

Wendell H. Marshall
MAPLETON INTERVENERS
RFD 10
Midland, Michigan 48640

April 1, 1982

Mr. Ronald W. Hernan
Licensing Project Manager
Office of Nuclear Reactor Regulation
United States Nuclear Regulatory Commission
Washington, D.C. 20555



50-329

Dear Mr. Hernan:

Enclosed are additional questions from the Mapleton Interveners relative to the Consumers Power Company Midland plants 1 and 2, Dockets number 50-329 and 50-330.

These additional questions are sent to obtain answers because of the safety and health implications. We request that the United States Nuclear Regulatory Commission review these questions and provide us with complete answers, for we feel that the job is not being well done.

Yours very truly,


Wendell H. Marshall
President, Mapleton Interveners

WHM/slt

cc: Sec'y, Nuclear Regulatory Comm.
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CPA2
March 30, 1982

Mr. Wendell H. Marshall
Mapleton Interveners
RFD 10
Midland, MI 48640

Dear Wendell:

Please find enclosed questions prepared from enclosures 1 and 2 attached to a letter from Ms. Elinor G. Adensam, Chief Licensing Branch #4, Division of Licensing, U. S. Nuclear Regulatory Commission, Docket numbers 50-329 and 50-330, dated November 30, 1981. This letter and attachments were sent to Mr. J. W. Cook, Vice President, Consumers Power Company by Ms. Adensam of the NRC.

The two enclosures mentioned in the above paragraph address the matter of a request for additional information on generic "unresolved safety issues" at Consumers Power Midland Plants 1 and 2, as well as other nuclear power plants in the United States. It behooves the NRC to address the questions contained herein because so many of them concern the public health and safety, and especially the people living in the Midland area. I am certain that the NRC will not attempt to gloss over the seriousness of the plant's defects. Certainly the NRC, the regulating federal agency, cannot give a license to the Midland plant, for as Dr. Edward Pryzina says, you would not send an astronaut into space in a space vehicle with a deficient nose cone.

I suggest that you send this list of questions to the Nuclear Regulatory Commission to the attention of Mr. Ronald W. Hernan, Licensing Project Manager, Office of Nuclear Regulatory Regulation, United States Nuclear Regulatory Commission, Washington, D. C. 20555.

Sincerely,

Steve J. Gädler

SJG/slt

ENCLOSURE 1 - REQUEST FOR ADDITIONAL INFORMATION.

(Enclosures 1 and 2 are attachments to a letter from Ms. Elinor G. Adensam Chief Licensing Branch No. 4, Division of Licensing, U.S. Nuclear Regulatory Commission (Dockets Nos. 50-329/330) dated November 30, 1981), to Mr. J.W. Cook.

ENCLOSURE 1

Page 1. Paragraph 1 (Par. 1)

Question: Where can we obtain a copy of NUREG-0606 "Unresolved Safety Issues" (Also called the "Aqua Book"). Also, earlier documents such as NUREG -0510 and NUREG - 0410.

Par. 2.

Question: How many "Unresolved Safety Issues " have been identified to date in the United States? In the rest of the world? How many have been resolved to date? (both generic and non-generic?).

How many nuclear power plants in the United States are operating today with serious "Unresolved Safety Issues or problems" ? How many of these plants have received construction and/or operating licenses from the Nuclear Regulatory Agency (NRC)?

Question: Has the Midland FSAR been updated as requested by NRC? If so, Where can we obtain this material?

ENCLOSURE 2

Page C-1 Par. 1, 2, & 3

Questions: What is the basis for the decision (by NRC) as to whether a newly identified safety issue or problem should be treated as one having generic implications? Who makes this decision and what kind of empirical evidence is used?

Question: What is the justification for allowing any nuclear power plant construction/operation in the face of identified serious "Unresolved Safety Issues"?

Question: What magnitude must an "Unresolved Safety Issue" reach before it triggers a shutdown of construction or operation? Who makes this decision? What empirical evidence is used?

Question: What actually triggers the decision that the "safety" significance of a given problem does not prohibit continued operation or construction of the plant while the longer term generic review is under way?

Page C-2 Par. 1.

Question: How does the NRC define "undue risk" How are unresolved generic and non-generic safety problems factored into this decision? Who makes this decision and what empirical evidence is used?

Question: To what extent will generic safety evaluations be allowed to dictate specific requirements or needs of individual plant facilities?

Page C-2 (continued)

Question: Who makes the determination concerning the relevance of a particular generic or non-generic problem with respect to a specific nuclear plant?

Par. 3

Question: Has a Task Action Plan been prepared by Consumers Power for Midland 1 and 2?

Question: If a Task Action Plan has been prepared by Consumers Power for Midland 1 and 2, has it incorporated the following:

- a. Have they described the investigative program which must be undertaken with regard to the problem (safety) ?
- b. How long will the program take?
- c. Will any interim measures be necessary pending completion of the investigation by NRC?
- d. Will the suggested program plan produce effective results?
- e. Have alternative courses of action been suggested by Consumers Power, in the event the program plan does not produce the anticipated results?

