

May 20, 1994

Dr. Mary Sinclair  
5711 Summerset Drive  
Midland, Michigan 48640

Dear Dr. Sinclair:

I am responding to your May 16, 1994 letter, received by us on May 17, in which you request the licensee's written evaluations under 10 CFR 72.212 for the use of the VSC-24 casks at the Palisades nuclear plant. You ask that we furnish these documents in time for you to review them before the meeting scheduled for May 23, 1994. Principally because of the shortness of time, as well as the necessity of preparing for next Monday's meeting, we regret that we are not able to provide you with the documents you seek on the schedule you propose. We will, however, examine our records and respond to you as quickly as possible.

First, however, we wish to offer some clarification. Section 72.212 requires the licensee to perform certain written evaluations prior to cask use, retain them in its records, and make them available for NRC inspection. The regulation does not require the licensee to submit them to NRC. Thus it is most unlikely that NRC even has in its possession all the "written evaluations" to which you refer.

You should also be aware that the written evaluations conducted prior to the first use of the cask in 1993 are not directly relevant to the actual subject of Monday's meeting. After the allegations and concerns (your own and Dr. Landsman's) were raised about cask pad stability at the Palisades site, the licensee committed itself, in a letter dated March 22, 1994, to conduct further analyses of the site, with reference both to erosion and to soil liquefaction under earthquake conditions. The NRC staff elected to conduct its own independent assessment (documented in the Draft Safety Assessment issued by the NRC on May 18, 1994) of these issues, in addition to reviewing the recent actions and analyses of the licensee. In short, our focus in the past several months has been not on the earlier analyses, but on the further analyses conducted in response to the issues raised by Dr. Landsman and yourself, and this is the planned focus of next week's meeting.

We are pleased that you will be attending the May 23 public meeting, and look forward to seeing you there.

Sincerely,  
Original signed by John Hannon for  
John A. Zwolinski, Assistant Director  
for Region III Reactors  
Division of Reactor Projects - III/IV  
Office of Nuclear Reactor Regulation

OFFICE	PM:PD31	PD:PD31	OGC	ADR3	B:DPRW	(A)ADP
NAME	AHsfb:SW	LMarsh	CRearer	JZwolinski	JRoe	LReyes
DATE	5/20/94	5/20/94	5/20/94	5/20/94	1/94	1/94

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Consumers Power Company

Palisades Plant

cc:

Mr. Robert A. Fenech  
Vice President, Nuclear Operations  
Consumers Power Company  
Palisades Plant  
27780 Blue Star Memorial Highway  
Covert, Michigan 49043

U.S. Nuclear Regulatory Commission  
Resident Inspector Office  
Palisades Plant  
27782 Blue Star Memorial Highway  
Covert, Michigan 49043

Mr. Thomas J. Palmisano  
Plant General Manager  
Palisades Plant  
27780 Blue Star Memorial Highway  
Covert, MI 49043

Nuclear Facilities and Environmental  
Monitoring Section Office  
Division of Radiological Health  
Department of Public Health  
3423 N. Logan Street  
P. O. Box 30195  
Lansing, Michigan 48909

Mr. David W. Rogers  
Plant Safety and Licensing Director  
Palisades Plant  
27780 Blue Star Memorial Highway  
Covert, Michigan 49043

Gerald Charnoff, Esquire  
Shaw, Pittman, Potts and Trowbridge  
2300 N Street, N. W.  
Washington DC 20037

M. I. Miller, Esquire  
Sidley & Austin  
54th Floor  
One First National Plaza  
Chicago, Illinois 60603

Alora Davis  
Commitment Tracking System  
Coordinator  
Palisades Plant  
Consumers Power Company  
27780 Blue Star Memorial Hwy.  
Covert, Michigan 49043-9530

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

Regional Administrator, Region III  
U.S. Nuclear Regulatory Commission  
801 Warrenville Road  
Lisle, Illinois 60532-4351

Jerry Sarno  
Township Supervisor  
Covert Township  
36197 M-140 Highway  
Covert, Michigan 49043

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

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Docket File (50-255)

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W. Kropp, RIII

R. Landsman, RIII

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TGibbons

PD31 Rdg.

cc: Licensee & Service List