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## U.S. House of Representatives

Subcommittee on Oversight and Investigations  
of the

Committee on Energy and Commerce

Washington, DC 20515

RED RY. STUNTZ, STAFF DIRECTOR/CHIEF COUNSEL  
STEPHEN F. SIMS, DEPUTY STAFF DIRECTOR

April 24, 1991

The Honorable Kenneth Carr  
Chairman  
Nuclear Regulatory Commission  
Washington, D.C. 20555

Dear Mr. Chairman:

Pursuant to Rules X and XI of the Rules of the U.S. House of Representatives, the Subcommittee on Oversight and Investigations has been conducting, since March 1990, an inquiry into the Nuclear Regulatory Commission's oversight of the inspection of welding activities at the Seabrook station. Since prior to issuance of an Operating License, it has been apparent that significant questions concerning the adequacy of radiographic inspections had not been properly resolved. Moreover, throughout the period of our inquiry, the Commission has addressed the Subcommittee's concerns in a desultory manner.

On March 1, 1991, the Seabrook licensee, under threat of subpoena, provided the Subcommittee with certain documents pertaining to safety-related pipe welds. These included documents that the NRC had refused to provide to the Subcommittee.

When the documents were finally provided to the Subcommittee, the reasons for the licensee's foot-dragging became clear. Not only had the search for these documents revealed that certain radiographic film was missing, but the documents contained clear evidence that radiographic reviews had not been conducted in accord with NRC regulations. The weld program at Seabrook was in such disarray that the documents provided to the Subcommittee by the licensee showed that one third of the radiographed welds were in process for more than one year, twenty percent were in process for more than twenty months, and one for more than three years.

It is not satisfactory that, ten years after production of many of these welds and five years after virtual completion of the welding program, the NRC now finds it necessary to require

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the licensee to review its engineering drawings in order to make sure that required radiographic tests were conducted. It is also not satisfactory that NRC regulations do not require that licensees maintain data bases that make possible timely compilations of such things as lists of welds requiring radiographic testing.

Also, I should not have to tell you at this late hour that the NRC is obliged by law to provide full and accurate information in response to requests from its oversight committees. This obligation has not been fulfilled in the case of the Seabrook welds. Rather than displaying forthrightness and candor, the Commission's responses to our numerous inquiries have been characterized by foot-dragging and confusion.

In particular, I do not appreciate the fact that, when Subcommittee staff met with NRC staff on January 30, 1991, to discuss the adequacy of the NRC inquiry into the Seabrook welds, problems were not disclosed. Specifically, the NRC did not inform the Subcommittee staff that the licensee had admitted to the NRC on December 27, 1990, that it had discovered film was missing in the process of complying with the Subcommittee's request.

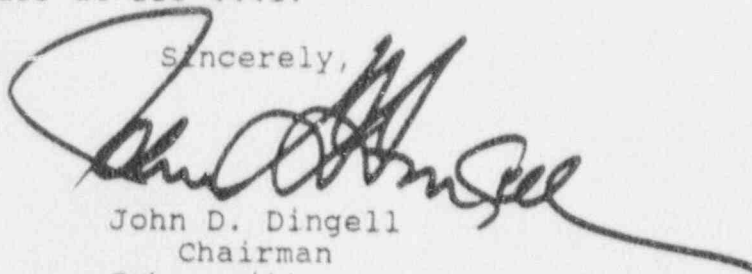
Mr. Chairman, we have now been involved with this issue for more than one year. This case calls to mind our experience with the TVA. There, until April 1985, the Commission had accepted TVA's certification that Watts Bar Unit 1 had been constructed in compliance with NRC regulations. At that time, the Commission was on the verge of issuing an Operating License. Then several major safety deficiencies were discovered, the program was brought to a halt, and, six years later, it is unclear when, if ever, Watts Bar will be allowed to generate electricity. The Commission's intense scrutiny of TVA began only when it became clear that Congressional investigations and hearings would prevent any concealment of the true nature of TVA's nuclear program failings.

The Commission's and the license's failure to put the Seabrook weld matter to rest raises doubt as to whether the agency can adequately assure compliance with NRC regulations. I have directed the Subcommittee staff to review whether NRC staff had an adequate basis for recommending issuance of a license permitting operation of the Seabrook station and whether NRC oversight of that facility has been adequate. I request that you assign a senior NRC staff member to facilitate the Subcommittee staff's document requests and visits to the Seabrook site.

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Please respond to these concerns and requests by close of business, Wednesday, May 1, 1991. If you have any questions, please contact Messrs. Peter D.H. Stockton or Bruce F. Chafin of the Subcommittee staff at 225-4441.

Sincerely,

A handwritten signature in black ink, appearing to read "John D. Dingell", with a long, sweeping horizontal line extending to the right.

John D. Dingell  
Chairman  
Subcommittee on  
Oversight and Investigations

JDD:PScm

cc: The Thomas J. Bliley, Jr.  
Ranking Republican Member