### Appendix A

#### NOTICE OF VIOLATION

Consumers Power Company Docket No. 50-329 Docket No. 50-330

Based on the results of an NRC investigation conducted on December 11-13, 18-20, 1978, and January 4-5, 9-11, 22-25, 1979, it appears that certain of your activities were not conducted in full compliance with NRC requirements as noted below. These items are infractions.

- 1. 10 CFR 50, Appendix B, Criterion III requires, in part, that
  measures shall be established and executed to assure that regulatory requirements and the design basis as specified in the license application for structures are correctly translated into specifications, drawings, procedures and instructions. Also, it provides that measures shall be established for the identification and control of design interfaces and for coordinates among participating design organizations.
- Part, "the assigned lead design group or organization (i.e., the NSSS supplier, A&E, supplier or CPCo) assure that designs and materials are suitable and that they comply with design criteria and regulatory requirements."

Attachment 2

CPCo is committed to AMSI N45.2 (1971), Section 4.1, which states, in part, "measures shall be established and documented to assure that the applicable specified design requirements, such as a design basis, regulatory requirements... are correctly translated into specifications, drawings, procedures, or instructions."

Contrary to the above, measures did not assure that design basis were included in drawings and specifications nor did they provide for the identification and control of design interfaces. As a result, several inconsistencies were identified in the license application and in other design basis documents. Specific examples are set forth below:

a. Construction Drawing C-45 (Class I fill material areas)

specifies the foundation material for Class I structures to

be Zone 2 material, defined as any material free of humus,

organic or other deleterious material with no restrictions or

gradation while FSAR Tables 2.5-9 and 2.5-14 indicate the

foundation material for support of Class I structures to be

controlled compacted cohesive (clay) material.

Appendix A

- indicates settlement of the Diesel Generator Building to be on the order of 3" while FSAR Section 3.8.5.5 (structural acceptance criteria) indicates settlements on shallow spread footings founded on compacted fill to be on the order of 1/2" or less. The Diesel Generator Building is supported by a continuous shallow spread footing.
- c. The design settlement calculations for the diesel generator and borated water storage tanks were performed on the assumption of uniform mat foundations while these foundations were designed and constructed as spread footing foundations.
- d. The settlement calculations for the Diesel Generator Building indicate a load intensity of 3000 PSF while the FSAR, Figure 2.5-47, shows a load intensity of 4000 PSF, as actually constructed.
- were based on an index of compressibility of the plant fill between elevations 603 and 634 of 0.001. These settlement

values were shown in FSAR Figure 2.5-48. However, FSAR, Table 2.5-16, indicates an index of compressibility of the same plant fill to be 0.003.

- f. PSAR, Amendment 3, indicated that if filling and backfilling operations are discontinued during periods of cold weather, all frozen soil would be removed or recompacted prior to the resumption of operations. Bechtel specification C-210 does not specifically include instructions for removal of frozen/ thawed compacted material upon resumption of work after winter periods.
- g. PSAR Amendment 3 indicates that cohesionless soil (sand) would be compacted to 85% relative density according to ASTM D-2049. However, Bechtel specification C-210, Section 13.7.2 required cohesionless soil to be compacted to not less than 80% relative density.
- 2. 10 CFR 50, Appendix B, Criterion V requires, in part, that activities affecting quality shall be prescribed and accomplished in accordance with documented instructions, procedures or drawings.
  - CPCo Topical Report CPC-1-A Policy No. 5, Section 1.0 states, in - part, that, "Instructions for controlling and performing activities affecting quality of equipment or operation during design, construction and operations phase of the nuclear power plant such as procurement,

Appendix A

manufacturing, construction, installation, inspection, testing

. . . are documented in instruction, procedures, sepcifications

. . . these documents provide qualitative and quantitive acceptance
criteria for determining important activities have been satisfactorily
accomplished.

CPCo is committed to ANSI N45.2 (1971), Section 6 which states, in part, "activities affecting quality shall be prescribed by documented instructions, procedures, or drawings, of a type appropriate to the circumstances and shall be accomplished in accordance with these instructions, procedures or drawings."

