

PR-50,51

ISHAM, LINCOLN & BEALE  
COUNSELORS AT LAW

1050 17TH STREET, N. W. SEVENTH FLOOR  
WASHINGTON, D. C. 20036  
TELEPHONE 202-833-9730

CHICAGO OFFICE  
ONE FIRST NATIONAL PLAZA  
FORTY-SECOND FLOOR  
CHICAGO, ILLINOIS 60603  
TELEPHONE 312-558-7500  
TELEX: 2-5288



November 26, 1979

Secretary of the Commission  
Attn: Docketing and Service Branch  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Subject: Proposed Rulemaking - Storage and Disposal  
of Waste (44 Fed. Reg. 61372, October 25, 1979):  
Notice of Intent to Participate

Gentlemen:

Notice is hereby given through its attorney of the intent of Consumers Power Company to participate in the subject proceeding as a full participant. Consumers Power Company, with its principal offices located in Jackson, Michigan, is an investor-owned utility that, among other things, generates and distributes electricity in the lower peninsula of the State of Michigan.

Consumers Power Company owns and operates two nuclear facilities, the Big Rock Point Nuclear Plant and the Palisades Nuclear Plant; and the Company is constructing two nuclear units at Midland, Michigan. In addition, the Company has an application pending before the NRC for an amendment to the operating license for the Big Rock Point facility (Docket No. 50-155) which would, if authorized, permit an increase in the capacity of the facility's spent fuel pool to allow the storage of additional spent fuel. The foregoing activities qualify the Company to participate in this rulemaking both from a technical and policy standpoint.

The Company's tentative positions on the issues are that adequate assurance exists that radioactive waste can be safely disposed of or stored away from reactor sites, and if

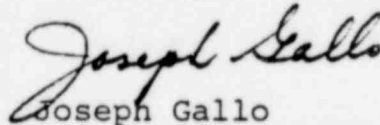
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necessary, that such wastes can be stored at reactor sites past the expiration of existing facility licenses until off-site disposal or storage is available.

The Company has a special interest in this proceeding because of the motion filed by Christa-Maria -- an intervenor in the Big Rock Point spent fuel pool expansion proceeding -- for reconsideration of the subject notice of proposed rulemaking. (See "Motion of Christa-Maria For Reconsideration of Decision" filed on November 7, 1979). Specifically, Christa-Maria is objecting to the express provision of the notice stating that individual spent fuel pool expansion licensing actions may continue during the pendency of this rulemaking. Consumers Power Company is filing a response in opposition under separate cover.

Sincerely,



Joseph Gallo  
One of the Attorneys  
for Consumers Power Company

cc: Karin Sheldon  
Counsel for Christa-Maria

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