

FOIA-88-107

RESPONSE TYPE

FINAL

PARTIAL

DATE

MAY 26 1988

DOCKET NUMBER(S) (if applicable)



RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

PDR

REQUESTOR *Barbara Day, Esquire*

PART I. - RECORDS RELEASED OR NOT LOCATED (See checked boxes)

No agency records subject to the request have been located.

No additional agency records subject to the request have been located.

Agency records subject to the request that are identified in Appendix K are already available for public inspection and copying in the NRC Public Document Room, 1717 H Street, N.W., Washington, DC.

Agency records subject to the request that are identified in Appendix L are being made available for public inspection and copying in the NRC Public Document Room, 1717 H Street, N.W., Washington, DC, in a folder under this FOIA number and requester name.

The nonproprietary version of the proposal(s) that you agreed to accept in a telephone conversation with a member of my staff is now being made available for public inspection and copying at the NRC Public Document Room, 1717 H Street, N.W., Washington, DC, in a folder under this FOIA number and requester name.

Enclosed is information on how you may obtain access to and the charges for copying records placed in the NRC Public Document Room, 1717 H Street, N.W., Washington, DC.

Agency records subject to the request are enclosed. Any applicable charge for copies of the records provided and payment procedures are noted in the comments section.

Records subject to the request have been referred to another Federal agency(ies) for review and direct response to you.

In view of NRC's response to this request, no further action is being taken on appeal letter dated _____.

PART II.A - INFORMATION WITHHELD FROM PUBLIC DISCLOSURE

Certain information in the requested records is being withheld from public disclosure pursuant to the FOIA exemptions described in and for the reasons stated in Part II, sections B, C, and D. Any released portions of the documents for which only part of the record is being withheld are being made available for public inspection and copying in the NRC Public Document Room, 1717 H Street, N.W., Washington, DC, in a folder under this FOIA number and requester name.

Comments

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PDR FOIA PDR
DAY88-107

SIGNATURE DIRECTOR, DIVISION OF RULES AND RECORDS

Ronald A. Harbo

APPENDIX LRECORDS MAINTAINED IN THE PDR UNDER THE ABOVE REQUEST NUMBER

<u>NUMBER</u>	<u>DATE</u>	<u>DESCRIPTION</u>
1.	3/2/88	Letter from Zech to Congressman Pickle, Subject: Concerns expressed by constituent, D. Harrison of the South Texas Cancellation Campaign (2 pages; attachment to letter (3 pages).
2.	2/8/88	Letter from Newman & Holtzinger to S. Chilk, Subject: South Texas - Petition filed by GAP (4 pages).
3.	2/12/88	Letter from Government Accountability Project to L. Zech, Subject: South Texas worker allegations (7 pages).
4.	1/28/88	Memorandum from S. Chilk to V. Stello regarding GAP petition requesting delay in Commission action on full power vote for South Texas plant (1 page)
5.	12/4/87	Letter from B. Garde, R. Condit, E. Ottney, GAP, to Jose Calvo, NRC, Subject: Status of the review of STP worker allegations (3 pages).
6.	6/2/87	Memorandum from N. Prasad Kadambi, NRR, for Multiple Addresses, Subject: Daily Highlight for South Texas Project (2 pages).
7.	12/7/87	Memorandum from Jose Calvo, NRR, for Thomas Rehm, EDO, Subject: Review of Government Accountability Project Allegations Concerning South Texas Project (2 pages).
8.	12/16/87	Memorandum from Jose Calvo, NRR, for Thomas Rehm, EDO, Subject: Review of Government Accountability Project Allegations Concerning South Texas Project (1 page).
9.	1/4/88	Memorandum from Jose Calvo, NRR, for T. Rehm, T. Murley, F. Miraglia, and D. Crutchfield, Subject: South Texas Project Plan for Evaluation and Resolution of Allegations Provided by the Government Accountability Project (16 pages including attachments).
10.	1/27/88	Memorandum from Jose Calvo, NRR, for T. Rehm, T. Murley, F. Miraglia, and D. Crutchfield, Subject: Inspection of Government Accountability Project Allegations Concerning South Texas Project (2 pages).

APPENDIX LRECORDS MAINTAINED IN THE PDR UNDER THE ABOVE REQUEST NUMBER

<u>NUMBER</u>	<u>DATE</u>	<u>DESCRIPTION</u>
11.	11/24/87	Letter from T. A. Rehm, EDO, to Billie Garde, GAP, Subject: Confirms results of meeting which discussed allegations (1 page).
12.	1/12/88	Letter from T. A. Rehm, EDO, to Billie Garde, GAP, Subject: Review by NRC team of GAP's files pertaining to allegations of safety problems at South Texas (2 pages)
13.	01/15/88	Memo to Patricia Wilder from Jose Calvo, Subject: COURT REPORTING SERVICES FOR THE SOUTH TEXAS PROJECT 1 page
14.	03/02/88	ALLEGATION MANAGEMENT SYSTEM printouts for South Texas, 50-498 with Allegation Nos. NRR-88-A-0004, 0005, 0006, 0007, 0008, 0009, 0010, 0011, 0012 & 0013 10 pages



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

March 2, 1988

The Honorable J. J. Pickle
United States House of Representatives
Washington, D. C. 20515

Dear Congressman Pickle:

Thank you for forwarding to me the concerns expressed by your constituent, Mr. Dan Harrison of the South Texas Cancellation Campaign. I want to assure you that the NRC treats very seriously allegations brought forward by workers at nuclear power plant sites and takes whatever action is necessary to ensure that public health and safety are protected. The fact that an alleged wishes to remain anonymous would not cause the NRC to refuse to investigate an allegation. However, if the alleged has not provided sufficient information to allow a meaningful review, his anonymity may effectively preclude detailed inspection and investigation of his concerns. In the South Texas case, we could not obtain sufficient information to investigate some of the alleged concerns.

Following the Court decision denying enforcement of the subpoena for South Texas safety allegations, members of the NRC staff have worked cooperatively with representatives of the Government Accountability Project (GAP) to establish a means for obtaining as much information as possible on allegations made about construction deficiencies at the South Texas Project and to protect the identities of those individuals who wanted to remain anonymous. Once a framework for meeting these objectives was established, with GAP's full knowledge, the staff proceeded to obtain specific information regarding the allegations. Technical experts reviewed all of the information made available by GAP, including documents and tapes of interviews with individuals. GAP arranged, and NRC staff conducted, separate interviews to obtain more information from some of those who had made allegations. Following this, the staff conducted an inspection at the South Texas site to determine the safety significance of the allegations. The qualifications of the individuals performing the inspections were carefully reviewed to ensure maximum effectiveness of the inspection. All the inspectors had sufficient experience to be able to detect the existence and nature of problems quickly. Most had reviewed allegations at other plants.

The site inspection was completed during the week of January 18, 1988, and a report on its findings is being prepared. We will forward a copy of the report to you as soon as it becomes available.

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In addition to the allegations regarding the South Texas Project, Mr. Harrison makes reference to various news reports of impropriety regarding NRC's conduct of its regulatory function. Each of these concerns has been or is being addressed within and outside NRC.

In your letter, you also requested an update as to the status of South Texas, Unit 1 operation. Since receiving a low-power operating license on August 21, 1987, Unit 1 has experienced several operating problems that have delayed the startup schedule. These include personnel operating errors, deficiencies in procedures, and the identification of several design deficiencies. In the performance of its duties the NRC staff reviews the information on each problem that arises to determine how future licensing decisions would be affected, and also whether any past decisions should be changed. Also, each problem is examined for evidence of wider areas for concern. The current schedule for Unit 1 indicates that all the corrective actions proposed by the licensee, Houston Lighting and Power, will be completed prior to initial criticality. The NRC staff is in the process of reviewing information from the licensee to determine if initial criticality can be supported from a regulatory viewpoint.

I hope this information will be helpful to you in responding to Mr. Harrison.

Sincerely,

Original signed by
Lando Zech, Jr.
Lando W. Zech, Jr.

Ref: CR-88-32

Originating Office: EDO/NRR

OFFICE	C/R	OCA	OCM	OCM		
SURNAME	S. Showman	VM	R. [Signature]	L. Zech		
DATE	3/1/88		3/1/88	3/2/88		

J.J. PICKLE
10TH DISTRICT, TEXAS

WASHINGTON ADDRESS
242 CANNON HOUSE OFFICE BUILDING
CQ22 225-4885

AUSTIN ADDRESS
783 FEDERAL BUILDING
AUSTIN, TX 78701
(512) 482-8921

COMMITTEE:
WAYS AND MEANS
JOINT COMMITTEE ON TAXATION

WAYS AND MEANS SUBCOMMITTEES:
CHAIRMAN, OVERSIGHT
HEALTH

Congress of the United States

House of Representatives

Washington, DC 20515

January 13, 1988

Lando W. Zech
Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Chairman Zech:

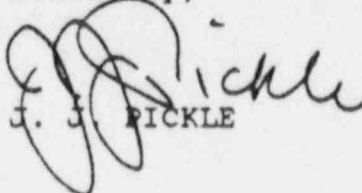
I have been contacted by the South Texas Cancellation Campaign concerning the Governmental Accountability Project (GAP) request to the National Regulatory Commission to establish a Special Investigating Team to look at the allegations made by workers at the South Texas Nuclear Project. I understand that the Commission has refused this request because the workers making the allegations would not identify themselves.

I can understand your reluctance on this basis; however, there have been serious statements made to my office by the South Texas Cancellation Campaign regarding plant management. This group alleges many violations of safety regulations during construction. Further, I understand that many of these allegations have been well documented.

