

UNITED STATES NUCLEAR REGULATORY COMMISSION '88 AUG 23 P2:00

DOCKET NO. 50-482

WOLF CREEK NUCLEAR OPERATING CORPORATION

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

(WOLF CREEK GENERATING STATION)

ISSUANCE OF DIRECTOR'S DECISION UNDER 10 CFR § 2.206 (DD-88-14)

Notice is hereby given that the Director, Office of Nuclear Reactor Regulation, has denied a petition under 10 CFR § 2.206 filed by Ms. Billie Pirner Garde on behalf of the Nuclear Awareness Network (NAN) (hereinafter referred to as the Petitioners). The Petitioners asked the U.S. Nuclear Regulatory Commission (NRC) to:

1. require the Staff to take possession of the Quality First (Q1) files and provide to the Commission and the public the analysis of why the alleged significant safety-related deficiencies identified for the past year by members of the work force do not pose a danger to the public health and safety
2. conduct an inquiry on the ramifications of the collective safety significance and/or adequacy on the quality assurance (QA) program in the light of the information contained in the Q1 files
3. require an explanation from both the Office of Nuclear Reactor Regulation (NRR) and Region IV as to why they allegedly allowed the allegations to be exempt from the regulatory analysis for determination of safety significance
4. request that the Office of Investigations (OI) conduct an investigation into the alleged compromising of the Q1 program by William Rudolph,

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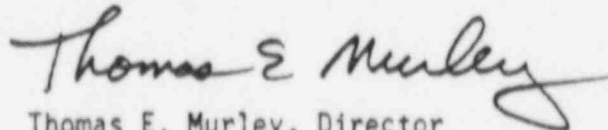
site QA manager. Mr. Rudolph was originally responsible for resolving allegations made against the QA program that he supervised.

The Petitioner's request has been denied for the reasons fully described in the Director's Decision (DD-88-14) under 10 CFR § 2.206, issued on this date, which is available for public inspection at the Commission's Public Document Room, 1717 H Street, NW, Washington, D.C. 20555, and the Local Public Document Rooms for the Wolf Creek Generating Station located at Emporia State University, William Allen White Library, 1200 Commercial Street, Emporia, Kansas 66801, and Washburn University School of Law Library, Topeka, Kansas.

A copy of the decision will be filed with the Secretary of the Commission for the Commission's review in accordance with 10 CFR § 2.206(c). As provided in this regulation, the decision will constitute the final action of the Commission twenty-five (25) days after issuance, unless the Commission, on its own motion, institutes review of the decision within that period.

Dated at Rockville, Maryland, this 22nd day of August 1988.

FOR THE NUCLEAR REGULATORY COMMISSION



Thomas E. Murley, Director  
Office of Nuclear Reactor Regulation



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

EDO PRINCIPAL CORRESPONDENCE CONTROL

FROM:

BILLIE GARDE  
ROBERT GUILD & STEVI STEPHENS  
GAP

DUE: 06/10/85

EDO CONTROL: 000641  
DOC DT: 05/15/85  
FINAL REPLY:

TO:

COMMISSIONERS

FOR SIGNATURE OF:

\*\* GREEN \*\*

SECY NO:

DESC:

2.206 - RE WOLF CREEK NUCLEAR POWER PLANT

ROUTING:

DENTON  
RMARTIN  
TAYLOR  
OI

DATE: 05/16/85

ASSIGNED TO: ELD CONTACT: CUNNINGHAM

DENTON

SPECIAL INSTRUCTIONS OR REMARKS:

*NRR rec'd 5/28/85 - HS*

RECEIVED NRR: 5/28/85  
ACTION: H. Thompson, DL  
*T. Zosak*

ROUTING: DENTON/EISENHUT  
PPAS

*Youngblood  
O'Connor*

*Rec'd 6/3/85*

856717

**GOVERNMENT ACCOUNTABILITY PROJECT**

1555 Connecticut Avenue, N.W., Suite 202  
Washington, D.C. 20036

(202) 232-8550

May 15, 1985

DOCKETED  
USNRC

'85 MAY 15 12:05

The Honorable Nunzio Palladino, Chairman  
Commissioner James K. Asselstine  
Commissioner Frederick Bernthal  
Commissioner Thomas Roberts  
Commissioner Lando Zech

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

Dear Commissioners:

On behalf of the Nuclear Awareness Network (NAN) the Government Accountability Project (GAP) hereby files a request pursuant to 10 C.F.R. 2.206 regarding the Wolf Creek nuclear power plant now operating at low power near Burlington, Kansas.

This request results from the continuous failure of the Nuclear Regulatory Commission (NRC) staff to address serious safety allegations in a manner which can assure that the Wolf Creek facility can operate above 5% power without endangering the public health and safety.

At a recent Commission meeting regarding the Near Term Operating License (NTOL) Plants the Commissioners were advised on the status of the Wolf Creek plant and the various staff investigations and inspections. Unfortunately that briefing was neither complete nor accurate. This request seeks to insure that the staff is required to review and also to report publicly on the full scope of safety significant problems at the Wolf Creek plant prior to the Commission granting full power operation.

Since NAN and GAP have had a continuous dialogue with the staff, particularly the Office of Nuclear Reactor Regulations, for some time we had hoped that formal legal measures would not be necessary. Unfortunately for all parties, the staff has affirmatively refused to acknowledge the serious ramifications of safety problems at the plant. In other words, this 2.206 is not based on what the Commission would prefer to regard as late-filed allegations, but instead on the inadequate handling of hardware and quality assurance information known to the staff.

