



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

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APR 04 1985

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IN RESPONSE REFER
TO FOIA-85-168

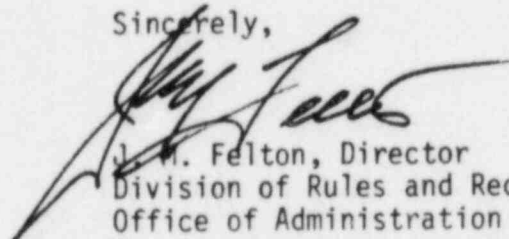
Dear Ms. Rawlings:

This is in response to your letter dated March 6, 1985, in which you requested, pursuant to the Freedom of Information Act, 1) a copy of the latest Commission meeting report on the Wolf Creek Nuclear Plant, and, 2) a copy of the plans to transport the radioactive material from the plant and area.

Enclosed is a copy of the January 8, 1985, open Commission meeting transcript on the Periodic Briefing on Near Term Operating Licenses (NTOLs). Although the briefing was not solely on the Wolf Creek facility, the document does provide the most recent Commission briefing update on that facility.

No documents were identified that are subject to category 2 of your request, as noted above.

Sincerely,


J. M. Felton, Director
Division of Rules and Records
Office of Administration

Enclosure: As stated

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ORIGINAL
UNITED STATES
NUCLEAR REGULATORY COMMISSION

IN THE MATTER OF:

DOCKET NO:

COMMISSION MEETING

RETURN TO SECRETARIAT RECORDS

LOCATION: WASHINGTON, D. C.

PAGES: 1 - 75

DATE: TUESDAY, JANUARY 8, 1985

Office of the Secretary
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DISCLAIMER

This is an unofficial transcript of a meeting of the United States Nuclear Regulatory Commission held on January 8, 1985 in the Commission's office at 1717 H Street, N. W. Washington, D. C. The meeting was open to public attendance and observation. This transcript has not been reviewed, corrected, or edited, and it may contain inaccuracies.

The transcript is intended solely for general informational purposes. As provided by 10 CFR 9.103, it is not part of the formal or informal record of decision of the matters discussed. Expressions of opinion in this transcript do not necessarily reflect final determinations or beliefs. No pleading or other paper may be filed with the commission in any proceeding as the result of or addressed to any statement or argument contained herein, except as the Commission may authorize.

1 UNITED STATES OF AMERICA
2 NUCLEAR REGULATORY COMMISSION

3 - - -
4 PERIODIC BRIEFING ON NTOLS
5 - - -

6 PUBLIC MEETING
7 - - -

8 Room 1130
9 1717 H Street, N.W.
Washington, D.C.

10 Tuesday, January 8, 1985

11 The Commission met, pursuant to notice, at 2:05 p.m.

12 COMMISSIONERS PRESENT:

13 NUNZIO PALLADINO, Chairman of the Commission
14 THOMAS ROBERTS, Commissioner
15 JAMES ASSELSTINE, Commissioner
16 FREDERICK BERNTHAL, Commissioner
17 LANDO ZECH, Commissioner

18 STAFF AND PRESENTERS SEATED AT COMMISSION TABLE:

19 S. CHILK
20 D. EISENHUT
21 H. DENTON
22 W. DIRCKS
23 J. TAYLOR
24 S. TRUBATCH
25 H. PLAINE
M. MALSCH

AUDIENCE SPEAKERS:

A. ROSENTHAL	E. CHRISTENBURY
B. COTTER	D. MATTHEWS
B. MARTIN	T. NOVAK
V. NOONAN	G. CUNNINGHAM

P R O C E E D I N G S

CHAIRMAN PALLADINO: Good afternoon, ladies and gentlemen. Since this is the first meeting since the Holiday Season, let me express the hope that everybody had a happy Holiday Season and that everyone has a happy, healthy, prosperous New Year.

Now, with that, let me go on to the purpose of this afternoon's meeting, which is to update the Commission on the status of near-term operating license plans, commonly known as NTOLs, and to bring to the Commission's attention status information about problems or potential problems that could affect plant safety reviews or licensing schedules.

We have present today the EDO staff as well as representatives from Commission level offices. I propose that we have the EDO take the lead and, as each case is addressed, I will ask the Licensing and Appeal Board representatives if they have any comments.

I suggest that we discuss OI and OIA items later or last, so that we can close the meeting as necessary to address matters involving pending investigations.

During today's meeting, I would also like speakers to discuss any resource problems associated with completing reviews for the NTOLs.

As in the past, I would like OGC to monitor today's discussion and to warn us of any communications which come

1 under our ex parte rule, and I would also like them to review
2 the meeting transcript to determine whether any portion of it
3 should be served on parties to any pending proceeding.

4 (Commissioner Zech joins meeting.)

5 CHAIRMAN PALLADINO: Finally, I note that 17 plants
6 have been identified in the slides provided by the staff. In
7 the interest of time, I would suggest that we carefully select
8 the issues to be addressed and focus on them.

9 Are there any additional remarks by other
10 Commissioners?

11 (No response.)

12 CHAIRMAN PALLADINO: If not, then let me turn the
13 meeting over to Mr. Dircks.

14 MR. DIRCKS: As you pointed out, Mr. Chairman, we are
15 not going to read the slides. We are going to go through
16 them quickly and hit the issues on those plants which we think
17 the Commission -- which we specially want the Commission to
18 know about. We assume you have read the other slides and we
19 won't cover each and every one of them.

20 As you mentioned also, we have the staff here, both
21 the NRR staff and the I&E staff; we have representatives
22 from FEMA here so that if we get into emergency planning
23 issues, we can call on various experts.

24 Harold, do you want to --

25 CHAIRMAN PALLADINO: Let me propose that we take each

1 case up as you introduce it, ask for comments from the Board
2 representatives, and then turn to Commissioner questions or
3 comments.

4 MR. DENTON: We'll take the cases in chronological
5 order as we see them, and will discuss the ones where we
6 think there may be safety problems or schedule problems we
7 want to call to your attention.

8 It is hard to foresee the twists and turns that
9 plants take sometimes from a distance, but we will call to your
10 attention the ones where we know that there are schedule
11 problems or other problems you should be aware of.

12 One manpower note. We were not going to discuss
13 manpower case by case. I will note that it is taking somewhat
14 more manpower than we have budgeted for case our case work.
15 It seems like some of these cases either go longer or become
16 more complicated than we had planned for.

17 Let me ask Darrell Eisenhut to walk through them
18 case by case and we will provide all the parties a chance
19 to enter into the discussion.

20 COMMISSIONER ASSELSTINE: Harold, I wonder if I could
21 ask you to identify, as you go through, one thing for me.
22 We had a closed meeting on a plant not too long ago that
23 focused on an investigation matter. One of the points that
24 came out of the meeting that wasn't directly related to the
25 investigation, I think, was this notion that in that particular

1 case the licensee throughout the period of time where they
2 were getting ready to get their operating license had dropped
3 the ball a number of times, just hadn't followed through on
4 things; hadn't taken the initiative to do the things that
5 needed to be done to get ready to get their license.

6 It struck me after the meeting that we found out about
7 that sort of at the tail-end of the process, literally just
8 a day or two before the staff was prepared to issue the
9 low-power license.

10 It struck me that it would be useful to know about
11 those kinds of situations much earlier, and I wonder if, as
12 you go through this list of plants which stretch out over
13 the remainder of this year and into next year, if you could
14 highlight any situations like that that you see down the
15 road, or places where you just aren't convinced that the
16 licensee is putting in the right kind of effort, has the
17 right kind of -- is paying the right kind of attention to the
18 things that need to be done to get the issues resolved and
19 get ready to get its license so that we know about those
20 things much earlier on when perhaps we can make sure that
21 enough attention is being given to follow-through on those
22 kinds of problems so that we don't have another situation
23 like we had.

24 That would be helpful to me, if you could highlight
25 any situations like that.

1 MR. DENTON: All right. I think we are less likely
2 to encounter a situation like that now than we were previously.
3 We did assign a senior executive to each one of these plants to
4 take a hard look, to meet with everybody involved and identify
5 what the problems were.

6 Then we made a practice of having teams go out from
7 the regional headquarters to cover everything six months or
8 so before the plant is ready, and I try to get to each plant
9 sometime in advance also.

10 So, we try to have a system whereby we identify it.
11 I don't know what case you are referring to. OI and NRR, I
12 think, stay well coordinated and Ben Hayes puts a lot of
13 effort into keeping us abreast of what he is finding.

14 Perhaps you are referring to OIA findings which we
15 are not always privy to and wouldn't necessarily know what
16 they are finding in these particular cases, and some of these,
17 I think, have both OI and OIA overtones.

18 COMMISSIONER ASSELSTINE: Well, actually it was an
19 OI situation. But the concern I had focused more on some of
20 the problems that we had, I think, during the staff's
21 safety and technical reviews.

22 MR. DENTON: It does seem -- it's always, in my
23 experience here, you don't identify all of the problems until
24 the very last few days because at that time everybody who has
25 ever had a problem with the plant suddenly says, "Well, I'd

1 better make sure it gets attention now."

2 COMMISSIONER ASSELSTINE: Yes.

3 MR. DENTON: So, no matter how we plan, there is
4 always a late-breaking issue, it seems. I would love to be
5 in the position to have the safety review done, the
6 environmental review done, all the investigations done and the
7 license on my desk 30 to 60 days before the plant is
8 finished so that all we have to wait for is verification by
9 the region that it has actually been built in accordance
10 with the application.

11 We never seem to reach that Nirvana.

12 Darrell, why don't you go through these and hit
13 the points the Commission wants?

14 MR. EISENHUT: All right. I'll go through the
15 slides here. I won't plan on using them as normal slides
16 and I'll try to hit the high points as we go through.

17 In the front, I provided a couple of charts. One
18 is a profile of the licenses as we see them coming over the
19 next -- actually from now until 1977. We do this just from
20 a tracking standpoint pretty closely for the very reasons
21 that were just mentioned, we can look down the road, so to
22 speak, for the next year and see if we can identify the kinds
23 of problems that come along.

24 CHAIRMAN PALLADINO: Did you say '77 or '87?

25 MR. EISENHUT: If I said it, it's a mistake, 1987.

1 foresee, possibly delaying this plant beyond their readiness
2 date?

3 MR. EISENHUT: There is no technical issue that I
4 know of that would be delaying the plant past the schedule
5 that they have here. As I said, we will be addressing several
6 other matters in the closed session.

7 MR. DENTON: We did commit when we briefed you
8 before in closed session to have another look at this plant
9 based on the OI findings before coming back to you for full
10 power.

11 I did want to mention, too, there is a differing
12 professional opinion regarding the base mat issue, and we
13 have provided all of the views on that issue to the Board.
14 We have made every effort to try to reconcile the different
15 views on that matter and were not able to.

16 CHAIRMAN PALLADINO: Is there any likelihood of
17 delay due to Board actions or any other comments from the
18 Board?

19 MR. ROSENTHAL: Well, at the moment the Appeal Board
20 is waiting to hear from OI. And I might say that at the
21 moment there is a confrontation brewing between the Appeal
22 Board and OI.

23 The Appeal Board indicated to OI that it wished to
24 have an ex parte in camera, but written, submission by OI
25 with respect to the status of the various investigations.

1 The Appeal Board is making that request on both the
2 Commission's recently promulgated policies with respect
3 to these matters.

4 The Appeal Board received a response from Mr. Hayes
5 to the effect that while he would appear orally before the
6 Appeal Board in an ex parte in camera session, that he would
7 disincline to provide initially a written statement with
8 respect to the OI investigations, and the Appeal Board wrote
9 back to Mr. Hayes and told him that was unsatisfactory, that
10 they wanted it in writing.

11 That letter was delivered to Mr. Hayes the latter
12 part of last week, I think it was Thursday, and that's where
13 the matter now stands. I don't know what Mr. Hayes' response
14 might be, but at this point, as far as the Appeal Board is
15 concerned, it is not prepared to render a decision on these
16 pending motions until it has a report from OI.

17 Now, of course, I stress that as matters now stand
18 in this case as well, the Appeal Board is not on the critical
19 path in the sense that there has been no stay issued. Now,
20 what the Appeal Board might or might not do after it hears,
21 in whatever form it does, from Mr. Hayes remains to be seen.
22 Further, I cannot report.

23 (Commissioner Roberts leaves meeting.)

24 MR. CUNNINGHAM: Let me just supplement that, if I
25 may. Yesterday, ELD met with OI and volunteered some

1 assistance in order to enable Mr. Hayes to prepare the
2 written response that the Appeal Board was looking for. So,
3 I think we will diffuse that pending confrontation.

4 CHAIRMAN PALLADINO: Thank you. That would be
5 helpful.

6 (Commissioner Roberts rejoins meeting.)

7 COMMISSIONER ASSELSTINE: Alan, there is nothing
8 that would prevent the Board in that particular case from at
9 least informally discussing with Mr. Hayes any particular
10 logistical problems that he might have in providing the
11 written report, is there --

12 MR. ROSENTHAL: No.

13 COMMISSIONER ASSELSTINE: -- there are insurmountable
14 difficulties.

15 MR. ROSENTHAL: No, I think that's right. Now, I
16 might say that in his letter to the Board, Mr. Hayes does not
17 identify any particular logistic problems. I think it is
18 reasonable to say that the Board is not -- on this matter but
19 they felt -- the members of the Board felt -- that it would
20 be much more useful to have in the first instance a written
21 submission which then could serve as a basis for the oral
22 in camera ex parte session which Mr. Hayes indicated a
23 willingness to provide.

24 COMMISSIONER ASSELSTINE: Yes.

25 MR. ROSENTHAL: I might also add one thing in this

1 connection. Mr. Hayes, I gathered, was willing if the
2 Commission was willing, to supply the Appeal Board with a
3 copy of the transcript of the closed session several weeks
4 ago --

5 COMMISSIONER ASSELSTINE: That's right.

6 MR. ROSENTHAL: -- in which Mr. Hayes apparently
7 briefed the Commission on OI's Waterford investigation.

8 The Appeal Board made it clear to Mr. Hayes it is
9 not interested in receiving that transcript for a variety of
10 reasons. Indeed, it was -- the Appeal Board members
11 deliberately stayed away from that session because it does
12 not want to be in a session where there could be, among other
13 things, some comments coming from Commissioners which might
14 express or indicate Commission opinion on certain of these
15 matters --

16 COMMISSIONER ASSELSTINE: Right.

17 MR. ROSENTHAL: -- because that casts moral
18 suspicion in terms of the parties. The parties then do not
19 know what might have transpired at this meeting, which might
20 in turn have influenced Appeal Board members.

21 CHAIRMAN PALLADINO: Al, could you clear up a point
22 that is going through my mind? I thought the Appeal Board
23 worked with on-the-record material, and now it sounds as
24 though we are looking for material that presumably was not
25 on the record. Could you explain that?

1 MR. ROSENTHAL: Well, I would say this is the fact --
2 just speaking for myself. I will never as a member of an
3 Appeal Board cast my vote for the holding of an ex parte
4 in camera session with anybody. I just think it's a bad
5 practice.

6 The Waterford Board invoking this Commission policy
7 which does call for the holding of these in camera ex parte
8 sessions decided -- and I'm not critical of it, I mean, the
9 members of that Board have a different view on the subject
10 than do I -- decided to hold this session to find out where
11 the investigation stands.

12 Now, I think it's fair to say that nothing that
13 Mr. Hayes or members of his staff might tell that Board would
14 serve as evidence, would have any kind of influence on any
15 decision that the Appeal Board might make on the merits,
16 obviously it couldn't. The Appeal Board, I point out, Mr.
17 Chairman, must decide these cases on the basis of evidence
18 which is presented to it in the presence of all parties.

