

LILCO, February 11, 1984

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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)

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Docket No. 50-322 (OL)

LILCO'S RESPONSE TO THE  
COUNTY'S MOTION FOR RECONSIDERATION  
OF BOARD ORDER DATED FEBRUARY 2, 1984

LILCO welcomes and supports the Board's February 2, 1984 Order. LILCO firmly believes that submission of specific document discovery requests in advance of the February 22, 1984 conference will materially assist the efficiency of the hearing. More particularly, submission of discovery requests on February 17, as required in the Order, promotes efficiency because:

1. It provides the Board with concrete and important information concerning the potential scope of the County's proposed contentions. Review of these requests will aid the Board in determining whether the County's proposed contentions are excessively broad, as LILCO contends, or whether they are sufficiently particularized to result in efficient and focused hearings. Review of the parties' document requests will also aid the Board in revising or rewriting any of the contentions should it choose to do so.

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2. It will help the Board identify and simplify the issues at the February 22, 1984 conference. See 10 CFR § 2.718(h).

3. It reduces the potential for future discovery disputes by permitting the Board to issue discovery guidance at the time it rules on the admissibility of the County's proposed contentions or issues its own revised versions of the contentions. Discovery guidance based on a review of the parties' proposed requests will help focus discovery efforts, thereby conserving the time and resources of the Board and parties. The time and effort spent now by the parties in preparing these discovery requests will be more than offset by time and effort saved later from the avoidance of future discovery disputes. See 10 CFR § 2.718(e).

4. It permits discovery, if appropriate, to proceed immediately following the Board's rulings after the February 22 conference.

The County's motion for reconsideration does not contend that the Board lacks the authority to issue the February 2 Order or that it abused its discretion in doing so. The opposite is true. The Board's authority is not disputed and the reasons cited above plainly reflect that the Board has properly exercised its discretion in this instance. See In the Matter of Statement of Policy on Conduct of Licensing Proceedings, 13 NRC 452, 456 (1981).

So manifest are the advantages of the Board's February 2, 1984 Order that LILCO urges the Board to expand the Order to require the parties to submit, in addition to document

requests, the names of all party and nonparty witnesses they propose to depose and the general subject matter of each proposed deposition. This information would be useful to the Board for all the reasons listed above. Also, with this information, the Board may consider and order that certain depositions be taken or not be taken based upon its rulings on the issues to be litigated. See 10 CFR §§ 2.718(d), (e), (f).

In ruling on Suffolk County's motion for reconsideration, the Board may consider the following points with respect to other matters raised in the County's motion:

1. The County has already received a significant number of documents in discovery. A list of most of those documents is attached. In addition, representatives of Suffolk County have received information from the NRC Staff, visited the Shoreham site to inspect the diesels, and attended a number of meetings concerning TDI diesel generators.

2. Contrary to the County's assertions, LILCO has not refused to obtain baseplate and piston drawings from Delaval. LILCO informed the County that those drawings were given to LILCO under a protective agreement which prevented LILCO from providing them to the County. Thus, as in the past (with GE and SWEC), LILCO suggested to the County that it would be more efficient to discuss an appropriate protective agreement directly with counsel for TDI. The County chose not to do so.

Nonetheless, LILCO took steps to request that counsel for TDI prepare and send to the County a protective agreement covering the requested documents. On the day the County filed its motion for reconsideration, TDI's counsel sent such an agreement to SC for their signature. The County may be able to expedite matters by dealing directly with counsel for TDI.

3. With respect to deficiency reports, the County made a blanket request for all diesel generator deficiency reports and then included a list of 52 specific deficiency reports. LILCO objected to the blanket request,<sup>1/</sup> but agreed to produce the specific deficiency reports identified by the County.<sup>2/</sup> In addition, LILCO informed the County that while blanket requests were inappropriate, requests for deficiency reports relating to relevant specific issues or components would be acceptable.

4. With respect to product improvements, the County also served a blanket request for all documents related to diesel generator product improvements. The County also requested two specific documents on this subject. LILCO produced these

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<sup>1/</sup> Parties should not be "permitted to use discovery procedures to conduct a fishing expedition." 10 CFR Part 2 App. A, IV(a).