EDO --- 000641

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Specifically, the Staff through Region IV has refused to take possession of and pursue the allegations that have been provided through the Kansas Gas and Electric Company (KG&E) Quality First program. (The Quality First program is the utility company's allegation finding initiative program.) Since the program was widely popularized as being a progressive and totally independent effort GAP has channelled workers with quality concerns to the program. It is now clear, through the monitoring of several of the safety related allegations, that neither the company nor the NRC are going to resolve those problems.

For example, contained in the Quality First files (referred to as "Q-1 files") are the statements and supporting information from over 240 individuals who have expressed over 700 safety significant concerns. It is our understanding that not only has the Licensee ignored or buried the serious concerns of the members of the workforce, but so has the Nuclear Regulatory Commission's task force on Wolf Creek.

The staff reported to the Commission that there were only nine allegations under review at the plant. That may be technically accurate, but in reality the staff has knowledge of several hundred allegations which it has steadfastly refused to take regulatory possession of or to monitor or to enter into the NRC's allegation tracking system. This has allowed the staff to inaccurately present a picture of a plant without serious safety deficiencies.

Since the staff has refused to take possession of the files and assure the Commission and the public that the allegations contained in these files have been adequately resolved, GAP and NAN have recontacted the workers in order to take affidavits relative to their concerns. Under separate cover today the first affidavit of workers who have raised concerns in vain to site management has been forwarded to the Office of Investigations for their review. We have also requested that the Office of Investigations open an inquiry into the allegations of deliberate management mishandling of the Quality First program.

Additionally, attached to this letter is a copy of NAN's Analysis and Comments on the Nuclear Regulatory Commission's March 11, 1985 Response on the Isolation and Resolution of the Structural Steel Weld Deficiencies at Wolf Creek which NAN has provided to the members of both federal and state officials who have demonstrated an interest in the safety of the Wolf Creek plant.

In conclusion GAP requests that the Commission

1) require the Staff to take possession of the Q-1 files and provide to the Commission and the public the analysis of why the significant safety related deficiencies identified for the past year by members of the workforce do not pose a danger to the public health and safety,

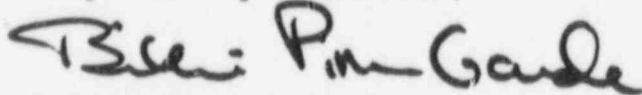
2) conduct an inquiry on the ramification of the collective safety significance and/or adequacy on the quality assurance program in the light of the information contained in the Quality First files, and

3) require an explanation from both NRR and Region IV as to why they allowed the allegations to be exempt from the regulatory analysis for determination of safety significance.

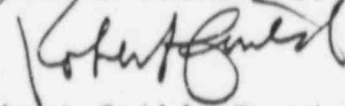
4) request OI conduct an investigation into the compromising of the Quality First program by William Rudolph, site QA Manger. Mr. Rudolph was originally responsible for the resolution of allegations made against the QA program which he supervised. He currently is responsible for the resolution of Quality First Observations (QFOs), discrepancies identified in the course of Q1 investigations.

We look forward to an early response.

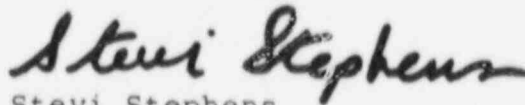
Respectfully submitted,



Billie Pirner Garde  
Citizens Clinic Director



Robert Guild, Esquire  
Staff Attorney



Stevi Stephens  
Director of  
Nuclear Awareness Network





# nuclear · awareness · network

1347½ massachusetts · lawrence, kansas 66044 · (913) 749-1640

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OFFICE OF SECRETARY  
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BRANCH

## ANALYSIS AND COMMENTS ON THE NUCLEAR REGULATORY COMMISSION'S (NRC) MARCH 11, 1985 RESPONSE ON THE ISOLATION AND RESOLUTION OF THE STRUCTURAL STEEL WELD DEFICIENCIES AT WOLF CREEK.

On March 3, 1983 the NRC imposed a \$40,000.00 Civil Penalty on Kansas Gas and Electric (KG&E) for failure to adequately control activities affecting the quality of safety-related work. Specifically, the Borated Refueling Water Storage (BN) System and the Auxiliary Feedwater (AL) System were turned over from the construction contractor, Daniels International Corporation (DIC) and accepted by KG&E start-up organization on October 28, 1982, and November 23, 1982 respectively. This followed final Quality Assurance (QA) checks with quality documentation in which hardware (actual "in the field") discrepancies were not listed. The NRC's evaluation of this incident was that "the aspect of [KG&E's] QA program which should have assured that systems and documentation deficiencies were identified, tracked and resolved has broken down."

The NRC places great emphasis on the need for licensees [KG&E] to "implement a QA program that identifies and corrects construction deficiencies in a timely manner." However, "based on a review of the circumstances surrounding this violation [the NRC] determine[d] that [KG&E's] untimely notification of the conditions under the reporting criteria of 10 Code of Federal Regulations 50.55(e) (50.55e) was also a violation." The NRC insisted that KG&E's actions should include a "...review of related Quality documentation", that KG&E's "response should also address measures taken or planned to ensure that [their] QA procedures are adequate..." and that "appropriate documentation [be] available."

