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USNRC

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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Before the Atomic Safety and Licensing Board

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

In the Matter of )  
 )  
Philadelphia Electric Company ) Docket Nos. 50-352  
 ) 50-353  
(Limerick Generating Station, )  
Units 1 and 2) )

APPLICANT'S MOTION TO DELETE SPECIFIC INSTANCES  
IN SUPPORT OF CONTENTION VI-1 ADVANCED BY  
AIR AND WATER POLLUTION PATROL AS UNRELATED TO WELDING  
OR WELDING RELATED QUALITY ASSURANCE ACTIVITIES<sup>1/</sup>

In its Order Confirming Miscellaneous Oral Record Rulings (March 15, 1984), the Atomic Safety and Licensing Board confirmed its ruling made at the prehearing conference (Tr. 8326-27) that Applicant and NRC Staff may move by March 20, 1984 that one or more of AWPP's listed examples do not relate to welding or welding related quality assurance activities. As required by that order, the NRC Staff, AWPP and Applicant have attempted to discuss the pertinence to welding and welding inspection of the specified items

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<sup>1/</sup> Staff counsel has discussed AWPP's list with Applicant's counsel and has reviewed the motion. The Staff agrees with the Applicant's characterizations of 141, 144, 210, 242 and 245, 260A 1 and 2, 260B, 260C, and 180B, and it is the Staff's view that the items which the Applicant would exclude do not relate to welding or welding related quality assurance activities.

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discussed below, but have been unable to do so.<sup>2/</sup> As discussed below, Applicant moves that the following instances cited by Mr. Romano in support of Contention VI-1 not be considered by the Board because they are unrelated to welding or welding related quality assurance activities. Each of the instances discussed below is keyed to the document number that AWPP supplied. In certain instances, more than one AWPP number relates to the same instance. These are grouped together below.

1. AWPP 141 (page 2 of Appendix A to IE Report 352/77-02).  
AWPP 144 (IE Report 352/77-02, page 8, Item 1).

AWPP 141 is from the Notice of Violation and the second is from the portion of the Inspection and Enforcement Report providing the detailed account of the matter. This instance relates to contamination of the stainless steel exterior surfaces of the spent fuel pool liner "with the slag/iron residue from a thermal metal cutting process"<sup>3/</sup> and contamination of interior surfaces "by an unidentified residue which had apparently been deposited in the presence

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<sup>2/</sup> Staff counsel attempted unsuccessfully to contact Mr. Romano on Saturday, March 17, 1984. Applicant's counsel spoke with Mr. Romano on Monday, March 19, 1984. Mr. Romano stated that he wanted to cooperate, but could not discuss it on that date because of other things he had to do.

<sup>3/</sup> AWPP 141.

of high heat . . . ."4/ Nowhere on page AWPP 141 or AWPP 144 is there any indication whatsoever that the deficiency relates to welding. To the contrary, the NRC found that this matter is related to 10 C.F.R. 50 Appendix B Criterion XIII which concerns controlling the handling and preservation of material to prevent damage or deterioration. Thus, on their face, the matters are unrelated to welding or welding related quality assurance activities.

2. AWPP 144 (IE Report 352/77-02, page 8, Item 2).

This matter, designated by the NRC as 77-02-03, involves the failure to distribute certain quality assurance material in accordance with job instructions.<sup>5/</sup> It is specifically noted in the paragraph that the Peabody Testing Quality Control Group actually doing the work had copies of the document with the latest approved edition. The mere fact that other manuals were found not to have the latest instructions is unrelated to any welding or welding related quality assurance matter. Neither is there any indication that any work performed was not in accordance with the latest instructions.

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4/ Id.

5/ It is not clear whether AWPP had intended to include this matter as one of its specific examples. There are no AWPP-supplied marginal notations regarding this example.

3. AWPP 210 (Page 1 of Appendix A to IE Report 352/80-12).

This apparent item of noncompliance related to the failure of one individual who was employed as a QC inspector performing receipt inspections without being properly certified as a qualified inspector to perform such function. Nowhere on the face of the inspection report is there any indication that this matter relates at all to inspection of welding or welding related quality assurance. This matter should not be considered by the Board.

4. AWPP 242 (Page 1 of Appendix A to IE Report 352/81-01).  
AWPP 245 (IE Report 352/81-01, page 5).

These two items relate to the use of an In Process Rework Notice (IPRN) rather than a Nonconformance Report (NCR) to document nondestructive indications found on the surface of an ASME valve body casting. Thus, this matter does not involve welding, but only indications on the valve body itself. At most, this matter involved a question of the proper documentation to note a nonconforming condition and in no way concerns welding or welding related quality assurance. The last two paragraphs of this item make clear that the liquid penetrant test indications on components which were involved in this matter were in the base metal and unrelated to welding.



5. AWPP 260A (Page 1 of Appendix A to IE Report 352/83-19, Item 1).

Item 1 of the Notice of Violation refers to a failure to provide cleanliness control following disassembly of a feedwater system containment isolation valve. There is no stated relationship to welding or welding related quality assurance.

6. AWPP 260A (Page 1 of Appendix A to IE Report 352/83-19, Item 2).

This matter relates to a deficiency noted in the "program established for engineering and quality inspection of pipe support hangers."<sup>6/</sup> There is no mention of any inadequacies related to welding and welding inspection. The relevant portions of the inspection report, which are appended to this pleading as Attachment 1, clearly show that the reference is to the failure of inspections to identify hanger design deficiencies which led to a condition where there was binding between components of the hanger. Thus, there is no basis to support the assertion that this instance relates to welding or welding related quality assurance.

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<sup>6/</sup> AWPP 260A.

7. AWPP 260B (Page 2 of Appendix A to IE Report 352/83-19).

This matter relates to a nonconformance report. A project procedure permits only one nonconforming condition to be reported in each NCR. The violation related to a single NCR which included additional nonconformances. There is no demonstrated relevance between this instance and welding or welding related quality assurance activities.

8. AWPP 260C (cover letter to IE Report 352/83-19).

This cover letter relates to an NRC concern over perceived weaknesses in the Quality Assurance and Quality Control programs applied to systems for which construction has been essentially completed and which are then turned over to the startup organization for testing. On its face, this matter is unrelated to welding and AWPP has failed to show how it is related.

9. AWPP 180B (NCR No. 1366).

As discussed at the prehearing conference, it is noted that this nonconformance report relates to a "non Q" item as stated in block 19 of the NCR. Therefore, there is no reason for the Board to consider this matter since the contention is related only to safety related welding.

For the foregoing instances, the particular matters advanced by AWPP and challenged by Applicant should not be considered by the Board in support of AWPP Contention VI-1.

Respectfully submitted,

CONNER & WETTERHAHN, P.C.

*Mark J. Wetterhahn / RMR*

Mark J. Wetterhahn  
Counsel for the Applicant

March 19, 1984

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
Philadelphia Electric Company	)	Docket Nos. 50-352
	)	50-353
(Limerick Generating Station,	)	
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CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicant's Motion to Delete Specific Instances in Support of Contention VI-1 Advanced By Air and Water Pollution Patrol as Unrelated to Welding or Welding Related Quality Assurance Activities" dated March 19, 1984 in the captioned matter have been served upon the following by deposit in the United States mail this 19th day of March, 1984:

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| Board                        | U.S. Nuclear Regulatory       |
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\* Hand Delivery on March 20, 1984



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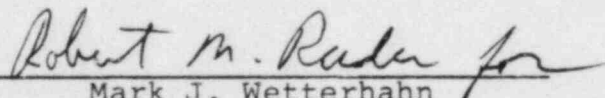
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