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UNITED STATES  
NUCLEAR REGULATORY COMMISSION

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UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

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DISCUSSION/POSSIBLE VOTE ON FULL  
POWER LICENSE FOR CATAWBA-1

- - -

PUBLIC MEETING

Room 1130  
1717 H Street, N.W.  
Washington, D.C.

Thursday, January 17, 1985

The Commission met, pursuant to notice, at 11:05 a.m.

COMMISSIONERS PRESENT:

- NUNZIO PALLADINO, Chairman of the Commission
- THOMAS ROBERTS, Commissioner
- JAMES ASSELSTINE, Commissioner
- FREDERICK BERNTHAL, Commissioner
- LANDO ZECH, Commissioner

STAFF AND PRESENTERS SEATED AT COMMISSION TABLE:

- S. CHILK
- G. JOHNSON
- F. MIRAGLIA
- E. CASE
- J. O'REILLY
- R. GUILD
- N. RUTHERFORD
- S. GRIFFITH
- W. OWEN
- H. TUCKER
- S. TRUBATCH
- M. MALSCH

AUDIENCE SPEAKERS:

- R. BERNARO
- D. VOLLMER

1 AUDIENCE SPEAKERS: (Continued)

- 2 P. SKINNER
- 3 J. OLSHINSKI
- 4 P. BEMIS
- 5 B. URYC
- 6 C. BERLINGER

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DISCLAIMER

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P R O C E E D I N G S

1  
2 CHAIRMAN PALLADINO: Good morning, ladies and  
3 gentlemen. Let me begin first by apologizing for the delay  
4 in the meeting, it was unavoidable. But I think we are now  
5 ready to start.

6 The purpose of today's meeting is to discuss and  
7 decide on whether or not a full power license shall be  
8 granted for the Catawba Nuclear Power Plant Unit 1. On  
9 July 18, 1984, the NRC issued a license for the Catawba  
10 Nuclear Plant Unit 1 authorizing fuel load and precriticality  
11 testing.

12 Subsequently, the NRC by letter dated November 6,  
13 1984 issued a new license for low power operation for power  
14 levels up to five percent of full power.

15 Staff has prepared a presentation and I understand  
16 that members of the NRC staff and representatives of Duke  
17 Power Company are available to answer any questions we might  
18 have. At the completion of the staff presentation and  
19 discussion, five minutes will be allowed to the Palmetto  
20 Alliance representative and five minutes for Duke Power  
21 Company representatives.

22 At the conclusion of the discussions, I will poll  
23 the other Commissioners on whether or not we should authorize  
24 the staff to issue a Catawba full power license. We had planned  
25 prior to vote a ten-minute recess, but in view of the delay I

1 will leave that up to the Commission at that time.

2 Do any Commissioners have other opening remarks.

3 COMMISSIONER ROBERTS: Do you have any idea how long  
4 this is going to last?

5 CHAIRMAN PALLADINO: Possibly two hours.

6 COMMISSIONER ROBERTS: Two hours?

7 CHAIRMAN PALLADINO: Possibly. We will see how brief  
8 it can be.

9 COMMISSIONER ROBERTS: I may leave.

10 CHAIRMAN PALLADINO: Well, I would hope you wouldn't.

11 COMMISSIONER ROBERTS: I have a long-standing previous  
12 commitment.

13 CHAIRMAN PALLADINO: Well, let's see how we go. Any  
14 other opening comments?

15 COMMISSIONER ASSELSTINE: No.

16 CHAIRMAN PALLADINO: Okay, then let me turn the  
17 meeting over to Mr. Case.

18 MR. CASE: Mr. Chairman, I'm sorry I missed your  
19 introduction but I am sure you indicated the staff is here  
20 today to make a recommendation and support that recommendation  
21 that the Commission authorize issuance of a full power license  
22 for Catawba Unit 1.

23 We have prepared a short briefing to that end. The  
24 principal speakers will be Frank Miraglia, the Deputy Director  
25 of the Division of Licensing, NRR, and Jim O'Reilly, the

1 Administrator of Region II and, I think, Frank will lead off  
2 the presentation.

3 MR. MIRAGLIA: Thank you, Mr. Case.

4 May I have the first slide, please?

5 We are here to discuss with you today a brief back-  
6 ground relative to the plant and the licensee; an overview of  
7 the safety review, the inspection program including shift  
8 staffing, and the overall conclusion of the staff.

9 May I have the next slide?

10 Duke Power Company is one of a number of multiple  
11 owners of the facility. It is the operator and the agent for  
12 the other owners.

13 . The Catawba Unit 1 design is a Westinghouse PWR, it  
14 is very similar in its principal design characteristics with  
15 the units of Maguire 1 and 2 which have been previously  
16 licensed. Yes, sir?

17 COMMISSIONER ROBERTS: May I interrupt. Can you  
18 give me what is the make-up of the North Carolina Electric  
19 Membership Corporation?

20 MR. MIRAGLIA: I can't answer that. It is something  
21 that we could provide to the Commission later. I don't believe  
22 we have anyone here.

23 COMMISSIONER ASSELSTINE: I am sure the licensee  
24 could do it later.

25 MR. CASE: I'm sure the licensee can provide it.

1 COMMISSIONER ROBERTS: I beg your pardon?

2 MR. CASE: I'm sure the licensee can add to the  
3 question.

4 CHAIRMAN PALLADINO: Do you want him to sit down?

5 COMMISSIONER ROBERTS: No, later.

6 CHAIRMAN PALLADINO: Why don't we ask the licensee  
7 to answer that when he comes up?

8 MR. MIRAGLIA: Yes. As I said, it is a very similar  
9 design to Maguire's Units 1 and 2 which have been previously  
10 licensed. It is an ice condenser containment and it has a  
11 safe shutdown facility which is similar to that in Maguire  
12 Units 1 and 2 which the staff has previously reviewed and  
13 analyzed.

14 COMMISSIONER ASSELSTINE: Frank, maybe you could just  
15 say a few words about the safe shutdown facility because when  
16 I visited the plant I found that to be a fairly interesting  
17 and unique feature of the plant. It looked to me like at  
18 least it was the beginnings of a step toward some additional  
19 decay heat removal capability in these types of plants.

20 COMMISSIONER ZECH: Yes, I agree. I had the  
21 same reaction and I think just a few minutes on that would be  
22 appropriate.

23 MR. MIRAGLIA: Okay. We have several staff members  
24 here that could amplify. It is a system that makes the  
25 facility independent of AC and DC power sources. Its primary

1 function is to achieve and maintain hot standby conditions.  
2 There is a unit, similar unit, at Maguire, Unit 1 and 2. It  
3 does provide some protection for fire and sabotage events  
4 nonconcurrent with design basis accidents.

5 It is not safety related in all respects, and it is  
6 not designed to the seismic criteria, and it is not necessarily  
7 designed to the single failure criterion.

8 We can have Mr. Bernaro and perhaps Mr. Vermiel of  
9 the staff amplify on those comments if the Commission would  
10 like to hear more about the safe shutdown facility.

11 COMMISSIONER ASSELSTINE: Maybe that would be helpful,  
12 and also if you could say a few words about how this feature  
13 has affected your reviews of other systems, for example, fire  
14 protection reviews. To what extent has that been part of  
15 your analysis and what has it enabled in times of those  
16 analyses?

17 MR. MIRAGLIA: I think Mr. Vermiel or Mr. Bernaro  
18 can address those issues, sir.

19 COMMISSIONER ASSELSTINE: Good.

20 MR. BERNARO: Bob Bernaro from the Division of  
21 Systems Integration in NRR.

22 The safe shutdown facility provides a fall-back  
23 position for transient events. That could be shutdowns caused  
24 by a fire or other events where you may not be able to handle  
25 the shutdown from the plant itself, you know, the conventional



1 equipment in the plant, either in the control room or in the  
2 shutdown stations outside the control room.

3 So, the safe shutdown facility provides that increment  
4 of protection by having independent AC and DC power and  
5 control switched over to it can handle the charging pumps  
6 to control primary system make-up, primary system inventory,  
7 and remove decay heat from the plant through the code safeties,  
8 the steam relief valves of the steam generators.

9 It can control the auxiliary feedwater system to make  
10 up to the secondary side and thereby stay in hot shutdown  
11 status for a relatively lengthy period of time.

12 It is an added protection. It doesn't add more than  
13 the ability to respond to transient events for a substantial  
14 period of hours. And then any further action to get to cold  
15 shutdown would require some sort of recovery action in the  
16 plant.

17 COMMISSIONER ASSELSTINE: Is this concept or perhaps  
18 even an expanded version of this concept something that the  
19 staff also is looking at under the unresolved safety issue  
20 on decay heat removal?

21 MR. BERNARO: Yes, it is. The staff has been looking  
22 for some time at a spectrum of systems ranging from this  
23 sort of system up to a full-blown dedicated system that could  
24 be Seismic Category I and respond to LOCAs as well as  
25 transients, and so forth.



1 COMMISSIONER ASSELSTINE: Okay, thank you.

2 COMMISSIONER BERNTHAL: As a matter of curiosity --  
3 it's been, I guess, eight months or so since I was down there  
4 and I don't recall exactly what led to this particular  
5 installation as a separate system.

6 I am curious as to what the institutional process  
7 was here. Was this a product of Duke Power's engineering  
8 staff? Is this an idea that was borrowed from Germany, or  
9 how exactly was that decision arrived at?

10 MR. CASE: I think it came about because of the  
11 fire protection where a system such as this is talked about  
12 as an alternative way of protecting against fires.

13 COMMISSIONER BERNTHAL: Maybe the licensee could  
14 better answer that.

15 MR. BERNARO: Yes, the licensee is better equipped  
16 to answer that because they have gone into Oconee and, you  
17 know, there are other stations with a similar idea.

18 COMMISSIONER ASSELSTINE: It grew out of the other  
19 stations, the Oconee problems first.

20 CHAIRMAN PALLADINO: Okay, thank you, Bob.

21 MR. MIRAGLIA: The Catawba Unit 1 had a full  
22 participant joint exercise of its emergency plans in February  
23 of 1984, and we have the appropriate letters and determination  
24 from FEMA, the last and final determination being in July of  
25 1984.

1           May I have the next slide, please?

2           I would like to point out two features in the  
3 safety review that received special attention, and one is the  
4 hydrogen mitigation system. It is a distributed hydrogen  
5 ignition system just like we have seen before in the Maguire  
6 units and also at the Sequoyah units.

7           It is a system that is manually activated from the  
8 control room. Certain confirmatory analyses and tests of the  
9 system are required and there is an appropriate condition in  
10 the Catawba Unit 1 license that requires submittal of this  
11 confirmatory information by April 1 of 1985.

12           With respect to technical specifications, the  
13 technical specifications were issued with the low power  
14 license and the previous fuel load license. It received  
15 internal reviews from the staff, receiving certification that  
16 the tech specs and the FSAR analyses were consistent. The  
17 Region performed special inspections, and you will hear more  
18 about those later, at the facility to determine the as-built  
19 compliance.

20           In addition, the utility has provided appropriate  
21 certifications.

22           One matter that I skipped here was the facility's  
23 on-site power supplies are TDI diesels. They are the V-16  
24 diesels similar to those at Grand Gulf. Catawba had extended  
25 tests of both of the divisions of their diesels exceeding

1 750 hours. Subsequent inspections of those machines. Subsequent  
2 to the extended run replacement of component parts that seemed  
3 to show wear in that period of time. They have complied  
4 with the staff FSER for determination of what is necessary  
5 to assure compliance with GDC-17 for the first cycle of  
6 operation, committed to an enhanced maintenance and surveillance  
7 program, and have committed to implementation of all the  
8 recommendations from the TDI Owners Group. That is also  
9 reflected in the Catawba Unit 1 license as a license condition.

