

Sept 29, 1980

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ADMINISTRATIVE LAW JUDGE

In the Matter of)	
)	
CONSUMERS POWER COMPANY)	Docket No. 50-255
(Palisades Nuclear Power Facility))	(Civil Penalty)

NRC STAFF'S ANSWERS TO CONSUMERS POWER COMPANY'S
SECOND ROUND OF INTERROGATORIES, DATED
AUGUST 20, 1980

The NRC Staff hereby submits its answers to Consumers Power Company's second round of interrogatories, dated August 20, 1980. The Staff's answers follow the restatement of each interrogatory.

Interrogatory 1:

List each factor and/or criterion which the Office of Inspection and Enforcement utilizes in evaluating whether to treat a condition caused by a single act or series of acts but which persists thereafter as a continuing violation under Section 234 of the Atomic Energy Act.

Answer to Interrogatory 1:

General guidance is provided in the Statement of Consideration accompanying issuance of 10 CFR 2.205, 36 Fed. Reg. 16894 (1971):

Furthermore, section 234 of the Act provides that if any violation is a continuing one, each day of violation shall constitute a separate violation for the purpose of computing the applicable civil penalty. In a case where, despite the exercise of reasonable diligence, a licensee was not aware of the violation until brought to its attention by the Commission, the computation of the period of violation would normally begin at that time or after the time allowed the licensee for corrective action. On the other hand, if the evidence showed that a licensee had knowingly permitted violations to continue, the computation of the period of violation might begin at the time the licensee permitted the violations to continue.

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Given this general guidance, the Director of the Office of Inspection and Enforcement has broad discretion to determine whether to assess penalties for each day of a continuing item of noncompliance.

Interrogatory 2:

With respect to each factor or criterion listed in response to Interrogatory 1 above, state the manner in which the factor or criterion is relevant to the question of whether Item 1 is a continuing violation. This statement should include an explanation of whether the existence of the factor or criterion in question militates in favor of a determination that the noncompliance is continuing or noncontinuing, and an explanation of whether the particular factor or criterion is of major, minor or average significance.

Answer to Interrogatory 2:

Neither of the Statement of Consideration's examples of application of civil penalties to a continuing item of noncompliance fit exactly the circumstances surrounding the breach of containment integrity at the Palisades facility. The NRC Staff does not contend that Consumers Power Company knowingly permitted operation of the facility while the valves were locked open. The incident at Palisades does not, however, constitute a case in which "a licensee was not aware of the violation" such that "the computation of the period of the violation would normally begin at that time [the violation was discovered] or after the time allowed the licensee for corrective action." The violation in this case is far from "normal". The Director underscored this point in his letter to Consumers Power Company which transmitted the Order Imposing Civil Monetary Penalties:

"Contrary to your view we nevertheless continue to believe as stated in my letter of November 9, that 'prolonged violation of containment integrity is a matter of very serious safety significance'. This basic fact underlies our view that this case is not properly considered 'normal' and that, in this particular situation, computation of the period of violation is entirely consistent with the...Statement of Consideration [on 10 CFR 2.205]" Letter at 2 (Dec. 20, 1979).

The seriousness of the breach of containment integrity at Palisades is highlighted by the following matters:

- (1) Containment integrity plays a significant role in assuring adequate protection of public health and safety from the operation of power reactors;
- (2) The prolonged breach of containment integrity added to the risk to the public each day it existed during the 17 month period; and
- (3) The consequences resulting from a loss-of-coolant accident (LOCA) that might occur while the valves were in the locked open position are potentially severe.

Given the seriousness of the 17 month breach of containment integrity at Palisades, the incident was far from normal or routine. Civil penalties are, therefore, appropriately assessed for each day of noncompliance.

Interrogatory 3:

Identify each factor or criterion which the NRC will rely upon in support of its position that the Administrative Law Judge categorize Item 1 of noncompliance as a continuing item of noncompliance.

Answer to Interrogatory 3:

The NRC Staff will rely on the following "factors" in support of its position that the Administrative Law Judge impose penalties for each day the noncompliances in Item 1 existed:

- (1) The Commission has broad discretion in determining the circumstances in which it is appropriate to use the Commission's available enforcement sanctions; and
- (2) Civil penalties for each day of noncompliance are appropriate in this case because of the seriousness of noncompliance with the

requirement to maintain containment integrity. The seriousness of the incident is indicated by:

- (a) Containment integrity is important in assuring adequate protection of public health and safety from the operation of power reactors;
- (b) The prolonged breach of containment integrity added to the risk to the public each day it existed during the 17-month period; and
- (c) The consequences resulting from a loss-of-coolant accident (LOCA) that might occur while the valves were in a locked open position are potentially severe.

