NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

JAN 3 1980

Docket Nos. 50-329/330

MEMORANDUM FOR: Roger Fortuna, Assistant Director for Investigation, OIA

FROM: Harold D. Thornburg, Director, Division of Reactor Construction Inspection, IE

SUBJECT: INFORMATION PERTINENT TO THE MIDLAND ORDER TO MODIFY THE CONSTRUCTION PERMIT INCLUDING THE MATERIAL FALSE STATEMENT CONSIDERATIONS

We are enclosing several documents which present the facts and issues involved in the Midland soils and foundation problems that were identified when excessive settlement was observed in the diesel generator building. The resolution of these problems and actions taken have been a joint IE and NRR effort which culminated in the Order to Modify the license on December 6, 1979.

Part of the efforts involved in these problems was the consideration given to several items which were being reviewed as possible material false statements.

Enclosure 1 is a listing of the pertinent documents that relate to this matter. Those noted with an asterisk reflect what we consider to be the key documents you may want to focus on first to define what the issues were. If you need additional information on this matter, please contact us.

Harold D. Thornburg
Harold D. Thornburg
Director
Division of Reactor
Construction Inspection
Office of Inspection and Enforcement

Enclosures:
1. Documentation List on the Midland Soil/Foundation Problems
2. Attachments listed on Enclosure 1

CONTACT: R. E. Shewmaker, IE
49-27551

XA Copy Has Been Sent to PDR

8004212013 XA

cc/w enclosure 1:
H. Denton, NRR
E. Case, NRR
R. Mattson, NRR
D. Vassallo, NRR
S. Varga, NRR
J. Knight, NRR
L. Rubenstein, NRR
W. Haass, NRR
D. Hood, NRR
J. Murray, ELD
W. Olmstead, ELD
J. Keppler, RIII
G. Fiorelli, RIII
G. Reinmuth, IE

DOCUMENTATION LIST
MIDLAND SOIL/FOUNDATION PROBLEMS

1. 10 CFR 50.55(e) reports. (Note: Large drawings are not included here due to reproduction problems. They are on file in IE.)

a.	Initial Report with letter dated 9/29/78	7810060285	PDR
b.	Interim Report #2 with letter dated 11/7/78	7811170212	PDR
c.	Letter dated 12/21/78	7812290146	PDR
*d.	Interim Report #3 with letter dated 1/5/79	7901100220	PDR
*e.	Interim Report #4 with letter dated 2/23/79	8007290964	PDR
*f.	Interim Report #5 with letter dated 4/30/79	8007291137	PDR
*g.	Interim Report #6 with letter dated 6/25/79	7907100604	PDR
h.	Letter dated 8/10/79 with enclosure	7908170396	PDR
*i.	Interim Report #7 with letter dated 9/5/79	7909110582	PDR
*j.	Interim Report #8 with letter dated 11/2/79	7911070378	PDR

2. Transfer of Lead Responsibility to NRR dated 11/17/78 7812280343 PDR

3. Board Notifications

a.	Memo Olmstead to Vassallo, 11/3/78	7904100122	CF
b.	Memo Thornburg to Gower, 11/9/78	~~7812070139~~	~~CF~~
c.	Memo Bryan to Vassallo, 11/13/78	7812260226	PDR
d.	Memo Vassallo to Engelhardt, 11/13/78	7904100117	CF
e.	Memo Keppler to Thornburg, 4/20/79		
f.	Memo Thornburg to Thompson, 5/14/79	7908070764	PDR
g.	Memo Thompson to Vassallo, 5/17/79	7908070759	PDR
h.	Memo Vassallo to Christenbury, 5/29/79	7908070752 / 7908150020	PDR
i.	Memo Thornburg to Keppler, 6/6/79	7908150018	PDR

Appendix A

4. IE Inspection Reports

*a.	78-12, 11/17/78	7812190160	PDR
b.	78-13, 11/3/78	7812060070	PDR
c.	78-14, 11/9/78	7812140139	PDR
*d.	78-20, 3/22/79	7905020172	PDR
e.	78-22, 3/2/79	7904260115	PDR
f.	78-23, 3/36/79	7906040411	PDR
*g.	79-06, 4/9/79	7905240734	PDR
h.	79-08, 4/27/79	7906250155	PDR
i.	79-09, 5/8/79	7907300096	PDR
j.	79-10, 6/6/79	7908030633	PDR
k.	79-13, 5/30/79	7909150627	PDR
l.	79-15, 8/22/79	7910030646	PDR
m.	79-16, 7/9/79	7909040225	PDR
*n.	79-19, 10/1/79	7911210088	PDR

5. Enforcement Actions

*a.	Memo Keppler to Thornburg, 2/15/79	8104160335	PDR
*b.	RIII Position Paper, 2/23/79		
*c.	Memo Keppler to Thornburg, 3/12/79	8104160341	PDR

*d. Letter from Keppler to Howell of Consumers Power Company, 3/15/79 7904030361 PDR
*e. Memo Keppler to Thornburg, 4/3/79 8106090700 PDR
*f. Memo Thornburg to Thompson, 6/13/79 ~~7906070022 CF~~ Appendix A
*g. Memo Hood to File, 8/9/79 8106090704 PDR
*h. Memo Thornburg to Gower, 9/27/79 ~~7910140299 CF~~ Appendix A
*i. Memo Gower to Keppler, 10/4/79 Appendix A
*j. Memo Keppler to Thornburg, 10/29/79

6. 10 CFR 50.54(f) Request and Responses (Note: Large drawings are not included here due to reproduction problems. They are on file in IE.)

*a. Letter Denton to Howell of Consumers Power Company, 3/21/79 7904160134 PDR
*b. Letter Howell to Denton, 4/24/79 7904250617 PDR
c. Letter Howell to Denton, 5/31/79 7906070263 PDR
d. Letter Howell to Denton, 7/9/79 7907110016 PDR
e. Letter Rubenstein to Howell, 8/29/79 7909270769 PDR
f. Letter Rubenstein to Howell, 9/11/79 7910020802 PDR
g. Letter Howell to Denton, 9/13/79 7909200370 PDR
h. Letter Howell to Denton, 11/13/79 7911150284 PDR
i. Letter Rubenstein to Howell, 11/19/79 7912100271 PDR

7. Related NRR Correspondence

a. Memo Rubenstein to Knight, 9/27/79 7910230546 CF
b. Mtg Summary from 7/18/79, dated 10/16/79 7908170393 PDR
c. Mtg Summary from 9/5/79, dated 10/16/79
d. Mtg Summary from 11/14/79, dated 12/3/79

8. Order

a. Order to Modify the Construction Permit, 12/6/79 7912270193 PDR
b. Submittal of Amendment #72, 12/19/79 per the Order 7912270195 PDR
c. Request for Hearing by Consumers Power, 12/26/79 7912310339 PDR