

JAN 14 1972

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In the Matter of Consumers Power Company
Midland Plant, Units 1 and 2
Docket Nos. 50-329 and 50-330

Gentlemen:

This is in response to an order dated December 22, 1971 by the
presiding Atomic Safety and Licensing Board (Board) inviting comments
on the following proposed ruling:

"[T]he environmental effect of ultimate high-level waste
storage are not an issue in this proceeding; neither the
applicant in its draft environmental statement, nor the
staff in its detailed statement is required to consider
the effects of high-level wastes after they leave the
reprocessing plant, nor will any party be permitted to
introduce evidence with respect thereto, or inquire into
such effects by way of interrogatory or otherwise. Pursuant
to Section 2.730(f) of the Rules of Practice, the ruling of
the Board is duly referred to the Appeals Board for further
proceedings."

This is to inform the Board that we have no objection to the substance
of this proposed ruling. We would suggest, however, that the term
"draft environmental statement" in the second clause be changed to
read "environmental report".

Sincerely,

David E. Kartalia
Counsel for AEC Regulatory Staff

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