

AUG 07 1985

George H. Grunthaler  
Vice President, Technical Services  
Guyon Alloys, Inc.  
950 South Fourth Street  
Harrison, New Jersey 07029

Dear Mr. Grunthaler:

SUBJECT: 10 CFR PART 21 APPLICABILITY TO STAINLESS-STEEL PIPE FURNISHED TO  
COMMONWEALTH EDISON CO. - BRAIDWOOD STATION

Your letter to me dated February 14, 1985, requested guidance regarding required  
10 CFR Part 21 notification concerning the above subject stainless-steel pipe.

Although some of the referenced pipe was procured by the Commonwealth Edison  
Company, prior to the effective date of 10 CFR Part 21 (June 6, 1977), the  
notification requirements of 10 CFR Part 21 still apply if a deviation amounting  
to a defect, as defined by Part 21, in any stainless-steel pipe supplied to  
Commonwealth Edison Company or other nuclear end-users is discovered after the  
effective date of 10 CFR Part 21.

If it is not possible for your organization to determine whether the deviation  
could create a significant safety hazard (SSH) for the installed condition of  
the pipe in the end-user's facility then all pertinent information should be  
provided to the end-user for evaluation and determination of whether a reportable  
defect exists. In this case, unless you have reasons to believe that the  
particular deviation is limited to one specific heat identity, grade, size, wall  
thickness or other characteristic of the pipe, all purchasers of potentially  
affected pipe should be notified in order that they can evaluate the deviation  
to determine whether it is a defect which could create a substantial safety hazard.

Nothing in 10 CFR Part 21 should be deemed to preclude either an individual or  
a manufacturer/supplier of an item, such as the pipe involved in this situation,  
from reporting to the Commission a known or suspected defect.

If I can be of further help, please contact me.

Sincerely,

Original Signed By:  
E. L. Jordan

Edward L. Jordan, Director  
Division of Emergency Preparedness  
and Engineering Response  
Office of Inspection and Enforcement

Distribution:

|                |                |                |                            |               |
|----------------|----------------|----------------|----------------------------|---------------|
| ✓DCS           | GFLanik        | GZech          |                            |               |
| EAB R/F        | WRJones        | JLieberman     |                            |               |
| DEPER R/F      | JTaylor        |                | *SEE PREVIOUS CONCURRENCES |               |
| SASchwartz     | RVollmer       | *IE            | *ELD                       | *VPB:QAVT: IE |
| CERossi        | PDR            | DGable         | JLieberman                 | GZech         |
|                |                | 5/ /85         | 6/ /85                     | 6/ /85        |
| *EAB:DEPER: IE | *EAB:DEPER: IE | *EAB:DEPER: IE | *DD:DEPER: IE              | D:DEPER: IE   |
| WRJones:mj     | GFLanik        | CERossi        | SASchwartz                 | ELJordan      |
| 4/ /85         | 4/ /85         | 4/ /85         | 6/ /85                     | 8/7 /84       |

8508120697 850807  
PDR ADDCK 05000456  
S PDR

50-456  
50-457

George H. Grunthaler  
Vice President, Technical Services  
Guyon Alloys, Inc.  
950 South Fourth Street  
Harrison, New Jersey 07029

Dear Mr. Grunthaler:

SUBJECT: 10 CFR PART 21 APPLICABILITY TO STAINLESS-STEEL PIPE FURNISHED TO  
COMMONWEALTH EDISON CO. - BRAIDWOOD STATION

Your letter to me dated February 14, 1985, requested guidance regarding required 10 CFR Part 21 notification concerning the above subject stainless-steel pipe.

Based on the fact that the referenced pipe was procured by the Commonwealth Edison Company prior to the effective date of 10 CFR Part 21 (June 6, 1977), notification pursuant to Part 21 is not required because the provisions of the rule do not apply prior to its effective date.

However, any procurement activity related to stainless-steel pipe which could contain the same type of defects, whether to Commonwealth Edison Company or other nuclear end-users, that has occurred after the effective date of the Part 21 rule, would be subject to Part 21 notification requirements.

