

NRC PDR



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

JUL 11 1979

Docket Nos.: 50-329
50-330

Mr. John D. Selby, President
Consumers Power Company
Jackson, MI 49201

Dear Mr. Selby:

We have received your telegram of May 29, 1979, to Dr. Hendrie, Chairman of the Nuclear Regulatory Commission, regarding the Midland Plant, Units 1 and 2. The Midland Plant application is currently in the hearing process and is being considered by Atomic Safety and Licensing Boards. Since the decisions of the Boards are subject to review by the Commissioners, it would not be appropriate for the Chairman to comment on the details of the Midland application at this time. Accordingly, your telegram has been referred to me for reply.

On June 13, 1979, Mr. Harold Denton met with Mr. S. H. Howell of your organization and other affected utility applicants to discuss staff policies regarding the review of current applications for construction permits and operating licenses, and the criteria for establishing priorities for the review of those applications. A restructuring of casework and priorities is necessitated by the diversion of significant managerial and technical resources in order to conduct a thorough investigation of the March 28, 1979 accident at Three Mile Island, Unit 2. To accommodate this effort and other high priority matters, we find it necessary to interrupt our review of Midland, except for those areas related to resolution of the soils settlement matter until January 1980. The results of our investigations of Three Mile Island 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 Nuclear Plant, Units 1 and 2. Safety requirements arising from these investigations will be evaluated to determine whether they are applicable to the Midland Plant and will be applied accordingly.

We recognize that the effort could result in delay in issuance of operating licenses to the Midland Nuclear Plant and that a significant economic hardship to Consumers Power Company, the Michigan Division of Dow and the Midland community would ensue from an extended delay. Nevertheless, we are proceeding on the basis that primary consideration must be given to the public health and safety and that our investigation of the Three Mile Island accident must progress to the point where the

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Mr. John D. Selby

- 2 -

implications regarding the accident can be assessed to determine the impact on the Midland Nuclear Plant. In the meantime, we are continuing our efforts to acquire additional resources so that Midland and other suspended reviews can be resumed as soon as possible.

Your telegram indicates a need for prompt resolution of differences between Consumers Power Company and the NRC staff over the construction completion date of the Midland Nuclear Plant. A similar request was made by Mr. Howell during a meeting on June 18, 1979. The NRC staff replied that a site visit would be scheduled in the near future, consistent with our assessment of the schedular impacts of the Three Mile Island accident and the soils settlement matter. Mr. Howell also informed us at the meeting that the fuel loading date for Unit 2 is changed from November 1980 to June 1981, while the fuel load date for Unit 1 remains November 1981.

Sincerely,

Lee V. Gossick
Executive Director
for Operations

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