Interrogatory 4:

Identify each factor or criterion known to the NRC which supports Consumers' position that the Administrative Law Judge categorize Item 1 as a noncontinuing violation.

Answer to Interrogatory 4:

There are no facts of which the Staff is aware which would indicate that Item 1 was not a continuing violation.

Interrogatory 5:

Identify each witness, and describe the subject matter of his or her testimony, which the NRC will present with respect to the issue of whether Item 1 of noncompliance constitutes a continuing item of noncompliance.

Answer to Interrogatory 5:

Victor Stello, Jr., the Director of the Office of Inspection and Enforcement, will testify concerning the significance of the noncompliances charged in Item 1 of the violation and, thus, the appropriateness of imposing civil penalties for each day of noncompliance.

Bruce L. Jorgensen, Resident Inspector at the Palisades site, will testify concerning the scope and findings of his investigation on behalf of the NRC into the matters which led to the initiation of this civil penalty proceeding.

The NRC Staff may call certain employees of Consumers Power Company to testify to matters concerning the circumstances surrounding this incident. The need to do so will depend on Consumers Power Company's answers to the Staff's second round interrogatories and to the Staff's requests for admissions, which will be filed shortly.

Interrogatory 6:

If any of the witnesses identified in response to Interrogatory 5 will be presented as expert witnesses, list the following with respect to each such witness:

- (a) the witness' field of expertise;
- (b) the facts which the NRC believes qualify the witness as an expert in that field;
- (c) whether the witness has ever been granted expert witness status in any other proceeding, whether administrative or judicial.

Answer to Interrogatory 6:

Mr. Stello will be presented as an "expert" witness. Mr. Stello has been granted expert witness status in other proceedings. Biographical information is attached which describes Mr. Stello's engineering background and qualifications to appear as an expert in this proceeding.

Interrogatory 7:

If any of the witnesses identified in response to Interrogatory 5 will be presented as occurrence [sic] witnesses, describe the manner in which the witness became aware of the facts to which he or she will testify.

Answer to Interrogatory 7:

If by "occurrence" witnesses, Consumers Power Company means witnesses who will testify as to factual matters bearing on whether or not the non-compliances occurred, then Mr. Jorgensen will be presented as an "occurrence witness". Mr. Jorgensen became aware of the facts to which he will testify during inspections at the Palisades facility which included interviews of plant personnel and review of plant documents.

Interrogatory 8:

Identify and describe all of the evidence which the NRC will adduce with respect to the issue of whether Item 1 of noncompliance constitutes a continuing item of noncompliance.

Answer to Interrogatory 8:

The NRC Staff intends to introduce into evidence the Licensee Event Reports (Nos. 79-037 and 79-037, Rev. 1) prepared by Consumers Power Company, its responses to the Notice of Violation and Notice of Proposed Imposition of Civil Penalties dated November 29 and December 6, 1979, the containment integrity checklist and the HEPA test procedures used by Consumers Power Company, and documents A through E, which were provided in response to the NRC Staff's first round of interrogatories. The NRC Staff will also present the testimony of Mr. Jorgensen, as described in response to interrogatory 5. The NRC Staff may call certain employees of Consumers Power Company as discussed in the answer to interrogatory 5.

With respect to the appropriateness of imposing civil penalties for each day of noncompliance, the NRC Staff will present the testimony of Mr. Stello as described in response to interrogatory 5.

See the qualification to this answer set forth in answer to interrogatory 30.

Interrogatory 9:

Identify each factor or criterion which the NRC will reply upon in support of its position that the Administrative Law Judge categorize Item 1 of noncompliance as a violation.

Answer to Interrogatory 9:

The NRC Staff will rely on subcategories (b), (c), (d), and (e) for a "violation", which are set forth in Attachment B to the December 31, 1974, Criteria for Determining Enforcement Action and Categories of Noncompliance. Subcategories (b) and (c) are applicable, because the noncompliances charged in item 1 had a "substantial potential for...contributing to or aggravating... an incident or occurrence [such as] ...(b) [R]adiation levels in unrestricted areas which exceed 50 times the regulatory limits" or (c) [R]elease of radioactive materials in amounts which exceed specified limits, or concentrations of radioactive materials in effluents which exceed 50 times the regulatory limits." An incident resulting in the consequences described in subcategories (b) and (c) could have occurred at the Palisades facility had an accident at the plant occurred while the valves were in the locked open position.

