



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
799 ROOSEVELT ROAD
GLEN ELLYN, ILLINOIS 60137

February 24, 1983

MEMORANDUM FOR: R. P. Warnick, Acting Director, Office of Special Cases
THRU: W. D. Shafer, Chief, Office of Special Cases, Section 2
FROM: R. J. Cook, Senior Resident Inspector, Midland Site
SUBJECT: GOVERNMENT ACCOUNTABILITY PROJECT, FOIA DATED FEBRUARY 16, 1983

The Midland Site Resident Inspector Office has no information pertaining to any "July 1982 Stop Work Order issued to the Midland Nuclear Power Plant by the Nuclear Regulatory Commission" referenced in the February 16, 1983 letter to the Director, Office of Administration from Billie Garde, Director, GAP Citizens Clinic.

R. J. Cook
Senior Resident Inspector
Midland Site

cc: B. L. Burgess
C. A. Crosby

B406120160 B40517
PDR FOIA
RICE84-96 PDR

RECORD OF FOIA PROCESSING TIME

INSTRUCTIONS: Complete this form to establish the time associated with the processing of this FOIA request. Record the time in man hours, rounded to the nearest 15 minutes, for all actions taken. Include the number of pages reproduced.

Your clerical overhead factor will be added by the FOIA/PA Branch.

Negative results time will be reported to this office by telephone.

RETURN FORM TO: Director, Division of Rules and Records, Room 1W28-4210.

Form Date _____

Name of Requester BILLIE GARDE

FOIA Request Number FOIA-83-90

ORGANIZATION	DIRECT TIME FOR SEARCH		ALL OTHER ACTIVITY ^{1/}
	Clerical ^{1/}	Professional	

COPY REPRODUCTION

ORGANIZATION	NUMBER OF PAGES REPRODUCED

COMPUTER SEARCH

Report actual machine time and applicable cost rate for machine used.

^{1/} Includes only the time actually spent in searching for or locating documents.

Insp Find Form (See Chat in July)
Minutes of IIT meeting (July)

RFW None
WS
RG
RL None
RC None
BB None

No stop work issued in July 82 by NCC to CPO

Has this been coordinated with NRR and ACKS

U.S. NUCLEAR REGULATORY COMMISSION
REGION III

OUTGOING TRANSMISSION SERVICE REQUEST

Date 2/24/83 Number of Pages 1
To (Name): R. F. Warnick
From: R. J. Cook
Description: FOIA Response

Air Rights Bldg. _____

E/W Towers _____

H Street _____

MNBB _____

Phillips Bldg. _____

Silver Springs
(Willste Bldg) _____

Landow Bldg. _____

Region I _____

Region II _____

Region IV _____

Region V _____

Resident at _____

NSAC _____

INPO _____

Corporate Office
(Identify recipient & fax number) _____

Other
(Designate-include fax number) _____

FOR WP & D/C USE

System 6 (MP) _____

Rapidfax _____

SM Ext #727 _____

SM Ext #728 _____

FTS _____

Commercial _____

Time Started _____

Time Completed _____

Trans. Time _____
(Actual Minutes)

Operator _____

~~RFW~~

MAY 3 1 1983

Docket No. 50-329
Docket No. 50-330

Consumers Power Company
ATTN: Mr. James W. Cook
Vice President
Midland Project
1945 West Parnall Road
Jackson, MI 49201

Gentlemen:

Thank you for your letter dated May 13, 1983, informing us of the steps you have taken to correct the noncompliance which we brought to your attention in Inspection Reports No. 50-329/83-05; 50-330/83-05 forwarded by our letter dated March 4, 1983. We will examine these matters during a subsequent inspection.

Your cooperation with us is appreciated.

