

# ORIGINAL

UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

In the matter of:

COMMISSION MEETING

Discussion of Exemption  
Requests Environmental  
Qualification

(Public Meeting)

Docket No.

Location: Washington, D. C.

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D I S C L A I M E R

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2 UNITED STATES OF AMERICA  
3 NUCLEAR REGULATORY COMMISSION

4 - - -

5 DISCUSSION OF EXEMPTION REQUESTS

6 ENVIRONMENTAL QUALIFICATION

7 - - -

8 PUBLIC MEETING

9 - - -

10 Nuclear Regulatory Commission

11 Room 1130

12 1717 "H" Street, N.W.

13 Washington, D.C.

14  
15 Friday, October 25, 1985

16  
17 The Commission met in open session, pursuant to  
18 notice, at 10:05 o'clock a.m., NUNZIO J. PALLADINO, Chairman  
19 of the Commission, presiding

20 COMMISSIONERS PRESENT:

21 NUNZIO J. PALLADINO, Chairman of the Commission

22 THOMAS M. ROBERTS, Member of the Commission

23 JAMES K. ASSELSTINE, Member of the Commission

24 FREDERICK M. BERNTHAL, Member of the Commission

25 LANDO W. ZECH, JR., Member of the Commission

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STAFF AND PRESENTERS SEATED AT COMMISSION TABLE:

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4

S. CHILK

5

M. MALSCH

6

W. DIRCKS

7

H. DENTON

8

C. GRIMES

9

10

AUDIENCE SPEAKERS:

11

12

R. CARUSO

13

D. WIGGINTON

14

W. SHIELDS

15

J. ZWOLINSKI

16

B. LaGRANGE

17

G. KNIGHTON

18

M. THADANI

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R. HERMANN

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V. POTAPOVS

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## P R O C E E D I N G S

CHAIRMAN PALLADINO: Good morning, ladies and gentlemen. Today we meet with members of the staff to discuss the environmental qualifications of electrical equipment important to safety for a number of specific plants.

Section 50.49 of the Code of Federal Regulations allow the director of the Office of Nuclear Reactor Regulation to grant extension for finalization of environmental qualifications to a date no later than November 30, 1985 if good cause is demonstrated.

Beyond this date the Commission itself may grant extensions in exceptional cases.

By generic letter in early August licensees were advised of the Commission's intention to grant extensions only in rare circumstances and that enforcement action will be taken against licensees that continue to operate their plants with unqualified equipment beyond November 30, 1985 without approved extensions.

Justifications for continued operation have to be provided to the staff and extensions will have to be approved by the Commission. Fines may also be imposed. However, the generic letter indicated that some mitigation of any penalty may be considered.

To date the staff has reviewed the licensees' submittals and has provided recommendations to the Commission

1     regarding required extensions for nine plants. Of these, two,  
2     Brunswick 2 and Nine Mile Point, the Commission has taken  
3     action. The remaining seven before us for discussion include  
4     Shoreham, Sequoyah Units 1 and 2, Palo Verde Units 1 and 2,  
5     Haddam Neck, Point Beach Units 1 and 2, D.C. Cook Unit 2 and  
6     Pilgrim Unit 1.

7             The staff will summarize their basis for the  
8     recommendations for each of these plants. The objectives of  
9     today's meeting is to afford the Commission an opportunity to  
10    obtain the information necessary for Commission decisions on  
11    the staff's recommendations.

12            No decisions are expected to be made at this  
13    meeting. However, at the completion of today's meeting I urge  
14    my fellow Commissioners to vote on the subject recommendations  
15    as soon as possible.

16            During the presentation I would also appreciate  
17    having the staff identify how many more exemption requests  
18    remain to be addressed and for which plants.

19            I have been informed that arrangements have been  
20    made for Region I to listen to the discussion by telephone.

21            Do any of my fellow Commissioners have any additional  
22    opening remarks?

23            (No response.)

24            CHAIRMAN PALLADINO: All right. Then let me turn  
25    the meeting over to Mr. Dircks.

1 MR. DIRCKS: I think the way we are going to handle  
2 it today is Mr. Grimes is going to go down the list of the  
3 items on your agenda today and I think there are two more  
4 plants that are coming in, Fort St. Vrain and Millstone.

5 CHAIRMAN PALLADINO: Will that complete the list?

6 MR. DIRCKS: That will complete the list.

7 CHAIRMAN PALLADINO: All right.

8 MR. GRIMES: Good morning, gentlemen. My name is  
9 Chris Grimes and I am chief of the systematic evaluation  
10 program branch and outside that responsibility I am acting as  
11 coordinator for the EQ extension requests that were submitted  
12 in response to generic letter 85-15.

13 As you know, there were 11 extension requests  
14 submitted by licensees presenting cases for exceptional  
15 conditions to request extensions to the 50.49(g) schedular  
16 requirement to complete environmental qualification of their  
17 equipment by November 30, 1985.

18 These 11 extension requests apply to 13 units. They  
19 requested anywhere from one to 12 months of time to complete  
20 their environmental qualification. In reviewing these  
21 extension requests the staff all of the affected project  
22 managers, the people who have been working on the equipment  
23 qualification reviews, got together collectively to review the  
24 material presented by the licensees in order to try and make a  
25 judgment about whether or not they had made a sufficient case

1       for exceptional circumstances.

2               We carefully considered the specific circumstances  
3       associated with each particular licensee and the equipment  
4       involved for which they have requested the extensions.

5               We generally tried to determine the extent to which  
6       the circumstances that the licensees presented were within the  
7       licensees' control based on our knowledge and understanding of  
8       the course of the equipment qualifications for each of the  
9       units involved.

10              As a result of those meetings the staff developed  
11       the Commission papers which you have before you and we have  
12       tried to describe the historical evolution for the particular  
13       equipment involved, the circumstances that the licensee faced  
14       in terms of achieving qualification and responding to test  
15       results and then we have developed a recommendation based on  
16       what we felt were either exceptional or not exceptional  
17       circumstances and that is what is presented in those papers.

18              As a result of our efforts to date we have forwarded  
19       Commission papers recommending approval for six units and  
20       denial for four units.

21              On our recommendation for Pilgrim Unit 1 we  
22       characterized it as a denial but noted that the licensee's  
23       extension request may be premature because the actual need  
24       will depend on test results that will come in between October  
25       28 and November 22.

1           If those tests are all successful the only thing  
2           that would be lacking for Pilgrim 1 would be documentation to  
3           complete the program.

4           COMMISSIONER BERNTHAL:   Do we have that one?

5           COMMISSIONER ASSELSTINE:   Yes.   Keep digging, it is  
6           there

7           COMMISSIONER BERNTHAL:   All right.

8           MR. GRIMES:   We are continuing our review on  
9           Millstone Unit 1 and Fort St. Vrain.   The exceptional  
10          circumstances presented by Northeast Utilities for Millstone  
11          Unit 1 were not amenable to the review approach that we were  
12          trying to accomplish and so that one has taken longer than we  
13          anticipated.

14          For Fort St. Vrain that is clearly a unique plant  
15          design and also other unique circumstances that need to be  
16          carefully weighed.

17          We expect to complete those reviews very shortly.   I  
18          think we have indicated that we hope to have Fort St. Vrain to  
19          you by November 15 and I expect that Millstone Unit 1 will be  
20          coming down early next week.

21          COMMISSIONER ZECH:   I was under the impression that  
22          perhaps Hatch made a request.   Was I mistaken on that?

23          MR. GRIMES:   So far as we have been able to determine  
24          from telephone calls to each of the licensees, status reports  
25          coming in from the regions and the licensing contacts that we

1 have, all of the plants except for these expect to achieve  
2 qualification by November 30. In the event that something  
3 comes up between now and then related to those efforts, if  
4 something happens before November 30 that would change the  
5 circumstances that they are currently working under then there  
6 may be licensees who make later requests for extension based on  
7 those particular circumstances but we know of none right now

8 COMMISSIONER ZECH: Fine. Thank you.

9 MR. DENTON: You may know something, Commissioner,  
10 that is ahead of us. We haven't focused on Hatch.

11 COMMISSIONER ZECH: You haven't had a request from  
12 them?

13 MR. DENTON: Not that I am aware of.

14 COMMISSIONER ZECH: Fine.

15 MR. DENTON: We have down today the project managers  
16 or their supervisors for each of the 11 plants that we intend  
17 to discuss. We had not planned to go into them in great  
18 detail but I did want Chris perhaps to just walk through the  
19 list and say a few words about each one but not go into the  
20 details and then we would be prepared to discuss any of them  
21 if you prefer.

22 CHAIRMAN PALLADINO: Have you completed what you  
23 were going to say about Pilgrim?

24 MR. GRIMES: Yes.

25 CHAIRMAN PALLADINO: You didn't mention their long

1 deadline time.

2 MR. GRIMES: I am sorry. For both Pilgrim and  
3 Sequoyah we presented our recommendation with a scheduler  
4 caveat. In Pilgrim's case I have explained it. We think that  
5 they are premature and we characterized it as a denial  
6 primarily because we did not think the utility was being  
7 responsive in asking for a blanket extension for a year in  
8 order to complete the qualification.

9 We recommend that limited extensions may be  
10 appropriate depending on the results of these tests and so we  
11 are suggesting the Commission later consider once the test  
12 results are in --

13 CHAIRMAN PALLADINO: Later consider what?

14 MR. GRIMES: Later consider once the test results  
15 are in some limited extensions for Pilgrim depending on those  
16 test results.

17 MR. DENTON: I think we were trying to indicate a  
18 denial based on what they have proposed.

19 COMMISSIONER ASSELSTINE: Correct.

20 MR. DENTON: Which is a limited extension but  
21 indicate a willingness to reconsider when the test results are  
22 available in case they are encouraging.

23 But based on the record we would recommend a denial.

24 COMMISSIONER BERNTHAL: Shoreham is in a somewhat  
25 similar situation.

1 MR. GRIMES: Yes. Shoreham is in a similar situation  
2 depending on the test results for their hydrogen recombiner  
3 panels. They could be in compliance by the end of December and  
4 that is what we recommended that the Commission approve.

5 Both Shoreham and Palo Verde are in a similar  
6 circumstance having relied on Rockwell to achieve qualification  
7 for their recombiner system as a whole and they are now  
8 awaiting test results to demonstrate conformance with the  
9 environmental qualification requirements.

10 COMMISSIONER BERNTHAL: Since Shoreham at least now  
11 has no immediate prospect of running at above five percent  
12 power anyway, is it essential or appropriate for the Commission  
13 to take action on that issue in any case before December 31st?

14 MR. GRIMES: We believe that we should take action  
15 on Shoreham simply to maintain the license that they have now  
16 for five percent.

17 COMMISSIONER BERNTHAL: I see, yes.

18 MR. GRIMES: Absent that, they would have a five  
19 percent license and would be in violation with the regulations.

20 COMMISSIONER BERNTHAL: I see. All right. Thank  
21 you.

22 CHAIRMAN PALLADINO: What was the Shoreham date to  
23 which they wanted an extension?

24 MR. GRIMES: They requested an extension to November  
25 30, 1986.



1 COMMISSIONER ASSELSTINE: It is another one of those  
2 long ones.

3 CHAIRMAN PALLADINO: You say approve extension  
4 through when?

5 MR. GRIMES: Through December 31, 1985.

6 CHAIRMAN PALLADINO: What will that enable them to  
7 do?

8 MR. GRIMES: If the test results fail it is going to  
9 force the licensee to react rather quickly, to take action to  
10 either obtain alternate equipment or to take some other  
11 immediate action in order to establish qualification.

