



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

May 3, 1984

*Wm*

MEMORANDUM FOR: Chairman Palladino

FROM: Martin G. Malsch *Wm*  
Deputy General Counsel

SUBJECT: CONVERSATIONS WITH JUDGE COTTER  
REGARDING APPOINTMENT OF NEW  
SHOREHAM LICENSING BOARD

This is in response to your request that I advise you of my conversations with Judge Cotter regarding the appointment of the Shoreham Licensing Board chaired by Judge Miller.

On March 29, 1984, I received what appeared to be a draft notice of appointment of a licensing board chaired by Judge Miller to preside over any proceedings on the Shoreham supplemental low power motion. I called Judge Cotter and raised the following two issues for his consideration in connection with the reappointment.

First, I raised the issue whether the premise for the unavailability of the current board was the fact that expedited hearings on LILCO's low power motion would be held. I pointed out that if this was the case then he had no authority to appoint a new Licensing Board because the appointment was premised upon an invalid assumption. The motion was still pending and Judge Cotter had no authority to grant or deny it. I inquired whether the more prudent course might be to let the current Board act on the need for an expedited proceeding and then, if it determined that an expedited proceeding was warranted and feasible, advise him of any resulting schedule conflicts. Judge Cotter assured me that he had been informed by the current Board that they were unable to even rule within a reasonable time on the need for an expedited hearing for Shoreham, and therefore there was a problem of availability regardless of whether the motion was later granted or denied. I stated that if indeed that was the case, then there was an availability problem with the current Board.

I further raised the issue whether the appointment of a new Licensing Board would create an appearance problem at this time. I explained to Judge Cotter that there might be an appearance problem because it could appear that the current

Board, which had denied LILCO's previous low power motion, was being replaced by another Board which would be more favorably inclined. Judge Cotter agreed to think about the appearance problem and get back in touch with me. He did so the next day, informing me that he had decided to go ahead and appoint a new Licensing Board. I told him that was his decision to make.

cc: Commissioner Gilinsky  
Commissioner Roberts  
Commissioner Asselstine  
Commissioner Bernthal  
SECY

## Inter-Office Memorandum



Date February 23, 1983

Subject Polar Crane Safety Evaluation

6110-83-039

To B. K. Kanga  
Director, Unit 2

Location TMI Trailer 175

Quality Assurance has reviewed the Safety Evaluation for the Polar Crane Load Test and the concerns that have been raised per your request.

The calculations to back up the Safety Evaluation were reviewed. Bechtel Quality Assurance was requested and has reviewed the calculations in Gaithersburg and GPUN QA has reviewed the calculations available on site. The only calculations available at the site were B&W analysis of decay heat removal, which were originally performed to support quick look, but are also applicable to the loss of components due to load drop. In the Safety Evaluation, some events were evaluated in a probabilistic manner and no calculations were made. One example is the drop of a missile shield directly on the Reactor Head. The extent of damage is postulated and not backed up by calculations.

Our review also identified two items that were not specifically addressed in the Safety Evaluation:

- 1) The load test should qualify the same length of cable that will be required for head lift.
- 2) Load testing of the fabricated load test frame prior to Polar Crane load test has not been addressed, although all other rigging components have.

There have been additional concerns raised that are not directly related to the Safety Evaluation but which could be a potential problem. We plan to investigate the following areas in more detail and will inform you if our current program is inadequate:

- 1) Training for operators and personnel directing the load test.
- 2) Calibration of the load cell.
- 3) Modifications to the Polar Crane--concerns have been raised that all modifications to the Polar Crane were not appropriately documented.
- 4) Test Program - verify that the programmatic controls for testing were followed (i.e., AP-1043 and AP-1047 have been complied with).
- 5) Reverify inspection and refurbishment documentation.

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I would recommend Engineering assure themselves that they have adequately covered the two items noted concerning the Safety Evaluation. Though these items may not require any modification to the Safety Evaluation, they may require change or review for applicability to the actual load test implementing procedures.

In summary, we in QA have found no significant programmatic problems with the Safety Evaluation or the Polar Crane refurbishment process but we will continue to assess this program and keep you apprised of any problems discovered. It should be noted that there appears to be a number of technical concerns being raised and these should be addressed fully by Engineering.

An interesting item to note which we did discuss within QA was the approach Bechtel has taken on this specific Safety Evaluation. Though it is acceptable from a programmatic and engineering standpoint to perform the evaluation based on a worst case scenario, in our recovery mode, there may be some operational considerations that may make this approach not always prudent. An analogy is, in our industry for years we considered the large break LOCA the worst case limiting accident before the TMI accident, where as now we have learned that a small break LOCA deserves equal attention. Senior Engineering management should perhaps review this issue.

*Blaine E. Ballard Sr.*  
B. E. Ballard, Sr.  
Manager - TMI QA  
Modifications/Operations

BEB:JFM:cam

cc: N. C. Kazanas  
R. L. Long  
CARERS