



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

September 14, 1987

Docket No. 50-445

Mrs. Juanita Ellis, President
Citizens Association for Sound Energy
1426 South Polk
Dallas, Texas 75224

Dear Mrs. Ellis:

SUBJECT: CASE LETTER DATED JULY 31, 1985

In a confidential letter dated July 31, 1985 to Mr. Vincent Noonan, then the Director for the NRC Comanche Peak Project, you raised concerns regarding the review and evaluation process by the NRC Technical Review Team (TRT) for allegations in the 1984 to 1985 time frame on the Comanche Peak Steam Electric Station (CPSES) of Texas Utilities Electric Company (TU Electric). In particular, your letter refers to the TRT efforts associated with Allegation AQ-64, as reported in Supplemental Safety Evaluation Report No. 8 (SSER-8) of February 1985. The allegation pertains to an overexcavation for the CPSES Unit 1 containment building and subsequent repairs. Your letter also identified 17 additional allegations on the same subject.

In response to your concerns, the NRC Office of Inspector and Auditor (OIA) has conducted an inquiry into your allegation regarding the improper handling by the TRT of Allegation AQ-64. A copy of OIA Report INQ 86-6 is enclosed for your information (Enclosure 1). The report concludes that the inquiry did not develop any evidence indicating that the TRT did not properly evaluate the overexcavation. The report further concludes that the TRT did not contact the original source of Allegation AQ-64 prior to the issuance of SSER-8 and that, consequently, there was no assurance that the concerns raised by the allogger had indeed been appropriately reviewed by the TRT.

In response to your related technical concerns, the staff of the Comanche Peak Project initiated further efforts on the allegations of overexcavation and subsequent repairs by specifically addressing the 17 additional allegations on the subject submitted with your letter, including a specific seismic analysis modeling the overexcavation by Brookhaven National Laboratory (BNL). As you know, the staff conducted a feedback interview with you and your associates in a meeting on January 23, 1986, concerning its evaluation of these allegations and the BNL analysis. A copy of the transcript of that meeting is enclosed for your information (Enclosure 2). The OIA Report does reflect the staff efforts associated with the 17 additional allegations.

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Mrs. Juanita Ellis

- 2 -

During our review of the TRT records, we found that staff attempted to contact the individual who raised the concern (i.e., the alleged), as indicated by the records included as Enclosure 3. It appears that the attempts to contact the alleged were unsuccessful. The alleged indicated during an interview with the Office of Investigations (Report No. 4-84-006) that the source of allegation AQ-64 is another individual (i.e., the source) known to you and Ms. Brink, whom the alleged could not name. If you can identify the source, we will attempt to follow up with that individual to ensure that the issue has been appropriately addressed.

In view of your request for confidentiality, we have not disclosed any of this material to TU Electric or the general public. However, we believe it appropriate that your concerns and the subsequent NRC actions should ultimately be fully disclosed. Therefore, we request that, within 30 days following your receipt of this letter, you identify any specific information in the enclosures which you consider confidential other than the personal information we have already deleted. We will then place these edited documents in the PDR and make them available to TU Electric and the service list.

Sincerely,

CI Grimes

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

Enclosures:

1. Office of Inspector Auditor Report No. 86-6, dated May 26, 1987.
2. Nuclear Regulatory Commission Feedback Meeting with Citizens Association For Sound Energy Transcript, dated January 23, 1986.
3. Memoranda to G. Mulley (OIA) from C. Grimes (OSP), dated August 14, 1987 (personal information contained in the enclosures has been deleted), and August 20, 1987.