



WELDING

Discussed with K. Bishop & P. Brooks 3/3/80
NONCONFORMANCE REPORT

Corrected by
S/U Indeterminate

50-329,330

1. PROJECT NAME Midland Units 1 & 2		JOB NO. 7220		19. 2920 NO.	20. PAGE 1 OF 1
2. UNITS/ 3. DRAWING/PART NO. 0, 1, & 2 See Block 16		REV —	4. ITEM DESCRIPTION 2" and under Socket Welds	5. ITEM LOCATION See Block 16	
6. P.O. OR SPEC NO. 7. SERIAL NO. NA NA		P/N NA	REV NA	10. CONTRACTOR/SUPPLIER NA	
11. INSPECTION CRITERIA <input checked="" type="checkbox"/> DWG <input checked="" type="checkbox"/> SPEC <input type="checkbox"/> OTHER		IR NO. G-27	12. ASME AUTHORIZED INSPECTION RECD <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	14. Discovered During <input type="checkbox"/> Rec'g <input checked="" type="checkbox"/> Const <input type="checkbox"/> Test	
16. NONCONFORMING CONDITION: Project Specification 7220-G-27, Rev. 11, Drawing GWS-PM-7, Rev. 3, states that the minimum fillet weld size for welding pipe to fittings shall be 1.09 times the pipe wall thickness, or 1/8", which ever, is greater. It also states that the minimum fillet weld size for welding pipe to flanges shall be 1.4 times the pipe wall thickness, or 1/8", which ever is greater. Condition: This NCR reports all socket welded systems which were welded prior to December 5, 1979. These systems may contain undersized socket welds. Cont'd					
17. REPORTED BY <i>T. Robinson</i>		DATE 3/3/80		24. DISPOSITION CONCURRENT: rework reject repair use as is <i>[Signature]</i> <i>[Signature]</i> <i>[Signature]</i> <i>[Signature]</i> PROJECT FIELD ENGINEER DATE 3/6/80 PROJECT ENGINEER DATE 3/6/80 PROJ CONSTR QC ENGINEER DATE 3/6/80 AUTHORIZED INSPECTOR DATE	
21. ROUTING: <input checked="" type="checkbox"/> TO FIELD ENGINEERING <input type="checkbox"/> TO OTHERS (SPECIFY)		18. VALIDATED BY <i>[Signature]</i>		25. DISPOSITION RESULTS Rework to despatch welds is shown on Block 25 continued on the attached pages the OCR which documents the rework for a given weld is shown adjacent to that weld. Accepted/welds are noted as such. <i>T. Robinson 3/6/80</i> THIS NCR IS CLOSED FOR SYSTEM OCEAA. <i>J. Malala</i> 9-10-82	
22. <input checked="" type="checkbox"/> Field Engineering Disposition <input type="checkbox"/> Field Engineering Recommended Disposition to Project Engineering Field Engineering recommends that socket welds that are found to be below the above requirements be processed in the following manner: 1) ^{Quality Control} Field Engineering shall inspect each system by ISO for the following: undersized socket welds, incorrect scribe lines, and arc-strikes, etc. (Continued on page 2). 128 4/5/80					
23. PROJECT ENGINEERING DISPOSITION B707090162 B70626 PDR FOIA BAUMAN87-A-23 PDR					
26. QC ACCEPTANCE QC ENGINEER				DATE	
AUTHORIZED INSPECTOR				DATE	

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NONFORMANCE REPORT (CONT'D)

For documentation of the above mentioned systems, see Block 16 continued on the attached pages.

Hold for Engineering disposition, NO HOLD TAGS applied.

John H. Blomson 3/3/80

2) A list of those socket welds which are found unacceptable shall be given to Quality Control for insertion into this NCR.

3) QCIR's shall be issued by the Welding Department using an "RI" suffix after each weld number.

XX(4) After the welding is completed Quality Control shall perform a final inspection per project specifications and procedures.

Weld repair shall be re-inspected after repair shall be re-inspected after final

NOTE: All socket welds requiring a Liquid Penetrant Examination, shall be re-inspected after final visual inspection.

W. S. Bishop Paul S. Brooks 3/3/80

THIS NCR COVERS SYSTEMS EXCEPT THOSE WHICH ARE 3-8-80

Block 16 Continued: Several systems mentioned in block 16 on page 1 have been previously re-inspected and controlled by means of a Non Conformance Report. NCR's which have already been issued for undersized socket welds are as follows: 2361, 2392, 2681, 2686, 2687, 2695, 2696, 2707, 2708, 2709, 2710, 2711, 2712, 2713, 2720, 2725, 2766, 2781, 2790, 2791, 2792, 2793, 2794, 2798, 2799, 2835, 2848, 2896.