To prevent recurrence of such a violation, KG&E established a Quality Documentation Review Task Force on January 20, 1983. A corrective action program was subsequently submitted to Region Four NRC (RIV) on March 2, 1983. Among KG&E's commitments to the NRC were "implementation of organizational and personnel changes that should improve quality" and a "documentation review which will be expanded to include additional detailed review of those areas where documentation deficiencies have been experienced."

The Combined Review Group comprised of KG&E and DIC employees was established as an additional quality check point to provide final Quality construction documentation review. This group has issued status reports for all of the weeks within the months of November 1983, December 1983, January 1984 and the first week of February 1984. [As DIC contends that this group was responsible for discovering future documentation discrepancies, these status reports should be requested and reviewed for information pertaining to the Structural Steel Weld deficiencies which arose.]

In the early spring of 1984, KG&E developed its Quality First (Q1) program to receive, evaluate and resolve Quality concerns from workers at the Wolf Creek site. All workers are required to be processed through Q1 before leaving the site and to sign a statement revealing any Quality concerns. In essence, worker allegations related to safety are contained within Q1's case files. Of the thousands of exit interviews conducted, KG&E has established approximately 250 case files which include their investigations and resolutions of employee safety allegations.

Until September of 1984, Q1 was under the direction of William Rudolph, also KG&E QA site Manager since April 20, 1983. Thus, employees relayed allegations to Q1, which were a direct reflection against QA, to the QA Manager. When the NRC inspected Q1 in September of 1984, it found that processing of wrong-doing concerns (i.e. drugs, alcohol, intimidation, harassment, discrimination, falsification of documentation) was particularly deficient, informational flow had no feedback mechanism for wrong-doing concerns directed to Security or KG&E management, which may include technical deficiencies. Nor was there any feedback mechanism from Security or KG&E management regarding corrective action or disposition of wrong-doing concerns for file closeout. Although the potential conflict of interest under the direction of Bill Rudolph was reduced when his replacement coincided with the NRC's inspection, KG&E management is still in direct control of Q1 with no systematic check or review by any independent body.

In spite of these Quality organizations and commitments by KG&E, they received a disconcerting twenty-one Violations and two Deviations from the NRC during 1983. These were issued primarily for failures within the QA program. This was more than double the number they had received in 1982. In 1984 KG&E once again received an inordinate number of Violations and Deviations. Among the most serious during these two years were violations for intimidation of Quality Control (Q/C) inspectors occurring in March of 1983. Another incident involving the termination of a QA inspector on August 4, 1983 transpired when the inspector identified "Q related problems with documentataion of various safety-related items as well as concerns in the hardware of items." This information, reported to Bill Rudolph, KG&E QA site Manager, resulted in his decision to terminate this employee. Yet Rudolph was later put in charge of Q1 processing of worker allegations regarding safety concerns.



Although KG&E's QA/QC program required MSSWRs to be prepared and retained [QCP-VII, QP-IV-III, ANSI Code N45.2, Bechtel Spec 10466-QA-1] no 50.55e was reported by KG&E relative to the discovery of missing documentation until a telephonic report to the NRC on September 18, 1984. This occurred only after the June 11-September 18, 1984 time period "review of QA/QC and Q1 personnel qualifications and subsequent interviews when the NRC inspector became aware of potential problems with DIC CARs 29 and 31." The NRC immediately called and enforcement meeting with KG&E on October 29, 1984. By November 21, 1984 the violation and \$75,000.00 Civil Penalty were issued.

In August of 1983 when NCR 1SN 11957CW was issued documenting the 42 missing records in the pumphouse, "KG&E along with RIV NRC performed other inspections", yet the NRC claims to have had no knowledge of the problems with missing documentation until June-August of 1984. This is a decided discrepancy within the NRC's response. Also of concern is why a delay of one year occurred before this "clearly reportable 50.55e item" was reported to the NRC.

Despite the concerns evidenced by CAR 31 regarding documentation discrepancies, CAR 29 which indicated hardware discrepancies on the same welds that showed documentation problems, was closed approximately two months after CAR 31 was issued. Inquiries should be made into why there was no connection made between CARs 29 and 31 by DIC and KG&E Quality management organizations; why KG&E did not issue a 50.55e relative to CAR 31 document discrepancies in August of 1983; why CAR 31 was issued in August of 1983 instead of June of 1983 when the 42 missing weld records were discovered; how these buildings with the MSSWRs could have been turned over and accepted by KG&E from February 1984 onward without CAR 31 being completed and closed; and why CAR 31 was not closed until January 26, 1985 when the corrective action date on it is January 26, 1984.

During the February 27, 1985 KG&E/NRC meeting in Bethesda on the MSSWRs, Richard Denise (RIV) questioned John Berra (DIC) about the reason why these missing MSSWRs did not surface earlier than late 1984. Berra replied, "sample NRC inspection done in the summer of 1983 [occurred] and no deficiencies were found", yet in February of 1983 DIC had performed a random reinspection of Structural Steel fillet welds and indicated an unacceptable percentage of welds were defective. Further, CAR 29 was generated on March 22, 1983 to document these failures. It indicated 148 out of 241 welds inspected were deficient.

On September 11, 1984, KG&E and DIC informed the NRC that there were no records for 319 weld joints in the reactor building alone, of which 48 did not meet code/design original requirements. The NRC's position was that the August 30, 1983 NCR was improperly dispositioned and the underlying premise for

changes' that KG&E requested to ammend the Final Safety Analysis Report (FSAR) Section 3.8.3.6.3.3."