<sup>2/</sup> LILCO has already provided the County with some of these LDRs and the remainder will be produced as soon as finally reviewed copies are obtained.

two documents, as well as several others dealing with the subject of diesel generator product improvements. LILCO objected, however, to the blanket request.<sup>3/</sup>

5. The County suggests that the January 26 diesel generator owners group meeting transcript might affect the Board's views on discovery because the Board might not have realized the extensive scope of the diesel generator design review and quality revalidation (DRQR) program. This may be so, but LILCO thinks the County underestimates the Board. The Board was informed of LILCO's commitment to perform a complete review of the design and quality of the Shoreham diesels in November 1983. See LILCO Status Report dated November 17, 1983. The Board also received slides from a November 3 meeting (attended by County representatives) between LILCO and the NRC where the proposed program was discussed. See "Summary of November 3, 1983 Emergency Diesel Generator Meeting," dated December 8, 1983. Further, in early January, the Board and the County received copies of LILCO's diesel generator recovery program which included a detailed description of the DRQR for Shoreham. This submittal also contained the detailed procedures to be used in performing the DRQR.

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<sup>3/</sup> See note 1 above.




LILCO has no objection to the Board's review of the January 26, 1984 transcript, but there is no reason to conclude that such a review must be accomplished before the Board can decide that a review of the parties' proposed document requests (and depositions) would materially advance the progress of the hearings.

For the reasons stated, LILCO respectfully submits that the Board's February 2, 1984 Order should not be vacated, but that it be modified to require the parties to identify the party and nonparty witnesses they now propose to depose and the subject matter of each such deposition.

Respectfully submitted,

LONG ISLAND LIGHTING COMPANY

  
\_\_\_\_\_  
T. S. Ellis, III  
Anthony F. Earley, Jr.

Hunton & Williams  
P. O. Box 1535  
Richmond, Virginia 23212

DATED: February 11, 1984

LILCO, February 11, 1984

DUCKLED  
UJL

CERTIFICATE OF SERVICE

'84 FEB 15 A10:42

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

OFFICE OF THE  
SECRETARY OF THE  
COMMISSION

I hereby certify that copies of LILCO's Response to the County's Motion for Reconsideration of Board Order Dated February 2, 1984 were mailed on February 13, 1984 to the following by first-class mail, postage prepaid, or were sent by Federal Express on February 11, 1984, as indicated by an asterisk:

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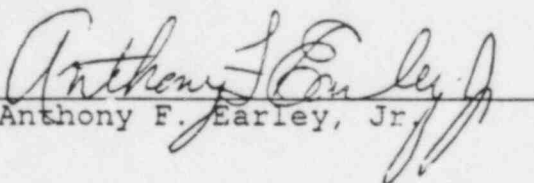
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DATED: February 11, 1984



ITEM PRODUCED

3/29/76 Letter from W.V. Bienduga (SWEC) to E. Deane (TDI) following Telecon of 3/24/76 and Inspection of 3/27/76

4/2/76 Letter from E.G. Deane (TDI) to W.V. Bienduga (SWEC) responding to 3/29/76 Bienduga Letter

4/21/83 Letter from TDI to Kammeyer summarizing TDI's responses to the areas of concern raised in Letter of 3/11/83 from D. Terry to S. Schumacher (no attached responses)

3/5/76 Memorandum from W.V. Bienduga (SWEC) to R.A. Plant (SWEC) re Storage of Diesel Generator Mark No. R43\*G101, Attaching a Number of Telex

--- Set of SWEC Shop Inspection Reports (indexed by part of diesel) and variously dated

--- Minutes-Status reported 2/2, 2/9, 2/16, 2/23/83

--- Proposed agenda for the 3/17 diesel generator meeting

10/6/76 TDI-QA Nondestructive Examination Procedure, "Magnetic Particle Examination-General"

4/27/78 TDI Specification no. 600-3. Heat Treat Procedure Specification for Normalizing Carbon and Low Alloy Steels