Par. 4 " .. In short, the board (and the public as well) should be in a position to ascertain from the SER itself- without need to resort to extrinsic documents% the staff perception of the nature and extent of the relationship between each significant unresolved generic safety question and the eventual operation of the reactor under scrutiny"

Question: What specifically is the (NRC) staffs perception of the nature and extent of the relationship between each significant unresolved generic safety question? What empirical evidence is required?

Question: On what basis did licensing board make the decision to permit continuation of construction in the face of the serious unresolved safety questions, both generic and non-generic?

In view of the many unresolved safety questions identified to date;

- a. Have any of these safety problems been resolved for any U.S. reactor to date? If so, Please specify and describe.
- b. Was there a reasonable basis for concluding that a satisfactory solution will have been found before a given reactor was to be put into operation?
- c. Will the safety problem have immediate or eventual safety implications? If so, what alternatives have been identified now, at this time, before the reactor is allowed to operate?

Question: What is the basis for allowing the reactor to operate even though it is now known that a safety problem will or might be found in the future? How is "undue risk" defined in this situation by the NRC? Please describe in detail.

Page C-3 "Unresolved Safety Issues"

Question: Pursuant to Section 210 (PL 95-209), has the NRC developed a plan to implement all identified corrective measures relative to unresolved safety issues (generic and non-generic) for the Consumers Power Midland 1 and 2 plant?

Where can we obtain a copy of this plan? (For each unresolved safety issue?)

Question: "... In reference to Section 3 on page C-3. ... House amendment which required development of a plan to resolve generic safety issues, including priorities assigned to each issue.."

Has the NRC developed such a plan (if different from the above plan) for Consumers Power Midland 1 and 2 plant?

If so, please indicate where we can obtain a copy of this plan?

Question: How many unresolved Section 210 safety issues have been identified to date (March, 1982) for all U.S. nuclear plants including Midland 1 and 2?

Question: Is the NRC Program for Resolution of Generic Issues Related to Nuclear Power Plants designed to focus on only broad safety issues or can it focus on specific narrow unresolved safety issues as well? Give an example using the Midland 1 and 2 plant.

Question: Since the NRC generic issues program in effect pre-empted the U.S. Congress's enactment of PL 95-209, does the NRC program include all requirements mandated by Congress? If not, which ones have been left out and why?

Page C-4

Par. 2

Question: What was the basis on which the NRC determined which nuclear power plant issues qualify as "Unresolved Safety Issues" and are reported to Congress? Are there any other kinds of safety issues which have not been designated as such by the NRC and not reported to Congress? Please describe and use examples to clarify this point.

Par. 4

Question: "Reference here is to the section in quotes beginning with "An unresolved Safety Issue is a matter...."

Question: Does "matter" have to affect a number of nuclear power plants to qualify under this definition?

Question: How does the NRC determine if it is dealing with an "important" question concerning "adequacy"? Who determines if the question is "important enough"?

Question: How is adequate defined by the NRC? (as it relates to existing safety requirements?)

Question: How does the NRC evaluate if a proposed unresolved safety issue involves conditions "not likely" to be acceptable?

Page C-6 (continued)

Question: Where can we obtain answers to the above questions?

Question: Where can we get a copy of the "Office of Nuclear Reactor Regulation Unresolved Safety Issues Summary, Aqua Book"?

Does this book contain any information on Midland 1 and 2? If yes, please describe and list this information.

Question: If, during the course of a given year, certain "Unresolved Safety Issues become "Resolved", how is such information disseminated? How can we get on a mailing list to assure that we obtain current information?

Page C-7

Question: How current is this list of "New Unresolved Safety Issues?" (i.e. since 1979?)

Question: Where can we obtain a copy of NUREG - 0705?

(Page C-8) Question: Where can we get a copy of Section 10.4.3 SER discussing effect of water hammer on steam generator feedings?

Could not such problems (i.e. water hammer effects) have been anticipated by the design engineers? Could they not have been uncovered by the manufacturer before a packaged nuclear power plant was sold to Consumers Power, for example?

Question: (Re: A-3) Could not this corrosion been foreseen by metallurgical engineers and prevented?

Does the United States send astronauts into space in a space vehicle which has a nose cone which will melt when exposed to the sun?

Page C-9

Question: Is it really ethical for the NRC to allow the nuclear power industry to use the people as guinea pigs by allowing the industry to experiment and do research at such great cost to the public (health and safety), ie. major decrease in degree of protection of public health and safety and then try to compensate for the public health and safety loss?

Par. 2

Question: What specific sections are being referred to here? SER cited but incomplete.

Question: How much of the basic research on such items as steam generator tubes does the nuclear industry actually do on their own?

Question: How much of such research is conducted at university laboratories? At public expense?

Question: Why is the nuclear industry not forced to work out technical and engineering problems in their own laboratories and work out the bugs before they are allowed to build nuclear power plants which the NRC knows will have "Unresolved Safety Problems which will predictably impact the public health and safety?

Page C-9 (continued)

Par. 3.