I do not pass judgement on these allegations and fully recognize the purpose of this group is to stop the STNP. Nevertheless, serious allegations have been made. Please let me know if the Commission has plans to look into any of these allegations. Also, I would appreciate an update as to the status of this plant's operation.

I appreciate your assistance in this matter.

Sincerely,



J. J. PICKLE

JJP:peh
Enclosure

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L. Harrison
3400-B La Fayette
Austin, Texas 78722

November 16, 1987

Honorable J. J. Pickle
242 Cannon House Office Building
Washington, D.C. 20515

Congressman Pickle:

I appreciate your continued efforts to monitor the status of the South Texas Nuclear Project and inquire of the Nuclear Regulatory Commission on the motions and reports that I have written you about. The copy that you sent me recently of the letter you received from the NRC was informative. Your interest in this issue and the help you have given us is gratifying.

Yet the fact remains that the South Texas Nuclear Project (STNP) is nearing completion, and some serious safety questions are unanswered. Over 50 of the very people who built it have made 650 allegations of construction problems regarding safety, cost overruns and criminal activity at the STNP. These plant workers do not trust the Nuclear Regulatory Commission (NRC) to adequately investigate their complaints. Many have tried the NRC only to find their inspectors unresponsive, or have seen other workers experience retaliation from their employers after having gone to the NRC. For this reason, they have gone to the Government Accountability Project (GAP), a public interest law firm, for help in getting their concerns investigated while protecting their identities and jobs. G.A.P. has requested that the NRC establish a Special Investigating Team to look into the allegations at STNP, but the Commission has refused.

Your position in Congress gives you the influence to break this stalemate. The people of Texas need these problems investigated to assure the safety of the STNP, and you can do this by requiring the NRC to establish a Special Investigating Team.

I am contacting you on behalf of the South Texas Cancellation Campaign, an anti-nuclear power organization with over 300 members in Austin and other parts of Texas. We have long questioned the safety of construction of the STNP, and now more problems have surfaced even as the first unit of the plant nears completion.

Some of the biggest doubts about STNP safety are the recently uncovered evidence of corruption and nuclear industry bias at the Nuclear Regulatory Commission. In December of 1986 the NRC assembled an internal 4,000-page report on regulatory activity within the 10-state NRC region (Region 4) including Texas that documented numerous inspection failures and policy violations. (See enclosed article for details) The report concluded that the regulatory function of NRC Region 4 was unreliable. Then in April of this year the Senate Governmental Affairs Committee heard testimony of corruption at several levels within the NRC. It included an NRC inspector working at the Comanche Peak plant near Fort Worth who was harrassed by management for his critical inspection reports and a case of unethical information passing to a nuclear plant utility

by a member of the Commission. (See enclosed article for details) These facts do not inspire confidence in the NRC to assure nuclear plant safety. And they reinforce the Government Accountability Project's hesitance to provide the NRC with any evidence without a Special Investigating Team.

G.A.P. began interviewing past and present workers from the nuclear plant last year. Within 6 months 35 workers had come forward with over 500 allegations of construction problems. So far, a total of 56 workers have testified to over 650 allegations of violations at STNP. Over 250 of the alleged violations involve safety-related construction. The NRC has refused G.A.P.'s request for a Special Investigating Team, but instead the NRC has subpoenaed their lawyers and the witnesses. G.A.P. has gone to court to fight the NRC rather than turn the evidence over to NRC discretion. G.A.P. recently won the first round when a Washington judge ruled against the NRC subpoenas.

The establishment of a Special Investigating Team is a step that has been taken at other nuclear power plants. At the Zimmer plant in Ohio, the Comanche Peak plant near Fort Worth and, previously, at the STNP, the NRC has set up such teams to hear evidence of construction problems. With the NRC's present lack of credibility this is the only way to assure an objective and fair review of the evidence. And it is the only way to assure protection of the workers' identities and protect them from retaliation.

On behalf of all the people of Texas who must trust in the safe construction of this plant against the threat of a nuclear accident, we ask that you make a Special Investigating Team for the STNP a high priority. Please contact the NRC about this matter right away. Time is running out as STNP Unit 1 could become operational in a few weeks. All safety concerns must be resolved before this is allowed to happen.

We would like to meet with you on this matter the next time you are in your home district. We will contact your office to ask for an appointment. Thank you again for taking an interest in this issue.

Yours truly,

Dan Harrison

Dan Harrison
Spokesperson, South Texas
Cancellation Campaign

Release

NEWMAN & HOLTZINGER, P.C. DOCKETED USNRC

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WASHINGTON, D.C. 20036 '88 FEB -8 A11:13
202-955-6600

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OF COUNSEL

*NOT ADMITTED IN D.C.

DONALD J. SILVERMAN
JOSEPH E. STUBBS
COUNSEL

February 8, 1988

Samuel J. Chilk, Secretary
Office of the Secretary
of the Commission
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Re: Houston Lighting & Power Co., et al.
South Texas Project, Units 1 & 2
Docket Nos. 50-498, 50-499

Dear Mr. Chilk:

Houston Lighting & Power Company (HL&P) has obtained 1/ and reviewed the January 26, 1988, Petition regarding the South Texas Nuclear Project (STP) filed by the Government Accountability Project (GAP) pursuant to 10 C.F.R. § 2.206, and urges the Commission to deny it.

Section 2.206 provides an opportunity for persons to request the Director of Nuclear Reactor Regulation to Institute action pursuant to Section 2.202. The GAP petition is not addressed to the Director, does not seek a remedy within the scope of Section 2.202 2/ and does not provide an adequate basis for the remedy GAP seeks. Although the Commission could elect to construe the petition as addressed to its general discretion, the GAP petition is so patently devoid of merit that it should be summarily rejected.

1/ The petition was not served on HL&P, and GAP refused HL's request for a copy. A copy was obtained by contacting a media organization which had apparently been "timely served" by some party.

2/ The petition requests the Commission to delay its vote on full power authorization for STP Unit 1. The Director does not have authority to order the Commission not to vote on a matter.

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Samuel J. Chilk, Secretary
February 8, 1988
Page Two

The petition contains only the most general allegations regarding STP, and does not identify any specific allegations which could constitute a basis for the relief it seeks. 3/

The GAP petition must also be evaluated in light of the organization's refusal to provide full information to the NRC and other forms of resistance to a proper investigation. In view of the obdurate refusal to cooperate, which has continued for over a year, the organization is hardly in a position to criticize the Staff's handling of the allegations, let alone obtain the extraordinary relief it requests.

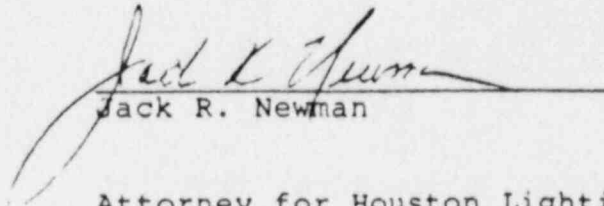
GAP's real target is the conduct of the NRC's investigation; specifically that the Staff focused immediately on potentially safety-significant allegations and, in GAP's view, reached judgments too quickly. Prompt, safety-focused investigations are, however, consistent with, and indeed required by, Commission policy. Statement of Policy: Handling of Late Allegations, 50 Fed. Reg. 11,030 (Mar. 19, 1985). GAP's grievance suggests that no investigation will be satisfactory unless the results confirm the organization's prejudices.

3/ GAP's only specific complaint is that Mr. Corder, a source of over a hundred of the GAP allegations, when brought on site to point out his concerns, was taken into Unit 2, but for security reasons, was not taken into Unit 1. Putting aside the fact that Unit 2 is essentially identical to Unit 1, Mr. Corder had previously pointed out his concerns in Unit 1. He has previously toured Unit 1 with one of the NRC Senior Resident Inspectors for the purpose of pointing out his concerns. He has also had separate tours of Unit 1 with members of the STP SAFETEAM as well as with members of the Bechtel Project Management staff for the same purpose. His concerns have been thoroughly investigated. The results of the SAFETEAM investigation were provided to the NRC in a report submitted to NRC Region IV on January 28, 1987. In addition, HL&P retained an independent expert from the Stone & Webster Engineering Company to review the HL&P investigation methodology and results, and the NRC Staff has also reviewed both the HL&P investigation records and the independent expert's report.

Samuel J. Chilk, Secretary
February 8, 1988
Page Three

For all the foregoing reasons, the petition should be summarily rejected.

Respectfully submitted,


Jack R. Newman

Attorney for Houston Lighting
& Power Company, Project Mana-
ger of the South Texas Project,
acting herein on behalf of
itself and the other applicants,
CITY OF SAN ANTONIO, TEXAS,
acting by and through the City
Public Service Board of the
City of San Antonio, CENTRAL
POWER AND LIGHT COMPANY and
CITY OF AUSTIN, TEXAS

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

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In the Matter of)	
)	
HOUSTON LIGHTING & POWER)	Docket Nos. 50-498 OL
COMPANY, <u>ET AL.</u>)	50-499 OL
)	
(South Texas Project, Units 1)	
and 2))	

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BRANCH

CERTIFICATE OF SERVICE

I hereby certify that copies of the letter to Samuel J. Chilk from Jack R. Newman, dated February 8, 1988, have been served on the following individuals and entities by deposit in the United States mail, first-class, postage prepaid, or by arranging by messenger delivery as indicated by asterisk, this 8th day of February, 1988.

