



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

PRC

SEP 14 1984

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

MEMORANDUM FOR: The Atomic Safety and Licensing Board for Midland
(C. Bechhoefer, F. P. Cowan, J. Harbour)

FROM: Thomas M. Novak, Assistant Director
for Licensing
Division of Licensing

SUBJECT: BOARD NOTIFICATION REGARDING MIDLAND (1) SHUTDOWN
AND (2) SOILS AND STRUCTURES ALLEGATIONS (BN 84-148)

In accordance with the NRC procedures for Board Notifications, the following information is being provided. The information regarding allegations supplements information potentially material and relevant to quality assurance and technical issues before the Midland Licensing Board for the OM-OL hearing. The allegations reviewed by this Notification are those which Region III has determined to pertain to structural and soils matters. The information regarding plant shutdown constitutes new information.

ALLEGATIONS

Board Notification (BN) 84-091 dated April 27, 1984, advised the Commissioners, Licensing Board and parties of an allegation regarding misrepresentation of soils data provided to the NRC. This item is discussed in the Board's May 7, 1984, "Memorandum and Order (Ruling on Motions Arising from Dow Litigation)," and was the subject of an affidavit by Mr. Joseph Kane, NRC, filed with the Board on June 11, 1984.

NRC Region III Inspection Report 50-329/83-13 (OSC); 50-330/83-14 (OSC), forwarded to Consumers Power Company, the Board and parties under R. F. Warnick's coverletter of November 29, 1983, discussed the closing of an allegation that one of the underpinning piers for the Midland auxiliary building was sinking more than anticipated.

NRC Region III Inspection Report 50-329/84-03; 50-330/84-03, forwarded to Consumers Power Company, the Licensing Board and parties under R. F. Warnick's coverletter of February 15, 1984, discussed the closing of an allegation regarding drawing control by the Geotechnical Service Group at the Bechtel Ann Arbor office. Enclosure 1 is the associated inspection report by Region IV referenced by the RIII report.

An allegation regarding soil beneath the diesel generator pedestals was discussed in BN 84-019 (paragraph B1, enclosure 1 thereto) dated February 2, 1984.

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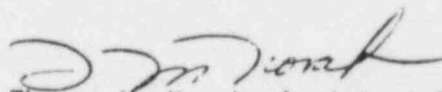
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An allegation regarding salt mines was closed by the NRC as discussed in RIII Inspection Report No. 50-329/83-21 (OSC); 50-330/83-22 (OSC), and forwarded to Consumers Power Company, the Licensing Board and the parties under R. F. Warnick's coverletter of January 5, 1984.

SHUTDOWN

On the evening of July 16, 1984, the management of Consumers Power Company announced to the news media (Enclosure 2) a shutdown in construction of the Midland Plant due to cash flow problems and the Company's inability to reach agreement with an association of major industrial companies and others. The Board and parties have also received copies of the Company's announcement by letter of July 27, 1984, noting the Company's intention, for the time being, to maintain the Construction Permits and Operating License applications for both units; Region III's letter of July 31, 1984, approving soils activities listed in the Company's July 26, 1984 letter; Region III's August 8, 1984, letter establishing limits for control of auxiliary building movements during layup; and the Company's letter of August 28, 1984, supplementing the remedial soils shutdown activities identified July 26, 1984. The Company's letter of August 6, 1984 (Enclosure 3) lists remedial soils monitoring activities planned during the shutdown period.

We will continue to advise the Board of shutdown plans and developments relevant to the hearing as they become available.


Thomas M. Novak, Assistant Director
for Licensing
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Enclosures:

1. U. Potapovs' Memo Dated
December 13, 1983, with
Attachments
2. July 16, 1984 Press Release
3. J. Mooney letter dated August 6,
1984

cc: EDO
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Parties to the Proceeding
See next page

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