



# BPI

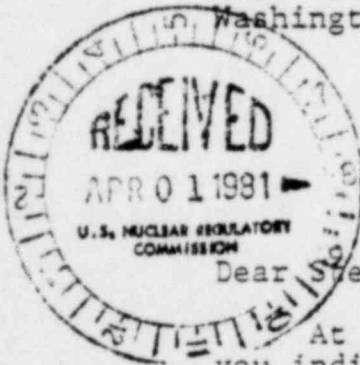
## Business and Professional People for the Public Interest

109 North Dearborn Street, Suite 1300 • Chicago, Illinois 60602 • Telephone: (312) 641-5570

March 13, 1981



Mr. Steven C. Goldberg  
Counsel for the NRC Regulatory Staff  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555



Re: Northern Indiana Public Service  
Company (Bailly Generating  
Station, Nuclear-1) Docket No.  
50-367 (Construction Permit  
Extension)

Dear Steve:

At the Bailly prehearing conference on March 13, 1980, you indicated that you expected the Staff to complete its evaluation of the NIPSCO's construction permit amendment request, including its position on whether an Environmental Impact Statement (EIS) is required, in June, 1980. In a pleading filed on September 9, 1980, you stated that the Staff would make its EIS determination in early October. On October 30, 1980, by letter to the Licensing Board, you advised that the Staff would prepare an "environmental impact appraisal," and stated that such appraisal would be completed by January 15, 1981. In a letter to the Board dated January 16, 1981, you stated that the Staff had decided to retain a consultant, but no contract for the consultant had been made.

As you know, the Staff EIS position is directly related to our NEPA contentions, on which the Board has not yet ruled. In view of the long delay in the Staff's formulation of its position, together with the fact that the Staff has known for at least two years that it would have to comply with NEPA with regard to NIPSCO's requested amendment, it seems reasonable to request of you a status report on the Staff evaluation, and a commitment to a date

DS03  
5/10

### Directors

Robert B. Lifton  
*President*

Donald Cann  
Alan Saks  
Dora Williams  
*vice Presidents*

Richard P. Kiphart  
*Treasurer*

Sylvia Scheinleid  
*Secretary*

James W. Ashley  
John C. Bachman  
Julian Berman  
Cecil C. Butler  
George Conah  
Leon M. Despres  
Luis E. Diaz Perez  
Carlos Y. Farkwell  
Steve Fiffer  
Leon D. Finney  
Stanton O. Flanders  
Herbert B. Fried  
Bernard Gordon

Ronald Grzywinski  
Martin Hausman  
Florence Heitler  
Pete Hunt  
E. Laverne Jones  
Arnold B. Kantor  
Joseph Keitman  
Eliot Lehman  
Katherine Lambert  
Michael D. Maltz  
John L. McKnight  
Elena B. Mulcahy  
Walter A. Netsch

Eugene Pekow  
Alexander Polikoff  
Rudolph S. Rasin  
Jeremy Warburg Russo  
James A. Shapiro  
Dick Simpson  
Bill Sinner  
Cecil J. Troy  
Robert J. Vollen  
Lois Weisberg  
Morton Weisman  
Richard Wulff

### Staff

Alexander Polikoff  
*Executive Director*

Robert J. Vollen  
*General Counsel*

Douglass W. Cassel, Jr.  
Mary Galloway James  
Elizabeth L. Lassa  
Jane M. Whicher  
Francine G. Rissman  
Howard A. Learner  
*Attorneys*

### Ron Stevens

*Attorney, The  
Housing Agenda*

Dianne L. Sautter

*Director of Development*

M. Seima Nise

*Community Development  
Director*

Nancy Stone

*Paralegal*

### Past Presidents

Gordon B. Sherman

Eliot Lehman

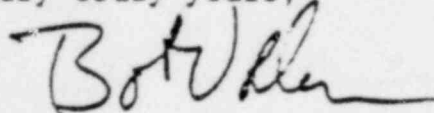
6

8104020522

by which the Staff's position will be formulated and any documents supporting that position will be made available.

Accordingly, we hereby request that you inform us, as well as the Licensing Board and the other parties to this proceeding, of the status of the Staff's review, and the date by which the Staff's position and documents will be finalized.

Very truly yours,



Robert J. Vollen

One of the Attorneys for  
Porter County Chapter Intervenors

RJV: beg

cc: Administrative Judge Herbert Grossman, Esq.  
Administrative Judge Robert L. Holton  
Administrative Judge J. Venn Leeds  
Maurice Axelrad, Esq.  
William H. Eichhorn, Esq.  
Diane B. Cohn, Esq.  
George and Anna Grabowski  
George Schultz  
Richard L. Robbins, Esq.  
Mike Olszanski  
Anne Rapkin, Esq.  
Stephen Laudig, Esq.

Atomic Safety and Licensing Board Panel  
Atomic Safety and Licensing Appeal Board Panel  
Docketing and Service Section