6/30/79. TDI QA Procedure-Quality Control Inspection Procedures--Final Inspection. I.P. 400

2/27/81. TDI Quality Assurance Manual

ITEM PRODUCED

4/1/81. TDI QA  
Procedure-Shipping and  
Receiving Inspection.  
I.P. 200

4/1/81. TDI QA  
Procedure-In-Process In-  
spection. I.P. 300

4/1/81. TDI QA  
Procedure-Non-Destructive  
Examination. I.P. 600

2/12/82 Rev. TDI QA  
Procedure-Quality Control  
Inspection  
Procedures--Calibration.  
I.P. 100

8/24/82.  
TDI-Qualification Test.  
TVA, Hartsville Nuclear  
Plant, Phipps Bend Nucle-  
ar Plant. C.F. Braun  
Specification 164-03,  
Rev. 6, 10/20/80

1/26/83 Agenda Item for  
Weekly Startup  
Meeting-Status reported  
1/19/83

--- Minutes from 1/19 and  
1/26/83 Weekly Startup  
Meeting

1/25/83 Rev. TDI Foundry  
Quality Control Manual

3/17-18/83. LILCO-Notes  
of Conference, Diesel  
Generator Operator Review  
Meeting -- SNPS

4/14/83 Memo from J.J.  
Cirilli to A.W. Zeuthen  
re Trip Report on Diesel  
Generators at Kansas and  
Delaval, California

4/21/83 signed trip re-  
port by Kammeyer,  
Schuster, Cirilli on trip  
to Lincoln Municipal  
Power Station, Lincoln,  
Kansas, 4/5/83 and TDI,  
4/7-8/83

ITEM PRODUCED

9/26/77 Letter to IDI  
from J.F. Wallace, Case  
Western Reserve,  
outlining opinions con-  
cerning problems of a  
steel head for a 4 valve  
cylinder

8/16/82 Letter to  
Jerecke, LILCO, from R.S.  
Costa, SWEC, re proposed  
8/30-9/2/82 survey

1/5/83 Letter to R.E.  
Boyer, TDI, from E.C.  
Bajada, LILCO, re quality  
survey for the week of  
2/14/83

1/20/83 Letter to Ray  
Cardella from Youngling  
re acquisition no. 75766  
for approx. \$75,000 to  
cover cost of purchasing  
2 cylinder heads and as-  
sociated gaskets from  
Delaval

1/20/83 letter to Tom  
Brown, LILCO, from R.  
Feinstein, TDI, re repair  
bulletin on 4-valve cyl-  
inder heads

2/10/83 Letter to J.  
Spolizino, LILCO, from R.  
Feinstein, TDI, waiving  
\$3000 charge for vendor  
audit

2/22/83 Letter to M.  
Rudikoff from W.L.  
McHugh, TDI, re qualifi-  
cation of cylinder head  
P/N 1A-6646 for use on  
nuclear engine

5/4/83 Letter to A.W.  
Wofford, LILCO, from R.A.  
Pratt, TDI, confirming  
Delaval's offer to sell  
LILCO new, current pro-  
duction cylinder heads at  
a reduced price

5/19/83 Letter to A.W.  
Wofford, LILCO, from P.J.  
Holden, SWEC, enclosing  
purchase requisition no.  
100402-18, issued to up-  
date purchase order  
310552 to cover the cost  
of 19 replacement cylin-  
der head assemblies and  
associated hardware

ITEM PRODUCED

2/27/74 IOC from G.I. Beaman, SWEC, to R.A. Plant/W.F. Gibbons, SWEC, re 2/26/74 PQC Survey (attached)

Undated IOC from S.J. Stratis to E. O'Connor with manual checklist dated 3/14/74 attached

12/12/74 IOC from G.I. Beaman to R.A. Plant/J.D. Tramontane, on 12/13/74 preliminary QC spec review

8/12/75 IOM from W.C. Morrey (SWEC) to W.S. Diehl (SWEC) re 7/28-29/75 visit to TDI and Thermxchanger

