1984, Mr. Samelson, Assistant Illinois Attorney General, submitted to the NRC Illinois' comments on the Independent Design Review (IDR) Program Plan for the Clinton Power Station (CPS) and, on the same day, transmitted those comments to our Illinois Power Company's (IPC) counsel with the suggestion that a response from IPC could be helpful. On September 12, 1984 Mr. Edwin Reis, Assistant Chief Hearing Counsel, responded to Mr. Samelson stating that Illinois' comments raise almost wholly technical matters and he had forwarded Illinois' comments to the Office of Nuclear Reactor Regulation.

The NRC and IPC essentially responded to Illinois' comments at the meeting held on August 31, 1984. The responses which follow are intended to confirm in writing IPC's position:

1. The IDR Program Plan states that the purpose of the IDR is to provide additional assurance that the design of the CPS meets licensing requirements (p. 1), and Task 2 specifically refers to "licensing commitments and safety-related design requirements" (p. 11). Identification of commitments in the FSAR is specifically mentioned in Task 1 (page 9) and elsewhere. These provisions, among others in the IDR, make clear that Bechtel will review the design of the CPS for compliance with the pertinent regulations and the FSAR. The review of the design process, including internal procedures, is described under Task 3 (pp. 14-18) and elsewhere. Thus, additional statements do not seem to be needed to assure that the reviewer will reach meaningful conclusions about these matters.

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2. IPC believes that the scope of the vertical review has been adequately described in the Program Plan and in Bechtel's response of August 17, 1984 to the NRC's Comment #1. Specifically:
 - a. The areas of design to be reviewed have been specifically described. The portions of the HVAC associated with the three systems in the vertical review are part of Bechtel's scope; we see no reason to add a separate, entire HVAC system to the IDR.
 - b. A list of the design subcontractors, with a brief summary of their work scope, is being provided to Bechtel. As mentioned on August 31, Bechtel will review the interface between Sargent & Lundy and any design subcontractors involved in the systems encompassed in the vertical review, and has the flexibility to review any design subcontractors it determines are important to the accomplishment of the objectives of the IDR. IP sees no reason to have the Program Plan dictate how Bechtel exercises this flexibility, particularly in view of the limited design work performed by subcontractors.
 - c. As mentioned by the NRC at the August 31, 1984 meeting, "Important-to-safety" is a generic problem and is not relevant to the proper scope of the IDR.
3. IPC does not see any reason to expand the data base for the horizontal review. Specifically:
 - a. The situation at Zimmer and Clinton are not comparable. At Zimmer, where all construction had stopped, the concern was with the quality of construction and the findings were directed at that question. The IDR here is concerned with design and as such the Zimmer findings simply are not pertinent.
 - b. Although we have not seen the EBASCO findings at Marble Hill, it is our understanding they were not prepared pursuant to a program plan reviewed and approved by the NRC nor one implemented under the surveillance of the NRC. The Clinton IDR is the subject of such NRC scrutiny. As a result, the two are not comparable and including the EBASCO findings in the review would not be fruitful.

- c. As we have previously explained, the results of the IPC reviews of the twenty topics referred to in Section III.D. (page 7) of Attachment 1 of IPC's letter to the NRC of May 31, 1984 are available to the NRC and to Bechtel. These items are not Clinton or S&L specific. To the extent that Bechtel deems it appropriate in the conduct of the IDR, it will review those topics and take IPC's results into account. IPC sees no reason why Bechtel should not be allowed to utilize its independent judgment in this regard.
4. No advantage has been shown, and none is apparent, from having the horizontal review and vertical review conducted by separate reviewers. In fact, IPC believes that such separate reviews would not only be inefficient but would result in an inferior product since the individual reviewers would not have the benefit of the comprehensive knowledge gained in a single overall review.
5. No problem has been detected, nor was any shown to exist, with the qualification and training of design personnel. Bechtel will, of course, exercise independent judgment in the course of its review to determine whether these subjects, and/or other subjects, should be investigated in light of any deficiencies found in the design or design process or of Bechtel's identification of root causes.
6. The appropriate scope of the field as-built review as part of an IDR has been defined in Task 2-E (page 13) and Bechtel's response of August 17, 1984 to the NRC's Comment #10. IPC sees no reason to add specificity to this description.
7. The present Protocol satisfies the NRC requirements for an IDR. To the extent that, as suggested by Illinois, "the IDR is to be used as a means for removing any issues from litigation in the hearing process," such possibility is being considered in the continuing discussions among the parties. Any agreements reached among the parties will be appropriately implemented; but the possibility of such agreements is not relevant to the proper content of the Protocol. As to Item number 8 of the Conference Notes of July 12, 1984, clarification was provided in the IPC letter to Bechtel of September 12, 1984.
8. The term "safety-significant condition" is defined in the Glossary (page ii) of the Program Plan and is approximately equivalent to a reportable item under the NRC regulations. As indicated in Table 2 (page 19), all valid Observations (whether or not "safety significant") are processed

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similarly, i.e., a report is issued for each individual Observation, a response is made, and the corrective action, if any, is reviewed. The principal impact of a classification as "safety-significant" is prompt notification to IPC and there is another tier of review within Bechtel (Level-2 Committee).

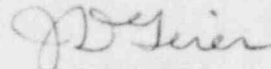
9. Illinois' suggestions of additional independent audits are not relevant to the review or implementation of the Clinton IDR.

We are pleased that Illinois found the meeting of August 31, 1984 to be informative and helpful.

Please let us know if we can be of further assistance in responding to Illinois' comments.

Sincerely yours,

ILLINOIS POWER COMPANY



J. D. Geier
Assistant to Vice President

dmf

cc: See attached distribution list.

Clinton Power Station
Independent Design Review
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