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U. S. Nuclear Regulatory Commission

In the Matter of
CPC Midland Plant
Units 1 & 2

Docket Nos.
329-OL
330-OL

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

STAMIRIS RESPONSE TO CPC 8/30/82 INTERROGATORIES
AND DOCUMENT REQUESTS

9/13/82

CONTENTION 1: COST/BENEFIT ANALYSIS

1b: Decommissioning costs

Q1a. Midland's decommissioning estimate of \$235 million in 1982 dollars represents \$95 thousand/MW while Big Rock and Palisades \$111 decommissioning estimate in 1980 dollars is \$159 thousand/MW (CPC decommissioning pamphlet MP 6/81-50M).

In Applicant/Staff exhibit 1 of MPSC Case U-6041^{CPC}, estimates that \$526 million will be needed to decommission Big Rock and Palisades at the end of their full life expectancy. This represents about 200% of their original construction costs. Yet Midland's decommissioning is represented as 7% of its original construction costs.

If inflation allowances are taken into account in computing cost-savings in the cost/benefit analysis to the public, they should be similarly considered in computing actual decommissioning costs.

Based upon the 1973 Elk River decommissioning experience, even in completion year dollars, approximately 28% of original construction costs should be allowed for decommissioning (table 1 attached).

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The documents upon which I have based these statements are: 1980 newspaper articles; CPC 1981 decommissioning pamphlet; MPSC case U-6150 9/15/80 testimony of Peter Skinner (table 1) ; and 6/11/79 petition for generic proceeding, p. 5 (attached per document request 3).

Q1b, c, d; 2 and 3

I have no witnesses at this time for any of my contentions. I will supplement these responses accordingly if I am able to secure any witnesses.

Q4 See response to 1a, to NRC interrogatory 1a; and Stamiris 8/24/82 pleading.

CONTENTION 2: QA/QC INTERNAL REPORTING SYSTEMS

Q5 and 1e

The attached 8/26/82 and 9/7/82 newspaper accounts exemplify two instances of job loss resulting from QA/QC reporting with Bechtel at Midland. I do not know the addresses, dates of disciplinary action, or have information beyond that given in the articles regarding suits by Ronald Corto and Leo Krashfeski regarding drilling of core holes into reinforcing bar contrary to QC procedures.

I am personally aware of two other individuals, former plant employees, who assert they lost their jobs due to QA/QC reporting. According to their wishes, I will not reveal their identity. I do not presently intend to call them as witnesses, but should this situation change. I will promptly provide the information sought in this interrogatory.

Q6 No other person participated in the preparation of the answers to these interrogatories.

CONTENTION 1c: DEFECTIVE BELTLINE WELD UNIT I

Q1a The EFPY estimates for the Unit I reactor are inconsistent within the SER (P5-19, C-10). The life expectancy duration of Unit I depends on the

feasibility of post-operation thermal annealing which is an untried experimental procedure (8/14/82 Board memo, p 28). In-service surveillance of reactor weld conditions as described in the SER (p 5-19) can not provide adequate safety assurances or life expectancy estimates accounting for the possibility of sudden brittle fracture and Basedekas concerns (4-29-82 memo to Palladino).

Document Request 1

I have no documents beyond the aforementioned SER and hearing records on the subject of the Unit I estimated lifespan. I have not personally estimated the lifespan of Unit I. The only calculations I have performed in this regard were an attempt (as explained at the August 13, 1982 prehearing conference) to determine what the NRC Staff's underlying lifespan estimates were for Units I and II.

CONTENTION 6: DEWATERING EFFECTS

Q1a and Document Request 3

At this time I do not have any documentary support or background information regarding my contention that permanent dewatering effects on ground water relationships over a period of decades, has not been adequately assessed.

CONTENTION 8: INDEPENDENT DESIGN AUDIT

Qa1 and Document Request 3

Shortly after the August 12-14, 1982 prehearing conference, I obtained a copy of the Houston Light and Power Co., South Texas Project, Docket Nos. 50-498, 50-499 "Order to Show Cause" regarding the independent audit sought by the NRC order. Upon reviewing this document, it appears that the requested South Texas independent audit was directed more to the QA/QC program and implementation than to an independent design and construction audit as sought by my contention.