This fact is indicated by Consumers Power Company's own calculations of potential consequences under accident conditions with valves open. The Staff will rely on the design basis accident (i.e., a loss-of-coolant accident resulting from a 42-inch line break which assumes ECCS operation) put forward by Consumers Power Company in paragraph 1 of Mr. Youngdahl's December 6, 1979, letter to Mr. Stello. Consumers Power Company's analysis under those conditions results in a 112 rem two-hour thyroid dose and a 3.75 rem

two-hour whole body dose. These calculations indicated that an accident could result in radiation levels in unrestricted areas which would exceed 50 times the regulatory limits in 10 CFR 20.105(b)(i) or could result in release of radioactive materials in excess of the concentrations in effluents permitted by 10 CFR 20.106(a) and 10 CFR Part 20, Appendix B, Table II. ^{*/}

Operation of the Palisades plant with the valves in the locked open position, i.e., with containment integrity breached, constitutes "operation of Seismic Category I system or structure in such a manner that the safety function or integrity" of the system or structure, i.e., the containment, was lost. Similarly, had an accident occurred at the plant while the valves were in the locked open position, containment integrity would not be maintained, and, hence, the containment would not perform its important safety and consequences-limiting function.

Interrogatory 10:

Identify each witness, and describe the subject matter of his or her testimony, which the NRC will present with respect to the issue of whether Item 1 of noncompliance constitutes a violation.

Answer to Interrogatory 10:

Victor Stello, Jr., will testify concerning the classification of the noncompliances as a violation. The NRC Staff may also call a witness to give testimony concerning the potential consequences resulting from an accident at the Palisades plant with the containment isolation valves in the locked open position. The Staff has not selected, however, such a witness at this time. The Staff will inform Consumers Power Company of the Staff's intended witness when such witness has been selected.

^{*/} The potential consequences are even more severe under Consumers' analysis for a Maximum Hypothetical Accident (i.e., a LOCA without credit for ECCS operation).

Interrogatory 11:

If any of the witnesses identified in response to Interrogatory 10 will be presented as expert witnesses, list the following with respect to each such witness:

- (a) the witness' field of expertise;
- (b) the facts which the NRC believes qualifies the witness as an expert in that field;
- (c) Whether the witness has ever been granted expert witness status in any other proceeding, whether administrative or judicial.

Answer to Interrogatory 11:

For Mr. Stello's qualifications, see the answer to interrogatory 6.

Interrogatory 12:

If any of the witnesses identified in response to Interrogatory 10 will be presented as occurrence [sic] witnesses, describe the manner in which the witness became aware of the facts to which he or she will testify.

Answer to Interrogatory 12:

In presenting testimony on whether the noncompliances in Item 1 should be classified as violations, the witnesses would not be considered "occurrence" witnesses, as the Staff understands Consumers Power Company's use of the term occurrence. See Staff's Answer to Interrogatory 7.

Interrogatory 13:

Identify and describe all of the evidence which the NRC will adduce with respect to the issue of whether Item 1 of noncompliance constitutes a violation.

Answer to Interrogatory 13:

In addition to the testimony identified in response to interrogatory 10, the Staff intends to introduce into evidence Consumers Power Company's calculations and estimates of potential consequences of an accident with the

containment isolation valves in the locked open position. These documents include Consumers Power Company's Licensee Event Report No. 79-037, Rev. 1, Consumers Power Company's internal memoranda RAE 75-79, RAE 74-79, RAE-58-77, JLB 32-77, RWS 167-79, RWS 168-79, JLB 74-79, and Consumers Power Company's responses of November 29 and December 6, 1979, to the Notice of Violation and Notice of Proposed Imposition of Civil Penalties.

See the qualification to this answer set forth in answer to interrogatory 30.

Interrogatory 14:

Identify and describe all of the evidence known to the NRC which supports Consumers' position that the Administrative Law Judge not categorize Item 1 as a violation.

Answer to Interrogatory 14:

There is no factual evidence of which the Staff is aware which would support Consumers Power Company's position.

Interrogatory 15:

Did the Director of IE or any other person at IE Headquarters inform Mr. Keppler of the reasons Mr. Keppler's recommended fine was not accepted?

