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GOVERNMENT ACCOUNTABILITY PROJECT

1555 Connecticut Avenue, N.W., Suite 202
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COCKETER
USNRC

(202) 232-8550

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October 11, 1984

The Honorable Nunzio Palladino
The Honorable James Asseltine
The Honorable Thomas Roberts
The Honorable Frederick Bernthal
The Honorable Lando Zeck
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

COCKETER
PROD. & DIST. DIV.

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Dear Commissioners:

During the past few days, the Government Accountability Project ("GAP") has uncovered devastating evidence that reveals the extent of quality assurance ("QA") breakdowns at the Comanche Peak plant. This evidence results from a combination of information compiled from both witnesses and documents made public through the Atomic Safety and Licensing Board ("ASLB") hearings, other Commission documents, and information developed through GAP's own sources of information.

The evidence establishes that since 1977, Texas Utilities Generating Company ("TUGCO") has totally disregarded every step of its construction procedures and quality control ("QC") procedures. This is most dramatically demonstrated through the evidence related to the installation of the stainless steel liner plates. Since 1977, workers have been losing their jobs to bring the magnitude of the liner plates' problem to the attention of the Nuclear Regulatory Commission ("NRC"). Yet, not once, has one inspector or investigator (including those from the Office of Investigation ("OI") or the Technical Review Team ("TRT") even bothered to look at the procedures, documentation or physical condition of the stainless steel liner plates.

Taxpayers are now being required to spend over a million dollars on an NRC "super review team" to allegedly find the extent of the QC breakdown. The NRC's failure on the liner plates constitutes gross abuse of the public trust. We are asking Congress to request an investigation by the Government Accounting Office ("GAO") into the breakdown in the NRC's regulatory program which has permitted this \$3 billion plant to arrive on the eve of fuel loading with no one being able to explain how every single step of the process has failed.

After our experiences with Zimmer, Midland, Diablo Canyon, TMI

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Clean-up and Waterford, we thought that there was no amount of ignorance on the part of the NRC that would surprise us. We were wrong!

At the recent Commission meeting on Callaway, GAP was criticized for not bringing information to the NRC until the license decision. Although we strongly dispute your decision to not allow GAP representatives to explain the lateness of the allegations, let this letter serve as official notice that:

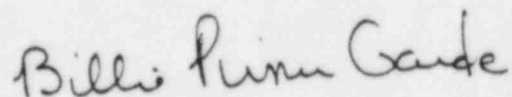
1. There are hundreds of allegations of QA/QC breakdown in design, construction, pre-operational testing, documentation, etc. which GAP has provided to the NRC through OI and the TRT about Comanche Peak.
2. Neither OI nor the TRT have done an adequate job of investigating or reviewing any of the allegations to date. (See September 27, 1984 letter to Darrell Eisenhut, attached as Exhibit 1.)
3. There has been no effort on the part of either the TRT, Region IV or OI to probe the cause of the QA/QC breakdown. (See Exhibit 2.)

If the staff cannot or will not do an adequate job investigating allegations, then the problems that result from a dissatisfied and disgusted public and disenchanting workers are the responsibility of this Commission.

We strongly urge you to hold a briefing on the staff's ongoing activities at Comanche Peak now.

We will be happy to provide you with any documentation and/or witnesses you desire to substantiate the concerns listed above.

Sincerely,



Billie Pirner Garde
Citizens Clinic Director

BPG:me

Attachments

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(202) 232-8550

September 26, 1984

Mr. Darrell G. Eisenhut
Director
Division of Licensing
Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Eisenhut:

Recently, you provided to M. D. Spence, President of Texas Utilities Electric Company (TUEC), a request for further information regarding several items under review by the Technical Review Team (TRT) that have potential safety significance. It is my understanding that these items were also discussed with TUEC at a public meeting in Bethesda last week.

After reviewing your letter of September 13, 1984, and the transcript of the September 18 meeting, it is apparent that there are vital unanswered questions about both the methodology by which the TRT is resolving issues that are brought to their attention by allegers, and the adequacy of the depth to which the TRT is looking at specific issues.

Your letter states that further background information regarding the issues identified in the September 13 letter and, presumably, the other items being reviewed by the TRT, will be published in a Supplement to a Safety Evaluation Report (SSER) which "will document the overall TRT's assessment of the significance of the issues examined." (September 13, 1984 letter from D. Eisenhut to M. D. Spence.)

