

MEMO



# UNITED STATES NUCLEAR REGULATORY COMMISSION

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FOR IMMEDIATE RELEASE  
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## NRC MODIFIES CONSTRUCTION PERMIT AT MIDLAND NUCLEAR POWER STATION SITE

The Nuclear Regulatory Commission's staff has issued an order to Consumers Power Company suspending remedial work on substandard soil and fill beneath some safety related structures and systems and related work at the utility's Midland Nuclear Power Station at Midland, Michigan.

The order, issued December, 6, 1979, unless contested, will become effective and will continue in effect until the utility receives NRC staff approval of plans to correct soil and fill inadequacies under the plant's diesel generator building, water storage tanks, underground piping and other safety-related structures and systems.

In August and September 1978, Consumers Power Company reported to the NRC staff that excessive settling of the diesel generator building had been observed. The settling later was attributed to inadequate and poorly compacted fill material under the building and under other safety-related structures and systems at the plant.

In an investigation October 1978 through March 1979 NRC inspectors determined that design and construction specifications had not been followed during placement of the soil fill materials and that there was a lack of control and supervision of the fill activities by the utility and its contractors.

In addition, the NRC staff has determined that the utility's application for an operating license for the Midland plant incorrectly described the type of fill material actually used for some safety-related structures.

Since the initial report of the fill inadequacies, the utility has continued to submit information to the NRC on the problem, both as part of the NRC reporting requirements and in response to specific requests from the NRC staff.

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Based on the information submitted thus far, the NRC staff has not been able to conclude that the remedial action planned by the utility is acceptable from a safety standpoint or that there is reasonable assurance that the affected portions of the Midland facility can be constructed and operated without undue risk to the health and safety of the public.

The order, issued by Victor Stello, Director of the NRC's Office of Inspection and Enforcement, and Harold Denton, Director of the NRC Office of Nuclear Reactor Regulation, directs that the construction permits for the Consumers Power Company's Midland Units 1 and 2 be modified to prohibit further work on the placement, compaction or excavation of safety-related fill material under and around certain safety-related structures and systems until a construction permit amendment has been applied for and granted by the NRC. The order becomes effective after the period during which a hearing may be requested has expired or an order has been issued following any hearing on the matter.

The utility or any persons whose interest has been affected may request a hearing on the order within 20 days.

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