

CASE

(CITIZENS ASSN. FOR SOUND ENERGY)

1426 S. Polk
Dallas, Texas 75224

214/946-9446

RELATED CORRESPONDENCE

August 13, 1984

DOCKETED
USNRC

'84 AGO 15 P12:11

Mr. William A. Horin, Esq.
Bishop, Liberman, Cook, Purcell & Reynolds
1200 - 17th St., N. W.
Washington, D. C. 20036

Dear Bill:

Subject: In the Matter of
Texas Utilities Electric Company, et al.
Comanche Peak Steam Electric Station,
Units 1 and 2
Docket Nos. 50-445 and 50-446 OL

Open Discovery Items for
Motions for Summary Disposition

I wanted to memorialize our recent discussions regarding information requested by CASE for use in answering Applicants' various Motions for Summary Disposition.

The Board ordered in the Thursday, 7/26/84, on-the-record telephone conference call that I contact you and discuss the items which we had requested and had not received yet. I telephoned you right after the conference call that day (about 4:45 or 5:00 P.M.) and suggested that you telephone me the next day (Friday) at your convenience since it was difficult to get in touch with you because of the taking of depositions where you were in Glen Rose. You stated that you also had a lot of things you needed to do that evening (Thursday) and that you would call the next day.

You did not telephone Friday, 7/27/84; I was home all day. (This did not surprise or upset me, since I was aware that you were involved in the taking of depositions and were undoubtedly extremely busy.) On Saturday, 7/28/84, you telephone me (I didn't make a note of the time, but believe it was around 1:00 P.M. or so) while I was working with Mark Walsh on CASE's Answers to Motions for Summary Disposition; since Mark has such a limited amount of time to work on these answers, I asked if I could call you back after Mark left. You said that would be fine, and that you would be there. However, when I telephone you at about 4:22 P.M., I had to leave word because they couldn't find you right then.

At about 1:00 P.M. on Sunday, 7/29/84, you telephoned me and we went through the open items on discovery from the 6/6/84 and 6/11/84 telephone conference calls with Applicants/Staff/CASE. I am attaching a summary of these open

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items. You were going to check on them and get back with me. I also asked for a conference call to discuss other discovery regarding Motions about which we had not yet asked for discovery items, and suggested Thursday night, 8/2/84, at 7:00 P.M. our time. You indicated that you might want to wait until you got back to Washington Monday, 8/6/84, and that you would check and advise.

On Monday, 7/30/84, about 6:15 P.M., I telephoned you and asked about the conference call for Thursday night, 8/2/84. You indicated that there was no way Applicants could have it at that time, since neither Mr. Finneran nor Dr. Iotti would be available at that time, and that one of them (my notes aren't too clear here, but I believe Dr. Iotti) would not be back until the week-end. We set the conference call tentatively for Monday 8/6/84, at 7:00 P.M. our time; you asked that I check with Mark Walsh to see whether he could possibly get off earlier, since 7:00 P.M. in Dallas would be 8:00 P.M. in Washington. You also stated that you would probably have some answers for us by phone the next day (Tuesday, 7/31/84), maybe not on all, but probably on most of the open items.

On Monday, 8/6/84, you telephoned to confirm that the conference call for later that evening was still scheduled. In response to my inquiry about the open items we had discussed, you stated that you had sent a letter on Saturday (8/4/84) and that we should get it not later than Tuesday, 8/7/84. We did receive it on 8/7/84; however, because of the deadlines to which we were working, on 8/6/84 we filed Answers to the Motion for Summary Disposition on AWS/ASME (design) without having received all of the requested information.

There are a few things which should be pointed out. One is that, contrary to your representation to the Board during the 7/26/84 on-the-record telephone conference call (Tr. 13,836), there is an outstanding discovery request regarding the A500 Steel filing and has been since our 5/17/84 Motion for Discovery (or at least since 6/15/84 when the Board ordered Applicants to supply the documents requested for item 9, as discussed on page 2 of the attached summary).

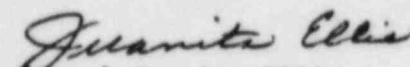
Another is that there was no mention in your 8/4/84 letter of the open items on gaps or safety factors (see page 7 of attachment). I just wanted to be sure these don't slip through the cracks.

