

5/29/79

NRG PUBLIC DOCUMENT ROOM

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of)
LONG ISLAND LIGHTING COMPANY) Docket No. 50-322
(Shoreham Nuclear Power Station,)
Unit 1))

APPLICANT'S REPLY TO MR. LIKE'S
LETTER OF MAY 17, 1979



I.

Mr. Like's recent letter to Mrs. Bowers begins as follows:

I enclose herein copy of article by reporter Karl Grossman published in The Southampton Press May 17, 1979 reporting that certain documents concerning LILCO's construction of the nuclear power plant were found in the Southold Town dump.

Mr. Like goes on to request that NRC personnel undertake an "immediate investigation" of these documents, among other things. He concludes by declaring that: "It is imperative that the NRC take whatever steps are necessary to insure a complete inspection of the Shoreham facility."

344 118

(8)
7907180603

II.

Mr. Like's request is neither properly directed nor necessary.

A.

Counsel asks that the "Nuclear Regulatory Commission Staff and Inspection and Enforcement personnel" take certain steps outside the adjudicatory bounds of the Shoreham proceeding. His request, however, is directed not to the Staff, but to Mrs. Bowers. No effort is made to explain why Mrs. Bowers (or the Board as a whole) has authority to grant Mr. Like what he wants. In any event, all that Mrs. Bowers has received is a letter, not a motion requesting that the Board actually do something. As a lawyer who has practiced extensively at the NRC bar, Mr. Like knows that (a), when an ASLB's jurisdiction is not clear, you address the issue and (b), when you want an ASLB to act, you file a motion. His disregard of these requirements is telling.

B.

More important, it is unavoidably the case that the NRC has been taking "whatever steps are necessary to insure a complete inspection of the Shoreham facility." Among these steps has been familiarity with the document in question, so-called

E&DCR's,^{1/} including review of representative E&DCR's during I&E inspections of the Shoreham site. See the attached Affidavit of Joseph P. Novarro at ¶ 6.

The newspaper article on which Mr. Like's letter is based and the letter itself hinge on the notion that someone was trying to hide safety problems "under a bush in the Southold Town dump." To quote the article:

A boxload of "Engineering and Design Coordination Reports" concerning problems in the construction of the nuclear power plant being put up at Shoreham by the Long Island Lighting Company has been found under a bush in the Southold Town dump.

. . . .

"Why at the time of the Three Mile Island incident did they get rid of all their paperwork?" asked Bill Morris of Laurel, the husband of Judy Ahrens Morris, a photographer for The Suffolk Times of Greenport, to whom the box of reports -- copies of originals -- were first given by the discoverer, somewhat shaken by his find and asking to remain anonymous.

Quite to the contrary, nothing has been "found under a bush" that is not readily accessible at the plant. Microfilm of the E&DCR's is kept at the Shoreham site, with the originals retained by Stone & Webster in Boston. Moreover, approximately 40 copies of each E&DCR are routinely distributed. Many of these copies remain at Shoreham. See Mr. Novarro's Affidavit at ¶ 4.

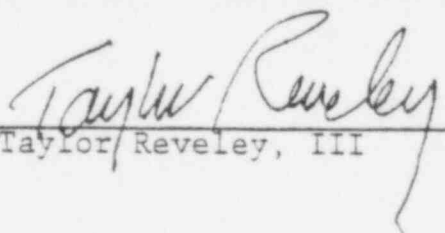
^{1/} Engineering & Design Coordination Reports.

Nor is it the case that the E&DCR's can be rationally used to depict Shoreham as a threat to the public health and safety. As previously indicated, these materials are known to, and reviewed by, NRC personnel. Access to them has been offered to representatives of the media who inquired in the wake of Mr. Grossman's story. By the same token, the documents will be made available to the County's technical consultant, if he wishes personally to satisfy himself and the County concerning them.

III.

Mr. Like has asked the Board itself for nothing. Thus there is nothing specifically to which we must object -- other than the misleading "journalism" at hand, and Mr. Like's use of it.

Respectfully submitted,
LONG ISLAND LIGHTING COMPANY


W. Taylor Reveley, III

Hunton & Williams
707 East Main Street
P. O. Box 1535
Richmond, Virginia 23212

DATED: May 29, 1979

344 121

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of)
)
LONG ISLAND LIGHTING COMPANY)
)
(Shoreham Nuclear Power Station)
Unit 1))

Docket No. 50-322

AFFIDAVIT OF JOSEPH P. NOVARRO

Joseph P. Novarro, being duly sworn, states as follows:

1. I am the Project Manager of the Shoreham Nuclear Power Station, Unit 1, of Long Island Lighting Company.

2. Engineering and Design Coordination Reports (E&DCR's) are part of the Stone & Webster Engineering Corporation (S&W) system of engineering design control. They are used to ensure that specified engineering and design documents for the Shoreham plant are properly interpreted and that engineering evaluations of any requested changes to these documents are performed to demonstrate and document the acceptability of these changes. All nuclear projects in the U. S. have similar design control procedures, and all projects have a large number of design control documents generated during the construction process.