Document Request 2; b and c

At this time I do not have any exhibits or documents for the purpose of cross examination of witnesses prepared.

Respectfully Submitted,

Barbara Stamiris

Barbara Stamiris
5795 North River Road
Freeland, MI 48623

cc. ASLB members
W. Paton, NRC
M. Miller, CPC
Secretary, NRC

Doc. Request

	Publication Date	Reactor Type	Reactor Size	Age At Decommissioning	Costs	Original Facility Cost (including IDC)	Dismantlement As % at Original Facility Cost
IN	November 1976	PWR	1160 MWe (P. 3.3)	40 yrs. at 80% Utilization (P. 19)	<u>\$26.87-31.30 million</u> (\$1975) (P. 24, 25)	N.G.	
			550 MWe	Same	18% less than above (P. 21)	N.G.	
		BWR	1178 MWe (P. 21)	Same	<u>\$31.16-31.50 million</u> (\$1975) (P. 24-25)		
			550 MWe	Same	20% less than above (P. 21)	N.G.	
NUREG/C-0130	June 1979	PWR	1175 MWe (P. 2-6)	40 yrs. 75% Full Power (P. 7-16)	<u>\$37.0-42.1 million</u> (\$1978) (P. 2-12)		
NUREG/CR-0672	June 1980	BWR	1155 MWe (P. C-1)	30 yrs. at Full Power (P. E-2)	<u>\$43.551-66.671 million</u> (\$1978) (P. 2-11)	N.G.	
Final Program Report AEC-ELK River Reactor	Rev. Nov. 1974	PWR (P. 3)	22.5 MWe (P. 3)	6 yrs. at less than 50% full power (P. 1 and 3) and (P. 7-16, NUREC/CR-0130)	<u>\$6.148 million</u> (mixed \$1972-1973) (P. 40)	\$12.1 million (\$1961) (Letter Glanberman-Sommer, 1976)	28%
Skinner Estimate Letter, (Skinner to All Parties, etc. April 7, 1978)	April 7, 1978	PWR (North-east Location)	1160 MWe	30 yrs. at 55% capacity factor	<u>\$249 million</u> (\$1977) (Based on Elk River Cost percentage above)	\$947/KWe (1977)	28%

22.

(1 of 4)

1/15/80
Skinner Testimony
APSC U 6/50
table 1

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Authority, Oct. 25, 1977), Order at 45.

MPSC U-6150

Q1a

c. Decommissioning costs are the subject of widely varying estimates as to the substantial sums of money involved.

(1) For totally dismantling 700 to 900 MW facilities, and in present value terms, utility company estimates vary from \$50 to \$100 million; for federal agencies the estimates are much lower, \$35 to \$50 million; and still lower are the Atomic Industrial Forum's estimates of \$27 to \$31 million. "Costs and Financing of Reactor Decommissioning: Some Considerations," Vincent L. Schwent, Staff, California Energy Commission in NUREG/CP-0003, Conference Proceedings for State Workshops for Review of the NRC Decommissioning Policy, Sept. 18-30, 1978 at 294, Office of Standards Development, Office of State Programs, U.S. NRC (on file with the MPSC).

(2) Michigan utilities have presented conflicting estimates of the relative costs of decommissioning.

(A) The Consumers Power Company projects decommissioning/dismantling costs for the Palisades and Big Rock facilities at more than 200% of the cost of the facilities, or \$526 million in funds collected. Stipulation between Staff and Consumers Power Company, U-6041 (filed as Exhibit A/S-1). This represents a revenue requirement of approximately \$1 billion to be collected from ratepayers over the remaining 20-30 year life of the facilities, approximately \$460 million of which would be paid to the U.S. Government in income taxes on the increased revenues. The Consumers Power Company has reported to the NRC that decommissioning costs for the Midland facility will equal only 5% of the plant capital cost.

