

26/35

JUN 25 1982

Docket Nos: 50-329
and 50-360

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Docket Nos. 50-329/330

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MEMORANDUM FOR: Darrell G. Eisenhut, Director
Division of Licensing

THRU: Robert L. Tedesco, Assistant Director
for Licensing
Division of Licensing

FROM: Elinor G. Adensam, Chief
Licensing Branch No. 4
Division of Licensing

SUBJECT: MIDLAND SOILS REVIEW SCHEDULE

The proposed schedule for the soils review of Midland Plant, Units 1 and 2 is as follows:

CPCo responds to Qa	6/15/82
Meeting on CPCo responses	6/25/82
Draft SSER to DL	7/9/82
Meetings on Draft SSER	Week of 7/19/82
Audit	Week of 7/26/82
Publish SSER	8/20/82

The schedule was determined with the assistance of Division of Engineering and was discussed with Messrs J. Mooney and J. Schaub of CPCo on June 15, 1982.

"Original Signed By:

E. Adensam
Elinor G. Adensam, Chief
Licensing Branch No. 4
Division of Licensing

cc: H. Denton
R. Vollmer
J. P. Knight
W. Paton
J. Keppier, RIII

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OFFICE	DL:LB.#A	DL:LB.#A	AD:L				
SURNAME	DHood/hmd	EAdensam	RTedesco				
DATE	6/23/82	6/23/82	6/23/82				



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

JUN 25 1982

Docket Nos: 50-329
and 50-330

MEMORANDUM FOR: Darrell G. Eisenhut, Director
Division of Licensing

THRU: Robert L. Tedesco, Assistant Director
for Licensing
Division of Licensing *RT*

FROM: Elinor G. Adensam, Chief
Licensing Branch No. 4
Division of Licensing

SUBJECT: MIDLAND SOILS REVIEW SCHEDULE

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The schedule was determined with the assistance of Division of Engineering and was discussed with Messrs J. Mooney and J. Schaub of CPCo on June 15, 1982.

A handwritten signature in cursive script, appearing to read "Elinor G. Adensam".

Elinor G. Adensam, Chief
Licensing Branch No. 4
Division of Licensing

cc: H. Denton
R. Vollmer
J. P. Knight
W. Paton
J. Keppler, RIII

27/B5

DISTRIBUTION:
Docket Nos. 50-329/330 OM, OL

JUN 25 1982

Docket Nos: 50-329 OM, OL
and 50-330 OM, OL

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RTedesco
WPaton
RVollmer
HDenton

Ms. Barbara Stamiris
5795 N. River
Freeland, Michigan 48623

Dear Ms. Stamiris:

Thank you for your letters of April 3, 1982, to Mr. H. Denton and of April 12, 1982, to me providing a brief account of key events relating to the Midland soils issue, and the expression of your concerns.

The examples of departures from PSAR/FSAR design requirements and other deficiencies cited in your April 12, 1982, letter are the subjects of concern to the staff. As you observed at the last SALP meeting in Jackson, Michigan, Mr. Keppler is currently re-examining the applicant's QA performance and will provide results of this re-examination later this month. We are working in close coordination with Region III, particularly with the soils remedial effort. We also have the benefit of the ACRS letter of June 8, 1982, which includes a recommendation for a broader assessment of Midland's design adequacy and construction quality. The recommendations of the ACRS will be addressed in a supplement to the SER. As a party to the hearing, you will be kept informed of developments in these areas.

Regarding your question as to the purpose of the PSAR and FSAR, their contents are specified by 50.34 and provide the basis for the NRC's safety findings required by 10 CFR 50.35(a) and 50.57, which for the Midland Plant is indicated by Chapter 22 of the SER. For our findings regarding public health and safety to be valid, then obviously the information in the FSAR which is material and relevant to these findings must be accurate. However, design and construction of complex facilities such as nuclear power plants are, of necessity, dynamic processes, and our regulations and review procedures provide flexibility within the constraints of the construction permit for applicants to proceed with construction at their own risk.

