

AUG 27 1980
Office of the Secretary
Docketing & Service
Branch

U.S. NUCLEAR REGULATORY COMMISSION

In the matter of
Consumers Power Co.
Midland Plant Units 1 and 2

Docket No. 50-329 OM
50-330 OM

AMENDED PETITION TO INTERVENE

Barbara Stamiris petitions to intervene in support of the Order of Modification of Construction Permits in order that continued work on, and unsatisfactory resolution of soil settlement problems do not threaten her health and safety interests.

AMENDED SUPPLEMENT TO PETITION TO INTERVENE

Barbara Stamiris is representing herself with the following list of contentions:

1. That the soil conditions of the Midland reactor site, their potential for subsidence identified in the 1970 S.E.R., and their inability to support plant structures without the extensive use of fill soils and compaction procedures, represent inadequate attention to health and safety requirements in that design specifications have not allowed "appropriate and adequate compensatory safeguards"(10 CFR-100.10).

2. That C.P. Co. statements and responses to the NRC have been at times:
 - a) false - in FSAR statements regarding fill soils (table 2.5-14)
 - b) evasive - regarding geologic classification and seismic characteristics of the region as separate from the Central Stable Region (responses to NRC questions 361-362)
 - c) and reveal an overall pattern of reluctance in compliance with NRC questions and testing procedures regarding soil settlement problems (responses to NRC 50-54f requests and the August 4, 1980 Army Corp of Engineers Report)
which show that C.P.Co. isn't fully divulging and attending to these important safety issues.

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3. That C.P.Co. is placing their own financial and time schedule interests above their concern for safety issues involved with the soil settlement * as demonstrated by :

- a) The new completion schedule pressure as a result of the Dow steam contract deadline
- b) The pressure on NRC to reschedule the priority of their Operator's License review because of "enormous resources already invested by the NRC and C.P. Co. " as outlined at the July 29, 1980 Midland meeting.
- c) The continuation of work on Deisel Generator Building while unresolved safety issues existed
- d) The apparant concern for expediency in the choice of remedial actions as noted in R.B. Peck's consultant statement 8-10-79, and the rejection of Option 2 Removal and Replacement Plan
- e) The admission that "the Midland FSAR was submitted to the NRC at an earlier point in the project than would have normally occurred in order to provide additional time for the operating license hearings due to the forecasted intervention." (response to 3-21-79 50-54f request Q. 1)

4. That C.P.Co. has not implemented its Quality Assurance Program in compliance with 10 CFR-50 Appendix B regulations as was "reasonably assured" to occur in the conclusions of the 1973 Show Cause Hearings on past Q.A. deficiencies as noted in:

- a) Design and construction deviations and inadequacies in the use of random fill under safety related structures
 - b) In the compaction of these soils
 - c) In the inspection of a and b above
 - d) In the corrective actions taken (as these deficient procedures continued about 1½ years beyond official notification)
- and these repeated breakdowns in quality assurance threaten health and safety of the public.

* Economics are mentioned only in so far as they directly affect safety issues.
f) Changes in design specifications for "commercial reasons" (QPAIB, Part C, G-6551, 4-7-79)

5. That the performed and proposed remedial actions of C.P.Co. regarding soil settlement under safety related structures do not meet health and safety standards in that:

Preloading in and around Deisel Generator Building

- a) does not change the composition of the improper soils to meet the original PSAR specifications
- b) does not preclude all future settlement of this or other safety related structures or stability of cooling pond slopes where the same inadequate materials and preceedures were used
- c) may have adversely affected surrounding soils

The permanent dewatering system

- a) would change the water table, soil, and seismic characteristics of the whole plant site from their originally approved specifications as set forth in the PSAR and Construction Permit - specifications on which the safety and integrity of the operating plant were based
- b) could shorten the safe shutdown time
- c) may cause additional settlement

6. That the additional information and testing requested of C.P.Co. by the NRC and its consultant the Army Corp of Engineers August 4, 1980 is essential for the staff to perform its evaluation of health and safety intrests and must therefore be responded to fully and complied with totally.

7. That the practice of employing Quality Assurance Staff, and construction engineers and workers, from the same company (Bechtel) represents a conflict of intrest that has interfered with satisfactory performance regarding soil settlement issues (10 CFR-50 Appendix E) as demonstrated by the pattern of quality control deficiencies regarding fill soils from 1974 through 1979 (nonconformance reports and Q.A. requests referenced in Appendix A of the Dec.6 1979 Order of Modification)

Wherefore petitioner requests that she be permitted to continue to
intervene in the proceeding for the Order of Modification of Construction
Permits. Dec. 6 1979.

Respectfully Submitted

Barbara Stamiris
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August 25, 1980

Barbara Stamiris