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JUL 16 1974

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Ms. Mary Sinclair
 5711 Somerset Drive
 Midland, Michigan 48640

Dear Ms. Sinclair:

This is in response to your letter of June 26, 1974, concerning the Midland facility. You are apparently under the mistaken impression that the Commission has adopted a new regulation or policy concerning the siting of nuclear plants in relation to population distribution. That is not the case. I surmise that you have reference to a Commission staff study entitled "Population Distribution around Nuclear Power Plants Sites" which was recently made public by the Commission. A copy is enclosed. This staff working paper is only that. It does not presently represent official Commission policy. A recent decision by the Atomic Safety and Licensing Appeal Board concerning the Indian Point facility in New York discusses the significance of this staff paper and may be of interest to you. A copy of that decision is also enclosed.

As to the legal issues involved in the appeal pending before the United States Court of Appeals for the District of Columbia Circuit concerning the Midland facility, they do not, of course, involve the applicability of any new siting regulations, because no such regulations have been adopted. Your attorney's views as to the issues in that case are set forth in his briefs, which I assume are available to you.

Sincerely,

TFE

Thomas F. Engelhardt
 Chief Counsel for
 Licensing and Administration
 Office of the General Counsel

THIS DOCUMENT CONTAINS
 POOR QUALITY PAGES

ENCLOSURES:	As Stated	OGC					
OFFICE →		JKelly:TFEngelhardt:dtc					
SURNAME →	cc: Myron M. Cherry	7/16/74					
DATE →							

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