8/22/75 IOC from James Powers to Ralph Costa requesting parts of the QA Manuals

6/24/76 IOM from B.A. Plant to G. Mikula responding to LILCO QA Action Request 1-76

10/6/76 IOM from W.C. Morrey (SWEC) to W.S. Diehl (SWEC) re 7/19-20/76 visit to TDI

2/8/83 Memo from S.G. Schumacher to R.A. Pratt, TDI, giving report on trip of 1/31-2/4/83 to Shonham to review items needing dispositioning

3/2/83 Memo from E.J. Maksin to R. Cardella attaching report on "Open Order" status

3/25/83 Memo from M.H. Milligan to W.J. Museler re potential problem involving suspected cracking in two cylinder heads

4/7/83 Telephone Memorandum between R. Gallow and C.K. Seaman and W.M. Judge re potential Rep. Def. DG Cracked Cylinder Heads

4/4/83 IOC from J.C. Kammeyer to A. Muller attaching TDI failure Analyses Nos. 0150 and 0151 (not attached)

ITEM PRODUCED

4/21/83(?) handwritten note from Jim Higgins to Mike Milligan containing questions on the 50.55e report

4/25/83 IOM from R.J. Jaquinto to M.H. Milligan re recommendation offered after diesel generator requalification requirements were reviewed

5/2/83 Handwritten Memo from M.H. Milligan to J. Higgins attaching answers to Higgins' questions on the DG Head Cracks Letter

5/31/83 IOC from R.S. Costa to E.C. Bajada attaching responses to questions raised about Delaval during a telephone conversation

6/8/83 Memo from G.K. Seaman to J.M. Kelly requesting an audit be performed to verify that all required NDE is or has been performed on Shoreham's replacement cylinder heads

6/15/83 IOC from W.M. Judge to J.C. Kammeyer re TWX to TDI requesting any 4 exterior weld repairs on the cast surfaces of the cylinder heads being sent to SNPS be MT

6/16/83 IOC from George Gula to Joe Spolizino attaching TDI response to deficiencies per 3/17/83 and 5/31/83 correspondence

10/8/75 Telex from W.V. Bienduga to J.A. Marques/J. Powers showing 10/29-30/75 scheduled audit for TDI

10/9/75 Letter to E.G. Deane, TDI, from W.V. Bienduga, SWEC, re schedule of audit for 10/29-31/75



ITEM PRODUCED

11/13/75 IOC from W.V.

Bienduga to J.A. Marques  
reporting on 10/28-30/75  
audit of TDI

11/20/75 Letter from R.A.  
Plant to E.G. Deane (TDI)  
w/attached Quality Assur-  
ance Audit Report, TDI,  
10/28-30/75

1/13/76 Letter from E.G.  
Deane (TDI) to R.A. Plant  
in response to  
10/28-30/75 audit

1/27/76 IOC from G. Foley  
to W.V. Bienduga at-  
taching TDI's response to  
the 10/28-30/75 audit

5/18/76 Letter from R.A.  
Plant to E.G. Deane  
w/attached Quality Assur-  
ance Re-audit Report,  
TDI, 2/23/76, and 5/18/76  
cover from J.A. Marques  
to R.A. Plant

6/2/76 IOM from J.A.  
Marques to R.A. Plant at-  
taching Audit Status Re-  
port for week ending  
5/28/76

6/14/76 Letter from G.  
Renfro to R.A. Plant re  
corrective actions in re-  
sponse to 2/23/76 reaudit  
report

6/21/76 Telex from W.V.  
Bienduga to J. Marques  
regarding reaudit of TDI  
performed 6/13/76

7/1/76 Letter from R.A.  
Plant to E.G. Deane  
w/attached Quality Assur-  
ance Re-Audit Report,  
TDI, 6/18/76 and 7/1/76  
cover from J.A. Marques  
to R.A. Plant

3/17/83 Letter to R.  
Boyer, TDI, from G.M.  
Schierberg, SWEC,  
thanking him for courtesy  
shown representative dur-  
ing audit

3/22/83 Transmittal Let-  
ter to T.F. Gerecke,  
LILCO, from R.S. Costa,  
SWEC, with QA survey  
dated 3/22/83 attached