19 So, the purpose of this session with Mr. Hayes would
20 be just to give the Appeal Board some idea as to where the
21 matter then stood insofar as Mr. Hayes is concerned. Like
22 I say, I personally prefer not to have that kind of session
23 but I don't think that it's improper so long as it is not
24 used as a basis for reaching any kind of substantive
25 determination.

1 CHAIRMAN PALLADINO: Okay, thank you.

2 Was there any comment from the Licensing Board?

3 MR. COTTER: No, Mr. Chairman, the Licensing Board
4 finished its work in 1983.

5 CHAIRMAN PALLADINO: Okay, thank you. Are there
6 Commissioner questions?

7 COMMISSIONER ASSELSTINE: I just have one follow-up
8 point on the last discussion we have just been having. It
9 strikes me that this problem is going to be solved in terms
10 of the Appeal Board's request for a written submission. But
11 I suspect this kind of thing may come up in the future.

12 It strikes me that perhaps a more informal approach,
13 if OI had problems in terms of being able to provide a written
14 product, particularly on a certain time table, that maybe a
15 more informal approach to resolving that question than the
16 exchange of correspondence that tended, I think, to ruffle
17 feathers in this case might be a better way to go about it
18 than just send letters back and forth that tend to raise the
19 aggravation level a bit.

20 MR. ROSENTHAL: I agree with that.

21 CHAIRMAN PALLADINO: I agree also.

22 COMMISSIONER ASSELSTINE: I had one other question for
23 the staff on Waterford, and it's something in OIA's report
24 on review of the operating license review process in October
25 caught my eye.

1 There was a statement on page 11 of that report that
2 said, "Also, the resident inspector told us that approximately
3 one-fourth of the utility's commitments in the FSAR" -- this
4 is for Waterford -- "had not been met and the project manager
5 told us that Waterford 3 is now having several problems trying
6 to get a license to operate. Further discussion with the
7 project manager revealed that Waterford was reviewed on
8 schedule despite the time lost in the intermediate milestones
9 because many creative practicss and techniques were used such
10 as issuing the SER with as many as 400 open items which were
11 rolled over into 20 broad open areas."

12 I grant you, that was back in October of '84 and
13 the interview probably took place a good deal of time before
14 that. But I wonder, Harold or Darrell, if you could comment
15 on whether that was done. Whether there were or are a large
16 number of open items for this plant and whether they are
17 being treated consistently with the way open items are treated
18 in other cases.

19 MR. EISENHUT: I really can't, but maybe Tom, maybe you
20 could comment on the general nature of it in terms of how we
21 handle the open items.

22 MR. DENTON: I would comment that before we license
23 a plant, I was down there with the project manager and the
24 resident and we went through all the open items. So, the
25 status may be different at that time and we did have a large

1 task force moving, trying to move some of the items.

2 But I'll let Tom respond to that time frame.

3 MR. NOVAK: I think it's a fair question. My
4 impression is that when you go about trying to count the
5 number of open items, it's debatable as to what you would
6 consider to be an open item.

7 You could have an open item that just says, "We have
8 an open item regarding the off-site power."

9 COMMISSIONER ASSELSTINE: Yes.

10 MR. NOVAK: But if you break it down, you might
11 come up with 20 or 30 subsets.

12 I think in this case, and it continues to be the
13 case, as you get near an SER you look at all of the small
14 things yet to be closed out in the safety evaluation. One
15 count might lead to be four-hundred; another count might in
16 fact lead to be twenty.

17 The question, though, is does the SER provide
18 substance in terms of a safety evaluation; does it present
19 where we are in terms of the review? I think that's the
20 fundamental test. We use twenty as kind of a rule of thumb.
21 I think it keeps us to the point where we will not issue a
22 safety evaluation prematurely. But even on cases that we are
23 working on today, one might count the number such as fifty
24 but in reality it might be a number such as ten.

25 So, I don't believe there were four-hundred

1 substantive or individually unique open issues. I think it
2 was just the way it might have been counted.

3 COMMISSIONER ASSELSTINE: If the numbers themselves
4 aren't particularly relevant, is there a way that we have
5 of -- whether to set a benchmark or criteria or whatever --
6 that enables us to say that this is a number of open issues
7 that we are prepared to tolerate and still give these
8 people a license versus, these are too many and more has to
9 be done and more of those issues have to be closed out --
10 whether it's in terms of significance or volume of work still
11 to be done or whatever -- so that we have a way of making a
12 pretty clear call on, "Yes, they are ready to get their
13 license," or, "No, they may think they are ready but there
14 are still just too many items that are open or they are of
15 too great significance and we want to see more done before we
16 are prepared to give them a license."

17 How do you make that kind of a call?

18 MR. DENTON: We don't issue the license until we
19 can make the judgment that it has been adequately designed
20 and constructed. All along the way, though, we issue safety
21 evaluation reports to document status. And sometimes if
22 there is an area that is not moving with the licensee, for
23 one reason or another, we will issue an SER that has that
24 in there as an unresolved issue.

25 COMMISSIONER ASSELSTINE: Okay.

1 MR. DENTON: So, we keep issuing SERs until they are
2 all closed. We did have a rule not to go to the ACRS with a
3 lot of open issues because then they didn't like to make a
4 decision unless they could have the record.

5 So, I don't know how many supplements we issued on
6 this plant. Tom, maybe you might have a feel for how many
7 we issued after.

8 MR. NOVAK: There have been several. One other point
9 I think -- and we have discussed this at least on one
10 occasion and I think it goes back, in fact, to the Limerick
11 SER, where there were a number of open issues and the
12 question was, was the SER a substantive piece of work.

13 In that case, we discussed the number of open issues
14 with, I think it was Mr. Cotter, to get a reflection from
15 him, would this safety evaluation in its current form support
16 going forward with the hearing process.

17 COMMISSIONER ASSELSTINE: Yes.

18 MR. NOVAK: And his point was, if you have discussed
19 and completed your review in the areas of contentions, then
20 certainly he could go forward with it. But if the areas that
21 are in contention are still open issues, then we are really
22 not very far along in the process.

23 So, I think that's one consideration. I think the
24 ACRS consideration is another one.

25 COMMISSIONER ASSELSTINE: Okay.

1 CHAIRMAN PALLADINO: Okay.

2 MR. EISENHUT: I think we are coming up on
3 Supplement No. 9 on the Waterford project. The last two or
4 three were associated with the large technical review team,
5 so I'm sure there is a number that were issued -- in fact,
6 eight of them, I believe, were issued prior to issuing any
7 kind of a license.

8 So, you really have always got to look at the time
9 frame you are, before the ACRS or before hearings, or whatever.
10 I can in fact remember cases where we have issued only a
11 partial SER addressing the issues and contentions after we
12 worked out an arrangement with the Hearing Board.

13 So, you really can't then turn around and look at
14 it that the review process missed a lot of points and was
15 premature. You really have to look at it in a different
16 framework.

17 MR. DENTON: There are usually two reasons for open
18 issues. One is that we may not have the staff or the manpower
19 to put on that particular issue until later, that some higher
20 priority job is working.

21 Secondly, the utility may not be willing to close on
22 it because the plant still isn't completed and there is more
23 work he is doing. And then we also carry often the issues
24 that the region has identified, things that they think need
25 to be in the SER. So, we put those on the punch list. So,

1 the punch list then is just worked out until all parties are
2 satisfied they have been resolved.

3 So, I don't remember anything unique about Wateford.
4 The numbers do sound awfully high, but I can go back and
5 look, I guess, and talk to the people involved and see what
6 they think.

7 Certainly, the PMN, the project manager, recommended
8 licensing before I was ready to.

9 CHAIRMAN PALLADINO: Does that answer it? Any
10 others?

11 Okay, let's see if we can't go on. We have averaged
12 two plants in the first half hour.

13 (Laughter)

14 MR. EISENHUT: Well, perhaps a way to -- I'll just
15 try to go through them and unless there is an issue that we
16 want to elevate that is separate from the package, perhaps we
17 can just move right through them.

18 On the Byron facility -- the next slide -- we don't
19 see any issues there to be identified. That plant is on
20 schedule coming up for licensing for full power in February,
21 unless the Commission has some questions.

22 There were some hearing issues, I recall, but those
23 are all -- I think everything is resolved.

24 CHAIRMAN PALLADINO: Unless I hear comments from the
25 Boards, I'll assume there are none. All right.

1 (Commissioner Roberts leaves meeting.)

2 MR. EISENHUT: The next project was the Palo Verde
3 facility. I'll make two comments to correct one aspect of
4 the slide, No. 6, where it refers to OI/OIA, the OIA
5 investigation, I believe, is in error and we discussed that
6 in a separate session.

7 The only other issue I would mention is that we did
8 draw a little concern on Palo Verde --

9 CHAIRMAN PALLADINO: This says there is one on-going
10 OIA investigation.

11 MR. EISENHUT: And that, I believe, is incorrect.

12 CHAIRMAN PALLADINO: Oh, I see.

13 MR. EISENHUT: There are projects with an on-going
14 OIA investigation. This is not one of those, though.

15 CHAIRMAN PALLADINO: Okay.

16 MR. EISENHUT: In issuing the license on December 31,
17 over the last week before that, we had grown somewhat
18 concerned because there were a large number of FSAR issues and
19 quite a bit of activity that had to be resolved on Palo Verde.
20 All that did come together to our satisfaction and we did
21 issue the license on December 31.

22 MR. DENTON: You might be interested to know that
23 in connection with standard plants, this is an example where a
24 plant didn't match the application once it was finally built
25 and tested things like flow rates were 10 to 15 percent less

1 and valve closure times were different, starting times for
2 various equipment was different.

3 So, that's a first of a kind and so we did have to
4 go back and recheck safety analyses to be sure it was still
5 within the envelope. So, the actual performance of the plant
6 did not quite match what the original standard envelope was
7 and we made sure that there was still an adequate margin
8 before moving ahead in those areas.

9 COMMISSIONER ASSELSTINE: Why is that the case, just
10 changes in equipment or differences?

11 MR. DENTON: I think a good example would be, the
12 high pressure safety injection system apparently performed
13 10 or 15 percent, pumped 10 or 15 percent less water than the
14 application had said it would.

15 CHAIRMAN PALLADINO: Is that characteristic of other
16 plants in this class?

17 MR. DENTON: Not really. I think most plants have
18 had closer agreement on thermal hydraulic type measurements
19 than this plant did. So, there was a flurry of activity in
20 the last month or two in that sort of area.

21 But it's the first of a new class of CE plants and
22 we did satisfy ourselves that even though there were changes,
23 they are still acceptable.

24 One other unique thing about this plant. It did
25 have an incentive program within the company. I think there

1 was \$2 million to be distributed among 50 employees provided
2 the plant was finished on a certain date. Then, if it was
3 finished later than that, there were certain proportional
4 shares in the bonus that everyone would get.

5 So, we do have a petition from some individuals
6 concerning whether that was detrimental or not. The regional
7 administrator and I satisfied ourselves that that did not
8 influence the safety of the plant.

9 COMMISSIONER ASSELSTINE: You are treating this as
10 a (inaudible) I take it.

11 MR. DENTON: That's correct.

12 MR. EISENHUT: Yes.

13 COMMISSIONER ASSELSTINE: And your decision, then,
14 will be available in a month or so?

15 MR. DENTON: It would certainly be available before
16 we come to the Commission for full power.

17 COMMISSIONER ASSELSTINE: Okay.

18 MR. DENTON: They have a very extended start-up
19 program because it is the first of a kind. I think it will
20 be around April before we will be before the Commission for
21 full power.

22 COMMISSIONER ASSELSTINE: Good. I think both you
23 and I have both been talking about the dangers of incentive
24 programs like that. I am very interested in that.

25 CHAIRMAN PALLADINO: Okay. I presume there are no

1 Board comments. Any other questions?

2 Okay, why don't we go ahead?

3 MR. EISENHUT: The next plant was Limerick. Limerick
4 is -- I'll just mention a couple of things. One is, this is
5 one of the few plants that is showing a potential delay. The
6 plant got its license. The plant is expected to be ready to
7 go above five percent in late January.

8 The Hearing Board, addressing emergency planning,
9 has not projected to issue a decision before about May 1985.
10 So, therefore it is showing a pretty big delay.

11 The other issue I will mention is that there have
12 been some recent developments in connection with the Point
13 Pleasant Diversion Project, which is Item 7 on the slide.
14 That is, there have been some decisions and I believe a court
15 ruling that the Point Pleasant Project must be completed.

16 Project completion, however, it looks -- based on
17 the information we have today -- will not be completed in
18 1985 or certainly not in the summer months of 1985. They do
19 need that source of water in order to have make-up to the
20 condenser cooling -- loss something in the order of 50 cubic
21 feet per second, a pretty large make-up.

22 They need that in order to be able to go up to any
23 substantial power level. With the delay, delaying the plant
24 to May 1985, and then being in the middle of the summer months,
25 they really couldn't go through a start-up program above any

1 appreciable power level.

2 So, that's the kind of dilemma this plant faces.
3 There has, as I understand it -- maybe ELD or someone can
4 help me -- but there have been some recent decisions and it
5 now looks like the project is going forth.

6 CHAIRMAN PALLADINO: I had a question, really, on
7 this delay. I think it says here that the hearings will
8 extent through January '85, and a Board decision is estimated
9 by May '85.

10 Maybe you could enlighten me as to why it takes so
11 long and then, presumably, the Commission would have another
12 30 days for its effectiveness decision.

13 MR. CHRISTENBURY: Mr. Chairman, Ed Christenbury
14 with ELD.

15 As indicated from our write-up, the hearing -- right
16 now we are projecting a completion sometime in late January.
17 It is not absolutely clear whether they will extend further.

18 But after the hearings are completed, under our
19 regulations findings of facts and conclusions of law are
20 filed by the parties. Traditionally, that takes 55 days,
21 giving you a lot of time. The Boards can ask for that on a
22 more expedited schedule, but that's the normal approach.

23 And then traditionally, two months have been
24 allotted after that for the Licensing Board to issue a
25 decision. Here they would do it in less than the two-month

1 period.

2 CHAIRMAN PALLADINO: Well, I guess I was thinking
3 30 days for the first step, 60 days -- this says four months.
4 I was counting at most three months.

5 MR. CHRISTENBURY: Well, in the normal course, two
6 months for findings and two months for a decision. But here
7 in terms of alerting the Commission to potential problems,
8 here there are a number of circumstances where the emergency
9 plans for the different counties and municipalities have not
10 been approved, adopted, by the counties yet.

11 FEMA, I understand, has not completed their review
12 until such time as the counties have adopted theirs. So,
13 the testimony that FEMA is going to be operating will be
14 somewhat dependent on that.

15 So, there are a number of potentials for delay in
16 this case further than we have here.

17 MR. EISENHUT: In fact, I believe the FEMA evaluation
18 was not even due to be submitted until March 1st.

19 CHAIRMAN PALLADINO: Then, how could --

20 MR. TAYLOR: We are hoping by March 1st, and I have --
21 Dave, would you like to add to that?

22 CHAIRMAN PALLADINO: Let me ask a question with
23 regard to that. Then how could we have the hearings over in
24 January?

25 MR. CHRISTENBURY: The testimony that we have now

1 that we have been provided by FEMA is based on their initial
2 review of the plant and the emergency planning exercise that
3 was conducted in which they found five what they call
4 "category deficiencies" or "significant deficiencies." That
5 is FEMA's testimony at this time.

6 Now, the applicant can, as he is doing, put on other
7 testimony to indicate changes in circumstances. The applicant
8 may or may not call other witnesses from the counties and
9 municipalities to show that those deficiencies have been
10 corrected.

