

January 26, 1990

Docket No. 50-155

Mr. Kenneth W. Berry
Director, Nuclear Licensing
Consumers Power Company
1945 West Parnall Road
Jackson, Michigan 49201

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~~DOCKET FILE~~
NRC & LOCAL PDRs
PB31 R/F
JZWOLINSKI
PSHUTTLEWORTH
RPULSIFER
PENG
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EJORDAN
ACRS(10)

Dear Mr. Berry:

Enclosed for your information is a copy of a letter dated January 24, 1990, from the Director, Office of Nuclear Reactor Regulation, to the President of the Concerned Citizens for the Charlevoix Area (CCCA). The letter (1) acknowledges receipt of a petition filed by the CCCA under 10 CFR 2.206 of the Commission's regulations, (2) responds in the negative to the petitioner's request for immediate action with respect to ordering Consumers Power to update and retrofit the Big Rock Point Plant, and (3) states that the petition is being treated under 10 CFR 2.206 of the Commission's regulations.

Please contact me if you have any questions on this issue.

Sincerely,

~~original~~ signed by

Robert M. Pulsifer, Project Manager
Division of Reactor Projects - III,
IV, V and Special Projects
Office of Nuclear Reactor Regulation

Enclosure:
As stated

cc: See next page

MCA
LA/PD31:DRSP
PShuttleworth
1/25/90

PM/PD31:DRSP
RPulsifer *RP*
1/25/90

[Signature]
(A)D/PD31:DRSP
JThoma
1/26/90

BIG ROCK 2.206 TRANS LTR

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PDR ADOCK 05000155
P FDC

Rf01
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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

January 26, 1990

Docket No. 50-155

Mr. Kenneth W. Berry
Director, Nuclear Licensing
Consumers Power Company
1945 West Parnall Road
Jackson, Michigan 49201

Dear Mr. Berry:

Enclosed for your information is a copy of a letter dated January 24, 1990, from the Director, Office of Nuclear Reactor Regulation, to the President of the Concerned Citizens for the Charlevoix Area (CCCA). The letter (1) acknowledges receipt of a petition filed by the CCCA under 10 CFR 2.206 of the Commission's regulations, (2) responds in the negative to the petitioner's request for immediate action with respect to ordering Consumers Power to update and retrofit the Big Rock Point Plant, and (3) states that the petition is being treated under 10 CFR 2.206 of the Commission's regulations.

Please contact me if you have any questions on this issue.

Sincerely,

A handwritten signature in dark ink, appearing to read "Robert M. Pulsifer", written in a cursive style.

Robert M. Pulsifer, Project Manager
Division of Reactor Projects - III,
IV, V and Special Projects
Office of Nuclear Reactor Regulation

Enclosure:
As stated

cc: See next page

Mr. Kenneth W. Berry
Consumers Power Company

Big Rock Point Plant

cc:

Mr. Thomas A. McNish, Secretary
Consumers Power Company
212 West Michigan Avenue
Jackson, Michigan 49201

Judd L. Bacon, Esquire
Consumers Power Company
212 West Michigan Avenue
Jackson, Michigan 49201

Mr. Thomas W. Elward
Plant Manager
Big Rock Point Plant
10269 U.S. 31 North
Charlevoix, Michigan 49720

Mr. Walter Hufford
County Commissioner
114 Belevedere Avenue
Charlevoix, Michigan 49720

Office of the Governor
Room 1 - Capitol Building
Lansing, Michigan 48913

Regional Administrator, Region III
U.S. Nuclear Regulatory Commission
799 Roosevelt Road
Glen Ellyn, Illinois 60137

Nuclear Facilities and Environmental
Monitoring Section Office
Division of Radiological Health
P. O. Box 30035
Lansing, Michigan 48909

U.S. Nuclear Regulatory Commission
Resident Inspector Office
Big Rock Point Plant
10253 U.S. 31 North
Charlevoix, Michigan 49720



UNITED STATES
 NUCLEAR REGULATORY COMMISSION
 WASHINGTON, D. C. 20555
 January 24, 1990

Docket No. 50-155
 (10 CFR §2.206)

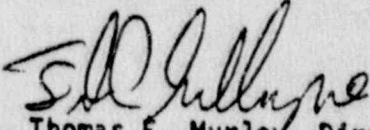
Mrs. Jo Anne Bier Beemon
 President, Concerned Citizens
 for the Charlevoix Area
 204 Clinton Street
 Charlevoix, Michigan 49720

Dear Mrs. Beemon:

This letter acknowledges receipt of your petition dated November 11, 1989, requesting that action be taken with regard to the Big Rock Point Plant. Specifically, you request that the Commission order Consumers Power Company to meet all current NRC design and safety criteria for the Big Rock Point Plant and allege that the facility currently does not meet these criteria.

Your petition has been referred to me pursuant to 10 CFR §2.206 of the Commission's regulations. As provided by Section 2.206, action will be taken on your request within a reasonable time. However, a preliminary review of the concerns in your petition does not indicate any need to take immediate action as you request because Big Rock Point Plant is subject to the same regulations as all other nuclear plants and your petition does not reveal any new operational safety issues that pose an immediate safety concern for continued operation of the plant. I have enclosed for your information a copy of the notice that is being filed with the Office of the Federal Register for publication.

Sincerely,


 For Thomas E. Murley, Director
 Office of Nuclear Reactor Regulation

Enclosure:
 As stated

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UNITED STATES NUCLEAR REGULATORY COMMISSION

CONSUMERS POWER COMPANY

BIG ROCK POINT PLANT

DOCKET NO. 50-155

RECEIPT OF PETITION FOR DIRECTOR'S DECISION UNDER 10 CFR §2.206

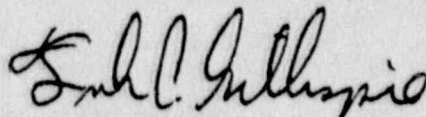
Notice is hereby given that a petition dated November 11, 1989, filed by Mrs. Jo Anne Bier Beemon on behalf of the Concerned Citizens for the Charlevoix Area, Charlevoix, Michigan, has requested that the Commission take action to require Consumers Power Company to meet all current NRC design and safety criteria for the Big Rock Point Plant located near Charlevoix, Michigan. The petition alleges that the NRC and Consumers Power Company, in corroboration, have improperly used cost/benefit criteria in the following instances in regard to the Big Rock Point Plant - grandfathering, probabilistic risk assessment, application of the as-low-as-reasonably-achievable standard, authorization of the experimental status of the facility, and low societal risk - to defer the implementation of current NRC safety criteria, thus resulting in indefensibly large radioactive emissions from the Big Rock Point Plant.

The request is being treated pursuant to 10 CFR §2.206 of the Commission's regulations. As provided by Section 2.206, appropriate action will be taken on this request within a reasonable time.

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A copy of the petition is available for inspection at the Commission's
Public Document Room at 2120 L Street, N.W., Washington, D.C. 20555.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in cursive script, appearing to read "Frank P. Gillespie".

Frank P. Gillespie, Acting Director
Office of Nuclear Reactor Regulation

Dated at Rockville, Maryland
this 24th day of January 1990.