



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

JUL 5 1979

Mr. Wendell H. Marshall
Vice President
Mid-West Environmental Protection
Association
RFD 10
Midland, Michigan 48640

Dear Mr. Marshall:

We have received your telegram of June 9, 1979, to Mr. Hendrie, Chairman of the Nuclear Regulatory Commission, regarding the Midland Plant, Units 1 and 2. Since you are a participant in the hearing proceeding for operating licenses for the plant, you are aware that the application is currently in the pre-hearing stage. Because the decisions of the Atomic Safety and Licensing Board are subject to review by the Commissioners, it would not be appropriate for the Chairman to comment on details of the Midland application at this time. Accordingly, your telegram has been referred to me for reply.

Your telegram expresses concern for the sinking nuclear plant and for sabotage. These matters were the subject of hearing contentions filed by you (Contention Number 2 in your October 31, 1978 letter to the Board) or by Ms. Sinclair (Contention Numbers 24 and 43 in her letter of October 31, 1978 to the Board). In its Special Prehearing Conference Order of February 23, 1979, the Board accepted your contention as it relates to settling of the Midland diesel generator building and the related Contention 24 of Ms. Sinclair, subject to a suitable restatement of Ms. Sinclair's contention at a later time. Both the Office of Nuclear Reactor Regulation and the Office of Inspection and Enforcement are reviewing the settlement and consequences occurring at the site, and this review will continue until appropriate remedial actions have been completed. We are also reviewing the Midland application to Paragraph 73.55 of 10 CFR Part 73, "Requirements for Physical Protection of Licensed Activities in Nuclear Power Reactors Against Industrial Sabotage." These regulations specify a postulated threat level to be assumed in the design and evaluation of physical security systems for nuclear power plants. Paragraph 73.55 also specifies detailed requirements which include a physical security organization, a response force of nominally 10 armed responders, access controls, the protection of the plant's vital equipment by at least two barriers, intrusion detection systems, a bullet-resisting central alarm station backed up by a secondary alarm station, lighting of the protected area, redundant capability to communicate with off-site law enforcement agencies, and other details of an effective security system. In addition, the Commission is continuing to review the kind and degree of sabotage threat and the vulnerabilities of reactors to such threats. Should such future reviews indicate a need for different levels of protection, the Commission would consider such changes. This continuing reactor safeguards

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program is judged to be adequate to provide high confidence that no undue risk to public health and safety will arise from willful acts directed at operating nuclear power plants.

Your telegram also urges "that the NRC fulfill its regulatory duties and obligations to prevent a future Three Mile Island Nuclear Plant accident in Midland, Michigan." The NRC staff is currently conducting a thorough investigation of the March 28, 1979 accident at the Three Mile Island Power Plant, Unit 2. This investigation includes studies of the potential design deficiencies in the plant, operator response to the accident including operator errors and/or misinterpretation of plant instrumentation and other aspects of the accident which might lead to information that would improve the safety of nuclear power plants. The results of these investigations will also be applied to plants that are currently under construction and for which operating licenses have been applied for but not yet issued, such as the Midland Plant. Any new safety requirements arising from these investigations will be evaluated to determine whether they are applicable to Midland Plant, Units 1 and 2 and will be applied accordingly.

We are proceeding on the basis that primary consideration must be given to the public's health and safety and that our investigation of the Three Mile Island accident should progress to the point where, prior to any licensing action, the implications regarding that accident could be assessed to determine the impact on the Midland Plant.

Sincerely,

Original Signed by
H. R. Denton

Harold R. Denton, Director
Office of Nuclear Reactor Regulation

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