The Government Accountability Project (GAP) believes that any assessment of the overall significance should be publicly disclosed prior to the issuance of the SSER. Frankly, we think that there is significant evidence available to our investigators that the TRT, other members of your staff, and Region IV inspectors have fallen short of the in-depth inquiry which would provide the basis of the adequacy of any overall assessment.

Further, we believe that your request from TUEC for additional information through "a program and schedule for completing a detailed and thorough assessment of the issues identified" falls short of the obviously necessary requirement for comprehensive programs to identify the full scope of the technical deficiencies listed in the letter. We note that in your request that a program plan "should address the root cause of each problem identified and its generic implication on safety-related systems, programs or areas," as well as the collective significance of these deficiencies." However, you have not required that TUEC's proposed response must first include an identification of the extent of the identified problem. This "backward look" is critical to any meaningful assessment of the adequacy of a TUEC "get well" program.

Further, we do not understand the instruction to TUEC to submit a response which addresses those items listed in your September 13, 1984, letter in the face of the large volume of outstanding items, yet to be identified, and the findings of the Quality Assurance/Quality Control (QA/QC) team. It appears to us that your direction to TUEC was vague and inappropriate, at this time. It neither ordered a reinspection commensurate with the level of deficiencies discovered, nor simply informed TUEC of some of the TRT's findings.

We note that all of the identified problems in this letter were first identified by former employees at the Comanche Peak site, yet in no case that we are aware of, has the TRT re-contacted that employee with its findings to get further direction or guidance, or clarifying information regarding the specific confirmed item. A good example of this is the finding under Test Program Areas; Prerequisite Testing (Section III(c).) Your request for additional information stated that after a review of the Final Safety Analysis Report (FSAR) commitments, appropriate procedures, records, and interviews, the following problem was identified:

The review of test records revealed that craft personnel were signing to verify initial conditions for tests in violation of startup Administrative Procedure-21, entitled: "Conduct of Testing" (CP-SAP-21). This procedure requires this function to be performed by System Test Engineers (STE). Startup management had issued a memorandum improperly authorizing craft personnel to perform these verifications on selected tests.

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Your letter than apparently instructs TUEC to: (1) rescind the startup memorandum (STM-83084); and (2) ensure that no other memoranda are issued which are in conflict with approved procedures.

After going over this finding with the allegers, we discovered several things which your report did not discover and does not address. First, the memorandum (STM-83084) which the TRT has identified, was not the beginning of the problem which permitted unqualified personnel to perform prerequisite tests. The memorandum, in fact, placed a limitation on the tests which unqualified craft personnel were allowed to perform. Prior to the issuance of the memorandum, there had been no controls on the craft personnel performing verification tests. A more detailed explanation has been provided to the TRT once, and a random review of prerequisite tests performed prior to the issuance of STM-83084 would have demonstrated that prerequisite tests were performed almost exclusively by unqualified personnel.

Your requirement for TUEC to rescind the memorandum in conflict with CP-SAP-21 is totally inadequate to determine the consequences of an unknown majority of prerequisite testing done by unqualified people.

Another example of the inadequate approach being taken by the TRT and other branches of your agency is the handling of problems identified in the electrical/instrumentation area.

Your September 13 Request for Additional Information identifies five problems with electrical cable terminations, butt splices inside panels and vendor-installed terminal lugs. It also requires certain procedural or re-inspection requirements for each of the problems.

A cursory review of the corrective actions indicates that those actions are totally inadequate. For example, the TRT discovered that electrical QC inspectors interviewed did not even know that Inspection Reports (IR's) were supposed to include verification of witnesses to installation of certain "nuclear heat shrinkable cable insulation sleeves." The solution for this identified problem was only to improve training, daily procedures and to make sure that the problem does not happen in the future.

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The TRT failed to state that all electrical cables are installed, and all inspections are already performed. The corrective action for the future is essentially meaningless in this case. Further, the TRT failed to discover that this problem had been identified previously by electrical QC inspectors on NCR's, as well as in discussions with Quality Engineers (QE) who had written the inadequate procedures in the first place. Perhaps this can be explained by the fact that the TRT did not interview the electrical QC inspectors who initially identified the problem.

The September 13 letter also inappropriately places with TUEC the responsibility to give the NRC assurance that all the QC inspections which required witnessing "for butt splices have been performed and properly documented," and verifying that the "butt splices are properly identified on the appropriate drawings and are physically identified within the appropriate panels." Your letter did not even require that the methodology TUEC uses to reach its assurance be reviewed prior to the work being done, nor does your letter specify that the assurances will come from a review of 100 percent of the affected inspections.

