

Docket Nos. 50-329  
and 50-330

Mr. J. W. Cook  
Vice President  
Consumers Power Company  
1945 West Parnall Road  
Jackson, Michigan 49201

Dear Mr. Cook:

Subject: Staff Interim Position for Fire Protection Rule: Appendix R  
to 10 CFR Part 50

JUN 28 1981



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During our meeting with your technical staff on April 16, 1981, regarding Midland fire protection provisions, we reviewed the status of Paragraph 50.48 to 10 CFR Part 50 and Appendix R to 10 CFR Part 50, and discussed the anticipated staff position with respect to Midland Plant, Units 1 and 2. That status discussion recognized that Paragraph 50.48(b) became effective February 17, 1981, for nuclear plants licensed to operate prior to January 1, 1979. This letter will advise you of our associated position with respect to a fire protection rule for new licenses (i.e., licenses issued or to be issued after January 1, 1979, including Midland Plant, Units 1 and 2), which will apply until a rule is in place.

It is our position that plants to be licensed after January 1, 1979, shall comply with the fire protection program established by Appendix R to 10 CFR Part 50 in accordance with the requirements of Paragraph 50.48 of 10 CFR Part 50, as well as by Branch Technical Position (BTP) ASB 9.5.1. All exceptions and alternative positions to Appendix R or the BTP shall be identified, justified with bases as to an equivalent level of fire protection, and appropriate commitments to alternatives shall be indicated. Any such basis provided as part of the OL application will be reviewed by the NRC staff on a case-by-case basis. All such exceptions or alternative positions accepted by the NRC staff and committed to by the applicant, will become conditions of the OL licenses, once issued.

As indicated at the April 16, 1981 meeting, submittal of the revised Midland Fire Protection Report is planned for the end of July 1981. Upon receipt of that report, we will review it using the guidance of this letter and Appendix R to 10 CFR Part 50.

Sincerely,

Original signed by  
Robert L. Tedesco

Robert L. Tedesco, Assistant Director  
for Licensing  
Division of Licensing

DE  
RVollmer  
6/25/81

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PDR ADOCK 05000329  
F PDR

\*SEE PREVIOUS CONCURRENCE SHEET  
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DATE	5/22/81	5/26/81	5/22/81	6/25/81
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Docket Nos.: 50-329/330

Mr. J. W. Cook  
Vice President  
Consumers Power Company  
1945 West Parnall Road  
Jackson, Michigan 49201

Dear Mr. Cook:

SUBJECT: STAFF INTERIM POSITION FOR FIRE PROTECTION RULE: APPENDIX R  
TO 10 CFR PART 50

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Sincerely,

Robert L. Tedesco, Assistant Director  
Division of Licensing

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*R. Anand 5/22/81*

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