

DEC 13 1982

DISTRIBUTION:

Docket File

NRC PDR

Local PDR

NSIC

PRC

Docket No.: 50-367

Mr. E. M. Shorb  
First Vice President  
Northern Indiana Public Service Company  
5265 Hohman Avenue  
Hammond, Indiana 46320

LB#2 File

DLynch

AHodgdon, OELD

Region III

ELJordan, DEQA:IE

JMTaylor, DRP:IE

ACRS (16)

E. H. HON

Dear Mr. Shorb:

Subject: Staff Evaluation of NIPSCO'S Final Report on the Bailly  
Site Restoration

We have received and evaluated your final report, dated November 17, 1982, on the progress of the Bailly site restoration; our evaluation is contained in the enclosure. By copy of this letter, we are also forwarding our evaluation of your final report to the parties in accordance with the Board's Order of May 6, 1982.

Sincerely,

*[Signature]*  
A. Schwencer, Chief  
Licensing Branch No. 2  
Division of Licensing

Enclosure:  
As stated

cc: See next page

8212160729 821213  
PDR ADOCK 05000367  
A PDR

*Rec'd Date: Report Incorporate comments from L. Chandler &  
A. Hodgdon, OELD on 12/10/82*

OFFICE	DL:LB#2/PM	DL:LB#2/BC					
SURNAME	MDLynch:pt	ASchwencer					
DATE	12/13/82	12/13/82					

Bailly

Mr. E. M. Shorb  
First Vice President  
Northern Indiana Public Service Company  
5265 Hohman Avenue  
Hammond, Indiana 46320

cc: Meredith Hemphill, Jr., Esquire  
Assistant General Counsel  
Bethlehem Steel Corporation  
701 East Third Street  
Bethlehem, Pennsylvania 18106

William H. Eichhorn, Esquire  
Eichhorn, Morrow & Eichhorn  
5243 Hohman Avenue  
Hammond, Indiana 46320

Edward W. Osann, Jr., Esquire  
Leydid, Voit, Osann, Mayer & Holt, Ltd.  
Suite 4600  
One IBM Plaza  
Chicago, Illinois 60611

Robert J. Vollen, Esquire  
109 North Dearborn Street  
Chicago, Illinois 60602

Richard L. Robbins, Esquire  
Lake Michigan Federation  
53 West Jackson Boulevard  
Chicago, Illinois 60604

Kathleen H. Shea, Esquire  
Lowenstein, Newman, Reis, Axelrad & Toll  
1025 Connecticut Avenue, N. W.  
Washington, D. C. 20036

J. R. Whitehouse, Superintendent  
National Park Service  
Indiana Dunes National Lakeshore  
1100 N. Mineral Springs Road  
Porter, Indiana 46304

Robert L. Graham, Esquire  
One IBM Plaza  
44th Floor  
Chicago, Illinois 60611

John Van Vranken, Chief  
Northern Region  
Environmental Control Division  
188 West Randolph Street  
Chicago, Illinois 60601

Clifford Mezo, Acting President  
Local 1010  
United Steelworkers of America  
3703 Euclid Avenue  
East Chicago, Indiana 46312

Mr. Paul A. Barrett  
U. S. NRC, Region III  
799 Roosevelt Road  
Glen Ellyn, Illinois 60137

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

# NRC STAFF EVALUATION OF NIPSCO'S

## FINAL REPORT

### ON THE BAILLY SITE RESTORATION

#### Introduction

On November 23, 1982, the NRC staff received Northern Indiana Public Service Company's (NIPSCO) final report, dated November 17th, on its progress in restoring the site of the Bailly facility. This report was filed in accordance with the Atomic Safety and Licensing Board's Order of May 6, 1982, which terminated the proceeding on NIPSCO's application to extend the CP for the Bailly facility. The staff has reviewed this report and hereby provides its evaluation. For consistency, this evaluation follows the same format used in our two previous evaluations. Accordingly, Sections 1 through 4 contain a brief summary of the NIPSCO report; Section 5 contains the staff's report on its two on-site inspections of the site restoration and its evaluation of NIPSCO's final report.

