

Docket Nos. 50-329 ✓
50-330

OCT 21 1971

Honorable John D. Dingell
House of Representatives

THIS DOCUMENT CONTAINS
POOR QUALITY PAGES

Dear Mr. Dingell:

This is in reply to your letter to Chairman Schlesinger dated October 14, 1971, concerning the AEC construction permit proceeding for the proposed Midland nuclear power plant.

The current status of the Midland proceeding is described in the enclosed copy of a letter dated September 22, 1971, from AEC regulatory staff counsel to Mrs. Mary Sinclair of Midland, Michigan. (As you may be aware, the text of this letter was printed in the September 28 edition of the Midland Daily News as an appendix to a letter to the editor by Mrs. Sinclair.) The letter to Mrs. Sinclair identifies the issue of emergency core cooling system effectiveness and questions arising under the National Environmental Policy Act of 1969 (NEPA) as the principal pending matters in the Midland proceeding.

As additional background on the matter of emergency core cooling system effectiveness, we are enclosing copies of the Commission's interim acceptance criteria for emergency core cooling systems and the AEC press release announcing the adoption of these criteria.

With respect to matters arising under NEPA, we are enclosing copies of the following for your ready reference: (1) the Calvert Cliffs decision; (2) the Commission's rules implementing NEPA and taking into account the Calvert Cliffs decision, Appendix D to 10 CFR Part 50; and (3) the Commission's press release announcing the adoption of the rules referred to in item (2).

We would also call your attention to the "Schedule of Further Proceedings" set forth in Part 1 of the presiding Atomic Safety and Licensing Board's order of August 26, 1971, a copy of which is enclosed. It should be noted that intervenors opposing the issuance of construction permits have objected to, and are seeking reconsideration of, several elements of this schedule.

In addition, we are enclosing a chronology of significant events relating to the Midland proceeding.

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Honorable John D. Dingell

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We cannot usefully speculate as to the date on which hearings may resume in this proceeding; however, please be assured that the AEC regulatory staff intends to proceed as expeditiously as possible with its reevaluation of emergency core cooling system effectiveness and the preparation of draft and final detailed environmental statements for the proposed Midland plant.

Sincerely,

(signed) Harold E. Price

Director of Regulation

Enclosures:

1. Ltr to Mrs. Mary Sinclair
fm regulatory staff dtd 9/22/71
2. Commission's interim acceptance
criteria for ECCS
3. AEC Press Release re enclosure 2.
4. Calvert Cliffs decision
5. Appendix D to 10 CFR Part 50
6. Press Release re adoption of
rules in Appendix D
7. Atomic Safety and Licensing
Board order dtd 8/26/71
8. Chronology

DISTRIBUTION:

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DR Control 3799

PDR

*Other than minor editorial
changes, this is identical
to letter to Rep. Colverberg.
JPC*

*rec'd files
11-16-71*

GRESS	OFFICE ▶	OGC	OGC	DR	CONG. REL.	
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(Director's Office)

Mr. Price : _____

Dr. Beck : SIGNATURE

Dr. Mann : Concurrence

Mr. Henderson : WLC Concurrence

Is notification the
JCAE recommended? no
Jhe

Concurrences received from:

- Compliance _____ ()
- Materials Licensing _____ ()
- Nuclear Materials Safeguards _____ ()
- Radiological & Environmental Protection _____ ()
- Reactor Licensing _____ ()
- Reactor Standards _____ ()
- State & Licensee Relations _____ ()
- Office of General Counsel _____ ()
- Others _____ ()

Remarks:

Ltr to Rep. Dingell replying to ltr to Chairman Schlesinger dtd Oft. 14, 1971, concerning the AEC construction permit proceeding for the proposed Midland nuclear power plant

S/HLP
10/20/71

Date 10/20/71

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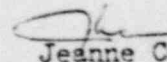
DR-3799

October 19, 1971

1. Mr. Hoffmann
A-241

May we have your advice on filing the attached letter in the Public Document Room?

Ref: Ltr Rep. Dingell to Schlesinger,
10/14/71
Docket Nos. 50-329 & 50-330


Jeanne Cook
Office of the Director
of Regulation

2. Jeanne Cook
OOE Bethesda

X Approved for filing in PDR.

 Document not to be filed in the PDR.

Martin R. Hoffmann
General Counsel

rec'd DR 10/22/71

FROM Rep. John D. Dingell (Mich.)		CONTROL NUMBER 3799	FILE LOCATION
		DATE OF DOCUMENT 10/14/71	ACTION COMPLETION DEADLINE 10/21/71
TO Schlesinger		ACTION PROCESSING DATES Acknowledged _____ Interim Report _____ Final 10/21/71	PREPARE FOR SIGNATURE OF: _____ Chairman <input checked="" type="checkbox"/> Director of Regulation
DESCRIPTION Ltr <input type="checkbox"/> Original <input checked="" type="checkbox"/> Copy <input type="checkbox"/> Other 15/1/71		REMARKS NOTE: This has not been put in the Public Document Room. For instructions from Chairman's office, each ltr to the Chairman is to be checked with Hoffmann before filing in PDR. This check is in progress. JEC	
REFERRED TO Henderson (Rice) f/action	DATE 10/19/71	IS NOTIFICATION TO THE JCAE RECOMMENDED? _____	
Cys: Morris Shaper Yore, ASLBP PDR (56-329) 336)			

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DIRECTOR OF REGULATION
COMMUNICATIONS CONTROL

Form HQ-32 (6-70)
USA EC

OFFICE OF THE CHAIRMAN

TO: DR _____

REPLY FOR _____ SIGNATURE

REPLY FOR SIGNATURE BY: GM _____ DR _____
(Please send two copies of replies to significant communications to the Office of the Chairman)

GM FOR APPROPRIATE HANDLING

FOR INFORMATION: GM _____ DR Commissioners _____

REMARKS: _____

Julius H. Rubin
For the Chairman