12 They have already purchased the equipment so they  
13 elected --

14 COMMISSIONER ASSELSTINE: They are doing that right  
15 now, aren't they?

16 MR. GRIMES: Yes. They are putting it in during an  
17 outage that is occurring right now. So they have already  
18 committed themselves on the basis of the test coming out  
19 favorable.

20 So on that basis we recommend that they be granted  
21 an extension for that time that it would take for them to pull  
22 the documentation necessary to complete the record.

23 CHAIRMAN PALLADINO: Jim, did you have some other  
24 questions you were going to bring up?

25 COMMISSIONER ASSELSTINE: That's okay. If they want

1 to go through the list first, then yes, I have a bunch of  
2 questions but they can go through the list first.

3 MR. CARUSO: Excuse me, I am Ralph Caruso. I am the  
4 Shoreham project manager and I wanted to update one thing that  
5 Mr. Grimes might not know. The Shoreham hydrogen recombiners  
6 have passed the equipment qualification test. We just received  
7 that word verbally in the last day or so.

8 So right now it is just a matter of completing the  
9 documentation and the licensee expects to be able to do that  
10 by the end of this year, by December 31, 1985. John Leonard,  
11 the LILCO vice-president is here to answer any questions you  
12 may have about that documentation completion or about whether  
13 the plant really needs the extension until that particular  
14 time.

15 CHAIRMAN PALLADINO: Our plan today was to hear from  
16 NRR and if there are requests for appeals we might consider  
17 those later.

18 MR. GRIMES: All right. I will go down each of the  
19 extension requests and try to characterize each of the cases  
20 as we viewed them in developing a staff recommendation. I had  
21 planned on not speaking about Nine Mile Point or Brunswick  
22 unless you have any particular questions on those two cases  
23 because they have been previously addressed to the Commission.

24 Going through the other ones, on D.C. Cook Unit 2,  
25 the licensee originally requested an extension on five items

1 that included 55 individual pieces of equipment and upon  
2 reviewing the licensee's submittal and trying to determine the  
3 acceptability of changes in the justifications for continued  
4 operation the licensee subsequently revised his extension  
5 request to eliminate one item which constituted 43 pieces of  
6 equipment.

7 Based on that revision to their extension request  
8 and the circumstances associated with their attempts to try to  
9 qualify three types of cables and the limited number now  
10 required for the extensions, we concluded that the licensee's  
11 extension request for a three month period should be approved.

12 We feel that the circumstances associated with their  
13 efforts to demonstrate qualification for submergence were not  
14 completely within their control.

15 On Haddam Neck the licensee had requested an  
16 extension until January 4, 1986 for 14 motor operated valves  
17 and 20 resistance temperature detectors. In earlier times  
18 they had attempted to address those issues as a part of ISAP.  
19 In parallel the licensee has already procured the equipment,  
20 has it ready to install and were it except for a reactor  
21 cavity seal failure at their last refueling outage their  
22 planned outage would have occurred before November 30 and they  
23 would have achieved qualification.

24 COMMISSIONER BERNTHAL: Maybe just a procedural  
25 question here. Are we planning to go through on a bullet by

1 bullet with a brief summary and then come back to these in  
2 detail? It seems to me that a better way to go at this may be  
3 to plant-by-plant and have everybody ask questions on one  
4 plant because if we try to go back and each of us go through  
5 every plant separately with a series of questions, we are  
6 going to have great disconnect. At least, that is my view.

7 CHAIRMAN PALLADINO: I agree with you. I thought  
8 that is what we were doing.

9 COMMISSIONER BERNTHAL: It sounds good to me.

10 CHAIRMAN PALLADINO: Why don't we agree at each  
11 plant to stop and solicit Commission questions.

12 MR. GRIMES: All right. Then I will go back to  
13 D.C. Cook Unit 2.

14 COMMISSIONER ASSELSTINE: All right. That is a good  
15 one to start with.

16 CHAIRMAN PALLADINO: All right. You are asking for  
17 Commissioner questions.

18 Now your proposal is to grant them an extension to  
19 2/28/86, is that correct?

20 MR. GRIMES: That is correct.

21 CHAIRMAN PALLADINO: Any Commission questions on  
22 D.C. Cook?

23 COMMISSIONER ASSELSTINE: I had a few. One question  
24 I had, could you expand a little bit on how -- it struck me in  
25 contrast with some of the other plants, for example, Point

1 Beach, that the equipment that is involved here was fairly  
2 significant. That is, the functions that are performed by the  
3 equipment these cables are involved with were fairly  
4 significant.

5 In each instance, could you describe precisely how  
6 they intend to accomplish the safety function without relying  
7 at all on these cables or the equipment connected to these  
8 cables?

9 MR. GRIMES: I will give you a general answer and  
10 then I will ask Dave Wigginton, the project manager, for  
11 D.C. Cook to provide more specifics.

12 COMMISSIONER ASSELSTINE: Great.

13 MR. GRIMES: All of these cables involve  
14 instrumentation that the operator would use to respond to an  
15 accident. The licensees developed temporary procedures to  
16 instruct the operators on how to recognize that this equipment  
17 is not qualified and therefore is undependable in the event of  
18 an accident creating the environment which could potentially  
19 damage the equipment and they are relying on those temporary  
20 procedures until the outage three months from now at which  
21 time they will relocate all of the cables for this  
22 instrumentation so that they will be within the envelope for  
23 which they are now qualified.

24 Do you want any more detail in terms of the  
25 procedures?

1           COMMISSIONER ASSELSTINE    In each one of them,  
2    please    I guess what I would like is an understanding first  
3    of the safety function that each of the sets of instrumentation  
4    provide and how they are providing a clear indication to the  
5    operators of that condition without relying on that equipment.

6           MR. WIGGINTON    My name is David Wigginton. I am  
7    the project manager for D.C. Cook. The first item deals with  
8    the hot and cold leg resistance temperature detectors. The  
9    cold leg detectors and two of the hot leg detectors are  
10   affected by these cables being routed under the flood up area.

11           For the qualification to be in question you must  
12   first have the large break LOCA or some accident where you  
13   will flood up inside the containment. If you get to that  
14   point the resistance temperature detectors are used to keep  
15   track of the temperature conditions in the reactor itself.

16           With two of the hot legs available and with the  
17   pressure in the steam generators known, you can use the  
18   saturation tables to determine the average temperature in the  
19   steam generators. This gives you the average temperature in  
20   the loops and from that you can get the cold leg temperature  
21   of at least two of the four loops. That is sufficient for us  
22   to be able to determine the conditions in the reactor as far  
23   as the temperature is concerned.

24           COMMISSIONER ASSELSTINE   All right. But it will  
25   involve manual calculations using the saturation table?

1 MR. WIGGINTON: Yes.

2 COMMISSIONER ASSELSTINE: all right.

3 MR. WIGGINTON: That would be involved also somewhere  
4 fairly well down into an accident at some time.

5 COMMISSIONER ASSELSTINE: All right.

6 MR. WIGGINTON: As far as the narrow range steam  
7 generator level transmitters are concerned, the function here  
8 is to keep track obviously of the level in the steam generators  
9 to know whether or not you are getting enough flow to the steam  
10 generators to maintain your decay heat removal capability.

11 Again the flow transmitters on the aux feedwater  
12 system will still be available to determine and from  
13 calculations whether you are maintaining level or that sort of  
14 thing in the steam generators so that you are maintaining your  
15 decay heat removal capability.

16 COMMISSIONER ASSELSTINE: All right.

17 MR. WIGGINTON: You also use the temperature  
18 detectors that are remaining in the loop to determine whether  
19 or not your decay heat is decreasing within the reactor. So  
20 these things all are used. There are other means that they  
21 could use that get into additional instrumentation and that  
22 stuff to continue backing that up.

23 Those would be the primary means to keep track of  
24 it.

25 The third item is the high range area radiation

1 monitor. The qualification problem there is also the same  
2 that the cables are routed below the flood up level. Sometime  
3 after an accident of the nature they are talking about the  
4 qualification there would be questionable.

5 There are several things that Cook could do in order  
6 to make up this. The primary one that they have come to use  
7 is a sample line off the RHR system. If you have a flood up  
8 level that high, you are going to be on RHR for your decay  
9 heat pretty quickly.

10 So they would use a sample line then to draw liquid  
11 samples and from this go through calculations again in order  
12 to determine the radiation inside the containment as well.

13 I think they are also taking a look at adding some  
14 monitors outside containment which would also be able to back  
15 up the sample line on the RHR.

16 They obviously would have the post accident sampling  
17 system but as it turns out that is not qualified to the same  
18 environmental qualification standard and was not required to  
19 be as a result of the NUREG-737.

20 COMMISSIONER ASSELSTINE. When you add these three  
21 things together, is this a manageable burden if you had an  
22 accident that involved the flooding in these particular  
23 areas? Adding the three elements together, is that a  
24 manageable burden that the operators can handle in terms of  
25 the additional work, the additional calculations, the use of



1 additional equipment that they would have to rely upon?

2 MR. WIGGINTON: We believe so. At the time for an  
3 accident, a worse case accident, and flood up to that level  
4 inside containment you are going to be away from the immediate  
5 action stuff that is required for that kind of an accident and  
6 you will be into the long term cooling decay heat removal and  
7 that sort of thing.

8 So it should not be a burden to the operators to be  
9 able to carry out these functions at all at that point.

10 COMMISSIONER ASSELSTINE: When did the licensee  
11 identify each of the problems? I notice that at least one of  
12 them is identified in the letter as having been identified  
13 this past summer.

14 MR. WIGGINTON: Right. This is a combination  
15 problem here. They knew that they had to have the  
16 qualification on all of these items. However, they qualified  
17 them to an environment where the transmitters and the  
18 containment penetrations were located assuming of course  
19 that the cable ran directly from the transmitter to the  
20 penetration.

21 But in May of 1984 they determined that items one  
22 and three, that is the RTD's and the high area monitor was  
23 routed below the flood up level. So the qualification required  
24 there was a sequential water and radiation and they did not  
25 have the data for that particular situation.

1           So they notified us a month later on June 12th that  
2   they had the problem. Then when they went through to determine  
3   what kind of program that they could get to solve this, they  
4   either a test program which they could run which would take  
5   some period of time and something we think is preferable to  
6   relocate the cables and not have that problem at all and not  
7   have to rely on qualification tests at all.

8           So when they made that decision, the decision came  
9   after the July 1984 start-up but to relocate would have to  
10   wait until the next outage of sufficient duration or refueling  
11   which they had planned to do.

12          On the second item which was the narrow range steam  
13   generator level indication, they found this problem in the  
14   spring of 1985 when they were reviewing some of the  
15   documentation, going back over their documentation, to make  
16   sure they had everything. They notified us on June 28, 1985.

17          Again the solution there was the same as with the  
18   others. It would require a shut-down of sufficient duration.