Lando W. Zech, Jr., Chairman*
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Commissioner Thomas M. Roberts*
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Commissioner Kenneth Rogers*
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Commissioner Frederick M. Bernthal*
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

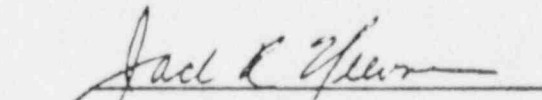
Commissioner Kenneth M. Carr*
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Ms. Billie P. Garde
Director of the Midwest Office
Government Accountability Project
3424 North Marcos Lane
Appleton, Wisconsin 54911

Richard E. Condit
Government Accountability Project
1555 Connecticut Avenue, N.W.
Suite 202
Washington, D.C. 20036

William Paton*
Office of the General Counsel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Office of the Secretary*
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555



Jack R. Newman

1 case

GOVERNMENT ACCOUNTABILITY PROJECT

25 E Street, N.W., Suite 700
Washington, D.C. 20001

(202) 347-0460

February 12, 1988

Lando W. Zech, Jr.
Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Re: South Texas Nuclear Project worker allegations

Dear Chairman Zech:

We read with great interest a recent newspaper article in which you were quoted as saying that "100 percent" of allegations related to nuclear plant equipment are investigated by the Nuclear Regulatory Commission (NRC). The relevant section of the article reads as follows:

Adm. Lando W. Zech, Jr., chairman of the Nuclear Regulatory Commission, stressed in an interview that his agency's goal was public health and safety and that when an allegation was made about plant equipment, "100 percent get investigated," often by X-raying piping or testing equipment. But he said "people allegations," in which "somebody said something to somebody," were harder to investigate.

See, New York Times, January 31, 1988, "Nuclear Agency Said to Lag in Seeking Out Crime," p. 8 (attached). We were astonished to read your statement because it has not been the experience of the Government Accountability Project (GAP) that "100 percent" of equipment-related allegations are investigated. Certainly that is not the case at the South Texas Nuclear Project (STNP).

As you know, the NRC has been provided with 600-700 allegations from current and former STNP workers. We have estimated that more than 50 percent of those allegations are safety-related. We recently reviewed the STNP allegations, and we conservatively estimate that there are over 140 equipment-related allegations. These allegations pertain to problems in a variety of areas including:

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- o component maintenance
- o coatings
- o polar crane
- o hanger supports
- o electrical cables
- o heating, ventilating and air conditioning systems
- o fasteners
- o equipment repair
- o component accessibility
- o piping installation
- o welding

In addition, the allegations focus on areas that may significantly impact on various pieces of equipment or entire systems. These allegations include:

- o engineering design problems
- o failure to inspect hardware
- o material compatibility problems
- o as-built hardware being out of compliance with design drawings
- o harassment and intimidation of QA and QC personnel
- o FSAR violations
- o ASME, ASTM, ANSI violations
- o failure to follow proper QA/QC procedures
- o lost material traceability
- o invalid N-5 Code Data Report

The NRC's Safety Significance Assessment Team (SSAT) recently conducted a site tour of the STNP focusing on only 60 allegations. It is obvious that the team did not review all of the alleged equipment-related problems. If the SSAT did not investigate any further numerous equipment-related allegations would not be resolved prior to licensing. Consequently, the statement attributed to you regarding 100 percent investigation would be false.

Lando W. Zech, Jr.
February 12, 1988
Page Three

Other issues pertaining to the NRC's investigation of the STNP allegations are disturbing. For example, there is no basis for the NRC's assessment that the allegations are not of immediate safety significance. This determination was set forth by Mr. T. A. Rehr in his January 12, 1988 letter to Billie P. Garde, Esq. A subsequent confidential review of a sample of these allegeders' files by an independent organization (Quality Technology Company - QTC) resulted in a radically different assessment. The QTC review concluded that the allegeders' files suggested that "potentially significant safety problems exist" at the STNP. QTC also maintains that the numerous harassment, intimidation and wrongdoing allegations were troubling because "it is not possible for safety requirements to be met consistently in this type of management environment." This analysis reinforces our belief that the NRC has no intention of comprehensively investigating the STNP allegations.

As another example, it is disturbing how the NRC interacted with Houston Light and Power (HL&P) regarding the STNP allegations. A memorandum (attached) posted by HL&P at the STNP site claims that "no safety concerns requiring additional attention were noted by the inspectors [SSAT]." The memorandum was posted immediately after the SSAT left the STNP site. The memorandum implies that since the SSAT did not inform HL&P of any serious safety concerns the plant has been given a clean bill of health.

What was HL&P told about the SSAT's assessment of the 60 allegations under review during the site visit? How could HL&P obtain an assessment prior to the preparation of a report by the SSAT? Why was the public told to wait for a report when an assessment was already made? These questions need to be answered in light of the following facts:

- o Mr. John Corder was denied access to Unit I while attempting to point out safety-related problems to the SSAT.

Lando W. Zech, Jr.
February 12, 1988
Page Four

- o Some accounts of the SSAT's site visit have indicated that the team was confined to Unit II.
- o GAP was informed that a draft report of the SSAT's review was prepared (before they returned from the STNP) by NRC staff who were not part of the team.

One obvious implication is that HL&P has played a role in limiting the investigation of the STNP allegations. More disturbing, however, is the additional implication that NRC management is not willing to take any action that may negatively impact the licensing of the STNP.

Finally, we are very concerned to hear that the NRC is not issuing a preliminary public report on the SSAT's initial analysis of the STNP allegations, but instead has undertaken to write a NUREG. We assume this NUREG will follow the format of similar documents prepared at the conclusion of major allegation investigations at Waterford and Comanche Peak. Frankly, we are shocked at the prospect of the SSAT allegation investigation effort of four days of on-site investigating serving as the basis for a NUREC document.

Given the actions of NRC management in handling the STNP allegations, we have no choice but to request an explanation regarding whether or not the NRC intends to initiate further investigation. If the NRC believes that there is no safety significance or substantive merit to the STNP allegations, then we must advise our clients that they must seek other avenues of relief.

Until the NRC thoroughly investigates each allegation, serious doubts about the safety of the STNP will continue to plague the public and those who have worked at the plant. We hope that you will make every effort to ensure that an honest investigation is conducted, and a public report is issued prior

Lando W. Zech, Jr.
February 12, 1988
Page Five

to licensing. The public and the workers who have risked their careers and livelihoods deserve no less.

Sincerely,

Billie P. Garde (b4)(c)

Billie P. Garde
Director, GAP Midwest

Richard E. Condit

Richard E. Condit
Staff Attorney

RC:079AA15

cc: T. A. Rehm, NRC
J. Calvo, NRC
W. Briggs, NRC
B. Garde, GAP
L. Clark, GAP
P. Goldman, Public Citizen Litigation Group
T. Mack, Jones, Mack, Delaney & Young

THE TEAM OF NRC INSPECTORS REVIEWING GAP ALLEGATIONS COMPLETED THEIR WORK EARLY FRIDAY MORNING, JANUARY 22. ALTHOUGH THE FINAL REPORT WILL NOT BE AVAILABLE UNTIL SOMETIME IN FEBRUARY AND NO PRELIMINARY REPORT WAS ISSUED, WE ARE EXTREMELY PLEASED THAT THE ALLEGATIONS HAVE FINALLY BEEN REVIEWED AND THAT NO SAFETY CONCERNS REQUIRING ADDITIONAL ATTENTION WERE NOTED BY THE INSPECTORS.

WE HAD BEEN INFORMED BY THE TEAM WHEN THEY ARRIVED THAT IF, DURING THEIR REVIEW, ANY CONCERN WAS DETERMINED SERIOUS ENOUGH TO REQUIRE FURTHER ATTENTION ON OUR PART, WE WOULD BE TOLD IMMEDIATELY. WE RECEIVED NO SUCH NOTICE AND ARE SATISFIED THAT OUR CONFIDENCE IN THE SAFE CONSTRUCTION OF THE PLANT HAS ONCE AGAIN BEEN CONFIRMED.

Release



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

OFFICE OF THE
SECRETARY

January 28, 1988

MEMORANDUM FOR: Victor Stello, Jr.
Executive Director for Operations
FROM: Samuel J. Chilk, Secretary
SUBJECT: PETITION OF THE GOVERNMENT ACCOUNTABILITY
PROJECT REQUESTING A DELAY IN THE COMMISSION
FULL POWER VOTE ON SOUTH TEXAS

On January 26, 1988, my office received the attached petition of the Government Accountability Project (GAP). The petition requests that the Commission delay voting on full power operation for the South Texas Nuclear Project until such time as investigations recommended by GAP in the petition have been completed.

This is being forwarded to you for appropriate action under 10 CFR 2.206. Please provide the Commission on a timely basis with a recommendation as to the request to delay the Commission meeting which is now scheduled for February 22, 1988.

Attachment:
As Stated

- Copies:
- Chairman Zech
- Commissioner Roberts
- Commissioner Bernthal
- Commissioner Carr
- Commissioner Rogers
- General Counsel

FOIA-88-107

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GOVERNMENT ACCOUNTABILITY PROJECT

25 E Street, N.W., Suite 700
Washington, D.C. 20001

(202) 347-0460

December 4, 1987
HAND-DELIVERED

Received by [unclear] 12/7/87

Jose Calvo
U.S. Nuclear Regulatory Commission
7920 Norfolk Avenue
Phillips Building
Bethesda, Maryland

Dear Jose:

We are writing to discuss the status of the review of the South Texas Nuclear Project (STNP) worker allegations. This review follows our preliminary meeting of November 19th. In that meeting it was agreed that a team of non-Region IV NRC personnel would be permitted access to the STNP allegeders' files under certain conditions and with the allegeders' permission. These conditions included that the identity of any allegeder would be kept confidential and that no one at the STNP site will be contacted about the information revealed during the review. In addition, it was agreed that the allegeders' information would only be revealed to NRC personnel not participating in the review on a need-to-know basis. The development of this working protocol was necessary to permit NRC review while protecting our interests and the interests of the allegeders.

