

RELATED CORRESPONDENCE
UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

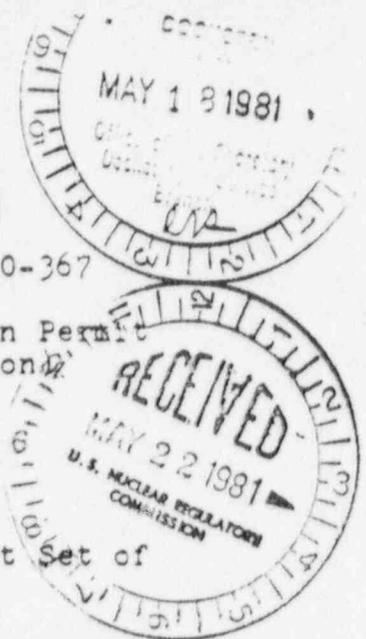
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
Northern Indiana Public)
Service Company)
(Bailly Generating Station,)
Nuclear -1))

Docket No. 50-367

(Construction Permit
Extension)

May 15, 1981



Response of George and Anna Grabowski to NIPSCO's First Set of
Interrogatories

Here are our answers to NIPSCO's questions. It's the best we could do at this time. We can't afford to hire a lawyer or other experts, although we wish that we could do so. So we asked our friends, including Bob Vollen who is a very good lawyer, what we should do. Mr. Vollen just told us to tell the truth to the best of our ability, and that is what we have done. If you want a list of all the friends we talked to, we could try to remember, but it would be kind of silly to do so. But if NIPSCO wants a list of all our friends we will do it.

Here are our answers to NIPSCO's questions.

I.

1. Yes.
2. The excavation and the removal of water from it has the effect of lowering the water table and/or water level of the interdunal ponds in the vicinity of the excavation. In this instance, the initial lowering effect was subsequently masked by the inflow of water from the ash sluice water basins. The ash sluice water was of such magnitude that it probably raised the level of water beyond the natural level and further affected the normal rise and fall of the water table. The normal rise and fall of the water table is determined by the seasons and the inflow of water from the ash sluice basins was not geared to the normal seasonal fluctuations. Thus, the effect was an initial drawdown followed by an inflow of ash sluice water, an artificial raising of the water table, replacement of the natural water with the ash sluice water, and water levels unrelated to natural seasonal fluctuations. We cannot at this time list which specific plants and animals are most affected by this man-made alteration of their natural environment. We do know that water is an integral part of the Dunes ecosystem, and that changing the natural water levels and/or characteristics will upset the natural balance which has led to the present diversity and composition of plant and animal populations.
3. The specific effects during an extended period of construction will be as described above, although the sealing of the ash ponds may reduce that portion of the impact. The ecosystem will be adversely affected by the site dewatering and/or other artificial distortions in the water levels since the natural system is directly dependent on the water levels and water characteristics.

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We regard an artificially induced change in the ecosystem as being an adverse impact.

4. There is sufficient evidence to indicate that the effect will extend into the boundaries of the Indiana Dunes National Lakeshore. We do not know how far inside the boundaries the effect will extend. From our standpoint, the distance is immaterial. Any area within the Indiana Dunes National Lakeshore we regard as inviolate.
5. Some effect occurred immediately after the initial excavation work. It has continued from then until now in varying degrees. It will continue as long as construction work is performed below the normal water table levels.
6. Some effects will be permanent and some will be temporary.
7. Any injury done to the Indiana Dunes injures us, too. This may be too hard for you to understand, but it is true. Artificial changes and damage to the ecosystem of the Dunes will also injure us by depriving us of the opportunity to view the Indiana Dunes in its natural state. It will deprive us of the opportunity to learn more about the natural processes and life forms and balance of this ecosystem, both first hand and by reading and hearing about the findings of others.
8. There are so many ways we 'use' the Indiana Dunes National Lakeshore that we couldn't possibly list them all.

