

Stephen H. Howell
Vice President



Consumers
Power
Company

General Offices: 212 West Michigan Avenue, Jackson, Michigan 49201

March 5, 1976
Howe-42-76

Mr. J. G. Keppler, Regional Director
Office of Inspection and Enforcement
US Nuclear Regulatory Commission
Region III
799 Roosevelt Road
Glen Ellyn, IL 60137

MIDLAND NUCLEAR PLANT - NRC ITEMS OF NONCOMPLIANCE -
INSPECTION REPORT NO. 76-01 - DOCKETS NOS. 50-329 AND 50-330

This is in response to your letter dated February 3, 1976, which included the results of your inspection of the Midland construction site on January 13-16, 1976 and which required our reply.

Attached is the information replying to your stated requirements as to the three items of noncompliance cited in your inspection report. In addition to the specific and definitive actions therein reported on the particular items in question, I have personally reviewed the situation in detail with both my Project and Quality Assurance organizations as well as with both Project and Quality Assurance personnel of Bechtel. At these meetings, we critically analyzed the situation and made moves to bolster any potential weaknesses. This was discussed with your personnel at a meeting with them in Jackson on February 4, 1976 and reported in their notes of the meeting with us.

I feel bound to point out my feelings that the items of noncompliance from this inspection have been classified in a too severe category. In reviewing your criteria for categories of noncompliance issued on December 31, 1974, I do not believe that the items of noncompliance, which you have classified as "Infractions," are of a degree comparable to the criteria or examples listed for Infractions but more properly fit the "Deficiency" category.

I wish to assure you, however, that we take very seriously our responsibilities to attempt to prevent any items of nonconformance no matter how minor.

Stephen H. Howell

8006250 384

CONSUMERS POWER COMPANY RESPONSE TO
THREE ITEMS OF NONCOMPLIANCE
DESCRIBED IN NRC INSPECTION REPORT #76-01

I. DRYING OVEN TEMPERATURE VERIFICATION

A. Descriptions of the Noncompliance

(1) From Page 2 of Inspection Report #76-01:

"Contrary to 10 CFR Part 50, Appendix B, Criterion XII, a drying oven used in concrete testing activities had not been calibrated to assure temperature limits were not exceeded."

(2) From Page 8 (Item No. 6) of Inspection Report #76-01:

"During the inspection, a drying oven for the aggregate was found without temperature verification record. The drying temperature acceptable ranges are a part of ASTM C566-67, ASTM C136-71, and ASTM C117-69 requirements. Later on, the licensee indicated that a hole will be drilled in the oven, and a calibrated thermometer will be inserted for verifying the oven temperature."

B. Corrective Steps Taken and Results Achieved

On January 16, 1976, in response to questions raised by Mr. Yin during the inspection, the drying oven temperature control setting which had been used for drying aggregate was verified by use of a standard thermometer traceable to the National Bureau of Standards. It was found that this temperature setting resulted in an oven temperature of 221°F which is within the ASTM C-117 and C-136 specified temperature range of 230 ± 9°F and within the 212°- 230°F requirement of ASTM 566. Based on the previous information, the drying oven controls were reset and a new temperature control setting was selected resulting in a drying oven temperature of 226°F.

C. Corrective Action Taken to Avoid Further Items of Noncompliance

In lieu of the commitment made to Mr. Yin "that a hole will be drilled in the oven, and a calibrated thermometer will be inserted for verifying the oven temperature," it has been decided to reverify the temperature

control every three months. In order to assure this reverification, the oven in question has been included in the U.S. Testing Company's Equipment Calibration frequency list.

In order to preclude repetition of similar instances of noncompliance at the U.S. Testing Laboratory facility, each piece of equipment at the facility was reviewed to determine if it should be included in the Equipment Calibration frequency list. This review is complete and the list has been approved by Bechtel.

D. Date when Full Compliance will be Achieved

Implementation of the corrective actions described in Sections "I-B" and "I-C" above is complete.

II. LACK OF MEASURES TO IDENTIFY NONCONFORMING AGGREGATE

A. Descriptions of the Noncompliance

(1) From Page 2 of Inspection Report #76-01:

"Contrary to 10 CFR Part 50, Appendix B, Criterion XV, measures have not been established to identify nonconforming aggregate."