19          COMMISSIONER BERNTHAL: If I could interject a broad  
20   question here, I guess it is not clear to me whether there is  
21   a parallel or a non-parallel between this case and the  
22   Brunswick case. There are obviously many non-parallels but it  
23   seems like the essence of the argument rests on the fuel  
24   outage not being appropriately timed to complete their  
25   environmental qualification work.

1           Could you convince me why this is a valid argument  
2 here and was not in the other case?

3           MR. GRIMES: I would like to make the general  
4 observation that the distinction that we saw in a number of  
5 these cases where the licensees have proposed to go to the  
6 refueling outage was where they have had opportunities during  
7 unscheduled shut-downs to qualify equipment.

8           When they have done so, we view that as a diligence  
9 that was lacking in the case of Brunswick where they simply  
10 would hold it.

11           In this case, in D.C. Cook's case, when they had to  
12 shut down for steam generator tube leaks, they made efforts to  
13 achieve qualification and that has reduced the number of items  
14 involved and they have also committed that should an  
15 unscheduled shutdown occur of sufficient duration to do this,  
16 they would do it at that time.

17           So we saw a larger commitment on the part of  
18 D.C. Cook and some of the other licensees that we saw in  
19 Brunswick's case.

20           COMMISSIONER ASSELSTINE: They had three unscheduled  
21 outages because of steam generator tube leaks. Why didn't  
22 they do the cabling work?

23           MR. WIGGINTON: The steam generator outages, none of  
24 them were planned to be as long as it wound up being and  
25 obviously the three items left will take about six weeks to

1 complete once they are down.

2 Unit 1 was down for a ten-year outage. Unit 2 was  
3 down with the steam generator problems. They also had the  
4 problem of the number of people that are available to be able  
5 to do the work. I would imagine that they probably had some  
6 problem with the exposure limits on quite a few of those  
7 people.

8 MR. DENTON: We don't want to be on the side of  
9 making excuses for why they didn't do it and we haven't had a  
10 lot of experience in interpreting your criterion for  
11 exceptional and rare cases. What we did was try to make a  
12 preliminary call based on the facts and describe the facts but  
13 we assumed that if you wanted no extensions beyond that you  
14 would have said so. So we didn't assume you wanted none. We  
15 have just tried to call them in between and so when we talk  
16 about distinctions we are often talking about pretty fine  
17 distinctions within this 12 or 13 plants because we are up to  
18 90 percent of all the plants met the date to begin with.

19 So we have searched ourselves to try to find the  
20 difference between Brunswick and Cook and Nine Mile and  
21 provided that information to you.

22 I think we all would have preferred that they all  
23 met the deadline obviously.

24 COMMISSIONER ASSELSTINE: That is a valid point,  
25 Harold, but I think at the same time it is still worth asking

1 as Chris said were there opportunities during time period from  
2 when they discovered the problem and decided what change to  
3 make until the present time. Were there opportunities to do  
4 the work? I think that is what I was interested in  
5 understanding.

6 MR. WIGGINTON: No. There were no shutdowns from  
7 the time they determined what they were going to do until they  
8 got to the steam generator outages.

9 COMMISSIONER ASSELSTINE: That's right. How long  
10 were each of the steam generator outages? We have the starting  
11 dates here.

12 MR. WIGGINTON: they were very short. The first two  
13 were very short because they only plugged just a few tubes in  
14 each one of those.

15 MR. DENTON: I don't want to appear argumentative  
16 but any of these plants could meet the criterion if you so  
17 desired because they could all shut down today and put it in.

18 COMMISSIONER ASSELSTINE: Yes.

19 MR. DENTON: So it is trying to reconstruct their  
20 reasons to see if it appeared valid. I guess here we thought  
21 they did make a good faith effort to use the outages they had  
22 whereas in Brunswick, they appeared to have decided a priori  
23 to defer everything to a later outage.

24 Dave, did you complete your statement?

25 MR. WIGGINTON: Yes.

1           COMMISSIONER BERNTHAL: The Commission may end up  
2 being skewered on its own words here but I noticed that our  
3 criteria were somewhat different from what you stated in a  
4 number of your SECY papers here.

5           COMMISSIONER ASSELSTINE: That's right.

6           COMMISSIONER BERNTHAL: I think ours read events  
7 entirely beyond its control and in several cases you say that  
8 the events were not entirely within the control.

9           COMMISSIONER ASSELSTINE: that's right.

10          MR. DENTON: We had trouble, I think, frankly with  
11 "entirely beyond the licensee's control." In theory nothing  
12 I guess is entirely beyond his control because he still has an  
13 opportunity to meet that date. He doesn't have to operate  
14 beyond that date. I don't know whether our legal advisor here  
15 would like to comment on how we tried to interpret that  
16 standard.

17          MR. SHIELDS: I would point out that that portion of  
18 the generic letter, that was following an "e.g.", a for  
19 example and that was in fact the only criteria that really  
20 appears in the generic letter by way of an example.

21               It is very difficult to apply legal criteria when  
22 the only one you are really given is an "e.g."

23          COMMISSIONER BERNTHAL: I agree. In fact, it is not  
24 worth quibbling over the words, I guess. It is not clear if  
25 you read the plain words whether that means each event en-irely

1 beyond the control or events generally speaking some of which  
2 were entirely or one of which was entirely beyond the control  
3

4 So there is some room for interpretation I just  
5 noted the difference.

6 CHAIRMAN PALLADINO All right. Any more questions?

7 COMMISSIONER ASSELSTINE Just a couple more.

8 Going back to the three cable problems, you say they  
9 discovered items one and three in May of 1984 and I assume  
10 June of 1985. Is it because they basically had assumed that  
11 the cabling ran directly to the equipment, between the  
12 equipment and the penetration?

13 MR. WIGGINTON That is our understanding.

14 COMMISSIONER ASSELSTINE Is it the hallmark -- I  
15 mean are you comfortable with the approach that they took?  
16 Was it a good faith effort to understand and identify the EQ  
17 problem that they had, that they simply assumed that the  
18 cables ran straight without looking at the plant to see where  
19 the cables ran and are you comfortable with the fact that they  
20 didn't identify these things until 1984 and 1985? Should they  
21 have identified them earlier?

22 If they had an effective program back in 1982 and  
23 1983, should they have identified these problems much earlier  
24 such that they could have been resolved and corrected during  
25 the 1984 outage?

1           MR. WIGGINTON: Within the staff we have had some  
2 discussions along that line and we feel that it is nice now to  
3 be able to look back and say they should have done it. If  
4 they had done it right, they should have done it. But then we  
5 look back in 1983 when we were meeting with them and quite  
6 frankly we didn't do it either.

7           So it is sort of a failings on everybody's part. It  
8 appears that we possibly did not include that as an item  
9 although in 1983 I am sure we would have told them that we did  
10 mean for them to include that.

11           I guess it is very easy for us to look back and say,  
12 "Yes, they should have caught it and they should have been  
13 diligent about looking for it." Then we could also look back  
14 and say that we are thankful that they did find it when they  
15 did and did notify us.

16           The other point to be made is that the fix that they  
17 are proposing to do is one that we would agree with. We would  
18 agree to pull those things up above the flood up level. That  
19 will require an outage.

20           MR. GRIMES: Commissioner Asselstine, I would also  
21 like to make a general observation. The fact that the program  
22 during the course of implementation identified the problem we  
23 think is a measure of the effectiveness of the program. You  
24 can't expect a program of this magnitude to instantaneously  
25 define the scope of the effort that you have.



1           In making these judgments about whether or not the  
2       licensee's were being effective in their process we looked for  
3       reaction in an ongoing or continuing effort as opposed to  
4       point in time statuses.

5           If it had turned out that the process had been  
6       turned around so that they looked at it in a different way,  
7       they could have identified it earlier or later. It was just a  
8       matter of the way that their program ended up being  
9       implemented, they discovered it at a given point in time.  
10      They reacted at that time and we felt that that was a good  
11      faith effort.

12           Certainly in any of these cases we apply hindsight  
13      and say that the licensee made a wrong decision and that is  
14      what got him into this problem. If we want to enforce that,  
15      then we would have recommended denial on all of these.

16           COMMISSIONER ASSELSTINE: Yes. I guess the concern  
17      or the question that I have when I read the different ones of  
18      these and let me contrast this one, for example, with Point  
19      Beach.

20           The impression I get from reading your analysis of  
21      Point Beach is that the licensee had a diligent program right  
22      from the start, was aggressive, kept you informed all the way  
23      along the process and then you have the item left over at the  
24      end which despite really good faith and best efforts on their  
25      part remains.

1 I don't have any trouble with that one at all. The  
2 sense I had from this a little bit giving the wording was that  
3 in the case of D. C. Cook you had much more of an evolving  
4 program. It wasn't everything that you wanted it to be to  
5 start be. It began to get better. Clearly when they  
6 identified the problems in 1984 and 1985 you are pretty  
7 comfortable with the follow-up that they took on them after  
8 that and you think that they have been fairly aggressive since  
9 that point in time.

10 What I am trying to decide is whether that  
11 characterization is accurate and then how to weigh that in the  
12 balance of whether this is truly an extraordinary case  
13 justifying an extension or not.

14 MR. DENTON: I think the two that we have brought to  
15 you first bracketed all the others.

16 COMMISSIONER ASSELSTINE: Yes, that is right.

17 MR. DENTON: That was partially to get guidance from  
18 the Commission on which side and one was quite easily handled.  
19 Brunswick was a difficult one. I think you will find all these  
20 fall between Nine Mile Point and Brunswick.

21 You will find every one of these is on a continuum  
22 somewhere at least in our view between those two cases. We  
23 have tried to push some one way and push some another way.

24 CHAIRMAN PALLADINO: Let me make an observation.  
25 This is a matter of judgment in many cases and I appreciate

1 your trying to understand the basis for their recommendation.

2 I think we also need to look at the amount of  
3 extension and use also the number of items as an indication of  
4 how diligent they have been as well.

5 The other observation I wanted to make is if we  
6 spend this long on each one, we are going to be here quite a  
7 number of hours.

8 I am not trying to thwart questions but asking when  
9 you reach a point where you have as much information as it  
10 appears we are going to get, we probably ought to go on.

11 COMMISSIONER BERNTHAL: I would just say that in my  
12 judgment the objective for me at least here is to get a broad  
13 sense now and the Commission has already decided on the two  
14 poles here and for me to get a broad sense now of how that  
15 rule or how the staff's interpretation of the Commission's  
16 decision on those two cases is being applied here.

17 Unless there is some pretty convincing evidence or  
18 flaw that surprises the staff perhaps as much as me that shows  
19 up here, I am inclined to accept the staff's judgment on most  
20 of these things because they clearly have been much closer to  
21 each individual case and everything from the personalities  
22 involved to the objective evaluation of the hardware than any  
23 of us possibly could have been.

24 On a broad glance it looks to me like there has been  
25 a fairly even handed approach here but I am interested in

1 your trying to understand the basis for their recommendation

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3 extension and use also the number of items as an indication of  
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21 each individual case and everything from the personalities  
22 involved to the objective evaluation of the hardware than any  
23 of us possibly could have been.

24 On a broad glance it looks to me like there has been  
25 a fairly even handed approach here but I am interested in

1 having some specific questions answered yet on one or two.