We use the Indiana Dunes National Lakeshore for swimming. We swim, play in the water, jump over waves, sit in the water, lay down in the shallow water and let the waves splash over us, play catch in the water, look at the water, smell the water, and frequently drink the water in the process of swimming, playing, jumping, etc. This use of the Indiana Dunes National Lakeshore is one of the reasons we don't want the Bailly plant releasing radioactive material into Lake Michigan right next to where we participate in the above activities.

We sometimes use the Indiana Dunes National Lakeshore for hiking, carefully following the trails that have been established so as not to inadvertently trample on plants and animals. This activity is refreshing, invigorating, and healthy. We breathe deeply and would not like to take the risk of breathing radioactive particles from Bailly as part of this fun, healthy activity. We often pass hikers who are lost. Anna was lost in the Indiana Dunes National Lakeshore once for over a half hour. She was with a small group of people when she became interested in some birds and fell behind. After a little while of observing the birds, she found she could not locate the rest of the group. She attempted to find them and eventually ended up in a place unknown to her. She had three directions to choose from, and only luck brought her eventually to the original starting place of the hike. We mention this because it is our belief that Anna is not the only one who has gotten lost in the Dunes. If an evacuation was called while hikers were out on the trails, it would be nearly impossible to notify them and get them out in a reasonable period of time. Especially if they were already lost or unknown to the authorities. We hate to think that we could be out on a pleasant hike one minute and killed by radiation from Bailly the next.

We have also had many picnics at the Indiana Dunes National Lakeshore. We usually have our favorite lunch: peanut butter and

banana sandwiches, garbanzo spread sandwiches or lima bean loaf with a little tomato cheese sauce, which is really delicious. Sometimes we have potato chips and deviled eggs. For dessert we may have fruit and cheese or homemade cake or cookies. The cheese we buy is usually from this area. We would hate to think that our picnic lunch was contaminated with radioactive strontium or some other elements from Sully.

We also enjoy many of the special activities planned by the talented, dedicated staff at the Indiana Dunes National Lakeshore.

Sometimes we use the Indiana Dunes National Lakeshore for relaxing and feeling better. This is one of our most important uses of the Indiana Dunes National Lakeshore. Here is how you do it:

First, spend a week working in a dirty, smelly, noisy, hot, dangerous steel mill. (This isn't absolutely necessary, but it helps.) Then drive home past miles of suburban development and thousands of other commuters. Then spend several evenings of that week working on projects that are necessitated by some uncaring, foolish company deciding against all reasonable advice to construct a nuclear power plant near your home. By the end of this week, you are greatly in need of some deeply soothing, reassuring and spiritually renewing relaxation.

Next you can do one of two things. The best thing to do is to go to your favorite spot in the Indiana Dunes National Lakeshore. Then you find a place where you can sit down without hurting anything or getting in someone's way. The second best thing to do if you can't do the best thing is to sit down in your house (or lay on the couch) and either look at the picture of the beautiful Indiana Dunes National Lakeshore hanging on the wall or if you don't have a beautiful picture of the Dunes on the wall you can close your eyes and picture the Dunes in your mind.

The next step is really essential. This is the part of relaxing at the Dunes (in person or in spirit) that cannot be equaled by any other place in the Calumet Region, or to our minds, in the whole Midwest. This step consists of contemplating the beauty, the natural diversity, the natural seasonal changes, the interdependence and complexity of the Dunes ecosystem. Most of all, you remember gratefully that this special, natural environment is to be protected from unnatural, man-made changes. It is to be preserved in its completely natural state so that your children and theirs will also be able to see and enjoy it. Just knowing that it is there, protected from alteration and harm, is a tremendous comfort and reassurance. This is of critical importance. It makes the benefit from the relaxation go much deeper. If we wanted to relax a little, we could go to the woods down the road from Anna's Dad's, where cows used to graze and where condominiums are coming soon. But it's kind of sad there because we know that the condos are coming and the area has already been changed a lot. It can't even hold a candle to the unique natural diversity and beautiful ecosystem of the Dunes. It can't give you the same wonderful, unexplainable feeling of peace and happiness that comes from knowing how magnificent the Dunes National Lakeshore is and from knowing that it is still the same way nature made it and will stay completely natural. Some places have got to be inviolate; the Dunes is one of those places.

