

MAY 28 1985

The Honorable John W. Warner
United States Senator
1100 East Main Street
Richmond, Virginia 23219

Dear Senator Warner:

I have been asked to respond to your April 15, 1985 letter, requesting information related to concerns that have been raised by one of your constituents, Ms. Phyllis Tyson, regarding a "60 Minutes" special on nuclear power plant construction. These concerns were contained in Ms. Tyson's March 25, 1985 letter to you and relate to practices alleged to have occurred during construction of the Shoreham Nuclear Power Plant, which is located in New York.

The information contained in the "60 Minutes" program was reviewed by our Region I field office which maintains inspection oversight for the facility mentioned in Ms. Tyson's letter. A synopsis of this review is enclosed for your use in responding to your constituent's concerns.

On-site inspections have been conducted on a routine and recurring basis by our technical staff since construction was started. When our inspection program finds problems in the quality of either plant construction or the control processes being used, or when they are brought to our attention by others, we have not hesitated to require that the problem be fixed by the licensee. The record of NRC actions at Shoreham over the years shows numerous instances where problems have been identified and corrective actions have been required by the NRC. This is not uncommon in the construction of complex facilities such as nuclear power plants. Although the tone of the program was a serious one, the program did not identify any technical issues which were not previously evaluated or which were not under evaluation at the time the program was aired.

I am confident that the enclosed information will answer your constituent's concerns; however, if we can be of further assistance, please advise us.

Sincerely,

(Signed) Jack W. Roe

William J. Dircks
Executive Director for Operations

Enclosure:
Recent Media Coverage of Shoreham
Facility Overview

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TRANSMITTED VIA 5520 (5/15/85) Encl. 1, p. 1 revised by DEDO 5/21/85

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Kister/dmg
5/8/85

RI:DRP
Starostecki
5/15/85

RI:DRA
Allan
5/15/85

RI:RA
Murley
5/15/85

EDO
Dircks
5/21/85

OCN
SWR
5/28/85

ENCLOSURE 1

Recent Media Coverage of Shoreham Facility - Overview

The following is a summary of actions taken or planned by the NRC staff to address alleged construction problems at the Shoreham Nuclear Power Station. The specific problems of interest were broadcast on CBS Network's 60 Minutes program on March 24, 1985.

The main thrust of the 60 Minutes program was that alleged negligence and criminal activity were practiced by certain unions involved in the construction of Shoreham, and that this resulted in cost overruns and quality and safety deficiencies in the plant. Areas of safety concern included quality control inspections, technician qualifications, material accountability, quality of concrete used in the reactor containment building, and plant security. Further, it was stated that only the Long Island Lighting Company (LILCo) and the Nuclear Regulatory Commission (NRC) have the right to make inspections at Shoreham. Wayne Prospect, a Suffolk County Legislator, and New York State Governor Mario Cuomo stated during the program that they had not been able to arrange for an independent engineering evaluation or obtain LILCo records in order to assess the quality of Shoreham's construction and its ultimate safety.

NRC inspections related to the Shoreham facility have been conducted at the site, in the engineering offices and at various vendor workshops where major components were manufactured for the plant. Over the years, numerous problems have been identified by both NRC inspectors and the mandated utility audit program. Consequently, various deficiencies have been identified in the design process, manufacturing, construction and management control programs employed by the licensee and its contractors. When such deficiencies or problems are identified by the NRC, the licensee, or when they are brought to our attention by others, the NRC staff has not hesitated to require that such problems be fixed and appropriate remedial measures are taken. The record of such activities at Shoreham over the years shows numerous instances where problems relative to the Shoreham plant were identified and the required corrective actions were taken. This is not uncommon in the construction of complex facilities such as nuclear power plants.

NRC staff analysis of the information presented in the 60 Minutes program is that no issues were identified that were not previously evaluated or under evaluation by the NRC Staff at the time the program was aired. Furthermore, the inspections and evaluations completed to date have not revealed any quality or safety-related deficiencies in the Shoreham facility as a result of alleged negligence or criminal activities. The NRC staff has encouraged the identification of potential problems at nuclear facilities and has aggressively pursued

such concerns when they have been raised. The following paragraphs briefly summarize the NRC staff's efforts with regard to all known allegations regarding Shoreham and in particular the concerns expressed in the 60 Minutes program. Also, the NRC routine inspection program conducted at the Shoreham facility, which forms a large part of the basis for the NRC staff's conclusion that the facility is built in substantial accordance with commitments and NRC regulations, is described briefly.

To date, over 125 allegations regarding Shoreham have been received and evaluated by the NRC. The results of these evaluations are documented in published inspection reports that are routinely made publicly available through a local public document room in the vicinity of the site. Of special interest with respect to the 60 Minutes program are recent contacts with two former Shoreham workers (one of whom, George Henry, was interviewed in the program), and an extensive investigation conducted at Shoreham during the period December 1979 through March 1980.

