



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

APR 20 1983

*O.C.F.W.
@ file*

MEMORANDUM FOR: William D. Paton, Counsel for NRC Staff
FROM: R. F. Warnick, Director, Office of Special Cases
SUBJECT: ASLB ORDER FOR INTERVENOR REQUEST FOR DISCOVERY
IN THE MIDLAND QA HEARING

In response to the Board Order and your memorandum of April 16, 1983, the Region III staff has looked through all files (official and personal) for any and all documents pertaining to the Stamiris request of April 7, 1983. The pertinent documents are listed in Attachment A and are denoted as being either in the Public Document Room or are part of Attachment B. All documents listed/included are defined as, "all information that was currently available/existed to the best of the staff's knowledge."

The Attachment A format is constructed so the Document Request is restated by number and content, followed by the NRC response listing the document.

An additional request has been made for the staff to supply all documents pertaining to the Construction Completion Program. We have asked that this request be submitted in writing by GAP. In the meantime, we are assembling the material and it will be forthcoming in the near future.

RF Warnick

R. F. Warnick, Director
Office of Special Cases

Attachments:
A. Listing of pertinent documents
B. Documents listed which are not
in the PDR

cc w/attachments A and B:
DMB/Document Control Desk (RIDS)

cc w/attachment A:
See attached list

B406120199 B40517
PDR FOIA PDR
RICE84-96

W. D. Paton

- 2 -

APR 20 1983

cc w/attachment A:
 J. W. Cook, Vice President, CPCo
 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
 Michael Miller
 Ronald Callen, Michigan
 Public Service Commission
 Myron M. Cherry
 Barbara Stamiris
 Mary Sinclair
 Wendell Marshall
 Colonel Sceve J. Gadler (P. E.)
 Howard Levin, TERA
 Billie P. Garde, GAP

OFFICE ▶	RIII <i>RFW</i>	<i>RFW</i>	<i>RFW</i>				
SURNAME ▶	Gardner/Is	Harrison	Warnick				
DATE ▶	4/18/83		4/20/83				

ATTACHMENT A

DOCUMENTS REQUESTED BY GAP AND RESPONSE BY RIII

REQUEST 1:

Any and all documents relating in any way to the special inspection conducted by the Office of Special Cases, Midland Section, concerning the diesel generator building at the Midland Nuclear Power Plant, NRC Inspection and Enforcement Report No. 50-329/82-22 and 50-330/82-22, and any other investigation of systems which affect in any way the diesel generator building, including but not limited to ongoing NRC investigations. For any such ongoing NRC investigation, describe the nature and scope of the investigation.

NRC RESPONSE TO REQUEST 1:

The following documents are attached or are available in the Public Document Room as denoted:

1. Freedom of Information Act Request 83-133 memo, (Warnick to Smidth), dated March 31, 1983; copy attached.
2. NRC Inspection Report No. 50-329/83-03; 50-330/83-03; in PDR (following licensee proprietary review period).

All NRC investigations are conducted by the Office of Investigations (OI). Response to the investigation portion of request 1 should be provided by OI.

REQUEST 2:

Any and all documents relating in any way to communications between Region III and any other office, or branch of the NRC, or between offices, branches or divisions of the NRC, concerning (a) the reports mentioned in Document Request No. 1 above, or (b) the investigations listed in Document Request No. 1 above.

NRC RESPONSE TO REQUEST 2:

The following documents are attached or are available in the Public Document Room as denoted:

1. Freedom of Information Act Request 83-133 memo, (Warnick to Smidth), dated March 31, 1983; copy attached.
2. NRC Inspection Report No. 50-329/83-03; 50-330/83-03; in PDR (following licensee proprietary review period).

All NRC investigations are conducted by the Office of Investigations (OI). Response to the investigation portion of request 1 should be provided by OI.

REQUEST 3:

Any and all documents prepared by Region III in the 1980 to 1983 period which relate in any way to comparisons of the Midland nuclear power plant to other nuclear plants in terms of the following:

- (a) the number of noncompliances found by the NRC;
- (b) the number of 50.55(e) reports filed by Consumers Power Company ("CPC"); and
- (b) the overall rating of the Midland plant as compared to other plants in Region III and other plants under construction in the United States.

NRC RESPONSE TO REQUEST 3:

The following documents are attached or are available in the Public Document Room as denoted:

- (a)1. Noncompliance comparison data Region III - 1980 to Present - dated April 13, 1983; copy attached
- 2. Memorandum (Hind to Spessard) dated May 18, 1982, Subject: Tabulation of Noncompliance History for Construction Sites 1976-1981; copy attached
- 3. Memorandum (Hind to Spessard) dated June 8, 1982, Subject: An Addition to the Tabulation of Noncompliance History for Construction Sites 1976-1981; copy attached.
- (b)1. Construction Deficiency Report (50.55(e)) Region III - 1980 to Present, dated April 13, 1983 data; copy attached.
- (c)1. Overall SALP rating data of plants under construction, comparison to Region III; SALP 2/3 table; copy attached.
- 2. Overall national ratings were previously given on SALP I as stated in NUREG-0834, NRC Licensee Assessments; copy in PDR.