The knowledge that the Dunes ecosystem is protected and safe from man-made alteration is always in the back of our minds. It is a constant comfort. This is a daily 'use' of the Indiana Dunes National Lakeshore that is extremely important to our mental health and well-being and which we dearly treasure and would very sorely miss.

It's bad enough that NIPSCO can't read the writing on the wall or even listen to Wall Street, and is determined to endanger our lives and health. But when they want to continue dewatering and messing with the Dunes, it makes us wonder what's wrong with them. They ought to fill that horrid hole in and give everyone, themselves included, a break! If they continue construction, and therefore dewatering, it will affect the Dunes and it will injure us and a lot of other people. We're not the only ones who love the Dunes. And we're not the only ones who want NIPSCO to drop Bailly. A public opinion poll that appeared in the Post-Tribune (Gary) on April 26 showed that a majority of people are opposed to the Bailly plant. It is completely ridiculous to restrict the discussion to dewatering effects when the 'plant' is less than 1% complete and we still have time to pursue alternatives. But NO, the NRC and NIPSCO want to ignore little things like the tremendous cost increases, the lower demand, the better alternatives that are available, the impossibility of evacuating the area promptly, and everything else that the public deserves to hear at this time. So we all know that NIPSCO and the NRC can push this plant ahead if they want to, and of course they want to see it built despite all the reasons it shouldn't be built.

We also use the Indiana Dunes National Lakeshore for the purpose of nature study, through observation and reading. We are only novice naturalists, but we want to learn more. There is nowhere else in the world where we can study the natural history of the Indiana Dunes National Lakeshore. If the Dunes environment is in any way altered by man, we will never get to see it in its natural state or learn more about it through the work of others. We want to learn more about the natural rhythms and life cycles of the Dunes firsthand. We want the children who come after us to be able to see and study the Dunes in its Natural state, unaltered by NIPSCO.

9. We can't accurately answer this question because we don't keep any records of what we do every day. The number of times would be very high, because we do visit the Indiana Dunes National Lakeshore frequently, especially in the spring and summer. We would be able to visit more often if we weren't always working on things that have to be done because NIPSCO is building a nuke in our back yard. In one sense, we use the Indiana Dunes National Lakeshore daily. Even when we can't go there, we know it's there and we're glad it's there and protected.
10. We expect to 'use' it every day. We expect to be there physically many times. If you want us to guess how many times we will visit the Dunes for the rest of the year, we'd guess somewhere between 20 and 50 times. But that is just a guess, it could vary. We will be able to go more often if NIPSCO will hurry up and cancel Bailly.
11. As we said earlier, we don't keep a diary. We will do the best we can to remember some of the details. The places we have visited in 1979 and 1980 include: the Cowle's Bog area and the wetlands and

ponds around Cowle's bog, Miller Woods, Inland marsh and dune ridges, the West Beach area, Mount Baldy, the Beverly Shores beach, Pinhook Bog, the Tremont area, the Bailly Homestead, the Furnessville area, and others. For what we did there, see question eight.

12. We have observed the Dunes for many years, the beauty, the coming and going of the flowers, plants, birds, animals and seasons. In recent years, since becoming aware of the important relationship of water to the Indiana Dunes National Lakeshore, we have been in the habit of observing the ponds and rivers and water levels wherever it occurs. As novices, we want to learn more about this natural relationship.
13. a. our own observations
b. our background reading on the subject including:
 - 1) the records of testimony on site dewatering during the Construction Permit proceedings and statements of expert witnesses
 - 2) report on dewatering prepared by U.S.G.S.
 - 3) Effects of Dewatering on the Indiana Dunes National Lakeshore, Nov. 26, 1980, Daniel Willard and others
14. The first time Anna visited the Indiana Dunes National Lakeshore would have been before it was a National Lakeshore. It would be impossible to remember the date. The first time George visited the Indiana Dunes National Lakeshore was probably sometime in 1968.

II.