2 CHAIRMAN PALLADINO: All right. Anything further on  
3 D.C. Cook?

4 COMMISSIONER ZECH: Frankly, I wasn't sure that we  
5 needed this meeting at one time but as I received the packages  
6 it became clear to me that there were a number of questions  
7 and I don't know if this meeting is the right forum but as far  
8 as I am concerned I need more information on the things that  
9 they have sent us. I do.

10 What I am saying is that I am trying to put together  
11 each one of these things you send me in kind of a package like  
12 this and the SECY letter is important, of course, your  
13 recommendation but also the references are important. I am  
14 trying to dig them out. Some of them I am digging out from  
15 the daily staff notes and things like that but all the  
16 references that you use even the letter requesting the  
17 exemption is important.

18 I frankly had a hard time pulling them together. So  
19 what I am requesting is that the staff work that you send us  
20 perhaps be a little more complete. It will be easier to dig  
21 into it and you have all that information and it is certainly  
22 available but gathering it together has been rather difficult.

23 As I say, I am trying to have my people put together  
24 for me a package like this so it highlights the thing. So  
25 frankly I have a number of questions and I don't know if we

1 can answer them all here today.

2 CHAIRMAN PALLADINO: Could you give us an example or  
3 two of some of the questions you have?

4 COMMISSIONER ZECH: Here as we go into each plant I  
5 could go over and talk about the questions. D.C. Cook is  
6 frankly the only one I haven't gotten to of the seven in great  
7 detail. But the others I can tell you all kinds of things I  
8 have here.

9 CHAIRMAN PALLADINO: Well, when we come to them you  
10 have an opportunity.

11 COMMISSIONER ZECH: We can try it but as I say, it  
12 may take all day and I don't know that that is really the best  
13 use of our time. But there are questions and I could submit  
14 them in writing or we could talk about it today.

15 CHAIRMAN PALLADINO: I was going to suggest identify  
16 the nature of a few as we go through.

17 COMMISSIONER ZECH: But it would be helpful, too, if  
18 you could send out the materials.

19 CHAIRMAN PALLADINO: Unfortunately, we are working  
20 under a time constraint.

21 COMMISSIONER ZECH: I know that and I think the  
22 staff has done an excellent job frankly in a very unique and  
23 important matter. I don't mean to be critical. I am just  
24 trying to say that it would be very helpful for me to have a  
25 completed package so that when I go through I could follow



1 your reasoning and your judgment perhaps a little bit easier  
2 than I have been able to do so far.

3 COMMISSIONER ASSELSTINE: I would second that  
4 comment Lando. Before I had gone out of town I had sent a  
5 list of items that I thought ought to be reflected in the  
6 paper.

7 I was somewhat disturbed that Bill sent back a memo  
8 saying that we just can't get this information, we don't have  
9 it even after five years of working on this problem and it is  
10 going to delay the process along while to get it.

11 I have to say that I am pleased to see the most  
12 recent papers that we got because it appears that a lot of  
13 that information has been folded into the more recent papers.  
14 I think that they are a step ahead of the couple of early ones  
15 that we had and I appreciate the efforts that the staff has  
16 made to dig out some more of that information.

17 Some of that is still missing. Joe, as you said,  
18 one of the things that was of concern to you was how long the  
19 extension request was for and how does this fall in the total  
20 universe of equipment.

21 How much equipment did they have to qualify and how  
22 much is left over after all of their efforts? Looking at the  
23 D.C. Cook one, for example, the total number of equipment, the  
24 items that they had to qualify I didn't find in there although  
25 the number that they are left with is in there.

1 I think the staff has made an effort to provide some  
2 additional information and I appreciate that but I would agree  
3 with Commissioner Zech that there are still a few gaps.

4 CHAIRMAN PALLADINO: I would like to remind you why  
5 we are going through this exercise. We are not going through  
6 this exercise to find who we want to punish or who we don't  
7 want to punish. We are going through this exercise to get the  
8 equipment qualified.

9 We have to put a cut-off date. Otherwise, we are  
10 never sure that there is a program that is going to bring  
11 about the qualification.

12 We put the cut-off date to encourage people and  
13 urge the people and make the people go do something. Now if  
14 they failed, we say, "Well, was it because they were diligent  
15 or was it because they were not diligent?"

16 COMMISSIONER ASSELSTINE: that's right.

17 CHAIRMAN PALLADINO: We are trying to make a  
18 judgment. We are not trying to make such a close call that we  
19 don't get the motivation that needs to be gotten. I would  
20 suggest that maybe some of the answers we desire aren't as  
21 necessary as they first appear.

22 Each one has to make his own judgment on it. But  
23 keep in mind what we are trying to do by this whole process is  
24 to get the equipment qualified, get it qualified soon and  
25 avoid the kind of situation that we have had in the case of

1 Appendix R.

2 With that, I am not sure how many cases we have  
3 covered so far. I put a dot at D.C. Cook now. Actually I put  
4 it earlier.

5 COMMISSIONER ASSELSTINE: I think we have covered  
6 one.

7 CHAIRMAN PALLADINO: I am going to suggest that we  
8 close D.C. Cook and go on to another case.

9 COMMISSIONER BERNTHAL: I just want to make a  
10 comment that it sounds like we are going to have two different  
11 philosophies on this thing because in my own judgment I am at  
12 this meeting and I am sampling what the staff has done to give  
13 them policy guidance.

14 Neither I nor my staff are going to try to get  
15 behind every piece of equipment and every decision the staff  
16 has made on a matter like this. I don't intend to do that. I  
17 am going to go through.

18 We have seen pretty much the two extremes. I have  
19 some questions as well but I consider myself an auditor on  
20 this thing and as long as the broad policy guidance is  
21 understood, it seems to me for example on D.C. Cook, I don't  
22 know what those cables are and whether they can be qualified  
23 or not but it seems to me that broadly speaking that staff has  
24 made a reasonable call there.

25 Let's get on with it. But I seem to have a rather

1 different perspective on this, I guess, than one or two of my  
2 colleagues.

3 COMMISSIONER ZECH: If I may say, you have a  
4 different perspective than I have.

5 COMMISSIONER ASSELSTINE: Yes.

6 COMMISSIONER ZECH: I think it is important and I  
7 respect what the staff has done. I think I have tried to home  
8 in on my review of what they have given me on the key things  
9 that aren't done yet. I think it is important.

10 We are involved in very important decisions as to  
11 whether we need in some cases perhaps shut a plant down or  
12 not. That is a very important decision. I think we have to  
13 get into that and dig in with the staff and try to understand  
14 exactly what we are doing if we come to that decision.

15 So I think it is important that we dig into these  
16 things, at least I want to anyway from my standpoint, before I  
17 make a judgment. I really want to feel reasonably confident  
18 that I am doing the right thing as well as respecting the  
19 staff's judgment.

20 So I really intend to look at these in some detail.  
21 At least I am going to make the effort to do that.

22 COMMISSIONER ASSELSTINE: I agree with that.

23 CHAIRMAN PALLADINO: Let me also point out that we  
24 generated the dates. We imposed the time constraints. We are  
25 the ones that want to see equipment qualification done. We

1 are the ones that ought to try to meet our end of the bargain  
2 with regard to the dates.

3 I think it is going to have to take some reasonable  
4 balance but each one will have to make his judgment.

5 I am going to suggest that we try another case.

6 COMMISSIONER ASSELSTINE: sounds good.

7 CHAIRMAN FALLADINO: Did we complete Haddam Neck?

8 COMMISSIONER BERNTHAL: Sounds good and I will worry  
9 about policy.

10 MR. DIRCKS: I think the view of some Commissioners,  
11 we have these files quite extensive and I think some of them  
12 were sent directly. The company made submissions directly to  
13 the Commission but there may be back-up.

14 COMMISSIONER ZECH: I am just asking either you or  
15 SECY that when they send us a package that requires a judgment  
16 that we have it all together. If that is too much, then I  
17 will work it out myself.

18 MR. DIRCKS: No. I think we can do that.

19 COMMISSIONER ZECH: It seems to me that we ought to  
20 be able to expect the completed staff work. It is a lot  
21 easier for me to go through it when it is all in one package.  
22 I will be happy to dig it out myself. That is what I am doing  
23 right now.

24 I am just saying that it would be easier for me if I  
25 could get it presented to me in a manner that would perhaps

1 best use my time.

2 MR. DENTON: We can certainly provide it to you. I  
3 had the same difficulty when I saw them. All the requests for  
4 extensions originally came to the Commission because only you  
5 can grant the extension and forwarded them to us and we tried  
6 to base our recommendation merely on what the licensee said.

7 If he didn't provide much of a rationale we didn't  
8 invent it for him. So we might not be able to answer all your  
9 questions because we have read his statement, big or little,  
10 and then based on what we knew about the case came to some  
11 judgment.

12 But basically the case was tried if you look at it  
13 that way on the licensee's submittal plus what we and the  
14 regional folks thought about the licensee's submittal.

15 MR. DIRCKS: I think that is an important point  
16 Harold made. We were not going to supplement the licensee's  
17 record. He made the case directly to you and what we were  
18 trying to do is to synthesize that material and give you our  
19 view of what he submitted.

20 We were not going to submit other documentations to  
21 support the licensee's case.

22 COMMISSIONER ZECH: All I am asking for is the  
23 completed staff work.

24 CHAIRMAN PALLADINO: All right. I think you have an  
25 agreement to have the staff do that.

1           Again I am going to suggest that we leave D.C. Cook.  
2           We had been in the process of Haddam Neck. Are there questions  
3           or comments on Haddam Neck that we did not address?

4           COMMISSIONER BERNTHAL: Yes, I have one question on  
5           Haddam Neck. One of the things that troubled me a little bit  
6           I have to say about the -- although again I am inclined to  
7           think staff has made the right policy judgment here because  
8           that really is what a lot of this is.

9           One of the things that troubled me was the licensee's  
10          relying on participation in ISAP as one of its major arguments  
11          and I understand that in a way. I am troubled by the reliance  
12          on it but I also think that we should give some credit for the  
13          utility's willingness to step forward in a voluntary program  
14          and one that is valuable to our safety efforts, to its own  
15          safety efforts.

16          Maybe you can just comment a little bit on that. It  
17          seemed like when it was all said and done that it was this  
18          ISAP Program that made us late and you ought to give us the  
19          extension because of that.

20          MR. GRIMES: I would like to respond to that. I  
21          have a vested interest in that program since that will be my  
22          responsibility in the future. We reviewed the licensee's  
23          presentation and we understand that the licensee feels that he  
24          is receiving conflicting policies from the Commission.

25          We did not take ISAP into account in terms of our

1 judgment his diligence to try and accomplish environmental  
2 qualification despite the delays in getting ISAP started.

3 So our view was recognize that that was his concern,  
4 the licensee's concern, but we looked at it from the historical  
5 point of view in terms of -- I personally was involved in at  
6 least three screening review attempts on the Northeast plants  
7 that looked at safety significance and the basis for deferring  
8 action on specific pieces of equipment.

9 While I can't recall those specific pieces of  
10 equipment I know that we looked at detail in terms of other  
11 qualified means to achieve the safety function and the kinds  
12 of things that would warrant the extension request that they  
13 made repeatedly in order to try and evaluate these pieces of  
14 equipment in ISAP.