Needless to say, we do not have the expertise to question the technical issues of the A/E resolutions. However, it is of major concern that there seems to be no regulatory guide for the review of compliance with regulations relative to QA breakdowns. Instead, the NRC, rather than utilize regulatory guidance, relays on engineering judgement for reinspections. Consequently, it puts into question the regulations governing other areas reviewed for reinspection.

The assurances within the NRC response that deficiencies do not extend to other areas at Wolf Creek are questionable. DIC contends that the MSSWRs were controlled by an "open-ended" traveler system as opposed to the "closed-ended" system present in other disciplines. Secondly: usage of the "triplicate traveler" was not put into effect within the MSSWRs until approximately 1980, by which time the SSWs were almost complete. Thirdly, the fact that the utility did not discover documentation problems earlier was blamed on the absence of the Combined Review Group. An outline of the precise differences between the two traveler systems should be required including: the reason why the MSSWRs were on an open-ended system when all other areas involving AWS D 1.1 welding were on closed-ended systems; whether all closed-ended systems are recorded with travelers documented in triplicate; when the triplicate traveler system was introduced; if other systems did not have triplicate travelers until 1980 as well, why there are not similar documentation deficiencies within those systems; how many of the MSSWRs were recorded in triplicate (it has been determined that a portion were); and of those, in how many cases were all three travelers missing; and lastly if the Combined Review Group was not established until late in 1983, how can there be any assurance that all other areas prior to this time are not deficient as well (recalling that the Combined Review Group did not discover the documentation problems even once it was functioning.)

The other areas which could be potentially affected by AWS D 1.1 welding deficiencies are: 1) Pipe Whip Restraints, 2) Embedment Fabrications, 3) Fire Dampers, 4) Safety-Related Ductwork and Supports, 5) Electrical Raceway Supports, 6) Electrical Equipment Installation, and 7) Stud Welding.

On November 26, 1984, report KQWLKOW 84-456 was submitted to Bill Rudolph constituting the review done of all (twenty) KG&E CARs by KG&E Quality Engineer, T. M. Halecki. This brief, two page report consists of a list of the CARs and a two line summary, "...other than CAR 19 (MSSWR) no other significant problems pertaining to DIC inspection and documentation were noted by review." However, approximately five weeks later on January 2, 1985, Surveillance Report S-1223 was issued, signed by T. W. Halecki, showing an electrical weld problem. DIC CAR 1-EW-0046 was subsequently initiated on electrical equipment foundation welds for deficiencies in welding and shimming of electrical installation, a AWS D 1.1 area. This CAR remains open.

The QA/QC program is the only means by which the public can be assured a nuclear facility has been constructed in a safe manner. The implementation of the QA/QC program is under the direct control of the licensee [KG&E]. Although the NRC performs periodic checks on the QA/QC system, these are primarily reviews of issues brought to their attention by KG&E. The NRC must rely on KG&E to follow the 50.55e reportability criteria. In concluding the documentation problems within the MSSWRs was not reportable under 50.55e requirements, KG&E exercised their discretion. Similarly, they were delinquent in their reporting of the deficiencies in the BN system. In both instances, these serious deficiencies were only discovered inadvertently by NRC's review of other areas.

The NRC, and ultimately the public, must rely on the integrity of utility management to discover, report and resolve all issues involving potential safety concerns. This represents the most disconcerting defect in the system. In concept, a system which allows a utility with no previous nuclear experience, to monitor, analyze and correct problems within their own QA/QC program (with no independent review body) is at best questionable. It is unconscionable that a utility with the magnitude of vested interest KG&E has in getting Wolf Creek on line and in the rate base as soon as possible in order to recover financial debts be allowed to survey, and expected to report and resolve deficiencies. More importantly than theory, however, has been the practical application of this internal monitoring program. It has been repeatedly evidenced that KG&E has succeeded only in their lack of conformance to NRC regulations, lack of adherence to their own quality commitments, lack of effectiveness of their redundant quality organizations, and lack of integrity and competence within their management.

The NRC apparently has not maintained a chronology of safety defects, documentation problems and reportability of deficiencies which have occurred at Wolf Creek. The NRC continues to refer to each recurring incident as "isolated" and does not acknowledge problems within other areas which blatantly confirm the existence of a dangerous pattern of identical QA breakdowns.

Seemingly, the NRC intends their response to satisfy any concerns on the "isolation" of the SSW problems. They requested investigations be conducted to discern potential problems with AWS D 1.1 welding in other areas, and they accepted as conclusive a two page report of a review of twenty KG&E CARs by a KG&E Quality Engineer [Enclosure]. Not only is it of major concern that they allow KG&E to perform their own evaluation, but they apparently do so without requiring KG&E to submit any supporting documentation. Moreover, even though the NRC accepted KG&E's review and assessment that no other problems in areas of AWS D 1.1 welding existed, within the NRC's own response, they reference DIC CAR 1-EW-0046 and KG&E Surveillance Report S-1223 issued in January of 1985 (although they do not submit these reports in their response for officials to review) showing electrical equipment foundation weld problems in an area with AWS D 1.1 welding. Evidence of extending into other

Thirdly, the NRC continues to allow KG&E to perform self-analysis without any independent review, when KG&E has conspicuously failed to correct monumental quality problems or utilize additional quality program enhancements.

Lastly, the rampant intimidation and harassment of Quality personnel not only jeopardizes the safe operation of Wolf Creek, but is indicative of the arrogance and irresponsibility of KG&E quality organizations. It is also a direct reflection upon management integrity.

