



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

FEB 28 1985

MEMORANDUM FOR: Those on Attached List

FROM: William J. Dircks
 Executive Director for Operations

SUBJECT: PANEL TO PREPARE NRC STAFF POSITION ON COMANCHE PEAK
 HEARING CONTENTION NO. 5

On December 24, 1984, I established the subject panel and provided initial guidance regarding its charter. Since that time, the charter and the panel composition have been clarified to reflect a broader range of expertise and to accommodate agency priorities. This memorandum reflects the panel's charter and changes.

To properly assist the Director, Comanche Peak Project in evaluating Contention 5 and to assist him in the preparation of a comprehensive staff position on Contention 5, a panel composed of senior managers has been formed. The panel is composed of the following individuals:

Edward Jordan, IE (Chairperson)
 Richard Vollmer, IE
 Alan Herdt, R-II
 Robert Warnick, R-III
 James Sniezek, DEDROGR
 Ashok Thadani, NRR

This contention concerns the applicant's adherence to QA/QC requirements and is provided as Enclosure 1. The issue of construction QA/QC at Comanche Peak is multifaceted and is addressed, in part, by many records, documents and in testimony from various sources including the staff, applicant, intervenor, and allegers. The background of this contention and associated records span several years. Various NRC offices have been involved, including Region IV, OI, NRR, OELD and IE. Because of their involvement with Comanche Peak regulatory activities, I am appointing the following personnel as resource support to the panel in their areas of expertise:

Joe Scinto, OELD
 Vince Noonan, NRR
 Thomas Ippolito, AEOD
 James Gagliardo, IE
 Brooks Griffin, OI
 Dorwin Hunter, R-IV
 Chet Poslusny, NRR*
 Ted Sullivan, NRR*

*Administrative and technical support as requested by Panel Chairman

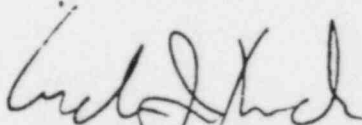
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These individuals may be asked to assist in this effort when issues involving their specific area of expertise are being considered, and I request your support in making them available on an "as-needed" basis.

The product of this effort will be the assistance to the Director, Comanche Peak Project, in preparing a position that integrates the staff findings and conclusions regarding this Contention. In addition this effort may require panel members, or the panel as a whole, to be prepared to testify concerning panel recommendations in support of the staff position on Contention 5 as identified by the Director, Comanche Peak Project. Enclosure 2 provides the charter for the panel.

The work schedule of the panel as developed by the Director, Comanche Peak Project, is to be consistent with the hearing schedule and shall be closely coordinated with ELD.

The panel will work under the direction of Vincent S. Noonan, Director, Comanche Peak Project, and should provide periodic status briefings to the Deputy Director, NRR.



William J. Dircks
Executive Director for Operations

Enclosures: As stated

cc: Panel Members
Panel Resource Personnel
T. Murley
J. Martin

ADDRESSEES FOR MEMORANDUM DATED FEB 28 1985

Victor Stello, Jr, DEDROGR
Harold R. Denton, NRR
James Taylor, IE
Guy H. Cunningham, III, ELD
Clemens J. Heltemes, AEOD
Nelson Grace, RII
James Keppler, RIII
Robert Martin, RIV
Ben Hayes, OI

ENCLOSURE 1

COMANCHE PEAK CONTENTION 5*

Contention 5. The Applicants' failure to adhere to the quality assurance/quality control provisions required by the construction permits for Comanche Peak, Units 1 and 2, and the requirements of Appendix B of 10 CFR Part 50, and the construction practices employed, specifically in regard to concrete work, mortar blocks, steel, fracture toughness testing, expansion joints, placement of the reactor vessel for Unit 2, welding, inspection and testing, materials used, craft labor qualifications and working conditions (as they may affect QA/QC) and training and organization of QA/QC personnel, have raised substantial questions as to the adequacy of the construction of the facility. As a result, the Commission cannot make the findings required by 10 CFR 50.57(a) necessary for issuance of an operating license for Comanche Peak.
(CFUR 4A-ACORN 14-CASE 19 JOINT Contention)