We appreciate the diligence and courtesy that the Washington-based NRC personnel have exhibited in working at our office. We have tried to work closely with them to allow the review to proceed as efficiently as possible.

However, over the last couple of days it has become clear to us, through the actions and comments of Paul O'Conner, that there may be problems with the review of the allegations. We understand that Mr. O'Conner's background is in project management, not QA/QC and technical review. We believe that his background may be a limitation on the review process. In our opinion, his approach to the allegations may be hampering a thorough and independent technical review.

Yesterday, we were particularly disturbed by Mr. O'Conner's comments to other NRC personnel that a deadline (of December 12th) would control the review instead of the substance determining the amount of effort required. Such deadlines may violate 10 CFR 50, Appendix B, Criterion I. We are aware of STNP's licensing schedule, but we must strongly object to this review being controlled by any licensing timetables.

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As we have already discussed, it is essential that the allegers' files receive a detailed QA analysis. Each file must be read through in order to get an overall view of the possible QA/QC breakdown at STNP.

Our other concern with Mr. O'Conner's approach is that he seems to take a very narrow view of the allegations. On several occasions he has appeared to minimize the significance of some allegations before the reviewer could analyze it in its entirety. This approach may prevent the reviewer from making an independent assessment of an allegation based on his technical expertise. This concerns us because the initial review of the allegations will determine the universe of information from which the NRC can investigate. Therefore, it is important that no allegation is dismissed too quickly.

* In reviewing a file, if the allegers' intent is somewhat ambiguous, then the interview tapes should be reviewed or the allegers should be questioned if possible. As we explained in the November 19th meeting, our working files were not prepared for the purpose of NRC review. Nor can these files take the place of a technical interview with the allegers. Consequently, our files should only be used to complement a more thorough NRC technical interview, and must not be used to make a definitive technical assessment of any allegation.

Another issue that troubles us is that little, if any, attention is being given to the documentation that supports some of the allegations. This is ironic because the supporting information was the subject of the NRC's subpoena. Frankly, it has always been our concern that the NRC was not interested in these documents but only wanted to review our summaries, which may not be technically complete. We realize that it is much easier to dismiss an allegation if there are no supporting documents. We hope that you and the other members of the review team will begin to take full advantage of any supporting documentation that accompanies an allegers' file.

Finally, in the last two days we have finished preparation of approximately 50 allegations that were in files that we were unable to prepare previously. We advised you that some files had not been completed at the November 19th meeting. No one from NRC objected when we indicated that there would be a delay in producing these allegations. Yesterday, upon our mentioning that the additional allegations were prepared, Mr. O'Conner stated that it may not be possible to review these allegations because some members of the technical review team have already completed their review and could not return.

Jose Calvo
December 4, 1987
Page Three

As you know, this effort has consumed many hours and other resources -- which are extremely limited. It would be unfair to everyone involved to compromise the integrity of the review effort simply because of 50 additional allegations. There must be appropriate NRC staff members who could properly review these allegations.

We hope that you will take these comments in the constructive spirit in which they are offered. We trust that you will take all necessary steps to protect the hard work that has been done by everyone to date. Our recommendation is that you institute a conference call with us to help work out our concerns, and rectify the problems which have developed from today's Houston Chronicle article.

Yours truly,

Billie P. Garde (by RC)

Billie P. Garde

Richard E. Condit

Richard E. Condit

Edna F. Ottney

Edna F. Ottney

079EE01

cc: Tom Rehm
U.S. Nuclear Regulatory Commission
Maryland National Bank Building
7735 Old Georgetown Road
Bethesda, Maryland



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

W.C. Parley, OBE
HST
WP
MM
KR

June 2, 1987

Docket Nos. 50-498
and 50-499

MEMORANDUM FOR:

T. Murley*	J. Partlow
J. Sniezek*	F. Congel
F. Miraglia*	W. Russell
R. Starostecki*	S. Black*
S. Varga*	B. Boger
D. Crutchfield*	G. Lainas
L. Shao	F. Schroeder
C. Rossi	G. Holahan
S. Richardson	A. Thadani
W. Lanning	

THRU:

Jose A. Calvo, Director
Project Directorate - IV
Division of Reactor Projects - III,
IV, V and Special Projects *MC*

FROM:

N. Prasad Kadambi, Project Manager
Project Directorate - IV
Division of Reactor Projects - III,
IV, V and Special Projects

SUBJECT:

DAILY HIGHLIGHT FOR SOUTH TEXAS PROJECT

The Government Accountability Project (GAP) has submitted on June 1, 1987 a motion and a petition related to the South Texas Project. The motion is related to the subpoena issued by the NRC staff to Ms. Billie P. Garde, and requests the Commission to quash the subpoena. The motion also requests the opportunity for an oral argument.

The petition purports to be pursuant to 10 CFR 2.206, and requests establishment of "an independent investigative unit or special projects review team to deal with the allegations concerning the STNP." However, the petition requests that the effort should not be in any way "reviewed or in control of Mr. Stello or his staff."

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June 2, 1987

The above submittals bring to three the motions submitted in recent days on South Texas. Mr. Lanny Sinkin had submitted a motion to reopen the hearing record on May 29, 1968 (Daily Highlight on June 1, 1987). The staff attorneys are prepared to respond to Mr. Sinkin's motion by June 18, 1987 as required by the regulations. We are requesting guidance on response times from OGC on the GAP submittals.

N. Prasad Kadambi.

M. Prasad Kadambi, Project Manager
Project Directorate - IV
Division of Reactor Projects - III,
IV, V and Special Projects

cc: W.C. Parler (OGC)
J.R. Goldberg (OGC)



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

December 7, 1987

MEMORANDUM FOR: Thomas Rehm, Assistant for Operations
Office of the Executive Director for Operations

FROM: Jose A. Calvo, Director
Project Directorate - IV
Division of Reactor Projects - III,
IV, and Special Projects

SUBJECT: REVIEW OF GOVERNMENT ACCOUNTABILITY PROJECT
ALLEGATIONS CONCERNING SOUTH TEXAS PROJECT

A team of NRC staff reviewers has been reviewing allegations from concerned individuals (allegers), represented by the Government Accountability Project (GAP) at the GAP Office in Washington, D.C., since November 30, 1987.

The team consists of the following staff members:

	<u>Discipline</u>	<u>Organization</u>
Paul O'Connor	Sr. Project Manager	NRR/PD4
Edward Tomlinson	Electrical, Instrumentation & Miscellaneous	NRR/PD4
Romuald Lipinski	Civil/Structural	NRR/ESGB
Jai Rajan	Mechanical	NRR/EMEB
Richard Correia	QA/QC	NRR/LQAB
Jaque Durr	QA/QC	Region I
Patrick Milano	QA/QC	OE

Paul O'Connor will manage, coordinate and monitor the review of the GAP allegations.

There were initially 475 issues characterized by GAP as allegations. This total includes 43 issues that are classified by GAP as intimidation/harassment. On December 3, GAP identified 58 additional allegations that they have identified from their assessment of the concerned individual's statements. Allegations related to wrongdoing are being referred to OI. The safety related aspects of these wrongdoing allegations are included in the 475 allegations discussed above.

Approximately half of the allegations have been reviewed by the staff at this time. The remaining allegations are primarily related to QA/QC and will be reviewed during the week of December 7.

CONTACT:
P. O'Connor, NRR/PD-IV
492-9405

FOIA-88-107

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8712090159 XA 2PP

Thomas Rehm

-2-

The GAP personnel have been quite cooperative during this effort. There are, however, a few allegations that are not yet being made available to the staff because the alleger has not yet authorized GAP to release the information concerning these allegations to NRC.

151
Jose A. Calvo, Director
Project Directorate - IV
Division of Reactor Projects - III,
IV, V and Special Projects

cc: T. Murley
D. Crutchfield
F. Miraglia
L. Shao
K. Smith
P. Kadambi

DISTRIBUTION
Central File
PD4 Reading
J. Calvo
P. O'Connor

*See previous concurrence:

PD4/PM*
PO'Connor: sr
12/04/87

PD4/D / J.C.
JCalvo
12/7/87

3/17/88 Ref. to Calvo

Rehm



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555
December 16, 1987

MEMORANDUM FOR: Thomas Rehm, Assistant
for Operations
Office of the Executive Director for Operations

FROM: Jose A. Calvo, Director
Project Directorate - IV
Division of Reactor Projects - III,
IV, V and Special Projects

SUBJECT: REVIEW OF GOVERNMENT ACCOUNTABILITY PROJECT
ALLEGATIONS CONCERNING SOUTH TEXAS PROJECT

The NRC staff reviewers have completed their review of the initial Government Accountability Project (GAP) allegations related to the South Texas Project.

The allegations have been entered into a computerized data base to assist the reviewers in tracking and evaluating these issues.

At this time the staff is tracking approximately 700 allegations many of which are duplicates or slight variations of other allegations.

During the week of December 7, GAP representatives identified two additional batches of allegations which contain 68 new issues.