REQUEST 4:

Any and all documents, including any technical analyses performed by or submitted to the NRC, relating to:

- a. the NRC decision to allow underpinning work to commence in December 1982 at the Midland plant;
- b. the NRC decision in February 1983 to allow underpinning work to be done under safety-related structures at the Midland plant; and
- c. the NRC consideration and assessment of F.I.V.P. jacking and cracking for the period January 1983 to the present.

NRC RESPONSE TO REQUEST 4:

The following documents are attached or are available in the Public Document Room as denoted:

- (a)1. NUREG-0793, Supplement No. 2, Safety Evaluation Report dated October 1982; copy in PDR.
2. Letter (Eisenhut to J. Cook) dated May 25, 1982, Subject: Completion of Soils Remedial Activities Review; copy in PDR.
3. Letter (Warnick to J. Cook) dated December 9, 1982, Subject: Remedial Soil Activities; copy in PDR.
4. Letter (Hood to Consumers Power Company) dated September, 1982, Subject: Summary of September 8, 1982 Meeting on Soils-Related Quality Assurance Improvements; copy attached.
5. Memorandum (Hernan to Novak) dated December 21, 1983, Subject: December 7, 1982 Meeting on Midland QA Implementation; copy attached.
- (b)1. Letter (Shafer to Miller) dated February 24, 1983, Subject: Remedial Soils Work Activities; copy in PDR.
2. Letter (Keppler to J. Cook) dated February 24, 1983, Subject: Authorization for Underpinning Activities to Begin Under Safety-Related Structures; copy in PDR.
3. NRC Inspection Report No. 50-329/83-01; 50-330/83-01, paragraph 4; copy in PDR.
4. Letter (Miller to Shafer) dated February 4, 1983, Subject: Authorization Request for Auxiliary Building Underpinning Pier 9; copy attached.
5. Letter (Miller to Shafer) dated February 24, 1983, Subject: Revisions of the Soils Remedial Independent Assessment Scope; copy attached.

6. Memorandum (Shafer to Warnick) dated February 18, 1983, Subject: Credential Checks on Stone and Webster Personnel; copy attached.
7. Telecon memorandums (three total) (Shafer and Lucks), dated February 11, 1983, time 12:00; February 15, 1983, time 10:45; February 15, 1983, time 4:00; copies attached.
8. Letter (Hood to Consumers Power Company) dated November 22, 1982, Subject: Summary of November 22, 1982 Meeting of Independent Assessment of Auxiliary Building Underpinning; copy in PDR.
9. Memorandum (Adensam to Hood) dated October 29, 1982, Notice of Meeting - Midland, Units 1 and 2; Discussion of Stone and Webster Qualifications; copy attached.
10. Letter (Stone and Webster - Lucks to Keppler) dated March 15, 1983, Subject: Affidavits and Resumes for Additional Team Members; copy in PDR.
11. Letter (Stone and Webster - Wild to CPCo - Schaub) dated November 9, 1982, Subject: Independence and Holdings; copy in PDR.
12. Letter (Stone and Webster - Wild to Keppler) dated February 14, 1983, Subject: Independence of Assessment Team; copy in PDR.
13. Letter (Hood to Consumers Power Company) dated November 22, 1982, Subject: Meeting Summary of November 5, 1982, on Independent Assessment of Auxiliary Building Underpinning; copy in PDR.
14. Stone and Webster Project QA Plan for Independent Assessment with resumes dated September 20, 1982; copy attached.
15. Consumers Power Company Independent Assessment of Auxiliary Building Underpinning Spec-CC-100 Revision 0 dated September 20, 1982; copy attached.
- (c)1. NRC Inspection Report No. 50-329/82-26; 50-330/82-26 paragraphs 2 and 10; copy in PDR.
2. Letter (Miller to Shafer) dated September 21, 1982, Subject: FIVP Temporary Support System and Proof Load Jacking; copy attached.
3. Letter (Miller to Shafer) dated January 27, 1983, Subject: FIVP Four Point Jacking Loads; copy in PDR.
4. Report (Concrete Technology Laboratories to Consumers Power Company) dated February 1983, Title: Site Visit to Evaluate Crack Reported February 18, 1983, In Roof of Feedwater Isolation Valve Pit, Unit 1, Midland Nuclear Power Plant; copy attached.

5. Drawing - Bechtel No. C-1494 (Q) Revision 3, titled, Auxiliary Building Underpinning FIVP Units 1 and 2 Jacking and Monitoring Plan with FER No. C5570 and 5593 attached; copy attached.

REQUEST 5:

Any and all documents relating in any way to independent audits at Midland; the NRC's review acceptance criteria for these audits; and NRC actions taken in response to these audits.

