

November 15, 1988

Docket No. 50-461

Mr. Dale Holtzscher
Acting Manager-Licensing and Safety
Clinton Power Station
Post Office Box 678
Mail Code V920
Clinton, Illinois 61727

Dear Mr. Holtzscher:

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The Commission has filed the enclosed "Notice of Consideration of Issuance of Amendments to Facility Operating License and Opportunity for Hearing" with the Office of the Federal Register for publication. This notice relates to your request of November 2, 1988, to amend the Facility Operating License NPF-62 for Clinton Power Station, Unit 1 (CPS). This amendment includes a proposed change to the Operating License to reflect an adjustment to the ownership interests in CPS which would occur if Soyland Power Cooperative (Soyland) merges with Western Illinois Power Cooperative (WIPCO) and WIPCO ceases to exist as a separate entity.

Sincerely,

151

Janice A. Stevens, Project Manager
Project Directorate III-2
Division of Reactor Projects - III,
IV, V and Special Projects

Enclosure:
As stated

cc: See next page

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PDIII-2:PM
JStevens:km
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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555
November 15, 1988

Docket No. 50-461

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Clinton Power Station
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Sincerely,

Janice A. Stevens

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Division of Reactor Projects - III,
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Enclosure:
As stated

cc: See next page

Mr. Dale L. Holtzscher
Illinois Power Company

Clinton Power Station
Unit 1

cc:

Mr. D. P. Hall
Vice President
Clinton Power Station
P. O. Box 678
Clinton, Illinois, 61727

Mr. R. D. Freeman
Manager-Nuclear Station Engineering Dept.
Clinton Power Station
P. O. Box 678
Clinton, Illinois 61727

Sheldon Zabel, Esquire
Schiff, Hardin & Waite
7200 Sears Tower
233 Wacker Drive
Chicago, Illinois 60606

Resident Inspector
U. S. Nuclear Regulatory Commission
RR 3, Box 229 A
Clinton, Illinois 61727

Mr. L. Larson
Project Manager
General Electric Company
175 Curtner Avenue, N/C 395
San Jose, California 95125

Regional Administrator, Region III
799 Roosevelt Road, Bldg. #4
Glen Ellyn, Illinois 60137

Chairman of DeWitt County
c/o County Clerk's Office
DeWitt County Courthouse
Clinton, Illinois 61727

Illinois Department
of Nuclear Safety
Division of Engineering
1035 Outer Park Drive, 5th Floor
Springfield, Illinois 62704

Mr. Donald Schopfer
Project Manager
Sargent & Lundy Engineers
55 East Monroe Street
Chicago, Illinois 60603

UNITED STATES NUCLEAR REGULATORY COMMISSION
ILLINOIS POWER COMPANY, ET AL.
DOCKET NO. 50-461
NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT
TO FACILITY OPERATING LICENSE AND
OPPORTUNITY FOR HEARING

The United States Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. NPF-62 issued to the licensees, Illinois Power Company* (IP), Soyland Power Cooperative, Inc. (Soyland) and Western Illinois Power Cooperative, Inc. (WIPCO), for operation of Clinton Power Station, Unit 1 (CPS) located in DeWitt County, Illinois.

This amendment includes a proposed change to the Operating License to reflect an adjustment to the ownership interests in CPS which would occur if Soyland merges with WIPCO and WIPCO ceases to exist as a separate entity. Soyland and WIPCO are minority owners of CPS with a combined ownership share of less than 15%. Along with IP, WIPCO and Soyland are currently licensees for CPS; as a result, the merger of WIPCO and Soyland will not result in the transfer of the license to any entity not currently a licensee for CPS. Soyland will assume full responsibility for all CPS obligations currently

*Illinois Power Company is authorized to act as agent for Soyland Power Cooperative, Inc. and Western Illinois Power Cooperative, Inc. and has exclusive responsibility and control over the physical construction, operation and maintenance of the facility.

being discharged by WIPCO. The proposed license amendment will not change the share of ownership that IP has in CPS, will not change IP's commitments related to capital and operating and maintenance costs, and will not affect IP's role as project manager.

Prior to issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

By _____, the licensees may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for hearing and a petition for leave to intervene. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR §2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) the nature of

of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter, and the bases for each contention set forth with reasonable specificity. Contentions shall be limited to matters within the scope of the amendment under consideration. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

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A request for a hearing or a petition for leave to intervene shall be filed with the Secretary of the Commission, United States Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, 2120 L Street, N.W., Washington, D.C. by the above date. Where petitions are filed during the last ten (10) days of the notice period, it is requested that the petitioner or representative for the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1-800-325-6000 (in Missouri 1-800-342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to Daniel R. Muller: petitioner's name and telephone number; date petition was mailed; plant name; and publication date and page number of this FEDERAL REGISTER NOTICE. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Sheldon Zabel, Esquire, Schiff, Hardin and Waite, 7200 Sears Tower, 233 Wacker Drive, Chicago, Illinois 60606, attorney for the licensees.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petition and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board, that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

If a request for hearing is received, the Commission's staff may issue the amendment after it completes its technical review and prior to the

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completion of any required hearing if it publishes a further notice for public comment of its proposed finding of no significant hazards consideration in accordance with 10 CFR 50.91 and 50.92.

For further details with respect to this action, see the application for amendment dated November 2, 1988, which is available for public inspection at the Commission's Public Document Room, 2120 L Street, N.W., Washington, D.C. 20555, and at the Vespasian Warner Public Library, 120 West Johnson Street, Clinton, Illinois 61727.

Dated at Rockville, Maryland this 15th day of November 1988.

FOR THE NUCLEAR REGULATORY COMMISSION



Byron Siegel, Acting Director
Project Directorate III-2
Division of Reactor Projects - III,
IV, V and Special Projects

November 15, 1988

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Dated at Rockville, Maryland this 15th day of November 1988.

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Division of Reactor Projects - III,
IV, V and Special Projects

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