

April 25, 1984

STATEMENT BEFORE THE U.S. NUCLEAR REGULATORY COMMISSION

My name is Tom Hearn. I am a resident of Saginaw, Michigan, twenty miles down wind from the construction disaster that Consumers Power Company calls the Midland Nuclear Power Plant. I am employed as Professor of English at Saginaw Valley State College, which is located on the fringe of the primary evacuation zone of this plant, and I am also the Chair of the Lone Tree Council, an environmental organization which has since 1978 opposed the continued construction of this nuclear facility.

I am grateful for this opportunity to appear before this distinguished group today. I appear not just as a private citizen, not just as the Chair of Lone Tree, but as one who shares the concern of thousands in my home community that the Midland Nuclear Power Plant, as built and potentially operated by Consumers Power Company, is a danger that must not be allowed in our midst.

I come to you today with a very simple message. The citizens of my community are angry--angry and outraged over the actions of the utility which appears before you today. With the exception of the city of Midland, which stands to gain substantial tax benefits from the presence of this plant, and of the area labor council whose members benefit from the present construction jobs provided by it, every governmental and labor organization which has taken a position on the Midland Plant has voted a resounding "No!" to its completion,

licensing and operation. Resolutions opposing this plant have been passed by the Township of Ingersoll, which immediately adjoins the plant site, the Township of Holly, and by the City Council of Saginaw, the most populous city in the immediate vicinity. Similar resolutions have been passed by the Bay County United Auto Workers CAP Council and United Auto Workers 362, the largest employer in Bay County. Even as I speak, the Attorney General of the State of Michigan, the Michigan Public Services Commission, the Michigan Citizens Lobby and a coalition of Michigan's largest industrial clients of Consumers Power are all calling for this plant to be abandoned.

This substantial opposition to the Midland Plant is based, not on irrational fear, not on blind opposition to the fruits of technology, but on real and palpable facts which have been documented by this very commission. I will not occupy your valuable time in reciting the complete litany of problems that have become evident in this misconceived, misplanned, mismanaged plant. Nor will I enter into a technical discussion of matters that are at the heart of today's hearing. Rather, I plan simply to enumerate some of the documented construction defects reported by the area's newspapers, radio and television stations.

I speak here of concrete improperly poured, of the failure to insert reinforcing steel in safety walls, of anchor bolts that were cracked, of tubes for important tension cables that ended up in the wrong place, of instances of shoddy welding, of ventilating work that was so poorly done that the NRC itself levied a hefty fine against the utility. I remind you of over one hundred problems reported by

whistleblowers at the plant, including debris in small-bore pipes, of the incidents of drug use at the plant--incidents confirmed by the arrest, not of drug users, but of on-site dealers in marijuana, cocaine and LSD.

From its very beginning, the planning and construction of this plant have been bungled. It was situated atop two geological faults--a fact particularly significant in view of scientists' recent predictions of a major earthquake of San Francisco proportions in the Midwest. The site chosen is also pockmarked by numerous brine wells from Dow Chemical, whose chemical contents are now infiltrating the dewatering system. In fact, this utility has shown itself incapable of performing even the most basic of construction tasks--compacting the soil for the buildings so that they would not sink into the floodplain of the Tittabawassee River.

I know that I am not the first to bring these construction defects to your attention. Mr. Dirks has testified before Congress that Midland is one of the five most trouble-prone plants under construction in the nation. The Atomic Safety and Licensing Board noted at Midland a "pattern of repeated, flagrant and significant quality-assurance violations of a non-routine nature--coupled with an unredeemed promise of reformation." Ross Landsman, the NRC's resident inspector, noted Consumers' propensity to put cost-cutting before safety and summed up his view by saying, "I don't trust them." More recently came the incident when Consumers dug below a duct-bank in direct disobedience of an order from the NRC. Next, there is the soils remedial work, which Consumers estimated would be completed in

December, 1983--but which at this moment is only one third finished. Last, I should mention Consumers Power's failure to report all the cracks in the auxiliary building.

With such a construction history, the question that my community is now asking is not why Midland is not completed, not when will Midland be completed, but why a utility of such obvious incompetence is allowed to continue at all. This question is mine as well. For these reasons, the Lone Tree Council renews its request for the Commission: 1) to require that all on-going activity, including soil remediation, be covered under the order of modification of this utility's construction permit and 2) to remove Consumers Power Company from managerial responsibility for quality assurance/quality control functions, replacing the utility with an independent third party with the responsibility to report simultaneously to Consumers and to this Commission

I want to believe in and trust the judgment of this commission. I deeply hope that your actions will give me reason to do so. I appreciate your giving me this opportunity to present the concern and anguish of my community