And finally, it frankly appears to us at this point that Applicants are stalling regarding the A500 steel documents we originally requested on 5/17/84, and we have indicated this to the Board in the Motion for Additional Time to respond to the Motions for Summary Disposition, which we are filing at the same time we file this letter. We'll appreciate your expediting this as much as possible, since it will take us some time to review the documents once we receive them; we can't just immediately turn around and send in an answer the moment we get the documents.

We'll appreciate any assistance you can give us in getting the necessary documents.

Sincerely,

CASE (Citizens Association for Sound
Energy)


(Mrs.) Juanita Ellis
President

Attachment -- Summary of Open Discovery Items, Motions for Summary
Disposition

cc: Service List

CASE'S REQUESTS FOR INFORMATION AND DOCUMENTS
RE: APPLICANTS' MOTIONS FOR SUMMARY DISPOSITION

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NOTE: In addition to what has been shown here, CASE also asked Applicants to supply whatever they supply to the NRC Staff.

It is our understanding that documents supplied at the meetings in Bethesda between Applicants and NRC Staff were bound into the back of the transcripts.

These are all items requested on or before 6/11/84; they do not include the additional 7 items requested in the 8/6/84 Applicants/Staff/CASE telephone conference call on other Motions.

We have shown the most recent information available to CASE as of 8/13/84.

* = Items which CASE considers open as of 8/13/84.

(*) = Items regarding which CASE would like to have a written answer but can proceed based on our current understanding if necessary.

** = CASE answered without having received requested information.

1. A500 Steel -- to be supplied per Board's verbal Order in 6/15/84 telephone conference call:

From CASE's 5/17/84 Motion for Discovery Regarding Applicants' 4/11/84 Response to Partial Initial Decision Regarding A500 Steel:

- (*) Item 6, page 7 (Staff is to send letter to Applicants; Applicants will supply information); on 7/7/84, Mr. Horin advised Mrs. Ellis that there was no documentation on this; Mrs. Ellis asked him to confirm in writing. On 7/29/84, Mr. Horin advised that he would check to be sure and advise. No further response as of 8/13/84.

"Re: Page 16, first full paragraph: That portion of the design criteria from PSE, NPSI, and ITT Grinnell that indicates level B allowables are to be used with level C loads. (Answer for each.)"

Item 8, pages 7 and 8: Received 7/6/84.

"List of the referenced 182 supports on page 19.

"We are asking for a list of the supports which were the basis of Applicants' analysis which 'demonstrates that all stresses in the sampled tube steel support members remained below even the reduced allowable stresses' etc. We plan to utilize this list in conjunction with item 9. following."

- * Item 9, page 8: Not received as of 8/13/84; gave Applicants specific criteria 7/29/84; Applicants promised "shortly" in their 8/4/84 letter (received by CASE 8/7/84).

The Board ordered Applicants to supply in 6/15/84 conference call (Tr. 14,069). On 7/6/84, CASE received Applicants' 7/5/84 letter, to which was attached a listing of the supports, with Applicants suggestion that CASE select a sample of 20 from this list of the approximately 180 supports for our review of the relevant calculations. (Mr. Horin had discussed this suggestion in an earlier telephone call; Mrs. Ellis did not agree. The reasons CASE did not want to pick supports from just a list were discussed at length in the 6/6/84 Staff/Applicants/CASE telephone conference call at Tr. 106-111 regarding 60 supports discussed in the generic stiffnesses Motion for Summary Disposition.)

During the 7/26/84 conference call, the Board ordered that CASE provide Applicants with criteria from which about 20 supports would be selected, for which Applicants are to provide calculations and drawings. The following criteria were given to Mr. Horin on 7/29/84; have not received as of 8/13/84:

Large bore
Large loads (both in magnitude and % of allowable)
With Richmond inserts where there are two or more spans
Members that are in bending

"Re: Page 19: Calculations and drawings for the 182 supports reviewed, at the time of the review, referenced on this page."
(See full discussion in CASE's Motion.)

Item 12, page 9: Received 7/6/84.