If it is not possible for your organization to determine whether the deviation could create a significant safety hazard (SSH) for the installed condition of the pipe in the end-user's facility then all pertinent information should be provided to the end-user for evaluation and determination of whether a reportable defect exists. In this case, unless you have reasons to believe that the particular deviation is limited to one specific heat identity, grade, size, wall thickness or other characteristic of the pipe, all purchasers of potentially affected pipe should be notified in order that they can evaluate the deviation to determine whether it is a defect which could create a substantial safety hazard.

Nothing in 10 CFR Part 21 should be deemed to preclude either an individual or a manufacturer/supplier of an item, such as the pipe involved in this situation, from reporting to the Commission a known or suspected defect.

If I can be of further help, please contact me.

Sincerely,

Edward L. Jordan, Director  
Division of Emergency Preparedness  
and Engineering Response  
Office of Inspection and Enforcement

Distribution:

DCS  
EAB R/F  
DEPER R/F  
SASchwartz  
CERossi  
GFLanik  
WRJones  
JTaylor  
RVollmer  
PDR

\*SEE PREVIOUS CONCURRENCES

\*IE  
DGable  
5/ /85  
\*ELD  
JLieberman  
6/ /85  
\*VPB:QAVT:IE  
GZech  
6/ /85

\*EAB:DEPER:IE  
WRJones:mj  
4/ /85  
\*EAB:DEPER:IE  
GFLanik  
4/ /85  
\*EAB:DEPER:IE  
CERossi  
4/ /85  
\*DD:DEPER:IE  
SASchwartz  
6/ /85  
D:DEPER:IE  
ELJordan  
6/ /84

George H. Grunthaler  
Vice President, Technical Services  
Guyon Alloys, Inc.  
950 South Fourth Street  
Harrison, New Jersey 07029

Subject: 10 CFR Part 21 Applicability to Stainless-Steel Pipe Furnished to  
Commonwealth Edison Co-Braidwood Station.

Dear Mr. Grunthaler:

Your letter to me dated February 14, 1985, requested guidance regarding  
required 10 CFR Part 21 notification concerning the above subject stainless-  
steel pipe.

Based on the fact that the referenced pipe was procured by the Commonwealth  
Edison Company prior to the effective date of 10 CFR Part 21 (June 6, 1977),  
notification pursuant to Part 21 is not required because the provisions of  
the rule do not apply prior to its effective date.

However, any procurement activity related to stainless-steel pipe which  
could contain the same type of defects, whether to Commonwealth Edison Company  
or other nuclear end-users, that has occurred after the effective date of the  
Part 21 rule, would be subject to Part 21 notification requirements.

If it is not possible for your organization to determine whether the deviation  
could create a significant safety hazard (SSH) for the installed condition of  
the pipe in the end-user's facility then all pertinent information should be  
provided to the end-user for evaluation and determination of whether a reporta-  
ble defect exists. In this case, unless you have reasons to believe that the  
particular deviation is limited to one specific heat identity, grade, size,  
wall thickness or other characteristic of the pipe, all purchasers of poten-  
tially affected pipe should be notified in order that they can evaluate the  
deviation to determine whether it is a defect which could create a substantial  
safety hazard.

Nothing in 10 CFR Part 21 should be deemed to preclude either an individual or  
a manufacturer/supplier of an item, such as the pipe involved in this situation,  
from reporting to the Commission a known or suspected defect.

If I can be of further help, please contact me.