Blomson 3/5/80

Block 22 continued: As an alternative to the rework previously described in Block 22, the undersized welds may, at construction's option, be cut and re-welded.

John H. Blomson 5/5/82

release



NONCONFORMANCE REPORT (CONT'D)

24. Disposition Concurrence Item			
REWORK	REJECT	REPAIR	USE AS IS
PROJECT FIELD ENGINEER			DATE
<i>[Signature]</i>			5/7/82
PROJECT ENGINEER			DATE
<i>[Signature]</i>			5/10/82
PROJECT CONSTR OC ENGINEER			DATE
<i>[Signature]</i>			5/10/82
AUTHORIZED INSPECTOR			DATE

24. Disposition Concurrence Item			
REWORK	REJECT	REPAIR	USE AS IS
PROJECT FIELD ENGINEER			DATE
PROJECT ENGINEER			DATE
PROJECT CONSTR OC ENGINEER			DATE
AUTHORIZED INSPECTOR			DATE

24. Disposition Concurrence Item			
REWORK	REJECT	REPAIR	USE AS IS
PROJECT FIELD ENGINEER			DATE
PROJECT ENGINEER			DATE
PROJECT CONSTR OC ENGINEER			DATE
AUTHORIZED INSPECTOR			DATE

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PROJECT FIELD ENGINEER			DATE
PROJECT ENGINEER			DATE
PROJECT CONSTR OC ENGINEER			DATE

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PROJECT CONSTR OC ENGINEER			DATE

release



RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

RESPONSE TYPE
 FINAL PARTIAL

DATE
APR 13 1987

DOCKET NUMBER(S) if applicable

REQUESTER
Ms. Billie P. Garde

PART I - RECORDS RELEASED OR NOT LOCATED (See checked boxes)

No agency records subject to the request have been located.

No additional agency records subject to the request have been located.

Agency records subject to the request that are identified in Appendix _____ are already available for public inspection and copying in the NRC Public Document Room, 1717 H Street, N.W., Washington, DC.

Agency records subject to the request that are identified in Appendix E are being made available for public inspection and copying in the NRC Public Document Room, 1717 H Street, N.W., Washington, DC, in a folder under this FOIA number and requester name.

The nonproprietary version of the proposal(s) that you agreed to accept in a telephone conversation with a member of my staff is now being made available for public inspection and copying at the NRC Public Document Room, 1717 H Street, N.W., Washington, DC, in a folder under this FOIA number and requester name.

Enclosed is information on how you may obtain access to and the charges for copying records placed in the NRC Public Document Room, 1717 H Street, N.W., Washington, DC.

Agency records subject to the request are enclosed. Any applicable charge for copies of the records provided and payment procedures are noted in the comments section.

Records subject to the request have been referred to another Federal agency(ies) for review and direct response to you.

In view of NRC's response to this request, no further action is being taken on appeal letter dated _____.

PART II.A - INFORMATION WITHHELD FROM PUBLIC DISCLOSURE

Certain information in the requested records is being withheld from public disclosure pursuant to the FOIA exemptions described in and for the reasons stated in Part II, sections B, C, and D. Any released portions of the documents for which only part of the record is being withheld are being made available for public inspection and copying in the NRC Public Document Room, 1717 H Street, N.W., Washington, DC, in a folder under this FOIA number and requester name.

Comments

Additional records subject to this request are currently undergoing review for releasability determination. As soon as that determination has been made, we will communicate with you.

SIGNATURE, DIRECTOR, DIVISION OF RULES AND RECORDS

Donna H. Mansley

PART II B APPLICABLE FOIA EXEMPTIONS

Records subject to the request that are described in the enclosed Appendices D are being withheld in their entirety or in part under FOIA Exemptions and for the reasons set forth below pursuant to 5 U.S.C. 552(b) and 10 CFR 9.5(a) of NRC Regulations.

- 1. The withheld information is properly classified pursuant to Executive Order 12356 (EXEMPTION 1).
- 2. The withheld information relates solely to the internal personnel rules and procedures of NRC (EXEMPTION 2).
- 3. The withheld information is specifically exempted from public disclosure by statute indicated (EXEMPTION 3).

Section 141-145 of the Atomic Energy Act which prohibits the disclosure of Restricted Data or Formerly Restricted Data (42 U.S.C. 2161-2165)

Section 147 of the Atomic Energy Act which prohibits the disclosure of Unclassified Safeguards Information (42 U.S.C. 2167)

- 4. The withheld information is a trade secret or commercial or financial information that is being withheld for the reason(s) indicated (EXEMPTION 4).

The information is considered to be confidential business (proprietary) information.