"Re: Page 1 of 2 of Attachment: Letter Applicants sent to ASME for the interpretation."

- (*) Item 13, page 9: It is CASE's understanding that there is no such documentation.

"All documents (construed in the broad sense to include all handwritten notes, etc.; if in doubt, see definition contained within CASE's requests for documents and interrogatories) which the Applicants made while discussing the interpretation with ASME."

- (*) Item 14, page 9: Mr. Horin advised by phone 7/7/84 that Applicants do not know this information.

"Supply the names of the individuals who were on the ASME Committee who made the code interpretation."

"12., 13., and 14.: CASE is concerned about what gives the appearance of possible bias on the part of ASME regarding their interpretation. We want to emphasize that we are not making any prejudgements or accusations in this regard. However, as demonstrated below, there are certain questions which have been raised which must be answered if CASE and the Board are to have confidence in Applicants' assertions or in ASME's interpretation. The reasons we seek reassurance in this regard are:" (see details set forth on pages 10 and 11 of CASE's 5/17/84 Motion for Discovery).

(See also 6/6/84 Conference Call Transcript, pages 62 and 66.)

2. Damping Factors for OBE and SSE Loading Conditions -- CASE Answer filed 8/6/84

From 6/6/84 Conference Call Transcript (unless otherwise indicated, the items referred to are from Applicants' Statement of Material Facts as to Which There Is No Genuine Issue):

Item 3: Received 6/29/84. Documentation that valves have been properly evaluated at 1% damping (not 2%); Applicants position was that they don't believe it's a requirement, but are going to check and provide something one way or another. Tr. 10-13.

Item 4: Received 6/29/84. Calculations to back up statement that it is conservative to use the higher damping value ("Piping stress analysis problem 141, which includes support number . . . used 2 and 4% critical damping for calculating the coupling factor.) Tr. 13.

3. AWS and ASME Code Provisions -- Design -- CASE filed Answer 8/6/84 before receiving requested information **:

From 6/6/84 Conference Call Transcript (unless otherwise indicated, the items referred to are from Applicants' Statement of Material Facts as to Which There Is No Genuine Issue):

** Item 3: Not received as of 8/6/84; CASE mailed Answer 8/6/84 based on our understanding. Answered in Applicants' 8/4/84 letter (received by CASE on 8/7/84).

Re: statement that there is documentation to the QA group in August of 1982 reflecting that weld design at CPSES were using configurations virtually identical to that noted in Appendix B of AWS D1.1 re: effective throat thickness for skewed T-joint welds: requested some form of written documentation to show that this was incorporated into the design manual for PSE, ITT Grinnell, and NPSI

(whatever exists on it -- procedure or whatever); if not proceduralized, want documentation that they knew to do this and were in fact doing it. Tr. 19-21.

Item 5: Received. Re: statement re: design procedures being utilized (see Item 3 above): want those design procedures. Staff to supply information re: their statement in the SIT Report on skewed welds. Tr. 21-23.

The Staff later identified this as having been contained in an interoffice memo, CPPA-22,616, amended 8/27/82, which is the same memo attached to Applicants' Motion.

Item 10: Received 6/21/84 (item #4). Re: statement that the AWS punching shear analysis was required or is incorporated because it deals with large tubular structures with relatively large flange width to flange thickness ratios; want documentation that this is correct. Applicants stated that there is such a statement in the code, and they will provide it. Tr. 24-27.

** Item 10: Not received as of 8/6/84; Mr. Horin advised that maybe this was page out of AWS sent with 6/20/84 letter from Applicants; supplied to NRC Staff, per Mr. Mizuno, attached to a letter; Applicants are to supply date of the letter. In Applicants' 8/4/84 letter (received by CASE 8/7/84), Applicants' stated that this information was described in their "most recent" letter to the NRC Staff; the date of the letter was not included.

Re: Applicants' statement that these conditions are not present in tubular members used at CPSES and that they do not apply to the relatively small tubular members used in pipe supports at CPSES, want documentation that statement is correct.

(The question that these conditions do not apply to pipe supports at CPSES is also a Staff question.) Applicants will respond. See full discussion at Tr. 24-30.