Edward L. Jordan, Director  
Division of Emergency Preparedness  
and Engineering Response  
Office of Inspection and Enforcement

Distribution:

DCS GFLanik  
EAB R/F WRJones  
DEPER R/F JTaylor  
SASchwartz RVollmer  
CERossi PDR

\*EAB:DEPER:IE  
WRJones:mj  
4/ /85

\*EAB:DEPER:IE  
GFLanik  
4/ /85

\*IE  
DGable  
5/ /85  
\*EAB:DEPER:IE  
CERossi  
4/ /85

\*SEE PREVIOUS CONCURRENCES

ELDKay  
JLieberman  
6/19/85

VRB:CAVT:IE  
GZech  
6/23/85

DD:DEPER:IE  
SASchwartz  
6/ /85

D:DEPER:IE  
ELJordan  
6/ /84

Noted mkm  
C. Hargis

George H. Grunthaler  
Vice President, Technical Services  
Guyon Alloys, Inc.  
950 South Fourth Street  
Harrison, New Jersey 07029

Subject: 10 CFR Part 21 Applicability to Stainless-Steel Pipe Furnished to  
Commonwealth Edison Co-Braidwood Station.

Dear Mr. Grunthaler:

Your letter to me dated February 14, 1985, requested guidance regarding  
required 10 CFR Part 21 notification concerning the above subject stainless-  
steel pipe.

Based on the fact that the referenced pipe was procured by the Commonwealth  
Edison Company prior to the effective date of 10 CFR Part 21 (June 6, 1977),  
notification pursuant to Part 21 is not required because the provisions of  
the rule do not apply prior to its effective date.

However, any procurement activity related to the 19 additional purchases and/  
or the 70 additional shipments of pipe discussed in your letter, whether to  
Commonwealth Edison Company or other nuclear end-users, that has occurred after  
the effective date of the Part 21 rule, would be subject to Part 21 notification  
requirements.

If it is not possible for your organization to determine the presence of a  
significant safety hazard (SSH) for the installed condition of the pipe in the  
end-user's facility and if your organization has provided all pertinent informa-  
tion to the end user, the SSH determination and notification become the respon-  
sibility of the end user.

Furthermore, nothing in 10 CFR Part 21 should be deemed to preclude either an  
individual or a manufacturer/supplier of an item, such as the pipe involved in  
this situation, from reporting to the Commission a known or suspected defect.

If I can be of further help, please contact me.

Edward L. Jordan, Director  
Division of Emergency Preparedness  
and Engineering Response  
Office of Inspection and Enforcement

Distribution:

DCS  
EAB R/F  
DEPER R/F  
SASchwartz  
CERossi  
GFLanik  
WRJones  
JTaylor  
RVollmer

\*SEE PREVIOUS CONCURRENCES

|        |            |             |
|--------|------------|-------------|
| *IE    | ELD        | VPB:QAVT:IE |
| DGable | JLieberman | GZech       |
| 5/ /85 | 5/ /85     | 5/ /85      |

|               |               |               |             |            |
|---------------|---------------|---------------|-------------|------------|
| *EAB:DEPER:IE | *EAB:DEPER:IE | *EAB:DEPER:IE | DD:DEPER:IE | D:DEPER:IE |
| WRJones:mj    | GFLanik       | CERossi       | SASchwartz  | ELJordan   |
| 4/ /85        | 4/ /85        | 4/ /85        | 5/ /85      | 5/ /84     |

George H. Grunthaler  
Vice President, Technical Services  
Guyon Alloys, Inc.  
950 South Fourth Street  
Harrison, New Jersey 07029

Subject: 10 CFR Part 21 Applicability to Stainless Steel Pipe Furnished to  
Commonwealth Edison Co. - Braidwood Station.

Dear Mr. Grunthaler:

Your letter to me dated February 14, 1985, requested guidance regarding  
required 10 CFR Part 21 notification concerning the above subject stainless  
steel pipe.

Based on the fact that the referenced pipe was procured by the Commonwealth  
Edison Company prior to the effective date of 10 CFR Part 21 (June 6, 1977),  
notifications pursuant to Part 21 are not required because the provisions of  
the rule do not apply prior to its effective date.

However, should any procurement activity related to the 19 additional purchases  
and/or the 70 additional shipments of pipe discussed in your letter whether to  
Commonwealth Edison Company or other nuclear end-users have occurred after the  
effective date of the Part 21 rule, then these shipments would be subject to  
Part 21 notification requirements.

