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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

DOCKETED 4/22/85
USNRC

In the Matter of ()
()
HOUSTON LIGHTING AND ()
POWER COMPANY, ET AL. ()
(South Texas Project, ()
Units 1 and 2) ()

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Docket Nos. 85-198-D

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CITIZENS CONCERNED ABOUT NUCLEAR POWER (CCANP)
RESPONSE TO ASLB MEMORANDUM AND ORDER OF FEBRUARY 26, 1985

I. Introduction

On February 26, 1985, the ASLB in this proceeding issued its Memorandum and Order (Phase II Hearings on Quadrex-Report Issues) [Hereinafter "February 26th Order"]. In said Order, the ASLB provided CCANP the opportunity to identify findings in the Quadrex Report, other than those identified in the Order itself (including the report as a whole), which CCANP considers potentially reportable under 10 C.F.R. 50.55(e), but which were not in fact reported by the Applicants to the NRC within 24 hours of the receipt of the Quadrex Report. Id. at 24-25. CCANP's herein responds to the Board's Order.

II. Potentially Reportable Quadrex Findings

While the February 26th Order reflects that the ASLB reviewed CCANP's motion to file additional contentions dated November 21, 1981, Id. at 12-14, the ASLB did not recount CCANP's position that:

"The Quadrex Corporation chose a ranking method for their findings which included Most Serious Findings. Quadrex defined Most Serious Findings as, in part, those that pose a serious threat to plant

* The February 26th Order also carries on an error in the Quadrex Report where two findings are labeled 3.1(j) with no 3.1(i). CCANP previously identified both 3.1(j) findings as requiring notification.

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licensability because ... (c) the finding addresses a matter of serious concern to the NRC at this time. This classification alone should have caused Applicants to report all findings in this classification to the NRC." Motion for new contentions at 12.

CCANP reurges this position. Given the 24 hour period for review available, the extensive number of Most Serious Findings, and the definition of those findings provided by Quadrex, HL&P should have reported all findings classified as Most Serious Findings to the NRC within 24 hours.

CCANP would further contend that if any generic finding required notification, then any discipline finding supporting that generic finding should have also been notified. Simply as a practical matter, the reporting of a generic finding, in order to be complete, would have stated the basis for that finding, i.e. named the Quadrex Report and provided the particular discipline findings on which the generic finding was based. Furthermore, since the underlying findings are the basis for the generic finding in most instances, these findings have the same potential effect on safety in their more limited sphere that the generic findings have for the plant in general. Therefore, CCANP identifies all specific findings, upon which Quadrex based the generic findings which CCANP now contends should have been notified, as findings which should have been notified.

As a final general category where notification to NRC would be required, CCANP contends that all findings of the Quadrex Report which are identified by the NRC Staff as "safety significant," I&E Report 82-12, NUREG-0948, fall into the notification category.

Below CCANP identifies specific findings for which notification should have been provided to the NRC. These findings may or may not already fall within the general categories set forth above.

1. Broad conclusions of the Quadrex Report which concern design inadequacies with potential quality assurance implications include:

4.1.2 ("Based solely on the findings of this review, a determination of current adequacy [of the Civil/Structural design] cannot be made.");

4.5.5 ("The technical adequacy of the Mechanical discipline is not presently adequate.");

4.6.2 ("The nuclear analyses performed by B&R to date are either not complete or are not adequate. The B&R Nuclear Analysis Group has not demonstrated either the ability to perform or to direct others in the performance of nuclear analyses, and has shown no concern for the timeliness of analysis relative to the needs of other interfacing disciplines. Although STP is well advanced in the construction stage, no evidence has been seen that the Brown and Root Nuclear Analysis Group has produced a significant contribution to the STP design.");

4.8.2 ("The B&R Radiological Control design program is not currently adequate.")

2. Specific areas of concern for the adequacy of design include:

4.6.2.4 (B&R failing to address simultaneous normal shutdown of both units)

4.4.2.1. (plant operating modes, including accident conditions, have not been adequately addressed)

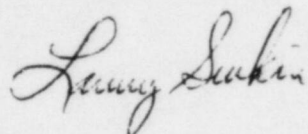
3.2(n) (consideration of ALARA radiation exposures related to access for maintenance and inspection had been inadequate)

4.8.2.2 (ALARA analysis inadequate)

Overall, CCANP does not believe that the resources of the parties and the Board are well spent arguing over every individual finding in Quadrex. The significance of the report and

the availability of generalized categories, e.g. Most Serious Findings, is sufficient to reach the appropriate conclusions regarding character and competence.

Respectfully submitted, ~



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Dated: April 22, 1985
Washington, D.C.

UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of ()
()
HOUSTON LIGHTING AND (Docket Nos. 50-498 DL
POWER COMPANY, ET AL.) 50-499 DL
(South Texas Project, ()
Units 1 and 2) ()

CERTIFICATE OF SERVICE

I hereby certify that copies of CCANP RESPONSE TO ASLB MEMORANDUM AND ORDER OF FEBRUARY 26, 1985 were served by hand delivery (*) or deposit in the U.S. Mail, first class postage paid to the following individuals and entities on the 22nd day of April 1985.

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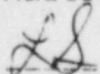
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