NRC RESPONSE TO REQUEST 5:

The following documents are attached or are available in the Public Document Room as denoted. These documents are grouped into two areas (A.) audits completed and (B.) Audits to be completed.

A. Audits Completed (past)

1. Letter (J. Cook to Keppler) dated March 9, 1983, Subject: Midland Plant INPO Type Evaluation; Report dated January 31, 1983 (Revision 1, March 2, 1983) attached; copy in PDR.
2. Presentation on the Construction Project Evaluation on Consumers Power Company Midland Energy Center Project Units 1 and 2, dated March 15, 1983; overview for A.1. above, copy attached.
3. Letter (J. Cook to Keppler) dated June 1, 1981, Subject: Management Analysis Company Assessment of Quality Assurance Program, Report dated May 27, 1981; copy attached.
4. Internal correspondence, Consumers Power Company (D. Jones to Distribution) dated March 23, 1983; Attached 1982 Biennial Quality Assurance Audit performed by Management Analysis Company dated March 1, 1983 (Audit period November 8 through December 18, 1982); copy attached.
5. Notice of Significant Licensee Meeting dated March 9, 1983, Subject: Consumers Power Company Present INPO Findings to NRC Staff; copy attached.
6. Notes (Cook) from INPO Evaluation Meetings of March 15, 1983, plus CPCo Handout; copy attached.
7. Notes (Cook) from Review of MAC Biennial Audit (See 4. above); copy attached.
9. Miscellaneous documents; Midland Plant Independent Review and INPO Performance Objectives and Criteria for Construction Project Evaluation; copies attached.

B. Audits to be Completed (future)

1. Construction Completion Program Third Party and Independent Design and Construction Verification Program.
 - a. Notice of Significant Licensee Meeting, dated January 11, 1983, Subject: Public Meeting; copy attached.

- b. Letter (Keppler to J. Cook) dated January 17, 1983, Subject: Acknowledged Receipt of Construction Completion Program and Announced Public Meeting; copy in PDR.
- c. NRC Meeting Notes from Public Meeting February 8, 1983; copy attached.
- d. Letter (Hood to Consumers Power Company) dated November 8, 1982, Summary of October 25, 1982 - Meeting on Independent Design Verification Program; copy in PDR.
- e. Public Meeting February 8, 1983, J. Keppler's Opening Remarks.
- f. Memorandum (Spessard to Eisenhut) dated April 9, 1982, Subject: Recommendation of Board Notification (Midland); copy attached.
- g. Letter (Hood to Consumers Power Company) dated September 22, 1982, Subject: Draft Letter on Implementation of Quality Programs; copy in PDR.
- h. Memorandum (Warnick to Region III Files) dated August 18, 1982, Subject: Meeting Between NRR and Region III, Re: Consumers Power Company Performance at Midland; copy attached.
- i. Letter (Keppler to J. Cook) dated March 28, 1983, Subject: Construction Completion Program Clarification and the Establishment of the Protocol; copy in PDR.
- j. February 8, 1983 - Public Meeting Handouts/Notes:
 - . ADMN Guideline G-2.00 Rev. A
 - . CPCo CCP Handout
 - . Third Party Reviews
 - . Midland IDVP - TERA Handout
 - . CCP Flow Chart
 - . Analysis of CPCo Proposed Construction Completion Program by GAP Citizens Council dated February 8, 1983
 - . Personal Notes (JJH) February 8, 1983
- k. Memorandum (CPCo - Miller to Cook and Rutgers) dated March 7, 1983, Subject: CCP Coordination; copy attached.
- l. Letter (Eisenhut to Garde) draft; copy attached.

- m. Letter (J. Cook to Keppler) dated January 10, 1983; copy attached with notes.
 - n. CCo Sampling Plan Handouts; copies attached.
 - o. Notice of Significant Meeting dated January 11, 1983; copy attached.
 - p. Letter (CCo - Miller to Rutgers) dated January 7, 1983; copy attached.
 - q. Memorandum (CCo - Cook to Distribution) dated December 9, 1982; copy attached.
 - r. Logic Diagram dated December 2, 1982; copy attached.
 - s. CCP - CCo Handout (WDS); copy attached.
 - t. Letter (Keppler to J. Cook) dated January 17, 1983; copy in PDR.
 - u. CCo news article dated December 3, 1982; copy attached.
 - v. Letter (J. Cook to Keppler) dated March 29, 1983; copy in PDR.
 - w. Memorandum (Hernan to Novak) dated December 21, 1983; copy attached.
2. Stone and Webster (Third Party Other Than Soils)
- a. Letter (J. Cook to Keppler) dated April 6, 1983, Subject: Construction Completion Program Third Party Overview; copy in PDR.
3. TERA (Third Party for Independent Design and Construction Verification Program)
- a. Letter (J. Cook to Keppler/Denton) dated December 3, 1982, Subject: Independent Design Verification Program, copy in PDR.
 - b. Letter (J. Cook to Keppler/Denton) dated October 5, 1982, Subject: Independent Design Review; copy in PDR.
 - c. NRC Meeting Summary dated November 8, 1982, of October 25, 1982, Meeting on Independent Design Verification; copy in PDR.
 - d. Letter (Tera - Levin to Keppler) dated February 17, 1983, Subject: Midland Independent Design Verification Program; copy in PDR.

