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The Honorable Robert Dole
United States Senate
Washington, D. C. 20510

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Dear Senator Dole:

Thank you for your referral to us of a letter to you from Mr. Orlan L. Mullen of Houston, Texas. I am pleased to provide information related to Mr. Mullen's concerns, and his recommendation that the owner, or preferably the NRC, directly employ inspectors on nuclear power plant construction sites. I understand and sympathize with Mr. Mullen's feelings, but presently our system is structured differently in accordance with existing regulations.

As a Federal regulatory agency, the NRC licenses the construction and operation of nuclear power plants, and requires its licensees to conform to regulations regarding the quality of construction and safety of operation of each plant. Specifically, the regulations require that each licensee have a separate quality assurance organization that is independent of the construction organization. To quote from the Commission's regulations,* "The persons and organizations performing quality assurance functions shall have sufficient authority and organizational freedom to identify quality problems; to initiate, recommend, or provide solutions; and to verify implementation of solutions. Such persons and organizations performing quality assurance functions shall report to a management level such that this required authority and organizational freedom, including sufficient independence from cost and schedule when opposed to safety considerations, are provided." This requirement of independence for the quality assurance function within the licensee's and the construction company's organization has been developed to assure the integrity of the quality assurance process. We do perform direct inspection at construction sites, and we do examine the quality of work both completed and in process. We do not do this to "accept" work. Rather, we do it to see whether the licensee's work and inspection systems are functioning. When we find unacceptable quality, we, of course require correction, or replacement, but more important, we require the licensee to improve both work performance and inspection performance to keep such things from happening in the future.

The design and construction of a nuclear power plant is a tremendous project, and very few utilities have the staff and capability to do it single handedly. Several thousand construction workers with widely varying skills are employed at different times over a period of several years, and similarly, several hundred inspectors, each with specialized knowledge, are required. When construction is completed, these skills are no longer needed. Instead an entirely different set of skills are needed to safely operate and maintain the plant. For this reason, most licensees employ contractors to perform the

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construction and the detailed inspection of construction quality. To be sure that the contractor's inspectors and craftsmen are truly doing the right things, the owner generally employs a more limited staff of operators and engineers to serve an "overview" function. While observing construction quality they also become thoroughly familiar with plant details, so that they become the core of the licensee's future operation and maintenance staff. In addition to checking on construction quality, NRC inspectors make sure that the licensee does have in its direct employ, sufficient numbers and competence to perform this overview function.

I trust this explains why the NRC or the typical utility licensee has not adopted the direct inspection program recommended by Mr. Mullen.

With respect to the subject discussed in the news articles attached to Mr. Mullen's letter, we are currently engaged in further investigation of those matters. When those issues are resolved to our satisfaction, complete reports will be made available to the public via the appropriate public document rooms.

If you have further questions I would be pleased to respond.

Sincerely,

[Signature] SIGNED BY R. G. SMITH

Lee V. Gossick
Executive Director
for Operations

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