In addition to the new allegations, one file containing 35 allegations has been withheld from the staff pending confidentiality discussions with the allegor. Approximately one additional day will be required during the week of December 14 to complete the initial screening of these allegations.

Jose A. Calvo

Jose A. Calvo, Director
Project Directorate - IV
Division of Reactor Projects - III,
IV, V and Special Projects

cc: T. Murley
F. Miraglia
D. Crutchfield
L. Shao
~~██████████~~
P. Kadambi

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CONTACT:
P. O'Connor, NRR/PD-IV
492-9406

~~8712210081 XA~~ 1P



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

January 4, 1988

W. Carter
Heas
Beck
hand

MEMORANDUM FOR: Thomas A. Rehm, Assistant for Operations
Office of the Executive Director for Operations

Thomas E. Murley, Director
Office of Nuclear Reactor Regulation

Frank J. Miraglia, Associate Director
for Projects
Office of Nuclear Reactor Regulation

Dennis M. Crutchfield, Director
Division of Reactor Projects - III, IV,
V and Special Projects
Office of Nuclear Reactor Regulation

FROM: Jose A. Calvo, Director
Project Directorate - IV
Division of Reactor Projects - III,
IV, V and Special Projects
Office of Nuclear Reactor Regulation

SUBJECT: SOUTH TEXAS PROJECT (STP) PLAN FOR EVALUATION
AND RESOLUTION OF ALLEGATIONS PROVIDED BY THE
GOVERNMENT ACCOUNTABILITY PROJECT (GAP)

WB
KS

Refer

The plan for the evaluation and resolution of STP allegations provided by GAP is presented in Enclosure 1.

The NPC Safety Significance Assessment Team (SSAT) (Enclosure 2) has completed a preliminary review of the allegations and associated materials at GAP offices in Washington, D.C., and has compiled, summarized, and categorized them by discipline or topics (see Enclosure 4). It is important to note that the SSAT had difficulty during its review in assessing the safety significance of many of the allegations due to the lack of specificity and detail of the identification of a particular component or system provided by the allegers (referred to by GAP as concerned individuals - CIs).

Because of the general lack of specificity of the allegations, it is imperative that the SSAT contact the allegers and determine if they can identify locations or components that exhibit the conditions that they have a concern over at STP. This will facilitate the SSAT subsequent inspection to substantiate the concerns or determine that the concern has been satisfactorily corrected. If an allexer cannot be contacted or if the contact yields no additional specific information to focus the inspection on a particular area or component, the individual allegation will be dispositioned as unsubstantiated and the general subject matter will be pursued further only if other related allegations provide some basis to assume that there is validity to the concern.

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The SSAT wrote a brief description of each allegation reviewed. We feel that the subject matter used in some of the allegation descriptions might reveal the identity of the allexer. Thus, the GAP allegation descriptions prepared by SSAT must remain confidential until such a time that the need for the confidentiality of the allexers is no longer required.

Enclosure 5 lists the 10 primary allegations that the SSAT will investigate at STP. Enclosure 6 lists the secondary allegations that will also be considered along with the primary allegations due to their similarities to the primary allegations.

The proposed SSAT inspection team (Enclosure 7) are the same individuals that performed the initial review, evaluation, and screening of the allegations. Given the time remaining to prepare for the inspection and the general non-specific nature of the allegations, the utilization of these experienced reviewers or inspection team members will greatly facilitate the effort.

GAP has been contacted and given the primary and secondary allegation lists to allow them to contact the appropriate allexers and any others that may provide any additional information concerning the allegations selected for inspection. Depending on the results of GAP contact with the allexers, the proposed tentative schedule for the inspection effort will commence during the week of January 11, 1988.

Should you have any questions regarding these matters, please contact me at X27460.

Jose A. Calvo

Jose A. Calvo, Director
Project Directorate - IV
Division of Reactor Projects - III,
IV, and Special Projects
Office of Nuclear Reactor Regulation

cc w/enclosures:

SSAT Members
V. Stello, EDO
W. Parler, OGC
J. Sniezek, NRR
F. Martin, PIV
W. Pussell, RI
W. Johnston, RI
L. Shao, NRR
J. Roe, NRR
J. Partlow, NRR
B. Hayes, OI
W. Briggs, OGC
K. Smith, OGC
J. Lieberman, OE
R. Brady, NRR
T. Martin, EDO
B. Garde, GAP
P. Condit, GAP

SOUTH TEXAS PROJECT ALLEGATIONS REVIEW

SAFETY SIGNIFICANCE ASSESSMENT

STATUS REPORT

1. BACKGROUND

Direct interaction between NRC staff and The Government Accountability Project (GAP) on the matter of South Texas Project safety concerns outside of the litigation arena, began on November 19, 1987. A meeting was held in the Office of the Executive Director of Operations (EDO), Bethesda, with Thomas A. Rehm leading the NRC staff representatives and Billie P. Garde leading the GAP representatives. The backdrop for this meeting was the decision by the US District Court dated October 27, 1987. The Court had ruled to deny enforcement of a NRC subpoena on Ms. Garde because of the possibility of "abridgement of constitutionally protected associational rights." In addition, the court stated that, "Alternatives minimizing the intrusion on associational rights must be carefully and conscientiously explored before resort may be had to the court's process."

Prior to the meeting of November 19, 1987, agreement had been reached between the EDO and Ms. Garde on the main elements of a process that would provide the NRC staff limited access to information which might be of relevance in the forthcoming licensing decisions regarding South Texas Project. Consequently on November 19, 1987, NRC staff reviewers were permitted to see brief summaries of the allegations in the possession of GAP. An attempt was made by the technical experts present to assess the safety significance of the allegations. Unfortunately, the information made available to the staff was so lacking in specificity that no conclusions on safety significance could be reached. In order for the NRC staff to gain access to more detailed information, arrangements were agreed upon for the NRC technical staff to visit the GAP offices in Washington, D.C. The protocol for the NRC staff's work at the GAP offices was agreed upon to protect, to GAP's satisfaction, the identity of individuals who have made the allegations. The NRC staff has completed its preliminary review of the information made available by GAP as described below within the framework of agreements reached with GAP thus far. In addition, it is understood that GAP has provided the Office of Investigations (OI) allegations of harassment and intimidation and wrongdoing. To assure that all GAP identified allegations are reviewed and evaluated, the NRC Safety Significance Assessment Team (SSAT), which was assembled to perform the initial review of GAP's records, will forward to OI all allegations that they reviewed and categorized as harassment and intimidation or wrongdoing.

2. INITIAL NRC STAFF REVIEW OF ALLEGATIONS

An NRC team was assembled, referred hereinafter as the SSAT (safety significance assessment team), to review GAP records of interviews with alleged (referred by GAP as concerned individuals (CIs)) and individual allegations that GAP enumerated from the interviews. Enclosure 2 presents the NRC SSAT participants as well as the disciplines that were involved in this initial review of GAP's allegations documentation. As agreed, NRC SSAT reviewed GAP's records at GAP's offices in Washington D.C. These records consisted of audio tapes of most of the interviews conducted by a GAP consultant with the CIs, the consultant hand-written text extrapolated from the tapes, and allegation data sheets that contained each allegation's unique alpha-numeric code and a brief description of the concern.

The GAP consultant's hand-written text was assembled in numbered files which contained reference materials related to allegations. There are approximately 30 files with varying quantities of text and reference materials and two-3 ring binders containing the 576 individual allegation data sheets. GAP has categorized the allegations into the following areas: safety-related, intimidation and harassment, wrongdoing, and non safety-related. Enclosure 3 presents the categorization and designation of allegations used by GAP.

The NRC initial screening was performed by NRC SSAT members with expertise in particular areas of concern: mechanical engineering, electrical engineering, civil/structural engineering, Quality Assurance and Control, and management (including the safety-related aspects derived from harassment and intimidation, and wrongdoing concerns).

The GAP consultant was available to the team to explain where and how the records were kept and assembled and to answer any questions for the team.

SSAT members reviewed each allegation, its associated interview text and reference material file in their area of expertise. Screening also included listening to selected audio tapes to verify the accuracy of the written text extrapolated from them.

The results of the SSAT review and initial screening were documented and identified by allegation number. Each SSAT member wrote a brief description of each allegation as identified by GAP's consultant and indicated if the concern appeared to be safety-related or non safety-related. Also, SSAT members noted if other disciplines may be involved with a particular allegation and whether the CI needs to be contacted for additional information.

Generally, the SSAT's initial screening determined that a large majority of the allegations lacked specificity in identifying a particular location, component, or system about which the CI was concerned.

The individual SSAT member's data was combined and recategorized into allegation groups: Mechanical; Electrical; Civil/Structural; QA/QC; Harassment and Intimidation; Wrongdoing; NRC Region IV; and Management

issues. Each category has several subsets that was used to specify more closely, issues that each allegation appears to be addressing. Enclosure 4 identifies the allegation groups used by the NRC SSAT.

3. COMPILING ALLEGATION DATA

A brief summary was prepared for each allegation that was made available by GAP. Three files containing approximately 50 allegations have been withheld by GAP due to confidentiality concerns on the part of the allegor.

The allegation summaries have been entered into a computerized data base along with the SSAT's preliminary categorization of the safety significance of the allegation, the grouping of common or similar allegations, and determination whether the allegor must be contacted to provide specific information needed by the SSAT to determine the safety significance of the allegation.

GAP's initial categorization of these allegations listed duplicate concerns under different review disciplines. Because of this, the SSAT initially had to consider approximately 700 concerns. When these duplications were reconciled there were 576 concerns, representing the same number of allegations, identified by GAP. Of these, 159 concerns are variations of an initial concern relating additional facets of the original concern such as possible documentation problems, or intimidation or harassment related to or caused by the initial concern.