4. Friction Forces -- CASE filed Answer 8/6/84.

From 6/6/84 Conference Call Transcript (unless otherwise indicated, the items referred to are from Applicants' Statement of Material Facts as to Which There Is No Genuine Issue):

Item 1: Received 6/29/84. Want documentation showing what Gibbs & Hill and Westinghouse do in regard to friction forces in the design of pipe supports and moment restraints. Applicants will check and advise. Tr. 36-37.

Item 6: As of 7/29/84, CASE was still showing as not received. Mr. Horin stated that the G&H Spec. MS-46A attached to the Motion is the documentation for this. Documentation that ITT Grinnell uses a factor

of safety of 5 to 1 for pipe supports. Applicants stated that ITT Grinnell had also committed to this in Gibbs & Hill Specification 2323-MS-46A.

Mark Walsh stated that it was his recollection that Jack Doyle had a document in his deposition/testimony which indicated a factor of safety of 4; he is to supply Applicants with information on that, and they will respond to the question. Applicants stated that they are "confident that we've always used a factor of safety of five to one." Tr. 45-46. Advised Mr. Horin was actually in PSE Manual, Section XII (not sure from my notes, but might have erroneously told him Section XVII), pages 12-15 of 364. In any event, CASE answered Motion 8/6/84.

(None of the calculations which were provided were vendor certified; CASE wanted to see the vendor certified calculations for those supports. Applicants responded that these particular supports were five supports that had less than 1/16" movement and they had no calculation of friction loads in the design of those supports; so they supplied an additional calculation to show the effect of including the friction load in these supports that have the movement less than 1/16"; so these wouldn't be vendor certified calculations; they were additional calculations.

(CASE still wanted to see the calculations as comparison (for example, the welds and other items that were considered); would like to see how this compares with the actual calculations that exist now. Applicants stated that the reason this is not vendor certified is that this support no longer looks like this. "What we analyzed was the support as it existed on the drawing that was in Jack's exhibits. And so this support, as it looks there now . . . does not exist now. So there wouldn't have been any vendor certified calcs for it and we had to generate a set of calcs for that particular condition."

(CASE wanted to have a statement of why there was a change made. Applicants argued that the reason for their making a change on that pipe support is irrelevant to the point that they're trying to make about friction forces because the support does not even exist any longer, and that even if they changed it, friction is not certainly the reason for the change and here they are addressing friction only. Tr. 46-54.)

Table 1: Received 6/21/84 (item #3). Re: Support CT-1-004-011-S32R, one of the five supports on which the Applicants provided calculations (the first one that's listed on Table 1), page 4 of 4: Want to see the referenced analysis. Applicants agreed to provide it. Want clarifications on these interactions and the basis for them. TR. 55-57.

5. Section Property Values

From 6/6/84 Conference Call Transcript (unless otherwise indicated, the items referred to are from Applicants' Statement of Material Facts as to Which There Is No Genuine Issue):

- (*) Item 2, 4th and 5th sentences (as clarified; i.e., that this referred to PSDG, pipe support design group, which was actually the forerunner organization to PSE at CPSES): Mr. Horin stated 7/29/84 that there was not anything more than was in the Affidavit attached to Applicants' Motion for Summary Disposition.

Want to see the design criteria for the PSDG group and the FSE group (the group making field changes to the pipe supports; same group Gary Brown was involved in). Applicants responded that "I think we're into an area here that that group was not responsible for, that designed the support. They simply were the group who made the field changes, documented those changes and forwarded that information to the original design organization for approval. As such, they were not required to have the same criteria that was the responsibility of the design organization to assure that that change met the requirements." CASE still requested the information. Tr. 60-61.

6. Gaps -- CASE filed Answer 8/13/84 without receiving the requested information **

From 6/6/84 Conference Call Transcript (unless otherwise indicated, the items referred to are from Applicants' Statement of Material Facts as to Which There Is No Genuine Issue):

Item 1: Discussion as to whether or not the code allows Applicants to choose either a bearing or a friction connection as long as it is properly designed. Tr. 70-74.

Mark Walsh to provide portion of code which prohibits using bearing type connections. Is implicit in the code; will be argued in CASE's answer to Applicants' Motion for Summary Disposition.