Additionally, the TRT mentions a lack of splice qualification requirements. As you know, the lack of qualification requirements is an extremely significant deficiency. In some cases, the lack of qualification requirements for electrical cable has resulted in the requirement for cables to be replaced. Your suggestion to TUEC that the development of adequate installation and inspection procedures for future wire splicing materials is grossly insufficient. The first step of any review should be to ascertain those cables which have splices and all circuits affected by those splices.

We note that without any idea of the extent of the problem, Mr. Youngblood of your office, has already judged that the use of wire splices inside control panels is acceptable. (See September 14, 1984, letter to M. D. Spence from B. J. Youngblood, Subject: Acceptability of Updated FSAR Commitment on the Use of IEEE-Std-420 for Comanche Peak Steam Electric Station (Units 1 and 2).)

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We believe this microcosm of activity by your office is indicative of the approach being taken on serious technical and hardware deficiencies at the Comanche Peak plant. Apparently, the commitment to erase the problems is more important than the more prudent approach of first determining the extent of the problem, and then ascertaining whether a solution is acceptable. By separate letter today, we have requested under the Freedom of Information Act (FOIA), all material available to Mr. Youngblood which he used as a basis for the staff's evaluation report on wire splices.

We also note that no QC inspectors who identified the splice qualification problem were contacted by the TRT.

In another technical-related problem, we note that the TRT found cable terminations which did not agree with their location on the drawings. Your response is to require TUEC to do an "as built walkdown" of the locations of all safety-related and associated terminations in the control room panels and in the termination cabinets in the cable spreading room. This assumes that there is a set of drawings that is, in fact, accurate. We do not believe that to be the case. We do believe that the requirement will amount to an NRC instructed update of electrical drawings instead of a documented reinspection. This is particularly likely given the lack of specificity in your request for a reinspection--such as your failure to set what level of nonconformances is an unacceptable level, and what the original scope of the inspection should be.

The final electrical problem identified in the TRT's September 13 report reveals incredible failure to expand the scope of the TRT's own review when problems are discovered. The issue, improperly closed NCR's on vendor-installed terminal lugs, should have demonstrated again that the vendor inspection program at Comanche Peak has significant problems. Evidence available to us indicates that the flaw applies to NCR's on all vendor-installed components. Even more significant than the improperly dispositioned NCR's, are site procedures and practices which improperly exempt all vendor-installed components from QC review during construction, including their exemption from the final quality document review.

The TRT report drew conclusions about electrical equipment separation

violations, but failed to explain what standard was violated--ES 100 or Nu Reg Guide 1.75. Without specifying what the minimum separation requirements are, it is impossible for either TUEC or the public to ascertain what the TRT is talking about. Without such clarification, it is a meaningless exercise to attempt to evaluate TUEC's analysis justifying their violations.

The language of the entire section is an argument in the abstract, since the fundamental issue--the separation criteria which is approved by the NRC--is not identified.

It is also appropriate to note that this item was also brought to the attention of the TRT by a former employee, and that employee has never been subsequently contacted for clarification of this issue.

There are numerous other examples of significant findings which we believe are not adequately addressed by scope or corrective action request.

In summary, the TRT's update report provides the following insights into the million dollar effort launched by your office:

1. It has continued to take a piecemeal approach to the increasing number of identified problems.
2. It fails to provide any assurance that problems other than those identified by the whistleblowers, intervenors, or others will be independently found.
3. There is no attempt made to qualify the percentage of deficiencies discovered.
4. No "backward look" is being required to examine completed systems which have been installed with the use of inaccurate documentation, unclear procedures, or unqualified craftsmen or inspectors.

Your review team is to be commended for their diligent pursuit of a mammoth number of deficiencies which have accumulated over the last seven years. Unfortunately, their ability to do a comprehensive job is being

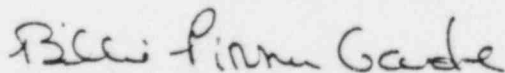
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hampered by a methodology which fails to incorporate the best information available--that of those employees, quality control inspectors, and engineers who know the scope, extent, and root cause of the problems they brought to the attention of the NRC.

It is unfortunate that your agency cannot rise above the mistaken impression that only NRC investigators, inspectors and engineers are able to identify and evaluate serious deficiencies. GAP's concern continues to be that your TRT will conclude with a compendium of over 1,000 allegations from current sources, with a matched set of 1,000 resolutions advanced by TUEC and endorsed by the NRC. That scenario does very little to answer the ultimate questions about management competence, quality assurance breakdowns, documentation chaos, and indeterminate systems, structures, and components throughout this plant.

