

UNITED STATES NUCLEAR REGULATORY COMMISSION WASHINGTON, D. C. 20555

November 19, 1979

Docket Nos. 50-329/330

MEMORANDUM FOR: Harold D. Thornburg, Director, Division of Reactor Construction

Inspection, IE

FROM: R. E. Shewmaker, Division of Reactor Construction Inspection, IE

SUBJECT: FORTHCOMING MEETING TO DISCUSS MIDLAND, UNITS 1 AND 2

DATE & TIME: Wednesday, November 28, 1979 at 9:00 AM

LOCATION: Room 319, East West Towers Building

PURPOSE: The staff will consider the past history of problems that

have occurred to date during the construction of the two units at the Midland site to determine whether any specific

action is required at this time.

PARTICIPANTS: IE:RCI

Thornburg, Reinmuth, Shewmaker

IE:XOOS Brockett

RIII

Keppler, Fiorelli, Knop

ELD

Murray, Lieberman, Olmstead, Bachmann

NRR Hood

Division of Reactor

Construction Inspection, IE

cc: See Attached List

8406070347 840517 PDR FDIA RICE84-96 PDR



UNITED STATES NUCLEAR REGULATORY COMMISSION WASHINGTON, D. C. 20555

November 2, 1979

Docket Nos. 50-329/330

Harold D. Thornburg, Director, Division f Reactor Construct MEMORANDUM FOR:

Inspection, IE

FROM:

R. E. Shewmaker, Division of React

SUBJECT:

FORTHCOMING MEETING TO DISCUSS MIDLAND, UNITS 1

DATE & TIME:

a) Tuesday, November, 6, 1979 at 9:00 AM

b) Tuesday, November 6, 1979 at 3:30PM

LOCATION:

5th Floor, East West Towers duilding a) Hearing Room,

Vassavio's Office, Room 278, PNJ Mps Building

PURPOSE:

The staff wild consider the past bistory of problems that have occurred to date during the construction of the two units at the Midland site to determine whether any specific action is required at this time

PARTICIPANTS:

VE:RCI

Thornburg, Reinmuth, Shewmaker

IE:XOOS

Brockett

RIII

Knop

ELD

Murray Lieberman, Olmstead

b) Those from a) and

NRR

Vassallo, Varga, Ruberstein, Hood Knight, Haass, Jackson, Schauer

Division of Reactor

Construction Inspection, IE

cc: See Attached List

991112049

MEETING NOTICE DISTRIBUTION

Docket File NRC PDR Local PDR

TIC

LWR #4 File

H. Denton, NRR

E. Case, NRR

R. Mattson, NRR

D. Vassallo, NRR

D. Skovholt, NRR

S. Varga, NRR

L. Ruberstein, NRR

W. Haass, NRR

ACRS

D. Hood, NRR

J. Knight, NRR

F. Schauer, NRR

R. Jackson, NRR L. Hulman, NRR

J. Murray, ELD

W. Olmstead, ELD

J. Keppler, RIII

G. Reinmuth, IE

T. Brockett, IE

G. Fiorelli, RIII

R. Knop, RIII

		24	######################################	Construction of the control of the c	
ROUTING AND	TRANSMITTAL SLIP	11/16/	79		
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Action					
	File	Note and Return			
Approval	For Clearance	Per Conversation			
As Requested Circulate	Fer Jarrection	Prepare Reply	***************************************		
Comment	For Your Information	See Me	# 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1		
Coordination	Investigate	Signature	#*************************************		
REMARKS	i Justify				
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NONE (Name, or grmbs	The second sections	Room No.—Bidg.	**************************************		
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T U. S. GPO:1977-0-941-850/		FORM 41 (Rev. 7-76) 7 GSA 70 101-11-206	5-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1		

Company of Landau Company of the Asset States

11/28/19

Oberstead, Murray, hieberman, Brockett Shewmaker, Sprand, Hood, Thornburg, Norelius, Frovelli, Knop, Keppler, Rindle

on the current problems and adequate; Hood indicated that the acceptability would probably not be known until the fix is complete

Hood - the proposed fixes are such that if they are implemented properly they should be adequate; NRR's problem is the they are to the bottom line of acceptance criteria
Thornburg - the question to be resolved is
whether the QA groftan is functioning
now.

