

## NUCLEAR REGULATORY COMM SION WASHINGTON, D. C. 20555

October 13, 1978

Director
Office of the Federal Register
National Archives and Records Service
Washington, D.C. 20403

Dear Sir:

Enclosed for publication in the Federal Register are an original and two certified copies of a document entitled:

CONSUMERS POWER COMPANY

Docket Nos. 50-329/3300L

NOTICE OF HEARING ON ISSUANCE OF FACILITY OPERATING LICENSE

Please publish on Wednesday, October 18, 1978,

This material is to be charged to requisition number E-146.

Sincerely,

Samuel J. Chilk Secretary of the Commission

Enclosures: Original and 2 certified copies

bcc: Records Facility Branch
Office of Public Affairs
Executive Legal Director
Office of Congressional Affairs
Office of the General Counsel
SECY - C&R Branch

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## UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION

In the Matter of
CONSUMERS POWER COMPANY
(Midland Plant, Units 1 and 2)

Docket Nos. 50-329-OL 50-330-OL

## NOTICE OF HEARING ON ISSUANCE OF FACILITY OPERATING LICENSE

On May 4, 1978 the Nuclear Regulatory Commission published in the <u>Federal Register</u> a notice of an opportunity for a hearing with respect to the application for an operating license by the applicant, Consumers Power Company. 43 <u>Fed</u>. <u>Reg</u>. 19304. The license would authorize the applicant to possess, operate and use two light water nuclear power reactors, Units 1 and 2, at its Midland Plant in Midland County, Michigan. Each unit would operate at a core power level of 2,452 megawatts thermal with a combined electric output of approximately 1,300 megawatts.

The notice provided that any person whose interest may be affected by the proceeding may file a petition for leave to intervene and request a hearing pursuant to 10 CFR \$2.714 on or before June 5, 1978. By petition dated June 1, 1978, Mrs. Mary P. Sinclair requested a hearing and leave to intervene on behalf of the Saginaw Valley Nuclear Study

Jupe 7810240157 Group (Saginaw). Frank J. Kelley, the Attorney General of the State of Michigan, filed a petition for leave to intervene dated June 2, 1978. An Atomic Safety and Licensing Board was designated to rule upon intervention petitions and requests for hearings.

By Memorandum and Order dated August 14, 1978 the Board designated to rule upon petitions ordered a hearing upon the application, granted the petition filed by Mrs. Sinclair to the extent that it represented her individual interests in the proceeding, denied the petition with respect to Saginaw, and granted the Attorney General the right to participate in the hearing Pursuant to 10 CFR §2.715(c). Saginaw and the Attorney General were granted leave to file additional intervention papers. Also pending is an intervention petition dated September 8, 1978 filed by Mr. Wendall H. Marshall on behalf of Mapleton Intervenors.

An Atomic Safety and Licensing Board was designated to preside over the evidentiary hearings. The members of the Board are Dr. Frederick P. Cowan, Mr. Lester Kornblith, Jr., and Mr. Ivan W. Smith who will serve as chairman of the Board. Pursuant to the provisions of 10 CFR §2.751(a) the Board will conduct a special prehearing conference on November 15, 1978 beginning at 9:30A.M. at the 75th District Court, Courtroom No. 2, Courthouse, Midland, Michigan 48640.

The parties to this proceeding, or their respective counsel are directed to attend. At the special prehearing conference the Board will consider all intervention petitions, discuss specific issues to be considered at the evidentiary hearing, and will consider a schedule for further actions in the proceeding.

The public is invited to attend the prehearing conference but space is limited. Depending upon space and time limitations the Board will try to afford an opportunity for members of the public who are not parties to the proceeding to make oral limited appearance statements at the prehearing . conference. Additional opportunities for limited appearance statements will be afforded at subsequent evidentiary hearings. Any person may request permission to make a limited appearance pursuant to provisions of 10 CFR §2.715 of the Commission's "Rules of Practice." Persons desiring to make a limited appearance statement are requested to inform the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Written limited appearance statements may be mailed to the Secretary or presented to the Board at the special prehearing conference or at any subsequent sessions of the evidentiary hearing.

For further details see the application for the facility operating licenses dated August 29, 1977, and the applicant's Environmental Report dated March 1, 1978.

which are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Grace Dow Memorial Library, 1710 West St. Andrews Road, Midland, Michigan 48640. As they become available, the following documents may be inspected at the above locations: (1) The Safety Evaluation Report prepared by the Office of Nuclear Reactor Regulation; (2) the Draft Env. onmental Statement; (3) the Final Environmental Statement; (4) the report of the Advisory Committee on Reactor Safeguards (ACRS) on the application for facility operating licenses; (5) the proposed facility operating licenses; (6) the technical specifications, which will be attached to the proposed facility operating licenses; and (7) the intervention petitions, related papers and the Board's memorandum and order dated August 14, 1978.

IT IS SO ORDERED.

FOR THE ATOMIC SAFETY AND LICENSING BOARD designated to rule on petitions for leave to intervene.

Ivan W. Smith, Chairman

Dated at Bethesda, Maryland this 12th day of October, 1978.