As you are aware, I was not able to attend the TRT briefing last week because of the ongoing harassment and intimidation hearings in Ft. Worth. After a review of the recent IE, OI and other NRR reports, including this TRT report, I respectfully request to meet with you and Mr. Ippilito at your earliest convenience.

Sincerely,



Billie Pirner Garde
Citizens Clinic Director

BG:me

cc: Service List

Comanche probe called inadequate

By JACK BOOTH

Staff Writer

The chairman of a federal licensing board Tuesday blasted the Nuclear Regulatory Commission staff for conducting what he said were inadequate investigations into allegations of harassment of inspectors at the Comanche Peak nuclear plant.

In a strongly worded statement during licensing hearings in Fort Worth, Peter Bloch, head of the U.S. Atomic Safety and Licensing Board, said none of the NRC reports on harassment had been the product of "true investigations."

He said NRC officials failed to ask probing or detailed questions, neglected to look for inconsistencies in statements and made no attempt to compare testimony with plant records.

"There was no thrust for the truth; there was no tracking down of all leads," Bloch said. "They seem to be a series of interviews."

The board Bloch heads is the agency that ultimately will grant or deny a license for the plant to operate. The commission is re-

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NRC action on plant called weak

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sponsible for providing the board with the information it needs to make that decision.

Stuart Treby, an attorney for the NRC representing the commission at the hearing, told Bloch that the text of the NRC reports might not have reflected all the work that went into them.

Bloch's impromptu statements followed the first portion of testimony by former quality control inspector Cory Allen, a key witness whose identity had been shielded until last week because he was fearful he would not be able to get a job in the nuclear industry if he voluntarily testified in the hearings.

Allen took the stand after the board issued a subpoena that forced him to testify. He then detailed alleged instances of intimidation, starting the day he was hired, that he said gradually prompted him to overlook construction defects out of fear of being fired.

After Allen's testimony was interrupted by a short recess, Bloch made his criticisms of the NRC's investigations. He said later that he had been surprised that so many of the details of Allen's allegations had not been covered in an interview conducted previously by the NRC.

"They did not get a lot of what he had to say," Bloch said. "We have been asking questions in the course of the hearings which are the result of looking for inconsistencies in testimony and asking for documents to fill the gaps. We check what's been said against documents that exist. We just don't see that process reflected in any of the NRC investigative reports.

"It creates a problem of having confidence in the investigative reports," he said.

Bloch added, however, that the NRC had yet to release 22 investigative reports, many dealing with harassment, and he had no way of knowing how thorough they were.

Bloch was also critical of a 1979 NRC inspection report mentioned in testimony earlier in the day.

In that report, the NRC inspectors said they had not investigated an allegation that quality control personnel had engaged in frequent cover-ups of problems. The report merely said the investigators "did not investigate the alleged 'lots' of (quality control) coverup because of the lack of specificity."

Bloch said that statement was typical of an NRC failure to not closely examine such allegations. He noted that only one quality control inspector had been interviewed, even though others may have been aware of the problem if it had been as widespread as charged.

Allen worked at the plant as a quality control inspector from early 1982 until the end of last year. He said he sensed that inspectors were not appreciated during his first day on the job, when Tom Brandt, a high-level quality control supervisor, told him he did not appreciate inspectors who thought they were engineers.

Utility supervisors have not addressed Allen's charges in testimony, because the testimony was made public just Tuesday. But the supervisors have testified that no general pattern of harassment existed, despite "isolated instances" of intimidation.

Utility officials also have charged that a few disgruntled inspectors were responsible for all the complaints about intimidation. Allen testified that he thought he had been singled out by supervisors as a "leader of the pack," but he claimed that his views also were held by many other inspectors.

After asking several detailed questions about procedures during training classes, Allen said he was called into the office of the quality control supervisor and questioned intensively about his motivations. He said he was told, in essence, that the procedures were none of his business.

Once on the job, Allen said there were numerous instances in which his immediate supervisor, Harry Williams, a focus of intimidation charges aired in the hearings, often seemed to side with construction workers in frequent disputes about whether inspectors were being too picky.

Allen said he decided to overlook major problems after an incident in which Brandt overruled him on what appeared to be a blatant attempt by workers to deceive the inspectors.

In that instance, Allen testified, workers stuffed a cigarette filter into a tube leading to a paint sprayer just before an inspector was due to examine the spray for evidence of water or oil contamination. After the inspector had left, the workers would remove the filter because it otherwise would quickly clog up the line.