10 The hearings have been completed and decisions have  
11 been made by the ASLB for low power and fuel testing and also  
12 for full power license issuance.

13 At this point, if there are no further questions,  
14 I would like to turn discussion over to Mr. O'Reilly where he  
15 will describe the regional activities with respect to Catawba  
16 Unit 1.

17 COMMISSIONER BERNTHAL: I am curious on one point  
18 which you may have rushed through while I was reading here.  
19 But exactly how many parts were finally replaced, then, on  
20 those TDI diesels? I know they were all over the floor, it  
21 was a fascinating experience to see a disassembled diesel of  
22 that size.

23 But how many pieces finally, after detailed  
24 inspection --

25 MR. MIRAGLIA: I think they may have replaced some

1 cylinder heads and things of that number. Perhaps Mr.  
2 Berlinger from the TDI Project Group can give us a more  
3 definitive answer as to the exact numbers and the components  
4 replaced.

5 COMMISSIONER BERNTHAL: Okay.

6 MR. BERLINGER: I am Carl Berlinger, NRR.

7 I can't give you an exact number of parts, but I  
8 think the parts that were changed out included piston skirts  
9 where they changed with the AE piston skirts; push rods;  
10 they changed a couple of rocker arm covers and changed some  
11 valves. Valve stems had showed flaking of the chrome.  
12 Other than that, the engines performed very well.

13 All the parts that were replaced were not necessarily  
14 failed as a result of the engine testing, as a matter of  
15 fact, they weren't failed. But there were some problems  
16 with the piston skirts, they were of a particular design which  
17 after these tests were decided to be changed out for the AE  
18 style of piston skirt which had been proven to be more  
19 reliable.

20 COMMISSIONER BERNTHAL: So, the general nature of  
21 the flaws, then, was in your judgment not failure threatening  
22 or were a number of them failure threatening; or was this  
23 a matter of seeing some things that nobody wanted to take  
24 changes on and replaced. So, how would you characterize it?

25 MR. BERLINGER: I would characterize them as not



1 being threatening in any way. From the standpoint of push  
2 rods, some of them had cracks in them. But even those  
3 similar -- push rods similar to the ones that were in Catawba,  
4 they had shown cracking but never any failure. It's very  
5 difficult for them to factually lead to an engine failure.

6 COMMISSIONER BERNTHAL: Okay.

7 CHAIRMAN PALLADINO: How many hours of testing were  
8 involved roughly?

9 MR. BERLINGER: One of the engines was tested for  
10 750 hours, the other one was tested for, I think, a little  
11 over 800 hours.

12 MR. O'REILLY: In excess of 800, that's correct.

13 MR. BERLINGER: Yes.

14 CHAIRMAN PALLADINO: Okay, thank you. Jim?

15 MR. O'REILLY: I'm pleased to be here today to  
16 summarize Region II's significant activities and findings  
17 that have led us to conclude that the Duke Power Company  
18 is both competent and qualified to safely operate Catawba  
19 Unit 1, and that Catawba Unit 1 has been built in accordance  
20 with their commitments to the NRC.

21 I have brought key Region II managers with me  
22 today with their experience and to directly address substantive  
23 matters related to their direct responsibilities.

24 Before we get into some of these specifics, I feel  
25 it's important that I provide a brief overview in order to put

1 the summary in, the necessary summary type of information my  
2 staff has provided in better perspective.

3           Region II has considerable knowledge on a nuclear  
4 and managerial competence of the Duke Power Company for in  
5 addition to Catawba, we have been deeply involved for many  
6 years in all the activities relating to construction and  
7 operation at five currently licensed nuclear power plants  
8 operated by Duke.

9           These plants are at two different sites, the Oconee  
10 site on Lake Wylie in South Carolina and the Maguire site  
11 on Lake Norman, North Carolina.

12           The knowledge gained from these experiences with  
13 five operation units has been invaluable to us in directing  
14 and focusing and sharpening our inspection focus at Catawba.

15           Now, at Catawba plant, as Frank said, almost identical  
16 to the two operating units of the Magure site, we have  
17 applied 25,000 direct inspection hours and many additional  
18 hours of non-direct inspection at the site. This major effort  
19 was performed by 80 different inspectors at initiation of  
20 construction at the Catawba site and all appropriate engineering  
21 and operational disciplines. For example, with no double  
22 counting, we have had 13 different inspectors looking at  
23 metallurgical issues; nine looking at operational matters;  
24 ten different inspectors looking at quality assurance; seven  
25 different inspectors on electrical activities; five different



1 inspectors on health-physics matters, plus nine different  
2 resident inspectors, some of which report in from other sites,  
3 for special purposes and special types of inspections.

4 This number does not include the supervisors or  
5 managers who have been directly involved in overseeing this  
6 program and their activities on the site.

7 In addition to the above, like in previous license  
8 cases, we did implement our normal policy upon the request  
9 in issue, problems or any concerns from any of the Region II  
10 inspectors discussed above relative to Catawba. We created  
11 a formal panel composed of senior management of each division  
12 as well as representatives from each of the technical areas.  
13 The panel reviews all outstanding issues prior to licensing  
14 of the facility to ensure their recommendation to licensing  
15 is representative of the Region as a whole.

16 The review included the status of the inspection  
17 program; inspector outstanding items list; the licensee's  
18 letter of completion; investigations and allegations; staff  
19 query responses; technical specification reviews and a  
20 systematic assessment of the licensee performance program.

21 I would like to say a few words about the staff  
22 query response. We do issue and did issue a formal notice to  
23 all regional personnel requesting concerns that may have not  
24 been, please to identify it or document it. We formally  
25 resolved and identified deficiencies by inspectors involved at

1 Catawba, and we do specifically respond to each concern.

2           The panel made a finding to me that Catawba 1 was  
3 ready to receive an operating license. We have no outstanding  
4 issues relative to Catawba.

5           Now, in that perspective, I have several of my key  
6 staff members and others here to respond to questions, and  
7 the first speaker today will be John Olshinski who is our  
8 new Division Director of our Reactor Project Division. He  
9 will be followed by Paul Bemis who is the new Director of  
10 Reactor Safety, and then our other division directors are  
11 here but I haven't scheduled them to talk. A few words will  
12 be said by Bruno Uryc who is the Allegation Tracking  
13 Coordinator for Region II. John?

14           CHAIRMAN PALLADINO: Are you going to discuss the  
15 SALP report?

16           MR. O'REILLY: Yes, sir.

17           MR. OLSHINKSI: I'll briefly discuss the inspection  
18 program at Catawba as well as the SALP and the operating  
19 experience. Next slide, please.

20           As Jim mentioned, the resources applied to the  
21 inspection program at Catawba have been extensive. We have  
22 involved a high percentage of Region II staff in these, and  
23 the inspection program as conducted by Region II at Catawba  
24 fully implemented the prescribed and exceeded the prescribed  
25 inspection program.

1           The construction inspection program included the  
2 monitoring of all construction disciplines, including quality  
3 assurance, to assure that the plant is built in accordance  
4 with the specifications.

5           This program was implemented by regional specialist  
6 inspectors as well as by the resident inspectors at Catawba.  
7 A construction senior resident was assigned to Catawba in  
8 February of 1980 and Duke stationed the Vice President of  
9 Construction at the site in May of 1982.

10           As far as the pre-operation inspection program,  
11 this inspection program commenced in 1983 and has included  
12 approximately 11,000 hours of inspection effort at Catawba,  
13 looking at systems testing and management control.

14           Like the construction inspection program, this effort  
15 is implemented by the specialist from the region as well as  
16 by the resident inspectors. A senior resident inspector of  
17 operations was assigned to the site in May of 1983.

18           The operational aspects of the plant, including pre-  
19 operation and start-up testing, procedural control, maintenance,  
20 periodic testing, training, security, radiation control,  
21 emergency preparedness and quality assurance have been reviewed  
22 and found satisfactory.

23           As I mentioned, our construction and pre-operational  
24 testing program has fully implemented the prescribed inspection  
25 program. Additionally, we have conducted a number of special

1 inspections at Catawba I'd like to mention briefly.

2 In 1981, a two-week inspection by a team of five  
3 inspectors was one of a series conducted to test the  
4 methodology which eventually resulted in the construction  
5 assessment team program. During that inspection, 120  
6 individuals were interviewed, including engineers, construction  
7 supervisors, foremen, craftsmen, technicians and office  
8 personnel at Catawba.

9 The inspection findings and conclusions resulted in  
10 a complete review by Duke Power Company, their handling of  
11 approximately 10,000 nonconforming item reports.

12 Subsequent to this special inspection and special  
13 NCI review by Duke, the NRC resident inspector received and  
14 reviewed all nonconforming item reports for approximately  
15 two years and has performed periodic reviews thereafter of  
16 these reports.

17 Prior to that time, in November of 1979, a special  
18 inspection was conducted by a team of four inspectors that  
19 interviewed 53 craftsmen to determine if they were aware of  
20 any nuclear safety-related problems that should be brought  
21 to the attention of NRC. No specific allegations were received  
22 from these interviews.

23 A self-initiated evaluation using methodology  
24 developed by the Institute of Nuclear Power Operations to  
25 evaluate the effectiveness of the QA program and design and



1 construction was conducted by Duke Power Company and  
2 Tennessee Valley Authority personnel in the fall of 1982.  
3 The NRC staff was kept fully informed of the findings and  
4 a Region II team performed a comprehensive review of those  
5 findings. A number of items for improvement were identified.  
6 No significant technical findings were identified and no  
7 items were identified which were reportable.

8 All corrective actions resulting from this evaluation  
9 have been completed and verified.

10 In addition to the normal regional review of the  
11 technical specifications, during March D 84, the proposed  
12 Catawba Unit 1 technical specifications were reviewed on site  
13 by an inspection team comprised of seven inspectors. The  
14 in-depth review included verification that the installed  
15 equipment matched the technical specifications. Although  
16 a number of comments were identified, the as-found system  
17 matched the technical specifications.

18 Subsequently, a revision to the draft technical  
19 specifications was reviewed in the regional office with  
20 additional comments forwarded to NRR and incorporated as  
21 appropriate.

22 CHAIRMAN PALLADINO: Did those specs match the  
23 systems the first time around --

24 MR. OSHINSKI: Yes, sir.

25 CHAIRMAN PALLADINO: -- or did you have to go through

1 them again?

2 MR. OLSHINSKI: That was our finding, no. We matched  
3 it the first time. There were a number of clarifications,  
4 things that needed to be done with them which was basically  
5 terminology in the technical specifications. But the tech  
6 specs did match the equipment.

7 COMMISSIONER ASSELSTINE: John, did you also check  
8 the tech specs against the FSAR?

9 MR. OLSHINSKI: Yes, sir. And I don't know if there  
10 were differences -- there were no differences identified there.

11 COMMISSIONER ASSELSTINE: And how about the third  
12 leg of the triangle, the as-built plant to the FSAR?

13 MR. OSHINSKI: The as-built to the FSAR. There  
14 were some differences noted there and those were identified  
15 and corrected.

16 COMMISSIONER ASSELSTINE: Okay. And you double-  
17 checked to make sure that that didn't hurt the tech specs.

18 MR. OLSHINSKI: Yes, sir. We had gone directly --  
19 what we started with was directly the equipment versus  
20 tech spec and then go back to the other.

21 COMMISSIONER ASSELSTINE: Okay. What kinds of  
22 differences, by the way, were there between the FSAR and  
23 the as-built plant, anything of real significance?