Question: who decides what appropriate action will be taken in the event of steam generator tube degradation NRC? Manufacturer? Owner/Operator of the Plant?

Question: Who decides how "appropriate actions" is defined? Is such decision made on a case by case basis or does it become generic? If so, who makes that decision?

Page C-10

Par. 2

Question: Where can we obtain a copy of SER Section 15.3.5?

Question: Where can we obtain a copy of the 1980 -81 ATWS issue which was scheduled for rule making in midsummer 1981?

Par. 4

Question: What assurance at this late date can NRC give that in the event of ATWS malfunctions, that the Emergency Core Cooling System will operate?

Question: How does this generic problem relate to and affect the Midland 1 and 2 plant?

Question: What specific unresolved safety problems have been identified at Midland 1 and 2 by the NRC? By Consumers Power? and how are they related to A-9 and A-11?

C-11

Par 4

Question: How is fracture toughness evaluated to assure that the nuclear power plant can be operated without "undue risk" to the health and safety of the public?

Par. 5.

Question: (Re: A-12) Why could not the toughness of the different steels have been determined by the manufacturer under simulated conditions of temperature, pressure, etc.?

Question: Why has it taken this long for the NRC and the manufacturers of nuclear power plants to discover the problem with reassessment of fracture toughness?

Are there perhaps other problems which the NRC and the manufactureres of nuclear power plants are aware, but have not yet revealed to the public relative to additional decrease in protection of health and safety for the public?

If the answer to the above is yes, please let us know all additional newly discovered "Unresolved Safety Problems" connected with reactors.

Par. 7

Question: Is Midland 1 and 2 included in NUREG -0577? Where can we obtain copies of this document?

Page C-12

Par. 1

Question: Has the final implementation plan for NUREG 0577 been completed? If so, where can we obtain a copy?

Par. 3

Question: (Re: A-17) Are NRC conclusions sensitive to the certainty of an unresolved safety problem which is expected to occur in the future and cause a "Major reduction in protection of health and safety of the public for which public must somehow be compensated? If not, then why not? Please explain.

Page C-13

Par. 4

Question: On specifically what basis other than sheer speculation can the NRC give the public "reasonable assurance" that the effects of potential system interaction on plant safety will be within the effects on plant safety previously evaluated? (evaluated by whom?).

Question: How does the NRC define "reasonable assurance" in this instance?

Question: How does the NRC finding on A-17 impact on operating license for Midland 1 and 2?

Par. 6

Question: Is Midland 1 and 2 one of the plants being re-evaluated regarding seismic design criteria? If so, what information is currently available to us?

Page C-14

Par. 3

Question: (Re: A-43) How does Containment Emergency Sump Reliability as an unresolved safety problem impact on Midland 1 and 2 construction and operating license?

C-15

Par. 4

Question: (Re: A-44) Will the Station Blackout unresolved safety problem impact the Midland 1 and 2 plants? How did Consumers Power propose to resolve this problem?

Question: Where will Midland 1 and 2 obtain offsite electrical power? Under what circumstances? Is there a written commitment?

Question: Where can we obtain a copy of SER Section 8.2? 8.3?

C-16

Par 3

Question: How will the fact that Midland 1 and 2 is a cogeneration plant and will supply the Dow Chemical Company with steam, affect its ability to participate during an emergency to utilize steam to drive a steam turbine utilizing auxiliary feedwater system in the event of total on-site and off-site electrical failure?

Question: Where is NRC review of auxiliary feedwater system design described?

Page C-17

Par. 3

Question: Where is the NRC review of Decay heat removal (i.e. Section of SEP?)

Question: What problems regarding heat decay removal are anticipated at Midland 1 and 2?

Par 7

Question: (Re: A-46) Does Midland 1 and 2 anticipate having any problems with seismic qualification of equipment? If so, please explain? Is Midland 1 and 2 on a fault zone?

C-18

Par. 1

Question: Will Midland 1 and 2 be able to be brought to a safe shutdown condition in the event of a seismic accident?

Par. 3

Question: (Re: A-47) What does the NRC mean when it states that "It is generally believed" by the NRC staff that such control system failures would not lead to serious events or result in conditions that safety systems could not handle"?

Are there times when NRC does not generally believe this?

If so, under what circumstances? Please cite example.

Page C-19

Par. 2

Question: Why has NRC chosen to permit nuclear power plant operation, especially in view of their statement:

"A systematic evaluation of the control system design, as contemplated for this (serious, significant) unresolved safety issue, has not been performed to determine whether postulated accident could cause significant control system failures which would make the accident consequences More severe than presently analyzed"

Question: What consequences will this decision have on people from Midland?

Par. 3

Question: On what basis can NRC give "reasonable assurance" that the Summer Unit can be operated? (safely?).

Question: What impact will the NRC decision have on Midland 1 and 2 and the health and safety of the public living in Midland Michigan?

Page C-20

Question: On what basis can NRC issue an operating license to Consumers Power in view of this serious, significant, unresolved safety problem, thereby jeopardizing the health safety of the people in Midland, Michigan?