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August 3, 1979

L. Dow Davis, Esq.
Office of the Executive Legal Director
Nuclear Regulatory Commission
Washington, D. C. 20555

Dear Dow:

I have Joe Farris' letter of July 16 concerning the QA Program for Black & Veatch, Consulting Engineers (B&V). In essence, Joe inquires as to whether or not the Staff's review of the B&V QA topical report (BVTR-1-0) has caused the Staff to change its position on Intervenor's QA contention and/or Board Questions 10-1 through 10-4. Your letter of July 25 indicated that you and the technical staff are reviewing the matter. It is the purpose of this letter to set forth the Applicants' position.

A review of the factual background provides the necessary perspective to answer Joe's query. On February 20, 1979, Mr. Adam of B&V submitted Topical Report BVTR-1-0 to the NRC Staff for review and approval. This report describes the QA program of the B&V Power Division and it was based on the then applicable regulatory guide, namely Reg. Guide 1.70, Rev. 1. A copy of the QA report is attached to facilitate your review. It was not submitted on the Black Fox docket but rather as a topical report under NRC's generic program to qualify vendors and A/Es doing business in the nuclear field. This program is akin to the standardization policy of the NRC in that the generic review and approval by the NRC Staff of an organization like B&V avoids the waste attendant to an ad hoc and continual review of the same QA issues for each and every license application involving B&V.

On March 12, 1979, Mr. Haass of the NRC Staff advised B&V that BVTR-1-0 had "been found acceptable for review by the [NRC] Quality Assurance Branch." A copy of Mr. Haass' letter is enclosed. This statement is significant because,

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as you know, a topical report or any application for that matter is initially reviewed for completeness and general adequacy by the Staff before it will expend the manpower resources involved in a detailed review. Thus, Mr. Haass' statement indicates that the B&V topical report was of sufficient adequacy to warrant a detailed review.

On April 25, 1979, representatives of B&V and the NRC Staff met to discuss the topical report, and as a result of this meeting, Mr. Haass wrote B&V on April 30 requesting that the topical report be revised in some respects and amended to include a number of commitments. Mr. Haass' April 30 letter was sent to you by Joe Farris and, as a consequence, I am omitting it as an enclosure. I understand that the Staff's review of the B&V QA program was based on Revision 3. of Reg. Guide 1.70. Apparently between February 20, 1979 -- the date of submission of BVTR-1-0 -- and April 30, the Reg. Guide was the subject of two revisions; and it should be obvious that the differences between Rev. 1 and Rev. 3 were the major cause of the volume of additional information requested by the Staff in their letter of April 30.

On July 2, 1979, Mr. Blaisdell of B&V submitted a revised topical report which reflected the changes requested by the Staff. In addition, Mr. Blaisdell included, as a separate enclosure, a direct and fully explanatory response to each and every question raised by the Staff in Mr. Haass' letter of April 30. As far as I know, the Staff has not yet approved the B&V QA program; but B&V is very optimistic that their most recent submission will satisfy all Staff requirements and that approval will be forthcoming very shortly.

With the foregoing background, I can now address the question as to whether the Staff's comments of April 30 represent a change in the position of the Staff as articulated at the hearings. Clearly, the Staff's testimony on Board Questions 10-1 through 10-4 is not affected in any way since none of those issues questioned the adequacy of B&V's QA program. Questions 10-1 and 10-4 raise QA matters associated with the General Electric Company and equipment within the GE scope of supply. Questions 10-2 and 10-3 apply to PSO only. With respect to Intervenor's Contention 10, only the radwaste equipment, dry well wall, weir wall and containment shell fall within the B&V scope of supply, and hence the adequacy of the B&V QA program is only relevant to these four items. You will recall that these aspects of Contention 10 were dismissed by the Licensing Board when it granted the motions for summary disposition.

L. Dow Davis, Esq.

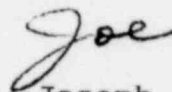
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August 3, 1979

The Black Fox PSAR was submitted in 1975, and the QA programs described in Chapter 17 were necessarily based on Rev. 1 of Reg. Guide 1.70. We understand that no change is required in the PSAR based on subsequent revisions; and, as a consequence, the B&V/Staff interaction on Rev. 3 is immaterial to Black Fox.