The NRC and KG&E must be held accountable. If the state of Kansas is to have any assurance that Wolf Creek has been constructed properly and will be operated safely, it must engage in the following:

- 1) request and review additional documentation,
- 2) conduct a limited investigation into intimidation and harassment of Quality personnel (including review of Q1 case files), and
- 3) invite the NRC and KG&E to a Kansas forum to respond to inquiries into the numerous concerns raised about the quality of construction practices and the function of quality organizations at Wolf Creek.

8/83 NCR 1SN 11957CW issued (documenting 42 missing welds records in the pumphouse, dated 6/30/83.)

8/30/83 NCR 1SN 10381PW complete.

10/21/83 Potential 50.55e withdrawn.

10/22/83 DIC CAR 29 closed (A/E dispositioned: "use-as-is".)

11/83-2/84 Combined Review Group status reports.

2/84 First building with missing MSSWRs turned-over.

3/84 KG&E's Q1 established under direction of Bill Kudolph.

6-8/84 NRC says they first learn of potential records problems.

9/4/84 \$64,000.00 Civil Penalty for intimidation of QA inspector.

9/18/84 50.55e report on SSW (22% of MSSWRs missing) reported telephonically, TE3564-K152.

9/84 Rudolph replaced as director of Q1 due to conflict of interest.

9/25/84 KG&E/NRC meeting to present reinspection information.

10/12/84 Inspection Report 50-482/84-12 issued: inspection period 5/14-8/31/84 (p 16q: TE53564-K91 closed, "The suspect welds were found to be acceptable even though they did not look exactly like text book type weld.")

10/17/84 Interim Potential 50.55e telephonic report.

10/17/84 KG&E CAR 19 issued.

10/84 Reinstatement of QA inspector.

10/26/84 Inspection Report 50-482/84-22. (Significant Violation: inspection period 6/11-9/28/84. "During a review of QA/QC and Q1 personnel qualifications and subsequent interviews, NRC inspector became aware of potential problems with DIC CARs 29 and 31.")

10/29/84 Enforcement Meeting KG&E/RJV.

11/15/84 RIV Confirmation Action Letter (Guidance on KG&E corrective action program.)

11/21/84 Violation and Civil Penalty issued: \$75,000.00. (\$25,000.00 was assessed for failure to correct discrepancies when found.)

11/26/84 KG&E Quality Engineer's report on KG&E's CARs. (Summarized no other problems in AWS D 1.1 welding except in MSSWs.)

11/84 Non-Destructive Examinations by NRC begin (to verify KG&E's corrective action program. They continue to 2/85.)



NOV 27 1984



INTEROFFICE CORRESPONDENCE

TO: W.J. Rudolph II KQWLKQW 84-456

FROM: T.W. Halecki *TWH*

DATE: November 26, 1984

SUBJECT: Review of KG&E Generated Corrective Action Request

In support of KG&E CAR No. 19, I have reviewed all of the KG&E initiated CAR's. The general review was conducted to determine if any of the CAR's were similar in nature to the Quality Assurance problems as noted by KG&E CAR No. 19. CAR No. 19 noted inadequacies in inspection and documentation by Daniels. This review will determine if other CAR's pose any significant problems as far as inspection by Daniels. Listed below are the CAR's reviewed and the result of the review.

<u>CAR No.</u>	<u>SUBJECT</u>	<u>SITE IMPACT</u>
1	Drawings out of revision	No Impact
2	Storage vault does not contain the proper environmental controls	No Impact
3	No security procedures	No Impact
4	Gulf Alloy not providing the correct documentation for various fittings	No Impact
5	Internal pipe cleanliness	No Impact
6	Internal pipe cleanliness	No Impact
7	Internal Pipe cleanliness	No Impact
8	Inadequate document control on obsolete documents and change information not controlled and translated into travelers	No Impact
9	Deficiencies in the mechanical/welding surveillance program, surveillances not being performed as prescribed	No Impact
10	QE not reviewing travelers for accuracy	No Impact
11	Not issued	N/A
12	Work Request not properly processed, temporary modification log used in correctly and nonconformance reports not properly initiated, tracked and closed.	No Impact

**GOVERNMENT ACCOUNTABILITY PROJECT**  
1555 Connecticut Avenue, N.W., Suite 202  
Washington, D.C. 20036

2.206

(202) 232-8550

May 31, 1985

The Honorable Nunzio Palladino, Chairman  
Commissioner James K. Asselstine  
Commissioner Frederick Bernthal  
Commissioner Thomas Roberts  
Commissioner Lando Zech

DOCKETED  
NRC

'85 MAY 31 P3:57

Dear Commissioners:

OFFICE OF INVESTIGATIONS  
BRANCH

On May 15, 1985 the Government Accountability Project (GAP) filed a citizen's petition pursuant to 10 C.F.R. 2.206 on behalf of the Nuclear Awareness Network (NAN) of Kansas. That petition requested that the NRC Staff be required to take possession of files which documented hundreds of complaints and concerns from workers at the Wolf Creek nuclear power plant, investigate the adequacy of the resolutions to technical and wrongdoing issues raised by the workforce, and evaluate the implications of the findings for the overall safety of the plant and the character and competence of the management of the Kansas Gas and Electric Company.