Answer to Interrogatory 15:

Yes.

Interrogatory 16:

If the answer to Interrogatory 15 is "yes", state whether the communication was oral or in writing, state the date of the communication, and identify the persons who participated in the communication.

Answer to Interrogatory 16:

The communication was oral, i.e., by telephone, and took place on or about November 1, 1979. Norman C. Moseley, Director of Reactor Operations

Inspection, (ROI), I&E, Samuel E. Bryan, Assistant Director for Field Coordination, ROI, IE, James G. Keppler, Director, NRC Region III, Robert F. Heishman, Chief, Reactor Operations and Nuclear Support Branch (RONS), NRC Region III, and Dwane C. Boyd, Section Chief, RONS, NRC Region III, participated in the communication.

Interrogatory 17:

Identify each factor or criterion which the NRC will rely upon in support of its position that the Administrative Law Judge not mitigate the penalty proposed by IE.

Interrogatory 18:

Identify each witness, and describe the subject matter of his or her testimony, which the NRC will present with respect to the issue of whether the proposed penalty should be mitigated.

Interrogatory 19:

If any of the witnesses identified in response to Interrogatory 18 will be presented as expert witnesses, list the following with respect to each such witness:

- (a) the witness' field of expertise;
- (b) the facts which the NRC believes qualify the witness as an expert in that field;
- (c) whether the witness has ever been granted expert witness status in any other proceeding, whether administrative or judicial.

Interrogatory 20:

If any of the witnesses identified in response to Interrogatory 18 will be presented as occurrence witnesses, describe the manner in which the witness became aware of the facts to which he or she will testify.

Interrogatory 21:

Identify and describe all of the evidence which the NRC will adduce with respect to the issue of whether the proposed penalty should or should not be mitigated.

Answer to Interrogatories 17 through 21:

Interrogatory 17 asks the Staff to identify the factors or criteria on which the Staff will rely in support of the Staff's position that the imposed civil penalties not be mitigated. Interrogatories 18, 19, and 20 request identification of the witnesses who will testify for the Staff at any hearing in this case on the matter of mitigation. Interrogatory 21 asks the Staff to identify the evidence the Staff will adduce with respect to mitigation.

The Staff does not have the burden of going forward with arguments that the penalty should not be mitigated; rather, Consumers Power Company must go forward with any arguments concerning mitigation of the penalty and must ultimately bear the burden of persuading the Administrative Law Judge that the penalty should be mitigated. In its second round of interrogatories, the Staff asks Consumers Power Company to identify the evidence, factors, criteria, and witnesses which Consumers Power Company will present in support of its position that the penalty should be mitigated or remitted. Until Consumers Power Company identifies such matters, the Staff cannot say that it intends to present any evidence or witnesses with respect to mitigation of the civil penalty.

Interrogatory 22:

Identify and describe all of the evidence known to the NRC which supports Consumers' position that the Administrative Law Judge mitigate the civil penalty proposed by the Director of IE.

Answer to Interrogatory 22:

There is no factual evidence of which the Staff is aware that would support Consumers Power Company's position.

Interrogatory 23:

Has the NRC conducted any investigations regarding the noncompliances which are the subject of this enforcement proceeding? These would include interviews of Consumers' personnel or of NRC personnel, the review of Consumers' procedures as well as any other attempt at gathering factual information and data concerning the existence of the noncompliances.

Answer to Interrogatory 23:

Yes.

Interrogatory 24:

If the answer to Interrogatory 23 above is "yes", describe all such investigations, the results which were obtained therefrom, and the inferences or conclusions which the NRC draws from the results of the investigations.

Answer to Interrogatory 24:

NRC inspections involved the review and investigation of the circumstances surrounding the noncompliances identified in the Notice of Violation. The NRC has also conducted inspections and reviews of Consumers Power Company's corrective actions in response to the Notice of Violation and the Order Modifying License. Four inspection reports (Nos. 50-255/79-15, 79-22, 79-24 and 80-02) are attached which describe the scope of the inspections and the inspection findings as a result of the NRC's investigation of the reported breach of containment integrity, associated noncompliances, and the licensee's subsequent corrective actions. In addition, three pages from the personal log of the Resident Inspector Mr. Jorgensen, are also attached, which identify Consumers Power Company personnel interviewed by Mr. Jorgensen and documentary material reviewed by him. Based on the investigations into the circumstances surrounding the reported breach of containment integrity during operations between April 1978 and September 1979, the NRC Staff has concluded that

Consumers Power Company was in noncompliance with the technical specifications identified in the November 9, 1979, Notice of Violation.

