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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:)	
)	Docket Nos. 50-329
CONSUMERS POWER COMPANY,)	50-330
)	
(Midland Plant, Units 1 and 2)))	<u>Operating License</u>

INTERROGATORIES TO CONSUMERS POWER
COMPANY ON ZACK ISSUES

September 20, 1982

During the conference call on August 20, 1982, the Board decided to allow until September 20, 1982, for interrogatories on the Zack issues to be completed. These interrogatories deal with Sinclair Contentions 6, 8 and 16.

We request that the following interrogatories be answered in writing and under oath by employees, agents, or contractors of the Applicant who have personal knowledge of the facts in question.

In connection with these interrogatories, the following definition shall apply:

As used herein, the term "document" means 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, photographs, microfilm, microfiche, charts, analyses, intra-corporate or intra-office communications, notebooks, diaries, sketches, diagrams, forms, manuals,

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brochures, lists, publications, drafts, telephone minutes, minutes, statements, calendars, journals, orders, confirmations and all other written or graphic materials of any nature whatsoever.

Contention 6 deals with the testimony provided by Albert T. Howard as an affidavit dealing with the substandard materials that have been used in the HVAC system at Midland and with the failures of quality assurance at the facility.

Questions:

1. What is the Applicant's position with respect to Sinclair Contention 6? State all facts and opinions and identify and provide copies of all documents on which that position is based.
2. Identify all individuals whom the Applicant expects to call as witnesses with respect to this contention, and identify all documents on which the Applicant expects to rely at the hearing with respect to this contention.
3. Provide access for the purpose of examination and copying to all documents in the possession or control of the Applicant, its subcontractors (including the Zack Company), or its agents, related to the performance of the Zack Company with respect to the Midland facility.
4. Provide access for the purpose of examination and copying to all documents involving or reflecting correspondence of any sort between the Applicant or any of its agents or contractors and the Zack Company.
5. Identify the Midland site manager.
6. What position does Mr. Calkins hold at the Zack Company? Please describe his duties, with specific reference

to any responsibility he may have for assuring compliance with NRC regulations or requirements.

7. Identify and describe any efforts undertaken by Mr. Calkins to investigate QA problems at the Zack company related to the Midland facility. Did Mr. Calkins ever report such problems to the Applicant or any of its agents or to the NRC? If so, when and under what circumstances. What actions, if any, did the Applicant, its agents, or the NRC take with respect to any such reports?

8. Identify and describe all major QA reorganizations undertaken at Midland during the life of the project. Were any undertaken to correct improper QA documentation? If so, please identify them. If not, please state what actions have been taken during the life of the project to correct improper QA documentation.

9. During 1981, who was responsible for assuring that personnel involved in the Midland project, either for the Applicant or for its contractors, were qualified for their positions by virtue of training or other justification?

10. Describe the training required to qualify for the position held by Mr. Howard on November 18, 1981. Who was responsible for determining whether Mr. Howard had received the required training?

11. Please identify all instances in which and positions for which individuals were required, by the Applicant or any of its agents or contractors, to sign a form attesting that

they had received the training required for their positions.

12. Was such a signed form required of Mr. Howard?

If so, please provide a copy.

13. Has the Applicant or any of its agents or contractors ever directed an individual to sign the form referred to in Question 11 when the individual had not received the training in question? What actions has the Applicant taken to assure that this would never occur?

14. Please identify and provide copies of all reports meeting the description set out in Paragraph 5 of this Contention. Explain the reason for each QA deficiency discussed in each report and the actions taken by the Applicant throughout the life of the project to assure that the deficiencies would not occur or reoccur. In particular, identify each instance in which the "Authenticity of the signatures" on any document related to the Midland QA program is "questionable" for any reason, and explain the reason in each case.

15. Identify and provide access for examination and copying to all reports of the Applicant or any of its agents or contractors relating to improper modifications of documents.

16. Identify all instances in which any employee of the Applicant, its agents or contractors, has been disciplined in any way, including dismissal, for failure to implement Quality Assurance requirements correctly and thoroughly. Identify any instance in which any sort of disciplinary action was considered but rejected, including particularly any

instances in which dismissal was rejected as a response to QA failures.

17. Provide a copy of the letter of December 12, 1981, from Bechtel to Zack related to quality assurance deficiencies. Explain precisely what is meant by the term "paperwork problem" to refer to the deficiencies discussed. Did Bechtel consider the deficiencies to be in compliance with NRC regulations and requirements? Did the Applicant? State the precise probability that Zack ordered correct materials, as referred to in the Bechtel letter. What is the basis for this probability? What is the basis for Bechtel's opinion concerning the "vendors' intent."? Identify and provide any relevant documents.

18. To what extent does the Applicant rely on Bechtel to make QA decisions?

19. What control does the Applicant exercise over Bechtel's QA decisions? How is this accomplished? Please describe all means of reporting, meetings, and other mechanisms through which the Applicant assures that Bechtel complies with all requirements.

20. Identify all document audits performed by Zack for Applicants or Bechtel. In each case, identify the documents that Zack actually reviewed and those that it did not.

21. Identify all companies from which Zack received any supplies or materials for which the status of approved vendor was required for nuclear projects. In each case, state the dates during which the vendor was so approved and the basis for the approval to provide the material in question.

22. State Applicant's policy with respect to individuals providing information concerning deficiencies related to the project to the NRC or other persons not involved in the design or construction of the project.

23. Is it the position of the Applicant that individuals who are aware of deficiencies in the product or work of a contractor or subcontractor should not inform the Applicant of those deficiencies?

