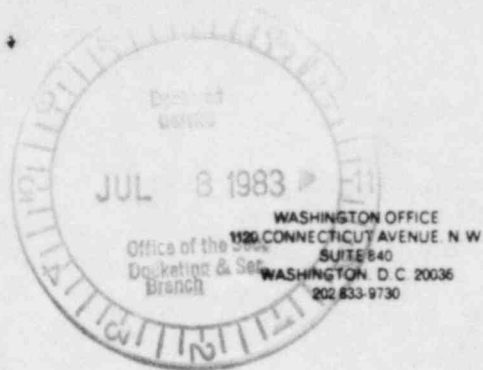


ISHAM, LINCOLN & BEALE +  
COUNSELORS AT LAW

THREE FIRST NATIONAL PLAZA  
CHICAGO, ILLINOIS 60602  
TELEPHONE 312 558-7500  
TELEX: 2-5288

EDWARD S. ISHAM, 1872-1902  
ROBERT T. LINCOLN, 1872-1889  
WILLIAM G. BEALE, 1885-1923



July 6, 1983

In the Matter of	)	
	)	Docket Nos. 50-329-OM
CONSUMERS POWER COMPANY	)	50-330-OM
	)	50-329-OL
(Midland Plant, Units 1	)	50-330-OL
and 2)	)	

Charles Bechhoefer, Esq.  
Atomic Safety & Licensing  
Board Panel  
U.S. Nuclear Regulatory Com-  
mission  
Washington, D. C. 20555

Dr. Jerry Harbour  
Atomic Safety & Licensing  
Board Panel  
U.S. Nuclear Regulatory Com-  
mission  
Washington, D. C. 20555

Dr. Frederick P. Cowan  
6152 N. Verde Trail  
Apt. B-125  
Boca Raton, Florida 33433

Dear Administrative Judges:


Pursuant to 10 CFR § 2.754, enclosed is the first installment of Applicant's Proposed Findings of Fact and Conclusions of Law on Remedial Soils Issues. These findings summarize the record compiled in this proceeding on Seismology and Seismic Models. We expect to file our remaining findings on remedial soils issues by the end of July or early August. When all these findings are completed we will provide the Board and the parties with a single bound volume.

We recognize, of course, that the Licensing Board has not yet ordered the parties to file proposed findings. However, we expect the Board will do so. See Detroit Edison Company (Enrico Fermi Atomic Power Plant, Unit 2), ALAB-709, \_\_\_\_\_ NRC (January 4, 1983). Moreover, the record on remedial soils issues is essentially complete - certainly on seismology

Administrative Judges  
July 6, 1983  
Page 2

and seismic models.<sup>1/</sup> Therefore we believe our submitting proposed findings early will be helpful to the Board and to the other parties in reducing the time needed to complete their own review of the record.

Sincerely,

  
Philip P. Steptoe

PPS:es

enc.

---

1/ Applicant has yet to respond to Ms. Stamiris' Motion to Reopen the Record. In addition we owe the Board and the Staff an affidavit on the long-term suitability of ethafoam. The NRC Staff also will communicate to the Board the results of its review of Dr. Thiruvengadam's affidavit on the seismic analysis of Service Water piping and Dr. Peck's affidavit on dewatering settlement of the DGB, and their comments on our ethafoam affidavit. In addition the Staff will inform the Board whether they disagree with Applicant's identification of the line struck while drilling between the Turbine Building and the DGB.

7/6/83

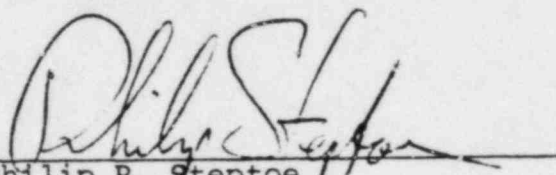
UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

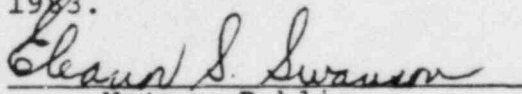
In the Matter of	)	
	)	Docket Nos. 50-329-OM
CONSUMERS POWER COMPANY	)	50-330-OM
	)	50-329-OL
(Midland Plant, Units 1	)	50-330-OL
and 2)	)	

CERTIFICATE OF SERVICE

I, Philip P. Steptoe, one of the attorneys for Consumers Power Company, hereby certify that the first installment of Applicant's Proposed Findings of Fact and Conclusions of Law on Remedial Soils issues was served upon all persons shown in the attached service list by deposit in the United States mail, first class, this 6th day of July, 1983.

  
Philip P. Steptoe

SUBSCRIBED AND SWORN before  
me this 6th day of July,  
1983.

  
Notary Public

My Commission Expires January 14, 1987

## SERVICE LIST

Frank J. Kelley, Esq. Attorney General of the State of Michigan Carole Steinberg, Esq. Assistant Attorney General Environmental Protection Div. 720 Law Building Lansing, Michigan 48913	Steve Gadler, Esq. 2120 Carter Avenue St. Paul, Minnesota 55108  Atomic Safety & Licensing Appeal Panel U.S. Nuclear Regulatory Comm. Washington, D. C. 20555
Myron M. Cherry, Esq. Cherry & Flynn Suite 3700 Three First National Plaza Chicago, Illinois 60602	Mr. Scott W. Stucky Chief, Docketing & Services U.S. Nuclear Regulatory Comm. Office of the Secretary Washington, D. C. 20555
Mr. Wendell H. Marshall 4625 S. Saginaw Road Midland, Michigan 48640	Ms. Mary Sinclair 5711 Summerset Street Midland, Michigan 48640
Charles Bechhoefer, Esq. Atomic Safety & Licensing Board Panel U.S. Nuclear Regulatory Comm. Washington, D. C. 20555	William D. Paton, Esq. Counsel for the NRC Staff U.S. Nuclear Regulatory Comm. Washington, D. C. 20555
Dr. Frederick P. Cowan 6152 N. Verde Trail Apt. B-125 Boca Raton, Florida 33433	Atomic Safety & Licensing Board Panel U.S. Nuclear Regulatory Comm. Washington, D. C. 20555
Mr. D. F. Judd Babcock & Wilcox P. O. Box 1260 Lynchburg, Virginia 24505	Ms. Barbara Stamiris 5795 North River Road Route 3 Freeland, Michigan 48623
James E. Brunner, Esq. Consumers Power Company 212 West Michigan Avenue Jackson, Michigan 49201	Dr. Jerry Harbour Atomic Safety & Licensing Board Panel U.S. Nuclear Regulatory Comm. Washington, D. C. 20555
Lynne Bernabei Thomas Devine Louis Clark Government Accountability Project of the Institute for Policy Studies 1901 Q Street, N.W. Washington, D. C. 20009	