This combination of accuracy and flexibility for change requires timely reports and amendments by applicants such that our review of the completed facility prior to operation is based upon actual design, construction and procedures. Regarding the

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Ms. Barbara Stamis

- 2 -

degree of risk assumed by applicants during construction, issuance of a construction permit by the Commission provides no assurance that an operating license will necessarily follow. This point is well illustrated by the soil settlement problem at Midland in that favorable staff findings are contingent upon implementation of acceptable remedial actions prior to operating license issuance.

Sincerely,

"Original Signed By:

[Handwritten Signature]

Darrell G. Eisenhut, Director
Division of Licensing
Office of Nuclear Reactor Regulation

[Handwritten Initials]

DIR:ARR
HRD:pton
6/3/82

*NOTE: SEE PREVIOUS WHITE FOR CONCURRENCE

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SURNAME	DHood/hmc	MDuncan	WPaton	EAdensam	RTedesco	RVollmer	DG Eisenhut
DATE	5/5/82 6/17/82	5/5/82	5/24/82	6/24/82	6/14/82	6/ /82	6/21/82

Docket Nos: 50-329 OM, OL
and 50-330 OM, OL

Ms. Barbara Stamiris
5795 N. River
Freeland, Michigan 48623

Dear Ms. Stamiris:

Thank you for your letters of April 3, 1982, to Mr. H. Denton and of April 12, 1982, to me providing a brief account of key events relating to the Midland soils issue, and the expression of your concerns.

The examples of departures from PSAR/FSAR design requirements and other deficiencies cited in your April 21, 1982, letter are not new to us, and indeed, are the subjects of much interest and considerable activity by the NRC. As you observed at the last SALP meeting in Jackson, Michigan, Mr. Keppler is currently re-examining the applicant's QA performance and will provide results of this re-examination later this month. We are working in close coordination with Region III, particularly with the soils remedial effort. We also have the benefit of the ACRS letter of June 8, 1982, which recommends a broader assessment of Midland's design adequacy and construction quality, and which also provides other prudent advice. The recommendations of the ACRS are being addressed by a supplement to the SER. As a party to the hearing, you will be kept informed of developments in these areas.

Regarding your question as to the purpose of the FSAR, its content is identified by 10 CFR 50.30(d), 50.33, 50-34(b), and 50.55(d), and provides the basis for the NRC's safety findings required by 10 CFR 50.57, which for the Midland Plant is indicated by Chapter 22 of the SER. For our findings regarding public health and safety to be valid, then obviously the information in the FSAR which is material and relevant to these findings must be accurate. However, design and construction of complex facilities such as nuclear power plants are, of necessity, dynamic processes, and our regulations and review procedures provide flexibility within the constraints of the construction permit for applicants to proceed with construction at its own risk.

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Sincerely,

Darrell G. Eisenhut, Director
Division of Licensing
Office of Nuclear Reactor Regulation

DIR:NRR

HRDenton

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*NOTE: SEE PREVIOUS WHITE FOR CONCURRENCE

OFFICE ▶	DL:LB.#4	LA:DL:LB.#4	QELD	DL:LB.#4	APR:DL	DIR:DOE	DIR:DL
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DATE ▶	5/5/82	5/5/82	5/24/82	5/24/82	6/14/82	6/ /82	6/ /82

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Docket Nos: 50-329 OM, OL
and 50-330 OM, OL

Ms. Barbara Stamiris
5795 N. River
Freeland, Michigan 48623

Dear Ms. Stamiris:

Thank you for your letters of April 3, 1982, to Mr. H. Denton and of April 12, 1982, to Mr. R. Vollmer and me providing a brief account of key events in the Midland soils hearing, and expressing your concern whether quality assurance will be properly implemented in the future, particularly regarding the soils remedial work. Messrs. Denton and Vollmer have asked me to provide this reply on their behalf.