Worker files n-plant suit

By LORIE SHANE
Daily News staff writer

A journeyman pipefitter employed at the Midland nuclear plant is suing Bechtel Power Corp. and his union, claiming he was denied work for a time in 1980 and 1981 because he reported quality control violations to Consumers Power Co. and the Nuclear Regulatory Commission.

In a complaint filed in Midland County Circuit Court on Aug. 3, Ronald Corto of Sanford alleges he was told by his union's business agent that "Bechtel was refusing to allow plaintiff (Corto) to work at the site because he was a trouble maker and had made complaints to Consumers Power and/or the Nuclear Regulatory Commission."

The union is Local 85 of the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada, AFL-CIO, based in Saginaw. The local and Bechtel are named as defendants in the suit. Bechtel is the primary contractor for Consumers at the nuclear plant.

Contacted at his home Tuesday, Corto said he has been advised by his attorney not to discuss the case. He is being represented by Rod O'Farrell, of O'Farrell, Busner & Smith, Saginaw.

O'FARRELL SAID Wednesday his client is asking for damages in excess of \$10,000, but declined to name a specific figure.

A court date for the case has not been set.

Plant spokesman Norman Saari declined comment on the suit Wednesday, other than to supply information about various buildings on the plant site which are named in the suit.

He said he has not seen a copy of the complaint and that Consumers and Bechtel would reply through the legal system.

Corto's complaint states that he was working for Bechtel at the nuclear plant site in July 1979 when he was ordered by supervisory personnel to drill "coreholes" in the evaporator building.

Corto and other pipefitters were ordered to drill the holes through reinforcing bars located in the concrete walls of the building, the complaint states.

Saari said coreholes generally are drilled in order to put something into the wall or for sampling or inspection purposes.

Quality control procedures at that time stated that if workers encountered reinforcing bars during drilling, they were to contact quality control personnel to see if drilling should continue or if the hole should be relocated, according to the complaint.

CORTO WAS aware of that procedure, but "was ordered to ignore the quality control policy then in effect and was further ordered to dispose of the scrap from the reinforcing bars immediately so that the violations of quality control policy would not be discovered," the complaint states.

Corto completed the work as ordered and, approximately one week later, was ordered to drill holes through reinforcing bars in buildings located in the tank farm area — again without contacting quality control personnel, according to the complaint.

Corto apparently did not immediately report the alleged violations.

In mid-August of that year, he

requested a transfer from second shift to first shift. He was told he should resign from the second shift position and report for work on the first shift, which he did, according to the complaint.

Corto later became involved in a series of shift change disputes, in which he attempted to move from a second shift position to a first position. He reported to a first shift position twice, but was not allowed to work either time, according to the complaint.

Taking the case to union business agent Robert Ducharme, he was given a referral to begin work with Babcock & Wilcox, another contractor at the site.

After starting work for Babcock & Wilcox, he was told by Bechtel personnel that he was still employed by that corporation and that he would be fired for not reporting to his former second shift position.

RETURNING TO Ducharme, Corto's complaint states he was told he would have to resign from Bechtel or else he would not be eligible for re-hire with Babcock & Wilcox. Corto then resigned from Bechtel on Aug. 28, 1979.

Following the shift disputes, Corto reported the quality control violations to the NRC representative on the site and to Consumers, the report states.

O'Farrell declined comment on why Corto did not report the alleged quality control violations until after the shift disputes.

Both the NRC and Consumers investigated his claims, according to the complaint, but the results of any investigation are not discussed in the document.

Saari declined comment on any investigation done by Consumers.

James Foster, with the NRC's Region III Office of Investigations, confirmed Wednesday that Corto discussed the alleged violations with Ronald Cook, the NRC's on-site inspector.

Foster said his files show that Consumers investigated Corto's claims and found that procedures were not followed. The foreman and superintendent "were admonished concerning work requirements on this project," according to Foster's records.

Foster said the only building named in his records is the evaporator building. Since that building is not safety-related, the NRC does not regulate it and

Consumers would not be required to file a report with the NRC on the matter, Foster said.