This filing amends the May 15 petition. This amendment is based on our analysis of information contained in the Quality First files. This information, which has been provided to the Office of Investigations, removes any doubt that Wolf Creek has been the subject of a serious quality assurance breakdown. It further reveals the inaccuracy of KG&E's assurances that all issues which have implications for the safety of the plant have been adequately resolved.

We understand that the NRC Staff has conducted a major review effort this week as a result of our petition, and that the results of that review are being disclosed to the Commission today in a private briefing. The results of the review effort, the basis for any staff opinion, and the recommendations by the staff for any further action must be made public prior to any full power licensing vote.

We are particularly concerned that the briefing that the Commission itself receives by the staff will not be thorough and complete. We have included by reference in this amendment all of the information contained in Quality First files now in possession of OI, and make specific reference to the following issues which remain unresolved:

- 1) Harassment and intimidation of Quality Control personnel, Start-Up engineers, contract inspectors, and craft employees at the Wolf Creek plant. (See all harassment and intimidation claims including those referred to the KG&E legal office for resolution from the Quality First program.)

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2) Falsification of documents, forgery of signatures, destruction of permanent records, substitution of copies of inspection reports for originals, and missing documentation.

3) Performance of inspections by unqualified inspectors in the mechanical and civil/structural areas.

4) Halogen contamination of piping systems.

5) Systematic program for deception of inspectors on material traceability.

6) Inadequately anchored embed plates.

7) Design drawings that do not match the as-built condition of the plant.

8) Drug abuse among the workforce, inspectors, and engineers.

9) Inadequate implementation of Corrective Action Report commitments regarding safety systems on the plant.

10) Other reports of significant, reportable violations of 10 CFR Appendix B and specific regulatory criteria.

An overriding concern evidenced through the files is that KG&E did not report to the NRC deviations that clearly should have been reported pursuant to 10 C.F.R. 50.55(e).

One example of that is the report of harassment and intimidation of a subcontractor on the site, which was confirmed by the Quality First investigators and resulted in the removal of the harassors. However, there was no attempt to follow up the workers' primary concern that the lack of independence of QA functions from cost and scheduling pressures had comprised the quality of the work of this particular subcontractor. A similar example in another file indicates that a quality control inspector provided numerous details of deliberate falsification of records, pressure to approve indeterminate inspection reports, and a pattern of documentation destruction. None of those allegations were resolved.

Please provide to representatives of NAN by the close of business today the information provided to the Commission and/or the Executive Director's Office stemming from this week's review and inspection effort into wrongdoing and quality assurance deficiencies.

Sincerely,

Billie Pirner Garde  
Citizens Clinic Director

Robert Guild, Esq.  
Attorney

cc: Mr. William J. Dircks

JUN 12 1985

DISTRIBUTION: WOLF CREEK - 2.206 (Green Ticket 000641- ACKNOWLEDGEMENT LETTER)

Docket File (STN 50-482)

NRC PDR \*w/incoming

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EDO #000641

EDO R/F

WDircks

PO'Connor

TAlexion

MRushbrook

LB#1 R/F

HThompson/Marie

TNovak/Peggy

OELD

PPAS

CMiles

VYanez (2)

ASLP

ASLAP

ACRS (16)

HDenton

RMartin

JTaylor

01





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

JUN 12 1985

Docket No.: STN 50-482  
(10 CFR 2.206)

Ms. Billie Pirner Garde  
Mr. Robert Guild, Esq.  
Government Accountability Project  
1555 Connecticut Avenue, N. W.  
Suite 202  
Washington, D. C. 20036

Ms. Stevi Stephens, Director  
Nuclear Awareness Network  
347-1/2 Massachusetts  
Lawrence, Kansas 66044

Dear Ms. Garde, Mr. Guild, Ms. Stephens:

This is to acknowledge receipt of your petition filed with the Commission on May 15, 1985 and an amendment thereto dated May 31, 1985, requesting certain actions regarding the Wolf Creek facility pursuant to 10 CFR 2.206. As is the usual practice, your petition has been referred to the staff for action.

Based upon our preliminary review of your petition and the results of the recent staff inspection of the "Quality First" program files at the Wolf Creek site during the week of May 26, 1985, I have concluded that the matters identified in your petition do not require any immediate action to protect the health and safety of the public. Accordingly, I have issued a full power license for Wolf Creek on June 4, 1985. Appropriate action on your petition will be taken within a reasonable time.

Enclosed for your information is a copy of a notice that will be sent to the Office of the Federal Register for publication.

Sincerely,

A handwritten signature in black ink, appearing to read "Harold R. Denton".

Harold R. Denton, Director  
Office of Nuclear Reactor Regulation

Enclosure:  
Federal Register Notice

cc: See next page

8506190510

WOLF CREEK

JUN 12 1985

Mr. Glenn L. Koester  
Vice President - Nuclear  
Kansas Gas and Electric Company  
201 North Market Street  
Post Office Box 208  
Wichita, Kansas 67201

cc: Mr. Nicholas A. Petrick  
Executive Director, SNU/PS  
5 Choke Cherry Road  
Rockville, Maryland 20850

Jay Silberg, Esq.  
Shaw, Pittman, Potts & Trowbridge  
1800 M Street, N. W.  
Washington, D. C. 20036

Mr. Donald T. McPhee  
Vice President - Production  
Kansas City Power & Light Company  
1330 Baltimore Avenue  
Kansas City, Missouri 64141