- a. Contrary to the above, instructions provided to field

  construction for substituting lean concrete for Zone 2 material

  did not address the differing foundation properties which

  would result in differential settlement of the Diesel Generator

  Building.
- b. Also, contrary to the above, certain activites were not accomplished according to instruction and procedures, in that:
  - (1) The compaction criteria used for fill material was 20,000 ft-lbs (Bechtel modified proctor test) rather than a

compactive energy of 56,000 ft-lbs as specified in Bechtel Specification C-210, Section 13.7.

- (2) Soils activites were not accomplished under the continuous supervision of a qualified soils engineer who would perform in-place density tests in the compacted fill to verify that all materials are placed and compacted in accordance with specification criteria. This is required by Bechtel Specification C-501 as well as PSAR, Ammendment 3 (Dames and Moore Report, page 16).
- 3. 10 CFR 50, Appendix B, Criterion X requires, in Part, that a program for inspection of activites affecting quality shall be established and executed to verify conformance with the documented instruction, procedures and drawings for accomplishing the activity.

CPCo Topical Report CPC-1-A Policy No. 10, Section 3.1, states, in part, that "work activities are accomplished according to approved procedures or instructions which include inspection hold points beyond which work does not proceed until the inspection is complete or written consent for bypassing the inspection has been received from the organization authorized to perform the inspections."

Appendix A

CPCo is committed to ANSI N45.2 (1971), which states, in part,

"A program for inspection of activities affecting quality shall
be established and executed by or for the organization performing
the activity to verify conformance to the documented instructions,
procedures, and drawings for accomplishing the activity."

Contrary to the above, Quality Control Instruction C-1.02 the program for inspection of compacted backfill issued on October 18, 1976, did not provide for inspection hold points to verify that soil work was satisfactorily accomplished according to documented instructions.

4. 10 CFR 50, Appendix B, Criterion XVI requires, in part, that measures shall be established to assure that conditions adverse to quality such as failures, deficiencies, defective material and nonconformances are promptly identified and corrected. In case of significant conditions adverse to quality, measures shall assure that corrective action is taken to preclude repetition.

CPCo Topical Report CPC-1-A Policy No. 16, Section 1.0 states, in part, "corrective action is that action taken to correct and preclude recurrence of significant conditions adverse to the quality of items or operations. Corrective action includes an evaluation of the

conditions that led to a nonconformance, that disposition of the nonconformance and completions of the actions necessary to prevent or reduce the possibility of recurrence."

Contrary to the above, measures did not assure that soils conditions of adverse quality were promptly corrected to preclude repetition.

For example:

- a. As of January 25, 1979, moisture control in fill material had not been established nor adequate direction given to implement this specification requirement. The finding that the field was not performing moisture control tests as required by specification C-210 was identified in Quality Action Request SD-40, dated July 22, 1977.
- b. Corrective action regarding nonconformance reports related to plant fill was insufficient or inadequate to preclude repetition as evidenced by repeated deviations from specification requirements. For example, nonconformance reports No. CPCo QF-29, QF-52, QF-68, QF-147, QF-174, QF-172 and QF-199 contain numerous examples of repeated nonconformances in the same areas of plant fill construction.

2:00 Call from Bailay Atramin (Petitives) the Strains after to request eggins of reports reported Spile ratters. We also discound where reference to sol from redy bring extraction is freeted in PSAR FSAR & SCR. 9/10/80 Onduring on tribs held letter 10/2/80 golfulte Jany Juttel (517) 373-3503 of the 1 requility for the Liber in v concern a to their autigrity . The will call back early new weeks Dike Inve

1/1000 Consumers Ex #21 1.0. 10/8/30 (Hora) Simpon Meeting Rote 10/1/80

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timps granided by CPCo by VH. 8 & Main - Mis questionable whether mendany consolidation of DG fil has been ashiered. Etem por pressure appears not to have dissipaled. after suchange by pond level. Vata COE requestes my help render Boring date for DG Blog is extrapolated by applicant from BWS Tava. Bot sufficient indication of DC area. COE rays this is an unorthodox practice. H. hingh - Milly cained group load test should fail, accent meining for failly consisting is justilitied. What would you to them? Other alternation forcelosed. of hits diameter dings info of the causin Casson & Cout Town mor report eled, prenet area, in a bridge fashion. for to justify bearing capacity of wells under control long which more ( hot not left) is to have to support part of the elect. prentedin area also, Cut Fore originally designed to be