Cook informed him of the procedure violation sometime last year, Foster said.

CORTO TOOK sick leave beginning sometime in January 1980 and was advised later that month that he had been laid off. After recovering, he tried to be re-hired at the plant "over a period of many months and was continuously advised by the local union that no work was available," the complaint states.

He then was told by Ducharme that Bechtel was refusing to allow Corto to work at the site because he was a troublemaker and had made reports to the NRC and Consumers, the complaint states.

It is not clear from the complaint when Corto's sick leave ended or when Ducharme allegedly made the comments about Bechtel. O'Farrell declined comment on that Wednesday.

Corto returned to work for Bechtel at the plant site sometime in May 1981. The complaint does not discuss why he was re-hired and O'Farrell also refused to comment on that item.

CORTO HAS "suffered and continues to suffer loss of pay and other fringe benefits during the period for which he was barred from re-hire and has further suffered and continues to suffer great personal anxiety, pain and suffering, loss of self esteem and fear for his continued employment," the complaint states.

He is contending that Bechtel violated the National Labor Relations Act and that the union "did violate its duty of fair representation" by failing to inform him why he was not being re-hired and by failing to invoke grievance procedures against Bechtel.

Also, he is contending that both Bechtel and the union "conspired together to deprive plaintiff of his employment," which "is contrary to the public policy of the State of Michigan," and that their actions violated state common law.

A spokeswoman in the Local 85 office said Tuesday that Ducharme is out of town and will not be back until Friday. Ducharme manages the local's office, she said.

Former Bechtel employee sues firm

By STEVE CALLANDER
Times Writer

A former Bechtel Power Corp. employee who claims he was fired for reporting the company's alleged violations at the Consumers Power Co.'s Midland Nuclear Plant has filed suit in federal court against Bechtel and a union local.

Leo Krashfeski is seeking unspecified damages over \$10,000 from Bechtel and Local 85 of the AFL-CIO branch of United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the U.S. and Canada. Krashfeski filed a joint suit with his wife, Sarah.

Krashfeski, now a traveling pipefitter in the Buffalo, N.Y., area, claims Bechtel fired him after he reported alleged quality control violations while working in July 1979 as a pipefitter at the nuclear plant, where Bechtel is the general contractor.

The alleged violations were reported to Consumers and to the Nuclear Regulatory Commission. Consumers ordered Bechtel to make "some modifications" to the building as a result of the investigation, conducted in September 1979, according to Consumers' Public Affairs Director Norm Saari.

The NRC found violations, but took no action against Bechtel because the building, which includes a set of heat exchangers designed to produce steam for industrial use, doesn't house safety systems that control the nuclear plant, Saari said.

Bechtel considered Krashfeski a troublemaker and manufactured reasons to fire him, the suit says.

Another Bechtel worker, Ronald Corto, of Sanford, filed a companion suit in Midland County Circuit Court Aug. 3. That suit has now been transferred to federal court in Bay City.

Corto had accepted reinstatement and still works for Bechtel.

The suits filed by Krashfeski and Corto both ask unspecified damages over \$10,000 for the period when they allegedly were not able to regain their jobs with Bechtel.

Bechtel officials declined comment and referred all questions to Consumers Power Co. The union's business agent, Robert Ducharme, also declined comment and referred questions to the union attorney, Gerald Pergande, of Bay City.

"They both (Krashfeski and Corto) quit their jobs with Bechtel and went to work with Babcock and Wilcox," said Pergande. "There was no reason for the union to get them their jobs back. Bechtel didn't discharge them, they just walked out."

"They had originally volunteered to work second shift, then wanted go back on first shift. There is nothing in the collective bargaining contract that allows choice of shifts."

Leo Krashfeski was unavailable for comment and Sarah Krashfeski declined comment.

Corto also declined comment on the advice of his attorney, Rod O'Farrell, of Saginaw.

Krashfeski and two other Bechtel employees were ordered to drill holes through reinforcing bars in concrete walls at the Evaporator Building, according to the suit.

9-1-82 Bay City Times