ITEM PRODUCED

6/6/83 Letter to G.M. Schierberg, SWEC, from L.L. Mills, TDI, responding to deficiencies found during the 2/27-28/83 survey and referencing 3/17/83 letter from Schierberg

FA-1627, 6/14/83; to T.F. Gerecke from Nicholas and Kelly, to assure all required NDE and tests are being performed on the DG replacement heads

SNRC-873, 4/15/83, from M.H. Milligan to J.M. Allen, NRC, 30-day written report on potential deficiency concerning apparent cracking of cylinder heads

6/8/70 Delaval Quality Control Inspection procedures (IP-300)

3/14/74 SWEC Manual Check List for TDI with QA Manual sections attached

9/25/75 SWEC Shop Inspection Report

1/20/76 SWEC Shop Inspection Report

2/24/76 SWEC Shop Inspection Report

12/21/79 SWEC Shop Inspection Report

9/20-26/82 TDI Customer Service Report with attached memoranda on the Star of Texas, some with deleted portions as given to SC

3/15/83 TDI Foundry Practice Procedure, Spec. 9010-03-360-03-OF

3/20-31/83 Synoptic Report by R.D. Jacobs and Associates, Observation of Emergency Diesel-Generator Set Start-Up Operations and Tests

4/13/83 Approved LILCO Quality Assurance Supplier Evaluation Report based on survey of TDI performed 2/28/83 by SWEC

ITEM PRODUCED

6/28/83 Transmittal of  
Supplier Evaluation Re-  
sults - Supplier Name:  
TDI

Undated 5 page document  
with title "V Valve Steel  
Head - 03-360-03-OF" (see  
#8 above) listing changes  
to foundry procedures)

6/7/76 LILCO Quality As-  
surance Action Request  
1-76 with responses at-  
tached

Undated one-page document  
on a suggestion to per-  
form NDE (MP) on pur-  
chased diesel heads from  
Delaval after repair weld  
PWHT

1982 Table entitled Cast-  
ing and Machining Prob-  
lems with RV-4 Steel Cyl-  
inder Heads, TDI

10/6/83 Final Report on  
the Diesel Engine Head  
Casting, with Cover Let-  
ter from C.R. Isleib to  
R.M. Kascsak and Cover  
Letter dated 10/14/83  
from A.W. Zeuthen to A.F.  
Earley

1/15/75, Revised 3/31/76,  
TDI Liquid Penetrant Ex-  
amination - General Pro-  
cedure

6/78-9/80 TDI Daily  
Foundry Reports

2/27/81 TDI ASME Quality  
Assurance Manual

10/3/83 Letter from  
Earley to Judges and Ser-  
vice List, attaching  
"Preliminary Metallurgi-  
cal Evaluation of Failed  
Crankshaft from DG 102"  
by Failure Analysis Asso-  
ciates

11/2/83 Letter from L.  
McHugh (TDI) to J.  
Kammeyer (LILCO) at-  
taching the 10/28/83  
Woodward Governor Failure  
Analysis for DG 102

11/9/83 Letter from W.L.  
McHugh (TDI) to John  
Kammeyer (LILCO) re Par-  
sons Peebles Electric  
Products, Generator Fail-  
ure Analysis

ITEM PRODUCED

9/9/83 Memorandum from W.H. Wells (FAA) to M. Milligan (LILCO) containing the checklist of metallurgical analyses to be performed (memorandum attached to Preliminary Metallurgical Evaluation)

9/22/83 Memorandum from Youngling to Pollock re: reassembly of Diesel Generator 103

9/25/83 Memorandum from Youngling to Pollock re: reassembly of Diesel Generator 102

10/13/83 Memorandum from Les Swanger (IAA) to Mike Milligan (LILCO) re: summary of findings: Emergency Diesel Engine Connecting Rod Bearings

10/24/83 Memorandum from E.J. Youngling to M.S. Pollock re reassembly of Diesel Generator 101

11/2/83 Telephone Memorandum between J.C. Kammeyer (SWEC) and P. Silverberg (Parsons-Peebles)