11 But the testimony that is being offered by FEMA at
12 this time is based on their earlier review of the plans and
13 the deficiencies noted in the exercise. When those are
14 corrected would be when FEMA would file later testimony
15 based on a subsequent review of the plans.

16 CHAIRMAN PALLADINO: Excuse me, Jim.

17 MR. TAYLOR: Dave Matthews, would you like to add
18 to that in terms of review of the plans, just from the
19 emergency preparedness data?

20 MR. MATTHEWS: Yes. This is Dave Matthews.

21 The one factor that could provide additional delay
22 is that even if the FEMA testimony based on their review of
23 the prior plans and the efforts to review the current plans
24 is sufficient to provide the basis for predicting finding
25 on emergency preparedness, we still would need to await FEMA

1 headquarter's finding that an acceptable state of planning
2 exists, and that would probably have to await the State of
3 Pennsylvania confirming that indeed those plans represent the
4 plans which would be used for a response.

5 So, there is a potential delay in FEMA completing
6 this process, and it may extend beyond that time in which
7 the Hearing Board deliberations would be going on. That is
8 still something that would need to be done before the staff
9 could support a full power license.

10 CHAIRMAN PALLADINO: So, this sounds as though they
11 may have difficulty making fall. Who is coordinating and
12 making sure that attention is being given to the state doing
13 its job, FEMA doing its job, we doing our job so that it
14 doesn't continue to get more delayed?

15 MR. TAYLOR: We are trying to use our contacts with
16 all parties concerned to keep it moving as fast as we can.
17 Dave, do you want to add to that?

18 MR. MATTHEWS: No, not other than to mention that we
19 have plans under way to have a joint meeting of the utility,
20 the State of Pennsylvania, FEMA region, NRC region and our-
21 selves. That will probably take place tomorrow morning.

22 CHAIRMAN PALLADINO: Do we look to I&E for --

23 MR. TAYLOR: Yes, sir. We will keep on it.

24 CHAIRMAN PALLADINO: Okay.

25 MR. TAYLOR: I think the problem will be, ultimately

1 it will be summer up there and that's going to add to the
2 situation as Darrell indicated, unless all of this is wrapped
3 up. Is that right, Darrell?

4 MR. EISENHUT: I think that's correct.

5 COMMISSIONER BERNTHAL: Just a matter of curiosity,
6 you peaked my interest even though it's not our bailiwick.
7 On the Point Pleasant Diversion you said the court decision
8 had cleared that out. What happened?

9 MR. CHRISTENBURY: The only knowledge I have at
10 this time, there was a Court of Common Plea decision which
11 found that there was indeed a binding contract between PECO
12 and the municipality who was building or going to build the
13 Point Pleasant Diversion.

14 So, the decision said that -- in fact, it ordered
15 a specific performance, that is that the contract should
16 go ahead and the diversion should be completed. Now, of
17 course, in any legal proceeding there are appeals and that
18 may or may not be affected by appeal.

19 Right now, the Court of Common Plea decision directs
20 the parties to the contract to proceed on with the building
21 of the Point Pleasant Diversion.

22 COMMISSIONER ASSELSTINE: I had one other question on
23 the same subject. Darrell, on the bottom of your write-up
24 on Item No. 7 you say, "It may result in a possible substitute
25 source of supplemental cooling water being considered."

1 Was that prior to at least these court decisions
2 and are they still contemplating possible substitute source
3 of supplemental cooling water other than the use of the Point
4 Pleasant Diversion?

5 MR. EISENHUT: Let me ask Tom. In fact, i just
6 saw something the last day or so that said there really
7 wasn't any other alternative to making that volume. He just
8 finished talking to the utility about it.

9 MR. NOVAK: Again Tom Novak of the staff.

10 The applicant has considered other options. There
11 is a reservoir available that he has asked for, and it is
12 my understanding that the Delaware River Basin Commission
13 has refused to use that water because this is consumptive
14 water and that was their concern, it would not be replaced.

15 Without getting into too much details, the name of
16 that, I think, is the Blue Marsh Reservoir, as it is called.
17 Philadelphia Electric believes that if in fact this decision
18 is upheld and the Point Pleasant Diversion continues to be
19 built and becomes a reality, that the likelihood at least
20 might be increased that a one-year relief to use the Blue
21 Marsh water might come forward.

22 So, they would entertain that if in fact everything
23 else was ready for them to go. After about May 15, the
24 Schuylkill River does not become a source. So, this is a
25 possible alternative.

1 COMMISSIONER ASSELSTINE: If substitute sources
2 were made available, either on a temporary basis or for the
3 long term, has the staff looked at the question of whether
4 you have to do a supplemental EIS?

5 MR. NOVAK: We would have to look at that, that's
6 correct.

7 CHAIRMAN PALLADINO: Any other questions?

8 COMMISSIONER ZECH: My review of the Limerick
9 performance during their low power testing indicates that
10 they have been having some problems mainly due -- it seems
11 to me -- in the area of personnel errors, perhaps a few more
12 than we might expect.

13 Has anybody noticed that or have you heard anything,
14 can you enlighten me any more on that particular matter? Is
15 it, you think, abnormal or is it -- it looks to me like it
16 might be a few more than we might expect. Is it peeling off,
17 or what is your prognosis?

18 MR. NOVAK: I can't give you a direct answer, but
19 let me just point out that the Limerick operating staff to a
20 large degree has a lot of experience from the Peach Bottom
21 station.

22 So, when we did our review of the operating staff
23 they came out quite high. They have always been what we
24 considered to be a good operating organization. I can't speak
25 for the information that you have, but basically this is not

1 a start-up crew with no previous operating experience.

2 COMMISSIONER ZECH: Well, that's exactly why I was
3 surprised, frankly, to see they had so many personnel errors.
4 I'm just reading the reports that you give me every day and
5 I would ask that somebody look into that and perhaps get back
6 to me on it. I would be interested to know.

7 It seems to me with this experience level that -- I
8 agree that they seem to have it -- there are more errors
9 than I would like to see anyway.

10 CHAIRMAN PALLADINO: Okay.

11 MR. DENTON: I don't think we have identified it
12 as an outlier yet, but we will certainly check and get back
13 to you.

14 COMMISSIONER ZECH: I would appreciate some follow-up
15 on it. Thank you.

16 CHAIRMAN PALLADINO: Any comments from the Boards
17 before we go on?

18 MR. ROSENTHAL: There are a number of appeals that
19 are pending before the Limerick Appeal Board. But again,
20 since there are no stays outstanding, the Appeal Board
21 action on those appeals is not a critical path item.

22 CHAIRMAN PALLADINO: Okay, thank you. All right.
23 I presume no comment from the Licensing Board.

24 MR. COTTER: We have no comment. What's on the
25 plate now, as I understand it, may well run up to about the

1 end of February as presently scheduled.

2 CHAIRMAN PALLADINO: Okay, thank you.

3 (Commissioner Bernthal leaves meeting.)

4 MR. EISENHUT: The next plant is the Shoreham
5 facility. I won't go through all the details on this since we
6 have discussed it in a couple of recent actions. Suffice it
7 to say that the plant did get a low power license.

8 The decision to go forth to five percent is now
9 pending before the Commissioners for their review. That is
10 the decision from the partial initial decision that came from
11 the Miller Board. That is pending before the Commission.

12 This facility is now expected to be ready to go
13 critical about January 21st and would be ready to go past
14 their present license within a day or so of that. As you
15 recall, they have a fuel load, cold criticality.

16 Unless there are any questions, I won't go through
17 the details.

18 CHAIRMAN PALLADINO: Any Board comments?

19 MR. ROSENTHAL: Well, my only comment would be, the
20 Appeal Board has pending before it the appeal of Suffolk
21 County and the State of New York from that October 29 decision
22 of the Miller Licensing Board.

23 The brief for the appellants -- New York has been
24 filed. The briefs, responsive briefs, of the applicant and
25 the staff will be due later this month and the Appeal Board will

1 probably hear argument in February.

2 Now, the only reason I mention all of this is that
3 it looks to me, as I noted in the conversation I had with
4 the General Counsel's Office this morning that the principal
5 issues that are before the Appeal Board on that appeal are
6 the very same issues which the Commission has indicated are
7 the pivotal questions in its immediate effectiveness
8 determination.

9 I am fully aware of the fact that the Immediate
10 Effectiveness Rule says that unless the Commission indicates
11 otherwise, what it says or determines on an immediate
12 effectiveness review is to have no bearing on the Appeal
13 Board's deliberations in connection with an appeal.

14 (Commissioner Bernthal rejoins meeting.)

15 MR. ROSENTHAL: With due respect, I think in this
16 instance, since the Commission has gone to the great length it
17 has in identifying the issues which it sees as pivotal in
18 the decision on immediate effectiveness, it is going to be
19 very difficult for the Appeal Board to give full recognition
20 to that admonition.

21 CHAIRMAN PALLADINO: What's the bottom line there?

22 (Laughter)

23 MR. ROSENTHAL: The bottom -- well, I just want
24 the Commission to bear that in mind when it renders its
25 immediate effectiveness decision. I just want it to bear in

1 mind that at least up to this point what it has said is,
2 the critical issues are the critical issues or the principal
3 issues that have been presented by the appeal.

4 Now, when the Commission renders its decision on
5 immediate effectiveness, whatever discussion it may have --
6 I don't know which way it is going and I don't know what
7 it is going to say -- but I think it ought to bear that
8 consideration in mind. That's the only bottom line.

9 COMMISSIONER ASSELSTINE: Alan, when might we expect
10 an Appeal Board decision?

11 MR. ROSENTHAL: Well, after you are likely to render
12 an immediate effectiveness -- and I say that with recognition
13 that the immediate effectiveness decisions aren't always
14 rendered on the most expeditious basis.

15 Now, bear in mind with no stay request in this
16 case --

17 COMMISSIONER ASSELSTINE: Yes.

18 MR. ROSENTHAL: -- again the briefs of the
19 FLEs are due later this month. I think the -- brief
20 was filed December 11, the applicant's brief therefore will
21 be due about the 15th, staff's brief due about the 25th.

22 This, under normal Appeal Board practice would call
23 for oral arguments mid to latter part of February and I
24 would certainly think 60 days or something after that. So,
25 we are not talking about an Appeal Board decision in all

1 likelihood any earlier than the latter part of April.

2 COMMISSIONER ASSELSTINE: Okay.

3 MR. ROSENTHAL: And as I understand it, the
4 Commission may address the immediate effectiveness question
5 considerably earlier than that. That was the reason for
6 my taking note, is the fact that the immediate effectiveness
7 review seems to be on the same issue as this appeal.

8 CHAIRMAN PALLADINO: Okay. Any comments from the
9 Licensing Board?

10 MR. COTTER: No. (Inaudible)

11 CHAIRMAN PALLADINO: Okay, other Commissioner
12 comments? All right, you want to go on?

13 MR. EISENHUT: Yes. In the interest of trying to
14 move along here, the next two plants, the discussion I am
15 going to give actually addresses both Fermi 2 and Wolf Creek 2,
16 they have individual write-ups. Both plants are coming up
17 for a low power license and this is the beginning of the low
18 power license plan.

19 Both are coming up for a low power licensing at
20 the end of January. The FSAR reviews, the inspections, the
21 hearings are all complete with the exception of a few minor
22 items in the reviews. There are allegations on both plants
23 and investigations which we will address in closed session.

24 Both of those plants are pretty much on schedule.

25 CHAIRMAN PALLADINO: This is?

1 MR. EISENHUT: Fermi 2 and Wolf Creek 3.

2 CHAIRMAN PALLADINO: And Wolf Creek. I understand
3 that Wolf Creek, the Appeal Board is waiting for information
4 on the exercise results?

5 MR. ROSENTHAL: Right. We indicated that we were
6 not going to complete our sua sponte review. So, we are
7 awaiting the report on the exercise. The exercise, if I
8 understand it, occurred early in November and I think the
9 last word we got from the staff was that the report would be
10 likely in our hands later this month.

11 CHAIRMAN PALLADINO: Is that something --

12 MR. MATTHEWS: It's presently scheduled to be
13 received January 25th from FEMA.

14 CHAIRMAN PALLADINO: Again, I hate to repeat the
15 same question I had before but it seems to me, I thought
16 Appeal Board actions were based on the record presented to it.
17 Now, we seem to be waiting for information.

18 Could you just clarify that again for me?

19 MR. ROSENTHAL: Yes. In this instance, a large part
20 of that Licensing Board decision focused on the emergency
21 plan. It seemed to myself, me and to my colleagues, that
22 for us to sign off on that with this remaining and it seemed
23 to us significant emergency planning aspect, namely the
24 exercise and the report thereof, would be not the height of
25 folly, it would be a part way up the mountain.

(Laughter)

1 MR. ROSENTHAL: Now, when we get this report, that
2 report at that point will not be in evidence.

3 CHAIRMAN PALLADINO: That's what I was getting at.

4 MR. ROSENTHAL: If, however, the report indicates
5 that contrary to what the Licensing Board determined on
6 the basis of the record before it, that this emergency plan
7 is a hopeless disaster, what undoubtedly we would do is
8 have a little record re-opening in which the report would
9 come in and there would be further hearing.

10 But it just didn't seem to us to make sense,
11 given the fact that there was this exercise, that we bless
12 the emergency plan without seeing what the results of this
13 exercise were.

14 CHAIRMAN PALLADINO: Yes. I wasn't being critical
15 of your interest. What I was wondering is, if the Appeal
16 Board starts to take the evidence, so to speak.

17 MR. ROSENTHAL: This would not be regarded as
18 evidence. Now, it may lead to a re-opening of the record
19 at which further evidence would be adduced.

20 CHAIRMAN PALLADINO: Now, is the Appeal Board on
21 the critical path here?

22 MR. ROSENTHAL: No, not at all.

23 CHAIRMAN PALLADINO: Okay. Any comments from the
24 Licensing Board?

25 MR. COTTER: No.

1 CHAIRMAN PALLADINO: Other questions?

2 COMMISSIONER ASSELSTINE: I have one quick question
3 on Fermi 2. A number of months ago we heard from one of the
4 fire protection inspectors out in Region III who said that
5 they were in pretty sad shape on fire protection.

6 Have we made some progress in the past few months in
7 getting them up to speed?

8 MR. DENTON: It received a lot of attention. We
9 heard the same stories, of course, and it has been looked at.
10 I don't know what the final outcome was.

11 MR. EISENHUT: It was deleted from the slides at
12 the last briefing, I know that.

13 (Laughter)

14 MR. EISENHUT: I assume that means --

15 MR. NOVAK: Let me say, it was one major open issue
16 which you could have broken down into a hundred subparts.

17 (Laughter)

18 MR. NOVAK: It has been worked on. There was a lot of
19 attention by both the staff and the applicant. There will be
20 some compensatory measures immediately following licensing.
21 But by the summer of this year, this plant will have all of
22 the facilities necessary for an adequate fire protection
23 system.

24 COMMISSIONER ASSELSTINE: So, they won't need
25 exemptions.

1 MR. NOVAK: There will be no exemption. They will
2 have compensatory measures in place with licensing.

3 MR. TAYLOR: That's my understanding from the
4 regional people too, that they are satisfied that the
5 actions -- they have in fact been working with NRR and
6 interface agreements to get to this point. All the issues
7 got addressed.

8 COMMISSIONER ASSELSTINE: Good.

9 COMMISSIONER BERNTHAL: It didn't appear to me --
10 this would have been, I guess, late last summer when I was
11 out there -- it didn't look like there was a question of
12 there being great difficulty doing fixes for most of those
13 problems. It's just that there were a number of problems.

14 MR. TAYLOR: There were a number of problems. Some
15 of them got right back to the technical bases, which is the
16 reason NRR got back into the discussions.