24 MR. SKINNER: Nothing of real significance, no.

25 MR. OSHINSKI: The senior resident of operations at



1 at Catawba, Pierce Skinner.

2 MR. SKINNER: The major significant differences they  
3 found was the number of detectors in certain systems. We  
4 had identified them as being two where there was actually  
5 one installed, and there were several minor valve identi-  
6 fications that were shown on the drawings that were not  
7 actually involved in the plant. But Duke had already dis-  
8 covered these and had design changes in to correct the  
9 deficiencies shown in the FSAR.

10 COMMISSIONER ASSELSTINE: Good. Thank you.

11 MR. OLSHINSKI: To sum up that issue, we do think  
12 the reviews were thorough and that results have been minimal  
13 needs to change the technical specifications since they have  
14 been issued.

15 An inspection was conducted during May of 1984 by  
16 a team of eight inspectors involved in the review of emergency  
17 abnormal operational maintenance and surveillance procedures,  
18 including the implementation of independent verification.

19 No violations were identified.

20 Following the inspection, Duke Power Company  
21 committed to complete additional training on emergency  
22 procedures and operating procedures and certain other actions.  
23 The issues associated with those procedure reviews have  
24 been and continue to be followed closely by the region.  
25 Corrective actions have been completed or are progressing

1 satisfactorily.

2           In addition, we conducted a training assessment  
3 during October of 1984 by a team of three inspectors, and  
4 this inspection identified several deficiencies in the area  
5 of operator training, walk throughs, training signatures  
6 and license preparation testing.

7           The licensee took corrective action.

8           In addition, the inspectors reviewed the Catawba  
9 requalification program and found it to be deficient in  
10 certain areas. These requalification concerns were forwarded  
11 to NRR who considered them in a review of the Catawba  
12 requalification program.

13           COMMISSIONER ASSELSTINE: Could you highlight some  
14 of the deficiencies in the requal program?

15           MR. OLSHINSKI: There was a grading criteria,  
16 accelerated -- I guess the procedures for accelerated  
17 requalification training when that was required; more  
18 specific criteria on removing operators from licensed duties,  
19 and requalification training scheduling issues, those types  
20 of things.

21           The inspectors also reviewed license applications  
22 for a second operator license group and found that errors  
23 which had been evident in the first operator license group  
24 applications had been eliminated and the applications were  
25 in order. The above concerns have been addressed and --

1 CHAIRMAN PALLADINO: What sort of errors?

2 MR. OLSHINSKI: There weren't differences between  
3 the commitments but there were differences between -- we  
4 found the training had been done as specified but the  
5 applications didn't very clearly identify exactly what that  
6 training was. Basically it's a match of the applications and  
7 the training listed on the applications versus the training  
8 records at the plant.

9 CHAIRMAN PALLADINO: I see.

10 MR. OLSHINSKI: Some of the dates may have been  
11 wrong for some of the training, and those types of things.

12 CHAIRMAN PALLADINO: Well, the errors weren't such  
13 that the people did not get their training.

14 MR. OLSHINSKI: No, sir, we did not find that to be  
15 a problem. The training was done as committed to. In some  
16 cases, we requested additional training because it would not  
17 have been -- I guess the training was not implemented in a  
18 manner we would have liked to have seen and Duke committed  
19 to do some additional training in those cases.

20 Appendix R, two team inspections were performed  
21 during April of 1984 consisting of two and four inspectors,  
22 and this performed a review prior to licensing. The imple-  
23 mentation of Appendix R requirements touches a safe shutdown  
24 facility issue because Appendix R does include provisions for  
25 dedicated shutdown capability outside the control room. No

1 violations were identified in this inspection. However, there  
2 were 13 unresolved items identified and these included items  
3 such as procedural concerns and the types of surveillances,  
4 and fire protection features for redundant shutdown system  
5 cables.

6 A re-inspection of the items occurred in November of  
7 1984 and we determined that corrective actions had been taken.

8 COMMISSIONER ASSELSTINE: Does that mean that all  
9 the open fire protection items are now closed down?

10 MR. OLSHINSKI: There is an issue that has been  
11 appealed. There was finally an inspection that was appealed  
12 by Duke to be considered in the backfit process, and that  
13 will be going on in the months to come.

14 COMMISSIONER ASSELSTINE: What's the nature of that  
15 issue?

16 MR. OLSHINSKI: The nature of that issue is the  
17 amount of fire protection associated with certain safety  
18 related cabling, separate from the safe shutdown facility.  
19 Their interpretation is one, and the inspection team  
20 interpretation was another matter. So, we'll take it through  
21 the appeal review process.

22 On NUREG-737, a special inspection was performed in  
23 March of 1984 to confirm the adequacy of implementation of  
24 NUREG-0737 items. Seven administrative and two hardware  
25 items were identified for follow-up and we were satisfactorily



1 closed in subsequent inspections.

2 As far as emergency preparedness is concerned, an  
3 appraisal was conducted in November of 1983 by a team of three  
4 inspectors, accompanied by three contract personnel. The  
5 appraisal identified ten deficiencies as well as numerous  
6 items for improvement and incomplete areas.

7 The licensee responses to the findings were timely  
8 and thorough. A full-scale exercise was conducted in  
9 February of 1984. Participants included local county  
10 officials, the licensee, the States of North Carolina and  
11 South Carolina, and the exercise was observed by an NRC  
12 evaluation team as well as FEMA. The exercise was successful.

13 Following the May 1984 hearing, the Licensing Board  
14 approved the emergency plan subject to certain license  
15 conditions. They involved improvement in the public information  
16 brochure and evacuation signs, and implementation of  
17 evacuation plans for a local amusement park.

18 The inspection program at Catawba has been extensive,  
19 as shown, and has included direct inspection and evaluation  
20 of the adequacy of construction and readiness for licensing,  
21 as well as including significant review and evaluation of  
22 the licensee corrective action programs.

23 COMMISSIONER ASSELSTINE: John, where do they stand  
24 on environmental qualification of electrical equipment?

25 MR. OLSHINSKI: That is scheduled -- let's see, I'm

1 going to have to turn to staff.

2 MR. MIRAGLIA: They have committed to comply with  
3 50.49 by March 31, 1985, and that's reflected in conditions  
4 of license.

5 COMMISSIONER ASSELSTINE: Do you have any sense for  
6 how complete they are now, how many open items there still  
7 are and the significance of them?

8 MR. MIRAGLIA: No, I can't give you a judgment on  
9 that. Perhaps Dick Vollmer -- we can provide that later for  
10 you, sir, if you would like.

11 COMMISSIONER ASSELSTINE: Okay.

12 MR. OLSHINSKI: Based on our inspection program, we  
13 conclude that Catawba has been built and operated to date  
14 in accordance with the application and recommend that a full  
15 power license be issued.

16 I would like, to obtain another perspective, I  
17 would like to summarize the last three SALP ratings that  
18 have been issued on Catawba.

19 As you know, SALP provides three rating categories,  
20 categories I, II and III. In a September 1980 to May 1982  
21 SALP, one area was evaluated as a Category I, and that was  
22 containment and other safety related structures.

23 Four other areas were rated as Category II. There  
24 were no Category III ratings on that SALP. A major strength  
25 was noted --



1           CHAIRMAN PALLADINO: Now, which SALP are you talking  
2 about?

3           MR. OLSHINSKI: This is 1980, September '80 to  
4 May 1982, okay, this is three SALPs ago.

5           A major strength noted in that SALP was in the  
6 considerable dedication at all levels towards producing  
7 quality work.

8           Two SALPs ago, and that was June '82 to April 1983,  
9 Category I ratings were provided for two areas, and that  
10 is piping systems and supports and quality assurance programs.

11          Category II ratings were provided for four other  
12 areas, and there were no Category III ratings assigned.  
13 Again, this was two SALPs ago.

14          CHAIRMAN PALLADINO: And that period again was?

15          MR. OLSHINSKI: That was from June of 1982 to  
16 March of 1983 -- excuse me, I said April earlier. So, that  
17 was two SALPs ago.

18          The last SALP was in May 1983 to February 1984, and  
19 in the construction area there was one Category I rating  
20 identified in that SALP and that was in the construction  
21 quality assurance program, and that was for the second straight  
22 SALP period that had been identified as a Category I.

23          There were six areas of Category II rating and no  
24 Category III ratings in the construction area. Since this  
25 was a traditional SALP between construction and operations and

1 pre-operations, ratings were also provided in the pre-  
2 operational testing area where two Category II ratings were  
3 assigned and two Category III ratings were assigned.

4 The two Category III ratings, one of them was in  
5 the operational QA program and the other one was in  
6 operator licensing.

7 In the operational QA program, the licensee had  
8 committed to have the operational QA program fully implemented  
9 90 days prior to the issuance of an operating license, which  
10 was scheduled at that time for May of 1984. Many aspects of  
11 the operational QA program are still under development at  
12 the end of the appraisal period for SALP, which was within the  
13 90 days of the scheduled license date.

14 Deficiencies identified in that program have since  
15 been corrected and the program has been implemented. In the  
16 area of --

17 COMMISSIONER ASSELSTINE: I take it from that that  
18 the III rating was basically that they hadn't completed what  
19 they had promised they would do.

20 MR. OLSHINSKI: They had not implemented the  
21 operational QA program, and my understanding is that that's  
22 an unusual commitment. Normally, the operational QA program  
23 is not required or committed to be in place until the operating  
24 license is issued.

25 COMMISSIONER ASSELSTINE: But I take it when it was

1 completed, it was done satisfactorily.

2 MR. OLSHINSKI: That's correct, yes, sir.

3 COMMISSIONER BERNTHAL: How often does Region II give  
4 two successive I ratings in construction QA?

5 MR. OLSHINSKI: That's a good -- I didn't check. I  
6 personally know of no other case.

7 MR. O'REILLY: I don't recall any other case.

8 COMMISSIONER BERNTHAL: What is it that's extra-  
9 ordinarily good about Duke's handling of that particular issue,  
10 in your judgment?

11 MR. OLSHINSKI: I think some of the things we have  
12 found -- and the resident inspectors may want to say something  
13 about this -- is they provided a lot of management oversight;  
14 they provided a lot of management attention down through the  
15 QC and QA area. Their evaluations have been in depth. They  
16 have a very significant engineering staff, so they are able  
17 to look at things in depth, and they -- you know, the QC program  
18 basically tries to identify, anything is identified and I  
19 think they devote a lot of management attention to the resolution  
20 of those items.

21 COMMISSIONER BERNTHAL: Is there anything special  
22 about the organization that attached to their QA or the number  
23 of people that were assigned to on-site inspections during  
24 QA?

25 MR. O'REILLY: I would like to respond to that. One of

1 Duke's strengths is that they are their own AE, of course --

2           COMMISSIONER ROBERTS: They are their own constructor.  
3 That's quite significant.

4           MR. O'REILLY: And they have, you know, a very short  
5 chain of command. That tied in with the very strong  
6 engineering staff and organization of Duke that they react  
7 very strongly once they recognize that a problem exists.  
8 And then they have the short chain of command -- being the AE  
9 should fix it.

10           COMMISSIONER BERNTHAL: I mean, obviously the people  
11 thing is always the most important. Good people make any  
12 good organization work, or any organization work, maybe, no  
13 matter how poorly designed the boxes might be on the chart.

14           But are you saying, then, that in your judgment  
15 it essentially is just a qualitative aspect of the management  
16 and the way they interact with QA and there is nothing  
17 unique about the structure of the organization, the way it  
18 was set up, the number of people that were involved during  
19 construction; that kind of thing is not unique in your  
20 judgment?