The information is considered to be proprietary information pursuant to 10 CFR 2.790(d)(1).

The information was submitted and received in confidence from a foreign source pursuant to 10 CFR 2.790(d)(2).

- 5. The withheld information consists of interagency or intraagency records that are not available through discovery during litigation. Disclosure of predecisional information would tend to inhibit the open and frank exchange of ideas essential to the deliberative process. Where records are withheld in their entirety, the facts are inextricably intertwined with the predecisional information. There also are no reasonably segregable factual portions because the release of the facts would permit an indirect inquiry into the predecisional process of the agency (EXEMPTION 5).

- XX 6. The withheld information is exempted from public disclosure because its disclosure would result in a clearly unwarranted invasion of personal privacy (EXEMPTION 6).

- 7. The withheld information consists of investigatory records compiled for law enforcement purposes and is being withheld for the reason(s) indicated (EXEMPTION 7).

Disclosure would interfere with an enforcement proceeding because it could reveal the scope, direction, and focus of enforcement efforts, and thus could possibly allow them to take action to shield potential wrongdoing or a violation of NRC requirements from investigators (EXEMPTION 7(A)).

Disclosure would constitute an unwarranted invasion of personal privacy (EXEMPTION 7(C)).

The information consists of names of individuals and other information the disclosure of which would reveal identities of confidential sources (EXEMPTION 7(D)).

PART II C - DENYING OFFICIALS

Pursuant to 10 CFR 9.9 and/or 9.15 of the U.S. Nuclear Regulatory Commission regulations, it has been determined that the information withheld is exempt from production or disclosure, and that its production or disclosure is contrary to the public interest. The persons responsible for the denial are those officials identified below as denying officials and the Director, Division of Rules and Records, Office of Administration, for any denials that may be appealed to the Executive Director for Operations (EDO):

DENYING OFFICIAL	TITLE OFFICE	RECORDS DENIED	APPELLATE OFFICIAL	
			SECRETARY	EDO
Ben B. Hayes	Director, Investigations	D-1 through D-8	XX	

PART II D - APPEAL RIGHTS

The denial by each denying official identified in Part II C may be appealed to the Appellate Official identified in that section. Any such appeal must be in writing and must be made within 30 days of receipt of this response. Appeals must be addressed as appropriate to the Executive Director for Operations or to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should clearly state on the envelope and in the letter that it is an "Appeal from an Initial FOIA Decision."

APPENDIX D

RECORDS WITHHELD IN THEIR ENTIRETY-(6)

1. Undated Resume (1 page)
2. March 5, 1982 Memorandum for Region III Files from James E. Foster, Re: Information Developed, Allegations re Welding at Midland (2 pages)
3. March 5, 1982 Memorandum for Region III Files from James E. Foster, Re: Allegations re Welding at Midland (3 pages)
4. March 6, 1982 Resume (10 pages)
5. March 8, 1982 Bechtel Power Corp. Inter-office memo, Re: Midland Project, Units 1 & 2, Summary of Activities on Midland Site, with attachments (including Oral Examination Records, Performance Demonstration Record, Welding Heat Treatment and NDE, Reference Criteria, Training Record, QC and Basic Reading Requirements records (17 pages)
6. March 9, 1982 Bechtel Memorandum, Re: Certification records (1 page)
7. March 12, 1982 Bechtel Power Corp. Inter-office Memo, Re: Action taken to determine if a generic welding inspection problem exists, with attached list and nonconformance reports (7 pages)
8. March 22, 1982 Memorandum for Region III files from James E. Foster, Re: Contact re Welding at Midland, Docket No. 50-329 (2 pages)

APPENDIX E

RECORDS BEING PLACED IN THE PDR

1. Undated Affidavit, Handwritten and unsigned (5 pages)
2. January 1, 1976 Diagram of Prequalified IGMAW and FCAW Welded Joints (1 page)
3. March 1982 Bechtel Quality Control Instruction sheets (17 pages)
4. Various 1982 Bechtel Quality Control Inspection Record sheets (3 pages)
5. March 24, 1982 Letter to Consumers Power Co. from C. E. Norelius, NRC, re: Routine Safety Inspection conducted on March 2-4, 1982 (2 pages), with attached Inspection Report (dated March 10, 1982) (6 pages)
6. May 12, 1982 Letter to James Foster, NRC, from Barbara Stamiris, re: Welding allegations at the Midland plant (3 pages)
7. July 16, 1982 Affidavit of E. Earl Kent (12 pages)
8. August 11, 1982 Routine and Transmittal Slip to five named individuals from James E. Foster, re: Visit to Region III office by E. Earl Kent (1 page)
9. August 12, 1982 NRC Allegation Data Form, re: Alleged improper termination of QC Inspector (1 page)
10. September 14, 1982 Routine and Transmittal Slip to two named individuals from James E. Foster, re: Recent letter from GAP (1 page), with attached GAP letter to James Keppler (dated September 6, 1982) (5 pages) and its original four attachments (27 pages)
11. October 12, 1982 Letter to GAP from James Keppler, re: September 6, 1982 letter to the NRC (3 pages) with attached anti-discrimination posting (1 page)
12. October 13, 1982 Earl Kent's Interview (5 pages)
13. February 10, 1983 Transcript of program regarding lie detectors, re: Earl Kent/Defective Welds at Nuclear Power Plant (5 pages)
14. June 20, 1983 Letter to the Commissioners from GAP, re: Earl Kent (27 pages)
15. September 7, 1983 Statement of James E. Foster to Charles H. Weil, re: Memos generated with Earl Kent (1 page)

