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October 24, 1978

Mr. John G. Davis
Acting Director
Office of Inspection and Enforcement
United States Nuclear Regulatory Commission
Washington, D. C. 20555

RE: Perry Nuclear Power Plant

Dear Mr. Davis:

Thank you very much for your letter of September 19, 1978, together with its enclosures. I have now reviewed the enclosures, particularly dealing with the January and February NRC inspection of the Perry Nuclear Power Plant. I have several questions dealing with the inspection, particularly, as it relates to the NRC Reactor Safety Philosophy.

As I understand, the results of the inspection, there were eleven (11) separate items of non-compliance which were brought to the attention of the Illuminating Company. Several of these items seem to deal with adequacy of paperwork, but several more of the items deal with more substantial matters such as quality control, quality construction and quality storage of the materials being used to build this power plant.

It is my understanding of the NRC Reactor Safety Philosophy program that the NRC concerns itself with three main areas. These areas deal with the initial design of the plant; the proper construction of the plants; and the eventual safe operation of the plant. In order to assure itself that the nuclear plant is being built according to standards, the NRC issues regulations which minutely deal with construction matters, audit procedures and quality assurance programs.

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From my reading of the specific complaints levied against the Perry Nuclear Power Plant, it would appear that quality assurance programs were not properly implemented; that there were several instances of non-quality construction; there were several instances of non-quality storage of materials.

Two major points of the inspection and the response of the Illuminating Company concern me. First of all, your inspector discovered that the National Mobile Company was preparing concrete not in accordance with the applicable standards of the NRC. The National Mobile Company was preparing concrete in accordance with Revision Six (6) of SP-14-4549-00, even though this specification was revised by Revision Seven (7) and even though the National Mobile Company had actual notice of the revised specification. Your inspector reported that more than 140,000 cubic yards of concrete had been placed which was not in accordance with Revision Seven (7).

The Illuminating Company responded to this infraction of NRC Regulations by stating that Revision Seven (7) of specification SP-14-4549-00 dealt with matters in the following areas:

1. Expansion and clarification to remove redundancies and resolve conflicts;
2. Modification of certain procedural changes that did not effect quality;
3. Modifications of certain requirements to facilitate field conditions without sacrificing quality.

In other words, I take it that it is the position of the Illuminating Company that Revision Seven (7) dealt more with procedural matters as opposed to quality considerations of the actual concrete. I would like to know what the NRC response to this position is. Exactly what did Revision Seven (7) of this specification do and are there any considerations in Revision Seven (7) which specifically deals with quality of concrete.

Another infraction of the NRC Regulations which concerns me deals with the "batching" of the concrete. Apparently, this was done again not according to standards in the view of your inspector. In fact, your inspector had to call this infraction to the attention of the appropriate officials at the plant twice and had to threaten a stop work order in order to get compliance. This seems to me to be indicative of a very serious lack of concern on the part of either CEI or of its subcontractors. My fear is that if improper construction is done in the very view of an NRC Inspector who is there only on occasion, what goes on when there is no NRC Inspector on site?

Other quality assurance violations deals with welds, the storage of materials, and the fact that some of the personnel who were supposedly quality assurance inspectors, were not fully advised as to their jobs.

It seems that it is at the heart of NRC's Reactor Safety Philosophy program that much of the quality assurance standards are left to the contractors and subcontractors of the utility. Obviously, it is impossible for the NRC to have an inspector at a construction site at all times. Due to the extremely critical nature of the components and materials being dealt with in the construction of nuclear power plants, with a track record the CEI obviously has, how can the NRC be assured that quality construction procedures will always be used and followed?

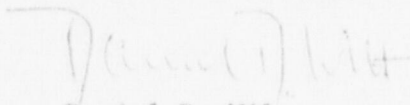
I would also like to know what part of the nuclear power plant was being built with substandard concrete? Has the Nuclear Regulatory Commission verified that seventeen (17) reactor building columns are, in fact, being repaired? Has the NRC verified that the welds which were cited to be improper, have been repaired, and further, that welding is being done according to NRC standards?

Senator Glenn sent a letter to Dr. Hendrie, wherein he questioned whether or not the NRC was insuring that a more severe set of safeguards were being imposed on the Illuminating Company due to the fact that the reactor was being built very close to a large urban area. I have not yet received a response to Senator Glenn's question, and I would very much like to have a response to his question.

In reviewing the materials you sent to me, it is obvious that the NRC conducted subsequent visits to the Perry Power Plant. I would like to obtain copies of these inspection reports for my review.

Thank you for your cooperation in this matter.

Very truly yours,



Daniel D. Wilt

DDW/kgb

CC: Senator John Glenn
Dick Sering
Cleveland Coalition