17 CHAIRMAN PALLADINO: Okay, are we ready to go on?

18 MR. EISENHUT: The next plant is Comanche Peak, and
19 because of the significance of this plant I will make a
20 couple of comments.

21 This plant is one of those where we have an assigned
22 senior executive from NRR that has been following the
23 project, Vince Noonan. He is here with us today to answer
24 any questions.

25 Also, I should point out that Bob Martin, the

1 Regional Administrator for Region IV is here today. In fact,
2 we have been discussing Comanche Peak for the last few days.

3 This plant probably, of these 15, 16 we are
4 discussing, is probably the most uncertain as to where it is
5 going and proceeding on what kind of a time line at this point
6 in time with respect to the licensing review, and by that I
7 include the hearing.

8 It is a very complicated technical review. We
9 have an extensive number of technical issues and hearing
10 issues before us. The main issue we are addressing is the
11 QA/QC issues.

12 Our target is to have all technical questions
13 issued, technical findings, so to speak, issues we found to
14 the utility by the end of this week from all of our site
15 work.

16 Our safety evaluations addressing those, what we
17 found; what we found good, what we found bad, is targeted to
18 be issued by the end of January, and on this project because
19 of two key issues we formed two special panels. One of the
20 panels is an Intimidation and Harassment Panel that is
21 reviewing the overall substance of all of those concerns.

22 The second panel that we formed is what we call
23 a Contention 5 panel -- Contention 5 being the overall QA/QC
24 issues from the hearing.

25 The reason we formed that panel is because of the vast

1 array of different pieces of information we have on this
2 project coming as different things. The panel's job is
3 to assess the overall look at, what do we really think of
4 the status of quality on this plant.

5 That effort will not be complete with the report
6 until probably the end of February. Now, the report of that
7 group is an input to the hearing process which leads us to
8 the earliest we could see an initial decision date is on
9 the order of May of 1985.

10 Now, the plant is projected to be complete in late
11 January -- late this month. We do envision that the plant
12 will be getting completed in that time frame.

13 So, what we see is a number of QA issues,
14 recognizing that what we do is an input in the hearing
15 process. This is a major issue for us. We also, in closed
16 session, will be discussing some -- I think it's nine
17 active investigations and the review of in the order of about
18 600 allegations in this plant.

19 CHAIRMAN PALLADINO: Darrell, you gave me the
20 impression that there were a number of technical problems, and
21 I heard QA/QC being the category. Is that the sole category
22 or are there other technical problems?

23 MR. EISENHUT: There are other technical problems.
24 You may recall, we issued a letter totally based on our detailed
25 reviews in some areas, electrical areas we found and

1 identified problems; mechanical, structural questions. But
2 I think it's fair to say that those concerns are all clearly
3 workable. That is, they are clearly definable problems and
4 the utility can go forth and address those issues.

5 They are principally much more hardware related.
6 They are a lot more minor than the more general concern that
7 has been raised regarding QA/QC in terms of inspectors, how
8 effective was the applicant's QA program.

9 MR. DENTON: This plant probably receives more
10 management attention at the moment than any of the others
11 in this group.

12 CHAIRMAN PALLADINO: Whose management?

13 MR. DENTON: Our management. I think there were
14 over 70 individuals that have been interviewed with
15 allegations; a number of break-downs in the QA procedures
16 of this plant have been identified. We have taken a hard
17 look at what the significance of some of those break-downs
18 was and have worked hard over the past three months to address
19 all these.

20 But from a schedule standpoint, the Board won't
21 be able to consider these issues until, I think, the
22 beginning of February at the earliest. The Board has issued
23 several decisions already in related areas and I think it's
24 probably likely to be mid-summer before a decision is forth-
25 coming on this plant. It represents considerable delay for

1 this plant.

2 CHAIRMAN PALLADINO: Have the inspections and tests
3 disclosed or confirmed poor QA and construction and/or design?

4 MR. EISENHUT: Let me make a comment, and then we
5 have Bob Martin here also.

6 One of the reasons we created the QA/QC Panel, to
7 look at the overall perspective. As Harold said, we have
8 interviewed a large number of allegeders. We have put
9 probably 50 man years into inspecting this facility or looking
10 at it, or re-evaluating it, and now you have to make sure
11 you relatively index the findings.

12 We have a CAT Team report on this plant. There is
13 an independent design verification the utility is conducting.
14 There is a large number of normal inspections that were
15 conducted. This plant has been audited probably every different
16 way that we have tried. This plant has got one of just
17 about everything.

18 The results are not uniform. A lot of the hardware
19 inspections are showing and have shown things not as bad as
20 some of them have shown more recently. So, the panel has
21 tried to put this in the proper perspective.

22 CHAIRMAN PALLADINO: Is the implication, some of
23 them are showing as bad as --

24 MR. EISENHUT: Some are not nearly as bad as
25 others, certainly.

1 MR. DENTON: We are not prepared to make a judgment
2 yet, Mr. Chairman, that is why we formed this panel to look
3 at all the findings by all the people on the team and to try
4 to decide what it all means. It is fair to say that, depending
5 on what specialty looked at the plant, they came up with
6 differing views.

7 So, what we want to do is try to get a more
8 balanced look at the plant, reflecting everybody's input.
9 That's the panel that won't be complete until around the
10 end of the month.

11 CHAIRMAN PALLADINO: End of what?

12 MR. DENTON: End of February.

13 CHAIRMAN PALLADINO: End of February. That is when
14 the panel would complete its report?

15 MR. DENTON: They will look at all the information
16 compiled by all the sources, and that would be the staff's
17 testimony then before the Board on Contention No. 5, which
18 is the significance of the QA/QC issue.

19 (Commissioner Roberts rejoins meeting.)

20 COMMISSIONER ASSELSTINE: Who sat on the two panels?

21 MR. EISENHUT: The QA/QC Panel is being headed by
22 Ed Jordan who is the division director in I&E.

23 MR. DENTON: It was Nelson Grace who was head of the
24 QA Department in I&E until he was moved to Region II. Ed
25 has replaced him.

1 MR. EISENHUT: And the head of the Intimidation and
2 Harassment Panel is Jim Gagliardo who is now running the
3 Chattanooga -- or shortly will be running the Chattanooga
4 Training facility.

5 MR. DIRCKS: If we can get him out of there.

6 MR. EISENHUT: If we can get him out of there. He
7 assumed the position, probably, six, eight months ago but
8 hasn't been there yet.

9 COMMISSIONER ASSELSTINE: Okay.

10 MR. EISENHUT: The panels have representatives from
11 the various offices with the advice of offices such as OI,
12 et cetera.

13 MR. DENTON: It's a very complex proceeding, a lot
14 of different players. A lot of information keeps coming in
15 on this plant and it will ultimately, I think, get before the
16 Board and get resolved by the Board.

17 CHAIRMAN PALLADINO: Any Board comments, either
18 Appeal or Licensing?

19 MR. COTTER: No. We have technically two Boards
20 dealing with it. There have been evidentiary depositions
21 last fall and we are simply waiting for -- while there are
22 some minor matters being attended to -- waiting for the
23 input from staff.

24 COMMISSIONER ZECH: But aren't these Boards pretty
25 much in session continuously out there at the plant right now?

1 MR. COTTER: No.

2 COMMISSIONER ZECH: They are not?

3 MR. COTTER: They are in session off and on.

4 COMMISSIONER ZECH: Well, I mean off and on. But
5 they are more on than off as I understand it. You've got a
6 lot of people out there. When I visited the plant not too
7 long ago, your Licensing Board was in session. I know they
8 come back and forth but it seems to me there is quite a big
9 effort going on. You have one Licensing Board involved in
10 the hearings or is it two?

11 MR. COTTER: Two.

12 COMMISSIONER ZECH: Well --

13 MR. COTTER: You were there in December. I think
14 they were dealing with the harassment issue at that time.

15 COMMISSIONER ZECH: Well, I think I was there before
16 that, I think. But it doesn't make any difference.

17 It just seems to me, just to support what the staff
18 is telling us, there is a tremendous effort going on at this
19 plant from our people, both in licensing and extra --
20 inspection of people. It is a tremendous effort. It sounds
21 like we are doing everything we can but it looks like there
22 are a lot of licensing decisions yet to be made that is going
23 to delay this plant. Is that a fair statement?

24 MR. DENTON: They are not the big design issues
25 about single failures or meeting general design criteria,

1 those kinds of debates. They tend to be details of
2 construction and whether the plant was actually constructed
3 in accordance with the application or not. So, it's getting
4 into a level of detail that normally we don't get into in
5 plants.

6 COMMISSIONER ZECH: I appreciate that.

7 MR. DENTON: That's what's taking the level of effort.
8 You have someone coming to you, telling you of a very specific
9 defect --

10 COMMISSIONER ZECH: Right.

11 MR. DENTON: -- and it requires a lot of time to find
12 out what are the requirements in this area and were they met
13 or not.

14 COMMISSIONER ZECH: Well, there is a big effort going
15 on in the inspection folks too, they are tracing down allegations.
16 As I recall, I was told that you had up to 50 people and ten
17 different groups from your various organizations in NRC
18 across the board, the region as well as the headquarters. It
19 is a tremendous effort.

20 It seems to me like, you know, it's something that
21 we just couldn't do everywhere. We certainly couldn't do it
22 in ten different plants at the same time. But I would hope
23 that we are making progress here. It's not that the effort is
24 not being applied.

25 MR. DIRCKS: I think we have made progress. To go

1 back in the history of this thing, the reason why we mounted
2 such a terrific effort is that we assumed last year, it came
3 to our attention vividly, that we were getting input from
4 many different sources on the plant. We were involved in a
5 very contentious hearing where many facts were coming out.

6 We had CAT Teams going into the facility discovering
7 new issues. We had, as Harold pointed out, IDVP efforts
8 going on. We had many allegations from the workers.

9 We decided then to pull it all together in a focused
10 agency program, and that's why we established this task force.
11 As you look at these facilities, though, with any intense
12 microscope, you are going to find a lot of problems and
13 defects -- it may be linear coordinated, the more you look,
14 the more you find.

15 We are finding a lot and as Darrell has pointed out,
16 from the many areas that we have looked at it's really boiled
17 down to essentially two now. So, at least we know what
18 the two major issues are and that's why we have these two
19 special groups looking at it.

20 We are at that point where we will come up with a
21 position on these two issues. QA is an issue that we can
22 sometimes get our arms around and we are inspecting very
23 carefully -- that's workmanship, QA and so on.

24 The issue of harassment is one of these nebulous
25 issues that it will be interesting to see how we come out on

1 it. It's very difficult to define what is widespread,
2 what is perverse and what is pervading. It's difficult to
3 define that and then say what effect that had on the plant.
4 This is going to be a very difficult issue and that's the
5 one where we have this team.

6 COMMISSIONER ZECH: Well, are we winning or losing
7 out there, you think? Are we getting ahead or falling
8 behind, or do we just stand --

9 MR. DENTON: We are definitely getting ahead,
10 Commissioner, in terms of identifying the issues. We will be
11 able to identify back to the utility very shortly all the
12 findings that this team made where we found the plant did not
13 conform to the application.

14 COMMISSIONER ZECH: So, you are making progress
15 anyway, is what you are saying.

16 MR. DENTON: I think we are making progress in
17 identifying the issues. What we are standing back looking now
18 is, what's the significance of all of this and what position
19 does the staff want to take in the hearing --

20 COMMISSIONER ZECH: Right.

21 MR. DENTON: -- in view of all the findings that we
22 have collected.

23 Vince Noonan has been working day and night on this
24 since his assignment. You might like to hear from him to be
25 sure we have properly characterized it.

1 COMMISSIONER ZECH: I think he deserves to be heard
2 from.

3 MR. DENTON: Where we stand on this plant.

4 CHAIRMAN PALLADINO: Can I ask one question that maybe
5 he will want to address. You speak of 600 allegations in
6 the write-up. Has your effort included the normal screening
7 process, the special screening process that you have used in
8 other cases similar to this?

9 MR. EISENHUT: Well, the charter was a little broader
10 than that. I wanted to make sure that the assignment that
11 Vince got was, don't try to just address 600 allegations but
12 design a program knowing full well that you are going to get
13 600 allegations or a thousand allegations and try to lay the
14 framework for addressing that.

15 MR. DIRCKS: I think that's a very important point
16 because we were trying to -- we were chasing around trying
17 to identify -- not to identify but handle the issues as they
18 were flowing in. I think the charter that Vince got was to
19 define the total package of issues down there. Unless we
20 could define the problem, we were just wasting our efforts
21 just solving the problems piecemeal. We had to get our
22 hands around that problem.

23 Vince did that and so far, I think, we are very
24 pleased with what he has done and will be more pleased when
25 we have the whole issue resolved.

1 CHAIRMAN PALLADINO: Okay, Vince?

2 MR. NOONAN: Vince Noonan from the staff.

3 We have been making progress. The first thing that
4 I did when I came onto this program was basically take over
5 this thing of making sure that all the allegations were
6 addressed that we have. We have about close to 600 allegations
7 and about 70 people, allegers, involved.

8 We have been traveling. During the month of
9 October and part of November, we have been traveling over
10 the country, talking to the people making these allegations
11 and we call them "close-outs." We basically tell the
12 allegers what we have done about their particular concerns
13 and here is how we plan to resolve it.

14 That is being addressed in each SER. So, each SER,
15 then, has a section in it where we talk about the close-out.
16 That has taken a lot of time. We have spent, I know, at
17 least three sessions where we have spent at least eight
18 hours straight through talking to allegers. We might have
19 had 15, 20 people tied up in this thing. We had various
20 technical people talking. So, that has taken time.

21 We are going to get our QA/QC letter out this week,
22 and that will be the last letter where we have our findings.
23 Then, the next thing is to get our staff positions. They are
24 in preparation. We have got two -- two of the SERs have been
25 through review by the legal staff and it is now mainly just for

1 me to get them out the door. So, it's my job to get these
2 things off the critical path, so to speak and then develop a
3 dialog with the utility talking about particularly the
4 QA/QC areas, I think.

5 CHAIRMAN PALLADINO: Okay, thank you.

6 COMMISSIONER BERNTHAL: One last question. You may
7 have said this already. How many people, FTEs, if you will,
8 would you say we have assigned to that plant now?

9 MR. NOONAN: Right now we have -- at one time or
10 another, we had probably as many as 50 reviewers looking at
11 various aspects of -- the technical aspects, I would think.
12 We had six groups composed of various people. I know our
13 QA/QC group had about at least twenty people on it where they
14 went out and did an inspection. We had twenty people going
15 in a very detailed inspection on this plant.

16 MR. TAYLOR: And you should add that this includes
17 contractor support. We had to get some contractors; right,
18 Vince?

19 MR. NOONAN: I'm sorry.

20 MR. TAYLOR: This isn't just straight staff.

21 COMMISSIONER BERNTHAL: No, I understood.

22 MR. TAYLOR: We had to draw on --

23 COMMISSIONER BERNTHAL: What I'm asking is, I guess
24 not only today but I'm curious about the time profiles.
25 How many total full-time equivalent people, either by

1 contract or from our own staff in one form or another have
2 been assigned to that project, and how long has this been
3 going on that there has been this extraordinary kind of
4 assignment.

5 MR. EISENHUT: We could certainly get you that. The
6 number Vince gave you is the number of the special unit, the
7 technical review team, as we call it. That, remember now,
8 is in addition to the normal FTEs that went into doing the
9 OL licensing review and the normal effort from ELD which is
10 very significant in this case, and the normal regional
11 inspections.

12 So, if you add those together, the number is
13 considerably higher and you could certainly look at it either
14 per year, on a year basis, or to do the OL review. It is
15 far, far in excess of the number that we are budgeting to do
16 that review.