In response to two separate Long Island newspaper articles published in January 1985, the NRC, on its own initiative, contacted two individuals who were previously employed at Shoreham. The first, Mr. George Henry was a former Quality Control (QC) inspector for two years at Shoreham. After attempts to interview Mr. Henry were unsuccessful, an inspection was conducted at the end of January 1985 to address most of Mr. Henry's concerns (at that time, the only information available was that detailed in a January 17, 1985 newspaper article). The preliminary findings of that inspection are documented in a published inspection report. While Mr. Henry described problems or events that did occur, it was found they had been identified by LILCo in the normal conduct of their quality assurance program. Region I found that the issues were properly evaluated by LILCo and received acceptable technical disposition. None of the technical issues described were found to represent a serious operational or design problem. Subsequently, Mr. Henry was interviewed in February, and he provided additional information and raised a few new concerns. Region I management has reviewed the transcripts from these interviews, as well as the transcript from the interview with the second individual, Mr. Ronald Stanchfield, and further inspections are being conducted. The results of these inspections will be documented in an inspection report as soon as they are available. Based on the reviews performed to-date, no new information has been identified that would change the preliminary findings. The NRC Office of Investigations (OI) and the FBI also conducted joint interviews relative to alleged misrepresentations by LILCo witnesses before the Atomic Safety and Licensing Board regarding the Shoreham Quality Assurance (QA) program.

An investigation in 1980 encompassed the three-month effort of three NRC investigators and five NRC technical inspectors to address 30 allegations raised at that time. Areas covered included containment concrete, weld materials, welder qualifications, and intimidation of LILCo inspectors. Of special significance is the fact that Mr. Jock McCrystal, one of the Shoreham workers interviewed by 60 Minutes, was a principal contact during that investigation. During that time, public notices were posted by NRC for a period of 70 days. A 24-hour phone number was also provided, for points of contact with the NRC, in addition to the onsite interview of Shoreham workers.

No evidence was found which could substantiate: (1) the use of defective concrete; (2) the employment of unqualified workers; (3) the supply of inappropriate weld materials; or (4) the intimidation of construction workers. The results of that effort were documented in a report issued on April 28, 1980. Based on the 60 Minutes broadcast, no new allegations were identified which had not been previously looked into. It is not known whether the reporters had reviewed, or were cognizant of, these prior efforts.

In the record of all allegations received to-date, no pattern has been established or exists which suggests a programmatic problem at Shoreham. NRC follow-up has found the licensee's records to be complete and accurate, and the construction and testing of Shoreham equipment and systems to be in compliance with regulations and representative of good engineering principles.

The NRC staff's routine inspection program directed at verifying an acceptable level of construction quality at Shoreham has been extensive. Over 300 inspection reports and 24,000 hours of inspection time have been devoted toward those ends since a construction permit was issued in 1973. A senior resident inspector was initially assigned to the site in October 1979, and there have been four resident inspectors assigned at various times since the inception of the resident program at Shoreham. Construction of the facility was essentially completed in 1983. All 70 of the construction deficiencies reported to the NRC have been appropriately addressed and corrected by LILCo. The Shoreham pre-operational test program, begun in early 1976 and completed in October 1984, received comprehensive coverage by NRC inspectors, accounting for over 15,000 total hours. This included coverage of the TDI diesel engine recovery program.

LILCo's QA programs were the subject of extensive litigation during the Atomic Safety and Licensing Board public hearings. The Board agreed with the NRC staff's conclusion that no adverse programmatic trends were evidenced as a result of either licensee-identified items of noncompliance or the NRC inspection violation history.

With regard to third party inspections, there have been two independent design reviews of the construction process at Shoreham, performed by Torrey Pines Technology (TPT) and Teledyne Engineering Services (TES), for LILCo. The first study was completed in September 1982, and addressed, in part, concrete and weld construction and documentation. The TES design review, completed in July 1983, was a comprehensive evaluation of the low pressure core spray system. Both independent assessments found the construction process at Shoreham to be good.

The Staff's routine inspection program and investigation of allegations at Shoreham have been fully documented in inspection reports and transcripts from interviews with allegeders. This documentation has been made available to the public and media, both routinely in the public document room and upon request. The NRC staff, of course, will continue to be receptive to, and promptly follow-up on, all safety allegations made by members of the public with regard to Shoreham and other reactor facilities.

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WASHINGTON, D. C. 20555

5/8. still working on

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FROM:

DUE: 05/08/85

EDO CONTROL: 000570

SEN. JOHN WARNER

DOC DT: 04/15/85

FINAL REPLY:

TO:

KAMMERER

FOR SIGNATURE OF:

** GREEN **

SECY NO: 85-343

EXECUTIVE DIRECTOR

DESC:

ROUTING:

ENCLOSES CORRESPONDENCE FROM PHYLLIS TYSON RE
SHOREHAM IN VIEW OF 60 MINUTE PROGRAM

TAYLOR
GCUNNINGHAM
DENTON
DAVIS

DATE: 04/24/85

ASSIGNED TO: RI

CONTACT: MURLEY

SPECIAL INSTRUCTIONS OR REMARKS:

REPLY TO RICHARD VA OFFICE

Richmond,

CORRESPONDENCE CONTROL TICKET

Sen John Warner

SECY NUMBER: 85-343

LOGGING DATE: 4/23/85

OFFICE OF THE SECRETARY

ACTION OFFICE: EDO

AUTHOR: Sen John Warner--Const Ref

AFFILIATION: Phyllis Tyson

LETTER DATE: 4/15/85

FILE CODE:

ADDRESSEE: OCA

SUBJECT: Expresses concern after viewing Mar 24, 1985 segment of the CBS news progrma 60 minutes re const of nuc plants specifically Shoreham

ACTION: Direct Reply...Suspense: May 3

DISTRIBUTION: OCA to Ack

SPECIAL HANDLING:

None

SIGNATURE DATE:

Rec'd OIL EDO
Date...4-24-85
Time...2:00 P

FOR THE COMMISSION: Champ

EDO --- 000570