3. Olmstad - reminder that IE will be on the stand on Qt go to operational QA program

the QA system one that comes up by an occurrence, NRC finding allegation ate.



Fermie, Zimmer & Milland are all in the What about NCR's - total in last year increasing or devening Kappler's question bout RIII is definition of let brokening

To the QA program affective?
Do we read any enforcement action?
Do we need any further action by the licensee?

Digt of CP sent in Oct . 79

Bailly case:

Finding against change in principle arch. of engage interia

Midland - meeting summing from legglei 3/6

CF says the only problem is the Dis Bly since it is the only one which evidenced settlement

the other 7 or 8 except for the aux bldg ex have most all of their land on them.

Restron of shutdown or discontinuing further const,
heense wents another meeting to demonstrate
why the matil under the other structures
should behave differently and also be
proper. No Pett comment ments

Rett still feels there is a problem and no long term activities should continue to we should issue a show cause order without an amediate show-cause

One of the 3 important tables had an error, ompristions in SAR were revealed

Shewwaker depote 14

1.19.81 CCPD

. fer Pul	enstein	Initials	Date
			_
Action	File	Note and Reti	um
Approval	For Clearance	Per Conversa	tion
As Requested	For Correction	Prepare Reply	/
Circulate	For Your Information	See Me	
Comment	Investigate	Signature	
Coordination	Justify		
estimate of	of the Midland in support	claring reg	ques
Freher Ton internal estimate of log Comment Comment Comment Biser Start	on Power in respondent in follows: ince order for their respondent for their respondent ends oring Conf. Thering period and their respondent or their respondent of	ing - total - total - grid - grid - concurrences,	para gali
Freher Ton internal estimate of log Comment Comment Comment Biser Start	planing purpose The Midland he on Power in response as follows: muse order for hear response period ends very period Hearing Thereing as a RECORD of approvals clearances, and similar actio	ing - total - total - grid - grid - concurrences,	para fara fall dispos
7 or internal estimate of ty Communication Comm. in . 30 day . Prehes . Pisco . Start . Start	planing purpose The Midland he on Power in response as follows: muse order for hear response period ends very period Hearing Thereing as a RECORD of approvals clearances, and similar actio	to ver to	pare 7 at man - I gall
For internal estimate of the Comments in . Comments in . 30 days	of the Midland in super as follows:	ing - tate	4

Sklewniskerdego Ex 25



To be conservative, you might also consolidated with that part of the Consolidated with that part of the Midland OL safety hearing on the soil settlement issue, and there intervenous Marshall and Sinclair and the Notate of Michigan will also participate. On this basis, the discourage period and hearing will be fairly action, with significant support required of corps of Engs. and ETEC.

come up to speed and to provide us their inputs at our scheduled meeting with them on Jamany 15 in preparation for our meeting with Consumer Power the following day. Emphasis is on identifying what criticis we need for the corrective actions.

XC: I Knight I Sohower W Haves W Onstell I Kame I Heller & Halman I Cappacci R Jackson A Stroknown From appt books - MIDCAND & Colender

8/1/79 Min P.932B - Knight's - Midland Settlement

9/5/74 Nity on RA W/NRR & CPC

11/28/79 Midland Midland - concelled

1/9/80 Status of Widland - concelled

1/10/80 NRR W/CPC & R'S & # 4

1/17/80 MRR W/Stello on Midland

Showninger depotes 16

1979

- . 1. Feb. 6, 1979 in EV's office
 - 2. Feb. 27 Boyd's office, HDT and RES
 - 3. March 7 with Ross
 - 4. August 16, 8:30 w/Vasallo
- 5. November 2 discuss civil penalty
- 6. November 28 Rm 319, Keppler, Fiorelli, GWR, RES
- 7. " " with Stello
- 8. November 29 12 noon with Case
- 9. ." " with Lieberman
- 10. December 5 10 a.m., Case, Murray, Ingram
- 11. December 6 9:15, Murray and Case