#### 1. Description of All Work Done

##### A. Work Accomplished

NIPSCO indicates in its final report that it has: (1) physically removed the meteorological tower and instrumentation building; (2) trimmed the H-piles; (3) abandoned the interior sheet piling; (4) abandoned the well points in the excavation; (5) capped all wells; (6) removed the sump pumps; and (7) backfilled the excavation to match the existing grade.

##### B. Work Authorized But Not Completed

None

#### 2. Description of All Remaining Site Work

None

#### 3. Estimate of the Completion of Site Restoration

NIPSCO indicates that it has completed all work required to restore the Bailly site in accordance with the site restoration plan approved by the Board.

4. Estimated Completion Date

The final completion date for all Bailly site restoration work is considered to be November 16, 1982, the date of the final inspection.

5. Staff Evaluation

A. On-Site Staff Inspection

The NRC staff conducted two separate on-site inspections of the Bailly site since its last evaluation. The dates of these inspections were October 18 and November 16, 1982. Copies of the inspection reports prepared following these routine inspections dated November 12 and November 24, 1982, respectively, are attached to this evaluation. The conclusion stated in the November 24th inspection report was that: "Site restoration has been accomplished on schedule and in compliance with the Board Order."

The first inspection was scheduled after the completion of the backfilling operation using material dredged from Lake Michigan and during that portion of the backfilling operation using the on-site native sands previously excavated in 1974. The second inspection was scheduled after completion of all restoration activities at the site.

At the October 18th inspection, the NRC staff observed that: (1) the second phase of the backfilling operation was on going; (2) all recording equipment had been removed from the groundwater observation wells, and the wells had been capped; and (3) the meteorological tower and its associated instrumentation building had been removed. At the November 16th inspection, the staff observed that the backfilling of the excavation was complete.

B. Evaluation

Seven separate items with which NIPSCO must comply were enumerated in the Board's Order of May 6, 1982. These are:

Item 4. That NIPSCO must implement the revised site restoration plan... approved by the Board by Order dated January 29, 1982. NIPSCO has done this.

Item 5. That NIPSCO must begin implementation of that plan no later than August 1, 1982. NIPSCO has done this.

Item 6. That NIPSCO must complete the implementation of that plan no later than September 1, 1983. NIPSCO had done this.

Item 7a. That NIPSCO shall send a report to each of the individuals and organizations currently on the service list... NIPSCO had done this.

Item 8. That... at the completion of the site restoration... NIPSCO is to give notice of... an inspection of the site... NIPSCO has done this.

Item 10. That, in the event that NIPSCO has not completed its site restoration by September 1, 1983,... [certain actions should be taken.] This portion of the Board's Order is not applicable in light of Item 6 above.

Item 11. That there be no modifications to the site restoration plan... without the approval of the NRC staff and a representative of... (BPPI)... NIPSCO has complied with this portion of the Board's Order.

In summary, the NRC staff finds that NIPSCO has completed restoring the Bailly site in accordance with the site restoration plan approved by the Board and that NIPSCO has complied fully with the Board Order of May 6, 1982 within the schedule established thereby.



NOV 12 1982

Docket No. 50-367

Northern Indiana Public Service  
Company

ATTN: Mr. Eugene M. Shorb  
Senior Vice President  
5265 Hohman Avenue  
Hammond, IN 46325

Gentlemen:

This refers to the routine safety inspection conducted by Mr. J. F. Norton and Dr. M. J. Oestmann of this office on October 18, 1982, of activities at Bailly Generating Station, Unit 1, authorized by NRC Construction Permit No. CPPR-104 and to the discussion of our findings with D. L. Kuhn and others at the conclusion of the inspection.

The enclosed copy of our inspection report identifies areas examined during the inspection. Within these areas, the inspection consisted of a selective examination of procedures and representative records, observations, and interviews with personnel.

No items of noncompliance with NRC requirements were identified during the course of this inspection.