15 Ultimately the licensee had a parallel course that  
16 eventually caused them to procure and they will now install  
17 all of the equipment to achieve qualification.

18 MR. DENTON: Perhaps you would like to hear from  
19 John Zwolinski who is present who presently has that plant  
20 within his branch.

21 MR. ZWOLINSKI: I am the branch chief for the Haddam  
22 Neck plant and my name is John Zwolinski. I think you should  
23 be aware Commissioner that much of the paper was founded not  
24 on ISAP but on their diligence in pursuing an equipment  
25 qualification program outside of the ISAP.



1 I think you will note that the equipment has been  
2 purchased, is on their site and will be installed at their  
3 refueling outage to begin on January 4, 1986 should they have  
4 the opportunity to get to that particular date.

5 We mentioned ISAP in the paper as another piece of  
6 the entire puzzle which was presented to us in their  
7 presentation.

8 CHAIRMAN PALLADINO: All right. Any more on Haddam  
9 Neck?

10 COMMISSIONER ASSELSTINE: Yes, just a couple. I  
11 would say that I agree very much with Fred's comment on the  
12 interrelation with the ISAP Program. I think that program is  
13 a good program and it has a lot of benefits and a lot of  
14 features. I personally have never viewed it as a mechanism  
15 though for saying something like equipment qualification where  
16 the Commission had a specific deadline saying, "Well, we are  
17 prepared to defer some of those items perhaps for an extended  
18 period of time."

19 I felt that those things would be built into that  
20 process or at least absent some strong justification that we  
21 are going to as part of ISAP make a major improvement in an  
22 overall system and therefore we prefer that approach than  
23 qualifying an existing system that may not be as good.

24 I had the same kind of reaction I think as Fred did  
25 about seeing ISAP offered as a justification for failure to

1       qualify the equipment by the deadline.

2               MR. ZWOLINSKI: Commissioner, you might realize and  
3       be aware that Millstone Unit 1 was not brought to the table  
4       today and Haddam Neck was. In fact, this is the very point  
5       that the staff is struggling with is the reliance on ISAP as  
6       one of the principal reasons to perhaps delay the EQ work.

7               For Haddam Neck I think we have constructed a  
8       different argument and I think Haddam Neck would have stood on  
9       its merits without even mentioning the ISAP program.

10              COMMISSIONER ASSELSTINE: All right. For myself at  
11       least that is the way I would view it as separating out the  
12       ISAP justification as not a valid justification looking at the  
13       merits of the proposal other than that.

14              In that regard let me ask you about the valve motor  
15       operators. It says here that the licensee was pursuing  
16       difficulties since 1980 with the valve motor operators.

17              I understand that they have had lots of problems  
18       with the suppliers. Are you satisfied that they really have  
19       made a good faith effort to identify those problems and get  
20       them corrected notwithstanding their inability to get the job  
21       completely done by the deadline? It is five years.

22              MR. ZWOLINSKI: I understand. It is kind of the  
23       same type of question that you addressed on D.C. Cook. If the  
24       program was really working in a first-class manner back in  
25       1981 and 1982 we should have realized that we had problems and

1 got things corrected. We would have been qualified in an  
2 outage in 1984.

3 COMMISSIONER ASSELSTINE: In fact the sense I got  
4 from this is that they did understand they had qualification  
5 problems as early as that and the problem was in getting those  
6 corrected.

7 MR. ZWOLINSKI: If you will note they did make  
8 purchasing agreements in June of 1984 and they simply could  
9 not get delivery in time. It was a 34-week lead time for the  
10 components. When the components were delivered and these are  
11 the motor operators by the way they went through the Northeast  
12 Utilities QA program and were found to be unacceptable and  
13 Northeast turned around and reissued a purchase order for  
14 those components and have been accepted now at the site.

15 COMMISSIONER ASSELSTINE: When did they get both the  
16 motor operators and the RTD's, the ones that were acceptable?

17 MR. ZWOLINSKI: When did they physically arrive at  
18 the site?

19 COMMISSIONER ASSELSTINE: Yes.

20 MR. ZWOLINSKI: I am sorry. I don't have that  
21 answer. I can furnish it.

22 COMMISSIONER ASSELSTINE: Do you know when the  
23 outage was for the cavity seal failure?

24 MR. ZWOLINSKI: The outage began in August of 1984  
25 and if you recall, we did have the seal failure shortly after

1 the outage began and that was a delay of about two months to  
2 clean up after the event and respond to that event.

3 So it delayed their outage planning by about two  
4 months over a five year period. As you are aware outages are  
5 planned typically three to five years in advance and the  
6 original outage in 1985 was scheduled for November 1st.

7 COMMISSIONER ASSELSTINE: Do you know if they could  
8 have put either of these two parts in during that outage as a  
9 result of the extended outage or did the equipment come in  
10 after that?

11 MR. ZWOLINSKI: The equipment was not available.

12 COMMISSIONER ASSELSTINE: It was not available?

13 MR. ZWOLINSKI: That is correct.

14 COMMISSIONER ASSELSTINE: All right.

15 CHAIRMAN PALLADINO: Anything further?

16 COMMISSIONER ASSELSTINE: I think that basically  
17 covers my questions on that.

18 CHAIRMAN PALLADINO: All right.

19 COMMISSIONER ASSELSTINE: Let's see others have  
20 any? Lando, did you have some?

21 CHAIRMAN PALLADINO: Lando.

22 COMMISSIONER ZECH: I just had a couple if you want  
23 them now.

24 CHAIRMAN PALLADINO: Yes. An example would be  
25 helpful.

1           COMMISSIONER ZECH: The ISAP question has been  
2     answered. I had that same question. I think it is a good  
3     program too but I do think that it should be considered on its  
4     own merit and not necessarily as a substitute for the equipment  
5     qualification program. But that has been brought up.

6           The other question I had concerns the qualified  
7     replacement RTD's. My question was why did the licensee  
8     believe that those qualified replacement RTD's were unreliable  
9     and had the potential for common mode failure? If that is  
10    true, how do they get them qualified?

11          MR. GRIMES: I was involved in that particular  
12    effort. The licensee had installed these dual element RTD's  
13    in Millstone Unit 2 and even though they are qualified in  
14    accordance with IEEE standards in actual use the RTD's were  
15    not operating the way that they had thought they would.

16          COMMISSIONER ZECH: These are the replacement RTD's  
17    you are talking about?

18          MR. GRIMES: That is correct.

19          COMMISSIONER ZECH: All right.

20          MR. GRIMES: The operating characteristics of the  
21    elements caused them operational difficulties so they viewed--

22          COMMISSIONER ZECH: If they are unreliable and had  
23    operational difficulties, what were we doing about it?

24          MR. GRIMES: The reliability has to do with the  
25    interrelationship between the element and the instrumentation

1       that it works with.

2               COMMISSIONER ZECH: Were they still considered  
3       qualified replacement RTD's?

4               MR. GRIMES: That is correct. They satisfy the  
5       requirements for qualification and they satisfy the  
6       specifications with respect to their response times and other  
7       features.

8               COMMISSIONER ZECH: Why did they believe they were  
9       unreliable then? I think they made that statement.

10              MR. GRIMES: Because it caused a shutdown in  
11       Millstone Unit 2.

12              COMMISSIONER ASSELSTINE: So they put them in one  
13       plant and had problems with them and then didn't want to put  
14       them in the other plant until they sorted out the problems.

15              MR. GRIMES: They had to work out the details of the  
16       system's response to the RTD's so that they would not cause  
17       operational difficulties.

18              COMMISSIONER ZECH: But they found it out in the  
19       other plant that they were satisfactory so they considered  
20       them qualified and reliable then.

21              MR. GRIMES: Reliable from the standpoint that they  
22       would survive the accident and operate the way that they were  
23       intended but unreliable with respect to the response  
24       characteristics as they pertain to operating the plant. If  
25       they are going to cause spurious trips you want to solve the

1 related instrumentation problem.

2 COMMISSIONER ZECH: Is somebody working on that?

3 MR. GRIMES: That has since been resolved.

4 COMMISSIONER ZECH: It has been resolved.

5 MR. GRIMES: Yes.

6 COMMISSIONER ASSELSTINE: In fact I gather from the  
7 paper that what they have done is upgrade the whole system.

8 MR. GRIMES: That's correct.

9 COMMISSIONER ASSELSTINE: So that it is a much  
10 better system than it was before.

11 COMMISSIONER ZECH: The only other thing that I had  
12 on this one was on the TMI Action Items, how are we resolving  
13 those with respect to the EQ deadline date? It seems to me  
14 that there was some discussion of that and there might have  
15 been a little bit of confusion. I hope those Actions Items  
16 are not being used as a reason for putting off equipment  
17 qualification.

18 MR. GRIMES: It is not an excuse for putting off  
19 equipment qualification but any of the plant modifications  
20 resulting from a TMI Action plan have to be if they require  
21 qualified equipment then that equipment has to meet the  
22 environmental qualification requirements.

23 CHAIRMAN PALLADINO: If it is new equipment, you are  
24 not going to say that it has to be done on the date that  
25 precedes their installation?

1 MR. GRIMES: I would have to go back and check the  
2 details. Our view was that if they were installing equipment  
3 to satisfy the TMI Action Plan in the 1981 to 1983 time frame,  
4 we would expect it to meet the EQ rule.

5 If they are installing equipment in 1984 and 1985,  
6 new equipment, if there are difficulties associated with EQ,  
7 that we viewed as a separate issue.

8 CHAIRMAN PALLADINO: Let's assume some new item and  
9 maybe not the TMI Action Plan but related, the Davis-Bessie  
10 situation where they are going to put in a new pump or piece  
11 of equipment and right now I don't know if it is equipment  
12 qualified or not or whether it needs to be, but I wouldn't  
13 expect they have to meet the November 30 deadline. They have  
14 to meet it to have it qualified in accordance with whatever we  
15 decide we need for that.

16 MR. GRIMES: That is correct. I agree with your  
17 view and that is what I was trying to explain.

18 CHAIRMAN PALLADINO: I see. Maybe I misunderstood  
19 you.

20 COMMISSIONER ZECH: That is all I had on Haddam  
21 Neck, Mr. Chairman.

22 CHAIRMAN PALLADINO: all right.

23 MR. DIRCKS: May we go back to ISAP for a minute?  
24 Am I getting a sense that any arguments they make that they  
25 depended on ISAP should be considered irrelevant for this



1 purpose?

2 CHAIRMAN PALLADINO: Not for me I think. I think  
3 you need a balanced view. I know we could go in and put every  
4 case under the microscope and try to decide whether this was  
5 met precisely at that time.

6 The Commission looked at the first two that set the  
7 boundaries and then between I think there are some that are  
8 easy and some that are going to be a little bit harder. I  
9 think it is appropriate to ask these kinds of questions but I  
10 don't think that --

11 MR. GRIMES: I would like to ask a question in that  
12 regard and it is a clarification of the policy that was  
13 developed when we proposed ISAP.

14 At that time the Commission was very concerned about  
15 the basis for deferring actions so that those issues could be  
16 resolved in ISAP. If the utility had instead of arguing about  
17 the time frame of ISAP presented the case by which they  
18 decided to fix some things and put others off so that they had  
19 in fact put together a sufficient story of the lack of safety  
20 significance for the equipment that was being deferred, I  
21 would view that as satisfying conformance with 50.12 as is  
22 required in the ISAP Policy Statement.

