

JUL 10 1979

Socket Nos.: 60-329
60-330

Mr. S. H. Howell
Vice President
Consumers Power Company
212 West Michigan Avenue
Jackson, Michigan 49201

Dear Mr. Howell:

This is in response to your telegram of May 20, 1979, concerning delays occurring in the staff's safety and environmental reviews for Midland Plant Units 1 and 2. The NRC staff has diverted significant managerial and technical resources from the Midland review and other previously assigned work in order to conduct a thorough investigation of the March 28, 1979 accident at Three Mile Island, Unit 2. 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 Midland 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.

During the meeting of June 13, 1979 with you and other affected utility applicants, we discussed 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. I feel these discussions were responsive to your concerns in that regard. These discussions included the fact that, except for our review of the soils settlement matter, our review of the Midland Plant is suspended until January 1980.

I understand that you have also met with members of the staff on June 14, 1979 to discuss the status of the safety and environmental reviews for Midland Plant, Units 1 and 2. The staff also stated that a site visit with members of the staff's Cabined Forecast Panel would be scheduled in the near future, consistent with our assessment of the scheduler impacts of the Three Mile Island accident and the soils settlement matter, which was the subject of discussion at a site visit on June 7, 1979.

I want to assure you that while we are proceeding with our investigation

Handwritten notes: *AP*, *180062*, *150755*

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OFFICE →					
SURNAME →					
DATE →					

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JUL 10 1979

R. L. ...well

Next, we are also continuing our efforts to acquire additional resources so that the initial review and other suspended reviews can be resumed as soon as possible, giving priority to our responsibilities to ensure continuing protection of the health and safety of the public at all nuclear power plants.

Sincerely,

Original signed by:

Harold J. Denton, Director
Office of Nuclear Reactor Regulation

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SEE PREVIOUS YELLOW FOR PREVIOUS CONCURRENCES.

OFFICE	DPM-LWR	ELU	DPM	HRR	HRR
SURNAME	SVarja		DVassallo	ECase	HRDenton
DATE	7/ /79	7/ /79	7/ /79	7/ /79	7/ /79

Mr. S. H. Howell

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Plant, we are also continuing our efforts to acquire additional resources so that the Millard review and other suspended reviews can be resumed as soon as possible.

Sincerely,

Harold R. Denton, Director
Office of Nuclear Reactor Regulation

DPM:LWR#4
Service
6/ /79

DPM:LWR#4
DHood/jt
6/ /79

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OFFICE →	DPM:LWR#4	DPM:LWR	ELD	DPM	NRR	NRR
SURNAME →	LRubenstein	SVarga		DVassallo	ECase	HDenton
DATE →	6/ /79	6/ /79	5/ /79	5/ /79	6/ /79	6/ /79

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CONSUMERS POWER COMPANY
JACKSON MICH
5/29/79 11:05 PM

RECEIVED
MAY 30 1979
NRC

TO: HAROLD DENTON
DIRECTOR OF OFFICE OF NUCLEAR REACTOR REGULATION
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D C

WE URGENTLY REQUEST THAT YOU RECONSIDER YOUR PROPOSED REORDERING OF LICENSING PRIORITIES AS IT PERTAINS TO CONSUMERS POWER COMPANY'S MIDLAND PLANT. YOUR PROPOSAL PUTS MIDLAND INTO THE CATEGORY WITH LICENSING ACTIVITY SUSPENDED UNTIL JANUARY 1980 ONLY BECAUSE OF YOUR STAFF'S ESTIMATED CONSTRUCTION COMPLETION DATE. WE DO NOT AGREE WITH THE STAFF'S ESTIMATE. THIS NEW DATE WAS UNILATERALLY SELECTED BY YOUR STAFF WITHOUT DISCUSSION WITH US EVEN THOUGH WE HAVE BEEN TRYING FOR SEVERAL MONTHS TO DISCUSS DELAYS IN THE STAFF'S PERFORMANCE OF THEIR REVIEWS OF OUR APPLICATION. THREE SCHEDULED MEETINGS WITH THE STAFF, IN WHICH WE HAD WANTED TO DISCUSS THE STAFF'S REVIEW AND OUR CURRENT ASSESSMENT OF THE CONSTRUCTION SCHEDULE, HAVE BEEN CANCELLED BY THE STAFF.

THE PROPOSED REORDERING PUTS MIDLAND BEHIND OTHER UNITS THAT MIDLAND WAS WELL AHEAD OF IN THE PRIORITY LISTING YOU ESTABLISHED LAST AUGUST. ON YOUR AUGUST 1978 PRIORITY LIST, MIDLAND WAS AHEAD OF ALL, EXCEPT ONE, OF THE PLANTS NOW PROPOSED FOR CONTINUING OPERATING LICENSE REVIEW.

ON THE BASIS OF EQUITY AND COMMON SENSE, WE BELIEVE THAT LICENSING REVIEW SHOULD PROCEED AND THAT THE DRAFT ENVIRONMENTAL STATEMENT SHOULD BE PUBLISHED.

MIDLAND HAS BEEN IN THE NRC LICENSING PROCESS LONGER THAN ANY OTHER PLANT UNDER REVIEW. OUR APPLICATION FOR A CONSTRUCTION PERMIT WAS FILED OVER 10 YEARS AGO. MIDLAND HAS SUFFERED THROUGH INNUMERABLE

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