Sincerely,

"Original signed by R. F. Warnick"

R. F. Warnick, Director
Office of Special Cases

cc w/ltr dtd 05/13/83:
DMB/Document Control Desk (RIDS)
Resident Inspector, RIII
The Honorable Charles Bechhoefer, ASLB
The Honorable Jerry Harbour, ASLB
The Honorable Frederick P. Cowan, ASLB
The Honorable Ralph S. Decker, ASLB
William Paton, ELD
Michael Miller
Ronald Callen, Michigan
Public Service Commission
Myron M. Cherry
Barbara Stamiris
Mary Sinclair
Wendell Marshall
Colonel Steve J. Gadler (P.E.)
Howard Levin (TERA)
Billie P. Garde, Government
Accountability Project

RIII
RAB
Gardner/sv
05/27/83

RIII
Landsman

RIII
RFW for
Harrison

RIII
RFW
Warnick

8306060048

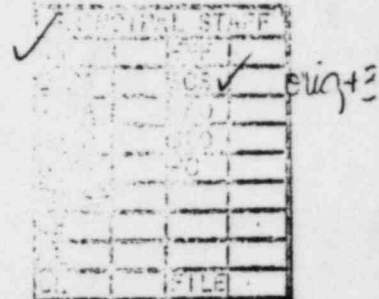


**Consumers
Power
Company**

James W Cook
Vice President - Projects, Engineering
and Construction

General Offices: 1945 West Parnell Road, Jackson, MI 49201 • (517) 788-0453

May 13, 1983



Mr. J. G. Keppler, Regional Administrator
US Nuclear Regulatory Commission
Region III
799 Roosevelt Road
Glen Ellyn, IL 60137

MIDLAND ENERGY CENTER GWO 7020
INSPECTION REPORT NO. 50-329/83-05 (OSC) AND 50-330/83-05 (OSC)
File: 0.4.2 UFI: 70*01 Serial: CSC-6701
0485.16 42*05*22*04

REFERENCE: (1) R. F. Warnick letter to J. W. Cook, dated March 4, 1983
Inspection Report No. 50-329/83-05 (OSC) and 50-330/83-05 (OSC)

This letter, including Attachment 1, provides our response to Reference 1, which transmitted the subject Inspection Report and which requested our written response to the item of noncompliance therein.

Consumers Power Company

By James W. Cook
James W. Cook

Sworn and subscribed to before me on this 13th day of May, 1983.

Patricia A. Puffer (Bay County, MS)
Notary Public

My commission expires 3-4-86

JWC/BHP/dmh

cc: RFWarnick, NRC Region III
JJHarrison, NRC Region III
RNGardner, NRC Region III
RJCook, NRC Senior Resident Inspector, Midland Site
RBLandsman, NRC Region III
BLBurgess, NRC Resident Inspector, Midland Site

8306060055

MAY 18 1983

bcc: RCBauman, P14-314B
WRBird, P14-418A
FWBuckman, P14-113A
JEBrunner, M-1079
NRC Correspondence File, P24-517
MLCurland, Midland
GAHierzer, Bechtel-Midland
MADietrich, Bechtel-Midland
GFEwert, Midland
FDField, Union Electric
WJFriedrich, Midland
MEGibbs, IL&B
WDGreenwell, Bechtel Ann Arbor
DEHorn, Midland
EMHughes, Bechtel AA
KEMarbaugh, Midland QA/NO
BWMarguglio/DJones, JSC-220A/206B
JKMeisenheimer, Midland
DBMiller, Midland (3)
JAMooney, P14-115A
JARutgers, Bechtel Ann Arbor
PSteptoe, IL&B
DATaggart, Midland
RAWells, Midland
FCWilliams, IL&B Washington
REWhitaker, Midland

CONSUMERS POWER COMPANY'S RESPONSE TO
US NUCLEAR REGULATORY COMMISSION, REGION III
INSPECTION REPORT NO. 50-329/83-05 (OSC) & 50-330/83-05 (OSC)

Appendix (Notice of Violation) to Inspection Report No. 50-329/83-05 (OSC) and 50-330/83-05 (OSC) provides an item of noncompliance to 10 CFR 50, Appendix B. The NRC statement and our response are given below:

NRC STATEMENT

"10 CFR 50, Appendix B, Criterion V states, in part, "Activities affecting quality shall be prescribed by documented instructions, procedures, or drawings, or a type appropriate to the circumstances and shall be accomplished in accordance with these instructions, procedures, or drawings."