The remaining concerns have been combined into groups with similar concerns (allegations) and will be reviewed together to assure that the magnitude of each issue is recognized and that common concerns are detected. Also, the grouping of the concerns will ensure a certain degree of protection of the identity of allegors. In addition, GAP will advise whether the allegations withheld from NRC review because of reasons of confidentiality or because they involved members of the NRC staff, are covered by the established NRC SSAT allegation groups. The NRC allegation (concern) grouping scheme is shown in Enclosure 4.

The SSAT's primary effort will be expended on those allegations that are identified as safety-related concerns. These issues will be initially examined to determine whether they could affect criticality or power ascension either because these operations could represent unacceptable safety risks due to the allegor's concerns or because the allegation would be uninspectable after the plant starts up. Following this, the most safety significant allegations will be identified and reviewed in detail by the SSAT.

Because there is very little specificity included in the GAP allegations, it is imperative that the SSAT contact the allegors and ask them to identify specific locations, systems, or components that exhibit the conditions that they allege to exist at South Texas Project so that the staff can substantiate the allegors concern or conclude that the concern has been satisfactorily corrected.

4. ALLEGATIONS SELECTED FOR SITE INSPECTIONS

Enclosure 5 lists the 10 primary allegations that the SSAT will investigate at South Texas. Enclosure 6 lists the secondary allegations that will also be considered along with these primary allegations due to their similarities to the primary allegation.

Out of the 576 GAP allegations enumerated, only those 16 concerns identified in Enclosure 6 as "specific" can be tied to a specific location, system, or component. The rest refer only in general terms to items of concern. It is therefore imperative that the SSAT contact the allegers in the remaining concerns to obtain enough specific information to conduct a detailed review. Some of the GAP's allegers will require that a confidentiality agreement be completed by NRC before they agree to deal with us.

If an allexer cannot be contacted or if the contact yields no additional specific information to focus the investigation on a particular system, component or location, the individual allegation will be dispositioned as unsubstantiated and the general subject matter will be pursued further only if other related allegations provide some basis to assume that there is validity to the concern.

In addition to the SSAT inspection on site, other sources of information such as Regional inspection reports pertaining to the resolution of South Texas Project allegations, MRR inspections data and safety evaluation reports, the licensee's SAFETEAM records, and other documentation that currently exists will be reviewed to determine whether they provide any additional information related to an allexer's concern. These supplemental investigations will not focus explicitly on an individual allexer's concern, they will also include other unrelated issues such that the allexer's identity will be protected, if required.

5. SSAT INSPECTION ROLE

The SSAT will inspect the selected GAP allegations at the South Texas Project (STP) site. The SSAT consists of experts in construction and inspection activities in nuclear power plants. The proposed organization of the NRC inspection team, as well as the inspectors names and their assignments are presented in Enclosure 7. The staff selected for the inspection team are the same individuals that performed the initial review, evaluation, and screening of the allegations. Given the time remaining to prepare for the inspection and the general non-specific nature of the allegations, the use of these experienced reviewers as inspection team members will greatly facilitate the effort.

A major concern of the allegation review and inspection process is the protection of the confidentiality of the allegers (concerned individuals). Arrangements will be made to contact the allegers by GAP. If required, the NRC will draw-up any confidentiality agreements with the allegers.

In addition, the inspection plan will consider combining other related or unrelated concerns with the selected GAP allegations to ensure that the substance of the allegations does not reveal the identity of these alleged requesters confidentiality.

A detailed inspection plan will be prepared by the SSAT leader and its deputy with assistance from the team members. Inspector guidance will be established prior to the commencement of the inspection to assure consistency in the inspection process. Emphasis will be placed on root cause determinations of any substantiated allegations including the identification of any generic implications. To further facilitate the selected allegation resolution process, the SSAT will utilize available Region IV inspection reports on disposition of allegations, as well as any NRR inspection reports and safety evaluation reports for STP.

The following tentative schedule is proposed for this inspection effort:

- ° December 28, 1987 - January 1, 1988
 - Initial planning
 - Selection of GAP allegations to be inspected
 - Selection of inspection team members
 - Present identified allegations to be inspected to GAP
(All the above actions have been completed)
- ° January 4 - 8, 1988
 - Detailed inspection planning and inspector guidance preparation
 - Arrangements with GAP to contact alleged
- ° January 11 - 15, 1988
 - Interview alleged if NPC is successful in arranging interviews through GAP
 - Tentative start of onsite inspection depending on number of alleged to be interviewed
- ° January 18 - 22, 1988
 - Onsite inspection of selected allegations
- ° January 25 - 26, 1988
 - Summary of allegation inspection results
- ° January 25 - February 3, 1988
 - Allegation inspection report preparation
- ° February 1, 1988
 - Tentative Commission briefing on full power license for STP, Unit 1

SOUTH TEXAS PROJECT ALLEGATIONS

NPC SAFETY SIGNIFICANCE ASSESSMENT TEAM (SSAT) MEMBERS

INVOLVED IN THE INITIAL REVIEW OF GAP RECORDS

<u>MEMBER</u>	<u>ORGANIZATION</u>	<u>DISCIPLINE</u>
Paul O'Connor	PD-IV/NRR	Project Manager
Edward Tomlinson	PD-IV/NRR	Elec., Inst. & Misc.
Jai Pajan	EMEB/NRR	Mechanical
Pomuald Lipinski	ESGR/NRR	Civil/Structural
Hansraj Ashar	ESGR/NRR	Civil/Structural
Jaque Durr	Region I	QA/QC
Patrick Milano	OF	QA/QC
Richard Correia	LQAB/NRR	QA/QC
George Johnson	EMTB/NRR	Welding
Jose Calvo	PD-IV/NRR	Project Director

SOUTH TEXAS PROJECT ALLEGATIONS

GAP ALLEGATION CATEGORIZATION AND DESIGNATION

SECTION*	DISCIPLINE	CATEGORY	ALLEGATION	RELATED ALLEGATIONS
I - Safety Related	A- Piping/Mech/Inst	a. Hardware	0001 -9999**	.1, .2, .3, etc.
II - Intimid/Harass.	B- Electrical			
III - Wrongdoing	C- Civil/Structural	b. Doc./Drwgs.		
	D- HVAC	c. Insp./Testing		
IV - Non-Safety Rel.	E- Engr/Design	d. Other		
	F- Procurement/Purchas			
	G- Equipment Qualif.			
	H- Fire Protection			
	I- QA/QC/N-5/Systems Completion			
	J- Welding			
	K- Safety/security			
	L- HP			
	M- Seismic & Environmental			
	N- Generic (all disc)			
	O- Personnel			
	P- Management			
	Q- Training			
	R- NRC			
	S- Safeteam			
	T- EBASCO			
	U- HL&P			
V- S.C & T/O				
W- ANI				
X- Qualification of Personnel				
Y- Bechtel				
Z- Document Control				

EXAMPLES

I A a - 0001= Safety related/Piping/hardware specific allegation number

I A b - 0001.1 (same), subset documentation

* Note: NRC allegation numbers use Arabic numbers 1 through 4 rather than Roman numerals to facilitate use of a computerized data base.

** Allegation numbers are cross referenced to actual GAP allegation number.

SOUTH TEXAS PROJECT ALLEGATIONSS

NRC SSAT ALLEGATION GROUPS

A. MECHANICAL AND PIPING

- | | | | |
|------|-----------------------|------------------------|---------------------------|
| 1. | PIPING | A. Pipe | C. Configuration |
| | | B. Hydro | D. Chloride Contamination |
| 2. | VALVES | A. Limitorque | C. Missing |
| | | B. Installation | |
| 3. | MATERIALS | A. Traceability | |
| | | B. Compatability | |
| 4. | HVAC | A. Procurement | C. Fabrication |
| | | B. Installation | D. Testing |
| — 5. | SESIMIC QUALIFICATION | | |
| 6. | FASTENERS | A. Counterfeit/Foreign | |
| 7. | WELDING | A. Weld Rod | C. Welder ID |
| | | B. Qualifications | D. Traceability |
| 0. | OTHER | | |

B. ELECTRICAL

- | | | | |
|------|-----------------------------|------------|--|
| 1. | SPLICES | A. Raychem | |
| 2. | CABLE AND CONDUIT | | |
| 3. | INSTRUMENTATION | | |
| — 4. | ENVIRONMENTAL QUALIFICATION | | |
| 0. | OTHER | | |

C CIVIL/STRUCTURAL

1. CONCRETE
2. SOILS
3. COATINGS
0. OTHER

D. QA/QC

1. DESIGN CONTROL
2. PROCUREMENT
3. DOCUMENT CONTROL
4. QC INSPECTION
 - A. Inspection Records
 - B. Travellers
 - C. Hold Point
 - D. Authorized Nuclear Inspector
 - E. NCRs
5. ASBUILT vs DESIGN
6. SYSTEM TURNOVER
7. FSAR/SPECIFICATIONS
8. PROCEDURES
0. OTHER

— E. HARRASSMENT & INTIMIDATION (SAFETY RELATED ISSUES ONLY)

— F. WRONG DOING (SAFETY RELATED ISSUES ONLY)

G. NRC

H. MANAGEMENT

1. HL&P
2. BECHTEL
3. EBASCO
4. INTERMECH
5. PERSONNEL PRACTICES
6. TRAINING
7. SAFETEAM
0. OTHER

0. OTHER

SOUTH TEXAS PROJECT ALLEGATIONS

PRIMARY ALLEGATIONS SELECTED FOR INSPECTION

- I. Mechanical Piping 1Aa-0560 - CI concerned with the quality of pipe joints.
- II. Valves - 1Aa-0563 - CI concerned that many valves are installed backwards.
- III. HVAC - 1Ja-0356 - CI concerned with adequacy of HVAC welds.
- IV. Fasteners - 1Fa-0082 - CI concerned that counterfeit fasteners are installed at STP.
- V. Welding - 1Ja-0130 - CI concerned with the adequacy/quality of weld rod used at STP.
- VI. Electrical Cable/Instrumentation - 1Ra-0119 - CI concerned with the adequacy of Raychem splices at STP.
- VII. A) Civil/Structural 1Ca-0638 - CI concerned with concrete drilling through rebar.
B) 1Ca-0494 - CI concerned with crack in bottom of fuel handling building.
- VIII. Coatings - 1Ga-0059 - CI concerned with coatings used on the structures and equipment.
- IX. QA/QC - 1Ja-0601.1 - CI concerned with "as built" vs. "as designed" configurations of valves.
- X. NRC/Region IV - 1Aa-0554 - CI called NPC several times concerning certain problems and had no return response.