- e. Letter (Tera - Levin to Keppler/Eisenhut) dated February 9, 1983, Subject: Midland Independent Design Verification Program; copy in PDR.
- f. Letter (Hood to Consumers Power Company) dated March 28, 1983, Subject: Record of Telephone Discussion Regarding Independence and Qualification of Tera Personnel; copy in PDR.
- g. Memorandum (Novak to Messrs. Muttson, Vollmer, Warnick, Taylor, Speis) dated March 11, 1983, Subject: Request for Review of Tera's Engineering Program Plan and Project Quality Assurance Plan for Midland Independent Design and Construction Verification Program; copy attached.
- h. Letter (Hood to Consumers Power Company) dated February 22, 1983, Subject: Revision 1 of Tera Corporation's Project Quality Assurance and Engineering Program Plans for the Midland Independent Design and Construction Verification Program; copy in PDR.
- i. Letter (Hood to Consumers Power Company) dated February 23, 1983, Subject: same as h. above, but Revision 2; copy in PDR.
- j. Letter (Hood to Consumers Power Company) dated March 2, 1983, Subject: same as h. above; copy in PDR.
- k. Letter (Tera - Levin to Keppler) dated March 18, 1983, Subject: Overview of the Midland Construction Completion Program; copy in PDR.
- l. Letter (Hood to Consumers Power Company) dated March 21, 1983, Subject: same as h. above, Additional Information; copy in PDR.
- m. Letter (Eisenhut to J. Cook) dated March 22, 1983, Subject: Selection of Additional System for Midland Plant Independent Design and Construction Verification Program; copy in PDR.
- n. Letter (Tera - Levin to Miller - CPCo) dated March 24, 1983, Subject: Inspection and Maintenance of the Midland Unit 2 Turbine Driven Auxiliary Feedwater Pump Observation Request; copy in PDR.
- o. Letter (Tera - Levin to Keppler) dated March 18, 1983, Subject: Independent Design and Construction Verification Program; copy in PDR.
- p. Letter (Tera - Levin to Keppler) dated March 30, 1983, Subject: Independent Design and Construction Verification Program/Overview of the Midland Construction Completion Program; copy in PDR.

- q. Letter (Hood to Consumers Power Company) dated April 1, 1983, Subject: Record of Telephone Request Regarding Tera Reviewers with Previous NRC Experience; copy in PDR.

REQUEST 6:

Any and all documents relating to the special investigation initiated by the Spessard memorandum of April 19, 1982, and to issues discussed in that memorandum.

NOTE: NRC legal counsel contacted GAP and confirmed that the request should read "...the Spessard memorandum of April 9, 1982..."

NRC RESPONSE REQUEST 6:

The following documents are attached or available in the Public Document Room as denoted:

1. Freedom of Information Act Request 83-90 (Warnick to Smith) dated April 16, 1983; copy attached.
2. Memorandum (Spessard to Eisenhut) dated April 9, 1983, Subject: Recommendation of Board Notification (Midland); copy in PDR.
3. Draft with handwritten notes pertaining to Spessard memo of April 9, 1982; copy attached.
4. Memorandum (Burns to Davis) dated October 26, 1982, Subject: Possible Material False Statements; copy attached.
5. NRC Investigation Report No. 50-329/82-13; 50-330/82-13; copy in PDR.
6. Memorandum (Davis to Burns) dated September 22, 1982, Subject: Possible Material False Statement; copy attached.

REQUEST 7:

Any and all documents relating to the March 1982 SALP Report, and the NRC's decision to postpone the SALP Report scheduled for the Spring of 1983. If no written documents exist regarding the NRC's decision to postpone the 1983 SALP Report, explain the position, reasoning and recommendations of each of the following persons respecting the NRC's decision to postpone the SALP Report:

- (a) Wayne Shafer;
- (b) Robert Warnick; and
- (c) James Keppler.

NRC RESPONSE TO REQUEST 7:

The following documents are attached or are available in the Public Document Room as denoted:

SALP II

1. Notice of Significant Licensee Meeting, dated March 5, 1982; copy attached.
2. Notice of Significant Licensee Meeting, dated April 8, 1982; copy attached.
3. Letter (Hind to J. Cook) dated April 20, 1982, forwarded Preliminary SALP Report; copy in PDR.
4. Notice of Significant Licensee Meeting dated June 17, 1982; copy attached.
5. Letter (Keppler to J. Cook) dated June 18, 1982, telecon memorandum confirming SALP meeting for June 21, 1982; copy in PDR.
6. Letter (Stamiris to Keppler) dated May 6, 1982, Subject: SALP; Inquiring Party has a copy.
7. Memorandum (Tedesco to ASLB) dated May 4, 1982, SALP Report attached; copy in PDR.
8. Letter (Keppler to J. Cook) dated July 19, 1982, Subject: SALP Disagreements; copy in PDR.
9. Notice of Significant Licensee Meeting dated August 3, 1982; copy attached.
10. Letter (Warnick to J. Cook) dated August 3, 1982, SALP Meeting; copy in PDR.

