

RELATED CORRESPONDENCE

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USNRC

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY
DOCKETING & SERVICE
CHANCE

In the Matter of:)	
)	Docket No. 50-329
CONSUMERS POWER COMPANY,)	50-330
)	
(Midland Plant, Units 1 and 2)))	<u>Operating License</u>

INTERVENOR MARY SINCLAIR'S INTERROGATORIES
TO THE NUCLEAR REGULATORY COMMISSION STAFF
ON CONTENTIONS 6, 8, AND 16

During the conference call on August 20, 1982, the Board set September 20, 1982, as the date by which interrogatories on the Zack issues were to be completed. Intervenor Mary Sinclair submits the following interrogatories concerning her Contention Nos. 6, 8 and 16.

INSTRUCTIONS FOR USE

The following interrogatories are to be answered in writing and under oath by an employee, representative or agent of the Nuclear Regulatory Commission with personal knowledge of the facts or information requested in each interrogatory.

The following definitions shall apply to these interrogatories:

1. "Document" shall mean any written or graphic matter of communication, however produced or reproduced, and is intended to be comprehensive and include without limitation any and all correspondence, letters, telegrams, agreements, notes, contracts, instructions, reports, demands, memoranda, data, schedules, notices, work papers, recordings, whether electronic or by other means, computer data, computer print-outs,

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photographs, microfilm, microfiche, charts, analyses, intra-corporate or intra-office communications, notebooks, diaries, sketches, diagrams, forms, manuals, brochures, lists, publications, drafts, telephone minutes, minutes of meetings, statements, calendars, journals, orders, confirmations and all other written or graphic materials of any nature whatsoever.

2. "Identify" shall mean with respect to any document, to state the following respecting the document: its title, its date, the author of the document, the person to whom the document was sent, all persons who received or reviewed the document, the substance and nature of the document, and the present custodian of the document and of any and all copies of the document.

3. "Identify" with respect to any action or conduct shall mean state the following regarding any such action or conduct: the person or persons proposing and taking such action; the date such action was proposed and/or taken; all persons with knowledge or information about such action; the purpose or proposed effect of such action; any document recording or documenting such action.

4. "Describe" with respect to any action or matter shall mean state the following regarding such action or matter: the substance or nature of such action or matter; the persons participating in or having knowledge of such action or matter; the current and past business positions and addresses of such persons; the existence and location of any and all documents relating to such action or matter.

INTERROGATORIES

1. Describe any information, problems, allegations, or documents provided to the NRC by Dean Dartey from 1980 to the present.

2. Describe any official or unofficial response or action taken by the NRC in response to information provided to the NRC by Mr. Dartey.

3. Describe any action taken by Consumers Power Company ("Consumers") in response to Mr. Dartey's disclosures or to actions taken by the NRC from 1980 up to the present.

4. Identify all documents provided to the NRC by Mr. Dartey that demonstrate or substantiate the allegations he made about problems at Midland.

5. Identify all documents inspected or collected by the NRC to investigate Mr. Dartey's allegations.

6. Describe what investigation if any the NRC made of Mr. Dartey's allegations of problems at Midland and identify any report on the investigation.

7. Describe any action taken by the NRC to remedy the retaliation taken against Mr. Dartey. Under what authority did the NRC chose to act or not to act to remedy such retaliation?

8. Identify any conclusions the NRC reached after investigating Mr. Dartey's allegations if not contained in its investigative report and findings.

9. Describe any corrective actions the NRC recommended or required at Midland after its investigation into Mr. Dartey's allegations or charges of problems.

10. From 1980 to May 3, 1982, describe any other report of problems or allegations of problems reported to the NRC by any person concerning deficiencies in the QA program at Midland, including but not limited to allegations about improper procurement; improper document control; improper control of material, equipment or services purchased from vendors; improper inspection or handling of nonconforming materials; improper, deficient, or insufficient audits; or improper documentation or documentation systems. Regarding each such allegation, state whether or not the allegation or information was disclosed prior to disclosure to the NRC to Consumers, the Bechtel Power Corporation ("Bechtel") or to any Consumers' or Bechtel contractor.

11. Describe any action or investigation by the NRC in response to the allegations listed in Interrogatory No. 10 above.

12. Describe any action taken by Consumers in response either to disclosure of any such allegation listed in Interrogatory No. 10 above, or in response to a requirement or response of the NRC to such allegations.

13. Describe any and all NRC records or documentation of Mr. Howard's allegations of deficiencies in the QA program at Zack and at Midland.

14. Identify all documents Mr. Howard gave to the NRC to substantiate or explain his allegations of deficiencies in the QA program at Zack and at Midland.

15. Describe the scope of the NRC investigation of deficiencies at Midland, including but not limited to the scope of its investigation of problems with QA documentation; problems in the approved vendor lists; problems with harassment, intimidation and retaliation against employees disclosing deficiencies in the QA program; and inadequate training of QA personnel.

16. Describe any and all documents reviewed by the NRC relating to allegations and charges of deficiencies in the QA program at Midland and in Zack.

17. Describe what if any conclusions the NRC has reached about deficiencies in the QA program at Midland, including but not limited to conclusions about retaliation against Zack and other employees at the Midland site; deficiencies in QA documentation; deficiencies in approving vendors for the approved vendors list; deficiencies in ensuring materials conform to Consumers' and Bechtel specifications and to all NRC requirements.

18. Identify what if any action the NRC has taken or intends to take to remedy or respond to the findings listed in Interrogatory No. 17 above.

19. Describe any and all documents or oral communications received by the NRC from May 1980 to the present, from Consumers, regarding deficiencies in the QA program in Midland.

