



United States Department of the Interior

NATIONAL PARK SERVICE
WASHINGTON, D.C. 20240

IN REPLY REFER TO:

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AUG 4 1981



Mr. Harold R. Denton
Director
Office of Nuclear Reactor Regulation
Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Denton:

This is further response to my letter of December 2, 1980, to Honorable John F. Ahearne, Chairman, Nuclear Regulatory Commission, regarding construction dewatering and the construction permit extension for NIPSCO's Bailly Nuclear-1 and your response to that correspondence of December 30, 1980.

In answer to my request for information regarding hearings on renewal of NIPSCO's construction permit for Bailly Nuclear-1, you noted that the subject hearing had not been scheduled but that we would be kept informed. It is our present understanding that, while a specific date for the hearing has still not been scheduled, the NRC has established the date of August 28 as the last date for accepting depositions and interrogatories and that the hearing might be scheduled as soon as early October of this year. We would appreciate you providing us with the latest information on the hearing, specifically:

- Copies of any official orders issued relating to the construction permit extension (Docket No. 50-367 CPA) since the issuance of the Atomic Safety and Licensing Board's order of August 7, 1980.
- An up to date listing of the petitioners to whom the NRC has granted standing to intervene in the construction permit extension proceeding and a list of the matters and issues determined by NRC to date to be within the scope of the proceeding.
- Copies of any correspondence or official orders requesting or allowing the submission of depositions and interrogatories in this proceeding and setting any deadline for their submission.
- Copies of all interrogatories or depositions submitted to date in regard to this proceeding and copies of those submitted hereafter.

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In your letter of December 30, 1980, you noted that you had concluded that NIPSCO's revised dewatering plan constituted, "...a reasonable approach to the problem of construction dewatering ..." and, in your letter of November 21, 1979, to NIPSCO, you noted "... that the existing monitoring and mitigation program can detect and interdict any adverse conditions before they affect offsite features (except for procedures for preventing and mitigating the effect of boils in the excavation)." We have recently requested and just received a copy of the NRC Staff Evaluation of the Bailly Construction Permit Extension Request (July 17, 1981). That evaluation concludes that "On the basis of ... our evaluation and mitigation program for construction dewatering ... there will be no significant environmental impact ... other than that already predicted and described" The evaluation further notes that the NRC will require modification to the permittee's monitoring and mitigation program to be submitted for NRC review and approval prior to completing the construction permit extension hearing.

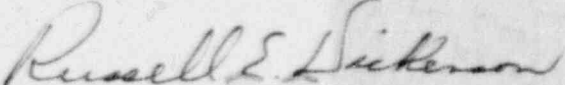
As noted in former Secretary of Interior Andrus' letter to Chairman Ahaerne of October 3, 1980, we are concerned that the revised construction dewatering will result in water level declines at Cowles Bog National Natural Landmark and that those water declines may not be able to be fully mitigated. Therefore, we request that you supply us with all correspondence between NRC and NIPSCO since December 30, 1980, regarding NIPSCO's proposed monitoring and mitigation program for dewatering. We also ask that we be supplied with a copy of NIPSCO's monitoring and mitigation program modifications for review by the National Park Service and the U.S. Geological Survey prior to completion of the construction permit extension hearings. We ask that our review be conducted concurrent with the review by NRC and that any comments this Department may have based on that review be considered by you in your review prior to construction permit extension hearings.

Because of our continuing interest in this matter, we ask that you include the National Park Service on your Service (mailing) List for all matters related to Docket No. 50-367 CPA. Please include on this list copies to the following individuals:

Dr. Richard Briceland
Associate Director, Science
and Technology
National Park Service
Department of the Interior
Washington, D.C. 20240

Mr. James R. Whitehouse
Superintendent
Indiana Dunes National Lakeshore
1100 N. Mineral Springs Road
Porter, Indiana 46304

Sincerely yours,


Director

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DEPARTMENT OF THE INTERIOR

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