21           MR. O'REILLY: No.

22           CHAIRMAN PALLADINO: Commissioner Roberts, do you  
23 have more?

24           COMMISSIONER ROBERTS: No, I just wanted to point out  
25 they are their own engineering constructor.

1           COMMISSIONER BERNTHAL: I understand, yes, yes, which  
2 is unique to be sure. But I'm just trying to get a sense of  
3 whether there is anything special other than the fact that --  
4 the people that were involved.

5           MR. O'REILLY: They are experienced, too.

6           COMMISSIONER BERNTHAL: Experience, sure.

7           MR. OLSHINSKI: Very strong technically, and I  
8 think that's a big factor.

9           CHAIRMAN PALLADINO: But I do think it shows that  
10 close follow-up and management interest on the part of a  
11 utility does lead to better quality in construction.

12          MR. O'REILLY: Yes, sir. When they appreciate a  
13 problem exists, they are very reactive with a strong engineering  
14 staff.

15          CHAIRMAN PALLADINO: You want to continue, John?

16          MR. OLSHINSKI: The other Category III area that I  
17 want to mention was in the area of operator licensing, and  
18 that was a sign of the application problems that I had  
19 mentioned earlier, and those have been satisfactorily  
20 corrected and re-inspected in that particular area.

21          COMMISSIONER ASSELSTINE: John, were they rated on  
22 overall operations and on maintenance during the last SALP?

23          MR. OLSHINSKI: I believe we rated them on pre-  
24 operational start-up testing, not operations per se, and that  
25 was Category II.



1 COMMISSIONER ASSELSTINE: Okay, and maintenance?

2 MR. OLSHINSKI: The operator licensing we pulled out  
3 separately and made that -- maintenance, let me check if I  
4 got that. No, we didn't rate them separately in that SALP  
5 on maintenance.

6 COMMISSIONER ASSELSTINE: Okay.

7 MR. OLSHINSKI: The last thing I would like to  
8 mention briefly is the operating experience. Since the  
9 issuance of the July 18 fuel load license through January 1,  
10 1985, it included 27 reported events that had averaged five  
11 licensee event reports and two 50.72 reports a month. An  
12 analysis of those events over that period of time by NRR  
13 and by Region II indicates that the experience at Catawba  
14 has been similar to other recently licensed facilities and  
15 does not indicate the existence of a major safety problem.

16 There has been one issue identified since January 1  
17 in which the ice condenser doors were found by the licensee  
18 to be blocked closed when they should have been open. This  
19 matter is being considered by the Region for potential  
20 enforcement action, and a regional enforcement panel is  
21 scheduled to be held tomorrow on this issue from an enforcement  
22 standpoint.

23 CHAIRMAN PALLADINO: That sounds like such a major  
24 error, how did it come about? Has corrective action been  
25 taken?

1 MR. OLSHINSKI: The procedure called for the doors --  
2 you know, specific on the doors -- to be unblocked and that  
3 procedure had been checked off. My understanding is that  
4 there was actually a work order issued to that effect and it  
5 could have been a communications error and never got there.

6 It was found by, our understanding is, by a health-  
7 physics technician who was going in to do surveys. He  
8 noted that, brought it to attention which I think is a very  
9 positive point. Independent verification wasn't required  
10 for that particular action, and that's a matter that is  
11 being reviewed now.

12 CHAIRMAN PALLADINO: I'm not bothered by the fact  
13 that the health-physicist found it, but that the people who  
14 were supposed to find it didn't.

15 COMMISSIONER ASSELSTINE: I gather part of the  
16 problem was, it wasn't to be independently verified.

17 MR. OLSHINSKI: That, in our view, yes, that's  
18 part of it.

19 COMMISSIONER ASSELSTINE: And it should be.

20 MR. OLSHINSKI: And the other part was, the  
21 person that signed off as it having been done, I think it's  
22 our understanding that he checked the work order which had  
23 had it done when that work order had not been carried out --

24 CHAIRMAN PALLADINO: Is that now an item to be  
25 verified?

1 MR. OLSHINSKI: The corrective action has been  
2 agreed on, but we would feel independent verification is some-  
3 thing that should be done in a case like that.

4 MR. O'REILLY: We have pushed independent verification  
5 very aggressively. So, we look at this as, you know, sort  
6 of a repetitive type of failure. That's why we are looking  
7 at it rather aggressively.

8 MR. OLSHINSKI: As far as operating experience  
9 goes, we recognize of course that Catawba has only been  
10 operated critical since early January. The plant has operated  
11 primarily in Modes 3, 4 and 5 for the purpose of performing  
12 hot functional and precritical testing.

13 However, our observation of licensed personnel  
14 during the period since fuel load has been positive, without  
15 excessive errors, and the Catawba staff does appear to be  
16 a disciplined organization who has benefitted from these past  
17 six months of pre-operational testing experience.

18 COMMISSIONER ASSELSTINE: Have they gone critical yet?

19 MR. OLSHINSKI: Yes, sir.

20 I'd like to turn it over now to Paul Bemis who is  
21 the Director of the Division of Reactor Safety in Region II, and  
22 he will talk briefly about shift staffing.

23 COMMISSIONER ASSELSTINE: How about the loose screw  
24 problem, are you going to talk about that?

25 MR. OLSHINSKI: Yes, sir, we can talk about that. In

1 fact, I'd like Pierce Skinner to come up and talk about that  
2 because he has done all the details on it.

3 MR. SKINNER: The leach screw problem was identified  
4 by Westinghouse from a foreign plant, and this leach screw  
5 basically has the capability of becoming loose and coming  
6 out of its position and falling down into the mechanism and  
7 blocking the mechanism from functioning.

8 When Westinghouse informed Duke of this, Duke looked  
9 at the Unit 2 mechanisms which happen to be in the warehouse  
10 at Catawba and found several screws that would in fact back  
11 out. This is a manufacturing deficiency and was identified  
12 by Westinghouse.

13 As a result of this, Duke decided to bring Unit 2  
14 down from a Mode 3 condition, cool down, remove the head  
15 and check all these screws. And as a result of this, they  
16 found 14 mechanisms that had to be replaced.

17 COMMISSIONER ASSELSTINE: Thank you.

18 COMMISSIONER BERNTHAL: Let me just ask one more  
19 question on that. I'm not sure my understanding is correct  
20 here, but I guess my impression is that it was really a  
21 manufacturing defect rather than a design defect that led to  
22 this problem. Nevertheless, design defects often had to  
23 manufacturing defects if there is marginal design for one  
24 reason or another.

25 What has been done to correct the problem -- or

1 correct me if my understanding of how the problem originated  
2 is not correct.

3 MR. SKINNER: Well, the problem primarily stemme  
4 from the fact that when this little screw is inserted, there  
5 is a small hole drilled next to the thread section and this  
6 is what is very close tolerance, and if this small hole is  
7 drilled off and misses its tolerance, it will not prevent the  
8 screw from backing out.

9 COMMISSIONER BERNTHAL: I think you just told me  
10 it was in fact a manufacturing defect.

11 MR. SKINNER: That's correct.

12 COMMISSIONER BERNTHAL: But you also have said that  
13 it sounds like the design left something to be desired. What  
14 has been done now to, if anything, to correct the design or  
15 are we going to just go ahead trying to manufacture them  
16 better?

17 MR. SKINNER: I don't know what Westinghouse are  
18 doing on the design.

19 MR. OLSHINSKI: Let me just mention one thing. This  
20 particular screw arrangement is unique to just a few plants.  
21 That is being checked on all the plants and right now they  
22 have been able to replace the mechanisms with ones that  
23 have been manufactured correctly.

24 If they are getting to the point of meeting one  
25 that needs to be revised, I'm not so sure what Westinghouse



1 has settled on. It could be drilling another hole for the  
2 pin. All the pin does is really basically just stress  
3 the screw so it can't back out. That could be the case.

4 COMMISSIONER BERNTHAL: That's enough said. Thanks.

5 MR. BEMIS: Can I have Slide 6, please?

6 Good morning, gentlemen. I am going to talk about  
7 shift staffing at Catawba. Catawba is presently on a four-  
8 shift 12-hour rotation and will remain there until near  
9 the end of the start-up program.

10 Duke has operated on a 12-hour shift for about  
11 two years and has had favorable results. Observations by  
12 NRC inspectors have not noted any detrimental effects from  
13 a 12-hour shift at Catawba -- either at Catawba, Oconee or  
14 Maguire.

15 In order to maintain maximum experience on each  
16 shift through the start-up program. Duke has requested that  
17 the implementation of their five-shift 12-hour rotation be  
18 postponed until approximately April of '85.

19 As you can see from the right-hand column of the  
20 slide, licensed personnel had considerable nuclear experience,  
21 yet the hot operating experience at greater than 20 percent  
22 power is typically three or four months.

23 Duke has provided shift advisers who are former  
24 and present SRO licensed individuals at Maguire and Oconee,  
25 and they will remain on the shifts until hot operating

1 experience is gained.

2 We have a license condition that will require this,  
3 and as part of that there is a 30-day notice that Duke must  
4 give to us prior to removing these shift advisers off the  
5 shift.

6 The shift advisers have been trained at Catawba --

7 CHAIRMAN PALLADINO: What was that again, they  
8 provide 30 days notice to take off the shift advisers?

9 MR. BEMIS: To the Commission before they remove  
10 shift advisers, yes.

11 CHAIRMAN PALLADINO: Remove them?

12 MR. BEMIS: Remove them from the shifts, that's  
13 correct.

14 COMMISSIONER ASSELSTINE: Once their normal  
15 operators have gotten sufficient hot experience.

16 MR. BEMIS: That's the idea, correct.

17 The shift advisers have been trained on the Catawba  
18 systems and procedures and they do exceed industry standards  
19 for this position as determined by the Industry Proposal  
20 Group and verification by NRC inspection.

21 The shift advisers are not shown on the slide since  
22 they are not licensed at Catawba. I would like to go over  
23 to the shift complement that you will be seeing at Catawba.  
24 They will have one shift supervisor who is an SRO; one unit  
25 supervisor who is also an SRO; three nuclear operators who

1 hold RO licenses; one shift technical adviser who will also  
2 hold an SRO, and these shift technical advisers are all  
3 engineers except for one individual who also holds a scientific  
4 technical degree, I believe it's chemist.

5           With the complement of licensed and former licensed  
6 experience, the staff experience guidelines are exceeded  
7 and we are using ANS 3.1981 to make that determination.

8           If we are going to power plant and educational  
9 experience of Catawba management, the experience and back-  
10 ground of key plant management meets or exceeds that stated  
11 in the Catawba final safety analysis report. Most of the  
12 senior management at Catawba has been with Catawba since  
13 the beginning of construction and gone throughout construction.

14           The plant manager at Catawba was the assistant plant  
15 manager at Oconee and he held an SRO license at Oconee. The  
16 operations superintendent was also an SRO at Oconee and he  
17 went through SRO training at Maguire. So, he is familiar  
18 with the complement system.

19           Regarding the competence of plant management to  
20 successfully sustain safe nuclear power operation, it is  
21 realized that Duke Power has sustained operation of the Oconee  
22 and Maguire Stations for a number of years. Through this  
23 operation, they have built up a competent corporate technical  
24 and maintenance support organization that has been, is, and  
25 will continue to be beneficial to the utility.

1           Although critical operational history for Catawba  
2 is not available at present, or not considerable in any  
3 case, latest pre-license SALP data indicates that overall  
4 plant performance has been in the area of II.

5           COMMISSIONER ASSELSTINE: Paul, you mentioned that  
6 you didn't see any detrimental effects from the 12-hour  
7 shift arrangement.

