

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY
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BRANCH

In the Matter of)
CONSUMERS POWER COMPANY) Docket No. 50-155-OLA
(Big Rock Point Nuclear Power Plant)) (Spent Fuel Pool
Modification)

MOTION TO DEFER

Consumers Power Company ("Licensee") hereby moves the Atomic Safety and and Licensing Board to enter an order to defer further consideration of Genuine Issue of Fact (1) under Christa-Maria Contention VIII and O'Neill Contention III.E-2. Genuine Issue of Fact (1) concerns the reliability of the make-up line as described in Mr. Blanchard's testimony (Tr.2024). In support of the Motion, Licensee states:

1. As counsel's letter of September 9, 1982 to the Licensing Board and parties indicates, Licensee now intends to replace the existing makeup line with a larger one. In essence, Licensee intends to file an amended thermal and stress analysis of the spent fuel pool structure for review and evaluation by the NRC Staff. This analysis will be submitted to the NRC Staff, the Licensing Board and the other parties as Appendix II to the Consolidated Application and it will replace the original Appendix II which was withdrawn during the hearings in June 1982. The revised analysis will

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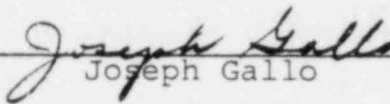
address the integrity of the spent fuel pool at a temperature of 150°F instead of the elevated pool boiling temperature in the range of 237°F. The new makeup line will serve the dual function of maintaining pool temperature below 150°F during postulated transients and accidents as well as providing the means for remote delivery of makeup water to the pool.

2. Mr. Blanchard's testimony on the reliability of the existing makeup line (Genuine Issue of Fact (1)) will necessarily change in part as a result of the installation of a larger line. Licensee, at this stage, is uncertain as to the extent of any revision to the Blanchard testimony. It is, however, obvious that the record will require reopening to clarify this matter. For this reason, it would serve no useful purpose to continue the exercise of filing findings of fact and conclusions of law on Genuine Issue of Fact (1). Licensee does intend to file its reply findings, however, on Genuine Issue of Facts (2) and (3), and Licensee requests that the Licensing Board issue a partial initial decision on these two issues in accordance with its usual practice in this case.

3. I have been authorized by counsel for Intervenors, Christa-Maria, et.al and the NRC Staff to state that they concur in this motion.

For good cause shown, Licensee's Motion should be granted.

Respectfully submitted,


Joseph Gallo

One of the Attorneys for
Consumers Power Company

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Date: September 17, 1982

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)

CERTIFICATE OF SERVICE

I hereby certify that copies of CONSUMERS POWER COMPANY'S MOTION TO DEFER were served on all persons listed below by deposit in the United States mail, first-class postage prepaid, this 17th day of September, 1982.

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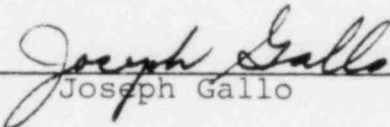
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