

APR 8 1982

Docket No. 50-462

Illinois Power Company
ATTN: Mr. Leonard J. Koch
Vice President
500 South 27th Street
Decatur, Illinois 62525



Gentlemen:

Illinois Power Company (IP), in a letter to the Office of Nuclear Reactor Regulation (NRR) dated October 30, 1981, requested that the Clinton 2 operating license review be postponed since construction of the unit had been deferred indefinitely and IP is not authorizing further expenditure of construction funds. In addition, IP filed a notice with the Atomic Safety and Licensing Board Panel (ASLBP) to sever the proceedings for an operating license for Unit 2 from the proceedings for Unit 1 indicating that there was no need to proceed with the application for the Unit 2 operating license. In their letter dated November 20, 1981, to your Company, NRR stated that the staff was discontinuing the review of Unit 2. Also, on November 13, 1981, the ASLBP issued an Order Granting Motion for Severance and Stay of Proceedings.

Under 10 CFR Part 170, it is Commission practice to recover review costs using the procedures of Footnote 3 to 10 CFR 170.21 when the review of the project is complete. Pursuant to 10 CFR 170.12(b), the review of a project is considered complete "...when a permit or license is issued, or an application for a permit or license is denied, withdrawn, suspended, or action on the application is postponed." We consider the review of this project to be indefinitely postponed as of November 20, 1981, the date that NRR discontinued review of Clinton 2. Accordingly, we have determined the actual professional staff hours expended and contractual costs incurred by the major program offices (except NRR) from February 24, 1976 (the date the construction permit was issued) to November 20, 1981 (the date NRR discontinued review). NRR has informed us that since Clinton 1 and 2 were reviewed concurrently, there was no separate review for Unit 2. As a result, all NRR professional staff hours and contractual costs will be billed to Unit 1 upon issuance of the Unit 1 operating license. Actual costs of other offices for the review of Unit 2 were \$22,086. Under the Commission's regulations, we limit the charge for review to the lesser of actual cost or the maximum fee allowed under 10 CFR 170.21(a)A.1. (operating reactor - custom design - concurrent unit review). For this review, the actual cost is applicable. The balance due for the review of the Clinton 2 operating license application, which has now been postponed indefinitely, is \$22,086.

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We have notified the NRC Office of the Controller to issue an invoice to your Company to cover the Commission's review costs of \$22,086 for Unit 2.

Sincerely,

Original Signed by
Wm. O. Miller

William O. Miller, Chief
License Fee Management Branch
Office of Administration

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*See attached copy for concurrences.

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DATE	4/7/82	4/7/82	4/7/82	4/7/82			