Bechtel Specification for Installation, Inspection and Documentation of ASME Section III Pipe Supports, Hangers and Restraints for Piping in a Nuclear Power Plant, Specification No. 7220-M-362(Q) states in section 5.13.5, "After installation, the snubber assembly shall be protected from physical damage due to normal construction activities by providing wooden, heavy cloth, or other similar suitable protective covers."

Contrary to the above, mechanical snubbers installed in Unit 1 and 2 containments were not protected from physical damage due to normal construction activities by providing the required protective covers.

This is a Severity Level IV violation (Supplement II)."

CONSUMERS POWER COMPANY RESPONSE

In accordance with this Notice of Violation, an explanation of corrective action is as follows:

1) Corrective Action Taken and The Results Achieved

NCR M01-9-3-157 was written on May 11, 1983 by MPQAD to document the non-conformance. Bechtel maintenance form F-10-359 is being written to cover maintenance of all installed Q and non-Q mechanical snubbers within their jurisdiction.

B&W Construction Company is preparing a Field Construction Procedure (FCP) to address maintenance of mechanical snubbers within their jurisdiction.

2) Corrective Action To Be Taken To Avoid Further Noncompliance

A 100% initial inspection of all installed mechanical snubbers will be performed by Bechtel & B&W. Periodic inspections will be performed on a continuing basis thereafter.

A Bechtel Task Force was formed on May 9, 1983 to structure, scope and eventually form a permanent storage/maintenance team. In addition to having responsibility for implementation of the storage/maintenance program, this team will perform an investigation to ensure that all types of materials and equipment are adequately covered by the storage/maintenance program. Full implementation of the above will avoid further noncompliance.

3) Full Compliance Will Be Achieved As Follows:

Bechtel maintenance form F-10-359 will be implemented by May 23, 1983. B&WCC will have their FCP issued for implementation by June 1, 1983. The 100% initial inspection will be completed by both Bechtel and B&WCC by July 1, 1983. The investigation of other types of materials and equipment will be complete by August 1, 1983.



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
799 ROOSEVELT ROAD
GLEN ELLYN, ILLINOIS 60137

MAY 27 1983

Docket No. 50-329
Docket No. 50-330

Consumers Power Company
ATTN: Mr. James W. Cook
Vice President
Midland Project
1945 West Parnall Road
Jackson, MI 49201

Gentlemen:

This refers to the routine safety inspection conducted by Messrs. J. Simon and A. Sather of this office on March 29-31 and April 1, 1983, of activities at the Midland Nuclear Power Plant, Units 1 and 2, authorized by NRC Construction Permits No. CPPR-81 and No. CPPR-82 and to the discussion of our findings by Mr. R. J. Cook and the inspectors with Mr. B. Peck and others of your staff at the conclusion of the inspection.

The enclosed copy of our inspection report identifies areas examined during the inspection. Within these areas, the inspection consisted of a selective examination of procedures and representative records, observations, and interviews with personnel.

During this inspection, certain of your activities appeared to be in non-compliance with NRC requirements, as specified in the enclosed Appendix. A written response is required.

In accordance with 10 CFR 2.790(a), a copy of this letter and the enclosure(s) will be placed in the NRC Public Document Room unless you notify this office, by telephone, within ten days of the date of this letter and submit written application to withhold information contained therein within thirty days of the date of this letter. Such application must be consistent with the requirements of 2.790(b)(1). If we do not hear from you in this regard within the specified periods noted above, a copy of this letter, the enclosure(s), and your response to this letter will be placed in the Public Document Room.

The responses directed by this letter (and the accompanying Notice) are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511.

8306090243

Consumers Power Company

We will gladly discuss any questions you have concerning this inspection.