17 COMMISSIONER BERNTHAL: I guess I'd like to see
18 those data, both as a function of time -- that is, the
19 extraordinary, the extra effort that has been put into this
20 particular project.

21 MR. DENTON: We'll provide that.

22 MR. NOONAN: We'll make that data available.

23 MR. DENTON: We get into such areas as paint
24 requirements and U-bolts, and details of the plant that become
25 very controversial because of the allegations. That is what

1 usually requires us having in many cases the contract for
2 specialists who work in those areas.

3 Bob Martin is here, you might like to hear from
4 Bob also.

5 COMMISSIONER ZECH: Before Vince goes, Vince, can
6 you tell me -- I just have one quick question for you. Are
7 you making progress?

8 MR. NOONAN: That's right, we are making progress.
9 That is, I need to prove that progress right now by getting
10 things out -- what I call getting things out the door.

11 I really feel optimistic that we will get this
12 staff position, the SERs, out -- at least most of them -- by
13 the end of the months with the exception of the QA/QC stuff.

14 COMMISSIONER ZECH: Thank you.

15 CHAIRMAN PALLADINO: Thank you. Bob?

16 MR. MARTIN: Well, not to be redundant to what
17 everyone else has already said and, I think, to focus my
18 answer perhaps towards Commissioner Zech's question, I think
19 when I first came on in October as regional administrator, I
20 probably felt a much greater degree of uncertainty relative
21 to Comanche Peak. As of this juncture, I feel much more
22 confident that, yes, things are starting to converge; the
23 issues are becoming pretty well defined and I think at least
24 the course of action for the agency is becoming much, much
25 clearer as a result of the TRT and the NRR efforts in that

1 regard.

2 COMMISSIONER ASSELSTINE: Good. Did this licensee
3 have an aggressive program to identify and resolve problems
4 that their workers had identified early on, and is that part
5 of the reason why we have had to spend so much -- if they
6 didn't have that, is that part of the reason why we have had
7 to spend so much time and effort the past six months or so?

8 MR. EISENHUT: I'm not sure the verdict is really
9 in on that yet. It certainly -- what appears to have been
10 some problems just were not as well followed up as they
11 should have been. We are going to probably be having a
12 discussion of these kinds of problems with the utility and
13 we just, as Harold said in the first place, we are not sure
14 how big the problem is.

15 COMMISSIONER ASSELSTINE: Yes.

16 MR. EISENHUT: With respect to following up on
17 allegers and those kinds of concerns, it's also hard to say
18 because some of the issues really didn't turn out to be that
19 major of issues. For example, there were allegations about
20 welding deficiencies in the plant. I think there was a Board
21 ruling not very long ago, a partial initial decision, on
22 the welding which found that not to be that big of an issue.

23 We have gone back and gone the extra nine yards in
24 this project to talk to as many allegers as we can. This
25 program started off by -- it really wasn't talking to all the

1 allegers. Another way to put it is, I lowered the threshold,
2 make every effort you can to contact them if it appears
3 they have any reasonable amount of information. We did that
4 just in the face of the uncertainty. Some people we never
5 did get around to talking to. But we have gone back out,
6 as Vince said, very recently, trying to recontact people to
7 try to get as much information as we can.

8 You have got to look whether there is real substance
9 to the issues or not, to whether the utility really put in
10 effort or not.

11 MR. DENTON: And some of these allegations are
12 before the Board. So, occasionally there are instances in
13 which we are talking to the individuals and they are also
14 appearing before the Board and the issues are not always
15 one-to-one correspondence and they all have to be dealt with.

16 MR. EISENHUT: I've got to say, though, I don't think
17 the utility is pursuing a number of the issues as aggressively
18 as they should have been, but not necessarily the allegations
19 in those kinds of concerns.

20 COMMISSIONER ASSELSTINE: Okay.

21 MR. EISENHUT: But if you hear an issue that comes
22 up in the hearing, it's just a matter of style. You put the
23 issue to bed squarely, firmly once and for all because at this
24 point in the process I just don't think anyone has any room
25 for continuing dialog.

1 COMMISSIONER ASSELSTINE: Yes.

2 MR. EISENHUT: And that's the message that I have
3 been putting to the utility. So, in that framework I think
4 the utility is in fact -- has been taking steps and is
5 continuing to make steps to improve in that direction.

6 MR. DIRCKS: I think it's a factor of time. If
7 you say now, I would say they are making a very conscious
8 effort to do as much as they can to get this thing through.
9 But where we were one or two years ago, it's been an
10 enlightning process to many of these companies where many of
11 them thought they could just push these things through the
12 process and get their facilities in operation relying on
13 NRC to handle it.

14 I think across the board they have all made -- come
15 to a very hard realization they've got to go out and seek
16 problems before we find them. I think in this case they are
17 moving in that direction. I know we have had several meetings
18 with the top leadership there and you could see the development
19 as it goes along. It's not a delegated function now to some
20 vice president, you are getting the CEO now to take it on as
21 his responsibility. As soon as that happens, things happen
22 and progress is being made. That's the major break-through.

23 CHAIRMAN PALLADINO: Did you have one last --

24 MR. NOONAN: Just a very brief comment on that
25 particular issue. Just last weekend I was told by the

1 utility that they had taking the person that is head of
2 their licensing section, which is Mr. John Beck now, he
3 reports directly to the president of the company. So, they
4 have elevated those activities directly to the president of
5 the company.

6 CHAIRMAN PALLADINO: Okay.

7 MR. EISENHUT: Yes. As Mr. Dircks said, the
8 president of the company in this case is taking some rather
9 firm steps, I think, to get his arms around the problem. So,
10 it is happening at the very top level. So, we have to say --

11 MR. TAYLOR: I think that's in more contrast to what
12 we saw a year or so ago. A direct demonstration of that,
13 when the first CAT team exited down there, we had the exit
14 on site, there were really no senior members from the company,
15 on the vice president level or above, there to digest all
16 those diverse findings.

17 So, today, I think, that's a dramatic change.

18 CHAIRMAN PALLADINO: That sounds very assuring.

19 MR. TAYLOR: You know, there is a benchmark.

20 COMMISSIONER ASSELSTINE: And that happens a month
21 before they say they will be ready to get their license.

22 CHAIRMAN PALLADINO: Better than --

23 MR. TAYLOR: It's been going on, Mr. Dircks alluded
24 to a number of meetings with the company, and I think it's
25 been going on over the --

1 CHAIRMAN PALLADINO: I wonder if I could quote
2 Darrell Eisenhut, that time for a continuing dialog is
3 escaping us.

4 (Laughter)

5 COMMISSIONER ASSELSTINE: Yes.

6 CHAIRMAN PALLADINO: We still have to hear from OI
7 and we still have to hear from OIA. I have a meeting that
8 is supposed to start at four, but I could push it up to 4:15.
9 But that still doesn't leave us a lot of time.

10 Let me ask if the staff could select the --

11 MR. EISENHUT: Mr. Chairman, I was going to propose --

12 CHAIRMAN PALLADINO: -- out of the remaining plants
13 any particular one that ought to be identified for discussion
14 and then see if the Commissioners have any particular plants
15 they want to bring up.

16 MR. EISENHUT: Mr. Chairman, I was going to propose
17 we only discuss Diablo Canyon Unit 2 yet. Beyond that, the
18 plants are out. The earliest is Watts Bar in Mach and then
19 most of the plants stretch out in the future.

20 There is one correction I need to point out here.
21 The Perry facility, when you get way to the back of the
22 package, was in here scheduled to be complete in December 1985.
23 We discussed this with the utility's management this week,
24 I believe, and in fact, it should be July 1985.

25 That plant, there has been some debate over the

1 schedule for some period of time. The plant is targeted
2 for July 1985.

3 CHAIRMAN PALLADINO: Okay.

4 COMMISSIONER ASSELSTINE: Is that realistic?

5 MR. EISENHUT: Well, it turns out the December date
6 came along from -- it was never the utility's date in the
7 first place. It was a case load forecast panel date which
8 we adopted sort of de facto for quite some time. We are
9 now taking another re-look at it and the utility just might
10 complete the plant sooner than that.

11 So, we have agreed for the sake of planning to
12 revert back to the utility's date of July 1985. It probably
13 will come out somewhere in between.

14 COMMISSIONER ASSELSTINE: Yes.

15 MR. EISENHUT: But at this point it's certainly
16 safer from the "being ready" standpoint to assume it's going
17 to be July 1985.

18 COMMISSIONER BERNTHAL: That means that they are
19 going to be able to conform to the hydrogen rule then, or
20 what's the status of that particular issue?

21 MR. EISENHUT: Well, it depends on what the hydrogen
22 rule would say.

23 (Laughter)

24 MR. EISENHUT: You know, if I gazed into the
25 crystal ball and said, assuming that the hydrogen rule would

1 reflect the same kinds of words as any other rule that we
2 issue at this time and that is, you would have to look at
3 when they could come -- when it should be put into effect
4 and no hard and fast single date that, "Thou shalt meet
5 this particular rule by this particular date," they certainly
6 could meet it.

7 As you recall, even plants like Catawba which are
8 now coming up next week, and just as the ice condensers that
9 we have licensed, all were issued with the best that could go
10 in at that time and then you had a license condition that
11 said, you have the follow-on research work to conform or
12 confirm The details, and you install the details later.

13 COMMISSIONER BERNTHAL: A question of the program
14 being in place.

15 MR. EISENHUT: Right.

16 COMMISSIONER ASSELSTINE: That's right. Yes,
17 because the rule basically just requires that you have an
18 operable system.

19 MR. EISENHUT: That's correct.

20 COMMISSIONER ASSELSTINE: And do the analysis after
21 the fact.

22 MR. EISENHUT: But it depends on how you write the
23 rule.

24 COMMISSIONER ASSELSTINE: Yes.

25 MR. EISENHUT: But certainly, I think it's practical

1 ourselves through those with a rather pretty large effort.
2 Right now we see that we are going to be able to converge on
3 that kind of schedule of late February to support a licensing
4 decision for low power.

5 Anything that has not been reviewed in depth will be
6 looked at in accordance with the screening criteria and the
7 screening approach that we discussed here with Unit 1.

8 CHAIRMAN PALLADINO: Are allegations continuing to
9 come in, or have they levelled off?

10 MR. EISENHUT: There are still some coming in. In
11 fact, we had a rather large installment, I believe, in the
12 November-December time frame. We are continuing to have
13 allegations. In fact, we are embarking on additional meetings
14 with allegers. You will recall, that is an area that there
15 has been some criticism about -- both Region V and NRR are
16 setting up meetings to see whether we can't sit down with
17 allegers and see whether there is any additional new concern.

18 We do have a major concern, though. It appeared
19 that last installment of allegations we got, a rather large
20 subset of that, was the same information we had seen before
21 or the same issues, at least.

22 So, I think there is developing a better and better
23 base for our opinion that there is no major problem out there
24 at the plant, albeit, if you get another 500 allegations it's
25 still 500 more to work yourself through.

1 to build that kind of aspect in the rule.

2 CHAIRMAN PALLADINO: Well, do you want to proceed to
3 Diablo Canyon Unit 2?

4 MR. EISENHUT: Well, I was going to make a couple of
5 very short comments. This is a plant from a utility that
6 I personally think has come an extremely long way in the last
7 three years -- rather painfully, perhaps. But it has
8 certainly come to the point where Diablo 1 is up and running.
9 It has been up over 50 percent power now.

10 Unit 2 is coming along. It's projected to be
11 complete, ready for fuel load, in mid to late February of
12 this year. The staff's reviews are proceeding along in
13 parallel with that schedule. We do have a large amount of
14 work before us.

15 Two issues that I will mention is, the question of
16 the need for further hearings on design QA for Unit 2 is
17 still pending before the Appeal Board. That is a matter
18 that we have devoted considerable resources and attention to.

19 The other issue that we are looking at is the
20 subject of some 2,000 allegations.

21 CHAIRMAN PALLADINO: Yes, that's what struck me.

22 MR. EISENHUT: Well, you'll recall, sir, that when
23 we had the discussion on Unit 1, the way we addressed a lot
24 of allegations was to say that that relates to Unit 2, not
25 Unit 1. So, we are now going through those. We are working

1 But I think we are developing a pretty firm feeling
2 for the quality of the facilities, and I think you will see
3 our view on -- at least at this point in time for Diablo 2
4 will look very similar to what our view was on Diablo Unit 1.

5 CHAIRMAN PALLADINO: You said they have a number of
6 people working on this. Are you following pretty much the
7 same pattern that you have developed in other areas where
8 there are a large number of allegations?

9 MR. EISENHUT: Yes, sir. We are working very
10 closely with the Office of Investigations on a number of
11 these plants. Most of these where you see some -- it was
12 indicated there are a number of investigations underway. We
13 will try to look at them in a joint fashion to make sure
14 the real substance of the issues gets addressed both from a
15 technical standpoint and from a wrong-doing standpoint.

16 CHAIRMAN PALLADINO: Thinking back to -- what was
17 it, Comanche Peak, I guess, not Diablo, where we have
18 large numbers of allegations. It brings to mind in the past
19 on those very crucial kinds of cases involving large numbers
20 of allegations you made a diagram showing how many were
21 screened in and how many were screened out, and how many
22 remained to be done by such and such a time.

23 Is that something that we should be getting into --
24 not in this session but later in an effort to see if we
25 can provide any help?

1
MR. DENTON: I think Comanche Peak will end up
being adjudicated before the Board and contested. So, that's
probably not a good candidate for that.

Why don't you let us look at Diablo 2 and see if
we think it would be useful to have earlier explorations on it

CHAIRMAN PALLADINO: All right.

MR. DENTON: I guess it also depends on what the

7 Board does on --

8 COMMISSIONER ASSELSTINE: Right, right.

9 MR. DENTON: -- this issue that we flag, namely
10 the re-opening. If they re-open, then it, that would be
11 the forum.

12 CHAIRMAN PALLADINO: Yes, that's a good point.

13 COMMISSIONER BERNTHAL: Are we getting a fairly
14 efficient, I would presume, computerized system for filtering
15 these things now and sifting through them quickly to
16 determine which ones are new and which ones you have been
17 through before?

18 MR. EISENHUT: Let me start by saying "no," but

19 let me tell you where we are.

20 I think we went out -- as I remember, we went out
21 for contract and we have a computerized system which we hope
22 to be operational by April of this year, having all the
23 allegations computerized.

24 Short of that, we have been doing it in-house
25

1 either manually or on a small computer we have in the office.
2 But we are -- I think the tracking of them is better than we
3 were before and in the sense that we are now using it as a
4 management tool the target would be that the same tracking
5 system would be used, would identify them all, would
6 identify the responsible offices following up, and it would
7 be accessible from the region, for headquarters, and from OI.

8 So, from that standpoint we are certainly heading
9 in that direction.

10 COMMISSIONER BERNTHAL: How long have we been
11 working on trying to -- I mean, it's been a year more or
12 less now that we have realized we face this sort of thing,
13 at least on that plant and some others as well.

14 How long have we been working on a system to
15 automate that process?

16 MR. EISENHUT: Probably actually working on it,
17 not before, about -- no more than about three or four months.
18 I think the system of tracking allegations, before it was
19 just a manual tracking system -- or maybe it was a computerized
20 system in I&E. Jim, maybe you remember.

21 MR. TAYLOR: We had to load it, but it wasn't --

22 MR. EISENHUT: An interactive system by any means.

23 MR. TAYLOR: Right.

24 MR. DENTON: I think part of the problem, Commissioner,
25 most of our data handling in that area was written, I believe,

1 in COBOL which is very difficult language to reprogram, and
2 we have to go back to a group in-house who does that.

3 Today's programs, things like Data Base II that
4 are available which are relational data bases, we've got a
5 lot of our material now on our own PCs that we have in the
6 office where you can search it.

