

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
PUBLIC SERVICE COMPANY OF)	Docket Nos. 50-546
INDIANA, INC.)	50-547
WABASH VALLEY POWER)	
ASSOCIATION, INC.)	
)	
(Marble Hill Nuclear Generating)	
Station, Units 1 and 2))	

SUPPLEMENTAL AFFIDAVIT OF DR. ROBERT B. SAMWORTH

I, Robert B. Samworth, having first been sworn, hereby states as follows:

1. On March 27, 1986, I prepared an affidavit ". . . In Support of NRC Staff's Further Answer To Motion For Withdrawal Of Application." In preparing this affidavit, I reviewed two documents: "Site Stabilization Plan for Marble Hill Nuclear Generating Station, Units 1 and 2" (dated March 1, 1985), (Attachment 1) and "Marble Hill Nuclear Generating Station, Units 1 and 2, Response to Request for Additional Information" (dated May 1, 1985), (Attachment 2). These documents set forth Public Service of Indiana (PSI's) intentions regarding the manner in which construction would be terminated in order to reduce or avoid significant environmental impacts.
2. PSI gave particular attention to the major potential source of environmental stress, erosion from areas of the site exposed during construction.

3. Erosion is the major effluent discharge from construction sites and thus is of concern when a project is abandoned in mid-construction.
4. Other effluent discharges continue to be regulated by the state under the NPDES Permit.
5. The staff's review consisted of 1) reviewing the Applicants' proposed Site Stabilization Plan (Attachment 1) as well as their answer to the staff's request for additional information (Attachment 2), and 2) a site visit inspection.
6. The site inspection had two objectives:
 - i.) To confirm that PSI had recognized all of the areas of high erosion potential; and
 - ii.) To observe progress in accomplishing the objectives identified in the two documents.
7. The staff accomplished its two objectives: first, the staff confirmed that PSI had recognized all of the areas of high erosion potential and Staff therefore found the stabilization plan to be adequate; second, the staff observed that PSI had taken the necessary implementation steps to accomplish the objectives identified in the documents cited above.

8. The staff identified no further condition or requirement which should be imposed to achieve further mitigation of environmental impacts.

Robert B. Samworth

Robert B. Samworth

Subscribed and sworn to before
me this 18th day of July, 1986

Malinda J. McDonald
Malinda J. McDonald
Notary Public

My commission expires: July 1, 1990

ATTACHMENT 1



**PUBLIC
SERVICE
INDIANA**

March 1, 1985

S. W. Shields
Senior Vice President -
Nuclear Division

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

Docket Nos. STN-546
STN-547
Construction Permit Nos.:
CPPR-170
CPPR-171

SUBJECT: Marble Hill Nuclear Generating Station, Units 1 and 2

Dear Mr. Denton:

Public Service Company of Indiana, Inc. (PSI) hereby surrenders Construction Permit Nos. CPPR-170 and 171 for the Marble Hill Nuclear Generating Station, Units 1 and 2. All construction-related activities at the site have been halted. Site activities have been conducted in accordance with my letter to you of January 18, 1984. The attachment provides a summary of those activities PSI will conduct to stabilize the site.

The commitments contained in the attached stabilization plan will govern future activities.

If you have any questions, please call.

Sincerely,

mf

Attachment

cc: J. G. Keppler w/att.
J. E. Konklin w/att.
J. F. Schapker w/att.
P. W. O'Connor w/att.

SITE STABILIZATION PLAN
FOR
MARBLE HILL NUCLEAR GENERATING STATION, UNITS 1 AND 2

Public Service Company of Indiana, Inc.

March 1985

1.0 Introduction

On March 1, 1985, Public Service Company of Indiana, Inc. (PSI) surrenders the construction permit for its Marble Hill Nuclear Generating Station, Units 1 and 2. This Site Stabilization Plan provides a summary of activities PSI plans to conduct with respect to Marble Hill.

2.0 Permits

Several activities associated with the Marble Hill Nuclear Generating Station are conducted under the permits issued by other regulatory agencies. PSI is in the process of discussing with these regulatory agencies the need to retain, modify, and/or renew those aspects of the permits which relate to the cancelled nuclear units.

PSI's U.S. NRC By-Product Materials License (#13-15544-03) will be maintained until the licensed sources are sold or otherwise removed from the site.