Ms. Mary Ellen Salava  
Route 1, Box 56  
Burlington, Kansas 66839

A. Scott Cauger  
Assistant General Counsel  
Public Service Commission  
P. O. Box 360  
Jefferson City, Missouri 65101

Mr. Howard Bundy  
Resident Inspector/Wolf Creek NPS  
c/o U.S.N.R.C.  
Post Office Box 311  
Burlington, Kansas 66839

Mr. Robert M. Fillmore  
State Corporation Commission  
State of Kansas  
Fourth Floor, State Office Bldg.  
Topeka, Kansas 66612

Ms. Wanda Christy  
515 N. 1st Street  
Burlington, Kansas

C. Edward Peterson, Esq.  
Legal Division  
Kansas Corporation Commission  
State Office Building, Fourth Floor  
Topeka, Kansas 66612

John M. Simpson, Esq.  
Attorney for Intervenors  
4350 Johnson Drive, Suite 120  
Shawnee Mission, Kansas 66205

Regional Administrator  
U. S. NRC, Region IV  
611 Ryan Plaza  
Suite 1000  
Arlington, Texas 76011

Mr. Allan Mee  
Project Coordinator  
Kansas Electric Power Cooperative, Inc.  
Post Office Box 4877  
Gage Center Station  
Topeka, Kansas 66604

Regional Administrator  
U.S.N.R.C. - Region III  
799 Roosevelt Road  
Glen Ellyn, Illinois 60137

Brian P. Cassidy, Regional Counsel  
Federal Emergency Management Agency  
Region I  
J. W. McCormack POCH  
Boston, Massachusetts 02109

JUN 12 1985

cc: Terri Sculley, Director  
Special Projects Division  
Kansas Corporation Commission  
State Office Building, Fourth Floor  
Topeka, Kansas 66612

Mr. Gerald Allen  
Public Health Physicist  
Bureau of Air Quality & Radiation  
Control  
Division of Environment  
Kansas Dept. of Health & Environment  
Forbes Field Bldg. 321  
Topeka, Kansas 66620

Mr. Bruce Bartlett  
Resident Inspector/Wolf Creek NPS  
c/o U.S.N.R.C  
Post Office Box 311  
Burlington, Kansas 66839

NUCLEAR REGULATORY COMMISSION  
KANSAS GAS & ELECTRIC COMPANY  
WOLF CREEK NUCLEAR GENERATING STATION  
DOCKET NO.: STN 50-482

RECEIPT OF REQUEST FOR ACTION UNDER 10 CFR 2.206

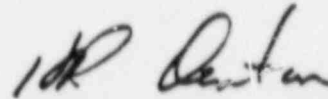
Notice is hereby given that by petition dated May 15, 1985 and an amendment thereto dated May 31, 1985, the Government Accountability Project on behalf of the Nuclear Awareness Network requested that the Nuclear Regulatory Commission take certain actions regarding allegations of safety-related deficiencies at the Wolf Creek facility before authorizing full power operation. The petitioner requested the Commission to analyze safety-related deficiencies in the licensee's "Quality First" program files, determine the significance of the deficiencies for any findings on the adequacy of the licensee's quality assurance program and to investigate the licensee's conduct of the "Quality First" program. The petition is being handled as a request for action pursuant to 10 CFR 2.206 and, accordingly, appropriate action will be taken on the petition within a reasonable time.

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Copies of the petition are available for public inspection in the Commission's Public Docket Room at 1717 H Street, N.W., Washington, D. C. 20555, in the local public document room at Emporia State University, William Allen White Library, 1200 Commercial Street, Emporia, Kansas 66801, and in the local public document room at the Washburn University School of Law Library, Topeka, Kansas 66612.

Dated at Bethesda, Maryland, this 12th day of June 1985.

FOR THE NUCLEAR REGULATORY COMMISSION



Harold R. Denton, Director  
Office of Nuclear Reactor Regulation





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

May 24, 1985

MEMORANDUM: Harold R. Denton, Director  
Office of Nuclear Reactor Regulation

FROM: James Lieberman, Director  
and Chief Counsel  
Regional Operations and Enforcement  
Office of the Executive Legal Director

SUBJECT: 2.206 PETITION BY THE GOVERNMENT ACCOUNTABILITY  
PROJECT RE: WOLF CREEK

By the enclosed letter dated May 15, 1985, addressed to the Commissioners, the Government Accountability Project (GAP) on behalf of the Nuclear Awareness Network filed a request pursuant to 10 CFR 2.206 asking for an inquiry into and an analysis of "significant safety-related deficiencies" at the Wolf Creek facility prior to the Commission granting full power operation. The letter has been referred to the staff for action. GAP has also provided information on this request to Ben Hayes which he forwarded to the EDO by memorandum dated May 17, 1985.

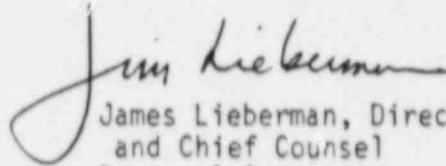
GAP asserts that the Quality First program (Q-1) has been ineffective in addressing safety-related allegations at Wolf Creek. They also contend that the NRC staff has been aware of these unresolved allegations and has refused to take possession of allegations in the Q-1 system and handle them through NRC's allegation tracking system. GAP requests that NRC take possession of the information on safety deficiencies in the Q-1 system, evaluate their collective safety significance and impact on the adequacy of the quality assurance program and explain why these allegations were not previously evaluated.

