

'83 April 4, 1983
APR -6 AIO:26

UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

In the Matter of)

PUBLIC SERVICE COMPANY OF)
NEW HAMPSHIRE, et al.)

(Seabrook Station, Units 1)
and 2))

Docket Nos. 50-443
50-444

NECNP ANSWER TO APPLICANTS' INTERROGATORY XXIII-2

Due to a clerical error in the Board's Order of March 24, 1983, NECNP did not understand that the order required a response to Applicants Interrogatory XXIII-2 until it was too late to prepare an answer by the deadline established in the Order. As a result, NECNP contacted Applicants, who consented to an additional three days to submit an answer, and NECNP moved for permission to file the answer within that time period. NECNP now submits its answer to Applicants' Interrogatory XXIII-2.

The interrogatory reads as follows:

XXIII-2. Please state each and every reason why NECNP contends that the Program does not meet the requirements of App. B, specifying in detail: (i) each specific part of the Program which NECNP contends is not in compliance, (ii) each part of App. B with which NECNP contends the specific part of the Program is not in compliance, and (iii) each and every addition to, deletion

from, or change in the Program which NECNP contends must be made in order to bring the Program into compliance.

At this point, NECNP's contention is limited to the inadequacy of the FSAR with respect to quality assurance for replacement materials and parts obtained or installed during operations and with respect to quality assurance for repair or rework during operation. NECNP's position is two-fold. First, as demonstrated in NECNP's filing of June 17, 1983, Appendix B requires that the operations quality assurance program extend to these matters. Second, as discussed in NECNP Opposition to Motions for Summary Disposition and Notification of Withdrawn Contentions, filed March 24, 1983, at 24-28, the FSAR fails to discuss "how the applicable requirements of Appendix B will be satisfied" with respect to these matters." This discussion is required by 10 C.F.R. § 50.34(b)(6)(ii).

Applicants' interrogatory appears to misinterpret the contention as involving specific concerns about the adequacy of quality assurance. This misses the point of the contention. NECNP has not yet challenged specific aspects of the operations quality assurance program in these areas because Applicants have not yet provided the required information concerning how the quality assurance program will be implemented in these areas. The information in the FSAR is extremely general in nature, and it may provide an adequate outline for a discussion

of how Applicants will meet the requirements of Appendix B, but it does not include the discussion required by 10 C.F.R. § 50.34(b)(6)(ii).^{*} Thus, NECNP has not yet been able to evaluate whether specific parts of the program comply with Appendix B or to determine the additions to, deletions from, or changes in the program that would be necessary to comply with Appendix B. Once the FSAR is brought into compliance with § 50.34(b)(6)(ii), NECNP will amend the contention or file a new contention, as necessary. In the interim, Applicants fail to comply with that regulation.

Although NECNP's most significant point here is Applicants' failure to comply with § 50.34(b)(6)(ii), this failure also constitutes a violation of all of the Criteria of Appendix B since all relate in some way to quality assurance for replacement parts and for rework and repair. Since the Criteria must be read together with § 50.34(b)(6)(ii), the

^{*} Moreover, Applicants themselves admit that "The procedures which implement the QA program are not yet fully approved and are still under review and development." Since these are the documents that provide the information on which it is possible to base a review of the adequacy of the QA program, and they are not yet available, NECNP has not yet been able to undertake the evaluation necessary to identify specific aspects of the operations QA program for replacement parts or rework and repair that do not comply with Appendix B.

Board must conclude that the Criteria have not been met if Applicants have not provided the information to demonstrate how they have been met.

Respectfully submitted,

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April 4, 1983

CERTIFICATE OF SERVICE

I certify that on April 4, 1983, copies of NECNP ANSWER TO APPLICANTS' INTERROGATORY XXIII-2 were served by first-class mail, or as otherwise indicated, on the following:

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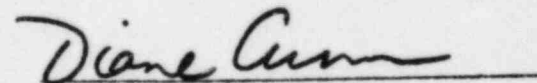
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