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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
TEXAS UTILITIES ELECTRIC)	Docket Nos. 50-4450 ⁴ and
COMPANY, <u>et al.</u>)	50-4460 ^L
(Comanche Peak Steam Electric)	(Application for
Station, Units 1 and 2))	Operating Licenses)

APPLICANTS' RESPONSE TO
BOARD REQUEST FOR ADDITIONAL
INFORMATION REGARDING WEAVE WELDING

By Memorandum of October 11, 1984, the Atomic Safety and Licensing Board ("Board") Chairman documented a telephone conference call of the same date in which he inquired as to whether Applicants had responded to testimony of Mr. Stiner quoted in Citizens Association for Sound Energy's ("CASE") Proposed Findings of Fact on Welding Issues (September 9, 1984). Specifically, CASE quoted testimony of Mr. Stiner provided in September 1982 which reflected his belief that there should be QC inspection hold points (other than for final visual inspection)

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for repair of weave welds to assure such repair was performed correctly. CASE's Proposed Findings of Fact on Welding Issues at I-5 (September 9, 1984).

In that Applicants' attorney responsible for this issue was not in the office at the time of the conference call (no advanced notice was given), Applicants were unable to respond immediately to Judge Bloch's question.¹ The NRC Staff and CASE disagreed on the interpretation of Mr. Stiner's testimony. Judge Bloch "reserved a decision" on the point of disagreement and requested from Staff and Applicants the following information:

. . . information from Staff and Applicants concerning whether hold points are needed for cleanliness inspections or for surface indications of defects before proceeding to complete a weld repair by adding a cover pass. Judge Bloch stated that the Board members are not weld experts and were unsure why hold points were required for fit-up and cleanliness before a new weld is begun but a hold point for cleanliness appears not to be required before a cover pass is made on a repaired weld made over the remaining portion of a weld that was previously found to be defective.^[2] Given the need to repair a defect, an explanation should be provided on why VT and PT examination need not be conducted before the cover pass is made. Board Memorandum at 1-2.

¹ Applicants request that in the future when the Board Chairman initiates a conference call to obtain information, he inform all parties of the topics to be discussed in advance so that appropriate personnel can be present.

² Applicants note that a fit-up and/or cleanliness hold point is not required for all ASME or AWS welds. Such inspections are required only for certain classes and types of welds.

While Applicants answer the Board's question below, Applicants maintain that the requested information relates to an issue that was previously closed by the Licensing Board and that no technical or legal justification has been provided or exists for reopening. On these bases, Applicants object to the Board delving into this matter and ask the Board to reconsider addressing it further.

Issues related to welding (including those related to weave welding, downhill welding, weld rod control and repair of misdrilled holes) were initially litigated in September 1982. On July 29, 1983 the Board issued a Proposed Initial Decision addressing, inter alia, such issues. In the July 29 Decision, the Board ruled that in view of CASE's failure to file proposed findings, CASE was in default on such issues. However, the Board stated that "we also have examined each important allegation that is in default in order to determine whether to raise any of these defaulted issues by ourselves (sua sponte). See 10 C.F.R. § 2.760a. In a few instances, we require some additional evidence before determining whether or not to declare a sua sponte issue." (July 29 Proposed Initial Decision at 2.) In its September 23, 1983 Memorandum and Order the Board backed away from its ruling that it was necessary to look into the "open items" to determine if sua sponte action was warranted. Rather, the Board stated that "[s]ince the quality assurance contention still is pending, we need not decide whether our questions are 'important' safety issues -- as in the sua sponte section of the procedural rules --

but only whether we require answers in order to have a satisfactory understanding of the quality assurance contention." (September 23 Memorandum and Order at 2.)

With regard to the issue of weave welding, in its July 29 Decision (pp. 31-32) the Board noted that the only open item involved repair of weave welds. In response to Applicants' Objections to Proposed Initial Decision dated August 27, 1983, the Board sustained Applicants' objection to this open item and closed the issue. Memorandum and Order (Emergency Planning, Specific Quality Assurance Issues and Board Issues) dated September 23, 1983 at 24. Subsequently, in a February 10, 1984 Licensing Board Order, the Board opened the weave welding issue for the limited purpose of determining whether Mr. or Mrs. Stiner welded on materials requiring Charpy impact testing.

Subsequently, the Board held seven days of hearings on the four defaulted welding topics noted above (i.e., weave welding, downhill welding, weld rod control and repair of misdrilled holes). See Applicants' Proposed Findings of Fact at 2 (September 7, 1984). During the hearing the Board reaffirmed its earlier ruling concerning the limited scope of the open item regarding weave welding (Tr. 9947).

Against this background, Judge Bloch now requests additional information on repair of weave welds, a closed issue. (As previously noted, the only item open involved whether Mr. or Mrs. Stiner welded on Charpy impact materials.) Significantly, the testimony cited to support the request for more information was

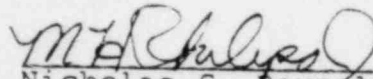
presented at hearings on the issue in 1982, well before the Board ruled that the issue was closed with regard to such considerations. No legal basis is presented as to why a defaulted issue which had previously been closed should be reopened.

With regard to the technical merits of the request, Mr. Stiner's testimony cited by Judge Bloch does not allege that Applicants do not comply with either QA procedures or code provisions. Indeed, on a tangentially-related issue the Board found Applicants' procedures regarding weave welding to be in compliance with the applicable codes. Memorandum and Order (Written Filing Decisions, #1: Some AWS/ASME Issues) at 11 (June 29, 1984). The testimony cited simply reflects Mr. Stiner's view that hold points should be required for repair of defective weave welds. However, Mr. Stiner is not an expert in metallurgy, welding codes or structural engineering, and by his own admission was a "green" nuclear welder when he first began welding at CPSES (Tr. 4212). (He welded at CPSES for less than one year. See Applicants' Proposed Findings of Fact at 3 (September 7, 1984).) Testimony by code experts does not reflect Mr. Stiner's concern (Tr. 10001-07, 12161).

In fact, contrary to the basis for Mr. Stiner's assertion and in response to Judge Bloch's inquiry, when a final weld is found to be defective due to excessive weave width, the repair documentation generated requires a hold point after excavation to

remove the defective weave weld prior to rewelding, and there is sworn testimony already in the record on this point (Tr. 10005, 10007).

Respectfully submitted,



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October 25, 1984

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicants' Response to Board Request for Additional Information Regarding Weave Welding" in the above-captioned matter were served upon the following persons by deposit in the United States mail, first class, postage prepaid, this 25th day of October, 1984.

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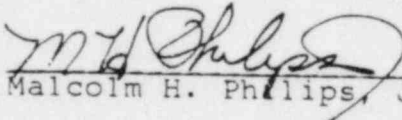
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