(2) From Pages 8 and 9 (Item No. 7) of Inspection Report #76-01:

"As the inspector drove by the batch plant, two piles of improperly shaped aggregates were observed. It was later revealed that these are nonconforming materials unfit for safety related structural concrete mix use. Reviewing the Champion, Inc. QA Manual for Ready Mix Concrete, dated June 5, 1975, Contract No. 7220-C-230, and Contract No. R-373-4, the inspector considered that some provisions for nonconforming material control were lacking. These included:

- (1) rejected material identification
- (2) disposition of nonconforming materials,
- (3) wording, that removal of material 'as soon as possible', 'as early as possible', constitutes no specific meaning and has no implementation value. Reviewing the batch plant supervisor's daily log, the 1 1/2" aggregate, approximately 50 yards, was rejected on December 23, 1974. The second

pile of nonconforming aggregates, about the same size as the first pile, was told to be spills and waste material and no records had been kept. The inspector considered that the handling of the nonconforming material has not met the QA program requirement."

B. Corrective Steps Taken and Results Achieved

In response to questions raised by Mr. Yin during the inspection, and in order to improve control of nonconforming material, metal signs reading "REJECTED DO NOT USE" were placed in the two piles of nonconforming aggregate. This was completed on January 19, 1976.

In order to further improve control of these materials, the two piles in question were removed from the batch plant area at the Midland Plant site to a location sufficiently remote from acceptable aggregate to preclude use and the signs mentioned above were placed in front of the relocated piles. This relocation was completed by January 30, 1976. These actions added to the existing controls which have precluded the use of this nonconforming aggregate.

C. Corrective Action Taken to Avoid Further Items of Noncompliance

In response to this noncompliance, the commitments in the Champion, Inc. QA Manual relative to control of nonconforming material were reviewed. As a result of this review, it was decided to modify the commitments in the Champion, Inc. QA Manual. In summary, these revised commitments will make a distinction between "nonconforming" aggregate for which the disposition has not been determined and "Rejected" aggregate. "Nonconforming" aggregate will be controlled to prevent inadvertent use by placing a sign, identifying the material as nonconforming, in the aggregate (when the nonconforming aggregate is a portion of a larger pile of aggregate, the limits of the nonconforming aggregate will be delineated). "Rejected" aggregate will be controlled by either removal from the Midland Plant site or by removal to a clearly designated reject material area on the Midland Plant Site. Implementation of these revised commitments should avoid further similar items of noncompliance.

D. Date when full Compliance will be Achieved

Champion is in the process of revising its QA Manual. Revision of the Manual and approval for implementation at the Midland Plant site is anticipated to be complete by March 22, 1976.

III. FAILURE TO IMPLEMENT COMMITMENTS FOR THE DISPOSITION OF NONCONFORMING AGGREGATE

A. Descriptions of the Noncompliance

(1) From Page 2 of Inspection Report #76-01:

"Contrary to 10 CFR Part 50, Appendix B, Criterion V and the Champion, Inc. QA program manual, Appendix A, Paragraph 12, nonconformance aggregates were not disposed of as required."

(2) Supplemental information from Pages 8 and 9 of Inspection Report #76-01 is reproduced in Section "II-A-(2)" above.

B. Corrective Steps Taken and Results Achieved

In response to this item of noncompliance, the commitments of the Champion QA Manual for removal from the site of nonconforming material "as soon as possible" and the recording of spilled and waste material removal in the supervisor's daily log were reviewed and found to be unnecessary commitments for the control of nonconforming aggregate. In lieu of implementing these commitments, the aggregate was controlled as discussed in Section "II-B" above.

C. Corrective Action Taken to Avoid Further Items of Noncompliance

As is discussed in Section "II-C" above, the Champion QA Manual commitments relative to control of nonconforming material were reviewed and are being revised. This revision will no longer refer to removal "as soon as possible" as a control mechanism for nonconforming material. It will also no longer require the logging of spilled and waste aggregate removal to the reject aggregate pile. In order to avoid future failures to implement QA Manual commitments, Champion has been requested to train affected personnel in the implementation of the revised QA Manual commitments.

D. Date when full Compliance will be Achieved

Revision of the Champion QA Manual and completion of training relating to the revised commitments is anticipated to be complete by March 22, 1976.