In accordance with 10 CFR 2.790 of the Commission's regulations, a copy of this letter and the enclosed inspection report will be placed in the NRC's Public Document Room. If this report contains any information that you (or your contractors) believe to be exempt from disclosure under 10 CFR 9.5(a)(4), it is necessary that you (a) notify this office by telephone within ten (10) days from the date of this letter of your intention to file a request for withholding; and (b) submit within twenty-five (25) days from the date of this letter a written application to this office to withhold such information. If your receipt of this letter has been delayed such that less than seven (7) days are available for your review, please notify this office promptly so that a new due date may be established. Consistent with Section 2.790(b)(1), any such application must be accompanied by an affidavit executed by the owner of the information which identifies the document or part sought to be withheld, and which contains a full statement of the reasons which are the bases for the

8211900043 821112  
PDR ADOCK 05000367  
Q PDR

1E01

Northern Indiana Public Service  
Company

2

NOV 12 1982

claim that the information should be withheld from public disclosure. This section further requires the statement to address with specificity the considerations listed in 10 CFR 2.790(b)(4). The information sought to be withheld shall be incorporated as far as possible into a separate part of the affidavit. If we do not hear from you in this regard within the specified periods noted above, a copy of this letter and the enclosed inspection report will be placed in the Public Document Room.

We will gladly discuss any questions you have concerning this inspection.

Sincerely,

"Original Signed by C.E. Norelius"



W. S. Little, Chief  
Engineering Inspection Branch

Enclosure: Inspection Report  
No. 50-367/82-01(DETP)

cc w/encl:  
DMB/Document Control Desk (RIDS)  
Karen Borgstadt, Office of  
Assistant Attorney General

U.S. NUCLEAR REGULATORY COMMISSION

REGION III

Report No. 50-367/82-01(DETP)

Docket No. 50-367

License No. CPPR-104

Licensee: Northern Indiana Public Service Company  
ATTN: Mr. Eugene M. Shorb  
Senior Vice President  
5265 Hohman Avenue  
Hammond, IN 46325

Facility Name: Bailly Generating Station, Nuclear-1

Inspection At: Bailly Site

Inspection Conducted: October 18, 1982

Inspectors: *J. F. Norton*  
J. F. Norton  
*M. J. Oestmann*  
M. J. Oestmann  
*C. C. Williams*  
Approved By: C. C. Williams, Chief  
Plant Systems Section

11/1/82

11/5/82

11/9/82

Inspection Summary

Inspection on October 18, 1982 (Report No. 50-367/82-01(DETP))

Areas Inspected: Site restoration activities.

Results: No items of noncompliance or deviations were identified.



## DETAILS

### 1. Persons Contacted

#### Northern Indiana Public Service Company (NIPSCO)

D. Kunn, Manager, Bailly Generating Station

R. Bohn, Manager, Nuclear Staff

#### U.S. Army Corps of Engineers

J. Konik, Permits Section

#### U.S. Coast and Geodetic Survey

M. Hardy, Hydrologist

#### U.S. Department of Interior

D. Wilcox, Hydrologist, Indiana Dunes National Lakeshore

#### U.S. Nuclear Regulatory Commission

M. Lynch, Project Engineer

#### Others

W. Eichhorn, Attorney, Eichhorn, Eichhorn and Link

R. Vollen, Attorney, Business Men for Public Interest

C. Read, Save the Dunes Council

H. Read, Izaak Walton League

### 2. Functional or Program Areas Inspected

Site restoration - compliance with Board Order of May 6, 1982.

#### a. General

NIPSCO elected to backfill the excavation by filling with approximately 218,000 cubic yards of off-site dredge material, then completing the fill to final grade with on-site native sands. The dredge material comprises about 67 percent of the total fill.

The dredge fill operation began July 5, 1982 and was completed October 6, 1982. On-site fill material is currently being placed by heavy earth moving equipment and densified with a vibratory compactor. The licensee estimates completion grade will be attained about mid November 1982.

The recording equipment has been removed from all ground water observation wells located outside of the excavation and all wells have been capped. Also, the meteorological tower and instrumentation building have been removed by NIPSCO's Construction Department.

b. Conclusion

Site restoration is being accomplished well within schedule and NIPSCO has taken steps to ensure compliance with all requirements of the Board Order.

3. Exit Meeting

No formal exit meeting was convened. Discussion of the site restoration project was held amongst all mentioned under "persons contacted" during the site tour of the inspection.