1980

- 1. May 28 Albosta's office (Moffett Hearing)
- 2. July 8 8:15, Eisenhut and Tedesco
- 3. " " 9:30 with Henderson re Midland orders
- 4. August 25 8:30 with Taylor

Skewnisker de 10 Eg 17

Ltr. from Olmstead to ASLB 1975-1977 Fill placed Construction began on DG Blog 11.d-1977 July 1978 Settlement, values of D.G. Bldg construction noted to exceed enticipated values foctosure=2 Memo Vassallo to Engelhardt on ASLB motification 11/13/78 Chronology of Soils Related Events Through 1979 8/21/78 NCR = 1782 generated on site DG Bldg. placed on HoLD by Bechtel 8/23/78 IE Resident Inspector first advised of unusual settlement 8/22/78 8/25/78 Licensee began soil boring program Applicant provides verbal report to IE, Reg. III, that D.G. Bldg. is settling 9/7/78 First 50.55(e) interim report issued

IE inspection of details of settlement issue reported; IE Report 9/29/78 10/29-27/78 Keppler memo to Thornburg asking NRR support based on the Report 11/1/78 11/3/78 Applicant issues second 50.55(e) interim report

The Bryon to Vocation and ASLB not first on

NRC extends CP completion dates 11/7/78 TOLIZ - IE! ICI 78-05 & NER 11/17/78 Tour and meeting with NRC at site 12/3-4/78 OL Special Prehearing Conference held. Includes two contentions 12/7/78 12/11/78 on soil settlement. Ut Keppler to Cherry letter with enclosures 12/14/72 Applicant issues third 50.55(e) interim report. States that Preload 12/21/78 is corrective action selected for Diesel Generator Building. 1/5/79 Applicant issues further third 50.55(e) interim report. Summary of 12/4/79 mty on structural settlement, NRC issues Q-2s, part 3 J with questions on soil /find problem 1/2/79 1/18/79 1/25/79 Applicant issues FSAR Amendment 17 responding to requests 130.21, 362.11, 362.12, 362.13 Applicant begins placing fill at site My with RI reps, OELD & J. Davis on Midland soil/find problem 2/1/79 2/6/79 OL Prehearing Conference Order accepts Marshall contention 2 and 2/23/79. Sinclair contention 24 Memo Keppler to Thornburg regarding enforcement action Applicant issues fourth 50.55(e) interim report 2/15/79) 2/23/79 Meeting with applicant at Region III office 2/23/79 2/23/79 2/26/79 Applicant submits FSAR Revision 18 changing responses to requests 130.21, 362.11, 362.12, 362.13, and providing initial response to 40.106, 362.14 through 362.17 Summary of Trip on 3/4/79 to observe status of soil predoal program 3/20/79 Meeting with applicant, IE and NRR at site 3/5/79 Memo Kepple to Thornburg in enforcement setion site tour 3/12/79 3/6/79 Phone call w/ RI reps. who recommended show Cause 3/6/79 Staff issues first set of 50.54(f) requests (1-22)
Ltr. from Keppler to Howell (CR)-Presentation of Investigation Findings 3/15/79 Applicant submits FSAR Revision 19 changing response to request 362.17 3/27/79 -3/1/79 Preliminary Notification - Settlement of DG Bldg & Plant Fill Area Gibbs # Itt. to ASLB with some 50.55(e) reports. 1-19-81 letso Spewmaker apo Ex 18

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TMI-2 accident occurs
 3/28/79
                   Staff letter on open items from FSAR review + pockage w/ZERoport 78-20 memo Keppler to Thornburg on ASLB notification recommendation
 3/30/79
                   Applicant submits initial reply to 50.54(f) requests (1-22)
 4/24/79
                    Applicant submits FSAR Revision 20 (130.21, 362.11-360.14, 40.106,
 4/26/79
                    362.17)
                    Ltr. from Deaton to Werdell Marchall
 7/5/79
                   Applicant submits fifth 50.55(e) interim report