ENCLOSURE 2

COMANCHE PEAK CONTENTION 5 PANEL CHARTER

I. PURPOSE

The purpose of this panel is to assist the Director, Comanche Peak Project, to evaluate in an integrated manner the information developed by the staff which bears upon QA/QC and overall plant quality. The objectives are:

- A. To assist the Director, Comanche Peak Project to make the staff determination regarding the findings required by 10 CFR 50.57(a) as related to Contention 5.
- B. To provide an integrated review and feedback to the Director, Comanche Peak Project, on information bearing on Contention 5 along with the identification of problem areas and appropriate recommendations for NRC actions or proposed solutions.
- C. To be prepared to testify as needed individually or as a panel, concerning panel recommendations in support of the staff position on Contention 5 as identified by the Director.

II. MEMBERSHIP

Edward Jordan, IE (Chairperson)
Richard Vollmer, IE
Alan Herdt, R-II
Robert Warnick, R-III
James Sniezek, DEDROGR
Ashok Thadani, NRR

III. PANEL SCOPE

- A. Under the guidance of the Director, Comanche Peak Project the panel shall become familiar with and consider findings of past and current NRC staff activities and applicant actions in response to NRC findings as they relate to the matters addressed in Contention 5. Specifically, the panel shall consider the results of:
 - 1) Region IV inspections
 - 2) CAT inspections

- 3) OI investigations
- 4) Technical Review Team inspections
- 5) Enforcement actions
- 6) Special Review Team inspection
- 7) SALP reports
- 8) Staff analysis of CYGNA Report
- 9) Staff summary of the Hearing Record

Additionally, the panel may examine the result of other staff activities which may bear on their findings related to Contention 5 if directed to do so.

- B. The Director, Comanche Peak Project will arrange for staff members to brief the panel on findings related to Contention 5. The Director will also set up meetings with the intervenor and the applicant to discuss matters which they respectively believe are most significant as related to Contention 5. Any such meetings will be open to the public. The panel should properly characterize the collective concerns raised by the staff, intervenor and applicant and review/comment on the applicants plan to address these concerns. The panel should then advise the Director, Comanche Peak Project on its recommendations.
- C. During conduct of panel activities, the panel should advise the Director, Comanche Peak Project of areas where it appears additional NRC activity may be warranted in order to address the issues raised in Contention 5.

IV. PANEL OPERATING PROCEDURES

- A. Panel meetings will be held as established by the Chairperson. The Director, Comanche Peak Project will arrange all meetings with the applicant, intervenor or allegers. Meetings with NRC staff and staff consultants shall be considered predecisional.
- B. A quorum for conduct of panel business will consist of four members. In the temporary absence of the Chairperson, the Chairperson may designate an acting Chairperson.
- C. Briefings by the principal NRC reviewers in each of the areas identified in Section III.A will be obtained. Reviewers will summarize the scope of their reviews, deficiencies noted, root causes of such deficiencies and applicant corrective actions. Likewise, the reviewers are to discuss those areas where no deficiencies were found.
- D. The panel should analyze the information presented by NRC reviewers contained in source documents which the panel reviews, obtained by discussions with the applicant, intervenor and staff and observed during site reviews in arriving at its recommendations regarding Contention 5 and should continually provide feedback to the Director, Comanche Peak Project.

- E. The panel should keep apprised of the ongoing agency activities related to Contention 5 and promptly identify conflicts or problems to the Director, Comanche Peak Project.

V. RECORD AND REPORTING

- A. The panel will work under the direction of Vincent S. Noonan, Director of the Comanche Peak Project, and should provide periodic status briefings to the Deputy Director, NRR.
- B. The panel shall keep such records of activities to assist it in arriving at recommendations regarding Contention 5, as requested by the Director. Such records shall be considered predecisional until staff testimony regarding Contention 5 is provided to the Hearing Board.