

US NUCLEAR REGULATORY COMMISSION

In the matter of
CPCo. Midland Plant
Units 1 & 2

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

BEFORE THE ATOMIC SAFETY & LICENSING BOARD

6/5/81

INTERVENOR REQUEST FOR CLARIFICATION CONCERNING NOTICE OF HEARING

In the Board's 5/29/81 Notice of Evidentiary Hearing, at the bottom of page 3, is the following sentence. "Depending on the resolution of issues in the OM proceeding, the Director of NRR will put into effect, modify, or deny the remedies proposed in the Modification Order." Do the "remedies proposed in the Modification Order" refer to the Applicants remedial actions (p.5 of the Dec. 6, 1979 Order) which the order seeks to prohibit pending submission and issuance of an Amendment to the Construction Permits?

Please explain and clarify the possible outcomes of the Order Modifying Construction Permits, especially regarding the Amendment sought in part IV of the Dec. 6th Order, which are at issue in this proceeding.

On what basis will the second question before this Board, "Whether this Order should be sustained", be decided?

Respectfully Submitted,

Barbara Stemiric

cc: Judge Bechhoefer, ASLB
Judge Decker, ASLB
Dr. Cowan, ASLB
Wm. Paton, NRC, Secretary NRC
M. Miller, J. Brunner, CPCo.
Attorney General Kelfey

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