Consumers Power Company

Stephen H. Howell
Senior Vice President

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February 7, 1980
Howe-23-80

Mr J G Keppler, Regional Director
Office of Inspection and Enforcement
US Nuclear Regulatory Commission
Region III
799 Roosevelt Road
Glen Ellyn, IL 60137

MIDLAND NUCLEAR PLANT -
UNIT NO 1, DOCKET NO 50-329
UNIT NO 2, DOCKET NO 50-330
SETTLEMENT OF DIESEL GENERATOR
FOUNDATIONS AND BUILDING -
FILE 0485.16 UFI 00234(S)/71*01

On September 29, 1978, Consumers Power Company notifi[illegible] you, in writing, pursuant to the requirements of 10 CFR 50.55(e), of a construction condition at its Midland Plant site regarding settlement of certain structures. Subsequently, further notifications regarding the settlement of these structures, related investigations and remedial actions proposed and undertaken by the Company were sent to you pursuant to 10 CFR 50.55(e) on November 7, 1978, December 21, 1978, January 5, 1979, February 23, 1979, April 3, 1979, June 25, 1979, August 10, 1979 and September 5, 1979.

In a letter from you to H D Thornburg dated November 1, 1978, the settlement issue was transferred to NRR for evaluation and resolution. The NRR Staff carried on their review through issuance of a 50.54(f) request on March 21, 1979 and supplemental questions on November 19, 1979. The Company responded to those questions pursuant to 10 CFR 50.54(f) on April 24, 1979, May 31, 1979, July 9, 1979, September 13, 1979 and November 13, 1979. On December 6, 1979 an Order Modifying the Construction Permits was sent to the Company. On December 19, 1979, the Company filed Amendment 72 to its application for Construction Permits and Operating Licenses for the Midland Plant. That amendment details the history of the soils settlement issue and the proposed remedial actions for which Commission approval is sought. Further amendments will provide more detail in response to the Staff's 50.54(f) questions. Thus, this letter constitutes the Company's final notification regarding the above-described settlement issue pursuant to 10 CFR 50.55(e). Resolution of this issue will occur as a result of Commission action regarding Amendment 72 to the application, after appropriate review and issuance of a Safety Evaluation Report directed specifically to the settlement issue.

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In addition to the normal distribution list for amendments, copies of amendments revising and supplementing Amendment 72 on the settlement issue will be provided to the Director, Office of Inspection and Enforcement and Region III Regional Director, Office of Inspection and Enforcement.

Sincerely,

JJZ/WRB/lr

CC: Director, Office of Inspection & Enforcement
Att Mr Victor Stello, USNRC (15)

Director, Office of Management
Information and Program Control, USNRC (1)

Director of Nuclear Reactor Regulation
Att Mr Domenic Vassallo, Acting Director
Division of Project Management, USNRC
Washington, DC 20555

Mr William Lawhead
US Corps of Engineers
NCEED-T
477 Michigan Ave, 7th Floor
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