Memo Thornberg to Thompson on ASLB representation

Applicant submits FSAR Revision 21 (362.12)
4/30/79
5/14/79
5/31/79
                    Memo Vassallo to Christen Jury on ASLB notification as not necessary
Applicant submits Revision 1 to 50.54(f) responses (#1, 6, 12, 13)
 5/29/79
  5/31/79
                    Memo Thornburg to Keppler on ASLB notification
  6/6/79
                    NRC site visit to observe test pits
                    Memo Thornburg to Thompson on enforcement-comment on RII & 4/3/19
  6/7/79
  6/13/79
                    Applicant issues sixth 50.55(e) interim report
  6/25/79
                    Trip Summery to inspect test pits
Applicant issues Revision 2 to 50.54(f) responses (#12, 17, 20)
 1/9/19
                     Memo Hood to file on Internal Mtg on States of Middand soil settemen?
  8/24/79
                    Rubenstein memo regations supplemental tech. assistance to request of Meeting with applicant on seismic design input and geology
  8/24/79
                    Memo Hood to file regarding NRR comments on enforcement Applicant issues summary of 7/18/79 meeting as part of 50.55(e) therefore to the Howell (CRC) with Security Want fill Applicant issues 50.55(e) interim report
  7/19/79
                                                                                                                    11/17/78
  8/9/79
 8/10/79

8/29/79

8/29/79
                    Meeting on draft 50.54(f) request 23 on quality assurance NRC issues 50.54(f) request 23 on quality assurance, Rubenstein to Howell(CR)

Cfr. from Denton to Wendell Marshall
  9/5/79
  9/11/79
                     Applicant issues Revision 3 to 50.54(f) responses (4, 6, 7, 12, 14, 15)
   9/13/79
                     Applicant begins removal of surcharge from DG Building

Applicant issues FSAR Revision 24 (130.21, 362.11, 40.106, 362.14-362.1
  9/15/29
   9/28/79
                     My summary of 7/18/79
  10/16/79)
                     Sail surcharge removal completed
   9/30/79
                     Memo Gower to Keppler on enforcement
                    NRC advises that Corps of Engineers to assist with geotech review

Memo Keppler to Thornburg on enforcement

Applicant issues 50.55(e) interim report 8

Ltr. from Denton to Wendell Marshall in reply to his ltr. of 9/4/79
   20/4/79
0/16/79
    10/29/79
11/2/79
 11/8/79
                     Applicant submits Revision 4 to 50.54(f) responses (23)
   11/13/79
                     Corps of Engineers and NRC visit site
   11/14/79
                    My summary from 9/5/79
   10/16/79
                     Ltr. in response to Mary Sinclair's Itr. of 9/11/19 from Keppler
    10/5/79
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11/19/79 /2/3/79 12/6/79	Staff issues supplemental 50.54(f) requests 24-35 , Rubenstein to Howell Mto summary of 11/14/79 NRC issues Order modifying construction permits
12/19/79	Applicant files request for CP amendment and requests staff approval of proposed remedial actions. Amendment 72 submitted per the Order.
12/26/79	Applicant requests hearing pursuant to Order

FAX 1/13/81

TO: GENE GALLAGHER, REL

FROM: R. SHEWMAKER, HQ

SUBSECT: MIDLAND EVENTS RELATED TO HEARING PROCESS

5 pages follow Set 10:15 A.m.