Interrogatory 25:

Was any effort made by the NRC to independently evaluate whether the preliminary conclusions contained in the licensee event reports and supporting documentation submitted by Consumers pertaining to the noncompliances were factually justified:

Answer to Interrogatory 25:

Yes.

Interrogatory 26:

If the answer to Interrogatory 25 is "yes", describe all such efforts, the results obtained therefrom, and the inferences or conclusions which the NRC draws from the results of these efforts.

Answer to Interrogatory 26:

See answer to interrogatory 24. In addition to the above-identified investigation into the factual circumstances surrounding the reported breach of containment integrity, the NRC Staff has also reviewed Consumers Power Company's evaluation of potential consequences of open valves under accident conditions. See Enclosures 3, 4, and 5 to the NRC Staff's Response under Administrative Law Judge's Memorandum and Order of July 22, 1980 (August 18, 1980). Based on the Staff's investigations and evaluations, the Staff has concluded that containment integrity was not maintained as required between April 1978 and September 1979 and these noncompliances were appropriately classified as violations.

Interrogatory 27:

Identify each witness, and describe the subject matter of his or her testimony, which the NRC intends to present at the hearing on these matters. If witnesses have already been identified in response to earlier Interrogatories you may refer, in answering this Interrogatory, to those responses.

Answer to Interrogatory 27:

See answers to interrogatories 5 and 10.

Interrogatory 28:

If any of the witnesses identified in response to Interrogatory 27 will be presented as expert witnesses, list the following with respect to each such witness:

- (a) the witness' field of expertise;
- (b) the facts which the NRC believes qualify the witness as an expert in that field;
- (c) whether the witness has ever been granted expert witness status in any other proceeding, whether administrative or judicial.

Answer to Interrogatory 28:

See answer to interrogatory 6.

Interrogatory 29:

If any of the witnesses identified in response to Interrogatory 27 will be presented as occurrence witnesses, describe the manner in which the witness became aware of the facts to which he or she will testify.

Answer to Interrogatory 29:

See answer to interrogatory 7.

Interrogatory 30:

Identify and describe all of the evidence, documentary or other, which the NRC intends to adduce at the hearing. If such evidence has already been identified in response to the above Interrogatories, you may refer, in answering this Interrogatory, to those responses.

Answer to Interrogatory 30:

See answers to interrogatories 8 and 13. The Staff notes that this answer (and the answers to interrogatories 8 and 13) reflects the current status of its preparation for the hearing. The Staff's intention to present

additional evidence at hearing, whether testimonial or documentary in nature, will depend in part on Consumers Power Company's answers to the Staff's second round interrogatories and the Staff's forthcoming requests for admissions. The Staff will supplement these answers as appropriate in the future.

* * * * *

Persons who prepared or contributed to the preparation of the answers to the interrogatories:

J. Stewart Bland, IE Headquarters: interrogatory 9, 25-26.

Dwane C. Boyd, Region III: interrogatories 4, 14-16, 22-26.

Samuel E. Bryan, IE Headquarters: interrogatories 1-30.

Stephen G. Burns, Counsel to NRC Staff: interrogatories 1-30.

Bruce L. Jorgensen, Resident Inspector: interrogatories 5, 7, 23-26.

Norman C. Moseley, IE Headquarters: interrogatories 1-3, 9, 15-16.

Frank J. Nolan, IE Headquarters: interrogatories 1-4, 9, 14-16, 22-26.

Victor Stello, Jr., IE Headquarters: interrogatories 5-6.

Each of these persons has been identified by his particular position in the Staff's previous answers to discovery requests, dated March 31, April 14, and August 18, 1980.