24. Provide a copy of the letter of November 5, 1980, from Bechtel to the Zack Company.

25. Paragraph 13 of this contention describes an incident involving a purchase by Zack from U.S. Steel. Provide access to all documents related to this incident.

26. Identify all purchases from Delta Screw Company by Zack Company. In each case, identify the date that the purchase was initiated.

27. Provide copies of all documents related to a meeting of November 3, 1981, at the Midland site, involving QA personnel. Who called the meeting? Why? Who attended the meeting? State why the Applicant decided not to report the QA breakdown discussed at that meeting to the NRC under 10 CFR 50.55(e). How much time elapsed between the time the breakdown was discovered to the time the decision was made not to report it to the NRC?

28. Identify Mr. Leonard. State his current position and all prior positions related to the Midland facility. Describe

his employment history, specifically identifying every position he has held related to a nuclear facility of any kind.

29. What were Mr. Leonard's responsibilities on April 13, 1982?

30. Did Mr. Leonard ever promise that statements or allegations made by anyone concerning deficiencies at the Zack Company or other deficiencies related to the Midland facility would be treated confidentially? Identify each instance, describe the deficiency in question, and state the current position of the person to whom the pledge of confidentiality was made.

31. Describe all actions taken by Mr. Leonard with respect to information provided in confidence by Mr. Howard. Identify every individual who was informed of the substance of Mr. Howard's information. Identify every individual who was told that Mr. Howard provided or was aware of the information.

32. Please identify all Zack deficiencies of which Mr. Leonard has become aware during the life of the project.

33. Did Mr. Calkins, on or about April 16, 1982, tell Mr. Howard that Mr. Howard had betrayed him? If so, what was the basis for that statement? If not, did Mr. Calkins in any way discuss with Mr. Howard the information that Mr. Howard had provided to the Applicant or the fact that he had provided that information?

34. How did Zack, and particularly its president, become aware of the allegations made by Mr. Howard to Mr. Leonard? Please provide a copy of the Zack memorandum denying the substance

of the allegations. Explain why Zack QA personnel were denied access to files without upper management permission. State precisely which upper management personnel had control of the files.

35. Who originally hired Mr. Leonard for the Midland facility?

36. Identify any instances in which Mr. Leonard was fired from any position that he has held during his career and state the reasons for that firing.

37. In light of Mr. Howard's apparent dismissal for revealing a serious quality assurance problem related to the Midland facility, what assurance does any worker at the Midland facility have that he will not lose his job if he reports a serious QA problem?

38. Describe in detail the basis for the Zack Company president's conclusion that Mr. Howard was "incompetent." Provide copies of his entire personnel file and of all other documents of Zack Company or any other participant in the Midland project that relate in any way to Mr. Howard's performance.

39. Has the president of Zack at any time concluded that Zack's QA performance was "appalling" or otherwise deficient? Provide copies of all documents reflecting or related to those conclusions. In each instance, state the basis for the conclusion.

40. Non-Conformance Report (MOI-4-2-502, 6/22/82) states that all Zack welding is being performed "out of range" with the established voltage grid system provided by Bechtel

Power Co. How will this defective welding be corrected?
How much time will it require? What will be the cost?

41. Audit Report QA 24-0 (4-19-82 through 4-22-82) states the Zack Co.'s implementation of the Quality Assurance Program is judged to be marginal. What improvements have been made in Zack's QA program since this report? Does Zack Co. continue work on HVAC at Midland?

42. Audit Report MO1-600-2-0, 2/5/82 states that Zack Co. still has the recurring problem of traveler control and work methods. Have these problems been corrected? Have they recurred? If so, how often?

43. Audit Finding Report MO1-600-1, 11-25-81, states that the qualification certification forms for WPS-2 were found to be inconsistent with the test results. Has this problem been corrected? Describe in what way?

44. This Audit Report (in 43) states that the specifications were found to be missing or incorrect on the welder qualification/certification forms for WPS-2. Has this problem been corrected? How?

Contention 8 deals with the non-compliance report filed by Zack Co. of Chicago indicating that the two sets of records--a shop record and a QA record--that should be signed by the same person that is required to guarantee the integrity of welds were, in fact, signed by two different people.

Questions:

1. Has any other company besides Zack been responsible for any of the HVAC system in the Midland plant? Is so, provide the name.

2. When did the Zack Co. begin HVAC work at the Midland nuclear plants?

3. What percentage of the welds performed under Zack supervision are built-in and no longer accessible for inspection or correction?

4. Did the Applicant have any knowledge of this breakdown in welding QA before the non-compliance report was filed in August, 1982?

5. If so, what action was taken by the Applicant?

6. If not, what action was taken by the Applicant after the report was filed?

7. Provide all correspondence between Zack and Consumers Power Co. dealing with welding.

8. Provide copies of all documents related to this incident.

Contention 16 deals with the Zack Co. non-conformance report filed in August, 1982, that disclosed that 140 Travelers showed unverified welder qualifications for fabrication welds.

Questions:


1. What percentage of the welds in the Midland plants' HVAC system would be affected by these 140 Travelers? Of those welds, which are now inaccessible?

2. Over what period of time were the 140 Travelers produced?

3. Provide copies of all documents related to these incidents.

4. What actions have been taken as a result of this non-conformance report?

Respectfully submitted,



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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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CONSUMERS POWER COMPANY)	Docket Nos. 50-129 OM
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-----)	50-130 OL

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Revised Contentions of Mary Sinclair, Interrogatories to Consumers Power Co. on Zack Issues, Interrogatories to NRC Staff on Contentions 6, 8, and 16, Resubmission of Contention 56, and Response to Second Set of Interrogatories have been served on the following by deposit in the U.S. Mail, first class, this 20th day of September, 1982:

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September 20, 1982


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