



NEIL F. HARTIGAN
ATTORNEY GENERAL
STATE OF ILLINOIS
SPRINGFIELD
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50-461

April 12, 1985

Mr. James G. Keppler
Regional Administrator-Region III
U.S. Nuclear Regulatory Commission
799 Roosevelt Road
Glen Ellyn, IL 60137

Re: Clinton Power Station

Dear Mr. Keppler:

Attached hereto are comments and questions of the Illinois Attorney General regarding the Illinois Power Company report entitled "Results of Quality Programs for Construction of Clinton Power Station."

Our initial response to Illinois Power Company's proposed changes in the Overinspection Program (see IP letter U-0827, Hall to Keppler dated March 29, 1985 and IP letter U-0828, Hall to Keppler dated March 29, 1985) will be provided at the meeting in Glen Ellyn on April 22, 1985. Further comments may be subsequently submitted based upon our evaluation of the results of that meeting.

Very truly yours,

Allen Samuelson

Allen Samuelson
Assistant Attorney General
Environmental Control Division

AS:rsr

Attachments

cc: Sheldon Zabel (with enc.)

Clinton Power Station NRC Resident Inspector (with enc.)

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SPECIFIC COMMENTS

1. (pp. ES-3, ES-8, ES-9, and III-1 and III-2)

IP concluded that its reinspections "have not revealed any nonconformances which have safety-significance" where a safety-significant nonconformance is defined as a condition which "even if the nonconformance were to have remained unidentified by the Overinspection Program, it would not have resulted in a loss of capability of a structure, system, or component to perform its intended safety function." In contrast, the QA criteria of Appendix B to 10 CFR Part 50 establishes a different standard for providing reasonable assurance that Clinton can be operated without endangering the public health and safety. Thus, Appendix B provides that IP shall establish and execute a quality assurance program comprised of "all those planned and systematic actions necessary to provide adequate confidence that a structure, system, or a component will perform satisfactorily in service." First, how does the "adequate confidence" standard provided by compliance with the 18 criteria of Appendix B compare with the "safety-significant" nonconformance standard proposed by IP? Second, which of the two standards is the appropriate NRC threshold for developing the "reasonable assurance" required by the NRC prior to its issuing an operating license? (Also, see D.P. Hall letter of February 13, 1985 which states that the purpose of the IP report is to demonstrate that there is reasonable assurance regarding the as-built condition of Clinton).

2. (p. ES-7 and pp. IV-24 to IV-27)

Does the NRC plan to verify the adequacy and timeliness of IP's commitment "to include computer-assisted trending of conditions adverse to quality, analyses of individual conditions to identify root causes, and notification to senior management of the results of trend analyses?" How often are the results of trend analyses provided to senior management? (p. IV-27)

3. (pp. ES-7 and IV-23)

What were the results of IP's verification of "existing inspector certifications"? Were any corrective actions initiated? Does the NRC plan to review the IP findings, and if so, when and to what extent?

4. (p. IV-2)

To what extent were previously installed and accepted large bore pipe supports reinspected using the new procedure?

5. (p. IV-6)

Has the NRC verified the adequacy of the fracture mechanics/crack propagation analysis performed by S&L of the potential flaws identified in the drywell refueling bellows?

6. (pp. IV-7 and IV-8)

To what extent were previously accepted spare and replacement parts reinspected to assure that PSAR and FSAR commitments were met?

7. (pp. III-4 and IV-17)

IP relies upon the "extensive programmatic improvements" described in "Summary of Quality Improvements and Confirmatory Actions (QICA)" for Clinton which was submitted to the NRC on August 30, 1984. How does the NRC plan to systematically evaluate the scope, implementation, and timeliness of all the QICA actions?

8. (p. IV-30)

To what extent does IP's QA program include surveillances and audits of the technical adequacy of design and construction features as opposed to reviews of compliance with procedural attributes? For example, the Overinspection Program addresses the adequacy of some of the construction attributes. However, the IP audits set forth in Appendices B and L seem to be largely limited to a review of deviations from procedural requirements.