SOUTH TEXAS PROJECT ALLEGATIONS

SECONDARY ALLEGATIONS

CATEGORY - MECHANICAL/PIPING

<u>Allegation No.</u>	<u>Description</u>
1Aa-0560	Deficient Pipe Joints
1Aa-0162	Pipe to Tank Connections
1Ba-0307	Filter Screens in NSSS Loop - Specific (sp.) ✓
1Eg-0754	Installation of Pumps, Valves, Instruments
1Pa-0279	Installation of Pumps, Valves, Instruments
1Ea-0556	Installation of Pumps, Valves, Instruments
1Ga-314	Steam Generator Installation (sp.)
1Ea-0556	Installation of Pumps, Valves, Instruments
1Ea-0432	Pipe Materials (sp.)

VALVES

1Aa-0563	Valve Installation (See 1Eg-0754 above)
1Aa-0081	Valve Maintenance (sp.) ✓
1Ga-0305.1	Valve Installation
1Aa-0445	Valve Installation

MATERIALS (Covered under other categories)

HVAC

1Ca-0046.1	Ductwork Welds
1Da-0109	HVAC Installations
1Da-0117	HVAC Material Traceability
1Da-0296	HVAC Installations
1Da-0337	HVAC Seal Material (sp.) ✓
1Aa-0356	HVAC Welds
1Da-0450	HVAC Damper (sp.)
1Da-0504	HVAC Material
1Ab-0714	HVAC Installation
1Mc-0619	(See 1Da-0296)

FASTENERSAllegations No.Description

1Aa-0036	Bolts Installation
1Fa-0048	Bolt Traceability
1Fa-0084	Bolt Traceability
1Ia-0387	Bolt Installation
1Fa-0011	Bolt Traceability
1Fa-0082	Bolt Traceability
1Ia-0082	Bolt Traceability (sp.)
1Ya-0087	Bolt Traceability
1Pa-0132	Bolt Traceability
1Fa-0164	Bolt Traceability
1Fa-0488.1	Bolt Traceability

WELDING

1Ja-0104	Weld Rod Traceability
1Ja-130	Weld Rod Traceability
1Xd-0571	Welders
1Ja-0687.1	Welders (sp.)
1Da-0120	Welders
1Ja-0192	Welders
1Ja-0354.2	Welders
1Jb-0053	Welders
1Cd-0064	Weld Rod Traceability

ELECTRICAL I&C COMPONENTS

1Ba-0119	Cable Installations
1Ba-0175	Cable Installations
1Ba-0449	Cable Installations
1Ba-0008	Cable Installations
1Ea-0409	Cable Installations
1Aa-0126	Incore Instrumentation
1Ea-0465	Shielding for Panels (sp.)
1Aa-0566	Instrument Valves (sp.)
1Aa-128	Flow Transmitter Installation (sp.)

CIVIL/STRUCTURAL

1Ca-0638	Concrete Drilling
1Ca-0494	Concrete Settlements (sp.)
1Cc-0114	Fill
2Id-0121.1	Fill

COATINGSAllegation No.Description

1Ga-0059

Coating Traceability/Application (sp.)

QA/QC

1Id-0040

Configuration Control

1Fb-0094

Configuration Control

1Ia-0601.1

Configuration Control

1Eb-0612

Configuration Control

1Ib-0705

Configuration Control

1Ib-0751

Configuration Control

1Db-0090

Configuration Control

1Ga-314

Records

1Eb-159

S. G. Inspection

1Eb-0159.2

Pipe Whip Restraint Inspection

1Ja-0254

Pipe Whip Restraint Inspection

1Eb-0612

HVAC Weld Inspection

1Ab-0174

Support Installation Inspection

1Cb-0638.1

HVAC Installation Inspection

Concrete Drilling Inspection

NRC/RIV

1Sd-0267.1

Confidentiality

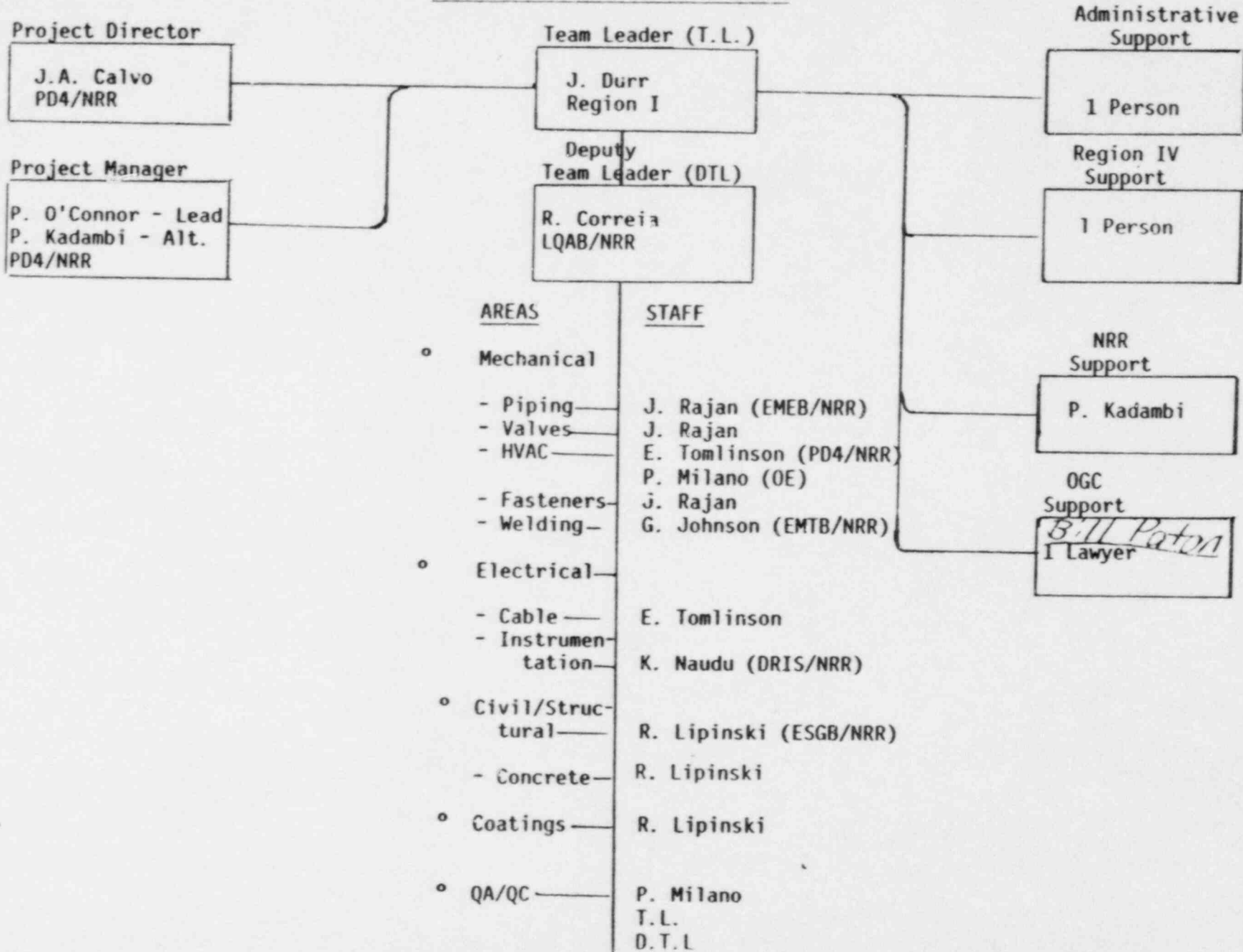
1Aa-0554

Deficiencies (sp.)

1Ia-0555

Deficiencies (sp.)