Should it not be within your ability to determine the presence of a significant  
safety hazard (SSH) for the installed condition of the pipe in the end user's  
facility, then upon provision by your organization of pertinent information to  
the end user, SSH determination and notification become the responsibility of  
the end user.

Furthermore, nothing in 10 CFR Part 21 should be deemed to preclude either an  
individual or a manufacturer/supplier of an item such as the pipe involved in  
this situation from reporting to the Commission a known or suspected defect.

If I can be of further help, please contact me.

Edward L. Jordan, Director  
Division of Emergency Preparedness  
and Engineering Response  
Office of Inspection and Enforcement

Distribution:

DCS GFLanik  
EAB R/F WRJones  
DEPER R/F JTaylor  
SASchwartz RVollmer  
CERossi

\*SEE PREVIOUS CONCURRENCES

IE <sup>87</sup> ELD VPB:QAVT:IE  
DGable JLieberman GZech  
5/27/85 5/ /85 5/ /85

|                                       |                                    |                                    |                                     |                                  |
|---------------------------------------|------------------------------------|------------------------------------|-------------------------------------|----------------------------------|
| *EAB:DEPER:IE<br>WRJones:mj<br>4/ /85 | *EAB:DEPER:IE<br>GFLanik<br>4/ /85 | *EAB:DEPER:IE<br>CERossi<br>4/ /85 | DD:DEPER:IE<br>SASchwartz<br>5/ /85 | D:DEPER:IE<br>ELJordan<br>5/ /84 |
|---------------------------------------|------------------------------------|------------------------------------|-------------------------------------|----------------------------------|

George H. Grunthaler  
Vice President, Technical Services  
Guyon Alloys, Inc.  
950 South Fourth Street  
Harrison, New Jersey 07029

Subject: 10 CFR Part 21 Applicability to Stainless Steel Pipe Furnished to  
Commonwealth Edison Co. - Braidwood Station.

Dear Mr. Grunthaler:

Your letter to me dated February 14, 1985, requested guidance regarding  
required 10 CFR Part 21 notification concerning the above subject stainless  
steel pipe.

Based on the fact that the referenced pipe was procured by the Commonwealth  
Edison Company prior to the effective date of 10 CFR Part 21 (June 6, 1977),  
notifications pursuant to Part 21 are not required because the provisions of  
the rule do not apply prior to its effective date.

However, should any procurement activity related to the 19 additional purchases  
and/or the 70 additional shipments of pipe discussed in your letter whether to  
Commonwealth Edison Company or other nuclear end-users have occurred after the  
effective date of the Part 21 rule, then these shipments would be subject to  
Part 21 notification requirements.

Should it not be within your ability to determine the presence of a significant  
safety hazard (SSH) for the installed condition of the pipe in the end users  
facility, then upon provision by your organization of pertinent information to  
the end user, SSH determination and notification become the responsibility of  
the end user.

Furthermore, nothing in 10 CFR Part 21 should be deemed to preclude either an  
individual or a manufacturer/supplier of an item such as the pipe involved in  
this situation from reporting to the Commission a known or suspected defect.

If I can be of further help, please contact me.

Edward L. Jordan, Director  
Division of Emergency Preparedness  
and Engineering Response  
Office of Inspection and Enforcement

Distribution:

DCS  
EAB R/F  
DEPER R/F  
SASchwartz  
CERossi

GFLanik  
WRJones

ELD  
FXCameron  
4/ /85

VPB:QAVT: IE  
GZech  
4/ /85

*WJR*  
EAB:DEPER: IE  
WRJones:mj  
4/2/85

*WJR*  
EAB:DEPER: IE  
GFLanik  
4/2/85

*WJR*  
EAB:DEPER: IE  
CERossi  
4/2/85

DD:DEPER: IE  
SASchwartz  
4/ /85

D:DEPER: IE  
ELJordan  
4/ /84