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No berm near the SW Later Structure. If discharge proje heater, no plant cooling by energy pond. / lang - all dates on Likes ( denily) in below elevations 615 no Lota alma this. Defrancia practice of a dilto filled is not a valid come of night type of boing is taken. Use casing. In Pack has been involved in such recommendations. Singh - relaining wall - is non-reismic wall still waln't in view of broken of died full tanker? Will soil slide if wall taken out by SSE? hungh - New informations running - 114 additional brings in Rev 8. Mostly in Fants form area - Loo for away for other areas of interest. However, 6 of the stande penetration tests (SPTs) consumed with the SPT reguled for 30 We can wais then 6. prices, still meed all the next of the request. lengen - without the data requested, CDF can not issue a foundly report. is aimed to prelord a struct & after being built. V milly done prior to starting construction. The program produces further differential settlement and otherser in the structure. applicant will have to when SEB That there stream are any table

los from to droft a reply demying opped that avaining the 6 SPTa previously requested. It will think faither about the Like bruings.

List of Exhibit, a likane Deposition Klluler Description Professional Gualifications EExp of Kana J. Kune hundwitten note of 6/18/20 Subject: Grestionson NRG Review Policy of Calling Perals (4 Hums . Last Hem incomplete Large Plan View of Geling Porch (control in Emery, Geling Water Reserver Area Likane luccified 3 sections where due geometry would ancoming stubility analysis Letters from COE to R Jackson one clated 27 marks Adult Beings & Existing Scil Date 5 / Deposition Form Your CCE) diket I Feb &c Subsect Geotechnical Engineering Assistance 7-8 Mer. 1979 Meeting & Bethesile Conderstanding of NRC Position (In Anticipation of Kyt) Kubinoki te wee File From typino Deposition Popers 7 / Copy of CCE contract on Midland (Pages 2,3,4 & 5) Report double Sept. 14, 1980 from CPCo Entitled "Discussion of the Applicant's Position on the had for Addt'l Borings" etc

9/

Report from C.Ko clated Sept 14, 1780
"Settlement Update for Midland Plant
Units 1 = 2", etc

- 10 / 4Mar & Telephane Record (From Cong deposition From N. Gehring to P. Hadala documents)
- 11 ~ J Kanc hundwritten pages 1 thru 4)+ Luty clitch 7/27/80 by raphs entitled "NRC Position-Nesel Generator Blog
- 12 / J Kani hundwritten pages dated 9/27/80 entitled "CPCo Position - Diesel Generator Blog" 19 juyes including 15 Vugraphs

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Pregared for Oct. 1, 1980 meeting)
Entitled "CPCo Position - Cooling Pand Dire"
I page plus 4 Yugraphs

List of Exhibita (Cont.) Description Telephone Record data blzbles Subject : Midland Nuclear Plant-Letter Report I Kone cilling H. Singh NCDEDECZAMONES lot had. Silvect - Interespency Agreement he NRC-03-77-167, Task No. 1, Midland Fism COE Plant Unit 1 \$ 2, Switzskwell - Letter-Depas Report (INTERM Fepris From Goodwin to Dist. Engr., Detroit a pages to North Central Division John F. N. to. NCDED-6 Reviewer Lines Simpison NCEED -T Silver Interagency Agramment No. 1VRC-03-77-67 Task No. 1, Midland Unite 15.2 Subtask No. 1 Letter Rpt (INTERINI

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by J. Kane
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with installed conducte
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Trux Report of Meeting 15 Jan 1982

Dated 11 Feb. 196

From Lowhead to Chy. Engr. Div.

