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62706

September 5, 1984

Mr. Richard J. Goddard  
Office of Executive Legal Director  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Re: Illinois Power Co.  
Clinton Power Station  
Docket No. 50-461 OL

Dear Mr. Goddard:

I am writing to summarize Illinois' comments on the Independent Design Review (IDR), that were presented during the August 31, 1984 meeting in Bethesda in the above-referenced matter. Our major concerns with respect to the IDR are as follows:

(1) The IDR Program Plan should expressly provide that it is designed to permit the reviewer to reach meaningful conclusions as to whether compliance with and adherence to the regulations, Final Safety Analysis Report, and internal procedures have been achieved by Illinois Power Company (IPC) and its contractors in the design of the Clinton Power Station (CPS).

(2) Illinois believes that an adequate data base must be provided for the vertical review in light of the stated objective of the IDR Program Plan (page 6, Rev. 1, July 19, 1984) to allow the reviewer to "reach meaningful conclusions regarding the overall adequacy of the Clinton (Power Station) design". Specifically,

(a) All areas of safety-related design should be identified and encompassed in the vertical review. In particular, the HVAC system should be included in the vertical review;

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(b) all subcontractors and design groups involved in safety-related design should be identified and encompassed in the vertical review; and

(c) the IDR Program Plan should be expanded to include a review of selected structures, systems, and equipment that are considered "important-to-safety", but not safety-related. Thus, the reviewer should identify all subcontractors involved in the design of important-to-safety areas so that the IDR will include a review of all pertinent design disciplines considered important-to-safety (as required by GDC-1 of Appendix A).

(3) The data base for the horizontal review should be expanded to include the following relevant audits of Sargent & Lundy: (1) NRC findings at the Zimmer station, (2) EBASCO findings at the Marble Hill station and (3) Stone and Webster findings at the Clinton station.

(4) The horizontal review should be conducted by a separate reviewer in order to avoid any downplaying of the results obtained in the vertical review.

(5) The qualification and training of design personnel should be directly reviewed and addressed in the IDR.

(6) The field as-built review should be sufficiently specific to enable the reviewer to reach a meaningful conclusion as to whether the systems reviewed were constructed in accordance with applicable design drawings.

(7) Protocol - If the IDR is to be used as a means for removing any issues from litigation in the hearing process, Illinois believes reciprocal rights (and duties) should be accorded the State and IPC in the conduct of the IDR. Accordingly, the State requests direct notification of all meetings between the reviewer and IPC, its contractors or subcontractors, rather than the indirect notification as provided in paragraph 3 of the Protocol. No "status/progress" reports should be presented to IPC or its contractors or subcontractors without advance notice to all parties and written documentation should be made of all such reports. (See item no. (8), Conference Notes of July 12, 1984 "Kickoff meeting" at Sargent & Lundy Offices.) Additionally, all correspondence subject to paragraph 2 of the protocol should be sent directly to the State.

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(8) The use of the term "safety significant condition" should be clarified. Specifically, Bechtel should explain what role "safety significant findings" will play in formulating the general conclusions of the IDR regarding "the overall adequacy of the Clinton design". Illinois believes the use of this term is inappropriate because it is not defined in the regulations and has no correlation with the pertinent regulatory requirements.

(9) For the reasons outlined in the State's proposal of March 5, 1984, Illinois believes an independent audit should also be conducted of as-built construction conditions, IPC's construction Quality Assurance program, and IPC's operations QA/QC program at the CPS.

Finally, we were pleased to learn that the NRC is planning to assign a Construction Assessment Team to the Clinton station and that a review of IPC's "recovery program" will be conducted. It would appear that the timing of these programs is critical given (1) the status of near completion of the construction schedule and (2) the proposed schedule for completing discovery and commencing hearings in the licensing process. I would appreciate your best efforts in forwarding information on the scheduling as well as the scope and depth of these two NRC reviews at the earliest practicable date.

Illinois appreciated the opportunity to advise the NRC staff of our views on the IDR and found the meeting informative and helpful. I look forward to receiving the staff's written responses to the above comments.

Very truly yours,



Allen Samelson  
Assistant Attorney General  
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