1. Yes.
2. Because it was NIPSCO's own fault that the Court of Appeals did what it did. It was NIPSCO's voluntary decision to use less than accurate maps. If they hadn't used incorrect maps and if they hadn't chosen an unsuitable site, the stay would never have happened.
3. It's not a good cause for granting an extension because it was NIPSCO's own fault that the stay of construction came about. NIPSCO could have avoided the delay by presenting accurate maps and by choosing a site that met the siting criteria at the time.
4. Yes.
5. The slurry wall should not have been installed because the plant itself should not be built at this location. The slurry wall is just further proof that this site is not suitable for construction of Bailly. The slurry wall is not effective according to U.S.G.S. reports and since it was NIPSCO's decision to build this ineffective device it's their own fault that it delayed the plant. It is actually a part of the construction of the plant, not a delay in the construction of the plant. It isn't a good cause to give NIPSCO an extension because it shows how they can't predict how anything they do is going to come out. It is really another good cause for not giving them an extension.
6. It isn't a good cause for giving NIPSCO an extension because it was NIPSCO's own fault that they couldn't even figure out how to comply with their own design for the Bailly plant. It was their voluntary decision to change the piling design. It was their decision to goof around with the jet stream method. The responsibility for this whole delay is NIPSCO's. Why should the fact that they keep making bad decisions be considered a

good cause for granting their extension?

7. See answer to question five.

8. Well, we look at good cause this way:

If we were given a job to do in a certain amount of time, and if by the end of that time we had less than one percent of it done, and if the reason it wasn't done was because we kept making mistakes and doing the wrong thing and in general finding that we couldn't do the job, and then if our boss came back and found we hadn't done it, he wouldn't say 'you've done a lousy job so far, but I'm going to give you more time', he would say 'it is obvious that you either don't know what the heck you're doing or else it's an impossible job to start with, but at any rate we're not going to waste any more time and money while you fool around with it.' Then he would say, 'Hey, this is an unsafe job! Why didn't you tell me? And you know what else, we don't even have to do this job because there's a lot easier way of achieving the same results. Boy am I glad you kept screwing up long enough for us to realize that the job shouldn't have been started in the first place!' Then if we said 'Come on, we're really set on doing this here job just to prove that we can do it now. Please let us have more time! It isn't our fault that it turned out to be so hard to do and such a bad idea to start with', the boss would answer us by saying 'Why should I give you more time? You've done everything else wrong so far and everyone in the world now knows what a stupid idea this job was in the first place. There isn't one good reason why I should let you have more time. Now get out of here and leave me alone.' That is our understanding of the meaning of good cause.

III.

1. We don't know at this time. We don't have any money available to hire expert witnesses and so we must depend on volunteers and/or witnesses of other petitioners. If we can locate expert people who will testify or will support the expert witnesses of other petitioners, we will immediately notify the parties to the proceeding.

IV.

1. We know at least a hundred people who have knowledge of the facts relating to the contentions. At the present time we don't know if any of these people will agree to testify as witnesses. We have consulted with a lot of people about this proceeding and we couldn't possibly remember exactly who or when, but we can tell you what they almost all said. They usually say, 'We think you should continue as an intervenor in the proceeding even though we don't have a whit of confidence in the NRC, as we're sure they will just go ahead and give NIPSCO whatever they want.' They also say things about how it is so obvious that dewatering has already hurt the Dunes and if dewatering continues it will continue to harm the Dunes. Here are some of the people we have talked with about this proceeding: Jack Weinberg, Jim Eng, Ruby Miller, Brian Scott Miller, Caren Overmyer, Joy Bowers, David Canright, Mona Mann, Cristal Stineback, Charlotte Robertson, Herb and Charlotte Read, Riley Mitchell, Barbara Turner, Sara Ratterson, Diana Mendelsohn, and many others too numerous to remember or list.
2. & 3. See above.

V. None at this time.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that copies of Response of George and Anna Grabowski to NIPSCO's First Set of Interrogatories were served on the following by deposit in the United States mail, postage prepaid, on this 15th day of May, 1981:

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