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822-1090

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In the Matter of
Union Electric Company
(Callaway Plant, Unit 1)
Docket No. STN 50-483 OL

Administrative Judges Rosenthal, Edles and Gotchy:

In a Memorandum and Order issued in this proceeding on November 29, 1983, the Atomic Safety and Licensing Appeal Board denied Joint Intervenor's petition for reconsideration of ALAB-740, 18 N.R.C. (Sept. 14, 1983). See ALAB-750, 18 N.R.C. (Nov. 29, 1983). This is to report what Applicant Union Electric Company believes to be two instances of misunderstanding, reflected in ALAB-750, of information presented by Applicant in response to the reconsideration petition. Both instances involve the Board's discussion of Unresolved Item 3-1 in the Staff's IDIP report, which notes a possible "non-conservatism" in the calculation of loads due to seismic anchor movements.

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Alan S. Rosenthal, Esquire
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December 6, 1983
Page Two

1. The Appeal Board states that "[o]ur review of the report indicates that the 'non-conservatism,' if it exists, deals only with the computer program used to calculate the loads on pipes and pipe supports, not loads on the embedded steel plates themselves." ALAB-750, slip op. at 11. Citing Applicant's Response to Joint Intervenor's Petition for Reconsideration (Oct. 12, 1983) at 10, and Exhibit D, Affidavit of Eugene W. Thomas (Oct. 11, 1983) at 2, the Board observes that "... a separate analysis is used to determine the load on the plates." Id. The Board proceeds to conclude, then, that "[a]ny 'non-conservatism' would not affect that separate analysis." Id. This conclusion is not necessarily correct.

In his affidavit, Mr. Thomas was responding to Joint Intervenor's statement that the ME 101 computer program is used to calculate loads on embeds due to seismic anchor movement. Mr. Thomas pointed out that the ME 101 computer program is used for piping system analysis, part of which includes the load effects of seismic anchor movement on skewed pipe restraints. Thomas Affidavit (Oct. 11, 1983), at ¶ 3. These seismic anchor movement loads combine with other loads to provide a total load definition on the pipe restraint. Id.; ALAB-750, slip op. at 11-12. The possibility cannot be eliminated, then, that some "non-conservatism" in the calculation of loads due to seismic anchor movements (which I hasten to add does not exist in Applicant's view), if eliminated, could affect the load combination which defines the total load on the pipe restraint.

Mr. Thomas explained that separate analyses (i.e., pipe support analyses performed subsequent to the ME 101 computer program stress analysis) determine the reaction load on the embedded plates. He also stated that the separate analyses use the total pipe restraint load. Thomas Affidavit (Oct. 11, 1983), at ¶ 3. Consequently, if the "non-conservatism" affected the total pipe restraint load, as hypothesized above, it could also affect the analyses performed to determine the reaction load on the embedded plates. Applicant regrets any lack of clarity in its presentations which may have led the Appeal Board to conclude otherwise.

On the merits of Unresolved Item 3-1, Applicant explained and justified the methodology used to analyze the seismic anchor movements on skewed piping restraints. In other words, Applicant took issue with the Staff's suggestion that the methodology contains

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Alan S. Rosenthal, Esquire
Gary J. Edles, Esquire
Dr. Reginald L. Gotchy
December 6, 1983
Page Three

a "non-conservatism." Applicants' Response . . . (Oct. 12, 1983) at Exhibit B (ULNRC-636, June 15, 1983). In a letter of November 16, 1983, from NRC Region III to Union Electric Company (a copy of which was distributed to the Board and parties by letter from Staff counsel of November 23, 1983) the Staff states that Applicant's June response to Item 3-1 did not address the Staff's concern, which was then described. A written reply from Union Electric is due on December 19, 1983. That reply, which Applicant will distribute to the Board and parties, will report on the investigation performed which shows that Applicant's analysis of seismic anchor movements is correct and that the "non-conservatism" does not exist.

2. The Appeal Board also states that ". . . it appears that even the pipe anchors that may be subject to the 'non-conservatism' are attached to embeds that are machine-welded and were installed after June 1977, when the welding defects in the embeds were first discovered." ALAB-750, slip op. at 12 (footnote omitted). The Board cites the Thomas Affidavit as support for this observation. Mr. Thomas, however, only reported that the six pipe anchors which are the subject of Unresolved Item 4-2 are attached to machine-welded embeds installed after June, 1977. See Thomas Affidavit (Oct. 11, 1983), at ¶¶ 5, 6. This statement was not made with respect to Item 3-1.

It is true, however, as the Appeal Board observes, that the manually-welded embedded plates installed before June, 1977 -- the focus of Joint Intervenor's appeal -- are not affected by Unresolved Item 3-1. See ALAB-750, slip op. at 11-12. While not addressed in our previous submissions, Applicant confirms that those plates are not used for pipe supports.

While obligated to report these apparent misunderstandings, Applicant does not believe that they affect the Appeal Board's conclusion with respect to Item 3-1 or, more importantly, its overall evaluation of the relevance and significance of the IDIP report to this proceeding. The pursuit of Item 3-1, which does not apply to Joint Intervenor's appeal, should be left to the Staff. See ALAB-750, slip op. at 20-21.

Respectfully submitted,

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Counsel for Applicant

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December 6, 1983

Page Four

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