Sincerely,

"Original signed by R. F. Warnick"

R. F. Warnick, Director
Office of Special Cases

Enclosures:

- 1. Appendix, Notice of Violation
- 2. Inspection Report
No. 50-329/83-06(OSC);
No. 50-330/83-06(OSC)

cc w/encls:

DMB/Document Control Desk (RIDS)
 Resident Inspector, RIII
 The Honorable Charles Bechhoefer, ASLB
 The Honorable Jerry Harbour, ASLB
 The Honorable Frederick P. Cowan, ASLB
 The Honorable Ralph S. Decker, ASLB
 William Paton, ELD
 Michael Miller
 Ronald Callen, Michigan
 Public Service Commission
 Myron M. Cherry
 Barbara Stamiris
 Mary Sinclair
 Wendell Marshall
 Colonel Steve J. Gadler (P.E.)
 Howard Levin (TERA)
 Billie P. Garde, Government
 Accountability Project

RIII
[Signature]
 Simon/jp
 05/18/83

RIII
[Signature]
 Gather

RIII
[Signature]
 Gardner

RIII
[Signature]
 Harrison

RIII
 RFW
 Warnick
 5/24/83

APPENDIX

NOTICE OF VIOLATION

Consumers Power Company

Docket No. 50-329

Docket No. 50-330

As a result of the inspection conducted on March 29-31 and April 1, 1983, and in accordance with the NRC Enforcement Policy, 47 FR 9987 (March 9, 1982), the following violation was identified:

10 CFR 50, Appendix B, Criterion V 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."

B&WCC Quality Assurance Policy 9-QA-18 (Audits) Paragraph 11 states, in part, "The entire program shall be audited annually at each project site."

B&WCC Quality Assurance Policy 9-QA-07 (Control of Purchased Material and Services) Paragraph 4.6 states, in part, "An audit of a supplier shall be conducted every twelve months as a maximum."

Contrary to the above, B&WCC placed purchase orders and received material from suppliers which had not been audited for periods of up to thirty-four months, exceeding the twelve month requirement as specified in procedures 9-QA-18 and 9-QA-07.

This is a Severity Level IV violation (Supplement II).

Pursuant to the provisions of 10 CFR 2.201, you are required to submit to this office within thirty days of the date of this Notice a written statement or explanation in reply, including for each item of noncompliance: (1) corrective action taken and the results achieved; (2) corrective action to be taken to avoid further noncompliance; and (3) the date when full compliance will be achieved. Consideration may be given to extending your response time for good cause shown.

MAY 27 1983

Dated _____

RF Warnick

R. F. Warnick, Director
Office of Special Cases

8306090244

U.S. NUCLEAR REGULATORY COMMISSION
REGION III

Report No. 50-329/83-06(OSC); 50-330/83-06(OSC)

Docket No. 50-329; 50-330

License No. CPPR-81; CPPR-82

Licensee: Consumers Power Company
1945 West Parnall Road
Jackson, MI 49201

Facility Name: Midland Nuclear Plant

Inspection At: Midland Nuclear Plant Site, Midland, MI

Inspection Conducted: March 29-31 and April 1, 1983

Inspectors: *J. J. Harrison*
J. A. Simon *for*
J. J. Harrison
A. Sather *for*

5/23/83

5/23/83

Approved By: *J. J. Harrison*
J. J. Harrison, Chief
Section 2, Midland

5/23/83

Inspection Summary

Inspection on March 29-31 and April 1, 1983 (Report No. 50-329/83-06(OSC); 50-330/83-06(OSC))

Areas Inspected: Routine inspection by NRC personnel of licensee actions on previously identified items, review of Babcock and Wilcox (B&W) quality manuals and inspection of hanger installations. This inspection involved a total of 58 inspector-hours onsite by two NRC inspectors.

Results: Of the three areas inspected, no items of noncompliance or deviations were identified in two areas; one item of noncompliance was identified in the remaining area (failure to follow procedures - Paragraph 2.c).

~~8306090245~~

DETAILS

1. Persons Contacted

Consumers Power Company (CPCo)

- *B. H. Peck, Construction Superintendent
- *M. L. Curland, MPQAD
- *D. Vokal, Construction Engineer

Babcock and Wilcox Construction Company (B&WCC)

- *V. N. A. Gaonkar, Site Manager
- *T. T. Davis, Construction
- *S. Taulbee, QC

Bechtel Power Company

- *A. Wagle, PQAE

Other licensee and contractor personnel were routinely contacted during the course of the inspection.