8           MR. BEMIS: Yes.

9           COMMISSIONER ASSELSTINE: Let me turn it around and  
10 ask you if you have seen any positive benefits.--

11          MR. BEMIS: I can tell you --

12          COMMISSIONER ASSELSTINE: -- particularly in terms  
13 of morale and those kinds of things.

14          MR. BEMIS: The maintenance crew likes the idea  
15 so much that is being applied to the operations crew that  
16 they are pushing now to try and get on that themselves. The  
17 benefit to this is, once you go into this, and it's full  
18 implementation, it's my understanding you really don't  
19 operate more than about three days in a row with days off.  
20 And it's something like once a quarter or so, you get  
21 something in the area of eight to ten days straight off. So,  
22 they really like that idea.

23          COMMISSIONER ASSELSTINE: Okay. Yes, I gather there  
24 is a good deal of industry interest in this approach and how  
25 it is working.

1 MR. BEMIS: Yes. It hasn't really been implemented  
2 in this country before. I think Canada is the first place  
3 that they implemented it.

4 CHAIRMAN PALLADINO: Do you see any benefits, aside  
5 from the time off, to this? One of the points I think that  
6 was made to me was that having longer shifts, they don't  
7 have to have as many communications as they change shifts.

8 MR. BEMIS: Turnovers, that's correct, yes.

9 CHAIRMAN PALLADINO: Are there any other advantages?

10 MR. BEMIS: We are watching it. Those are the  
11 major advantages. I think it makes a big difference if the  
12 morale is up on the operating crews.

13 COMMISSIONER BERNTHAL: And it certainly is  
14 important, I think, to have as few interfaces as possible  
15 between crews as you can, and the number of turnovers is  
16 just naturally minimized. Problems get communicated better,  
17 presumably..

18 I was under the impression that at some point the  
19 licensee was going to six shifts, however, or am I mistaken?  
20 Was it always going to be five, or are you planning to --

21 MR. BEMIS: From my discussions they are not  
22 immediately looking at six shifts.

23 COMMISSIONER BERNTHAL: I see.

24 MR. BEMIS: The five twelve-shift rotation gives  
25 you essentially exactly the same thing as the six eights does.



1           COMMISSIONER BERNTHAL: I am sure that I asked this  
2 question months ago, but let me ask it again. I'm still  
3 curious how it happened -- and remind me again that Duke who  
4 is one of the most experienced, certainly and I suppose one  
5 might say most reputable nuclear power operation -- has  
6 managed to get caught short in the area of qualified people  
7 that they were able to bring to bear easily to meet the  
8 industry standard and themselves had to resort to the shift  
9 technical advisers.

10           Was that partly by intent because they knew they  
11 had qualified technical advisers within their own organization,  
12 or is it just that this crept up on them, or how did that  
13 happen?

14           MR. BEMIS: Not shift technical advisers, shift  
15 advisers.

16           COMMISSIONER BERNTHAL: Shift advisers, I'm sorry.

17           MR. BEMIS: It's my understanding that it was  
18 primarily decided that since they did have a large group  
19 to draw from at their other two facilities, that rather than  
20 go out and either hire the people in, if you will, earlier,  
21 that they could take advantage of the hot experience that  
22 they had with people at the other sites.

23           COMMISSIONER BERNTHAL: I see.

24           COMMISSIONER ASSELSTINE: Wasn't also part of it  
25 avoiding having to shift people around, too, rather than

1 taking the people who were licensed operators at Oconee and  
2 Magure and transferring them over --

3 MR. BEMIS: Yes.

4 COMMISSIONER ASSELSTINE: -- to deal with it on  
5 the shift adviser basis and leave the crews pretty much intact.

6 COMMISSIONER BERNTHAL: So, this wasn't an entirely  
7 unplanned happenstance, then.

8 MR. BEMIS: That was my understanding.

9 CHAIRMAN PALLADINO: You might want to raise that  
10 question with the licensee.

11 COMMISSIONER BERNTHAL: Thank you.

12 MR. VOLLMER: Dick Vollmer, Division of Engineering  
13 to answer the environmental qualification question.

14 Based on the review of the licensee's information  
15 and the details out of the plant, there were three equipment  
16 types that did not get full qualification by the staff. This  
17 is detailed in Supplement 3 to the SER.

18 One is an electrical termination panel which the  
19 licensee says he will relocate into an area which will not  
20 have the environment that it couldn't be qualified to. And  
21 there were some electrical penetrations and some selenoid  
22 valve operators which could not -- qualification could not be  
23 demonstrated to last the time we require in a harsh environment,  
24 although other qualification requirements could be met.

25 We have received justifications for interim

1 operation on those items, in other words, the licensee has  
2 shown that safe shutdown could be achieved even if these  
3 particular items failed.

4 He has also committed to achieve full qualification  
5 by March 31st of '85.

6 COMMISSIONER ASSELSTINE: And I take it you have  
7 reviewed the JCOs and are satisfied?

8 MR. VOLLMER: We have reviewed the JCOs and are  
9 satisfied on those. So, we think they are in really good  
10 shape as a generic plan in this area.

11 COMMISSIONER ASSELSTINE: Good. Thank you.

12 MR. BEMIS: Our next speaker is going to be Bruno  
13 Uryc on allegations.

14 MR. URYC: Good morning. My name is Bruno Uryc  
15 and I am the Allegation Investigation Coordinator in Region II.

16 During the period 1977 to the present time, Region II  
17 opened 29 allegation case files regarding the Catawba Nuclear  
18 Plant. These 29 case files contained 82 separate allegations  
19 ranging from the alleged improper use of weed killer in  
20 the pipe lay-down yard to the alleged harassment and intimidation  
21 of quality control inspectors.

22 Sixteen percent of the total allegations were  
23 received during the period 1977 through 1982. The remaining  
24 84 percent were received during the latter part of 1983 and '84.

25 Four former employees from the Catawba Nuclear Plant

1 accounted for 49 percent of the total allegations.

2           The Catawba Nuclear Plant was subjected to intensive  
3 regional and headquarters investigative resources and under-  
4 went a lengthy ASLB hearing. NRC resources that examined  
5 some of the issues not only included the Region II staff  
6 but investigations were also conducted by the Office of  
7 Investigations and the Office of the Inspector and Auditor.

8           In addition, investigative actions by the licensee  
9 represented a significant licensee commitment which was  
10 closely monitored by the Region II staff. Allegations were  
11 also closely coordinated on a routine basis with the Region II  
12 Office of Investigations.

13           Region II has expended a tremendous amount of  
14 inspection effort at the Catawba Nuclear Plant and, as  
15 mentioned earlier, some of this effort was in the form of  
16 special inspections which were specifically directed at  
17 examining workers' concerns.

18           In reviewing allegations for the Catawba Nuclear  
19 Plant, the vast majority were related to construction  
20 activities, and the major portion of the allegations were  
21 raised by concerned workers. Some of the later allegations  
22 were brought forward during special in-camera sessions  
23 conducted by the Atomic Safety and Licensing Board and were  
24 subsequently followed up by the Region II staff and the  
25 licensee.

1           It is noteworthy that during this hearing the  
2 ASLB advertised both on and off the site that they were  
3 interested in listening to concerns or to any concerned  
4 employee who wanted to bring forth concerns regarding the  
5 construction of the plant. Four individuals eventually came  
6 forward to present testimony at the ASLB.

7           In following up on the allegations from the ASLB,  
8 the Region II staff conducted over 80 personal interviews  
9 in addition to numerous technical evaluations. The Region  
10 placed a high priority on resolving concerns and in one  
11 particular case expended over 500 man-hours on examining  
12 concerns expressed by former workers.

13           At the present time, there are no allegations open  
14 for the site. Thank you.

15           MR. O'REILLY: In summary, we have a long and  
16 favorable history of interfacing with the Duke Power  
17 Company. We looked at Catawba over a very long period of  
18 time in detail with many different inspectors with excellent  
19 technical credentials and regulatory attitudes. We have no  
20 outstanding issues that are unresolved or not incorporated  
21 in a proposed full power license.

22           Accordingly, we have recommended to NRR our support  
23 for a full power license, noting of course that we will  
24 continue to implement the prescribed program during the  
25 power ascension testing phase and routine operation.



1 We do intend to perform a special operational  
2 performance evaluation inspection before Duke Power Company  
3 exceeds 50 percent power.

4 COMMISSIONER ASSELSTINE: Is that a routine thing,  
5 Jim, or something special?

6 MR. O'REILLY: Well, we started before but we put  
7 a lot of attention to the 50 percent power inspection at  
8 Grand Gulf.

9 COMMISSIONER ASSELSTINE: Okay.

10 MR. O'REILLY: And we found that to be very informative  
11 and revealing, and it was also very good with regard to the  
12 training of our own staff, and we intend to pursue it with  
13 Catawba and perhaps in the future.

14 COMMISSIONER ASSELSTINE: Okay.

15 CHAIRMAN PALLADINO: All right, thank you.

16 MR. MIRAGLIA: I would like to discuss one more or  
17 two more matters, Mr. Chairman.

18 The initial draft full power license was sent to  
19 the Commission on December 4 of 1984. We subsequently issued  
20 a low power license on December 20, and that package was  
21 provided you on December 24th.

22 There have been some minor changes in those license  
23 conditions and I wanted to call them to the Commission's  
24 attention. The changes are the result of continuing dialog  
25 with the utility and review of information that he had provided.

1           There had been deletion of two license conditions.  
2 License Condition 2-C-20 which was in the draft license  
3 provided to you dealt with the internal corrosion protection  
4 on fuel oil storage tanks. The utility has provided additional  
5 information to the staff. We have reviewed that information  
6 and an additional technical specification has been added to  
7 the license which would require inspection. The staff has  
8 found this to appropriately resolve our concerns and therefore  
9 the condition of the license has been removed.

10           CHAIRMAN PALLADINO: Is this a plant that had a leak  
11 in the spent fuel pool, or am I thinking of something else?

12           MR. MIRAGLIA: A suspected leak, yes.

13           MR. O'REILLY: We are not even sure there is a leak,  
14 that is the type of level we are talking about.

15           MR. MIRAGLIA: This is a fuel oil storage tank,  
16 this particular license condition I was discussing.

17           The second matter is License Condition 2-C-25 which  
18 was a license condition that was placed in the license as  
19 reflected in the ASLB initial decision, and it had to do with  
20 the promulgation of a harassment policy by Duke Power Company.  
21 There was a date that that had to be completed on or before,  
22 December 22, 1984. Duke Power Company has issued that policy.  
23 The Region has followed up to assure that the policy has  
24 been promulgated. There is an inspection report closing that  
25 matter out, and therefore that condition of the license has

1 been completed.

2 CHAIRMAN PALLADINO: I hope it's a "non-harassment"  
3 policy.

4 (Laughter)

5 CHAIRMAN PALLADINO: Excuse me.

6 COMMISSIONER ASSELSTINE: I take it that not only  
7 has the policy been developed, but the staff has reviewed it  
8 and are satisfied with it.

9 MR. MIRAGLIA: Yes, sir. And there is an inspection  
10 report that documents the staff's review of that.

11 There are two other minor changes in dates, two  
12 conditions, which are again the result of review of additional  
13 information provided by Duke since we sent the package down,  
14 License Condition 2-C-6 which dealt with the in-service  
15 inspection program. Duke has provided additional information  
16 on the in-service inspection program. The staff has reviewed  
17 that information and there is a subsequent submittal that was  
18 due on the 31st of May for the balance of the in-service  
19 inspection program.