SOUTH TEXAS PROJECT ALLEGATIONS
NRC SAFETY SIGNIFICANCE ASSESSMENT TEAM (SSAT)
PROPOSED FOR INSPECTION EFFORT





UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D. C. 20555

January 27, 1988

W. Briggs
1-27-88
Refer

MEMORANDUM FOR: Thomas Rehm, Assistant
for Operations
Office of the Executive Director for Operations

Thomas E. Murley, Director
Office of Nuclear Reactor Regulation

Frank J. Miraglia, Associate Director
for Projects
Office of Nuclear Reactor Regulation

Dennis M. Crutchfield, Director
Division of Reactor Projects - III, IV,
V and Special Projects
Office of Nuclear Reactor Regulation

FROM: Jose A. Calvo, Director
Project Directorate - IV
Division of Reactor Projects - III,
IV, V and Special Projects
Office of Nuclear Reactor Regulation

SUBJECT: INSPECTION OF GOVERNMENT ACCOUNTABILITY PROJECT
ALLEGATIONS CONCERNING SOUTH TEXAS PROJECT

The MRC Safety Significance Assessment Team (SSAT) has completed its inspection of selected Government Accountability Project (GAP) allegations at the South Texas Project facility. The onsite inspection was conducted from January 15 through January 22, 1988.

The inspection was performed by twelve inspectors of the MRC SSAT and also involved Region IV and resident inspector personnel who provided background information related to previous inspection activity and interfaced with the Houston Lighting and Power (HL&P) personnel to facilitate the MRC SSAT's inspection efforts.

HL&P's personnel were cooperative and helpful in assuring that the MRC SSAT's requests for information and access to systems and components were promptly accommodated. HL&P provided access to their SAFETEAM records to assist the MRC SSAT's efforts.

During the inspection the MRC SSAT held telephonic interviews with ten allegeders and face to face interviews with two allegeders who are represented by GAP. The interviews were arranged by GAP and a GAP representative was on the telephone with each of the allegeders during the telephone interviews.

GAP was very cooperative in assisting the MRC SSAT in obtaining additional specificity and details from the allegeders during these interviews. The additional information helped the MRC SSAT focus their inspections on the specific areas of the allegeders concerns.

FOIA-88-107 L/10

The NRC SSAT's main focus was the inspection of the primary and secondary allegations previously selected in the NRC SSAT's inspection plan. During the inspection a number of related allegations were also dispositioned by the NPC SSAT due to their similarity to primary or secondary allegations. No items were identified during the inspection that require immediate corrective action prior to plant criticality.

A summary report of the inspections findings is scheduled to be available by January 29, 1988 and the complete inspection report will be available three weeks after the completion of the summary report.

Jose A. Calvo

Jose A. Calvo, Director
Project Directorate - IV
Division of Reactor Projects - III,
IV, V and Special Projects
Office of Nuclear Reactor Regulation

cc: V. Stello
W. Briggs
J. Sniezek
B. Newlin
R. Martin
J. Taylor
J. Gilliland

NOV 24 1987

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EDO r/f DCrutchfield

Refer

Ms. Billie Pirner Garde
Government Accountability Project
Midwest Office
3424 Marcos Lane
Appleton, Wisconsin 54911

Dear Ms. Garde:

This will confirm the results of our meeting of Thursday, November 19, 1987, at which we discussed certain allegations GAP has developed concerning the South Texas nuclear power plant.

The meeting began by your tabling a series of talking points concerning your view of the objectives of the meeting, as well as a summary of how GAP handles allegations received. We found the discussion useful, but neither agreed nor disagreed to the points you raised. You retained all copies of the briefing notes. You then proceeded to table a tabulation of allegations in summary format (all copies of which you retained) which we reviewed on the spot.

Our conclusion was that insufficient data was available in the summaries to allow for a deliberate and reasoned evaluation of the allegations. In further discussion you agreed to make your files on these allegations available to us. Subsequent to the meeting staff has made a preliminary visit to GAP Headquarters and made arrangements to begin detailed review of the process on November 30, 1987. We will accord confidential treatment to the identity of any allegeders whose names may surface during this review. Following our review, we will advise you of the allegations which we feel are appropriate to review further. You agreed to provide us data on which such follow up can proceed, subject, in some cases, to your contacting allegeders to assure that they will agree to be contacted by the NRC.

You also indicated that one set of allegations was in process in Wisconsin. We assume that you will simply provide us that information during the time we are reviewing the other files at GAP Headquarters. Separately, I also understand you passed some allegations on wrongdoing directly to the Office of Investigations which is dealing directly with you on those matters.

The meeting was quite satisfactory from our point of view. We appreciate your confidence and cooperation and that of the allegeders you represent. With your continued cooperation we should be able to give a proper review of the allegations GAP has acquired. Needless to say, obtaining any information which you may have on alleged defects in the South Texas nuclear power plant will assist us in assuring that the public health and safety is protected at that facility.

Sincerely,

(Signed) T. A. Rehm

T. A. Rehm, Assistant for Operations
Office of the Executive
Director for Operations

FOIA-88-107

4/11

b.c.c. Briggs, Calvo, OGC, DCrutchfield

IFC	:AO/OEDO				
IAME	:TRehm				
DATE	:11/23/87				

OFFICIAL RECORD COPY

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

R. C.

JAN 12 1988

Ms. Billie P. Garde
Government Accountability Project
3424 N. Marcos Lane
Appleton, Wisconsin 54911

Dear Ms. Garde:

As you are aware, the NRC team has completed its initial review of the Government Accountability Project's (GAP) files pertaining to allegations of safety problems at the South Texas Project. As agreed, the NRC team reviewed GAP's records at GAP's Headquarters in Washington, D.C. These records consisted of audio tapes of the interviews with the alleged (concerned individuals), hand-written text extrapolated from the tapes accompanied with supporting information, and allegation data sheets that contained the alpha-numeric identification and brief description of each allegation. As agreed, all the records examined by the NRC remained at GAP's Headquarters. During this initial review, the NRC team focused on the technical content and specificity of the allegations and there was no need to involve the concerned individuals at this time. The NRC team wrote brief descriptions of each allegation reviewed which are presently being treated as confidential.

As we discussed on December 30, 1987, the NRC team has selected 10 primary allegations for investigation at the South Texas Project site. Each primary allegation is accompanied by secondary allegations that convey similar concerns as the primary one. A listing of these selected allegations was provided to Mr. Richard E. Condit of GAP.

The NRC team has determined that the data reviewed indicates that the allegations are general in nature and not of immediate safety significance. Nevertheless, we would like to pursue the 10 selected allegations further. In order to do this, it is important to make arrangements with the concerned individuals involved so that the NRC team can contact them and determine if they can identify locations or components which concern them. This letter is to confirm NRC's previous verbal arrangements with GAP to arrange contacts with alleged. We will start the onsite inspections at the South Texas Project Site during the week of January 18, 1988 and desire to make contact with your clients as soon as possible.

The NRC team will protect the identity of those concerned individuals requesting it and will draw-up confidentiality agreements with the concerned individuals, if required. In addition, the NRC team inspection plan will consider combining other related or unrelated concerns with the selected GAP allegations to ensure that the substance of the selected allegations does not reveal the identity of the concerned individuals requesting confidentiality.

Mr. Richard E. Condit of GAP and Ms. Edna Ottney (GAP's consultant) have been very cooperative and, on behalf of the NRC team, we would like to express our appreciation for their excellent support.

FOIA-88-107

L/12

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Ms. Billie P. Garde

--2--

With regard to the notice of appeal from the U.S. District Court's refusal to enforce the original NRC subpoena for certain safety information and identities of concerned individuals related to the South Texas Project, see the attached memorandum from the NRC Solicitor to me which provides the reasons for taking such an action.

Should you have any questions regarding these matters, please contact me at (301) 492-7781.

Sincerely,

(Signed) T. A. Rehm

Thomas A. Rehm, Assistant for Operations
Office of the Executive Director for Operations

Enclosure:
As stated

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EDO r/f

J. Calvo, NRR
T. Rehm, EDO
T. Murley, NRR
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*PREVIOUS CONCURRENCE

PD4/D
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01/11/88

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01/12/88



OFFICE OF PUBLIC UTILITY COUNSEL

8140 Mopec Westpark III, Suite 120 Austin, Texas 78759 512 345-9900

February 10, 1988

**FREEDOM OF INFORMATION
ACT REQUEST**
FOIA - 88-107
Rec'd. 2-16-88

Mr. Donnie H. Grimsley, Director
Division of Rules and Records
Office of Administration and
Resources Management
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Re: FOIA Request for Records Concerning
Safety Allegations, South Texas Project

Dear Mr. Grimsley:

Pursuant to the Freedom of Information Act and 10 CFR Part 9, Subpart A, "Freedom of Information Act Regulations", please make available at the Commission's Washington, D.C., Public Document Room single copies of records in the following categories:

- A. All records related to safety allegations concerning the South Texas Project that are currently being investigated by the NRC. According to published reports (see, for example, "NRC Investigating South Texas Safety Allegations", INSIDE N.R.C., 1/18/88, at 12-13), there are some 650 specific allegations. This request includes, but is not limited to, records documenting the allegations, records evaluating the safety significance of the allegations, utility records concerning the allegations, and all other records related to the allegations.
- B. All records related to the establishment by NRC of an investigation team to review the allegations. The investigation team is reportedly headed by Jose Calvo (NRR), and includes eight other members from NRR and two from the Office of Enforcement. This request includes, but is not limited to, records related to the establishment of the investigation team, the procedures used by the investigation team, the records provided to

Mr. Grimsley

-2-

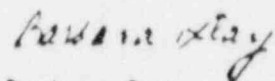
February 10, 1988

the team to initiate and conduct the investigation, and all other records related to the activities of the investigation team.

We request a waiver of fees pursuant to 10 CFR 9.41 because the documents will be used by a state agency as part of an official investigation.

If you or any members of your staff have any questions concerning this request, please contact the undersigned directly by telephone at 512/345-9900. Your prompt attention to this request will be appreciated.

Sincerely,



Barbara Day
Deputy Public Counsel

BD: id