7 But when we have to go to a big main frame and
8 you have to write programs in a rather archaic language, it
9 takes a long time to get it switched around. I think we will
10 eventually get there. The field has moved awfully fast and
11 we haven't kept up with it.

12 MR. EISENHUT: We have been working about three
13 months, I think. We assigned, remember, a couple of people
14 in NRR are now assigned full time to this when we picked it
15 up. I think it started about three months ago.

16 COMMISSIONER BERNTHAL: One last question. Last
17 time around on the other Diablo plant, the qualification of
18 operators, you recall, was a major issue.

19 Is this utility going to be prepared now to approach
20 operating another plant with a full complement of operators,
21 or are we going to face that problem all over again?

22 MR. DENTON: We have had several meetings with them
23 as to how they are going to transfer operators from Unit 1
24 to Unit 2. I don't remember the details, but it's intended
25 to bring experience into Unit 2 from Unit 1.

1 CHAIRMAN PALLADINO: That's a good question. We
2 probably ought to get a separate report on that.

3 COMMISSIONER ASSELSTINE: Do they still have the
4 advisers at Unit 1, or are the advisers gone now?

5 MR. EISENHUT: I think they still have the advisers.

6 COMMISSIONER ASSELSTINE: So they would have advisers
7 on 2, or do they propose by then --

8 MR. EISENHUT: I'm not sure.

9 MR. DENTON: I don't recall the details.

10 CHAIRMAN PALLADINO: Okay, any other questions or
11 comments from Board reps?

12 MR. ROSENTHAL: I would be just curious as to whether
13 the staff still plans to gets its SSER in the hands of my
14 Diablo Fuel Board this month. That is the SSER with respect
15 to the adequacy of the signed verification program for Unit 2
16 because that's the sticking point on the Appeal Board's
17 dispatch of that sole remaining Diablo Canyon issue.

18 Do we get it in January, you think?

19 MR. EISENHUT: I don't know. Tom, do you remember?
20 We just went through this but it totally escapes me what
21 the schedule was.

22 MR. ROSENTHAL: All right. Let me put it to you
23 this way, the Board is expecting it in January. If there is
24 going to be any further slippage, I would suggest the Board
25 be notified promptly.

1 CHAIRMAN PALLADINO: Okay, any other comments?

2 Unless Commissioners have particular plants they
3 want to address or a burning question on this one, I was going
4 to suggest we hear from OI.

5 COMMISSIONER ASSELSTINE: I have one quick question
6 on one plant, on Riverbend.

7 CHAIRMAN PALLADINO: Okay.

8 COMMISSIONER ASSELSTINE: I noticed in the write-up
9 you say that the applicant has orally indicated the desire
10 to load fuel with a number of structures, components, and
11 systems to be completed and verified as operable after
12 licensing. You mentioned some of them.

13 That struck me as not a terribly great idea.

14 (Laughter)

15 COMMISSIONER ASSELSTINE: I was interested in
16 hearing the staff's view on that.

17 MR. DENTON: We plan to meet with them on it, and it
18 didn't strike me as a particularly correct way to go in view
19 of the Grand Gulf experience.

20 COMMISSIONER ASSELSTINE: Right, right.

21 MR. DENTON: So, we will explore that. If it's
22 things like cooling tower completion, it might be a different
23 issue than if it's reactor system completed. It's not clear
24 yet exactly what his plans are, except he did plan -- he does
25 apparently have a phased program. That's what we want to

1 explore with him.

2 COMMISSIONER ASSELSTINE: Okay. Particularly with
3 a first-time utility like that, you know, it just struck me
4 as something that needed attention.

5 CHAIRMAN PALLADINO: And I think I would say more
6 than one Commissioner raised eyebrows on that.

7 COMMISSIONER ASSELSTINE: Yes, good.

8 CHAIRMAN PALLADINO: All right. Well, unless there
9 are other points that the Commission wants to bring up at
10 this time, I suggest that we, I guess, recess this portion
11 of the meeting and go into a closed meeting. We will hear
12 from OI, and then I guess we have to go in a further closed
13 meeting and hear from OIA.

14 So, let me call for a recess and ask people who are
15 not to stay to leave the room as promptly as possible.

16 (Whereupon, at 3:45 p.m., the meeting of the
17 Commission was adjourned, to reconvene in closed session.)

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CERTIFICATE OF OFFICIAL REPORTER

This is to certify that the attached proceedings before the UNITED STATES NUCLEAR REGULATORY COMMISSION in the matter of:

NAME OF PROCEEDING: Periodic Briefing on NTOLs
Public Meeting

DOCKET NO.:

PLACE: Washington, D.C.

DATE: January 8, 1985

were held as herein appears, and that this is the original transcript thereof for the file of the United States Nuclear Regulatory Commission.

(sig) M. E. Hansen
(TYPED) M. E. Hansen

Official Reporter

Reporter's Affiliation

January 3, 1985

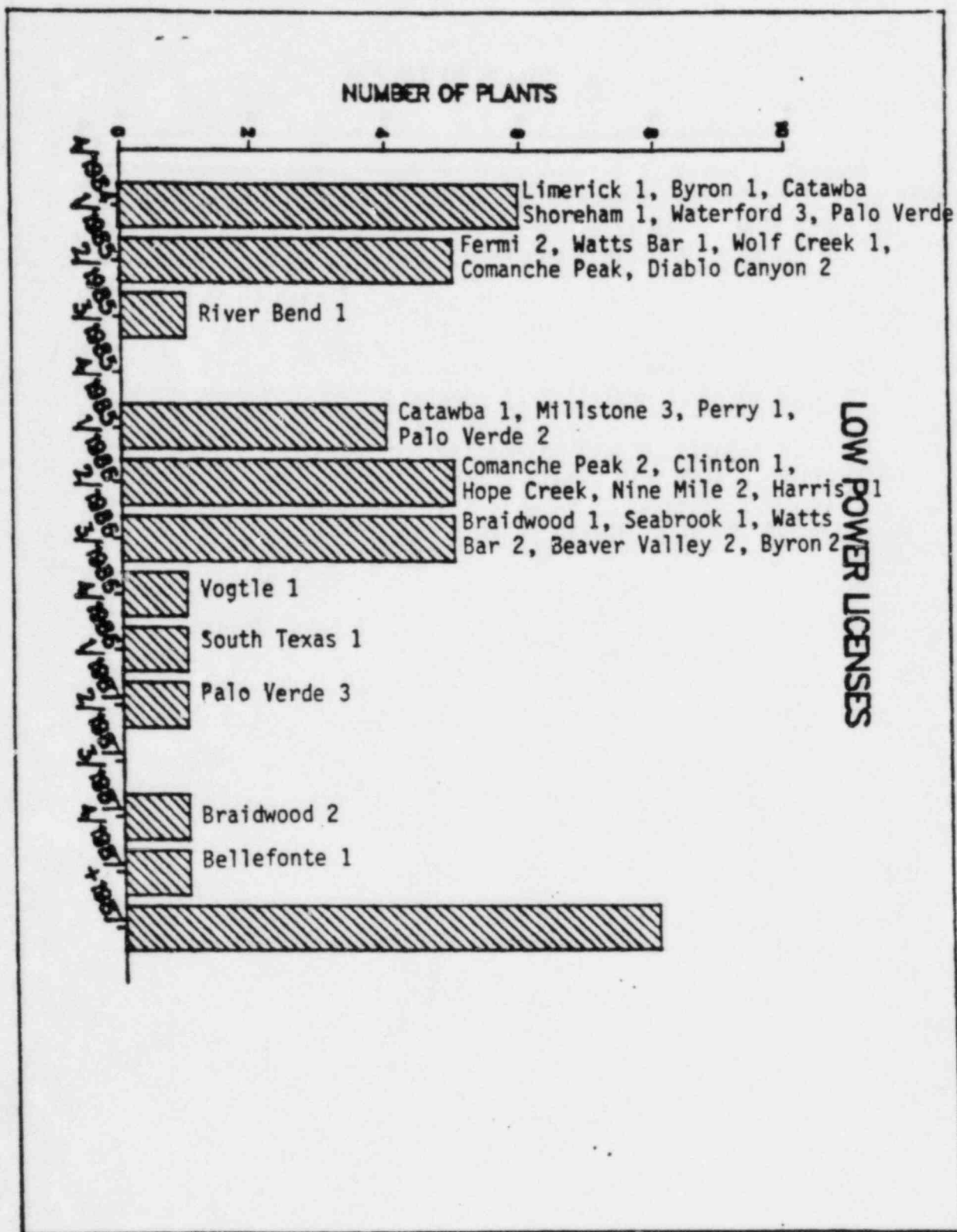
OUTLINE

PERIODIC BRIEFING ON NTOLs

JANUARY 8, 1985

- I. Potentially significant issues for upcoming OL Licensing Cases
- II. Update of September 4, 1984 Periodic Status Report
- III. Status Reports for Plants currently authorized to load fuel and perform low power testing, including plants presently scheduled for licensing in 1985
- IV. Viewgraphs (enclosed)

NRR
D. G. Eisenhut
27672



TYPE	LICENSED	TO BE LICENSED
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WEST	37	19
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GE	33	9
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B&W	8	5
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CE	13	3
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AC	1	0
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GAC	1	0
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PLANTS WITH FUEL LOAD OR LOW POWER LICENSE

CATAWBA 1	LP 12/06/84	FP 01/18/85
WATERFORD 3	LP 12/18/84	FP 03/25/85
BYRON 1	LP 10/31/84	FP 02/15/85
PALO VERDE 1	LP 12/31/84	FP 04/18/85
LIMERICK 1	LP 10/26/84	FP 05/85
SHOREHAM 1	FL 12/07/84	FP 05/85

PLANTS EXPECTED TO BE LICENSED IN CY-85

FERMI 2	01/85
WOLF CREEK 1	01/85
COMANCHE PEAK 1	01/85
DIABLO CANYON 2	02/85
WATTS BAR 1	03/85
RIVER BEND 1	04/85
GESSAR II	07/85
CATAWBA 2	10/85
MILLSTONE 3	11/85
PERRY 1	12/85
PALO VERDE 2	12/85

CATAWBA UNIT 1 SIGNIFICANT ISSUES

1. SCHEDULE - THE LICENSEE ESTIMATES THE PLANT WILL BE READY FOR INITIAL CRITICALITY ON 1/9/85. NEED FOR INSPECTION OF CONTROL ROD DRIVES RESULTED IN ONE MONTH DELAY IN INITIAL CRITICALITY. PLANT WILL BE READY TO EXCEED 5% POWER ON 1/19/85. COMMISSION MEETING ON FULL POWER SCHEDULED FOR JANUARY 15, 1985.
2. FSAR REVIEW - FSAR REVIEW COMPLETE.
3. INSPECTIONS/IDVP - NORMAL INSPECTION OF LICENSEES STARTUP OPERATION IS CONTINUING.
4. HEARINGS - THE FINAL PARTIAL INITIAL DECISION WAS ISSUED ON NOVEMBER 27, 1984, AUTHORIZING ISSUANCE OF A FULL POWER OPERATING LICENSE.
5. ALLEGATIONS - ONE ALLEGATION REMAINS OPEN. (BAD WELDS IN NON-SAFETY RELATED PIPING).
6. OI - NO OUTSTANDING INVESTIGATIONS. GENERIC INVESTIGATION IS UNDERWAY CONCERNING TDI DIESELS. THIS INVESTIGATION AFFECTS SEVERAL PLANTS WHICH HAVE TDI'S.
7. OTHER - THE LICENSEE INTERRUPTED PRECRITICAL TESTING ON DECEMBER 7, 1984 TO COOL THE REACTOR COOLANT SYSTEM AND INSPECT CONTROL ROD DRIVES TO ASSURE THAT BREECH GUIDE SCREWS WERE SECURED. A KOREAN REACTOR HAD EXPERIENCED A CRD FAILURE-TO-INSERT DURING TESTING BECAUSE OF THIS PROBLEM. A THIRTY DAY DELAY WAS ANTICIPATED.

WATERFORD UNIT 3 SIGNIFICANT ISSUES

1. SCHEDULE

LOW POWER LICENSE WAS ISSUED DECEMBER 18, 1984. INITIAL CRITICALITY IS EXPECTED FEBRUARY 18, 1985 AND READINESS TO EXCEED 5% BY MARCH 25, 1985. THIS SCHEDULE REFLECTS CONFIRMATORY TESTS TO BE CONDUCTED DURING POST CORE HOT FUNCTIONAL TESTING AS WELL AS OTHER LOW POWER PHYSICS TESTS PRIOR TO EXCEEDING 5%.

2. FSAR REVIEW

NO OPEN ISSUES, SEE ITEM 5.

3. INSPECTIONS

NORMAL INSPECTION OF LICENSEE'S STARTUP OPERATION IS CONTINUING. NO MAJOR ISSUES IDENTIFIED.

4. HEARINGS

MOTION PENDING BEFORE THE APPEAL BOARD (ASLAB) TO REOPEN HEARINGS ON THE SUBJECT OF THE ADEQUACY OF THE COMMON FOUNDATION BASEMAT. THE STAFF RESPONDED TO BOARD ORDER ON DECEMBER 17, 1984,

ANOTHER MOTION CONCERNING MANAGEMENT INTEGRITY AND QUALITY ASSURANCE TO REOPEN HEARINGS WAS FILED ON NOVEMBER 8, 1984. THE STAFF RESPONDED TO THIS MOTION ON DECEMBER 21, 1984.

ACTION ON BOTH MATTERS PENDING BEFORE APPEALS BOARD.

WATERFORD 3 (CONT'D)

5. ALLEGATIONS

A TEAM, COMPOSED OF HEADQUARTERS AND REGIONAL STAFF AND CONSULTANTS, ADDRESSED NUMEROUS ALLEGATIONS, DEALING WITH IMPROPER PRACTICES DURING CONSTRUCTION. ON OCTOBER 1, 1984, THE STAFF RELEASED SSER #7 WHICH DISCUSSES THE RESULTS TO DATE OF THE STAFF'S EVALUATION OF APPROXIMATELY 350 ALLEGATIONS AND CONCERNS OF POOR CONSTRUCTION PRACTICES AT THE WATERFORD 3 FACILITY. SSER #9, TO BE RELEASED IN JANUARY, ADDRESSES RESOLUTION OF THE 23 ISSUES IDENTIFIED BY STAFF TO BE A SAFETY CONCERN.

6. OI

SEVERAL ONGOING OI INVESTIGATIONS; PRINCIPALLY RELATING TO DRUG USE; QA; AND MANAGEMENT INTEGRITY.

BYRON UNIT 1, SIGNIFICANT ISSUES

1. SCHEDULE - OL ISSUED OCTOBER 31, 1984, INITIAL CRITICALITY EXPECTED JANUARY 20, 1985 WITH LOW POWER TESTING UP TO 5% POWER COMPLETED BY FEBRUARY 15, 1985. 3-4 WEEK DELAY IN INITIAL CRITICALITY CAUSED BY SEVERAL OPERATIONAL PROBLEMS TYPICAL OF NEW PLANTS.
2. FSAR REVIEW - SEVERAL ITEMS TO BE COMPLETED PRIOR TO EXCEEDING 5% POWER.
3. INSPECTIONS/IDVP - NORMAL INSPECTION OF LICENSEE'S STARTUP OPERATION IS CONTINUING. NO MAJOR ISSUES IDENTIFIED.
4. HEARINGS - A FAVORABLE SUPPLEMENTAL INITIAL DECISION WAS ISSUED IN OCTOBER 1984. INTERVENOR'S APPEAL OF ASLB SUPPLEMENTAL INITIAL DECISION FILED NOVEMBER 6, 1984. ORAL ARGUMENT BEFORE APPEAL BOARD HELD ON NOVEMBER 29, 1984. APPEAL BOARD DECISION ISSUED DECEMBER 20, 1984, AFFIRMED LICENSING BOARD'S FAVORABLE DECISION.
5. ALLEGATIONS - 77 ALLEGATIONS UNDER REVIEW IN THE GENERAL AREAS OF HVAC TESTING, SEALING PRACTICES FOR TRANSCO FIRE SEALS, AND PLANT DESIGN AND CONSTRUCTION.
6. OI - NO OUTSTANDING INVESTIGATIONS.