### Consumers Exhibit #1 (Kane)

### PROFESSIONAL QUALIFICATIONS AND EXPERIENCE

NAME:

Joseph D. Kane

ADDRESS:

7421 Miller Fall Road Derwood, MD 20855

EDUCATION:

B.S. Civil Engineering

1961

Villanova University

M.S. Civil Engineering Villanova University 1973

Post-degree studies, Soils and Foundation Engineering

University of California University of Maryland 1972 1978

PROFESSIONAL REGISTRATION:

Registered Professional Engineer (1966) - Pennsylvania 12032E

PROFESSIONAL SOCIETY:

American Society of Civil Engineers

EMPLOYMENT POSITIONS:

February 1980 - Present

Principal Geotechnical Engineer U.S. Nuclear Regulatory Commission

May 1977 - February 1980 ---

Geotechnical Engineer
U.S. Nuclear Regulatory Commission

October 1975 - May 1977

Soils Engineer
U.S. Nuclear Regulatory Commission

August 1973 - October 1975

Supervisory Civil Engineer Chief, Soils Design Section U.S. Army Corps of Engineers Philadelphia District

January 1963 - August 1973

Civil Engineer
Soils Design Section
U.S. Army Corps of Engineers
Philadelphia District

January 1962 - January 1963

Design Engineer McCormick - Taylor Associates Philadelphia, Pa. Professional Qualifications and Experience Joseph D. Kane

### PROFESSIONAL EXPERIENCE SUMMARY:

1975 to Present

In NRC Division of Engineering, Geotechnical Engineering Section, Mr. Kane has specialized in soil mechanics and foundation engineering. Experiences in this position have included the following:

- a. Evaluation of the foundation adequacy of proposed sites for nuclear facilities with respect to design and operational safety. This work has included evaluation of geotechnical, soils and rock mechanics, foundation and earthquake engineering related aspects. The results of this review effort are summarized in a safety evaluation report for each of the proposed facilities which have included nuclear power plants, nuclear fuel reprocessing plants and uranium mill tailings waste systems.
- b. Serving as a technical adviser for soil and foundation engineering related aspects in the development of regulatory guides, acceptance and performance criteria that are intended to assure construction and operational safety of nuclear facilities.
- c. Serving as a technical representative for the Office of Nuclear Reactor Regulation on the NRC Advisory Group concerned with federal dam safety.
- d. Serving as an instructor for the Office of State Programs in the training of state personnel who are responsible for construction and operational inspections of uranium mill tailings embankment retention systems.

1963 to 1975

During this period Mr. Kane was employed with the U.S. Army Corps of Engineers, Philadelphia District and attained the position, Chief, Soils Design Section, Foundations and Materials Branch, in 1973. Professional experiences with the Corps of Engineers have included the following:

a. The embankment and foundation design of four large multi-purpose earth and rockfill dams with appurtenant structures (spillways, inlet and outlet structures, control towers, flood protection facilities, etc.). Responsibilities ranged from the initial planning of subsurface investigations to select the most feasible sites through all design stages which were culminated in the final preparation of construction plans and specifications. This work included planning and evaluation of laboratory testing programs, studies on slope stability, seepage control and dewatering systems, settlement, bearing capacity, liquefaction embankment safety instrumentation and slope protection.

- b. Served as a technical consultant to field offices charged with construction inspections for assuring completion of structures in compliance with design analysis and contract specifications. Participated in the development of needed modifications during construction whenever significant changed site conditions were uncovered.
- c. Directed the efforts of engineers in the Soils Design Section in other fields of civil work projects that included the embankment and foundation design of levees, waterfront pile supported structures and disposal basins for the retention of hydraulic dredge waste.

Served as design and project engineer for private consulting firm. This work included the design of large federally funded highways, a race track and various structures constructed to provide a Pennsylvania State park marina.