3. When something requires clarification of, or a change to, an engineering document, an E&DCR is initiated to specify the issue and identify any affected document (specification, drawing, process procedure, etc.) The E&DCR is then reviewed

344 122

and assigned to an engineer in the appropriate discipline ("Responsible Engineer"). The Responsible Engineer researches the matter and reaches a resolution. His work is reviewed by the responsible Lead Engineer in that respective discipline, and other specialists are consulted when necessary. Final signoff is by the Stone & Webster Project Engineer or his designee. It is important to note that the final technical review of the resolution is always provided by the responsible Lead Engineer. Equally important, the reviews, inputs, and approvals to the resolution are provided by the same disciplines that initially reviewed the parent document in question. LILCO also reviews each E&DCR to provide additional independent engineering scrutiny.

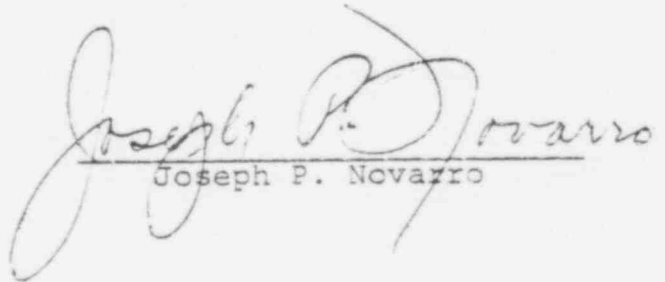
4. The E&DCR, with its approved resolution is then sent to Site Document Control, where it is microfilmed for permanent record retention. Each E&DCR is given widespread distribution^{1/} to ensure that all individuals who should know about the interpretation or change are informed. The original of the E&DCR is maintained as a project record in S&W's Boston Engineering Office. A reproducible copy is maintained by Document Control at Shoreham.

5. An audit of this document control system following the various Grossman newspaper articles showed that all E&DCR

^{1/} There are presently 41 individuals on the distribution list to receive E&DCR's.

originals, logs, and distribution copies referenced by Grossman, as well as a representative sample of other E&DCR's were properly filed and accounted for.

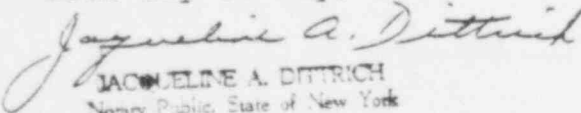
6. S&W procedures that govern E&DCR documents have been reviewed by Nuclear Regulatory Commission personnel and by the ASME Code Committee Survey Team. Representative E&DCR's have themselves been examined by NRC personnel for description clarity and, more importantly, for the technical content of the disposition, and found to be in compliance with applicable engineering standards and NRC regulations. E&DCR procedures and substance are also subject to continuing periodic reviews by the NRC, S&W and LILCO to ensure that all design interpretations and changes are properly evaluated and documented.


Joseph P. Novarro

SS: SHORRMAN, N.Y.

Sworn to before me this

25th day of May, 1979


JACQUELINE A. DITTRICH
Notary Public, State of New York
No. 52-4001400, Suffolk County
Term Expires 3/30/80

In the Matter of
LONG ISLAND LIGHTING COMPANY
(Shoreham Nuclear Power Station, Unit 1)
Docket No. 50-322

CERTIFICATE OF SERVICE

I hereby certify that copies of APPLICANT'S REPLY TO MR. LIKE'S LETTER OF MAY 17, 1979 and AFFIDAVIT OF JOSEPH P. NOVARRO were served upon the following by first-class mail, postage prepaid, on May 29, 1979:

Elizabeth S. Bowers, Esq.
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Dr. Oscar H. Paris
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Mr. Frederick J. Shon
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Secretary of the Commission
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Atomic Safety and Licensing
Appeal Board
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Richard K. Hoefling, Esq.
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

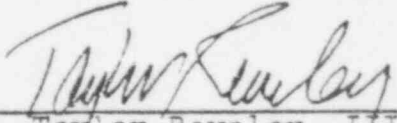
Jeffrey C. Cohen, Esq.
New York State Energy Office
Swan Street Building, Core 1
Empire State Plaza
Albany, New York 12223

Howard L. Blau, Esq.
217 Newbridge Road
Hicksville, New York 11801

Irving Like, Esq.
Reilly and Like
200 West Main Street
Babylon, New York 11702

Ralph Shapiro, Esq.
Cammer and Shapiro, P.C.
9 East 40th Street
Babylon, New York 10016

Mr. Marc W. Goldsmith
Energy Research Group, Inc.
400-1 Totten Pond Road
Waltham, Massachusetts 02154



W. Taylor Reveley, III

DATED: May 29, 1979

344 12