Preliminary Metallurgical Evaluation of Failed Crankshaft from DG 102 by FAA

Ultrasonic Evaluation Report of Diesel Generator Crankshafts (Nuclear Energy Services)

LILCO Emergency Diesel Generator Inspection Procedures for Diesel Generators 101, 102 and 103

LILCO Emergency Diesel Generator Teardown Guidelines for Diesel Generators 101, 102 and 103

LILCO Strain Gauge Test Procedure Emergency Diesel Generator No. 1 Crankshaft (Revisions 0 and 1)

10/5/83 Delaval Report entitled "Field Torsiograph Test Report" for LILCO

10/11/83 Parsons Peebles-Electric Products Inc. Failure Analysis Report - EF-3060 (DG 102 generator rotor)

ITEM PRODUCED

11/25/83 Memorandum  
from L.A. Swanger/M.F. Wacheb (FaAA)  
to M.H. Milligan re: Failure  
Analysis of Fractured Cylinder Head  
Nut, TDI Enterprise Emergency Diesel  
Generators

11/30/83 Memorandum from L.A. Swanger  
to M.H. Milligan re: Selected  
Component Weights, TDI Enterprise  
Emergency Diesel Generators

9/19/83 Letter from W.L. McHugh, TDI,  
to Neal Rudikoff, LILCO, re:  
Dispositions for LDR's Noted upon  
Disassembly of DG 103

12/6/83 IOM from Ralph Jaquinto to  
E.J. Youngling forwarding Report  
on Analysis of Lubricating Oil for  
Emergency Diesel Generators

12/2/83 Memorandum from L.A. Swanger  
to M.H. Milligan re: Selected Component  
Weights, TDI Enterprise, Emergency  
Diesel Generators

12/8/83 Failure Analysis Associates'  
report entitled Metallurgical Analysis  
of Cracked Piston Skirts from  
Emergency Diesel Generators, Shoreham  
Nuclear Power Station, FaAA-83-11-13

12/7/83 Letter from C.H. Wells to  
M.H. Milligan/W.M. Judge re:  
Integrity of EDG Engine Bases,  
Shoreham Nuclear Power Station-  
Unit 1

12/14/83 Shoreham Nuclear Power Station  
Emergency Diesel Generator Recovery Test  
Program, approved by E.J. Youngling,  
12/14/83

12/15/83 Failure Analysis Associates'  
final report on connecting rod bearings

12/15/83 Memorandum from Donald O. Cox,  
FaAA, to M.H. Milligan re: inspection  
of jacket water pumps from TDI Diesel  
Engines, Shoreham



ITEM PRODUCED

Emergency Diesel Generator 101  
Crankshaft Strain Gauge Test  
Procedure (Rev. 0)

Emergency Diesel Generator 101  
Crankshaft Strain Gauge Test  
Procedure (Rev. 1)

SWEC Field Test On Emergency  
Diesel 101 Report

FaAA's Emergency Diesel Generator  
Crankshaft Failure Investigation

FaAA's Analysis of the Replacement  
Crankshaft for Emergency Diesel  
Generators

1/6/84 LILCO Shoreham Diesel  
Recovery Program Summary and  
Appendices

1. TDI Inspection Report No. 0783 dated 2/21/81;
2. TDI Nondestructive Examination Procedure  
entitled "Hydrostatic Testing" dated 10/24/80;
3. TDI ASME Quality Assurance Program issued  
4/1/81;
4. Delaval Quality Control Inspection Procedures  
issued 4/28/75;
5. Delaval Quality Assurance Manual issued  
3/1/74;
6. TDI Quality Control Inspection Procedures  
I.P. 100 Calibration Manual issued 6/30/79;
7. TDI Shipping and Receiving Inspection Manual  
I.P. 200 issued 6/30/79;
8. TDI Quality Control Inspection Procedures  
I.P. 300 In-Process Inspection issued 6/30/79;
9. TDI Quality Control Inspection Procedures  
I.P. 400 Final Inspection issued 6/30/79; and
10. TDI Non-Destructive Examination I.P. 600  
issued 6/30/79.