We will assist you in responding to the petition. We have enclosed a draft acknowledgment letter and Federal Register notice for your use. The letter and notice should be issued as soon as possible. If you want the licensee to respond to the petition, we will assist your staff in drafting an appropriate letter under 10 CFR 50.54(f).

*NRR rec'd 5/28/85 - HS*

*85464647*

Please ensure that I am on concurrence and distribution for all correspondence and am informed of any meetings related to this matter.



James Lieberman, Director  
and Chief Counsel  
Regional Operations and Enforcement  
Office of the Executive Legal Director

Enclosures: As stated

cc: J. Taylor, IE  
R. Martin, RIV  
H. Thompson, NRR  
E. Christenbury, ELD

Docket No. 50 - 482

(10 CFR 2.206)

Ms. Billie Pirner Garde  
Mr. Robert Guild, Esq.  
Government Accountability Project  
1555 Connecticut Avenue, N.W.  
Suite 202  
Washington, DC 20036

Ms. Stevi Stephens, Director  
Nuclear Awareness Network  
347-1/2 Massachusetts  
Lawrence, Kansas 66044

Dear Ms. Garde, Mr. Guild, Mr. Stephens:

This is to acknowledge receipt of your petition filed with the Commission on May 15, 1985, requesting certain actions regarding the Wolf Creek facility pursuant to 10 CFR 2.206. As is the usual practice, your petition has been referred to the staff for action. Accordingly, appropriate action will be taken within a reasonable time.

Enclosed for your information is a copy of a notice that will be sent to the Office of the Federal Register for publication.

Sincerely,

Harold R. Denton, Director  
Office of Nuclear Reactor Regulation

Enclosure: As stated

cc w/encoming petition:  
Kansas Gas & Electric Co.

GOVERNMENT ACCOUNTABILITY PROJECT

1555 Connecticut Avenue, N.W., Suite 202  
Washington, D.C. 20036

(202) 232-8550

May 31, 1985

The Honorable Nunzio Palladino, Chairman  
Commissioner James K. Asselstine  
Commissioner Frederick Bernthal  
Commissioner Thomas Roberts  
Commissioner Lando Zech

85 MAY 31 P3:57

Dear Commissioners:

On May 15, 1985 the Government Accountability Project(GAP) filed a citizen's petition pursuant to 10 C.F.R. 2.206 on behalf of the Nuclear Awareness Network(NAN) of Kansas. That petition requested that the NRC Staff be required to take possession of files which documented hundreds of complaints and concerns from workers at the Wolf Creek nuclear power plant, investigate the adequacy of the resolutions to technical and wrongdoing issues raised by the workforce, and evaluate the implications of the findings for the overall safety of the plant and the character and competence of the management of the Kansas Gas and Electric Company.

This filing amends the May 15 petition. This amendment is based on our analysis of information contained in the Quality First files. This information, which has been provided to the Office of Investigations, removes any doubt that Wolf Creek has been the subject of a serious quality assurance breakdown. It further reveals the inaccuracy of KG&E's assurances that all issues which have implications for the safety of the plant have been adequately resolved.

We understand that the NRC Staff has conducted a major review effort this week as a result of our petition, and that the results of that review are being disclosed to the Commission today in a private briefing. The results of the review effort, the basis for any staff opinion, and the recommendations by the staff for any further action must be made public prior to any full power licensing vote.

We are particularly concerned that the briefing that the Commission itself receives by the staff will not be thorough and complete. We have included by reference in this amendment all of the information contained in Quality First files now in possession of OI, and make specific reference to the following issues which remain unresolved:

- 1) Harassment and intimidation of Quality Control personnel, Start-Up engineers, contract inspectors, and craft employees at the Wolf Creek plant. (See all harassment and intimidation claims including those referred to the KG&E legal office for resolution from the Quality First program.)

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- 2) Falsification of documents, forgery of signatures, destruction of permanent records, substitution of copies of inspection reports for originals, and missing documentation.
- 3) Performance of inspections by unqualified inspectors in the mechanical and civil/structural areas.
- 4) Halogen contamination of piping systems.
- 5) Systematic program for deception of inspectors on material traceability.
- 6) Inadequately anchored embed plates.
- 7) Design drawings that do not match the as-built condition of the plant.
- 8) Drug abuse among the workforce, inspectors, and engineers.
- 9) Inadequate implementation of Corrective Action Report commitments regarding safety systems on the plant.
- 10) Other reports of significant, reportable violations of 10 CFR Appendix B and specific regulatory criteria.

An overriding concern evidenced through the files is that KG&E did not report to the NRC deviations that clearly should have been reported pursuant to 10 C.F.R. 50.55(e).

One example of that is the report of harassment and intimidation of a subcontractor on the site, which was confirmed by the Quality First investigators and resulted in the removal of the harassors. However, there was no attempt to follow up the workers' primary concern that the lack of independence of QA functions from cost and scheduling pressures had comprised the quality of the work of this particular subcontractor. A similar example in another file indicates that a quality control inspector provided numerous details of deliberate falsification of records, pressure to approve indeterminate inspection reports, and a pattern of documentation destruction. None of those allegations were resolved.



Please provide to representatives of NAN by the close of business today the information provided to the Commission and/or the Executive Director's Office stemming from this week's review and inspection effort into wrongdoing and quality assurance deficiencies.

Sincerely,

Billie Pirner Garde  
Citizens Clinic Director

Robert Guild, Esq.  
Attorney

cc: Mr. William J. Dircks