9. (p. V-1)

Does the NRC plan to conduct an independent assessment of S&L's "engineering evaluation of the safety-significance of the nonconformances identified by the program"? If so, when and to what extent?

10. (p. V-1)

Does the NRC plan to conduct an independent assessment

of IP's "quantitative analyses of the results of the Overinspection Program"? If so, when and to what extent?

11. (pp. V-5 and V-21)

Does the NRC approve of IP's acceptance quality level for critical attributes (i.e., "95% confidence exists that at least 95% of the critical attributes in the entire lot under investigation are conforming")? Where is the NRC's review of the preceding acceptance criteria documented? What attributes do IP and the NRC consider to be "critical attributes"?

12. (p. V-8)

The Overinspection Program appears generally limited to safety-related items. Will the NRC require IP to conduct an Overinspection Program for structures, systems, and components "important to safety" but not "safety-related" as defined by GDC-1 of Appendix A to Part 50? Note: IP acknowledges that it expects that such items will "contain proportionally more nonconformances than the safety-related structures, systems, and components."

13. (p. V-12 and Appendix D, Part D)

Since "S&L was unable to determine the precise impact of these nonconformances on the affected items because the items had been reworked and the NCRs did not contain sufficient information to permit performance of detailed engineering calculations", how could S&L determine the extent of the nonconformance in order to draw a conclusion regarding the significance? What is the technical justification for not accounting for "two individual nonconformances"?

14. (p. V-12)

What are the root causes within the QA program that enabled the nonconforming conditions cited herein to remain undetected by the normal QA/QC measures (i.e., weld size, undercut, arc strike, etc.)? Doesn't the reported nonconformance rate, and the root causes of the nonconformances, suggest that the approximately 95% of the construction attributes not addressed by the samples included in the Overinspection Program should be reinspected in whole or in part?

15. (p. V-20)

Does the NRC plan to review the crack propagation analyses and acceptance criteria utilized by S&L to accept welds with cracks? For such cracked welds, is additional strain gage-monitoring or leak detection appropriate? Why were the cracks not originally detected by the QA/QC inspections?

16. (p. V-22)

Are there practical non-destructive techniques for examining the conformance of the inaccessible structural steel members? Has S&L conducted an engineering evaluation of inaccessible structural steel members assuming "that the conformance rate for structural attributes is 92.3%" which is consistent with the rate developed for the field verification of accessible members (also, see p. V-29 regarding the validity of this assumption)?

17. (pp. V-25 and V-27)

What are the root causes within the QA program which resulted in an "84.4% field verification conformance rate" for mechanical equipment and a "conformance rate for new electrical equipment...(of) 84.6%"? What corrective actions are or will be initiated to remedy these conditions?

18. (p. V-28)

Doesn't IP's justification herein for not looking at civil work fail to support its conclusion? For example, since the events leading to the series of Stop Work Orders in 1982 demonstrated that the overall quality of construction was unacceptable, that conclusion is applicable to civil construction since BA performed both the civil work and most of the remaining construction work at Clinton.

19. (p. VI-4)

Since the disposition of the 587 NCRs in the Records Review resulted in over 25% (19 + 129) of the 587 nonconformances being reworked, doesn't this result suggest that expanded record verification reviews are appropriate?

20. (p. VI-5)

Does the NRC plan to conduct an independent assessment of S&L's engineering evaluation of the 171 NCRs documenting

nonconforming conditions developed in the Records Verification?
If so, when and to what extent?

21. (p. VII-3)

IP acknowledges that "questions have been generated" as a result of reviewing the material control procedures. First, when will these questions be resolved? Second, how does the NRC plan to review these areas now being resolved?

22. (p. VII-20)

How does IP plan to document the results of the stress reconciliation walkdowns conducted in response to the requirements of NRC/IE Bulletin 79-14?

23. (pp. VII-21 to VII-24)

Why was no hardware reinspected or retested retrospectively in response to the deficiencies identified in the Management Corrective Action Program (MCAP)? Also, see Table VII-3.