16. September 14, 1983 Report of Inquiry, re: Midland Nuclear Power Plant Allegation of Improper Welding and Termination of Quality Control Inspector's Employment (2 pages)
17. Various 1983, 1984, and 1985 Investigation Status Record sheets (5 pages)
18. February 20, 1985 Memo for E. T. Pawlik from Charles H. Weil, re: Employment discrimination by Bechtel at Midland with handwritten note at bottom of page (1 page)

GOVERNMENT ACCOUNTABILITY PROJECT

1555 Connecticut Avenue, N.W., Suite 202
Washington, D.C. 20036

(202) 232-8550

March 25, 1985

Freedom of Information Act Request

Director
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

FREEDOM OF INFORMATION
ACT REQUEST

FOIA-85-213

rec'd 3/27/85

To Whom It May Concern:

Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. Section 552, the Government Accountability Project (GAP) requests copies of any and all agency records and information, including but not limited to notes, letters, memoranda, drafts, minutes, diaries, logs, calendars, tapes, transcripts, summaries, interview reports, procedures, instructions, engineering analyses, drawings, files, graphs, charts, maps, photographs, agreements, handwritten notes, studies, data sheets, notebooks, books, telephone messages, computations, voice recordings, computer runoffs, any other data compilations, interim and/or final reports, status reports, and any and all other records relevant to and/or generated in connection with the Brookhaven National Laboratory (BNL) investigation of the allegations of Mr. E. Earl Kent, and all drafts, materials, etc., developed by Brookhaven. This request includes all correspondence (of any type) between BNL and the Bechtel Corporation, Consumers Power Company, Southern California Edison, and any representatives or staff members of the professional societies (i.e., AWS, ASME, ANSI, etc.).

This request includes all agency records as defined in 10 C.F.R. Section 9.3a(b) and the NRC Manual, Appendix 0211, Parts 1.A.2 and A.3 (approved October 8, 1980) whether they currently exist in the NRC official, "working", investigative or other files, or at any other location, including private residences.

If any records are defined in 10 C.F.R. Section 9.3a(b) and the NRC Manual, supra, and covered by this request have been destroyed and/or removed after this request, please provide all surrounding records, including but not limited to a list of all records which have been or are destroyed and/or removed, a description of the action(s) taken relevant to, generated in connection with, and/or issued in order to implement the action(s).

GAP requests that fees be waived, because "finding the information can be considered as primarily benefitting the general public," 5 U.S.C. 552(A)(4)(A). GAP is a non-profit, nonpartisan

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288

Freedom of Information Request

March 25, 1985

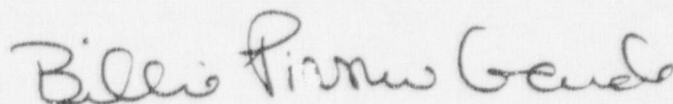
Page Two

public interest organization concerned with honest and open government. Through public outreach, the Project promotes whistleblowers as agents of government accountability. Through its Citizens Clinic, GAP offers assistance to local public interest and citizens groups seeking to ensure the health and safety of their communities. The Citizens Clinic is currently assisting several citizens groups, local governments and intervenors in the mid-Michigan area concerning the construction of the Midland plant.

We are requesting the above information as part of an ongoing monitoring project on the adequacy of the NRC's efforts to protect public safety and health at nuclear power plants.

For any documents or any portions that you deny due to a specific FOIA exemption, please provide an index itemizing and describing the documents or portions of documents withheld. The index should provide a detailed justification of your grounds for claiming each exemption, explaining why each exemption is relevant to the document or portion of the document withheld. This index is required under Vaughn v. Rosen (I), 484 F.2d 820 (D.C. Cir. 1973), cert. denied, 415 U.S. 977 (1974).

We look forward to your response to this request within ten days.



Billie Pirner Garde
Citizens Clinic Director