

Congress of the United States

House of Representatives

Washington, D.C. 20515

July 30, 1984

Honorable Nunzio Palladino
Chairman
Nuclear Regulatory Commission
1717 "H" Street, N.W.
Washington, D.C. 20555

Dear Mr. Chairman:

Thank you for your assistance in making Isa Yin of the NRC Region III staff available for a briefing on the Diablo Canyon nuclear facility on July 25. We sincerely appreciate your help in complying with Congressional requests of this kind, and hope this spirit of cooperation will continue.

We initially requested the briefing with Mr. Yin out of concern about his resignation from and lack of confidence in the investigation conducted by the NRC Peer Review Group (PRG) into the design control and quality assurance issues raised by Mr. Yin before the Commission on March 26. As you know, the PRG was organized to review and evaluate the Diablo licensee's compliance with seven License Conditions attached to the low power test Operation License issued by the Commission on April 13.

At the July 25 briefing Mr. Yin outlined his concerns about the inadequate scope and improper documentation of the PRG's efforts, and conveyed his belief that additional measures were necessary to ensure compliance with the seven License Conditions. Specifically, Mr. Yin discussed: 1) the necessity of properly documenting and performing additional analysis of small bore piping support computer calculations, 2) the need to more closely analyze the spacing and shimming of closely-spaced rigid support structures, 3) the importance of examining design assumptions relative to the placement of snubbers close to rigid restraints, and 4) the need to perform additional theoretical and on-site analysis of potential main stem pipe contact with structural and electrical interference objects.

Mr. Yin also detailed his continuing concerns about the improper use of "quick fix" design changes at Diablo and possible inadequacies in the Independent Design Verification Program. He believes these problems point to a substantial quality assurance breakdown in the areas of small and large bore piping design control. Mr. Yin also discussed his findings of inadequate personnel training and the improper control of critical documents relative to the On-Site Project Engineering Group.

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We are particularly concerned that while it was Mr. Yin who raised the issues which led to the License Conditions, he was not considered essential to the PRG's effort to ensure the licensee's compliance with them. Mr. Yin said that many of the PRG's meetings and on-site investigations were conducted while he had other commitments, and that he was denied access to critical documents when he requested them later. Mr. Yin also indicated that the PRG examined the various issues related to the License Conditions simultaneously, and as a result, he was unable to participate in many staff sessions.

Most important, Mr. Yin believes that the scope of the PRG's review was inadequate, and that many of the original design-related problems at Diablo may persist. As he states in testimony prepared for the Commission's August 2 Full Power Operations License hearing, "Subsequent review of the Peer Review Team reports contained in the draft SSER revealed that they contain mostly undocumented reviews and casual observations. There were cases where the inspection sample selected was extremely small, where problems originally identified continued to exist, where review criteria were compromised without technical justification, and where Team failed to address the specific program deficiency issues."

Last year, Mr. Yin was able to step into the Diablo licensing process and identify substantive design and quality assurance problems which had gone unnoticed by the NRC staff and on-site inspectors. In short, while he was largely responsible for the imposition of the seven License Conditions, he is far from satisfied that they have been complied with. In fact, Mr. Yin responded to us in the negative when asked directly if he believed Diablo should be given a full power license at this time. In this connection, we are very concerned by the issues he raised with us, and feel he is uniquely qualified to evaluate the licensee's compliance with the seven License Conditions.

Therefore, we respectfully request that you provide Mr. Yin with the additional time and organizational freedom necessary to undertake a thorough analysis of the critical design and quality assurance issues at Diablo which he feels have not been adequately addressed. We feel that such an investigation should be conducted prior to the Commission's consideration of a full power Operation License for the Diablo facility.

Mr. Yin indicated to us that such a review could be accomplished in only three to five weeks, after which time he could report his findings directly to the Commissioners. While this additional analysis may mean a short delay in the licensing process, such action is clearly warranted given Mr. Yin's experience and continuing concerns. Mr. Yin is viewed in the local community and by Members of Congress as a man of great personal integrity and substantial technical expertise, and such a review would go far toward assuring the public that every step has been taken to provide for the safety of the Diablo facility.

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In your February 17, 1983 letter to Representative Morris K. Udall, Chairman of the House Committee on Interior and Insular Affairs, you stated that "We will require a high level of confidence that no significant design or construction deficiencies affecting safety at any authorized level of operation exist at the facility before reaching a decision to authorize that level of operation."

Given that Mr. Yin has serious doubts about the resolution of issues which he himself first brought to the Commission's attention, we do not believe that a "high level of confidence" in the full power operability of the plant can exist at this time. Accordingly, we urge you to consider authorizing a full and independent investigation of these issues by Mr. Yin in the interest of ensuring compliance with the Commission's high licensing standards.

Thank you very much for your consideration of our views.

Sincerely,


JERRY M. PATTERSON
Member of Congress


LEON E. PANETTA
Member of Congress