Dated in Bethesda, Maryland
this 24th day of September, 1980.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ADMINISTRATIVE LAW JUDGE

In the Matter of

CONSUMERS POWER COMPANY
(Palisades Nuclear Power Facility)

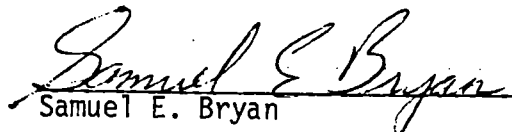
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} Docket No. 50-255
(Civil Penalty)

AFFIDAVIT OF SAMUEL E. BRYAN

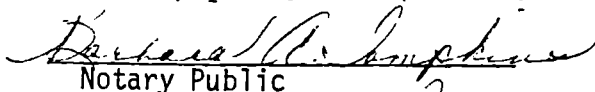
STATE OF MARYLAND)
COUNTY OF MONTGOMERY) SS

I, Samuel E. Bryan, being duly sworn depose and state:

1. I am the Assistant Director for Field Coordination in the Division of Reactor Operations Inspection, Office of Inspection and Enforcement, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555.
2. I have been duly authorized to execute and verify the foregoing document, "NRC Staff's Answers to Consumer Power Company's Second Round of Interrogatories, dated August 20, 1980."
3. I have read the contents of the foregoing document, which was prepared under my supervision, and the answers found therein are true and correct to the best of my knowledge, information and belief.


Samuel E. Bryan

Subscribed and sworn to before me
this 24th day of September, 1980


Notary Public

My Commission Expires: July 1, 1982

Enclosures:

1. Victor Stello - Biographical Information
2. Inspection Report No. 50-255/79-15.
3. Inspection Report No. 50-255/79-22.
4. Inspection Report No. 50-255/79-24.
5. Inspection Report No. 50-255/80-02.
6. Resident Inspector's Log (3 pages).

VICTOR STELLO

Biographical Information

As Director of the Office of Inspection and Enforcement for the U.S. Nuclear Regulatory Commission since June 1979, Victor Stello has been responsible for managing and directing the NRC program that verifies licensee compliance with regulatory requirements, and for taking enforcement actions determined to be needed on the basis of the offices' inspection efforts. Field inspection and enforcement activities are directed through five regional offices: Region I in King of Prussia, Pennsylvania; Region II in Atlanta, Georgia; Region III in Glen Ellyn, Illinois; Region IV in Arlington, Texas; and Region V in Walnut Creek, California.

Mr. Stello with almost 20 years experience in various nuclear programs, played a major role as a senior NRC representative at Three Mile Island following the accident in Unit 2. To acknowledge his major contribution to the management of the events at TMI-2, Mr. Stello was recently presented a Meritorious Service Award as part of the 1980 Presidential Rank Awards for the Senior Executive Service.

Mr. Stello first joined the regulatory organization of the former Atomic Energy Commission in 1966 as a member of the licensing technical staff performing safety reviews of various reactor plants. When he was promoted in 1971 to branch chief of a boiling water reactor licensing branch, Mr. Stello was responsible for supervising and coordinating the safety evaluations for reactor plants under review for either construction permits or operating licenses.

As chief of the reactor systems branch in 1972, Mr. Stello was primarily involved with the design of various reactor systems. Mr. Stello became Assistant Director for Reactor Safety in 1973, and, when NRC was established, became Director of the Division of Operating Reactors in 1976. In this position he was responsible for the review and evaluation of design and operational changes to operating reactors, and for the analyses and responses to operating events and experiences. In 1974 Mr. Stello received the Commission's Distinguished Service Award for his leadership and personal contributions to resolution of concerns associated with emergency core cooling of nuclear power plants.

From 1960 to 1965, Mr. Stello worked for the CANEL office of the Pratt and Whitney Aircraft Company in Middletown, Connecticut, where he participated in analyses of the high-temperature liquid-metal reactor systems proposed for use in aircraft and space applications. From 1965 to 1966, he worked in the East Hartford, Connecticut, offices of Pratt and Whitney on the study of advanced jet engine concepts for military and commercial applications.

Mr. Stello received both a bachelor of science and master of science degree in mechanical engineering from Bucknell University. He subsequently completed additional graduate work at the Rensselaer Polytechnic Institute. In addition, Mr. Stello is a member of the American Society for Mechanical Engineers.

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In the Matter of

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Docket No. 50-255
(Civil Penalty)

CERTIFICATE OF SERVICE

I hereby certify that copies of the NRC STAFF'S ANSWERS TO CONSUMERS POWER COMPANY'S SECOND ROUND INTERROGATORIES in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class, or as indicated by an asterisk, through deposit in the Nuclear Regulatory Commission's internal mail system, this 24th day of September, 1980.

Hon. Ivan W. Smith*
Administrative Law Judge
Atomic Safety & Licensing Board
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Atomic Safety & Licensing Board Panel*
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Atomic Safety & Licensing Appeal Panel*
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Stephen G. Burns
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