

SEP 2 1982

Docket No. 50-329  
Docket No. 50-330

Consumers Power Company  
ATTN: Mr. James W. Cook  
Vice President  
Midland Project  
1945 West Parnall Road  
Jackson, MI 49201

Gentlemen:

Thank you for your letters dated May 28 and June 11, 1982, informing us of the steps you have taken to correct the noncompliance which we brought to your attention in Inspection Report No. 50-329/82-05(DETP); 50-330/82-05(DETP); 50-329/82-06(DETP); 50-330/82-06(DETP) forwarded by our letters dated April 26, 1982.

Regarding noncompliance item 82-05-02, parts a. and b., we still perceive these matters as valid items of noncompliance and, as such, do not consider the corrective actions delineated in your letter to be fully responsive as described below.

1. With respect to example "a", we consider this a valid item of noncompliance. The technical basis for this is that the soldier piles in question were being installed in "Q" soil, thus making the activity "Q".
2. With respect to example "b", we consider this a valid item of noncompliance. We do not consider the statements in EDPI 4.49.1 to be adequate. An established time limit is needed to assure that a more timely update of specifications on site is obtained.

The corrective actions delineated in your letter are unacceptable, and an additional response is required.

Regarding noncompliance item 82-05-02, parts c. and d., we will review your actions during a subsequent inspection.

Regarding deviation 82-05-01, we perceive this matter as a deviation and, as such, do not consider the statements made in your letter to be responsive to the inspector's concern. It is our position that your civil QA and Resident Geotechnical staff is not adequately qualified for the complex remedial soils work. The basis for our conclusion is (1) your staff's academic qualifications are not in soils engineering and (2) their work experience in this area is not sufficiently broad.

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Regarding noncompliance 82-06-01, we consider your response to be unacceptable. In regard to Section IV, paragraph 14, of your June 4, 1982 report, we have contacted NRR and have determined that an FSAR revision to allow less than 100% assurance that all class 1E cables are installed in accordance with design will not be acceptable. We request that you submit an additional response which identifies the date by which you will complete a 100% overinspection of all class 1E cables installed (or partially installed) before March 15, 1982 so as to satisfy your commitments as stated in the Midland FSAR. In addition, we request that a sample over inspection program be developed for those cables installed after March 15, 1982 to ensure their compliance with the FSAR.

With respect to noncompliance item 82-06-02, we will review your actions during subsequent inspections.

Therefore, we request that you submit a second letter to this office within 25 days of the date of this letter to respond to our concerns regarding noncompliance items 82-05-02, parts a. and b., and 82-06-01. Your response should be submitted under oath or affirmation and should include (1) corrective action taken and the results achieved; (2) corrective action taken to avoid further noncompliance; and (3) the date when full compliance will be achieved.

Your cooperation with us is appreciated.

Sincerely,

*15 / for R. F. Warnick*

*for* R. F. Warnick, Director  
Office Special Cases

cc w/ltrs dtd 5/28 & 6/11/82:  
DMB/Document Control Desk (RIDS)  
Resident Inspector, RIII  
The Honorable Charles Bechhoefer, ASLB  
The Honorable Jerry Harbour, ASLB  
The Honorable Frederick P. Cowan, ASLB  
The Honorable Ralph S. Decker, ASLB  
Michael Miller  
Ronald Callen, Michigan  
Public Service Commission  
Myron M. Cherry  
Barbara Stamiris  
Mary Sinclair  
Wendell Marshall  
Colonel Steve J. Gadler (P.E.)  
Consumers Power Company

RWI  
*RL*  
Landsman/jp  
8/27/82

RIII  
*RNS*  
Gardner

RIII  
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Shafer

RIII  
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Warnick