The Staff, of course, must speak for itself. However, in view of the foregoing, I conclude that the efforts of B&V to secure the Staff's generic approval of its QA program in no way impacts on the Staff's conclusions in the Black Fox docket.

Sincerely,



Joseph Gallo

JG:ds
Enclosures
ccs: BFS Service List

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

MAR 12 1979



Mr. R. E. Blaisdell
Quality Assurance Manager
Black & Veatch Consulting Engineers
P.O. Box 8405
Kansas City, Missouri 64114

Dear Mr. Blaisdell:

SUBJECT: ACCEPTANCE OF QA TOPICAL REPORT FOR REVIEW

This is to inform you that the Black & Veatch Power Division's topical report BVTR-1-0, "Quality Assurance Program Description," has been found acceptable for review by the Quality Assurance Branch.

I have assigned the review responsibility to Jack Spraul, and he can be reached on (301) 492-7741. The estimated completion date is September 14, 1979.

Sincerely,

Walter P. Haass

Walter P. Haass, Chief
Quality Assurance Branch
Division of Project Management

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BLACK & VEATCH
CONSULTING ENGINEERS

NRC PUBLIC DOCUMENT ROOM

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KANSAS CITY, MISSOURI 64114

Standardization
QA Topical Report BVTR-1-0

B&V Project 0001GXX
QA File 25.9000.21
February 20, 1979

Nuclear Reactor Regulation
United States Nuclear Regulatory Commission
7920 Norfolk Avenue
Bethesda, Maryland 20014

Attention: Mr. W. P. Haass, Chief
Quality Assurance Branch
Division of Project Management

Gentlemen:

Enclosed, for your review, are 33 copies of Topical Report BVTR-1-0 describing the Black & Veatch Power Division Quality Assurance Program. We intend to use this Topical Report as a reference for Section 17.1 of future Safety Analysis Reports. The Topical Report complies with Nuclear Regulatory Commission Guide 1.70 "Standard Format and Content for Safety Analysis Reports for Nuclear Power Plants, Chapter 17."

The Report is an updated version of Chapter 17 of the Black Fox Station PSAR (Docket 50-556), which also describes our program. The Quality Assurance Branch has previously reviewed and provided safety evaluation reports on Chapter 17 of the BFS PSAR. Our organization is currently being inspected by the Office of Inspection and Enforcement under the Vendor Inspection Program (NUREG 0040, Docket 99900526 "Licensee, Contractor, and Vendor Inspection Status Report").

It is our understanding that you charge a fee for reviews of Topical Reports. These fees are in accordance with the regulations published in 10 CFR, part 170, "Fees for Facilities and Material Licenses and Other Regulatory Services under the Atomic Energy Act of 1954 as amended."

It is our further understanding that the fees charged for topical reports are based upon actual expenditures of professional manpower and appropriate support services, but will in no event exceed \$20,000.

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United States Nuclear Regulatory Commission
Mr. W. P. Haass

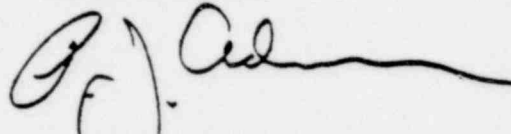
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B&V Project 0001GXX
February 20, 1979

Questions, communications, and correspondence concerning the enclosed Topical Report should be directed to Mr. R. E. Blaisdell, Quality Assurance Manager, telephone (913) 967-7311.

Very truly yours,

BLACK & VEATCH

A handwritten signature in dark ink, appearing to read 'P. J. Adam', with a long horizontal flourish extending to the right.

P. J. Adam
Executive Partner
Head of Power Division

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Attachment

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QUALITY ASSURANCE PROGRAM DESCRIPTION

TOPICAL REPORT NO. BVTR-1-0

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POWER DI
BLACK & VEATCH
KANSAS

DUPLICATE DOCUMENT

Entire document previously entered
into system under:

ANO 7903060471

No. of pages: 73