20 So, that condition has been updated to reflect the on-  
21 going review. The previous condition was by January 18th  
22 submit something to the staff for its review. They have  
23 submitted that and that review has been completed and there  
24 is an additional piece to be provided on May 31st now. So, the  
25 license condition has been modified to reflect that.

1           And there has been an additional change having to  
2 do with the commitments made with respect to Generic Letter  
3 8328, which was some of the Salem ATWS event follow-up.  
4 That was License Condition 2-C-22, and there has been a date  
5 change in that condition.

6           COMMISSIONER ASSELSTINE: How much of a date change on  
7 that one?

8           MR. MIRAGLIA: The condition refers to meeting  
9 commitments in a number of letters, and it puts in the  
10 most recent letter that we received, it's a December 31st  
11 letter from the utility.

12           COMMISSIONER ASSELSTINE: Oh, okay, fine.

13           MR. MIRAGLIA: So, it's again a codification of the  
14 review process as it exists today.

15           COMMISSIONER ASSELSTINE: Okay.

16           MR. MIRAGLIA: Another matter that the Commission  
17 should be aware of, there is one outstanding 2.206 Petition  
18 that the staff has yet to act upon. It's a matter that the  
19 staff is fully aware of and has evaluated, and does not see  
20 that to be a bar to the particular recommendation that the  
21 staff is going to make here today.

22           We thought we would call that to the Commission's  
23 attention.

24           In conclusion, the staff concludes that the licensee  
25 has satisfied all the requirements for the issuance of a



1 full power license and the staff recommends that the  
2 Commission authorize the staff to issue a full power license  
3 for Catawba Unit 1.

4 CHAIRMAN PALLADINO: Thank you. Any other points?  
5 I open it to Commissioner questions. Tom, do you have any  
6 questions, Jim?

7 COMMISSIONER ASSELSTINE: No.

8 COMMISSIONER ZECH: I have one question. I think  
9 you referred, Mr. Chairman, to the leakage -- as I understand  
10 it, it was in the auxiliary building and perhaps from the spent  
11 fuel pool. Could you elaborate on that?

12 MR. O'REILLY: Yes. Our senior operational inspector  
13 will give you either a ten-sentence response or one-hour  
14 response. Pierce?

15 CHAIRMAN PALLADINO: Try the ten-sentence or less.

16 (Laughter)

17 COMMISSIONER ZECH: Short and concise, and to the  
18 point.

19 MR. SKINNER: The first time that they filled the  
20 pool up, they noted they had a slight amount of leakage in  
21 one of the lower-level rooms in the auxiliary building. They  
22 cannot determine exactly where the leakage was coming from.  
23 They measured the leakage rate and the rate started off at  
24 750 milli-liters per hour and gradually, in four days,  
25 decreased to zero.



1           As a result of this, they felt that they may have  
2 a leak in the fuel pool. They pumped the water out of the  
3 fuel pool, pulled all of the storage racks out of the way  
4 and went down and did a full-scale investigation of every  
5 well and every possible potential leakage path that they could  
6 find.

7           And as a result of this, they found no leakage  
8 path at all that has been identified.

9           COMMISSIONER ZECH: Well, has the leak been stopped?

10          MR. SKINNER: They are in the process now of getting  
11 prepared to refill the pool back up to try to determine  
12 whether or not that the leakage originally occurred as a  
13 result of having some water trapped between the concrete  
14 and the pool liner, and as they filled the pool up, the liner  
15 expanded slightly and squeezed this water out.

16          CHAIRMAN PALLADINO: Has the water been appearing  
17 in the auxiliary building still?

18          MR. SKINNER: Well, the pool has been empty now for  
19 the past four months.

20          CHAIRMAN PALLADINO: But has that stopped the flow  
21 of water in the auxiliary building?

22          MR. SKINNER: It had already stopped before they even  
23 pumped the pool down.

24          COMMISSIONER ZECH: So, are we to conclude that you  
25 are still investigating?

1 MR. SKINNER: The conclusion is, they have not  
2 determined fully yet that they do in fact have a leak in  
3 the pool, and the investigation is still being pursued.

4 COMMISSIONER ZECH: I see. Thank you.

5 CHAIRMAN PALLADINO: Do you have any questions,  
6 Fred?

7 COMMISSIONER BERNTHAL: No. Are we going to hear  
8 from the licensee?

9 CHAIRMAN PALLADINO: Yes. If there are no further  
10 comments by the Commission, we had next planned to have  
11 a representative of Palmetto Alliance speak for five minutes.  
12 That representative, Mr. Robert Guild, is he here, please?

13 MR. GUILD: Yes.

14 CHAIRMAN PALLADINO: I wonder if you would join us  
15 at the table, and Secy will time us.

16 MR. GUILD: My name is Robert Guild of Charleston,  
17 South Carolina. I am appearing on behalf of the Palmetto  
18 Alliance of South Carolina and the Carolina Environmental  
19 Study Group of North Carolina, asking the Commission to  
20 exercise authority under Section 2764(f) of the Rules of  
21 Practice to stay the effectiveness of the Licensing Board  
22 decisions in the Catawba proceeding pending administrative  
23 and judicial review of those decisions.

24 The rosy picture of Catawba painted to you by your  
25 staff and likely by the applicant simply is belied by the

1 record before the Licensing Boards with which I am familiar.

2 I want to strike a couple of general themes in the  
3 short period of time that I have before you gentlemen. The  
4 first is that the Catawba record in the licensing proceeding  
5 reflects a serious erosion of the fundamental principles  
6 behind your quality assurance requirement, those principles  
7 particularly related to the effective independence of  
8 quality assurance from cost and schedule pressures such that  
9 we have confidence that the quality assurance organization  
10 effectively identified and sees that deficiencies important  
11 to safety are corrected.

12 Secondly, the second theme I want to strike today  
13 is that the record in Catawba in my judgment reflects an  
14 impermissible erosion of the Commission's adjudicatory  
15 processes which in my opinion are designed and should be  
16 supported to effectively resolve and correct safety problems  
17 that relate to the construction and operation of nuclear  
18 power plants.

19 The two themes are interrelated because, of course,  
20 the quality assurance failures at Catawba were the central  
21 focus of the adjudicatory proceedings, and the focus which  
22 I think should be of greatest concern to this Commission.

23 In addition, I'll mention briefly a number of important  
24 safety issues which were presented to the Licensing Board  
25 but for which we were deprived an opportunity for hearing

1 through impermissible application, in our view, of the  
2 Commission's Rules of Practice with regard to litigation of  
3 contentions.

4 I want to reflect the status presently, and that  
5 is that we have appeals pending from the three partial  
6 initial decisions, the June decision on principally quality  
7 assurance; the September decision on emergency planning,  
8 and the most recent November 27 partial initial decision  
9 resolving so-called foreman override concerns -- again a  
10 quality assurance issue.

11 I have filed briefs on the merits with the Appeal  
12 Board as of the 10th of January. The matter is pending  
13 before your Appeal Board. We also filed a petition for  
14 review in the Court of Appeals for the District of Columbia  
15 Circuit the first week in December, sought a stay at the  
16 point when this Commission was to authorize low power  
17 operations, and anticipate in expectation of an authorization  
18 for full power from this Commission again seeking an emergency  
19 stay from the Court of Appeals as soon as we can get our  
20 papers filed.

21 We would submit that no conceivable cognizable  
22 harm will flow to Duke Power Company if this Commission honors  
23 its adjudicatory process so that an orderly review of the  
24 Catawba record can take place.

25 The Catawba facility, according to the North County



1 Utility Commission public staff should be deferred until  
2 1996 and 1999 respectively. It's power is not economically  
3 necessary for the Duke system for at least four years. The  
4 only conceivable interest that Duke has, of course, is getting  
5 the plant in rate base and rewarding its customers with  
6 its promised 20 percent increase in residential electric rates.

7 I want to emphasize that we consented to a fuel  
8 load license in July because it wasn't our desire to delay  
9 operation of the Catawba facility, and we consented therefore  
10 to allow testing, precritical testing, to proceed and it has.  
11 That's why we find ourselves in the posture we do where in  
12 the first week of January you authorized low power operations  
13 and here, hardly in the blink of an eye, they are before you  
14 for full power operations without any review of the Licensing  
15 Board decision which raised important quality assurance  
16 issues.

17 We will hear from the licensee, I am sure, about  
18 the cost of delay. Let me only point out that but for  
19 Westinghouse informing them of the loose screw problem in  
20 early December, we would have operated the plant with a  
21 significant margin of safety reduction, and the licensee  
22 themselves have implemented almost a month's delay to  
23 correct this problem at a cost that they have incurred because  
24 of their quality assurance failure to adequately check vendor  
25 supplied designs and vendor supplied equipment.



1           In the brief minutes I have, let me turn to the  
2 quality assurance record. The record before the Licensing  
3 Board simply reflects a different plant from that which your  
4 Region II staff has described to you.

5           I want to emphasize to the Commissioners that the  
6 2.206 Petition that remains pending is with regard to whether  
7 or not the NRC will take any enforcement action whatsoever  
8 based on what the Licensing Board found -- not your staff but  
9 the Licensing Board found -- with respect to harassment,  
10 retaliation and discrimination in violation of your own  
11 regulations and Appendix B against senior quality control  
12 inspectors by senior Duke management.

13           The Licensing Board finding was that the corporate  
14 quality assurance manager, Mr. George Greer, and the site  
15 quality assurance manager, Mr. Larry Davison, both responsible  
16 over a long period of time for assuring compliance with  
17 this Commission's regulations and that the plant was built  
18 correctly, were found responsible for illegal discrimination  
19 against a senior quality control inspector, Mr. Gary Ebo  
20 Ross. No enforcement action has been taken whatsoever.

21           I ask you to ponder when in other regions under this  
22 Commission's jurisdiction such conduct would bring swift and  
23 prompt, and severe enforcement action, why has that not been  
24 taken against Duke?

25           I submit to you that Duke has benefitted unduly from

1 the very trust which this Commission and staff has placed in  
2 it because of its prior history as a nuclear licensee. That  
3 trust is not deserved in my opinion at least as reflected in  
4 the Catawba record.

5 I want to point out only that in your first SALP  
6 report, not mentioned by the NRC staff, Catawba was rated  
7 among the seven below average plants under construction.

8 CHAIRMAN PALLADINO: Mr. Guild, I hate to interrupt,  
9 but your time is up. Could you complete in about two or  
10 three sentences?

11 MR. GUILD: Yes, I'll be happy to do that, Mr.  
12 Chairman.

13 CHAIRMAN PALLADINO: All right, thank you.

14 MR. GUILD: I submit to you that a review of the  
15 record before your own Licensing Board reflects that the  
16 Licensing Board here performed its function, albeit it  
17 ineffectively, but that is through the adversary process  
18 where interested parties bring to this Commission evidence  
19 that reflects on the safety of construction. That they  
20 attempted to resolve those safety questions.

21 However, under the overriding influence of what  
22 they understood to be this Commission's direction to license  
23 Catawba at any and all costs by Duke's proposed operational  
24 schedule, the record before the Licensing Board is inadequate  
25 to support the finding of safety that is required by the

1 Atomic Energy Act as applied by the court. And by this  
2 Commission's decisional authority we ask you to stay effective-  
3 ness of the license decision to permit us to litigate the  
4 safety issues which we have attempted to raise before the  
5 Licensing Boards and to permit an orderly review before your  
6 Appeal Board of the serious quality assurance flaws that are  
7 reflected in the Catawba licensing records.

8 I appreciate the opportunity to appear and address  
9 the Commission.

10 CHAIRMAN PALLADINO: Thank you very much. Any  
11 questions by Commissioners?

12 All right, thank you. Well, then next we will  
13 proceed to hearing from Mr. Warren Owen, the Executive  
14 Vice President for Duke Power Company who also has five  
15 minutes.

