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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
 ) Docket Nos. 50-445 and  
TEXAS UTILITIES ELECTRIC ) 50-446 *loc*  
COMPANY, et al. )  
 ) (Application for  
(Comanche Peak Steam Electric ) Operating Licenses)  
Station, Units 1 and 2) )

APPLICANTS' RESPONSE TO THE NRC STAFF'S  
PROPOSED FINDINGS OF FACT ON WELDING ISSUES

I. INTRODUCTION

On September 7, 1984, Texas Utilities Electric Company, et al. ("Applicants") and the Nuclear Regulatory Commission ("NRC") Staff filed proposed finding of fact regarding welding issues raised by Citizens Association for Sound Energy ("CASE") in the captioned proceeding.<sup>1</sup> CASE filed proposed findings on these issues on September 9, 1984.<sup>2</sup> During the conference call of

<sup>1</sup> "Applicants' Proposed Findings of Fact In the Form of a Partial Initial Decision"(September 7, 1984)("Applicants Proposed Findings"); "NRC Staff Proposed Findings of Fact on Weld Fabrication"(September 7, 1984)("Staff Proposed Findings").

<sup>2</sup> "CASE's Proposed Findings of Fact on Welding Issues" (September 9, 1984)("CASE's Proposed Findings").

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September 5, 1984, the Atomic Safety and Licensing Board ("Licensing Board") stated that all parties could file responses by September 28, 1984 (Tr. 4,269).

While Applicants have not reviewed in detail the Staff Proposed Findings, from a cursory review Applicants concur in large measure with the Staff's efforts. However, Applicants' are concerned regarding the Staff's characterization that there may be five "possible" open items, viz., "(i) welders making subjective determinations as to whether the preheat requirement of Procedure 11032 has been satisfied, (ii) the significance of the alleged failure of welders at CPSES to use temperature indicating equipment to verify interpass temperatures; (iii) undocumented repair welds on . . . hangers in the north cable spread room discovered by the Staff; (iv) pipe support H-CC-1-SB-038-010-3, alleged by Mr. Stiner to contain a downhill weld; and (v) the alleged failure of QC to verify welder symbols on Class 5 hangers." Staff's Proposed Findings at 58. These issues are addressed below.

A. Interpass Temperature

In its proposed findings (at p. 26), the Staff states that Mr. and Mrs. Stiner made allegations in their prefiled testimony (at p. 11) regarding checking interpass temperature and preheat using temperature indicating crayons. Applicants note that this testimony was stricken at Tr. 9,960. However, the subject of interpass temperature as it applies to heat input regarding weave

welds was an issue in this case. (See e.g., Staff Proposed Finding at 23-30; Applicants Proposed Findings at 31-35.) Further, whether or not Mr. Stiner preheated welds was an issue in the case. (See e.g., Staff Proposed Findings at 30-32; Applicants' Proposed Findings at 72-77.)

With regard to the issue of use of temperature indicating crayons, although it was not admitted as an issue in this proceeding, the Board directed the Staff to look into the issue and make a report to the Board on whether an investigation was warranted. Tr. 9,959. However, the fact that the Board asked for a report from the Staff does not raise a concern to the level of an open issue subject to findings. Indeed, this is contrary to the Board's direction that when testimony is stricken "it is not a subject for findings." (Tr. 10,480.)

#### B. Preheat

In its proposed findings (at p. 30), the Staff states that the Board struck page 9 of CASE Exhibit 919 and directed the Staff to report to the Board regarding the issue of preheat. (The Staff, in any event, proposed findings regarding this issue (Staff Proposed Findings at 30-32).) Applicants note that when they first moved that this testimony be stricken (Tr. 9,947-8), the Board stated that either the issue would be addressed on the record or the Staff would be required to investigate the allegation and report to the Board (Tr. 9,949). In view of the options, Applicants chose to withdraw the motion to strike in

order to handle the issue in the proceeding (Tr. 9,949-50). In short, the testimony was not stricken and, apparently there was no need for the Staff to provide a report to the Board on this issue. Indeed, testimony was presented by all parties (see e.g., Staff's Proposed Findings at 30-32; Applicants' Proposed Findings at 72-77; CASE chose not to file proposed findings on this issue). Accordingly, Applicants question whether the Staff is correct in stating that the Board directed it to provide a report on this issue (see note 4, p. 32 of the Staff's Proposed Findings).<sup>3</sup>

#### C. Downhill Welding

In its proposed findings, the Staff states that there may possibly be an open item associated with this issue because the Staff had requested a report from Applicants on the structural adequacy of one hanger which Mr. Stiner alleged contained one downhill weld. Staff Proposed Findings at 37 and 58. Significantly, whether the support is structurally adequate does not even address the issue of whether a downhill weld was or was

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<sup>3</sup> In this regard, Applicants submit that contrary to the Staff's Proposed Findings, there is no allegation in the record made by either Mr. or Mrs. Stiner "that welders do not check to make certain that the temperature prior to welding is at least 60<sup>o</sup>F for materials less than 1 1/4" thick and 200<sup>o</sup>F for materials more that [sic] 1 1/4" in thickness." Staff Proposed Findings at 32. Perhaps the Staff was loosely referring to Mr. and Mrs. Stiner's testimony in this regard which was stricken (CASE Exhibit 919 at 11-12, stricken at Tr. 9,960).

not made. For the reasons set forth in Applicants' Proposed Findings at 42, Applicants maintain that this is not an "open item" subject to findings.

D. Weld Symbols on Class 5 Hangers

In its proposed findings, the Staff correctly notes that although the Board struck Mrs. Stiner's testimony regarding weld symbols on hangers which have been cut down, the Board directed the Staff to provide a report on the issue. Staff Proposed Findings at note 7, pp. 45-6. As with the issue of interpass temperature, Applicants note the Board's direction that issues stricken from the record are not subject to findings (Tr. 10,480).

E. Weld Repair of Misdrilled Holes

The Staff states that in view of its request to Applicants to provide information on three supports containing misdrilled holes, this issue may be a possible open item. Staff Proposed Findings at 57 and 58. As set forth in Applicants' Proposed Findings at 60-72 (particularly 72), Applicants disagree.

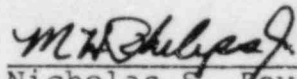
III. CONCLUSION

From the foregoing and Applicants Proposed Findings, Applicants maintain that the allegations raised by Mr. and Mrs. Stiner (i.e., weave welding, welding of misdrilled holes, downhill welding, weld rod control and preheat) are not reflective of



a significant or systematic breakdown in the QA/QC program. In addition, Applicants maintain that there is reasonable assurance that these allegations are not reflective of any condition that could adversely impact the safe operation of the plant.

Respectfully submitted,



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