PALO VERDE UNIT-1 SIGNIFICANT ISSUES

1. SCHEDULE

AN OPERATING LICENSE, RESTRICTED TO 5% POWER, WAS ISSUED ON DECEMBER 31, 1984. INITIAL CRITICALITY SCHEDULED FOR APRIL 4, 1985. PLANT READY FOR FULL POWER LICENSE APRIL 18, 1985.

2. FSAR REVIEW

NO OPEN ISSUES.

3. INSPECTIONS/IDVP

NORMAL INSPECTION OF LICENSEE'S STARTUP OPERATION IS CONTINUING. NO MAJOR ISSUES IDENTIFIED.

4. HEARING

LICENSING BOARD AND APPEAL BOARD DECISIONS HAVE BEEN ISSUED.

5. ALLEGATIONS

THERE ARE 18 ALLEGATIONS UNDER REVIEW.

6. OI/OIA

THERE ARE 6 INVESTIGATIONS ONGOING, THERE IS 1 ONGOING OIA INVESTIGATION.

7. OTHER

THE COALITION FOR RESPONSIBLE ENERGY EDUCATION HAS WRITTEN TO THE DIRECTOR OF NRR CONCERNING CERTAIN INCENTIVE PLANS IMPLEMENTED BY THE APPLICANT UTILITY AND OTHERS IMPOSED BY THE STATE UTILITIES COMMISSION. THIS LETTER IS BEING REVIEWED AS A 2,206 PETITION. THE INITIAL REVIEW HAS NOT INDICATED A SAFETY IMPACT ON LOW POWER OPERATION OF THE PLANT.

LIMERICK UNIT 1 SIGNIFICANT ISSUES

1. SCHEDULE

A LICENSE, RESTRICTED TO 5%, WAS ISSUED OCTOBER 26, 1984. INITIAL CRITICALITY ACHIEVED ON DECEMBER 22, 1984. PLANT EXPECTED TO BE READY TO EXCEED 5% POWER BY JANUARY 20, 1985. HOWEVER, OFFSITE EMERGENCY PLANNING HEARINGS, WHICH STARTED NOVEMBER 19, 1984, WILL LIKELY DELAY A FULL POWER DECISION UNTIL APPROXIMATELY MAY 1985.

2. FSAR REVIEW

NO OPEN ISSUES.

3. INSPECTIONS/IDVP

NORMAL INSPECTION OF LICENSEE'S STARTUP OPERATION IS CONTINUING. NO MAJOR ISSUES IDENTIFIED.

IDVP WAS SUBMITTED DECEMBER 12, 1984. STAFF REVIEW WILL BE COMPLETED BY JANUARY 31, 1985.

4. HEARINGS

HEARINGS ON ALL ISSUES OTHER THAN OFFSITE EMERGENCY PLANNING HAVE BEEN COMPLETED AND THE PID'S ISSUED.

HEARINGS ON THE OFFSITE EMERGENCY PLANNING ISSUES WILL LIKELY EXTEND THROUGH JANUARY 1985. A BOARD DECISION ON THESE ISSUES IS ESTIMATED BY MAY 1985. THUS AN IMPACT OF UP TO FOUR MONTHS ON FULL POWER LICENSING IS PROJECTED.

LIMERICK (CONT'D)

5. ALLEGATIONS

THERE ARE CURRENTLY 5 ALLEGATIONS UNDER REVIEW.

6. 01

THERE IS ONE ONGOING INVESTIGATION.

7. OTHER - POINT PLEASANT DIVERSION PROJECT

LICENSEE INTENDS TO USE WATER DIVERTED FROM THE DELAWARE RIVER AT POINT PLEASANT FOR MAKEUP FOR CONDENSER COOLING EVAPORATIVE LOSS DURING SUMMER MONTHS (APRIL - OCTOBER) WHEN THE SCHUYLKILL RIVER IS NOT AVAILABLE DUE TO FLOW AND TEMPERATURE RESTRICTIONS.

A DELAY IN COMPLETION OF THIS POINT PLEASANT DIVERSION SYSTEM (PPDS) WILL LIKELY IMPACT THE LICENSEE'S ABILITY TO OPERATE AT ANY SIGNIFICANT POWER LEVELS DURING THE WARM WEATHER MONTHS OF 1985 AND POSSIBLY 1986.

THE PPDS WOULD TRANSFER WATER FROM THE DELAWARE RIVER WHENEVER HIGH SCHUYLKILL RIVER TEMPERATURE OR LOW RIVER FLOW RESTRICTIONS IMPOSED BY THE DELAWARE RIVER BASIN COMMISSION PRECLUDE ITS USE FOR CONSUMPTIVE COOLING. CURRENT LITIGATION AT THE LOCAL LEVEL IS EXPECTED TO DELAY COMPLETION OF THE PPDS UNTIL AT LEAST LATE 1985 AND MAY RESULT IN A POSSIBLE SUBSTITUTE SOURCE OF SUPPLEMENTAL COOLING WATER BEING CONSIDERED.

SHOREHAM SIGNIFICANT ISSUES

1. SCHEDULE -

AN OPERATING LICENSE (PERMITTING FUEL LOADING AND OPERATION TO 24 KWT) WAS ISSUED ON DECEMBER 7, 1984. FUEL LOADING STARTED DECEMBER 21, 1984 AND INITIAL CRITICALITY IS EXPECTED THE WEEK OF JANUARY 21, 1985.

2. FSAR REVIEW

THE REMAINING FSAR REVIEW ISSUE CONCERNS A CHANGE IN THE LOADING OF THE ONSITE TDI EMERGENCY DIESEL GENERATORS (EDG). THIS ITEM MUST BE ADDRESSED BEFORE OPERATION ABOVE FIVE PERCENT POWER.

3. INSPECTION/IDVP

NORMAL INSPECTION OF LICENSEE'S FUEL LOAD OPERATIONS IS CONTINUING. IDVP REVIEWED BY THE STAFF AND FOUND TO BE ACCEPTABLE.

4. HEARINGS

A. MILLER BOARD (LOW POWER/EXEMPTION HEARINGS)

FOLLOWING COMPLETION OF LOW POWER/EXEMPTION HEARINGS THE MILLER BOARD ISSUED A PARTIAL INITIAL DECISION ON OCTOBER 29, 1984 WHICH WOULD AUTHORIZE OPERATION AT UP TO FIVE PERCENT POWER. THIS INITIAL DECISION IS BEFORE THE COMMISSION FOR ACTION.

SHOREHAM SIGNIFICANT ISSUES (CONT'D)

B. LAURENSEN BOARD (EMERGENCY PLANNING HEARINGS)

A BOARD DECISION ON THE COMPLETED EMERGENCY PLANNING HEARINGS IS EXPECTED IN MARCH 1985.

C. BRENNER BOARD (ALL OTHER HEARINGS)

A PARTIAL INITIAL DECISION WAS ISSUED ON SEPTEMBER 21, 1983 ON ALL CONTENTIONS EXCEPT THOSE RELATING TO OFFSITE EMERGENCY PLANNING AND THE TDI DIESELS.

ON OCTOBER 31, 1984 THE APPEAL BOARD REMANDED THREE MINOR PID ISSUES TO THIS BOARD INVOLVING: 1) UNRESOLVED SAFETY ISSUE A-47 (SAFETY IMPLICATIONS OF CONTROL SYSTEMS), 2) HOUSEKEEPING (PLANT CLEANLINESS) AND 3) ENVIRONMENTAL QUALIFICATION OF ELECTRICAL EQUIPMENT.

BY BOARD DECISIONS DATED NOVEMBER 30 AND DECEMBER 20, 1984 THE BRENNER BOARD ISSUED, RESPECTIVELY, A MEMORANDUM AND ORDER RULING ON THESE REMANDED ISSUES AND AN ORDER TERMINATING FURTHER PROCEEDINGS ON THESE REMANDED ISSUES.

EDG HEARINGS WERE HELD BETWEEN SEPTEMBER 1984 AND NOVEMBER 1984, BUT HAVE RECESSED WHILE THE STAFF EVALUATES A PROPOSED LICENSE APPLICATION AMENDMENT TO THE EDG LOADING SEQUENCE. EDG HEARINGS ARE SCHEDULED TO RESUME IN MID-FEBRUARY 1985 ON THE CHANGE. A BOARD DECISION ON THIS ISSUE IS NOT EXPECTED BEFORE MAY 1985.

SHOREHAM SIGNIFICANT ISSUES (CONT'D)

5. ALLEGATIONS

THERE IS ONE OUTSTANDING ALLEGATION.

6. OI

THERE ARE NO OI INVESTIGATIONS.

7. OTHER

THE APPLICANT IS PROCEEDING WITH THE DESIGN AND CONSTRUCTION OF A NEW DIESEL GENERATOR BUILDING AND INSTALLATION OF COLT DIESELS. CONSTRUCTION COMPLETION IS ESTIMATED FOR SUMMER 1985.

FERMI UNIT 2-SIGNIFICANT ISSUES

1. SCHEDULE - APPLICANT'S ESTIMATE OF THE FUEL LOAD DATE IS THE LAST TWO WEEKS OF JANUARY 1985.
2. FSAR REVIEW - CERTAIN UNQUALIFIED COATINGS USED INSIDE CONTAINMENT AND THE HVAC INSIDE THE CONTROL ROOM REQUIRE ADDITIONAL REVIEW.
3. INSPECTIONS/IDVP - REGIONAL INSPECTION PROGRAM IS PROGRESSING CONSISTENT WITH THE COMPLETION OF PLANT ACTIVITIES TO SUPPORT THE APPLICANT'S FUEL LOAD DATE. REGION III HAS IDENTIFIED DEFICIENCIES IN THE UTILITY'S MANAGEMENT OF THE "AS BUILT" DRAWINGS WHICH MAY IMPACT THE PLANT'S READINESS FOR LICENSING.

CYGNA IDVP HAS BEEN COMPLETED AND IS PRESENTLY UNDER REVIEW BY THE STAFF. A CAT-TYPE INSPECTION BY DUKE HAS BEEN COMPLETED AND REVIEWED BY REGION III. NO MAJOR PROBLEM AREAS IN EITHER OF THESE TWO EFFORTS HAVE BEEN IDENTIFIED.

4. HEARINGS - THE HEARINGS WERE COMPLETED IN APRIL 1982. THE FAVORABLE INITIAL BOARD DECISION WAS ISSUED IN OCTOBER 1982 AND THE APPEAL BOARD AFFIRMED THIS DECISION ON JUNE 2, 1983. THE COMMISSION DECLINED TO REVIEW THIS DECISION WHICH BECAME FINAL AGENCY ACTION ON OCTOBER 17, 1983.
5. ALLEGATIONS - THERE ARE 23 ALLEGATIONS UNDER REVIEW.
6. OI - THERE ARE 2 ONGOING INVESTIGATIONS.

WOLF CREEK SIGNIFICANT ISSUES

1. SCHEDULE - THE APPLICANT'S SCHEDULE FOR FUEL LOAD IS JANUARY 17, 1985. STAFF ESTIMATES FUEL LOAD LATE JANUARY 1985,
2. FSAR REVIEW - SEVERAL MINOR ITEMS REMAIN TO BE COMPLETED PRIOR TO LICENSING,
3. NRC INSPECTIONS - A REGION IV TASK FORCE, WITH REGION III ASSISTANCE, HAS BEEN ESTABLISHED TO COMPLETE ALL INSPECTIONS BY FUEL LOAD. ADDITIONAL RESOURCES FROM REGIONS II AND III ARE BEING PROVIDED TO REGION IV.

APPLICANT HAS COMPLETED THEIR REINSPECTION OF 2420 STRUCTURALLY SIGNIFICANT WELDED JOINTS. APPROXIMATELY 55 OF THESE WELDS REQUIRED REWORK AFTER EVALUATION. STAFF REVIEW OF THE APPLICANTS FINAL REPORT ON THE STRUCTURAL STEEL WELDING WILL BE COMPLETED IN JANUARY 1985.

4. HEARINGS - FAVORABLE INITIAL DECISION WAS ISSUED ON 7/2/84. ON SEPTEMBER 13, 1984 THE APPEAL BOARD AFFIRMED THE DISMISSAL OF INTERVENORS REQUEST TO REINSTATE ITS FINANCIAL QUALIFICATION CONTENTIONS.
5. ALLEGATIONS - THERE ARE 74 OUTSTANDING ALLEGATIONS, STAFF SCHEDULED TO COMPLETE REVIEW OF ALLEGATIONS BY 01/15/85. APPLICANT HAS ESTABLISHED A SPECIAL TASK FORCE TO IDENTIFY AND INVESTIGATE ALLEGATIONS FROM WITHIN ITS WORK FORCE.
6. OI - THERE ARE 5 ALLEGATIONS UNDER REVIEW.

COMANCHE PEAK SIGNIFICANT ISSUES

1. SCHEDULE - THE APPLICANT ADVISED THAT ITS FUEL LOAD DATE IS SCHEDULED FOR LATE JANUARY 1985. THE ASLBP HAS ESTIMATED A MAY 1985 INITIAL DECISION DATE.
2. FSAR REVIEW - THE STAFF ISSUED SSER #6 RESOLVING OUTSTANDING SAFETY ISSUES ON NOVEMBER 13, 1984. AT LEAST TWO MORE SSERs, WILL BE ISSUED PRIOR TO LICENSING.

THE NRC STAFF ASSIGNED OVER 50 TECHNICAL EXPERTS FROM THE NRC, NATIONAL LABORATORIES AND CONSULTING ORGANIZATIONS TO THE TRT TO INVESTIGATE ALLEGATIONS AND REVIEW SPECIFICS OF THE DESIGN AND CONSTRUCTION OF THE FACILITY. THIS TECHNICAL REVIEW TEAM (TRT) HAS COMPLETED INITIAL ON-SITE REVIEWS IN THE AREAS OF CIVIL/MECHANICAL, ELECTRICAL, TEST PROGRAMS, COATINGS AND QA/QC.

ALL TECHNICAL ISSUES ARE BEING FINALIZED AND SAFETY EVALUATIONS ARE BEING PREPARED. THE FINAL ISSUE OF QA/QC WILL BE DISCUSSED WITH THE APPLICANT IN EARLY JANUARY.

TWO SPECIAL PANELS CONSISTING OF SENIOR STAFF MANAGEMENT HAVE BEEN FORMED TO ASSIST IN THE RESOLUTION OF SAFETY ISSUES REGARDING INTIMIDATION AND HARASSMENT, AND THE REVIEW OF STAFF POSITIONS ON THE QA/QC CONTENTION.

COMANCHE PEAK (CONT'D)

3. INSPECTION PROGRAM AND IDVP - MOST OF THE ROUTINE PRE-OPERATIONAL INSPECTION PROGRAM IS COMPLETE. THE REMAINING AREAS TO BE COMPLETED ARE TEST RESULTS EVALUATION, PROCEDURE REVIEW, AND OPEN ITEMS IDENTIFIED IN EARLIER INSPECTIONS. THE INITIAL START UP PROGRAM IS IN PLACE AND THE PRELIMINARY (PRE-OL ISSUANCE) INSPECTIONS ARE ALMOST COMPLETE. ALL REGIONAL INSPECTION AREAS REQUIRED FOR FUEL LOAD WERE SCHEDULED FOR COMPLETION IN DECEMBER 1984.