1972 Award 1978 Midland ; Units 1 & 2 Questions on NRC Review Policy of Cooling Ponds (Catil)

## al Comments

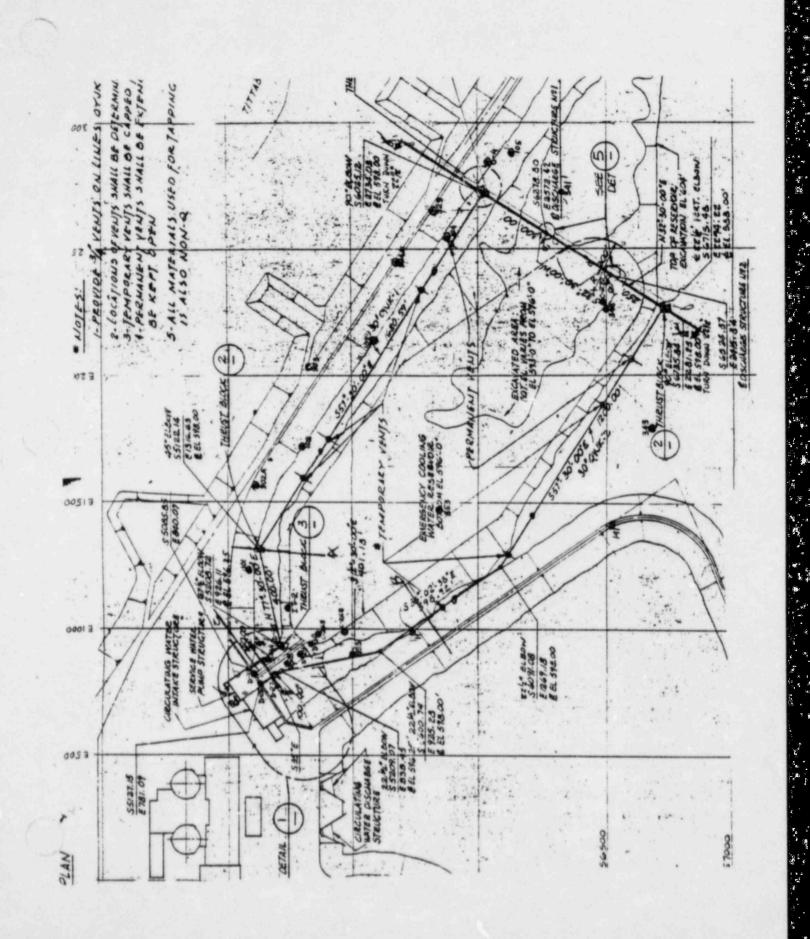
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has indicated the following reasons for request:
never for dike stability & pand scepage & emergency access a fill that constitutes pand dikes is same type & probably coved same compaction effort as plant fill new experiencing e settlement problem. Concern for dike adequacy & chance increase knowledge on problem plant fill)

le of position of Cat. I pipeline at the ofdire, a portion ling Pond Embankment System & its stability would esult in determination that dikes in this portion are st. I

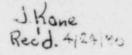
sh stated to be Cat-II, the Applicant has presented led stability analysis of the cooling pond dire. Does NRC in our review, ignore the information presented in the FSAR?

rn of public & intervenor's conception of NRC ricting review efforts of independent reviewers sultant's work. Indicate NRC modification of

Consumers Exhibit # 3 Kane)



### Consumers Exhibit # 4 (Kane)





# DEPARTMENT OF THE ARMY DETROIT DISTRICT. CORPS OF ENGINEERS BOX 1027 DETROIT, MICHIGAN 48231

APR '

NCEED-T

SUBJECT: NRC Midland Project, Request for Additional Borings and Existing Soil Data - Revision No. 1

U.S. Nuclear Regulatory Commission Dr. Robert E. Jackson Division of Systems Safety Mail Stop P-314 Washington, D.C. 20555

Dear Dr. Jackson:

Inclosure 1 to our letter of 27 March 1980 has been revised and attached hereto. The two maps provided indicating boring locations remain unchanged.

FOR THE DISTRICT ENGINEER

l Incl As stated P ModalistEd Chief, Englasering Division

R.E. Jackson

8604220055

COE reason for borings? consolidation test (Per R. Fricks on 5/19/80 Want to evaluate compressibility of fill following per non-ent tematering Not now addressed in documents.

#### INCLOSURE 1

1. It is requested that the applicant furnish the boring logs listed below indicating when and how these were taken, the type of sampling, and samples taken:

Referenced in Tuple 24-12 Response to Guest 24, Rev 5 66, pg. 24-30 to 24-39 taken:

Pull down holes PD-1 thru PD-27\* (35 holes)

LOW-1 thru LOW-13 & W-1 thru W-4 (18 Holes) - Response to Plant Fill - Vol. 4

TW-1 thru TW-5 & PZ-1 thru PZ-48 (53 holes)

OW-1 thru OW-3 & OL-1 thru OL-6 (9 holes) Vol 4 FS AR

TEW-1 thru TEW-7 & Q-1 thru Q-12 (19 holes)

\*Includes 8A, 20A, 20B, 20C, 15A, 15B, 15C, & 27A.