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION III  
700 ROOSEVELT ROAD  
GLEN ELLYN, ILLINOIS 60137

P. Pelke

NOV 24 1982

Docket No. 50-367

Northern Indiana Public Service  
Company  
ATTN: Mr. Eugene M. Shorb  
Senior Vice President  
5265 Hohman Avenue  
Hammond, IN 46325

Gentlemen:

This refers to the routine safety inspection conducted by Mr. P. R. Pelke of this office on November 16, 1982, of activities at Bailly Generating Station, Unit 1, authorized by NRC Construction Permit No. CPPR-104 and to the discussion of our findings with Mr. D. L. Kuhn at the conclusion of the inspection.

The enclosed copy of our inspection report identifies areas examined during the inspection. Within these areas, the inspection consisted of a selective examination of procedures and representative records, observations, and interviews with personnel.

No items of noncompliance with NRC requirements were identified during the course of this inspection.

In accordance with 10 CFR 2.790 of the Commission's regulations, a copy of this letter and the enclosed inspection report will be placed in the NRC's Public Document Room. If this report contains any information that you (or your contractors) believe to be exempt from disclosure under 10 CFR 9.5(a)(4), it is necessary that you (a) notify this office by telephone within ten (10) days from the date of this letter of your intention to file a request for withholding; and (b) submit within twenty-five (25) days from the date of this letter a written application to this office to withhold such information. If your receipt of this letter has been delayed such that less than seven (7) days are available for your review, please notify this office promptly so that a new due date may be established. Consistent with Section 2.790(b)(1), any such application must be accompanied by an affidavit executed by the owner of the information which identifies the document or part sought to be withheld, and which contains a full statement of the reasons which are the bases for the claim that the information should be withheld from public disclosure.

~~EX-100-115~~  
PDR

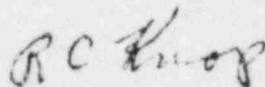
Northern Indiana Public Service  
Company

2

This section further requires the statement to address with specificity the considerations listed in 10 CFR 2.790(b)(4). The information sought to be withheld shall be incorporated as far as possible into a separate part of the affidavit. If we do not hear from you in this regard within the specified periods noted above, a copy of this letter and the enclosed inspection report will be placed in the Public Document Room.

We will gladly discuss any questions you have concerning this inspection.

Sincerely,



R. C. Knop, Chief  
Projects Branch 1

Enclosure: Inspection Report  
No. 50-367/82-02(DPRP)

cc w/encl:  
DMB/Document Control Desk (RIDS)  
Karen Borgstadt, Office of  
Assistant Attorney General

U. S. NUCLEAR REGULATORY COMMISSION

REGION III

Report No. 50-367/82-02(DPRP)

Docket No. 50-367

License No. CPPR-104

Licensee: Northern Indiana Public Service Company  
5265 Hohman Avenue  
Hammond, IN 46325

Facility Name: Bailly Generating Station, Nuclear-1

Inspection At: Bailly Site

Inspection Conducted: November 16, 1982

Inspector: *P.R. Pelke*  
P. R. Pelke

11/24/82

Approved By: *J.E. Konklin*  
J. E. Konklin, Chief  
Projects Section 1A

11/24/82

Inspection Summary

Inspection on November 16, 1982 (Report No. 50-367/82-02)(DPRP)

Areas Inspected: Site restoration activities.

Results: No items of noncompliance or deviations were identified.

*21-000304*  
*PR*

## DETAILS

### 1. Persons Contacted

#### Northern Indiana Public Service Company (NIPSCO)

D. Kuhn, Manager, Bailly Generating Station  
W. Elliott, Manager, Plant Engineering and Construction  
M. Maazel, Structural Engineer

#### U. S. Department of Interior

D. Wilcox, Hydrologist, Indiana Dunes National Lakeshore

#### Others

W. Eichhorn, Attorney, Eichhorn, Eichhorn, and Link  
R. Vollen, Attorney, Businessmen for the Public Interest  
C. Read, Save the Dunes National Council  
H. Read, Izaak Walton League

### 2. Functional Areas Inspected

The inspector was present for the final site restoration inspection pursuant to the May 6, 1982 Order of the Atomic Safety and Licensing Board. Backfilling of the excavation is complete. This was the only work remaining to be accomplished. Site restoration has been accomplished on schedule and in compliance with the Board Order.

### 3. Exit Meeting

No formal exit meeting was convened. Discussion of the site restoration project was held amongst all mentioned under "persons contacted" during the site tour.