23 That is the issue right now that we have been  
24 looking into, whether or not underlying all of their arguments  
25 about their efforts to get these issues resolved in ISAP,

1     whether or not they have in fact developed in some place the  
2     explanation of their conclusion that not fixing this equipment  
3     does not jeopardize public health and safety because there are  
4     alternative systems that accomplish the same function.

5             COMMISSIONER ASSELSTINE:     But that sounds very much  
6     -- clearly there are differences in terms of the amount of  
7     equipment involved but that sounds very much like the Brunswick  
8     argument which was, "Look fellows, we were busy doing other  
9     things that were much more important to safety in terms of the  
10    operation of this plant and that is why we just didn't get to  
11    this equipment qualification business as early as we wanted  
12    to."

13            MR. GRIMES:     But they were distinguishing EQ from  
14    everything else.     I am saying that for EQ as a whole that you  
15    could go through all of the equipment and rate its safety  
16    significance and then if you look at the stuff at the bottom  
17    of the list if there is something that can accomplish that  
18    function that is qualified, that in fact is what we rely on  
19    for justifications for continued operation.

20            The issue as I see it is how long have we been  
21    riding on those JCO's and to what extent have we compromised  
22    defense-in-depth.     If there is a case to be made for the  
23    equipment that they have elected to defer to ISAP, there are  
24    11 pieces that they wanted a continued extension for, I would  
25    hope that that argument can be clearly presented to the

1 Commission.

2 COMMISSIONER ZECH: I think that the ISAP Program  
3 has to be looked at. It is a unique program. It has to be  
4 looked at very carefully here. Every judgment they have made  
5 to postpone something beyond an EQ date which we have set  
6 should be justified not only by them but by you. You should  
7 understand and agree that that was a very sensible thing. It  
8 should not be used as an excuse to not comply with the EQ  
9 program.

10 COMMISSIONER ASSELSTINE: Right.

11 COMMISSIONER ZECH: That is all I mean.

12 COMMISSIONER ASSELSTINE: That is exactly my point  
13 as well.

14 CHAIRMAN PALLADINO: I thought that is what the  
15 staff is doing.

16 MR. GRIMES: I understand and I agree.

17 COMMISSIONER ASSELSTINE: In which case you will  
18 look at the merits. I agree with what the Chairman says. You  
19 will look at the merits of the justification for why they were  
20 not able to get this done in the context of the items that we  
21 had outlined in the generic letter. Did they make a good  
22 faith effort to identify their problems, pursue them and get  
23 them resolved rather than well can they just offer ISAP as a  
24 justification for why they didn't do it.

25 MR. GRIMES: I understand.

1 CHAIRMAN PALLADINO: Are you through with Haddam  
2 Neck?

3 COMMISSIONER ZECH: Yes.

4 COMMISSIONER BERNTHAL: As long as we are talking  
5 about details here I thought that their cavity seal failure  
6 was their fault. Wasn't that their screw-up?

7 COMMISSIONER ASSELSTINE: It sure was.

8 COMMISSIONER ZECH: Yes.

9 COMMISSIONER BERNTHAL: There is another nail in the  
10 coffin. That was also by the way one of the points they  
11 offered in their defense.

12 CHAIRMAN PALLADINO: We had talked about Shoreham  
13 and you said that you would recommend approving an extension  
14 to 12/31. Does that give anybody a problem or are there other  
15 basic questions?

16 COMMISSIONER ASSELSTINE: I have some questions  
17 about Shoreham.

18 MR. GRIMES: For my own convenience, I would like to  
19 talk about Shoreham and then Palo Verde because it is  
20 essentially the same issue --

21 COMMISSIONER ASSELSTINE: Yes, same equipment.

22 MR. GRIMES: -- and two different utilities  
23 approaching the same problem from two different ways.

24 CHAIRMAN PALLADINO: All right.

25 COMMISSIONER ZECH: When you talk about that it was

1 my understanding that there are a total of eight utilities  
2 that have these same hydrogen recombiner units.

3 MR. GRIMES: That is correct.

4 COMMISSIONER ZECH: I would be interested to know  
5 how all eight of them solve this problem.

6 MR. GRIMES: In general terms Palo Verde and Shoreham  
7 elected to go with Rockwell and rely on them because they had  
8 as a part of their contractual arrangements agreed to have the  
9 equipment qualified.

10 COMMISSIONER ZECH: Did the others as well?

11 MR. GRIMES: The other utilities said, "No, we don't  
12 think Rockwell is going to cut it." So they went off on  
13 separate qualification programs.

14 As it turns out the other six made it and Shoreham  
15 and Palo Verde now are stuck in their situation.

16 The staff view when we looked at that experience was  
17 that hindsight is perfect. It could have turned out the other  
18 way. The six that had gone off on their own programs without  
19 the kind of experience that the vendor had might have ended up  
20 being in the position that the vendor is in today.

21 That was a major consideration in terms of judging  
22 the licensee's proposal.

23 COMMISSIONER ASSELSTINE: It sure doesn't look like  
24 the vendor in this case was very responsive. If the utility  
25 was asking that the equipment be qualified beginning in May of

1 1980, authorized the testing in June of 1981 and they didn't  
2 really identify this problem until mid-1985. It sure looks  
3 like that is where a lot of the problem is in this case.

4 MR. GRIMES: You have to realize or at least one of  
5 the factors that we considered is we are talking about a very  
6 complex hydrogen recombiner system.

7 COMMISSIONER ASSELSTINE: Yes.

8 MR. GRIMES: Most of the efforts in terms of  
9 qualification I personally expect focused on the recombiner  
10 itself, the combustion device that is probably going to have  
11 the most difficulty.

12 It turns out that as the qualification program  
13 progressed they discovered the problem in the control panel  
14 where they probably I would expect not have anticipated that  
15 kind of difficulty and also the combination of testing as it  
16 comes together whether it is sequential or an integrated test  
17 and the other features apparently caused the vendor difficulty.

18 I think that Bob LaGrange can talk some more about  
19 the experience with Rockwell and what went on during that time  
20 frame but ultimately our judgment was that we thought that the  
21 licensee's directions and efforts to try to keep Rockwell  
22 moving towards qualification were diligent.

23 COMMISSIONER BERNTHAL: I am curious about the fact  
24 -- not curious but I just note the fact that we, I think, have  
25 a benchmark here on at least how early one utility got to work

1 on EQ and that is Shoreham.

2 In May of 1980 or in other words in early 1980 they  
3 were on the problem and clearly about their business and this  
4 is Shoreham now. Some other utilities certainly did not  
5 respond as quickly.

6 MR. GRIMES: I think you should also realize that  
7 Shoreham was an NTOL who knew what rules and design criteria  
8 they were going to face. I would think that May 1980 was  
9 probably compatible with the purchase date of the equipment  
10 for a plant that they hoped to eventually put into operation  
11 as opposed to operating plants who were first trying to  
12 develop a scope of what do they need to replace before they  
13 can then go out with purchase specs.

14 COMMISSIONER BERNTHAL: But it is clear that at  
15 least some folks were aware of what had to be done in May of  
16 1980 whether they were in construction or retrofitting.

17 COMMISSIONER ZECH: Those are all of my questions on  
18 Shoreham, Mr. Chairman.

19 CHAIRMAN PALLADINO: All right.

20 COMMISSIONER ASSELSTINE: I just have a couple  
21 more. The first one I had was I gather that for the hydrogen  
22 recombiner, the part that they have had trouble with at least  
23 recently, is the seismic qualification part.

24 MR. GRIMES: The seismic qualification in the  
25 control panel.

1           COMMISSIONER ASSELSTINE: I didn't think that  
2 seismic was part of the EQ rule, was it?

3           MR. GRIMES: Seismic is part of their licensing  
4 basis.

5           COMMISSIONER ASSELSTINE: All right. In this case  
6 that portion of their qualification problem isn't so much tied  
7 to the EQ rule itself as it is to the licensing base for the  
8 plant.

9           MR. GRIMES: It is the licensing basis and it is the  
10 interrelationship between meeting your licensing basis and  
11 meeting the EQ rule at the same time.

12          COMMISSIONER ASSELSTINE: All right. I was a little  
13 puzzled about why if that was the particular problem that that  
14 was a concern as far as the extension.

15          COMMISSIONER BERNTHAL: We are talking about Palo  
16 Verde now I guess, right?

17          COMMISSIONER ASSELSTINE: Shoreham, but it is the  
18 same problem.

19          COMMISSIONER BERNTHAL: It is the same problem but  
20 my impression was at Palo Verde and it is a border line case  
21 but at Palo Verde it looks like they are trying to meet a  
22 seismic criterion that is rather rigorous compared to what  
23 they really needed to make and that that is part of the reason  
24 for their difficulty. Is that not the case?

25          MR. LaGRANGE: Bob LaGrange, Equipment Qualifications



1       Branch     To clarify why the seismic failure impacts the  
2       environmental qualification, part of the test sequence that the  
3       equipment goes through prior to -- in fact, the seismic is  
4       prior to the accident simulation.

5                 What they do is they test the prototype. They age  
6       it. They put mechanical wear on it. They do the seismic  
7       testing and the accident sequence. So what it did was it  
8       failed prior to reaching the accident simulation. It is just  
9       part of the test sequence to environmentally qualify this.

10                COMMISSIONER BERNTHAL: Is it your impression that  
11       Palo Verde at least has set for itself a seismic goal and  
12       criterion and one might say that it was overdesigned in terms  
13       of seismic requirements.

14                MR. LaGRANGE: That is very possible.

15                COMMISSIONER BERNTHAL: I am not sure that is all  
16       bad.

17                MR. LaGRANGE: That is one of the drawbacks if you  
18       will on generic qualification programs. You want to envelope  
19       everybody's conditions and there is always somebody whose  
20       conditions are much lower than the envelope conditions and you  
21       run the risk of failing.

22                MR. GRIMES: I am not certain that Shoreham doesn't  
23       have that same situation since there is such a close parallel.  
24       In the Shoreham case the licensee's argument did not present  
25       that clearly and if I had been a better coordinator, I might

1 have seen that disconnect and made those two points consistent.

2 COMMISSIONER BERNTHAL: But for Shoreham we are now  
3 looking at paperwork between now and December 31, right?

4 MR. GRIMES: That is correct. Based on Mr. Caruso's  
5 update I would presume that all that is left now is pulling  
6 that material together.

7 CHAIRMAN PALLADINO: What about Palo Verde? Any  
8 further questions on that?

9 COMMISSIONER ASSELSTINE: I have one remaining on  
10 Shoreham on the actuators for the dampers.

11 CHAIRMAN PALLADINO: All right.

12 COMMISSIONER ASSELSTINE: I take it what they did  
13 was since the other ones were obsolete they ordered new ones,  
14 tested a prototype of the new ones to see if they were okay  
15 and once they found out they were okay then decided to put  
16 them in, is that right?

17 MR. GRIMES: I will defer to Mr. Caruso.

18 COMMISSIONER ASSELSTINE: All right.

19 MR. CARUSO: When they decided to qualify the  
20 original dampers you are right, they determined that they were  
21 obsolete. They decided to qualify the new ones and the  
22 qualification test program was started for the new ones.

