

2/25/81



UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

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

NRC STAFF OBJECTIONS TO  
INTERROGATORIES FILED BY CONSUMERS POWER COMPANY

The Staff is today filing answers to interrogatories filed by Consumers Power Company except for interrogatories 13 through 16. For the reasons stated below, the Staff objects to interrogatories 13 through 16 which read as follows:

13. State with particularity each acceptance criteria with Consumers Power Company had up until December 6, 1979 provided to the Staff.
14. As of December 6, 1979 with regard to each criteria identified in your answer to interrogatory 13 state whether Consumers had submitted sufficient information to justify each acceptance criteria. If Consumers had not submitted sufficient information, state with particularity which information Consumers had failed to supply.
15. Excluding the acceptance criteria identified in response to interrogatory 13, state with particularity each acceptance criteria which Consumers has to date provided to the Staff.
16. With regard to each criteria identified in your answer to interrogatory 15 state whether Consumers has submitted sufficient information to justify each acceptance criteria. If Consumers has not submitted sufficient information, state with particularity which information Consumers has failed to supply.

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The Staff objects to these interrogatories. The interrogatories are directed to information which was originally provided by Consumers. To select the requested information would require the Staff to sort through all of the voluminous documents provided by Consumers since the soil settlement problem was first reported in August 1978, and tabulate any acceptance criteria that may be found therein.

In the course of the Staff's normal review, it considers all the information submitted by Consumers, but would not ordinarily and did not in this case tabulate any acceptance criteria found in Consumers' documents.

If the purpose of these interrogatories is to obtain the definition of the expression acceptance criteria, that has been provided in the answer to interrogatory 1.

The Staff has provided, in answers to other interrogatories, specific information concerning the adequacy of Consumers' responses, details as to specific information needed by the Staff, and the relevance of acceptance criteria to those matters.

In light of the above, the Staff submits that forcing the Staff to sort through voluminous documents provided by Consumers for the purpose of tabulating any acceptance criteria that may be found therein would be

an inappropriate burden on the Staff. If Consumers believes such a tabulation would assist the resolution of the issues in this proceeding, it would be more appropriate that it extract this information from documents it prepared in the first instance.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "William D. Paton".

William D. Paton  
Counsel for NRC Staff

Dated at Bethesda, Maryland  
this 25th day of February, 1981

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CERTIFICATE OF SERVICE

I hereby certify that copies of NRC STAFF OBJECTIONS TO INTERROGATORIES FILED BY CONSUMERS POWER COMPANY in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class or, as indicated by an asterisk, through deposit in the Nuclear Regulatory Commission's internal mail system, this 25th day of February 1981.

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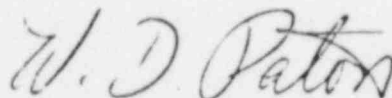
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