11. ASLB Draft Testimony of J. G. Keppler for Quality Assurance; copy attached.
12. ASLB, Draft Testimony of J. G. Keppler for Quality Assurance; copy attached.

INFORMATION FROM RESIDENT INSPECTOR OFFICE (ATTACHED)

13. Letter R. C. Knop and C. C. Williams, Subject: Regional Evaluation of Licensee
14. NRC memo for RC&ES Branch Section Chiefs from G. Fiorelli, dated 5/28/80, Subject: Implementation of MC 2955, Regional Evaluation of Licensee Performance
15. USNRC I&E Manual Chapter 2955, dated 4/15/80
16. USNRC I&E Manual TI 2500/3, dated 4/1/80
17. USNRC Memo for RC&ES Branch Staff from G. Fiorelli, dated 10/6/80, Subject: SALP
18. Four pages draft SALP Report, Appendix B
19. MC 2955 (App. B), dated 4/15/80
20. 6/30/80 notes for meeting
21. CPCo SALP Meeting 11/24/80 agenda
22. CPCo organizational chart dated 8/20/80
23. CPCo organizational chart dated 2/6/79
24. Chart - Total number of noncompliances for 7/79 to 6/80 (inspection)
25. Inspection Report No. 50-329/80-35 and 50-330/80-33
26. Table 1, Ratings for Operating Power Reactor Facilities for period 5/1/79 to 4/30/80 with verbal summaries of each plant
27. Twenty pages draft SALP report
28. Forty-two pages draft SALP report with USNRC memo for Darrel Eisenhut from Darl Hood, Subject: NRR Performance Evaluation for SALP Cycle 2 for Midland Plant, Units 1 and 2, dated 9/21/81.
29. Summary of Items of Noncompliance/Draft SALP report
30. Thirteen pages draft SALP report.
31. Three pages handwritten notes

32. Ten pages draft SALP report
33. Twenty pages worksheet notes for SALP report
34. Twenty-four pages Report Index
35. Enclosure 1 to MC 2592 dated 10/1/77
36. Three pages handwritten notes

RESPONSE TO DRAFT SALP REPORT PACKAGE

37. Eleven pages handwritten notes on SALP meeting with the licensee 8/4/82 at the Midland Holiday Inn, Midland, MI with Sharon Warren statement attached.
38. USNRC memo for R. Warnick from R. J. Cook dated 7/23/82, Subject: Indicators of Questionable Licensee Performance - Midland Site
39. Notes for 8/4/82 meeting pertaining to CPCo response to draft SALP report (5 pages)
40. Inspection Report No. 50-329/80-25 and 50-330/80-26
41. USNRC letter to CPCo from C. E. Norelius with Report No. 82-07 attached, dated 7/15/82
42. CPCo letter to J. G. Keppler from J. W. Cook, Subject: Response to Draft SALP Report, dated 5/17/82.
43. Handwritten notes pertaining to CPCo response to Draft SALP Report.

SALP CYCLE II, DRAFT - VERSION 2 FOLDER

44. Forty-two pages draft SALP report with USNRC memo for D. Eisenhut from Darl Hood, dated 9/2/81, Subject: NRR Performance Evaluation for SALP Cycle 2 for Midland Plant, Units 1 and 2
45. Seventeen pages Draft SALP Report
46. Four pages handwritten notes Draft SALP Report
47. Meeting attendance notes dated 9/24 or 9/25
48. Thirty-six pages handwritten notes for Draft SALP Report

SALP II, 1980/81 FOLDER

49. Five pages R. J. Cook comments on CPCo Response to Draft SALP Report
50. CPCo letter dated 5/17/82 from J. W. Cook to J. G. Keppler, Subject: Response to Draft SALP Report