*DeNotes those attending the exit interview.

2. Licensee Action on Previously Identified Items

- a. (Open) Open Item (329/83-01-02; 330/83-01-02): The licensee had reopened previously closed Nonconformance Reports (NCR's). As previously reported, NCR's which have been reviewed by the licensee had been revised to include the required information needed to justify the "use-as-is" disposition. No rework of completed construction was required as a result of this review. Review of the remaining NCR's is scheduled for completion by June 30, 1983. This item remains open pending the completion of the licensee's review.
- b. (Open) Unresolved Item (329/83-01-03): Cracks were identified in the Unit 1 Containment Building. The licensee has presented a brief report acknowledging the existence of the cracks. This item remains open pending review of the licensee's report.
- c. (Closed) Unresolved Item (329/83-04-01; 330/83-04-01): Audits of B&WCC suppliers. During this inspection, the licensee presented a list of suppliers audited and dates of the audits. It was determined that all purchases of material for the Midland project were made from approved vendor lists.

B&WCC Quality Assurance Policy 9-QA-18 (Audits) Paragraph 11 states, in part, "The entire program shall be audited annually at each project site." Policy 9-QA-07 (Control of Purchased Material and Services) Paragraph 4.6, states, in part, "An audit of a supplier shall be conducted every twelve months as a maximum."

B&WCC issued twenty-seven purchase orders to nine suppliers in the three year period between February 1980 and February 1983. Contrary to the above, eleven purchase orders were placed with six suppliers which had not been audited within the preceding twelve months as required by B&WCC procedures 9-QA-07 (Control of Purchased Material and Services) and 9-QA-18 (Audits). The mean elapsed time between an audit and the placement of a purchase order was twenty-seven months and the maximum elapsed time was thirty-four months.

The inspectors informed the licensee that this unresolved item is to be escalated to an item of noncompliance as described in the Appendix of the report transmittal letter. (50-329/83-06-01; 50-330/83-06-01)

3. Review of Babcock and Wilcox Quality Manuals

The inspectors reviewed the Babcock and Wilcox Construction Company (B&WCC) "Quality Control Manual CT49," Volumes I and II, dated March 7, 1980 and B&WCC "Quality Assurance Manual for the Fabrication and Installation of Class 1, 2, 3 and CS Items, CPC Units I and II," dated June 13, 1979. A complete review was made of selected items within each manual. Information provided by this review formed the basis for additional inspections.

No items of noncompliance or deviations were identified.

4. Inspection of Hangers and Review of Associated QC Records

A field inspection was made of hangers 1CCA-2-4-H1 and 2CCA-107-1-H5 to determine if these components were fabricated and are being installed in accordance with procedures.

The following QC records pertinent to the above hangers were examined to determine conformance with the Quality Assurance Criteria of Appendix B of 10 CFR 50 and the Consumers Power Company Quality Assurance program Manual for the Midland Nuclear Plant CPC-1-A, Revision 12.

Hanger 1CCA-2-4-H1

- . Field Construction Procedures Number 255B
- . Weld Control Records B&WCC Form Number 3885
- . Filler Metal Issue Sheet B&WCC Form Number 31965
- . Certification of Performance Welder Qualification Test
- . Filler Metal Certification
- . Welding Instruction Sheet
- . NDE Inspection Records

- . Certification of NDE Personnel Qualifications
- . Drawing No. FSK-M-1CCA-2-4-H1

Hanger 2CCA-107-1-H5 (installation has not been completed). This hanger has been put on hold by B&WCC.

- . Field Construction Procedure Number 701B
- . Drilling Permit Number 00524
- . Receiving Inspection Report for Hanger Material
- . NDE Inspection Report
- . Inspection Check List for Expansion Type Concrete Anchors
- . Interim Drawing Change Notice 5279
- . Drawing No. FSK-M-2CCA-107-1-H5

No items of noncompliance or deviations were identified.

5. Exit Interview

The inspectors met with the licensee representatives (denoted in the Persons Contacted section of this report) on April 1, 1983, and summarized the scope and findings of the inspection activities. The licensee acknowledged the inspectors' findings.