Shewmaker depo Ex. 19 1-19.81 CUBB COLD

Midland Nuclear Plant

Docket Nos. 50-329/330

Chronology

2/23/79	ASLB Special Prehearing Conference Order			
12/6/79	Order Issued by Staff regarding soils/foundation work			
12/26/79	CPC requests hrg on Order of 12/6/79			
1/8/80	Internal Staff Memo from OELD on CPC request for hrg.			
	& providing draft memo to Chilk			
3/14/80	NRC issues Notice of Hrg and appt'd ASLB			
3/20/80	NRC published Notice of Hrg			
4/9/80	ASLB grants CPC request for +1 week in answering Notice of Hrg			
4/16/80	CPC files answer to Notice of Hrg			
4/30/80	Gallaghers' Comments on CPC Answer to Notice of Hrg			
5/20/80	Amended Notice of Hrg published in FR			
5/27/80	CPC Motion for Pretrial Consolidation filed with ASLB			
5/28/80	ASLB had published in the FR, the Order of 12/6/79 and			
	gave notice that intervention open until 6/27/80			
6/19/80	Petition to Intervene by Carol Gilbert			
6/23/80	Petition to Intervene by Wendell Marshall			
6/23/80	Petition to Intervene by William Thibodeau			
6/24/80	Petition to Intervene by George Wilson			
6/25/80	Petition to Intervene by Terry Miller			
6/25/80	Petition to Intervene by Michael Race			
6/25/80	Petition to Intervene by Patrick Race			
6/25/80	Petition to Intervene by Sharon Warren			

6/26/80	Petition to Intervene by Sandra Reist
6/27/80	Petition to Intervene by Barbara Stamiris
6/30/80	Petition to Intervene by Mapleton Intervenors
7/7/80	Staff Response to Petition by Carol Gilbert
7/14/80	Staff Response to Petitions by William Thibodeau, George Wilson,
	Terry Miller, Michael Race, Patrick Race, Sandra Reist, Sharon
	Warren and Barbara Stamiris
7/14/80	Staff Response to Petition by Wendell Marshall
7/15/80	CPC Answer to Petition by Mapleton Intervenors of 6/30/80
7/24/80	ASLB Order indicating Contentions to be filed by 8/14/80
7/31/80	ASLBAhearing Conf. Announced in FR for 9/10/80
8/12/80	Statement Concerning Contentions by Petitioner Carol Gilbert
8/14/80	Amended Petition to Intervene by Barbara Stamiris
8/14/80	Supplement to Petition to Intervene by Sharon Warren
8/15/80	Ltr. requesting permission to expand Contention 5 in the
	Amended Petition by Barbara Stamiris of 8/14/80
8/19/80	Staff Response to Carol Gilbert's Statement concerning Contentions
	of 8/12/80
8/21/80	Staff provides requested information to Barbara Stamiris
8/27/80 8/27/80 8/29/80	Filing by Wendell Marshall of Mapleton Intervenors Ltr. from Tedesco to Cook of CPC for additional infor. on permas Staff response to Amended Petition of Barbara Stamiris of 8/14/80 Staff response to Amended Petition of Sharon Warren of 8/14/80
8/29/80	Staff response to Amended Petition of Sharon Warren of 8/14/80
9/9/80	CPC Statement in Response to Amended Petitions of Warren & Stamiris
9/10/80	ASLB Prehearing Conference, pp.234-408
9/14/30	CPC Submittal to Staff regarding additional soil borings and tests

9/22/80 Notice of Deposition from Zamarin, Attorney for CPC 9/24/80 Revision to Contention 4C in Amended Petition filed by Stamiris 9/24/80 Staff Filing to clarify statements in the 12/6/79 Staff Order to CPC questioned by ASLB at the Prehearing Conf. 9/29/80 Staff Notice of Deposition for Horn, Cook & Keeley of CPC 10/1/80 Ltr from Wendeli Marshall to Tedesco regarding NRC request on dewatering of Midland Site 10/1/80 Staff Response to Zamarin's (CPC Attorney) 9/22/80 Notice of Deposition 10/2/80 Staff Request to CPC's Attorneys regarding certain documents 10/6/80 Staff Notice of Deposition for Ferris, Afifi & Wanzeck of Bechtel Associates 10/9/80 Staff Interrogatories to CPC 10/10/80 Amended Staff Notice of Deposition for Ferris, Afifi and Wanzeck of Bechtel Associates 10/10/80 Amended Staff Notice of Deposition for Horn, Cook & Keeley of CPC 10/14/80 Staff Response to Amended Petition of Barbara Stamiris addressing Contention 4c 10/14/80 Ltr from Staff to Intervenors transmitting Exhibits presented at Depositions of Hood & Heller on 10/7, 8 & 9/80 10/24/80 ASLB Denial of Wendell Marshall's petition to intervene 10/24/80 Staff memo to ASLB regarding length of discovery period & status of discovery process