51. Sharon Warren statement on 8/4/82 - Handwritten notes taken at meeting
52. J. G. Keppler letter to J. W. Cook dated 6/18/82, confirming telephone conversation
53. USNRC memo for ASLB from R. L. Tedesco dated 5/4/82, Subject: Board Notification - SALP Report on Midland Plant for period July 1, 1980 to June 30, 1981 (BN 82-46).
54. USNRC memo for N. C. Moseley from J. A. Hind, dated 10/5/81, Subject: Regional SALP Board and Licensee Meetings Big Rock Point, Palisades and Midland
55. USNRC letter from R. L. Spessard to J. W. Cook, dated 9/15/81, Subject: SALP Review - Midland
56. SALP preparation schedule and information dated 8/19/81.
57. Fax transmittal memo for D. Boyd from G. Pirtle, dated 9/22/81, Subject: DETI SALP Inputs for Midland/Fax transmittal memo for D. Boyd from G. Pirtle dated 10/1/81, Subject: Supplemental SALP Input for Midland
58. Fax transmittal memo for D. Eisenhut from Darl Hood, dated 9/2/81, Subject: NRR Performance Evaluation for SALP Cycle 2 for Midland Plant, Units 1 and 2
59. Inspection Report No. 50-329/80-35 and 50-330/80-36
60. Meeting attendance notes
61. Three pages handwritten notes
62. USNRC memo for W. Dircks from Samuel Chilk, dated 10/20/81, Subject: Systematic Assessment of Licensee Performance
63. Fax transmission to R. Cook from D. Boyd, Subject: SALP Input, dated 10/2/81
64. SALP module cross-reference dated 9/2/81
65. Memo from C. E. Norelius dated 8/20/81, Subject: Preparation of Input for the SALP Appraisals
66. Note to T. Tambling from D. Boyd, R. Cook, Subject: Comments on NRC 0516-01
67. NRC Appendix 0516, page 17
68. Chart of SALP assessment period

69. USNRC letter to J. R. Reynolds from J. G. Keppler dated 11/3/81
70. Draft copy of NRC Chapter 0516, SALP report to R. Cook from C. Jones
71. Draft copy of NRC Chapter 0516, SALP report/Final copy Chapter NRC 0516 SALP
72. Draft copy of NRC Chapter 0516, SALP Report
73. Draft copy of NRC Chapter 0516, SALP Report
74. SALP Milestone Schedule for period 2/28 to 3/20
75. SALP Milestone Schedule for period 3/7 to 3/27
76. SALP Milestone Schedule for period 3/24 to 4/3
77. One page handwritten notes

SALP III

1. Memorandum (R. Cook to Spessard) dated August 6, 1982, Subject: SALP III Evaluation Period; copy attached.
2. Memorandum (Tambling to those on attached list) dated July 12, 1982, Subject: SALP III Inputs; copy attached.
3. Memorandum (Keppler to DeYoung) dated April 1, 1983, Subject: Systematic Assessment of Licensee Performance (SALP) for Zimmer and Midland; copy attached.

REQUEST 8:

Confirm in writing the NRC Staff's previous representations that no documents exist which relate in any way to:

- (a) The NRC Staff's differing opinions on the enforcement action to be taken in response to the NRC Inspection and Enforcement Report Nos. 50-329/82-22 and 50-330/82-22; and
- (b) the May, August and September 1982 stop-work orders issued by CPC and the CPC decisions to lift these stop-work orders.

NRC RESPONSE TO REQUEST 8::

The following documents are attached or available in the Public Document Room as denoted:

- (a)1. Letter (Keppler to Selby) dated February 8, 1983, Diesel Generator Building Notice of Violation; Entire copy in the PDR; Mr. Warnick's comment is noted on letter concurrence page; copy attached. There were no differing professional opinions.
2. Freedom of Information Act Request 83-133 memo (Warnick to Smith) dated March 31, 1983; copy attached.
- (b) May, 1982 Stop Work Order
 1. Oral Communication Record, Consumers Power Company, dated May 19, 1982, Between Servo, Horn and Peck; copy attached.
- (b) August, 1982 Stop Work Order
 1. NRC Inspection Report No. 50-329/82-11; 50-330/82-11, paragraph 3; copy in PDR
 2. NRC Inspection Report No. 50-329/82-18; 50-330/82-18, paragraphs 4 and 5; copy in PDR
 3. Notice of Significant Licensee Meeting dated August 10, 1982; copy attached.
 4. Region III Daily Report Draft for August 11, 1982; copy attached.
 5. Memorandum (Warnick to Keppler) dated August 18, 1982, Subject: Consumers Power Midland; copy attached.
 6. Memorandum (Denton) NRR Internal, Subject: Remedial Soils Construction Release dated August 20, 1982; copy attached.

① Warnick
② File

7. Memorandum (Keppler to Fitzgerald) dated August 20, 1982, Subject: Midland - Request for Investigation; copy attached.
8. Letter (Keppler to J. Cook) dated August 12, 1982, Subject: Confirmatory Action Letter on Stopped Work in the Soils Areas; copy in PDR.
9. Draft Notes (Warnick) from August 6, 1982, meeting at Midland; copy attached.
10. Statement of Dr. R. Landsman on the events leading up to the August 12, 1982 CAL; copy attached.

(b) September, 1982 Stop Work Order

1. Letter (Keppler to J. Cook) dated September 24, 1982, Subject: Confirmatory Action Letter on QC Qualification Problems/Remedial Soils Work Stoppage; copy in PDR.
2. Memorandum (Warnick to Keppler) dated September 24, 1982, Subject: Review of Consumers Power Company Commitments; copy attached.
3. NRC Inspection Report 50-329/82-21; 50-330/82-21, paragraphs 1 and 4; copy in PDR.
4. Draft Memorandum (Warnick to Keppler) dated September 20, 1982, Subject: Review of Consumers Power Company Commitments; copy attached.

