

OCT 29 1985

Mr. J. H. Goldberg
Group Vice President Nuclear
Houston Lighting & Power Company
P.O. Box 1700
Houston, Texas 77001

Dear Mr. Goldberg:

SUBJECT: REVIEW OF THE HL&P v. B&R LITIGATION RECORD: HL&P FILE NO. G25, G4.2

Thank you for your letter dated August 30, 1985, in which a program document was enclosed describing Houston Lighting & Power Company's review of the litigation record in the lawsuit by the owners of the South Texas Project against Brown & Root, Inc., and its parent company, Halliburton, Inc. In your letter you asked for our comments on the document.

Both Region IV as well as several of our headquarters' offices reviewed the document. Subject to your incorporation of the essence of the comments contained in the attachment to this letter into the review program, it would appear to the NRC that HL&P will be able to provide adequate assurance that any unreported deficiencies or defects that should have been identified to NRC will now be identified.

We will periodically monitor the review while it is under way and request your full cooperation in that endeavor.

Sincerely,

ORIGINAL SIGNED BY
ROBERT D. MARTIN

Robert D. Martin
Regional Administrator

Attachment:
As stated

bcc:

J. Lieberman, OELD
E. Reis, OELD

RPB

RRI - OPS

RRI - CONST.

RIV File

R. P. Denise, D/DRSP
R. D. Martin
Section Chief, RPS-C
R. Pirfo, ELD

RIV:RC *WLB*
WLBrown/cms
10/29/85

RA *RM*
RDMartin
10/29/85

ELD
GHCunningham
10/28/85

NRR
HRDenton
10/28/85

IE
JMTaylor
10/28/85

*telecon concurrence
10/28/85*

*1831
1/1*

Specific Comments

1. Beginning on the fifth line on page 16 of the review program document is the following statement: "Documents exchanged between the parties in response to requests for production are not generally available because they were not filed with the Court." Certainly the documents received by the plaintiffs should be available to HL&P and we would expect such documents to be reviewed in accordance with the criteria set forth in the program plan.
2. The methodology of the litigation review beginning on page 29 refers to the "line-by-line review to identify any assertions of deficiencies" on that part of the litigation record not screened out. A deficiency is defined on page 31 and in Attachment 5. We suggest that the definition be more closely tied to 10 CFR 50.55(e). In addition, we point out the need to keep in mind your continuing notification responsibilities under 10 CFR 21.
3. In Part I, C., 3. of Attachment 2, personnel qualifications are excluded as they also are in other attachments (see Attachments 3 and 4). We believe that substantive deficiencies in the qualifications of personnel conducting safety-related work is germane and to the issue and should be addressed.
4. In Part I, C., 8., Brown & Root's and Halliburton's affiliations with NUS, EBASCO, or other Halliburton subsidiaries is excluded from the review if the interrogatory or set of interrogatories requests only information about that subject. We believe that the basis for this exclusion should be amplified.
5. It is noted in Part I, C. of Attachment 3, that depositions relating to HL&P directors and executive officers are being ruled out unless any of the deposition testimony relates to the technical adequacy of STP design or construction. We would expect, nevertheless, that George Oprea's deposition testimony would be reviewed in full.
6. Part 3 of Attachment 5 sets forth the criteria that an assertion must satisfy. The criteria appear to be unnecessarily limiting.
7. Attachment 6 limits the FSAR review to Section 3.2 which appears unnecessarily limiting. There are many things in the FSAR and SER that are not in Section 3.2 which HL&P is required to do.
8. In attachment 9, the criterion for interdisciplinary review should be clarified to reflect that "safety-related" is intended to be used in the sense consistent with our above comments in No. 2, above.