10/24/80 ASLB Prehearing Conf. Order

- 10/27/80 Ltr from Staff, to Intervenors & Mr. Gadler transmitting
 Exhibits presented at Depositions of Horn, Cooke and Keeley
 on 10/21 & 10/22/80; 10/22/80 & 10/23/80, respectively
- 10/27/80 Ltr. from Staff to Intervenors and Mr. Gadler transmitting
 Deposition of Hood on 10/7/80
- 10/27/80 Ltr from Staff to Intervenors and Mr. Gadler transmitting
 Deposition of Kane on 10/14, 15 & 16/80
- 10/28/80 Ltr from Staff to Mr. Gadler regard CPC reply to NRR's ltr
- of 8/27/80 (expected 10/31/80)

 Ltr from Tedesco to Cook of CPC regarding decision on CPC's

 11/12/80 Ltr from Staff to Intervenors & Mr. Gadier transmitting submitted of 9/14/80

 depositions of Heller, 10/9/80; Kane, 10/14-16/80;

 Cooke, 10/22/80; Horn, 10/21-22/80; Keeley, 10/25/80;

 and Afifi, 10/29-31/80 and Exhibits of Afifi.
- 11/17/80 CPC Interrogatories to Staff
- 11/19/80 Appeal by Wendell Marshall of ASLB's denial of intervention
- 11/25/80 Staff Notice of Deposition for Ferris & Dahr of Bechtel Associates and Thiruvengadam of CPC.
- 11/26/80 Staff Interrogatories to CPC
- 11/26/80 Ltr from Staff to Farrell (Attorney for CPC) indicating NRC attempt to answer CPC's interrogatories
- 11/26/80 Ltr from Staff to Intervenors and Mr. Gadler transmitting deposition of Hood and Exhibits of Gallagher
- 11/28/80 Motion by Staff to extend time for discovery

- 12/2/80 Ltr from Staff to Zamarin (Attorney for CPC) regarding Hood's deposition of 10/7-8/80
- 12/4/80 Staff Brief in Opposition to Wendell Marshall's appeal on the ASLB order denying intervention
- 12/4/80 Staff Motion to ASLB for Protective Order regarding further discovery from Kane
- 12/4/80 ASLB Order
- 12/5/80 Ltr from Staff to ASLB enclosing Kane's depositions of 10/14, 15 & 16/80 and indication depositions for week of 12/2/80 will be forwarded upon receipt
- 12/11/80 Staff Notice of Deposition for Dahr of Bechtel Associates
- 12/15/80 Staff ltr to Intervenors and Mr. Gadler regarding US Comptroller
 General's decision on free document distribution
- 12/15/80 ASLB Order Setting Prehearing Conf for 1/28 & 1/29/81
- 12/29/80 CPC Notice of Deposition of NRC Staff and Consultants:

 Rinaldi, Keppler, Huang (NSWC), Kane Otto (USACE), Erickson (USACE),

 Brammer (ETEC), Gilray, Shewmaker, Singh (USACE), Cappuci,

 and Chen (ETEC).
- 12/30/80 Staff Notice of Deposition for Gould, Peck & Davisson, consultants to CPC
- 12/31/80 ASLB Memorandum related to 12/29/80 Conference Call Concerning scheduling for depositions and the question of deposition or subpoenas for employees of the licensee's contractors.
- 1/2/81 Staff Interrogatories to CPC
- 1/8/81 Staff filing regarding Protective Order for Kane of 12/4/80 and enclosing Kane's depositions of 12/2,3 & 4/80