Region - read first page only

PRINCIPAL STAFF	
RA	✓
D/RA	✓
A/RA	✓
DRP	✓
DRA	✓
DMSP	✓
DE	
ML	
OL	FILE

DOCKET NUMBER 50-329/3300M/OL
PROD. & UTIL FAC.

April 19, 1983

JEB 14-83



Barbara Stamiris
5795 North River Road
Route 3
Freeland, MI 48623

Dear Ms Stamiris

I am providing the following information responding to your specific questions which were not answered by documents, in accordance with the commitments made at TR 1484 et. seq. Since this is informal discovery, I provide this information in letter form. An affidavit can be supplied on request.

The following relates to tracking of IPINs, IRs, DRs, attachment 10s, and "return options" in the QA system:

The basic document used to track inspections in the QC process is referred to as an inspection report (IR). The IR contains a list of items to be inspected, and places for the inspector to sign off on each item inspected. The inspector may sign off only when he has satisfied himself that the item is in conformance to all requirements. IRs are the permanent record of inspections and are kept on file at the Midland site.

If an inspector determined that a deficiency existed, he could issue an IPIN, as more fully described in the Response to the Notice of Violation (Response). The IPIN documented the deficiency. When the IPIN was issued, the inspector noted that fact on the IR. A copy of the IPIN was thereafter kept attached to the IR as a part of the permanent inspection record. To correct the deficiency, QC transmitted a copy of the IPIN to construction, which carried out necessary corrective action and returned the IPIN to QC. QC then reinspected the item and, if appropriate, closed out the IPIN. For more details on this process, see the Response. IPINs were thus tracked by being attached to the IR.

DRs (deviation reports) were predecessors to the IPINs. DR's were temporary records. Before close out, DRs were handled much the same as IPINs were. DRs were not tracked after closeure. The IRs did contain a space for the number of DR pages reviewed in closing out all of the activities on the IR.

8304220056 830419
DR ALDCK 05000329
G PER
oc0483-0419a100

DSO3

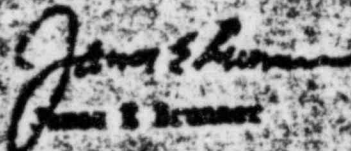
MAY 1 1983

Attachment 10's were not a formal QA record and were not tracked by QA or QC.

"Return option" is a phrase coined by the IPIN task force to describe a particular inspection practice. Use of a return option was not tracked by the QC department.

With reference to p.14300 of the transcript, I am advised that the containment chipping matter was first identified as a noncompliance by Region 3 in its October-November team inspection.

Very truly yours



James E. Brunner

cc OL/CH Service List

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

03 100-7 P2:13

Before the Atomic Safety and Licensing Board

In the Matter of

CONSUMERS POWER COMPANY

(Midland Plant, Units 1 and 2)

) ASLEP Nos. 78-389-03 OL
) 80-829-02 SP

) Docket Nos. 50-329 OL
) 50-330 OL
) 50-329 OM
) 50-330 OM

INTERVENOR BARBARA STAMIRIS' REQUEST FOR PRODUCTION
OF DOCUMENTS TO THE NUCLEAR REGULATORY COMMISSION STAFF

TO: Nuclear Regulatory Commission Staff

Intervenor Barbara Stamiris, pursuant to the Atomic Safety and Licensing Board's Order of April 6, 1983, heretofore requests the Nuclear Regulatory Commission ("Commission" or "NRC") Staff to produce and make available for inspection and/or copying each document in the possession or custody of the NRC Staff or subject to the control of the NRC Staff, its agents, or its attorneys, as requested below.

DEFINITIONS

As used herein, and unless the context otherwise requires, the terms:

(a) The Nuclear Regulatory Commission or "NRC" shall mean the Nuclear Regulatory Commission, its branches, departments, offices, sections, subdivisions, its present and former commissioners, administrators, management, employees, agents, representatives, consultants or officials, or their agents, attorneys, or representatives.

8304080149

2

(b) "Document" shall mean every writing of every type or description, and every other instrument or device by which, through which, or on which information has been recorded and/or preserved, including but not limited to memoranda, notes, letters, drawings, files, graphs, charts, photographs, slide presentations, handwritten notes, logs, ledgers, studies, data sheets, appointment calendars, telephone messages, voice recordings and other data compilations or other media on which or through which information of any type is transmitted, recorded or preserved.

(c) "Communication" shall mean communication, discussion, conversation, letter, memorandum, telephone call, message or direction whether written or oral, or whether in person, by telephone, or by mail.

DOCUMENTS TO BE PRODUCED

1. Any and all documents relating in any way to the special inspection conducted by the Office of Special Cases, Midland Section, concerning the diesel generator building at the Midland nuclear power plant, NRC Inspection and Enforcement Report Nos. 50-329/82-22 and 50-330/82-22, and any other investigation of systems which affect in any way the diesel generator building, including but not limited to ongoing NRC investigations. For any such ongoing NRC investigation, describe the nature and scope of the investigation.

