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MEMORANDUM FOR: Samuel J. Chilk, Secretary
 FROM: Harold R. Denton, Director, NRR
 SUBJECT: REQUEST FOR A HEARING -- MIDLAND ORDER

I am forwarding with this memorandum for Commission action a request filed by the Licensee, Consumers Power Company, for a hearing on the "Order Modifying Construction Permits", which was issued jointly on December 6, 1979, by the Offices of Nuclear Reactor Regulation and of Inspection and Enforcement. This Order prohibits the Licensee from performing certain soil-related activities pending approval of amendments to the Licensee's construction permits which would authorize remedial actions concerning soil conditions.

As the Commission and you may be aware, a proceeding on proposed issuance of operating licenses is presently pending before an Atomic Safety and Licensing Board which includes contentions concerning building settlement at the Midland site. In addition, the Licensee has requested an amendment to its construction permits and has filed an amendment to its operating license applications which seek approval of remedial actions associated with soil conditions at the site.

Original Signed by
 H. R. Denton

Harold R. Denton, Director
 Office of Nuclear Reactor Regulation

Enclosure:
 As stated above

cc: L. Bickwit, OGC
 E. Hanrahan, OPE
 L. Gossick, EDO
 V. Stello, IE

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OFFICE	DPM	NRR DIR	NRR DIR		
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