20. Describe any and all documents or oral communications received by the NRC from May 1980 to the present from Bechtel regarding deficiencies in the QA program at Midland.

21. Describe any and all documents or oral communications received by the NRC from May 1980 to the present from the Zack Company or any other contractor of Consumers or Bechtel regarding deficiencies in the QA program at Midland.

22. Describe all corrective actions taken by Consumers, Bechtel, Zack, or any Consumers' or Bechtel contractor to remedy the problems raised by Mr. Howard in his affidavit.

23. Describe all information the NRC currently possesses concerning the Zack Company's purchases of steel from U.S. Steel for 26 purchase orders at three plant sites including Midland, referred to in Mr. Howard's affidavit.

24. Describe all information the NRC currently possesses about the Delta Screw Company and any other vendor who was placed or maintained on the approved vendor list even though it did not comply with applicable NRC requirements.

25. Describe all information the NRC currently possesses about the December 21, 1982, letter from Bechtel to Zack that labeled reported deficiencies as "paperwork problems" as referenced in Mr. Howard's affidavit.

26. Describe all information the NRC currently possesses about the Zack Company's report on QA deficiencies at Midland, including but not limited to the report reviewed by Mr. Howard on November 30, 1981, and the Calkins report received by Mr. Howard on November 30, 1981, describing the QA program breakdown, both referenced in Mr. Howard's affidavit.

27. Describe all information the NRC currently possesses about Mr. Howard and other Zack employees' reports to Zack management about nonconformance of materials delivered to the site or deficiencies in the approved vendor lists.

28. Describe all information the NRC currently possesses about the November 5, 1980, Bechtel letter to Zack referenced in Mr. Howard's affidavit.

29. Describe all information the NRC currently possesses about the September 1981 letter from Zack to U.S. Steel describing a "serious misunderstanding" regarding purchases of steel for 26 purchase orders at three sites, including Midland, referenced in Mr. Howard's affidavit.

30. Describe all information under the custody or control of the NRC concerning the inadequacy of training of Zack, Bechtel or Consumers' personnel.

31. Describe all information the NRC currently possesses concerning the MPQAD allegation system.

32. Describe all information the NRC currently possesses about alleged retaliation taken against Mr. Howard because of the allegations he has made.

33. Describe the NRC Staff position with respect to Sinclair Contention 6. In addition to stating whether or not the staff will support or oppose this contention, identify all documents upon which the NRC Staff intends to rely and any facts or opinions which support the Staff position.

Contention No. 8

34. Describe any and all information the NRC currently has obtained about the failure of shop records to match QA records at the Midland site. Identify any and all documents relating to these failures or deficiencies.

35. Identify all NRC requirements violated by such failure of shop records to match QA records, as described in response to Interrogatory No. 33 above.

36. Identify any and all conclusions the NRC has reached concerning the failure of shop records to match QA records, and any action or intended action of the NRC in response to such failures.

37. Identify any corrective action taken either by Consumers, Bechtel, Zack or any other contractor to remedy the failure of shop records to match QA records.

38. Identify all instances of which the NRC is aware in which Zack has failed to file required reports on welds, welder qualifications, or welding procedures. Identify all documents relating to such failures, and any NRC requirements which are violated by such failures.

39. Identify all instances of which the NRC is aware in which Zack has filed erroneous or falsified reports on welds, welder qualifications or welding procedures. Identify all documents relating to these failures and any NRC requirements which are violated by such failures.

40. Identify what if any corrective action the NRC has ordered or intends to order regarding the failures listed in Interrogatories Nos. 38 and 39 above.

41. Describe any allegations received by the NRC from 1978 to the present regarding failure of shop records to match QA records at Midland. Identify all documents relating to these allegations.

42. Describe any corrective actions ordered by the NRC or taken by Consumers, Bechtel, Zack or any other contractor at Midland to remedy any failure listed in Interrogatory No. 41 above.

Identify all documents relating to such corrective action.

43. Describe NRC procedures from 1979 to the present to monitor or check whether Zack and other contractors at the Midland site have complied with NRC requirements, including the QA record-keeping requirements.

44. State the NRC's position with respect to Contention 8. In addition to stating whether or not the NRC Staff supports or opposes this contention, identify all documents upon which the NRC Staff intends to rely, and all facts and opinions which support its position.

Contention No. 16

45. Describe all information the NRC currently has about welders who are unqualified to do fabrication welds at Midland or whose qualifications are not verified for fabrication welds. Identify all documents relating to such welders.

46. Describe all NRC requirements violated by welders who are unqualified or whose qualifications are unverified to do fabrication welds.

47. Describe the number and location of all welds potentially affected by such unqualified welders. State whether or not each weld is currently accessible for inspection and/or rework.

48. State the NRC's position with respect to those welds which may be affected by unverified welder qualifications but are no longer accessible for inspection or rework.

49. State the NRC's position with respect to those welds which are currently available for inspection and/or rework.

50. State the NRC's position with respect to Contention 16. In addition to stating whether or not the NRC Staff supports or opposes this contention, identify all documents upon which the NRC Staff intends to rely, and all facts and opinions which support that position.

51. Describe any other reports received by the NRC from 1979 to the present about unqualified welders or welders whose qualifications were unverified.


52. Describe any investigation or action taken by the NRC in response to the Part 21 report referenced in Contention 16, and all conclusions reached by the NRC about the problems described in the report.

53. Describe any corrective action ordered or intended to be ordered by the NRC with respect to the problem described in the Part 21 report.

54. Describe any action or response by Consumers, Bechtel, Zack or any contractor at Midland to the problems outlined

in the Part 21 report or to any NRC investigation or action concerning this Part 21 report.

Respectfully submitted,



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