23 They were procured I think earlier this year or late  
24 last year based on the assumption that they would pass the  
25 qualification test in an attempt to avoid delays due to

1 procurement because as you saw with Haddam Neck there are  
2 sometimes 34 or 52 week lead times on these items.

3 They have been procured. They are at Shoreham and  
4 they are being installed during the current outage. Shoreham  
5 is in a shutdown right now to replace sources and the actuators  
6 and the hydrogen recombiners, new qualified recombiners, will  
7 be installed during this outage before they intend to start up.

8 What is left to be done right now is to complete the  
9 qualification paperwork for the test that have been completed  
10 on both of those components.

11 COMMISSIONER ASSELSTINE: All right. When is the  
12 outage scheduled to end?

13 MR. CARUSO: Mid-December, I think.

14 COMMISSIONER ASSELSTINE: Mid-December, all right.

15 MR. CARUSO: Yes.

16 COMMISSIONER ASSELSTINE: You are talking about a  
17 deadline of the end of December for getting all the  
18 documentation.

19 MR. CARUSO: Yes. The utility agrees that it can  
20 get the paperwork done by the end of the year.

21 COMMISSIONER ASSELSTINE: All right. Both for  
22 Shoreham and for Palo Verde, could you talk about the  
23 interrelationship between the license condition since I gather  
24 those are the only two cases where you have a license condition  
25 on EQ and the extension request. Maybe OGC needs to talk about

1       that, too, what the significance is of the extension request in  
2       the context of needing either a license amendment or can we  
3       just not enforce the existing license condition.

4               MR. SHIELDS: I think it would be a better policy  
5       and I think we noted this in the Palo Verde package, I am not  
6       sure that it is noted in the Sequoyah case, that we issue a  
7       license amendment.

8               So in this case we would be asking for your  
9       authorization for Harold to issue such an amendment prior to  
10      November 30th. On the Palo Verde Unit 2 case I think that  
11      would just involve inserting an appropriate term in that  
12      license.

13              COMMISSIONER ASSELSTINE: All right. So in those  
14      cases what you are proposing is both approval of an extension  
15      and a approval of a license amendment?

16              MR. SHIELDS: Right. I think we can issue the  
17      amendment with your authorization.

18              COMMISSIONER ASSELSTINE: All right.

19              COMMISSIONER BERNTHAL: May I ask a generic question  
20      here that is not specific to a plant before we lose all our  
21      time here?

22              How have we assured and I hear the drippings of a  
23      little bit of this in comparing Shoreham and Palo Verde, how  
24      have we assured that there is uniformity here in the way you  
25      considered the extension requests? There is not much

1 uniformity on the size of our staff with respect to the  
2 microphone over there. How do we make sure that there is  
3 uniformity in the way you treat these extension requests?

4 MR. DENTON: We tried the bottoms-up approach to it  
5 to get all the project managers and the residents who were  
6 involved in this and funnel them through Chris so that we had  
7 one person making in the initial instance a recommendation to  
8 me on what to do with them and then they were reviewed by  
9 myself and Bill and others as well as Bill Shields whose job  
10 is to see how we come toward meeting the criteria.

11 Basically Chris is the person who is assuring  
12 continuity across them in terms of putting them in their  
13 position on this continuum and I think that is basically what  
14 we have tried to do and then we have tried to draw the line on  
15 the continuum as to where it should be.

16 COMMISSIONER BERNTHAL: But you are satisfied that  
17 you have had enough time here with all of these recommendations  
18 now that you have come in with, that you have had the time to  
19 do that cross-cut and make sure that you are being even-handed  
20 across the board?

21 MR. GRIMES: You received two packages yesterday  
22 morning. Those were intended to be delivered to you the  
23 previous Friday. That is a measure of the time that I took to  
24 make sure that I felt comfortable that there is a rationale  
25 explanation for any of the differences between the plants and

1       our recommendations.

2               I am prepared to explain any difference that you can  
3       find. In some cases I note that I could probably have done a  
4       better job of explaining it or required that the project  
5       managers do a better job of explaining it so that you could  
6       have found the answers for yourself.

7               But we sacrificed that time. I would also like to  
8       point out that there were at least two occasions when we had  
9       all of the affected project managers in one room and in one  
10      case Hugh Thompson directed the meeting and I imagine that  
11      if you got them all together and asked them, they probably  
12      would explain it. We didn't take any rash actions. We beat  
13      it around and a number of these positions changed from one day  
14      to the next until we were confident that we had that  
15      explanation.

16              MR. DENTON: I guess we are in a bit of an  
17      uncomfortable role arguing for why should one be granted an  
18      extension in the first place. You are putting us in an  
19      uncomfortable staff role to try to argue their case.

20              Typically we make the licensee argue the case. We  
21      were just trying to give you some advice on our view about it  
22      but in the ultimate it seems like it is the licensee's burden  
23      to prove the case and not the staff's.

24              COMMISSIONER ZECH: That is why it is important as  
25      far as I am concerned that we do indeed review the licensee's

1 letters and their words very carefully.

2 CHAIRMAN PALLADINO: Oh, yes.

3 COMMISSIONER ZECH: I think that is very important  
4 and I agree.

5 CHAIRMAN PALLADINO: No question about that. Any  
6 more questions on Palo Verde?

7 COMMISSIONER ASSELSTINE: Yes, I had a couple on  
8 Palo Verde. I will try to get through them pretty quickly.

9 I take it in the case of Palo Verde the tests have  
10 not been completed unlike Shoreham where the tests of this new  
11 panel are not done?

12 MR. GRIMES: Palo Verde may very well be able to  
13 tell us today that their tests are completed, too. I think  
14 they were the same testing programs but I am not certain.

15 COMMISSIONER ASSELSTINE: I gathered it was a  
16 different problem with the panel, seismic question but a  
17 different part of the panel that was of concern.

18 MR. DENTON: Why don't we see if anybody in the  
19 audience has an answer to that question?

20 COMMISSIONER ASSELSTINE: All right.

21 MR. GRIMES: George Knighton, branch chief for  
22 Palo Verde will explain it.

23 MR. KNIGHTON: As you mentioned earlier Palo Verde  
24 is a member of the owners group that was developing the  
25 hydrogen recombiner. If I understand correctly the tests that

1       they were looking for had been successful completed.

2               COMMISSIONER ASSELSTINE:   all right.

3               MR. KNIGHTON:   On that basis the schedule would be  
4       that they would have the new panels to be put into place by  
5       the end of October and that they could have them in place with  
6       the first unit on November 31st and the second unit because  
7       you can't take both units out at one time by December 15th.

8               So it would be consistent with the Shoreham date  
9       that I believe you find in the Shoreham paper.

10              MR. GRIMES:   That raises an interesting question  
11       from the standpoint of the staff recommendations.   We noted  
12       that Shoreham had requested a year to wrap up a year and we  
13       had recommended December based on our understanding that they  
14       had already purchased the equipment and put it into place.

15              Palo Verde on the other hand had developed two  
16       alternative approaches and that is when one fails, they will  
17       go to this other approach.

18              If in fact they can finish the documentation by  
19       December 31st based on our understanding of their situation  
20       today should we revise the staff's recommendation and make  
21       that December 31st as well because right now we are  
22       recommending that they get the March 1986 date they asked for.

23              COMMISSIONER ASSELSTINE:   But you think now based  
24       upon new test results that they could get it done by the end  
25       of December?



1           MR. GRIMES: I would have to check. The two  
2 explanations between Shoreham and Palo Verde seem to indicate  
3 that they might have to do something different.

4           COMMISSIONER ASSELSTINE: Yes.

5           MR. GRIMES: We can certainly get representatives  
6 from Arizona Public Service to explain to us what their  
7 current situation is.

8           CHAIRMAN PALLADINO: If you are going to change your  
9 recommendation, you are going to have to give us another piece  
10 of paper. I was ready to act on your recommendations or  
11 address your recommendations but if it is going to be different  
12 I don't want to act on that one until I know what it is.

13           When would you have the new recommendation?

14           MR. DENTON: We will have to look at the test result  
15 that has been satisfied and reconsider it, I guess, but we are  
16 cutting the bread awfully thin. We are just trying to make  
17 sure that you are aware of these fine distinctions.

18           CHAIRMAN PALLADINO: If you are going to go back and  
19 tell us that it should be December 31st rather than the other  
20 date --

21           MR. DENTON: I think we were happy with the first  
22 recommendation but I think Chris was saying that if you want  
23 consistency, you could apply the same test that you did at  
24 Shoreham but I don't know what the impact on the licensee  
25 would be.

1 CHAIRMAN PALLADINO: Could you check it?

2 MR. DENTON: Yes.

3 CHAIRMAN PALLADINO: Then let us know.

4 COMMISSIONER ASSELSTINE: It sounds like if they are  
5 going to put the two units in by the end of November and by  
6 the middle of December then from that point forward they are  
7 in the same position that Shoreham is in.

8 MR. DENTON: We will check.

9 CHAIRMAN PALLADINO: Lando, did you have any  
10 questions?

11 COMMISSIONER ZECH: No. My Palo Verde questions  
12 have been already asked. Thank you.

13 CHAIRMAN PALLADINO: All right. Now which one do  
14 you want to go to? Is Point Beach an easy one?

15 COMMISSIONER ASSELSTINE: Yes.

16 CHAIRMAN PALLADINO: Any questions on Point Beach?

17 COMMISSIONER ASSELSTINE: No.

18 CHAIRMAN PALLADINO: All right. Sequoyah.

19 COMMISSIONER ASSELSTINE: That is an easy one, too.

20 CHAIRMAN PALLADINO: For me, it is an easy one.

21 (Laughter.)

22 MR. GRIMES: I have Sequoyah on two lists. I have  
23 them on the extension request list and I was also informed by  
24 the Operating Reactors Assessment Branch that on the latest  
25 poll they said that they are going to stay shutdown until they

1 do whatever they have to do in order to receive permission to  
2 start up.

3 It wasn't too difficult for us to recommend a denial  
4 on Sequoyah.

5 CHAIRMAN PALLADINO: All right. Let's see.  
6 Sequoyah, Point Beach we talked about, Palo Verde, Shoreham,  
7 Haddam Neck, D.C. Cook and there is Pilgrim on the list.

8 COMMISSIONER ASSELSTINE: Pilgrim, yes.

9 CHAIRMAN PALLADINO: Any comments or questions on  
10 Pilgrim?

11 Here you are giving us a recommendation that would  
12 permit reconsideration. I don't know how you would handle the  
13 reconsideration?

14 MR. DENTON: We didn't mean to confuse anyone  
15 there but we recommend denial period. That is it. However,  
16 their test is underway and we wanted to recognize that if the  
17 test is successful they will be in full compliance.

18 We just wanted to make you aware of the fact that  
19 there is some time between now and then. So I think we will  
20 have to await the test results. We said that based on what  
21 they had submitted --

22 CHAIRMAN PALLADINO: When will the test results be  
23 available?

24 MR. GRIMES: The last test is November 22 but all of  
25 them except that one on November 22 will be available I think

1 the first week in November.