2. Locations, boring logs and test data from any other drill holes taken in 1979 and 1980 are also requested.

See response Vol. 3 Tob. Do. 11

3. Dutch cone penetrometer data from holes P-1 thru P-13 must also be provided.

Amend To Revision 6 Response to Question 27

- 1. Information is requested on all piezometers that were installed to monitor problems related to plant fill. The information should include the number and location, the time of installation, the type of filter around the piezometer, the installed depth, and the type of piezometer. Shill need grade on of filt. All offer integration,
- -Ask for logging of pietometer holes

  1. 100 6 3. All piezometer readings for each installation with dates and times are could eliminate required. Thus the provided holes it logs are holes it logs are
  - 6. The data and information requested in paragraphs 1 thru 5 above is needed to verify the applicant's computations and conclusions and to make any needed computations for the dewatering analysis, the seismic analysis and the settlement analysis.
  - 7. A need exists for additional borings, since random exploratory borings throughout the plant site have revealed pockets of soft clay subject to settlement and or consolidation and loose sands subject to liquefaction. A need also exists to check the results of the proposed remedial measures of surcharge loading at the Diesel Generator Building and the dewatering plan.
  - a. In the case of the Diesel Generator Building, check borings must be made in the vicinity of borings which identified low "N" values in the clay and sand fill. The proposed borings shall be carried into the glacial till and all samples, including those in the glacial till, tested as indicated below.

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    We want formal Compare Compare characteristics

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Shear Atmoretical bearing capecity

15 Q test needed

live load .

The boring locations are as indicated on the attached map. All soil for the full depths of the borings shall be classified according to the Unified Soil Classification System. Any tests necessary to classify the soil stall be accomplished. Unit weight and moisture content of adlisamples should also be determined. The samples obtained from any cohesive strata shall be tested. The tests for cohesive material shall be a consolidation drained and undrained load plus the triaxial shear tests (R&S) and a consolidation test with restraining load equal to the load in place at the strata depth the sample represents. The sands shall be tested in direct shear for a loose and dense condition and the relative density of the sand in situ determined. red, will be

b. Where piling or caissons are proposed to underpin the service water Building and Auxiliary Building - feed water valve pits which are located on fill, the load bearing capacity of the bearing strata must be determined. The capability to resist lateral shearing stresses that could be induced in low "N" value soil subjected to seismic action must also be determined. The same tests required for soil samples obtained from the new borings at the Diesel Generator Building shall also be made on soil samples from new borings for these buildings.

c. The questionable site area fill may have a counterpart in the cooling pond embankment which was constructed contemporaneously with the site fill. It is requested that exploratory continuous drive borings be taken at a number of points along the north and east embankments, omitting the slurry trench cutoff areas which are positively sealed. The approximate boring locations are as indicated on the attached map of the cooling pond. Upon completion of drive boring a second undistrubed boring shall be made adjacent of the disturbed boring to sample cohesive soils. The tests on the soil samples obtained from the borings in the embankments shall include the following tests, consolidated drained triaxial shear tests, (cohesive samples) Atterberg limits and all soils classified 1 cording to the Unified Soil Classification System. The drive borings sl. '! be continously sampled using a standard split spoon sampler. The hole shall be held open using a hollow stem Clorify - whom is auger or casing. Particular attention shall be paid to ground water Time of ari conditions during and after completion of drilling. In the case of Hole 5, the boring should be drilled to the depth of the cooling pond bottom while the remaining borings need penetrate only 5 feet into underlying residual soils unless soft ground indicates a need for further hole penetration. uter competion Lope Storiling Steady Seeyage - Partial Pool COUT HE STADILLE Sudden Drawtown almex. you't flow pool

Summary of Requested Drilling

Check building. Samples of all strata from ground surface into the glacial till (Holes 3-13). Include downhole, crosshole 2 surface geophysical tests to design check mentioned on pg. 18 0 VII-4 of Intradictions and spectra