16 MR. OWEN: Mr. Chairman, thank you very much. I've  
17 only got a very brief statement and I believe there were a  
18 few questions left on the table and we would be happy to try  
19 to speak to those as we recall them, and then answer any  
20 questions that we might leave unanswered by that.

21 I would just like to say that I am convinced  
22 personally that the Catawba plant has been built and will be  
23 operated to satisfy your requirements and to meet your  
24 standards. But much more important to me, it has been built  
25 and will be operated to meet our standards which we think are

1 in excess of any kind of minimum regulatory requirement that  
2 you might set.

3           You asked a couple of questions which I will try  
4 to recall and answer. There was a question about the make-up  
5 of the Electric Membership Corporations that are partial  
6 owners of Unit 1.

7           The North Carolina EMC -- Electric Membership  
8 Corporation -- is the state-wide organization in North  
9 Carolina for such rural electric cooperatives. It holds  
10 title to 56- $\frac{1}{2}$  percent ownership of Unit 1. They are  
11 financed by the Rural Electric Administration of the U.S.  
12 Department of Agriculture.

13           The Saludo River Electric Cooperative, Inc., is  
14 a similar organization in South Carolina and owns a little  
15 over 18 percent of the plant, as I recall. So, that is the  
16 make-up of the other owners of Unit 1.

17           CHAIRMAN PALLADINO: But now even though, according  
18 to the information the staff provided, Duke Power has only  
19 25 percent ownership, you will operate?

20           MR. OWEN: We were the designers, the builders, and  
21 we have been retained by the other owners as their agent to  
22 operate the plant. It will be operated as if it was a  
23 totally owned Duke power plant.

24           COMMISSIONER ASSELSTINE: You are the only licensee.

25           MR. OWEN: We are the licensee, correct.



1 CHAIRMAN PALLADINO: And you have the authority, then.

2 MR. OWEN: Yes, we have all the authority. We are  
3 co-licensees, Hal reminds me. But we are responsible totally  
4 for the operation.

5 MR. MALSCH: Yes. If this license is typical,  
6 typically what is done is that the NRC separately licenses  
7 ownership and operation, and so you would typically see a  
8 number of entities licensed to own, but only one licensed  
9 operator. I suspect that is the situation here.

10 COMMISSIONER BERNTHAL: I am curious -- it may or  
11 may not be a safety issue, I shouldn't use that terminology  
12 I guess. It may or may not be a question of safety.

13 But I am curious how the responsibility gets shared  
14 then. Is the responsibility and therefore in some sense  
15 the liability entirely Duke's for the operation of the  
16 plant, or how does that work institutionally?

17 MR. OWEN: Commissioner Bernthal, let me ask Steve  
18 Griffith. Steve is our Senior Vice President and General  
19 Counsel and was actively involved in all of those arrangements  
20 which were made some number of years ago, to respond to that  
21 question.

22 MR. GRIFFITH: We have a contract with all of the  
23 owners for the operation and fueling of the Catawba units.  
24 Duke is to dispatch the unit as if it were wholly-owned by  
25 Duke Power. The other owners have no say-so with respect to



1 whether the plant operates or not.

2 Now, there are some financial consequences. If  
3 Duke were to shut the plant down for some reason wholly within  
4 its power, then of course it would bear a financial  
5 responsibility.

6 Duke is required to obey all of the regulatory  
7 requirements of this Commission and any incident that would  
8 occur that would require its shutdown for safety reasons is  
9 provided for in the contract.

10 COMMISSIONER BERNTHAL: But I think there is a  
11 significant point here, that Duke then has in fact assumed  
12 the responsibility and the liability if that plant fails to  
13 operate for a reason which clearly can be shown to be the  
14 fault of Duke Power. Am I understanding things correctly?

15 MR. GRIFFITH: Well, the liability is a shared one  
16 by all of the owners, and of course it is covered -- any  
17 damage to the plant by reason of any accident would be  
18 covered by the insurance that is available from the insurance  
19 market, and of course is covered by the Price-Anderson Act.

20 COMMISSIONER BERNTHAL: Yes, I understand that. But  
21 what I'm really trying to get at is, is there any special  
22 liability or responsibility that is assumed by Duke as the  
23 operator? I suppose one could pick a trivial example, that  
24 you all decided to take a vacation for a day and the plant  
25 fails to operate for that day or, more importantly, that there

1 is something shown to be the fault of Duke management that  
2 may or may not be a matter of safety and the plant fails  
3 to operate. I'm just probing, trying to see whether in fact  
4 you have assumed a special share of responsibility.

5 MR. GRIFFITH: We do have a financial liability  
6 with respect to the operation of the plant in the fact that  
7 it is designed, the plant is designed and the other owners  
8 recognize it is to meet the load of the entire Duke Power  
9 System. And when it does not operate, it is a substantial  
10 part of that system, representing approximately ten percent  
11 of our present system-wide load.

12 So, when that plant does not operate, there is a  
13 financial liability, so to speak, with respect to Duke  
14 because it is a base-load plant on the Duke System and the  
15 arrangement with the buyers is that Duke would have to  
16 supply that power which the Catawba plant would have  
17 provided. There is a cost associated with that, so that  
18 the shareholders of the company and the management of the  
19 company would carry a financial responsibility if that plant  
20 is not reliably operated.

21 Now, of course if there are reasons beyond Duke's  
22 control for the plant to have to shut down, then that  
23 financial responsibility is shared by all of the owners.

24 COMMISSIONER BERNTHAL: But there is a contractual  
25 statement and agreement in effect, then, on that very word --

1 MR. GRIFFITH: Yes.

2 COMMISSIONER BERNTHAL: -- on those words in point  
3 beyond Duke's control.

4 MR. GRIFFITH: That's correct.

5 COMMISSIONER BERNTHAL: Well, I think that's very  
6 interesting and I must say, I commend Duke for being willing  
7 to step up to the plate and assume that kind of responsibility  
8 and take on the implied responsibility that it carries with  
9 it. It seems to me, in view of the fact that you have a  
10 25-percent stake as such but are operating the plant under  
11 that kind of a contractual arrangement, I think that's a  
12 significant development, perhaps, in the history of plant  
13 operations in this country. There may be other similar  
14 circumstances.

15 MR. GRIFFITH: I would like to point out further --  
16 and this has not been mentioned -- that the two units at  
17 Catawba are shared so that if you own in one unit, you have  
18 a right to the output of the other.

19 And in addition to that, we have an exchange with  
20 the Maguire units which has been mentioned are very similar  
21 to the Catawba units in size, design, and operation. So that  
22 Duke has put its two units at Maguire into the pot, so to  
23 speak.

24 COMMISSIONER BERNTHAL: Yes.

25 MR. GRIFFITH: And when the Catawba units are not

1 running -- for refueling or whatever -- all of the owners of  
2 the Catawba units will get power pro rata out of the Maguire  
3 units and vice versa.

4 It's a sharing of the risk of the units being  
5 down for whatever reason because of the operation being so  
6 much cheaper than the alternative of coal, oil, or whatever.

7 COMMISSIONER BERNTHAL: Yes. My question, though,  
8 I guess then finally is a simple one. Is there any other  
9 case -- there probably are -- where a plant is minority  
10 owned, in other words, you have a minority interest, but where  
11 you in effect have assumed majority responsibility for the  
12 operation of the plant? How unique is this --

13 MR. GRIFFITH: To my knowledge, this is unique.  
14 Now, the Yankee plants are a different situation where you  
15 have the corporate --

16 COMMISSIONER BERNTHAL: That is different, yes.

17 MR. GRIFFITH: -- a different situation. But I  
18 do not know of any other power plant in which the utility has  
19 a minority interest. But when you factor in the two Maguire  
20 units into the operation and you take into account that this  
21 unit is providing ten percent of the load of the Duke System,  
22 then the Duke Power Company, while it has a very small  
23 interest in the ownership of the plant, has a very large  
24 interest --

25 COMMISSIONER BERNTHAL: Exactly, that's the point.



1 MR. GRIFFITH: -- in the operation of the plant.

2 COMMISSIONER BERNTHAL: I think that's an important  
3 point not to be missed here. I have taken enough time.

4 CHAIRMAN PALLADINO: Okay, thank you. Were there  
5 other questions?

6 MR. OWEN: There was one question, Mr. Chairman,  
7 concerning the emergency planning requirements that were left  
8 on the table that we were to meet. There were five of them.  
9 One had to do with some changes in the emergency planning  
10 information booklet. That booklet has been reprinted. All  
11 those changes have been made and it's in the process of  
12 being distributed right now and will be completely distributed  
13 by March.

14 There were some changes required to signs and decals,  
15 the handling of transients who might be in the area. Those  
16 have been proposed and are being reviewed by the NRC and  
17 will be implemented when that wording and signage has been  
18 settled.

19 There was a requirement for upgrading of the planning  
20 at the Carawinds facility, a theme park. That has been  
21 done. It's in review right now. It's being fine-tuned and  
22 it will be in place by, I believe, May of 1985.

23 There was some training in Gaston County that's  
24 on-going right now, and there were some changes to be made in  
25 the South Carolina plant to clarify the responsibilities of



1 the Division of Public Safety in the Office of the Governor.  
2 That is virtually wrapped up at this stage. They have made  
3 a proposal and we are in the process of working that through  
4 the system.

5 I think we have met those. Those were two questions.  
6 Hal, do you recall others?

7 CHAIRMAN PALLADINO: I think that probably covers  
8 it, unless somebody has it written down. I want to see if  
9 there are other questions Commissioners may have now.

10 COMMISSIONER ZECH: No.

11 COMMISSIONER ASSELSTINE: No.

12 MR. OWEN: If I could, I just would like to say  
13 one thing. Someone discussed the question of people and  
14 motivations, and what not. Our goal at Duke Power is to  
15 be Number One. We want an environment which promotes  
16 excellence and professionalism that permits us to in fact  
17 attract and retain good people.

18 I would just like to close this by saying that  
19 Catawba is a good plant. It's ready to take its place in  
20 our fleet. I'm proud to be associated with that staff and  
21 they are ready to go.

22 CHAIRMAN PALLADINO: Okay.

23 COMMISSIONER BERNTHAL: A quick question, Warren,  
24 that I think I owe you a chance to respond to since I had  
25 raised the issue of whether it was planned or unplanned that

1 you ended up with this particular shift adviser situation.  
2 In some cases those situations have been unplanned, in fact,  
3 as you know. You know it perhaps better than many people.

4 Was this a case of the issue coming to attention  
5 rather late and your being involved with the owners group, of  
6 course, have been very familiar with it as it developed as  
7 an issue; or is it a case, as seemed to be indicated earlier,  
8 where you felt that your institutional strength and personnel  
9 resources were such that you could plan to run things that  
10 way?

11 MR. OWEN: Our plans have always included doing  
12 the necessary training and being fully prepared to meet any  
13 obligation that we undertake.

14 As you know, there is a substantial lead time in  
15 developing completely trained and competent operational  
16 personnel, and we had those people in the pipeline.  
17 Requirements expanded over the last three or four years to  
18 the extent that we may not have or we did not have sufficient  
19 people in the pipeline to fully meet that.

20 It was never our intention to compromise in any  
21 respect. But let me ask Hal Tucker, who is our Vice President  
22 of Nuclear Production, to see if he has anything to add to  
23 that.