Item 2: Received 7/16/84.

Documentation (original and all revisions of procedures or whatever other documentation exists) showing that QC inspectors inspect the whole tube steel base plates prior to inserting the bolt. Tr. 74-76.

Item 3: CASE was showing (apparently erroneously) as still open as of 7/29/84. Mr. Horin stated that this was supplied as item 2 of Applicants' 6/28/84 letter.

Documentation showing why a linear distribution would be allowed to come up with these maximum bolt hole values. Tr. 76-78.

Item 10: CASE was still showing open (apparently erroneously) as of 7/29/84; Mr. Horin advised that this was Item 4 of Applicants' 6/28/84 letter.

Applicants are to check on whether or not at Comanche Peak they (including, in particular, NPSI) utilize the snubbers and take into account the dead band, and by so doing, they decrease the stiffness of the snubber. Tr. 85-87.

- ** Item 10: CASE is to supply information to NRC Staff (Applicants are already aware of it). Applicants did not release CASE from their admonition not to use this information until the 7/26/84 conference call. This will be included in CASE's filing about the use of information obtained in rate hearings regarding ANI reports and records.

Applicants clarified that for Classes 2 and 3, the piping analysis is only done with one set of generic stiffnesses, and that they use actual stiffnesses for Class 1.

CASE asked: "When a pipe support that was classified as class two is reclassified as class one, is its stiffness also considered?" Applicants stated that they were not aware of any such reclassifications. CASE was asked to identify any such instances; however, we were unable to do so at that time because Applicants still had not given us their release to do so. (It should be noted, however, that Applicants were aware of such instances at least since CASE's 6/30/84 letter under subject of Documents Obtained by CASE in Rate Hearings Which Are Also Relevant and Material for Operating License Hearings, as well as our 6/30/84 Request to Applicants for Admissions, to which were attached a summary of each ANI Report and Record as well as a copy of each such document.) The Staff asked that we supply them with the information when we could. Tr. 88-91.

7. Upper Lateral Restraint -- had just received lots of information at time of last conference call on 6/11/84; did not ask questions at that time or in later telephone conference call. We are still reviewing the thousands of pages of documents already received regarding this Motion, as well as the information contained in the transcript of Staff/Applicant meetings in Bethesda.

8. Safety Factors

From 6/11/84 Conference Call Transcript (unless otherwise indicated, the items referred to are from Applicants' Statement of Material Facts as to Which There Is No Genuine Issue):

- * Item 1: CASE requested a copy of all the references which were utilized and listed in affidavit. Tr. pages 6-8. Have received most, except for Items 37, and 40 through 44. Received 7/2/84: 1-12, 14-15, 17, 19-21, 23-30, 33, 36, 38; picked up 7/20/84: 13, 16, 35, 39; picked up 8/1/84: 18, 22, 31, 34; picked up 8/6/84: 32.

9. Generic Stiffnesses

From 6/6/84 Conference Call Transcript (unless otherwise indicated, the items referred to are from Applicants' Statement of Material Facts as to Which There Is No Genuine Issue):

Item 2: Received. Applicants are to supply a listing of the plants that were surveyed and by each company. Tr. 93-95.

Item 4: Received 6/21/84 (items #1 and #2). Documentation that shows that U-bolts and catalog items were factored into the actual stiffness calculations; i.e., calculations on all 60 supports where the actual stiffnesses have been calculated. Applicants explained that this would be quite a chore; CASE explained why we did not want just a sample chosen by Applicants or chosen by CASE from a list. It was agreed that Applicants would supply copies of just the drawings of the 60 supports, along with the calculations for the drawing which Applicants consider to be most complex; if CASE does not agree that the one set of calculations provided by Applicants is the most complex, Applicants agreed to supply CASE with calculations for the one which CASE believes is most complex. Tr. 102-111.

Item 5: CASE was showing open as of 7/26/84. On 7/29/84, Mrs. Ellis advised Mr. Horin that following further discussions with Mr. Walsh, it appeared that this had been received on 6/29/84; it had been shown in Applicants' letter as being for Gaps and this item was therefore still shown as being open.