2. Any and all documents relating in any way to communications between Region III and any other office, or branch of the NRC, or between offices, branches or divisions of the NRC, concerning (a) the reports mentioned in Document Request No. 1 above, or (b) the investigations listed in Document Request No. 1 above.

FOIA 83-133
See OI for info on invest.
83-03
same response as #1

3

3. Any and all documents prepared by Region III in the 1980 to 1983 period which relate in any way to comparisons of the Midland nuclear power plant to other nuclear plants in terms of the following

(a) the number of noncompliances found by the NRC;

(b) the number of 50.55a reports filed by Consumers

Power Company ("CPC"); and

(c) the overall rating of the Midland plant as compared to other plants in Region III and other plants under construction in the United States.

4. Any and all documents, including any technical analyses performed by or submitted to the NRC, relating to:

(a) the NRC decision to allow underpinning work to commence in December 1982 at the Midland plant;

(b) the NRC decision in February 1983 to allow underpinning work to be done under safety-related structures at the Midland plant; and

(c) the NRC consideration and assessment of F.I.V.P. jacking and cracking for the period January 1983 to the present.

5. Any and all documents relating in any way to independent audits at Midland; the NRC's review acceptance criteria for these audits; and NRC actions taken in response to these audits.

6. Any and all documents relating to the special investigation initiated by the Spessard memorandum of April 19, 1982, and to issues discussed in that memorandum.

7. Any and all documents relating to the March 1982 SALP Report, and the NRC's decision to postpone the SALP Report scheduled for the Spring of 1983. If no written documents exist regarding the

- Ron Cook memo
- JGK memo

SALP Reports
 See old Byron FOIA 82-
 for comparing statistics
 Nu reg
 Dircks

(TAY)

ROSS - NRE former
 SSER
 Dec Letter authorizing
 Ltr - Shaker to RFD
 Rpt 83-03 &
 Ltr esp. exclusion
 of structure
 SFW Telecom

Midland Section
 Copy of NRC audit
 SFW audit in miss pgs
 History
 15 14
 JGK Tech
 Fall 83

TNT, Midland Inspectors
 JGK memo

How far back?

None

None

? April 9 letter

(4)

NRC's decision to postpone the 1983 SALP Report, explain the position, reasoning and recommendations of each of the following persons respecting the NRC's decision to postpone the SALP Report:

- (a) Wayne Shaffer;
- (b) Robert Warnick; and
- (c) James Keppler.

8. Confirm in writing the NRC Staff's previous representations that no documents exist which relate in any way to:

(a) the NRC Staff's differing opinions on the enforcement action to be taken in response to the NRC Inspection and Enforcement Report Nos. 50-329/82-22 and 50-330/82-22; and
RFW on concurrence sheet.

(b) the May, August and September 1982 stop-work orders

issued by CPC and the CPC decisions to lift these stop-work orders.

May -
Aug-10 CAL
Sept- CAL

Respectfully submitted,

LYNNE BERNABEI
GOVERNMENT ACCOUNTABILITY PROJECT
of the Institute for Policy Studies
1901 Q Street, N. W.
Washington, D. C. 20009
202/234-9382

Attorney for Intervenor Barbara Staliris

DATED: April 7, 1983

Confirm no eval sheets. FOIA 83-90
Was there any differing opinions

5

NRC Form 580
11/81
NRCM 8278

U.S. NUCLEAR REGULATORY COMMISSION

FACSIMILE TRANSMITTAL
REQUEST

REQULESTER'S MAILING ADDRESS

STREET

CITY

STATE

DATE

RETURN ORIGINAL TO
SENDER

YES NO

MESSAGE TO

NAME AND ORGANIZATION

BOB WARNICK
NRC REGION III

FACSIMILE PHONE NUMBER

384-2691

VERIFICATION PHONE NUMBER

384-2659

CITY

GLEN ELLYN

STATE
IL

AUTOMATIC

YES NO

NUMBER OF PAGES (INCLUDING
TRANSMITTAL INSTRUCTIONS)

5

MESSAGE FROM

NAME

RON HERNAN

TELEPHONE NO.
29789

FACSIMILE PHONE NUMBER

HIGH-SPEED (up to 1 min.)

LOW-SPEED (up to 1 min.)

VERIFICATION TELEPHONE NUMBER

301-492-7371

BUILDING

PHILLIPS

MAIL STOP
116

AUTOMATIC

YES
 NO

AUTOMATIC

YES
 NO

PRECEDENCE

OVERNIGHT

FOUR HOURS

TWO HOURS

ONE HOUR

IMMEDIATE

SPECIAL INSTRUCTIONS

TIME/DATE (Stamp)

RECEIVED

TRANSMITTED

4-7-83
5:00
CM

①