24 MR. TUCKER: The main contributor to that was an  
25 acceleration of our schedule. We ended up bringing this unit

1 into service approximately twelve months earlier than we  
2 originally anticipated. Consequently, instead of going with  
3 our original plans of having three co-licensed groups, we  
4 had to resort to two co-licensed groups to meet the  
5 schedule of turn-over of equipment in the plant, pull people  
6 out of training.

7           Consequently, we were not able to carry out our  
8 plans of having the experienced, on-hand participation at  
9 Maguire and Oconee that we originally planned.

10           CHAIRMAN PALLADINO: Okay, thank you. Other  
11 Commissioner questions?

12           COMMISSIONER ZECH: No.

13           COMMISSIONER ASSELSTINE: No.

14           CHAIRMAN PALLADINO: Well, let me ask the Commission  
15 if it wants a recess, or are you prepared to entertain a  
16 vote?

17           COMMISSIONER ASSELSTINE: I don't need a recess.

18           COMMISSIONER ROBERTS: Let's go.

19           CHAIRMAN PALLADINO: Okay. Well, then thank you,  
20 gentlemen.

21           Let me ask the question of the Commission: Would  
22 you authorize the staff to issue the full power license for  
23 the Catawba plant Unit No. 1?

24           All those in favor indicate by saying "aye."

25           COMMISSIONER ZECH: Aye.

1 COMMISSIONER ROBERTS: Aye.

2 COMMISSIONER BERNTHAL: Aye.

3 COMMISSIONER ASSELSTINE: Aye.

4 CHAIRMAN PALLADINO: Aye.

5 Opposed, I didn't hear any that didn't say "aye."

6 Now, there is a question that was raised by General  
7 Counsel, and that was whether or not we wanted to make this  
8 immediately effective as soon as the staff issues it.

9 I think there was a poll taken of the Commission.  
10 Let me ask Secy the results of that poll.

11 MR. CHILK: The majority of the Commission, Mr.  
12 Chairman, has voted to have that license immediately effective.

13 COMMISSIONER ASSELSTINE: I guess I'd just say, you  
14 are going to end up with a stay, just a housekeeping stay,  
15 while the courts look at it. It's going to take longer that  
16 way than if the Commission would act as we have in other  
17 cases in the past.

18 But if you want to do that, so be it.

19 CHAIRMAN PALLADINO: Yes. Incidentally, I felt  
20 the same way. I think the wisdom would have indicated that  
21 at least a 24-hour stay would have been appropriate.

22 COMMISSIONER ASSELSTINE: That's right.

23 CHAIRMAN PALLADINO: But I think the majority has  
24 spoken, so --

25 COMMISSIONER BERNTHAL: Well, maybe it's worth



1 having General Counsel comment on that. It seems to me it's  
2 a legal question that we should hear comments on.

3 MR. MALSCH: Well, we are not talking here about any  
4 kind of legal requirement. The question is whether in the  
5 event a stay motion is filed, your chances of success would  
6 be enhanced if you had given the court a chance to act without  
7 being under the gun, so to speak, of having a plant about to  
8 go into full power almost immediately.

9 I don't know, it's a question of judgment. I don't  
10 know whether a stay will be granted or not. I don't know, you  
11 can't quantify exactly how this will be influenced.

12 We are prepared to file whatever papers are  
13 necessary. Sheldon?

14 MR. TRUBATCH: I remind you that in Diablo Canyon  
15 there was a housekeeping stay.

16 MR. MALSCH: That's right, there was a housekeeping  
17 stay.

18 COMMISSIONER BERNTHAL: Yes, but I don't think that is  
19 in fact part of the reason why I asked for your opinion.  
20 Those are not parallel circumstances and there is the question  
21 of whether we should have a totally consistent practice, no  
22 matter what, or whether one should tailor a practice to  
23 fit the circumstance. I don't think anybody would argue  
24 that this and Diablo Canyon are parallel circumstances.

25 MR. TRUBATCH: If memory serves me, at Clinch River



1 there also was a housekeeping stay. If the circumstances --

2 COMMISSIONER BERNTHAL: I don't believe Clinch River  
3 is a parallel circumstance either.

4 MR. TRUBATCH: But parallel is how much time you  
5 give the court to read papers. And if they feel that there  
6 is something important being raised, are they going to let  
7 the plant go anyway or are they going to say, "Well, we'll  
8 stay it for a couple of days while we read the papers."

9 COMMISSIONER BERNTHAL: Well, let me ask this: What's  
10 the up side and the down side, and what would your  
11 recommendation have been, 24 hours, or is it immaterial?  
12 What are you saying?

13 MR. MAUSCH: What our original concept was, if  
14 the Commission wished to go along these lines, we were talking  
15 about a 24-hour delay during which time, if a motion for a  
16 stay is filed with the Court of Appeals, then the Commission's  
17 authorization would be -- effectiveness would be deferred  
18 for another four working days.

19 MR. TRUBATCH: We appreciate that every day of  
20 non-operation is very expensive. The down side we see is  
21 that if a housekeeping stay is issued, then there is the  
22 possibility that that housekeeping stay might be longer than  
23 the stay the Commission would build into its order.

24 COMMISSIONER ASSELSTINE: In fact, previous  
25 housekeeping stays have been longer.

1 MR. TRUBATCH: Because then you have a situation  
2 where the plant is down and the world is still turning, and  
3 so if the court takes another two days to read the papers --

4 COMMISSIONER BERNTHAL: Well, I think I'm going to  
5 stick with my earlier position on it, Joe. And the reason is  
6 that I don't hear a very convincing argument here that in  
7 the special circumstances we have here the parallel cases  
8 you cite are not parallel in my judgment. You had claimed  
9 they were, I guess. But the other cases simply were quite  
10 different and it seems like it's a small point.

11 CHAIRMAN PALLADINO: Okay.

12 COMMISSIONER ASSELSTINE: Joe, I had just one other  
13 comment. With regard to the concerns that Mr. Guild raised,  
14 it does seem to me that -- and part of my basis for saying  
15 that the operation of the plant could go ahead is, although  
16 I think these are all valid issues, they will be considered  
17 by the Appeal Board as part of the merits review and  
18 ultimately by the Commission itself in terms of the substance  
19 of these concerns as well as the procedural concerns.

20 And also, it does seem to me that the intervenors  
21 have had an opportunity in this case to request a stay from  
22 the Appeal Board and that's been acted upon.

23 So, for myself at least I did not see a sufficient  
24 basis to hold up operation of the plant until those matters  
25 are further resolved.

1 CHAIRMAN PALLADINO: All right, thank you. Anything  
2 more on this issue, anything more to come before us?

3 COMMISSIONER ZECH: No.

4 COMMISSIONER ROBERTS: No.

5 CHAIRMAN PALLADINO: Well, then thank you very  
6 much. We will stand adjourned.

7 (Whereupon, at 12:45 p.m., the meeting of the  
8 Commission was adjourned.)

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CERTIFICATE OF OFFICIAL REPORTER

This is to certify that the attached proceedings before the UNITED STATES NUCLEAR REGULATORY COMMISSION in the matter of:

NAME OF PROCEEDING: Discussion/Possible Vote on Full  
Power License for Catawba-1  
Public Meeting

DOCKET NO.:

PLACE: Washington, D.C.

DATE: January 17, 1985

were held as herein appears, and that this is the original transcript thereof for the file of the United States Nuclear Regulatory Commission.

(sig) M. E. Hansen  
(TYPED)

Official Reporter

Reporter's Affiliation

COMMISSION BRIEFING

CATAWBA, UNIT 1

FULL POWER

DECEMBER , 1984

CONTACT:  
K. JARBOUR  
X27800

SLIDE 1



CATAWBA 1  
BRIEFING OUTLINE

- LICENSEES/PLANT BACKGROUND
- OVERVIEW
- INSPECTION PROGRAM
- SHIFT STAFFING
- CONCLUSION

## LICENSEES/PLANT BACKGROUND

- ° MULTIPLE OWNERS AND LICENSEES
  - DUKE POWER COMPANY (25%)
  - NORTH CAROLINA ELECTRIC MEMBERSHIP CORPORATION (56.25%)
  - SALUDA RIVER ELECTRIC COOPERATIVE, INC. (18.75%)
- ° DUKE POWER COMPANY OPERATOR AND AGENT FOR OTHER OWNERS
- ° PLANT DESIGN
  - WESTINGHOUSE PWR - 3411 MWT (1145 MWE)
  - ICE CONDENSER CONTAINMENT
  - SAFE SHUTDOWN FACILITY
- ° A/E AND CONSTRUCTOR: DUKE POWER COMPANY
- ° SITE
  - LOCATED AT LAKE WYLIE, YORK COUNTY, SOUTH CAROLINA
  - NEAREST CITY - ROCK HILL, SOUTH CAROLINA (6 MILES)
    - POPULATION - 35,344 (1980)
  - POPULATION CENTER - CHARLOTTE, NORTH CAROLINA (11 MILES TO CITY LIMITS)
    - POPULATION - 314,477 (1980)
- ° OFFSITE EMERGENCY PLANNING
  - EMERGENCY EXERCISE
  - FEMA EVALUATION

## OVERVIEW

- ° FSAR REVIEW
  - HYDROGEN MITIGATION
  - ONSITE POWER SUPPLIES (TDI DIESELS)
- ° TECHNICAL SPECIFICATION
- ° OL HEARING
  - BIFURCATED HEARING
  - ASLB AUTHORIZATION TO ISSUE FUEL LOADING AND PRECRITICALITY TESTING LICENSE
- ° INSPECTION PROGRAM
- ° SALP
- ° SHIFT STAFFING
  - ADVISORS ON SHIFT
  - LENGTH OF SHIFT
- ° OPERATING EXPERIENCE
- ° ALLEGATIONS

## INSPECTION PROGRAM

- ° CONSTRUCTION INSPECTION PROGRAM
- ° PREOPERATION/OPERATION INSPECTION PROGRAM
- ° SPECIAL INSPECTIONS
  - CONSTRUCTION ASSESSMENT
  - SELF-INITIATED EVALUATION FOLLOWUP
  - TECHNICAL SPECIFICATIONS REVIEW
  - PROCEDURES REVIEW
  - TRAINING ASSESSMENT
  - APPENDIX R
  - NUREG-0737 IMPLEMENTATION
  - EMERGENCY PREPAREDNESS
- ° READINESS REVIEW PANEL

## SHIFT STAFFING

- 4 SHIFTS THROUGH STARTUP PROGRAM
- 5 SHIFT ROTATION/12 HR SHIFTS
- NO OPERATORS HAVE 6 MOS HOT OPERATING EXPERIENCE
- SHIFT ADVISORS (7) MEET INDUSTRY STANDARDS

| <u>SHIFT COMPOSITION</u>      | <u>STAFF</u> | <u>AVG. MOS.<br/>NUCLEAR<br/>EXPERIENCE</u> |
|-------------------------------|--------------|---|
| SHIFT SUPV. (SRO)             | 5            | 104   |
| UNIT SUPV. (SRO)              | 5            | 78  |
| NUCLEAR CONTROL OPER (RO)     | 15           | 53  |
| SHIFT TECHNICAL ADVISOR (SRO) | 8            | 33  |
| <u>OTHER:</u>                 |              |   |
| SHIFT OPER ENGR (SRO)         | 1            | 72  |
| OPER ENGR (SRO)               | 2            | 80  |
| TRAINING STAFF (SRO)          | 3            | -   |
| <u>TOTAL LICENSED:</u>        |              |   |
| SRO                           | 24           |   |
| RO                            | 15           |   |



CONCLUSION

STAFF CONCLUDES THE LICENSEES SATISFY ALL THE REQUIREMENTS  
FOR ISSUANCE OF A FULL POWER LICENSE

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Operating License for Catawba-1

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