STAFF EVALUATION OF THE INDEPENDENT ASSESSMENT PROGRAMS ON ADEQUACY OF DESIGN AND CONSTRUCTION BY CYGNA, HAS BEEN COMPLETED. THE STAFF PLANS TO ISSUE A FINAL REPORT IN LATE JANUARY.

4. HEARINGS - ON OCTOBER 19, 1984, THE STAFF PROVIDED THE BOARD A STATUS AND SCHEDULE FOR ADDRESSING HEARING ISSUES. THE STAFF RECOMMENDED THAT THE MOST PRODUCTIVE METHOD OF RESOLVING HEARING ISSUES IS TO PERMIT THE STAFF TO CONCLUDE ALL OF ITS REVIEWS AND PROVIDE AN OVERALL POSITION TO THE BOARD, IN JANUARY 1985. MANY ALLEGATIONS OF DESIGN AND CONSTRUCTION DEFICIENCIES HAVE BEEN ADMITTED INTO THE HEARING AS RELEVANT TO THE ONE REMAINING CONTENTION (QA/QC-RELATED).

A SEPARATE LICENSING BOARD HAS BEEN ESTABLISHED TO RESOLVE ALLEGATIONS (QA/QC-RELATED) OF INTIMIDATION AND HARASSMENT. DURING JULY AND AUGUST 1984, ALL PARTIES PARTICIPATED IN NUMEROUS DEPOSITIONS RELATED TO INTIMIDATION AND HARASSMENT. THESE DISPOSITIONS WERE TAKEN FROM VARIOUS ALLEGERS, NRC STAFF AND APPLICANT PERSONNEL. HEARINGS ON THESE ISSUES WERE HELD FROM SEPTEMBER THROUGH DECEMBER 1984. ADDITIONAL HEARING SESSIONS ARE REQUIRED TO COMPLETE LITIGATION.

COMANCHE PEAK (CONT'D)

APPLICANT HAS FILED A MOTION SEEKING AUTHORIZATION TO LOAD FUEL AND CONDUCT CERTAIN PRECRITICAL TESTING. THE STAFF HAS RESPONDED TO THIS MOTION WITH A RECOMMENDATION THAT THIS MOTION NOT BE CONSIDERED, BUT RATHER THAT THE BOARD AND PARTIES SHOULD EXPEND EFFORT ON RESOLVING THOSE ISSUES NECESSARY FOR THE ISSUANCE OF A FULL POWER LICENSE. THE ASLPB HAS ESTIMATED A MAY 1985 INITIAL DECISION DATE.

5. ALLEGATIONS - THERE ARE CURRENTLY APPROXIMATELY 600 ALLEGATIONS. THE MAJORITY OF THESE ALLEGATIONS INVOLVE DESIGN AND CONSTRUCTION DEFICIENCIES. SEVERAL FORMER UTILITY EMPLOYEES HAVE CONTACTED THE DEPT. OF LABOR CONCERNING ALLEGED INTIMIDATION/HARASSMENT.
6. OI - TEN ACTIVE OI INVESTIGATIONS RELATE TO DESIGN AND CONSTRUCTION QA/QC, INCLUDING ALLEGED INSPECTOR HARASSMENT, AND FALSIFICATION OF RECORDS.

DIABLO CANYON UNIT 2 SIGNIFICANT ISSUES

1. SCHEDULE

THE LICENSEE'S SCHEDULE FOR FUEL LOAD IS MID FEBRUARY.

2. FSAR REVIEW

ISSUES BEING EVALUATED INCLUDE APPLICATION OF IDVP/ITP TO UNIT 2, PIPING AND SUPPORTS, LICENSING OF UNIT 1 OPERATORS FOR UNIT 2 OPERATIONS, AND VARIOUS TECHNICAL MATTERS.

3. INSPECTIONS

THE REGION V INSPECTION EFFORT IS CONSISTENT WITH THE PLANT STATUS.

4. HEARINGS

THE QUESTION OF NEED FOR FURTHER HEARINGS ON DESIGN QA WITH RESPECT TO UNIT 2 IS PENDING BEFORE THE APPEAL BOARD. (A SAFETY EVALUATION ON THE IDVP/ITP REGARDING THIS MATTER IS IN PREPARATION). THE BOARD IS CONSIDERING THE POSITIONS OF THE PARTIES ON THIS MATTER. (ON DECEMBER 31, 1984 THE US COURT OF APPEALS UPHELD THE COMMISSION'S DECISION REGARDING ISSUANCE OF A FULL POWER LICENSE FOR UNIT 1).

5. ALLEGATIONS

AS OF DECEMBER 1 APPROXIMATELY 2000 ALLEGATIONS, INCLUDING THOSE IN AN AMENDMENT TO AN EARLIER GAP 2.206 PETITION, MOST WERE SPECIFICALLY ADDRESSING UNIT 1, HOWEVER, ALL ARE BEING REVIEWED FOR APPLICABILITY TO UNIT 2.

DIABLO CANYON (CONT'D)

6. OI

OI IS CONTINUING ITS EVALUATION OF MORE THAN 100 ALLEGATIONS PERTAINING TO FALSE STATEMENTS, FALSIFICATION OF DOCUMENTS, DISCRIMINATORY ACTIONS, AND PRODUCTION REQUIREMENTS.

WATTS BAR UNIT 1 SIGNIFICANT ISSUES

1. SCHEDULE - APPLICANT'S SCHEDULE FOR FUEL LOAD IS MARCH 1985.
2. FSAR REVIEW - SIGNIFICANT ITEMS YET TO BE RESOLVED INCLUDE:
(1) SEISMIC AND ENVIRONMENTAL QUALIFICATION OF EQUIPMENT,
(2) FIRE PROTECTION PROGRAM, (3) MAIN STEAM LINE BREAK ANALYSIS,
AND (4) ORGANIZATION OF CORPORATE AND PLANT STAFF.
3. INSPECTIONS/IDVP - REGIONAL INSPECTION PROGRAM IS PROGRESSING
CONSISTENT WITH THE COMPLETION OF PLANT ACTIVITIES TO SUPPORT
THE APPLICANT'S FUEL LOAD DATE. RESULTS OF THE IDVP ARE UNDER
REVIEW BY THE STAFF AND ARE EXPECTED TO BE AVAILABLE TO SUPPORT
LICENSING.
4. HEARINGS - THE WATTS BAR REVIEW IS UNCONTESTED.
5. ALLEGATIONS - THERE ARE CURRENTLY 6 OPEN ALLEGATIONS. THESE
INVOLVE PIPE HANGERS AND CONDUIT SUPPORTS, USE OF PROCEDURES,
AND SUBMITTAL OF INFORMATION TO THE NRC.
6. OI - THERE ARE 2 ONGOING INVESTIGATIONS.
7. OTHER - THE APPLICANT'S SCHEDULE REFLECTS ONGOING EFFORTS TO
RESOLVE FIRE PROTECTION CONCERNS RAISED AS A RESULT OF THE
FIRE PROTECTION INSPECTION CONDUCTED JULY 16-20, 1984. BY
LETTER DATED OCTOBER 15, 1984, TVA APPEALED THE STAFF'S
POSITION REGARDING THE FIRE PROTECTION SPRINKLER SYSTEM AND
INTERVENING COMBUSTIBLES. AN APPEAL MEETING WAS HELD ON
NOVEMBER 14, 1984. ADDITIONAL INFORMATION FROM THE APPLICANT
IS EXPECTED JANUARY 4, 1985.

RIVER BEND UNIT 1 SIGNIFICANT ISSUES

1. SCHEDULE

APPLICANT ESTIMATE OF FUEL LOAD DATE IS APRIL 1985; THIS APPEARS TO BE OPTIMISTIC TO THE STAFF.

APPLICANT HAS ORALLY INDICATED A DESIRE TO LOAD FUEL WITH A NUMBER OF STRUCTURES, COMPONENTS, AND SYSTEMS TO BE COMPLETED AND VERIFIED AS OPERABLE AFTER LICENSING. A FORMAL REQUEST INDICATING THE SCOPE AND JUSTIFICATIONS FOR SUCH INCOMPLETIONS IS EXPECTED IN JANUARY 1985 FOR STAFF CONSIDERATION. ITEMS EXPECTED TO BE INCLUDED IN THE DELAYED COMPLETION REQUEST ARE SEVERAL SPENT FUEL STORAGE RACKS, ONE OF THE FOUR CIRCULATING WATER SYSTEM COOLING TOWERS, AND THE ELEVATOR INSIDE CONTAINMENT.

2. FSAR REVIEW

THE SER WAS ISSUED MAY 1984 AND THE ACRS ISSUED A FAVORABLE INTERIM (5% POWER) REPORT IN JULY 1984. FULL POWER ACRS REVIEW IS BEING TARGETED FOR LATE SPRING (APRIL-JUNE) 1985 WHEN THE COMMITTEE WILL FURTHER CONSIDER HYDROGEN CONTROL FOR RIVER BEND. REMAINING OPEN ITEMS NEEDING RESOLUTION FOR A 5% LICENSE WILL BE ADDRESSED IN AN SSER TO BE PUBLISHED IN MARCH 1985.

3. INSPECTIONS/IDVP/IDI

AN INTEGRATED DESIGN INSPECTION WAS CONDUCTED IN MAY 1984 AND A FOLLOWUP INSPECTION CONDUCTED IN NOVEMBER 1984.

RIVER BEND SIGNIFICANT ISSUES (CONT'D)

A CAT INSPECTION WAS CONDUCTED IN AUGUST 1984. APPLICANT IS RESPONDING TO FINDINGS OF INSPECTION.

REGION IV INSPECTION EFFORT IS CONSISTENT WITH PLANT STATUS.

4. HEARINGS

ALL HEARING CONTENTIONS HAVE BEEN SETTLED BY NEGOTIATIONS AMONG THE PARTIES AND THE SETTLEMENTS WERE ACCEPTED BY THE BOARD ON OCTOBER 9, 1984.

5. ALLEGATIONS

THERE ARE 13 OUTSTANDING ALLEGATIONS.

6. OI

TWO INVESTIGATIONS ARE UNDERWAY.

7. OTHER - EMERGENCY DIESEL GENERATORS

RIVER BEND HAS TWO TRANSAMERICA DELAVAL EMERGENCY DIESEL GENERATORS, MODEL R-48. THESE ARE THE SAME AS THE DIESEL GENERATORS AT SHOREHAM.

CATAWBA UNIT 2 SIGNIFICANT ISSUES

1. SCHEDULE - THE LICENSEE ESTIMATES THAT CONSTRUCTION WILL BE COMPLETED IN OCTOBER 1985.
2. FSAR REVIEW - THE FSAR REVIEW IS ESSENTIALLY COMPLETE EXCEPT FOR A FEW MINOR ISSUES.
3. INSPECTIONS/IDVP - THE REGIONAL CONSTRUCTIONAL INSPECTION IS ON SCHEDULE AND THE REGION DOES NOT ANTICIPATE ANY PROBLEMS WITH MEETING INSPECTION REQUIREMENTS FOR COMPLETION OF INSPECTION OF CONSTRUCTION ACTIVITIES AND PRE-OPERATIONAL TESTING.
4. HEARINGS - THE FINAL PARTIAL INITIAL DECISION WAS ISSUED ON NOVEMBER 27, 1984, AUTHORIZING ISSUANCE OF A FULL POWER OPERATING LICENSE.
5. ALLEGATIONS - ONE ALLEGATION REMAINS OPEN. (BAD WELDS IN NON-SAFETY RELATED PIPING).
6. OI - NO OUTSTANDING INVESTIGATIONS.

MILLSTONE 3 SIGNIFICANT ISSUES

1. SCHEDULE - FUEL LOAD SCHEDULED FOR NOVEMBER 1, 1985
2. FSAR REVIEW - SIGNIFICANT OPEN ITEMS REMAINING TO BE RESOLVED IN SAFETY REVIEW ARE FIRE PROTECTION AND LEAK BEFORE BREAK.
3. INSPECTIONS/IDVP - ROUTINE NRC INSPECTIONS ARE ONGOING. CAT INSPECTION TO BE CONDUCTED IN FEBRUARY 1985. STAFF AND APPLICANT SCHEDULED TO MEET ON JANUARY 11, 1985 TO DISCUSS NEED FOR IDVP/IDI.
4. HEARINGS - NO HEARINGS SCHEDULED ON MILLSTONE 3.
5. ALLEGATIONS - FOUR ALLEGATIONS CURRENTLY UNDER REVIEW.
6. OI - ONE OUTSTANDING INVESTIGATION.
7. OTHER - PROBABILISTIC SAFETY STUDY TO RECEIVE ADDITIONAL STAFF AND ACRS REVIEW.

PERRY 1 SIGNIFICANT ISSUES

1. SCHEDULE - CURRENT ESTIMATED FUEL LOAD DATE IS DECEMBER 1985.
2. FSAR REVIEW - SIGNIFICANT OPEN ITEMS INCLUDE HYDROGEN CONTROL, TDI DIESEL GENERATOR RELIABILITY, AND PLANT SPECIFIC CONCERNS RELATED MARK III CONTAINMENT DESIGN.
3. HEARINGS - ASLB HEARING INITIATED MAY 1983 TO LITIGATE QA CONSTRUCTION (ELECTRICAL CONTRACTOR) ISSUES. FAVORABLE BOARD DECISION ON THE QUALITY ASSURANCE ISSUE WAS RECEIVED DECEMBER 1983 AND IS ON APPEAL. FIVE ISSUES REMAIN INCLUDING EMERGENCY EVACUATION PLANS; HYDROGEN CONTROL FOR DEGRADED CORE ACCIDENTS; INSTALLATION OF IN-CORE T/C'S TO DETECT INADEQUATE CORE COOLING; STEAM EROSION EFFECTS ON PIPING AND VALVES; RELIABILITY OF TDI DIESEL GENERATORS. THE STAFF WILL SEEK SUMMARY DISPOSITION FOR THESE ISSUES.
4. INSPECTIONS/IDI - CAT INSPECTION REPORT ISSUED NOVEMBER 17, 1983. IDI REPORT ISSUED DECEMBER 7, 1984. NO MAJOR PROBLEMS WERE IDENTIFIED FROM EITHER INSPECTIONS BUT SEVERAL FOLLOWUP ITEMS REQUIRED BY APPLICANT.
5. ALLEGATIONS - 16 ALLEGATIONS UNDER REVIEW.
6. OI - ONE INVESTIGATION UNDERWAY.

PALO VERDE UNIT 2 SIGNIFICANT ISSUES

1. SCHEDULE

THE PLANT IS SCHEDULED FOR COMPLETION OF CONSTRUCTION DECEMBER 1985.

2. FSAR REVIEW

A NUMBER OF ISSUES WILL BE REVIEWED BASED UPON UNIT 1 EXPERIENCE AND CONFIRMATORY TESTS.

3. INSPECTIONS/IDVP

NORMAL INSPECTION OF APPLICANTS CONSTRUCTION, TRAINING AND TURNOVER IS CONTINUING. NO MAJOR ISSUES IDENTIFIED.

4. HEARING

LICENSING BOARD RESERVED CONTENTIONS ON CHEMICAL DEPOSITION ON AGRICULTURE LAND WITH RESPECT TO UNITS 2 AND 3.

5. ALLEGATIONS

THERE ARE 18 ALLEGATIONS UNDER REVIEW INCLUDING THOSE UNDER OI & OIA INVESTIGATION.

6. OI

THERE ARE 6 INVESTIGATIONS ONGOING, THERE IS 1 ONGOING OIA INVESTIGATION.