

STATEMENT OF BARBARA G. STAMIRIS  
INTERVENOR, MIDLAND OM & OL PROCEEDINGS

APRIL 25, 1984, MEETING OF THE U.S. NUCLEAR REGULATORY COMMISSION

Chairman Palladino and Commission Members, I appreciate this opportunity to address the Commission regarding the Midland Plant.

The first Commission briefing on the Midland soil settlement problems was held in June 1983 the day before the Congressional Oversight Hearing on Midland, six years after the discovery of those problems.

During that briefing, one major misrepresentation was made which warrants correction. The Commissioners were told that the soils problems were discovered at Midland in 1978 after the settlement of the Diesel Generator Building. Actually, the soils problems were discovered by Consumers in 1977, before the Diesel Generator Building and other safety structures were begun on the defective soils; a significant distinction.

In their 1982 Proposed Findings of Fact in the Soil Settlement Hearing, Consumers admits "evidence existed in 1977, which if given different weight would have revealed the plant-wide soils conditions in time to have prevented the problems which now confront us." But this evidence was ignored by Consumers and withheld from the NRC in their push to proceed with construction.

Just as the original soils problems were ignored and kept quiet in 1977, the underpinning repair problems are not being acknowledged by Consumers today. For despite the significant setbacks and

delays encountered in the underpinning work, Consumers maintains an optimistic estimate for its completion.

Problems encountered in the Auxilliary Building operation to date include the discovery that:

- foundation soils beneath the piers had only half their intended support strength
- design errors and miscalculations resulted in unconservative estimates of differential settlement
- piers have settled and failed to accept their intended loads
- building movement and cracking has exceeded alert levels
- water seepage threatens the integrity of the concrete pier bases

As a result, the underpinning operation which was supposed to take 18 months to complete, is only 1/3 complete 17 months after its inception.

At this rate, it will take at least three and probably four more years to complete the underpinning operation. For once piers are in place at the Auxilliary Building, new problems await the next phase of the work, and the underpinning of the Service Water Pump Structure yet to come.

In their third annual S.A.L.P. evaluation, the NRC rated Consumers' soils work a "category 3" for the third consecutive year, but noted a declining trend. In fact "a rating of less than minimally acceptable was considered by the Board" but was not given only because of stringent third party and NRC controls in place for the soils work.

Despite these problems and negative assessments of the soils underpinning work, Consumers believes Unit II can be completed in

1986 and is seeking an early statement of assurance from the NRC that the plant can be completed on time and operated safely. This request is a part of Consumers' desperate effort to convince doubtful members of the Public Service Commission and large industry in Michigan, and financiers on Wall Street that this plant is still a good investment.

The NRC has allowed Consumers to proceed with what they have termed their experimental soil settlement solutions over the last five years, saying that Consumers does so at their own financial risk. In 1976, the NRC project manager cautioned Consumers that the NRC was not approving their soils remedial plans and that the remedial actions would have to demonstrate "that the original requirements of the construction permit had been met or exceeded" in the end.

I urge you today to bear in mind that original NRC commitment, and evaluate Consumers' operating license petition in terms of safety issues alone, without regard for the financial plight of Consumers who chose to undertake the risk that they did. For it is the public, and their health and safety, not the nuclear power industry, that the NRC was established to protect.