



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

JAN 15 1988

Docket Nos. 50-445
and 50-446

MEMORANDUM FOR: The Atomic Safety and Licensing Board for Comanche Peak
(P. B. Bloch, W. H. Jordan, K. A. McCollom, E. B. Johnson)

FROM: Christopher I. Grimes, Director
Comanche Peak Project Division
Office of Special Projects

SUBJECT: BOARD NOTIFICATION NO. 88-01
CONTENTION 5 AND INTIMIDATION PANELS ON COMANCHE PEAK

This is to inform the Atomic Safety and Licensing Board that, on March 6, 1987, the Executive Director for Operations disbanded the Intimidation and Contention 5 Panels for Comanche Peak.

In two separate memoranda dated December 24, 1984, W. J. Dircks, then EDO, directed the formation of two panels consisting of NRC senior staff management. One panel was directed to provide a position on whether a climate of intimidation existed at Comanche Peak. The second panel was directed to provide recommendations to the Project Director on Contention No. 5 relating to applicants' failure to adhere to the quality assurance/quality control requirements.

On October 18, 1985 the intimidation/harassment panel, with assistance of a study team composed of a group of consultants, issued its report on the results of the review and examination of intimidation and harassment issues at Comanche Peak. Both the study team and the panel concluded that some instances of intimidation did occur. However, they concluded that there was no "climate of intimidation" at Comanche Peak. The study team noted that a number of management practices existed which may not have been conducive to good job performance and which may have generated mistrust and suspicion and contributed to a lack of management credibility. This report was forwarded to the applicants for response and to the Board and intervenors for their information. By letter dated February 7, 1986, applicants responded to the report. The panel in its October 18, 1985, "Report of Comanche Peak Intimidation Panel," stated that the Panel and the Study Team review was based upon materials in the hearing record and OI reports completed as of June 28, 1985. OI has completed investigations of other allegations of intimidation and harassment since that date. These cases have since been reviewed and

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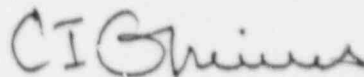
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considered by the staff in connection with enforcement action EA 86-63. Therefore, with the issuance of the escalated enforcement package based on the results of the intimidation/harassment panel reviews, and the additional OI investigations, the panel concluded its activities and was disbanded.

With regard to the panel formed to prepare the staff position on Comanche Peak hearing Contention No. 5, the original purpose of the panel was to integrate the views and experience of senior NRC managers to yield a staff determination regarding the applicants' adherence to the QA/QC requirements described in Contention No. 5. Following the formation of the panel, the staff issued five SSERs documenting findings and actions required to evaluate numerous allegations primarily dealing with construction of the plant. CYGNA Energy Services which conducted an independent assessment program of design at Comanche Peak provided detailed lists of findings and open items. Applicants recognized the need to address all issues identified in the areas of design and construction and provided the staff with the Comanche Peak Response Team (CPRT) Program Plan and the Corrective Action Program (CAP). The staff has reviewed and prepared an evaluation of the applicants' CPRT Program Plan as documented in SSER No. 13 and is currently preparing its evaluation of the CAP. The staff and its consultants have been and are currently reviewing implementation of the applicants' programs with regard to the adequacy of design and construction of Comanche Peak. Therefore, these events, together with the establishment of the new Office of Special Projects staff, have overtaken the need for a special panel to prepare a staff position on Contention No. 5, and this panel was also disbanded.



Christopher I. Grimes, Director
Comanche Peak Project Division
Office of Special Projects