Because of the present status of these matters and the OM, OL hearing, it would not be appropriate for Mr. Denton, Mr. Vollmer, or me to comment upon the specifics of your letters. I can assure you, however, that the general subject matter is one of much interest and considerable activity by the NRC. We are working in close coordination with Region III, particularly for the unique and complex activities associated with the future soils remedial effort. As a party in the OM, OL hearing to which these issues are material and relevant, you will be kept informed of developments in this area.

With respect to the inquiry in your April 12, 1982, letter concerning the purposes of the PSAR and FSAR, I have asked Darl Hood, Project Manager, to discuss this with you by telephone.

Sincerely,

Darrell G. Eisenhut, Director
Division of Licensing
Office of Nuclear Reactor Regulation

cc: H. Denton
R. Vollmer

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1st line should be
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is response
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*NOTE: SEE PREVIOUS WHITE FOR CONCURRENCE

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and 50-330 OM, OL

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Freeland, Michigan 48623

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Darrell G. Eisenhut, Director
Division of Licensing
Office of Nuclear Reactor Regulation

cc: H. Denton
R. Vollmer

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HRDenton
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SURNAME	DHood/bmc	MDuncan	WPaton	EAdensam	RTedesco	RVollmer	DEisenhut
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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

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Docket Nos: 50-329 OM, OL
and 50-330 OM, OL

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5795 N. River
Freeland, Michigan 48623

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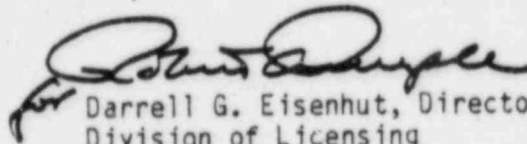
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Ms. Barbara Stamiris

- 2 -

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Sincerely,



Darrell G. Eisenhut, Director
Division of Licensing
Office of Nuclear Reactor Regulation

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et al

JUN 23 1982

Docket Nos.: 50-329/330 OM, OL

APPLICANT: Consumers Power Company
FACILITY: Midland Plant, Units 1 and 2
SUBJECT: Summary of June 15, 1982, Meeting on Soils Review Schedule

On June 15, 1982, the NRC Staff met in Bethesda, Maryland with Consumers Power Company (the Applicant), to discuss the status of schedule development for review of soils remedial actions for Midland Plant, Units 1 and 2. Meeting attendees are listed in Enclosure 1.

The basis for the review schedule presently being developed by NRR for completion of the soils remedial actions is the applicant's letter of June 14, 1982 responding to the staff's request for information (Enclosure 8 of D. Eisenhut's letter of May 25, 1982). The staff outlined the general approach and tentative schedule (Enclosure 2) planned for completion of the review.

As an additional agenda item, Mr. J. Schaub noted that the "FIVP proof load test" (for which the NRC indicated in its letter of May 25, 1982 that it did not recognize as having been previously approved) was an unfortunate choice of words. The applicant's intent was to refer to the discussion at previous NRC audit meetings in which the applicant discussed plans to transfer the full weight of the FIVP to the overhead support beams as part of "Phase 2" of the Auxiliary Building underpinning sequence logic. The applicant will issue a letter of clarification to the NRC in the near future.

151

Darl Hood, Project Manager
Licensing Branch No. 4
Division of Licensing

Enclosures:
As stated

cc: See next page
*See Previous White

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OFFICE	DL:LB#4	LA:DL:LB#4	DL:L/DL	AD:DL			
SURNAME	*DHood:eb	MDuncan	*EAdensam	RTedesco			
DATE	*6/22/82	6/22/82	*6/22/82	6/22/82			

13/34

Records requested from folder
maintained by Joseph Kore
entitled "Midland - CPCO Appeal
of Staff Position Requesting
Additional Explorations".