- librar is this document SER by NRC Pg. 18 par. W Recommendation L

-Request test results

Greation 2. Res. 5 dated Feb 28,1463

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to check the stubility

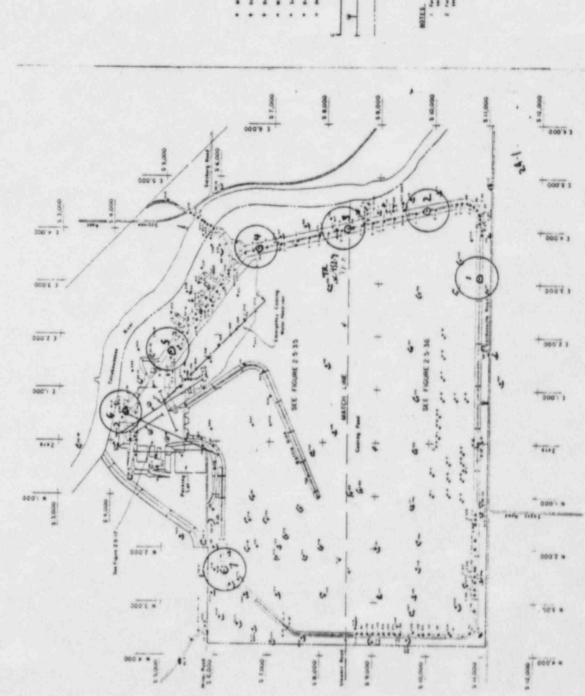
- b. Auxiliary Building Take two borings around the proposed support piling or caisson for remedial grouting of loose sands and soft clays adjacent to pile or caisson to stiffen piles and adjoining ground against lateral loading. Borings need to penetrate, p glacial till. (see attached map for boring locations Holes 4 & 5.)
- c. Service Water Building A boring (Hole 16) shall be made as indicated on the attached map to and into the glacial till. All samples obtained shall be classified according to the Unified Soil Classification System also consolidation, drained and undrained triaxial compression tests made on cohesive soil samples and direct shears for a loose and dense condition shall be made on all granular soil samples, as specified in paragraph 7B.

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- d. Plant Area Borings If feasible some borings should be taken under the Radwaste and Turbine Buildings to determine if unwatered pockets exist or persist. Suggested boring locations would be as indicated on the attached If holes map. Further investigation could be needed after the results of these borings are deleted are obtained. No borings presently exist in these areas. The borings should revise bernebe cased or hollow stem auger borings with drive samples every 2-1/2 feet through the fill. The holes should be converted to dewatering holes as used for singularity (Notes 1, 2, 3, 6 x 7). Detect yet for Eritson on 441 | 80
- e. The site visit of 27 or 28 February 1980 turned up two differential settlement points on the retaining wall adjacent to the Service Water Pump Structure. Two borings, Holes 14 and 15 as indicated on the attached map shall be taken to investigate this problem. Tests required are consolidation tests, triaxial compression tests, Atterberg limits and gradation tests made on cohesive soils, and direct shear for loose and dense conditions and gradation tests made on granular soils. Street and tests was transfer to the street of the
  - f. In all new borings made, the water table shall be determined.
- 9. Request COE, be present at time sample tubes are opened & samples selected for testing (Per Ron Erikson request of 4129/80

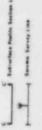
Plant Area Boring P (SK-G-43, Rev 3) 113

CONSUMERS POWER CO FAIDLAND PLANT UNITS FINAL SAFETY ANALYSIS





## EXPLANATION



CONSI FIDE

ROUTING AND TRANSMITTAL SLIP
TOR (Name, office symbol, room number, faithful Date
· The Rec'd stalled
A CONTRACTOR OF THE PROPERTY O
Action   File   Note and Return
Approvel For Clearance Per Conversation As Requested For Correction Propers Reply
Circulate For Your Information See Me.
Coordination Justify REMARKS
on the stranger for
Il to branch Mr
standards for 0/2 and forward
to IPM for by come
to to the man
mento with summay
of requests. Send ccts
DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions  FROM: (Name, org. symbol, Agency/Post)  Room No.—Bidg.
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OPTIONAL FORM 41 (Rev. 7-75)
PMR (A1 CFID 101-11-206