

RELATED CORRESPONDENCE

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November 21, 1980

Mr. Harold Denton  
Director, Nuclear Reactor Regulation  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

BUCKET NUMBER 50-367  
PROD. & UTIL. FAC.

2206

Re: Request for Action under 10 C.F.R. § 2.206,  
Bailly Generating Station, Nuclear 1

Dear Mr. Denton:

On June 5, 1980, the City of Gary, Indiana, et al., joined in the State of Illinois' pending request to suspend or revoke the construction permit for the Bailly plant pending a decision as to whether the site remains feasible from an evacuation perspective. The City of Gary, et al., have alternatively sought to have this issue litigated in the pending construction permit extension proceeding.

By Order dated November 20, 1980, the Appeal Board ruled that a 2.206 proceeding is the exclusive forum for raising the question of whether Bailly is being built at an evacuable site. On the same day, NIPSCO submitted comments addressed to your office, opposing the issuance of a show cause order.

Because a § 2.206 proceeding may now be the only vehicle whereby the question of evacuation can be considered before Bailly is built, the City of Gary, et al. request the opportunity to file a response to NIPSCO's submission and to file supplemental comments of their own. This letter is to inform you that they intend to do so within 10 days.

Sincerely,

Diane B. Cohn

DBC/ee  
cc: Service List

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