

February 2, 2006

Mr. Kurt Haas, Site General Manager
Big Rock Point Restoration Project
Consumers Energy Company
10269 US-31 North
Charlevoix, Michigan 49720

SUBJECT: TRANSMITTAL OF SIGNED MEMORANDUM OF AGREEMENT

Dear Mr. Haas:

Enclosed is the Memorandum of Agreement (MOA) between the U.S. Nuclear Regulatory Commission (NRC), the Michigan State Historic Preservation Officer (SHPO), and Consumers Energy Company regarding the decommissioning of the Big Rock Point (BRP) site. Please note that NRC is of the opinion that Clause IV, "Development of Project Review Guidelines," more properly belongs in a separate agreement between NRC and the MI SHPO. Therefore it will pursue such an agreement with the MI SHPO. When that agreement is consummated, NRC will request that Clause IV be removed from this MOA.

Also, this is to notify all parties to the MOA, that NRC intends to exercise its rights under Clause VIII, "Termination," at the time the final license for the BRP site is terminated. NRC will not have regulatory authority at the site following NRC license termination. NRC expects to have a license at the site until the Department of Energy takes possession of all spent fuel at the site and transports the spent fuel offsite.

Sincerely,

/RA/

Scott C. Flanders, Deputy Director
Environmental and Performance
Assessment Directorate
Division of Waste Management
and Environmental Protection
Office of Nuclear Material Safety
and Safeguards

Enclosure:
MOA Regarding the Decommissioning of BRP

Docket No.: 50-155
License No.: DPR-6

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