Documentation, including the tests of snubbers under a LOCA type condition, for Applicants' statement: "Tests conducted on snubbers with the same rating as the two for which the calculated loads exceeded manufacturers' rated loads, specific scientific rated at 1,500 pounds for normal load set, have shown that the snubber will perform its intended function of loads, which are considerably higher than rated." Applicants agreed to provide the tests, which were done by Lucius Pitkin Laboratory at the behest of Dr. Iotti, for a different project than Comanche Peak. Tr. 111-118, 120.

Item 6: (See discussion at Tr. 120-128.) CASE was to review the transcript and get back with Applicants if we had further questions; believe we have enough information to discuss in Answer.

Dr. Iotti: "Are you asking whether it was considered at the pin, at those joints?" Walsh: "What was done there?" Iotti: "I guess it depends on support to support, but I assume that it would have probably been--John, correct me again--the moment would probably be relieved at those joints than would be considered thin. And then I fail to see what the effect of the moment of inertia would be." Walsh: "Exactly, if that's how it was modeled. If it was modeled continuous over the support, it does have an impact." Ellis: "I think what he wants to know is how is it handled by the applicant, is that right?" Walsh: "Right." Tr. 128. Finneran: "I would say it does not have an impact

on stiffness calculation, deflection calculations. It's still a pin joint whether it's continuous through the joint or not, isn't it?" Walsh: "No." Ellis: "I think what he's wanting to know is how it was handled by the applicants in their analysis, right?" Walsh: "Yes. That will be one of the items. If you're going to bring in a sample calculation, show one with the tube steel member with three Richmond inserts underneath it, as existed in any of those calculations. That would be one of them I'd be interested in looking at." Tr. 128-129. Mizuno: "... The staff will be asking a few questions on the last point that Mark was talking about at the Friday meeting. So I would suggest, Mark, that when you get the transcript, review what we ask and what the applicants respond, and then see if you have some additional questions on that."

10. U-Bolts Acting As Two-Way Restraints

From 6/11/84 Conference Call Transcript (unless otherwise indicated, the items referred to are from Applicants' Statement of Material Facts as to Which There Is No Genuine Issue):

Item 1: Not received as of 7/29/84; on 7/29/84, Mr. Horin advised Mrs. Ellis that there is no such documentation. See also discussion in following item.

CASE requested the criteria that would say which U-bolts need to be cinched up and which ones need not be cinched up; documentation that there was an original intention that some of the U-bolts should be cinched up and some of them shouldn't. Tr. 8-16.

Item 1: Answer not received until 8/7/84; on 7/29/84, Mr. Horin stated that he would check further. In 8/4/84 letter (received by CASE on 8/7/84), Applicants advised that Dr. Iotti's answer in the 6/11/84 conference call was all that we would be receiving.

Asked for documentation showing why NPSI had allowables for both directions. (Similar to question in item above.) Tr. 16-21. (See further discussion through p. 23.)

Item 3: Received 6/21/84 (Item #5). Requested results of the testing and documentation that shows what stiffness Gibbs & Hill actually used for the systems that they evaluated. Tr. 27-28.

Item 6: Received 6/21/84 (Item #5). Requested documentation showing that the manufacturer's allowable values referenced in or applicable to item 6 is consistent with that used by an NPSI design in 1982; Applicants were to clarify. Tr. 29-31.

11. Richmond Inserts -- Had just received at time of 6/6/84 and 6/11/84 conference calls; discovery not requested during those calls.
- * Applicants agreed to supply some documents in 8/6/84 Applicants/Staff/CASE telephone conference call.

Remaining Motions for Summary Disposition:

- * Discovery not requested on remaining Motions through 8/5/84. Applicants agreed to supply some documents in 8/6/84 Applicants/Staff/CASE telephone conference call (not included in this summary).
- * QA for Design: By mutual agreement, to keep from tying up everyone's time on non-technical matters during the 8/6/84 Applicants/Staff/CASE telephone conference call, CASE is to file request for documents in writing. Had hoped to have in the mail by the middle of last week, but due to press of other more urgent matters (and the fact that there was a lot to cover), have been unable to do so yet. Should be able to get it into the mail by the middle of this week.