

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
DOCKETED
USNRC

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

'84 MAY 11 P3:22

In the Matter of)	OFFICE OF SECRETARY	
)	DOCKETING & SERVICE	
CONSUMERS POWER COMPANY)	BRANCH	Docket Nos. 50-329-OM
)		50-330-OM
(Midland Plant, Units 1)		50-329-OL
and 2))		50-330-OL

CROSS-REFERENCE TO INTERVENOR BARBARA
STAMIRIS' PREVIOUSLY FILED PROPOSED FINDINGS
OF FACT AND CONCLUSIONS OF LAW

All findings in Intervenor's Proposed and First Supplemental Proposed Findings of Fact remain the same unless otherwise indicated below.

- I. INTERVENOR BARBARA STAMIRIS' PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW (December 10, 1981).
13. Although accurate at the time filed, Consumers has subsequently reorganized, as explained, infra.
14. This finding should be eliminated. Although accurate at the time filed, the DGB Inspection has indicated that Consumers' increased involvement in contractors' activities has not led to more timely and effective decision making and resource allocation.
16. This sentence should be added: The NRC inspections to date, including the DGB inspection, have demonstrated that the integration of QC into Consumers' QA program has not led to more timely and thorough corrective actions.

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17. The first sentence of this paragraph should be eliminated in light of the new trend analysis program instituted after the NRC staff found serious deficiencies in the prior trend analysis program referenced in this finding.

37. This sentence should be added: The Midland team testified that the Crosby Course has not improved Consumers' QA implementation or its management attitude. Shafer, Tr. at 16880.

42. This sentence should be added: Mr. Gilray testified that he would defer to Region III's opinion as to whether prior predictions of Consumers' improved QA performance had come to fruition. Dr. Landsman testified they had not. Gilray and Landsman, Tr. at 16888.

49. The second sentence of this finding should be eliminated.

72. This sentence should be added: The 1980 reorganization has not led to a greater management commitment to quality construction and QA principles. In fact, as explained, infra, it may have contributed to the QA breakdown the NRC discovered in late 1982 in its DGB inspection and to a contentious relationship with the NRC staff.

106. This sentence should be added to this finding: In the DGB inspection findings and in the initial findings of the Tera Corporation in the IDVCP, we find further bases that the as-built condition of the plant does not meet the design requirements.

153. The last sentence of this finding should be amended to read: We believe these decisions were caused by time and financial pressures and thus reflect poorly on Consumers' attitude toward safe construction of Midland.

187. This finding should be amended to read: We find example 2C above provides additional evidence that Consumers' concern with cost and scheduling adversely impacted the soils work at Midland.

II. INTERVENOR BARABARA STAMIRIS' SUPPLEMENTAL FINDINGS OF FACT AND CONCLUSIONS OF LAW (March 29, 1982).

101. The first sentence of this finding should be replaced by this sentence: The only improvement we note is Bechtel's commitment to document on-the-job training ("OJT"), which it should have done initially.

135. The first sentence of this finding should be replaced by the following sentence: Contrary to Criterion XVI cited above, we find that applicant is unable to identify deficiencies, or, once identified, correct these deficiencies.

The second sentence of this finding should be amended to read: The evidentiary basis for this conclusion is set forth in Stamiris' Proposed Findings of December, 1981, repetitious inspection findings of the NRC staff, the DGB inspection findings, and the recent findings of the third party overviews at Midland.

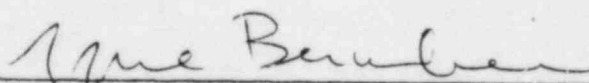
p. 44. The first sentence, starting with "Based on the NRC's observation..." should be eliminated.

III. CONCLUSIONS OF LAW

The Conclusions of Law and Order sections of each set of previously filed findings should be replaced with those sections of Intervenor's Second Supplemental Proposed Findings of Fact and Conclusions of Law.

Respectfully submitted,

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