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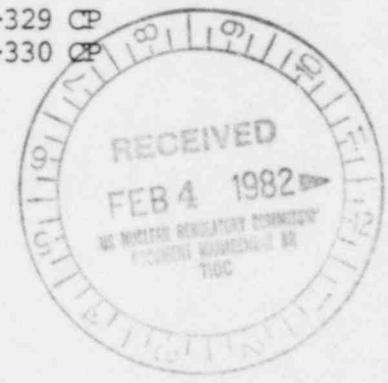
UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

OFFICE OF GENERAL
DOCKETING & SERVICE
BRANCH

ATOMIC SAFETY AND LICENSING APPEAL BOARD

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

Docket Nos. 50-329 CP
50-330 CP



EXCEPTIONS TO PARTIAL INITIAL DECISION
(Remand Proceeding)
DATED DECEMBER 22, 1981

Pursuant to 10 C.F.R. Section 2.762 (and an earlier Atomic Safety and Licensing Appeal Board Order permitting these Exceptions to be filed on or before January 18, 1982), the Saginaw Valley Nuclear Study Group, one of the Intervenors other than Dow (hereafter "Intervenor") makes the following Exceptions:

1. The conclusion in the second sentence of the first full paragraph at page 40 that sanctions are neither necessary nor appropriate.
2. The conclusion in the second sentence of the second full paragraph at page 40 that there was no conspiracy to countenance perjury or to commit fraud upon the Board.
3. The conclusion in the third sentence in the second full paragraph at page 40 that there is no evidence of any attorney deliberately engaging in unethical conduct or willfully deceiving the Licensing Board.

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4. The applicability of the legal standards set forth in the first sentence of the third full paragraph at page 40.

5. The applicability or relevancy of the legal conclusion in the second sentence of the third full paragraph at page 40 and continuing to page 41.

6. The applicability (and relevancy) of the legal standard in the first full sentence at page 41.

7. The applicability and relevancy of the observation (or legal test) in the first sentence of the first full paragraph at page 41.

8. The application of the mitigating factor test in the second sentence in the first full paragraph at page 41.

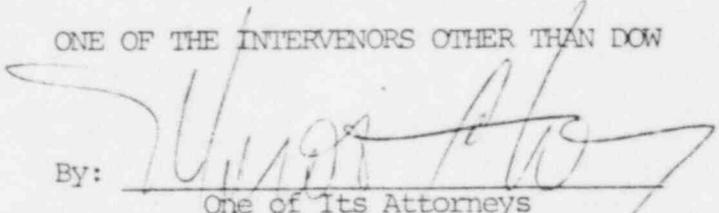
9. The conclusion in the third sentence in the first full paragraph at page 41.

10. The inconsistency between the conclusions of fact and law contained in Part V "Conclusion" with the Findings of Fact contained in the preceding sections constituting the Board's factual findings and conclusions (up through page 39).

11. Accepting the Board's Findings of Fact through page 39 (up to "Conclusion"), the conclusions of law and fact and the failure to issue sanctions are totally inconsistent and unsupportable and do not follow as a matter of law.

Respectfully submitted,

ONE OF THE INTERVENORS OTHER THAN DOW

By: 

One of Its Attorneys

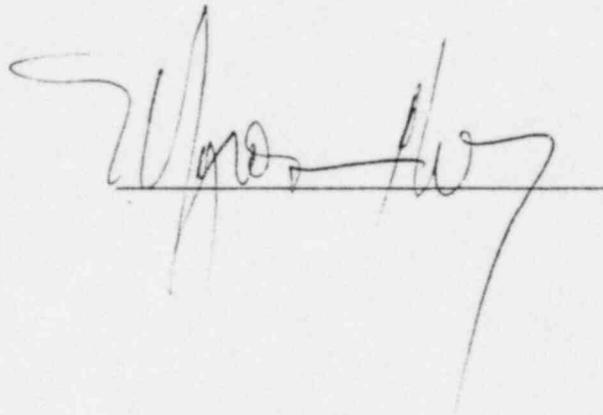
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PROOF OF SERVICE

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I certify that three copies of the foregoing Exceptions to Partial Initial Decision dated December 22, 1981 were served upon the Atomic Safety and Licensing Appeal Board Panel; upon counsel for Consumers Power Company, Shaw, Pittman, Potts & Trowbridge, 1800 M Street, N.W., Washington, D.C. 20036; and upon the Official Service List by first class mail, postage prepaid and properly addressed, this 17th day of January, 1982.

A handwritten signature in cursive script, appearing to read "W. A. [unclear]", is written over a horizontal line.