2 CHAIRMAN PALLADINO: Then what is holding them up in  
3 getting either -- do they have to make any changes that  
4 require an outage?

5 MR. GRIMES: If the tests are unsuccessful and the  
6 first test result won't be available until October 28th, but  
7 if the tests are all successful they may only require an  
8 extension of two weeks to a month in order to put the  
9 documentation together.

10 If the tests are unsuccessful and we can go back and  
11 look at the history of the testing effort and what caused this  
12 most recent test failure, we would recommend that that specific  
13 extension be considered on its own merits.

14 COMMISSIONER ASSELSTINE: Although then they have a  
15 really longer term problem, don't they? The sense I got from  
16 your paper was that they didn't see a lot of good alternatives  
17 to these particular items, that when they looked at the  
18 alternatives they didn't pay out very well.

19 MR. GRIMES: Yes. For five items I think it was two  
20 or three of them don't have good alternatives.

21 COMMISSIONER ASSELSTINE: Yes.

22 MR. GRIMES: So it depends. If it turns out there  
23 are test failures for those two or three without the viable  
24 alternatives they may have a serious problem.

25 MR. DENTON: I think that one again is where we

1 looked at what they submitted and they asked for something  
2 that we would recommend you deny.

3 However, you should recognize that the situation may  
4 change but if it does I think the duty is on Pilgrim to notify  
5 us that suddenly they are complete. So we haven't tried to  
6 get beyond their proposal.

7 COMMISSIONER ASSELSTINE: all right.

8 CHAIRMAN PALLADINO: Other questions on Pilgrim?

9 COMMISSIONER ZECH: The only other thing I had and  
10 frankly my sense of reading what you sent us was that we are  
11 really not quite ready to make a decision on Pilgrim yet.

12 MR. DENTON: It depends. They made a case and they  
13 would like your opinion on that case, I guess. They would  
14 like to see the extension granted based on what they submitted.

15 MR. GRIMES: Their request was for a year and I  
16 would like to point out that we have recommended that both for  
17 Shoreham and Pilgrim where they requested a year that that  
18 aspect of it be denied and that under those circumstances the  
19 longest that we would recommend is about four months.

20 COMMISSIONER BERNTHAL: Yes. I think you have  
21 drafted a letter which looks pretty good. It lets them know  
22 that they can come back if this test works out.

23 COMMISSIONER ZECH: They mention in their letter if  
24 I recall that there were other tests that would be ongoing  
25 after November 30 and I don't think you mentioned that in your

1       SECY paper. Was there a reason for that?

2               MR. GRIMES: We will have to go back and check.  
3       My understand is from the project manager and if Mr. Thadani  
4       would like to add his own views, that is fine. Our  
5       understanding is that they will have all the tests they need  
6       to achieve qualification by November 22.

7               COMMISSIONER ZECH: The one test that I remember and  
8       I think there were several but one was a 40-year aging test  
9       and that might have been one. It seems to me that they were  
10      asking in their letter that they wanted to go beyond the 30th  
11      of November and my only question is why didn't we put that in  
12      the SECY paper? Maybe you had a good reason for it.

13              MR. THADANI: They wanted to use the 20-year test as  
14      an interim measure until the next outage and by that time they  
15      would have their 40-year aging test completed.

16              COMMISSIONER ZECH: But you didn't mention that in  
17      your SECY paper. My question really is what is your comment  
18      or recommendation on that position that they have taken?

19              MR. THADANI: We didn't have any problem with that  
20      particular position.

21              COMMISSIONER ZECH: All right. It would have been  
22      helpful to me if you had put it in your SECY paper so at least  
23      I would have known that you had considered it. I had a  
24      question in my mind. That is why I suggested that perhaps we  
25      were not ready yet and maybe you were still looking at

1 something although your recommendation was clear and I could  
2 understand it.

3 It just seemed to me that there were some things  
4 that were left unanswered.

5 MR. DENTON: Let me be sure we clarify this point.

6 MR. GRIMES: I just talked to Mr. LaGrange. Their  
7 proposal to qualify it for 20 years we would consider qualified  
8 for 20 years and if they complete the 40 year by the next  
9 refueling cycle then we would say now it is qualified for  
10 40 years.

11 So we did fail to clearly explain that we considered  
12 their proposal acceptable and that by doing this amount of  
13 work that they could qualify all of the equipment by November  
14 22 if all the tests are successful.

15 MR. DENTON: So that additional test was not germane  
16 to the question of being in compliance on that date. It was  
17 more germane to 20 versus 40 years of operation.

18 COMMISSIONER ZECH: I see. Fine. It would have  
19 been helpful to put that in is all. Thank you. That is all I  
20 have, Mr. Chairman.

21 CHAIRMAN PALLADINO: Thank you. I think we have  
22 discussed every item on the list unless there are more  
23 questions.

24 COMMISSIONER ASSELSTINE: I have just one other one  
25 and I realize that everybody else has voted on Nine Mile Point

1 but I had just three questions that I wanted to ask on that  
2 one if I could.

3 The first one was when did they find out about the  
4 problems with the valve actuators that are involved here?

5 MR. GRIMES: I will ask Mr. Bob Hermann who is the  
6 project manager for Nine Mile Point to respond to your  
7 question?

8 MR. HERMANN: I am Bob Hermann, the project manager  
9 for Nine Mile. I believe there was a letter from Niagara  
10 Mohawk on August 16, 1985 that provides a chronology.

11 COMMISSIONER ASSELSTINE: So that is when they --

12 MR. HERMANN: No. It provides a chronology of the  
13 events you are asking for. October 1982 is the time.

14 COMMISSIONER ASSELSTINE: All right. The second  
15 question I had, I guess I just have two, is when we did the  
16 audit for Nine Mile Point you said that the paper noted that  
17 there were deficiencies that were identified for a number of  
18 items.

19 Could you describe a little bit the nature of the  
20 deficiencies and compare the inspection results or the audit  
21 results of that audit with other audits that you have done in  
22 terms of judging have they had a fairly effective program as a  
23 general matter in getting their equipment qualified or were  
24 there basic flaws that you found when the audit was done?

25 MR. HERMANN: I think I would probably defer that to



1 Mr. Potapovs from I&E who is the section leader.

2 COMMISSIONER ASSELSTINE: All right.

3 MR. POTAPOVS: I am V. Potapovs from Inspection and  
4 Enforcement. We did complete the audit of Nine Mile Point.  
5 That report has not been issued at this time. The results are  
6 being assessed.

7 As far as the overall findings of that inspection,  
8 there are several specific deficiencies identified in the  
9 equipment files relating to the equipment. Some corrective  
10 actions were indicated at the time of the inspection by  
11 Niagara Mohawk and I understand that those corrective actions  
12 are being completed.

13 There was some additional testing required which was  
14 contracted for and is in progress. As far as the overall  
15 program, we found the program that they had in place was in  
16 basic compliance with the 50.49 rule as far as the programmatic  
17 controls.

18 COMMISSIONER ASSELSTINE: How would you compare the  
19 results of that audit say with the results of the inspection  
20 or audit that was done at Point Beach that you described in  
21 the Point Beach paper? Were they better or worse or about the  
22 same?

23 MR. POTAPOVS: I would say overall the results were  
24 not as good as at Point Beach.

25 COMMISSIONER ASSELSTINE: All right. But say better

1       than some of the ones that we have done over the past year and  
2       a half or so where you found fairly significant problems?

3               MR. POTAPOVS: We have not really attempted to rank  
4       them very accurately but I would say that they were probably  
5       around the middle.

6               COMMISSIONER ASSELSTINE: All right.

7               MR. DENTON: We didn't see this finding as a bar to  
8       granting the extension recognizing that any of these plants  
9       might be found on subsequent inspection to have deficiencies  
10      that should be enforced against them.

11              COMMISSIONER ASSELSTINE: I was just interested  
12      because you gave the results of the Point Beach one which were  
13      very strong among the best that you had seen and it did seem  
14      to me at least for myself that it was a factor that I wanted  
15      to take into account.

16              If you had a program that was fairly seriously  
17      flawed, that would influence my judgment at least on whether  
18      to give them an extension.

19              CHAIRMAN PALLADINO: All right. Thank you.

20              COMMISSIONER BERNTHAL: May I ask one question for  
21      comparison here? I am really asking for a summary to refresh  
22      my memory on what you said.

23              You have recommended the disapproval at Shoreham  
24      given all the things that we talked about.

25              MR. GRIMES: It is a conditional approval.

1           COMMISSIONER BERNTHAL: All right, whatever, December  
2   31st. You recommended an approval for Palo Verde. Did I  
3   understand you to imply though that parallel treatment of those  
4   two would be pretty much justified?

5           MR. GRIMES: We believe so. What I committed to do  
6   on behalf of the staff is go back and review Palo Verde's case  
7   to determine whether or not there is any specific difference.

8           COMMISSIONER BERNTHAL: So you will get back to us  
9   then on that.

10          COMMISSIONER ASSELSTINE: To see if they can meet  
11   the earlier date that you recommended for Shoreham.

12          COMMISSIONER BERNTHAL: All right.

13          CHAIRMAN PALLADINO: Is that something you can do in  
14   a couple of days?

15          MR. GRIMES: I hope that between George Knighton and  
16   myself we can have an answer this afternoon.

17          CHAIRMAN PALLADINO: That is very good.

18          COMMISSIONER BERNTHAL: I just want to compliment  
19   the staff on what I think is a careful and very conscientious  
20   job here. As I look at the sweep of what you have done here,  
21   it hasn't always been easy and you are slicing the bread  
22   pretty thin here and there. I think you by in large have made  
23   good calls.

24          CHAIRMAN PALLADINO: Let me observe that they are  
25   slicing the bread very thin and I think they are doing a good

1 job. They are using a very good knife and I don't have many  
2 problems with what they are doing.

3 I do point out that we are talking about an extension  
4 in a number of cases that go beyond November 30, 1985. That is  
5 just a little over one month from now. We ought to be able  
6 to tell these licensees the answer to their request certainly  
7 by the middle of November.

8 I would urge you to try to get your votes on these  
9 in just as soon as possible and I would hope to get mine in by  
10 about the first of November.

11 We now have two more coming up. We have a meeting  
12 scheduled for the 31st, I believe, on this. Will we be  
13 getting the information in time enough to go ahead with that  
14 meeting?

15 MR. GRIMES: You will get it for Millstone but not  
16 for Fort St. Vrain.

17 CHAIRMAN PALLADINO: When will we hear on Fort  
18 St. Vrain?

19 MR. GRIMES: Fort St. Vrain we plan to have to you  
20 by the 15th of November. It is a very difficult job and even  
21 there I am not sure whether or not we are going to be able to  
22 do as good a job as we need to, but we are working diligently  
23 now to accomplish it by that date.

24 CHAIRMAN PALLADINO: All right. To my memory we do  
25 not have another meeting scheduled. We are going to have to

1 find time if we need a meeting.

2 Anything else?

3 (No response.)

4 CHAIRMAN PALLADINO: Thank you very much for your  
5 valuable input and unless anybody has some other comment they  
6 would like to make, I will say that the meeting is adjourned.

7 [Whereupon, the Commission meeting was adjourned at  
8 11:45 o'clock a.m., to reconvene at the Call of the Chair.]

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13 Date: Friday, October 25, 1985

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