3.0 Stabilization Activities

3.1 Environmental Monitoring/Redressing

The Marble Hill site consists of approximately 960 acres of which approximately 440 acres have been disturbed by construction activities. Denuded areas will be graded for proper drainage, if necessary, and grass cover established to control erosion. Paved and graveled areas may be left as is.

The site sedimentation pond will be retained and used to collect and treat runoff for the duration of site stabilization. NPDES permit limitations for this discharge point will remain in effect at this time.

Spill Prevention, Control & Countermeasures (SPCC) activities and inspections will continue to be conducted. Appropriate changes to the SPCC Plan have been made to reflect project termination.

All terrestrial monitoring programs have been terminated. The meteorological towers and associated equipment will remain in an inoperative mode at this time.

3.2 Structures & Equipment

Plant structures may be left in place in essentially their present condition. Barriers, fencing, or manned security will be established to deter unauthorized entry and to limit conditions that could constitute a hazard to PSI employees or the public.

3.3 Security

A small security force is currently being maintained to prevent unauthorized access to the site. However, this measure may be discontinued at a later date consistent with non-radiological safety at the site.

4.0 Future Use of Site

No decision has been made as to the future use of the Marble Hill site. At this time, the real estate will be retained. Existing transmission and distribution facilities will continue to be utilized.



**PUBLIC
SERVICE
INDIANA**

May 1, 1985

S. W. Shields
Senior Vice President -
Corporate Services

Mr. B. J. Youngblood, Chief
Licensing Branch No. 1
Division of Licensing
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Docket Nos.: STN 50-546
STN 50-547

Construction Permit Nos.: CPPR-170
CPPR-171

**Marble Hill Nuclear Generating Station
Units 1 & 2**

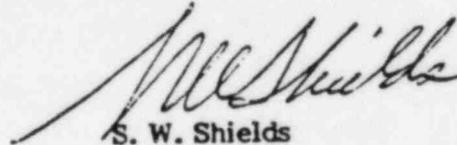
Subject: Request for Additional Information, 4/2/85

Dear Mr. Youngblood:

In response to your letter of April 2, 1985, Public Service Company of Indiana, Inc. (PSI) provides the requested information in the attached summary.

If you have any questions or comments, contact me at your convenience.

Sincerely,



S. W. Shields

DJH/vj
Attachment

cc: J. G. Keppler
J. E. Konklin
J. F. Schapker
P. W. O'Conner ✓
U.S. NRC (42)

MARBLE HILL NUCLEAR GENERATING STATION
UNITS 1 & 2
RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION

1. See Fig. 4.1-1 in the Marble Hill ER-CP; Figs. 1.2-21, 1.2-22, and 2.1-6 in the Marble Hill FSAR. Marble Hill ER-OL Section 4.3 and ER-CP Section 4.3 present further discussion of acreage disturbed by the project.

The transmission corridors and switchyard have not yet been abandoned and will be maintained according to company practices so long as they are not abandoned.

2. Structures erected on a foundation currently will remain in place. Temporary construction trailers may be removed. Debris generated by such removal will be disposed of in an environmentally acceptable manner. Some semi-permanent structures may also be removed.
3. The environmental control activities conducted during active construction continue to be effective. However, some deterioration of conditions is expected. The spoils areas were graded and seeded adequately and are stable. Runoff from the power block and laydown areas is routed to the construction runoff pond for sedimentation prior to discharge. The NPDES permit discharge limitations are being met.

The EOF/JPIC site is in essentially the same condition as it stood when construction was halted. The following EOF site layup actions were taken:

- (1) Exposed foundation work below grade was backfilled with crushed stone to grade level.
- (2) Seeding operations were undertaken to provide ground cover. Areas that were unseeded have overgrown with weeds.
- (3) No large borrow excavations were left open other than the retention pond.

Some areas of the site are exhibiting signs of erosion. These areas will be handled in accordance with the response to Item 5 below.

4. See Section 4.0 of the Marble Hill Site Stabilization Plan submitted 3/1/85.
5. Restoration activities will consist primarily of erosion control activities. The erosion control measures will consist of grading and seeding denuded areas, if necessary, in accordance with Indiana state highway standard specifications.
6. No additional permits or approvals from OFAs (Other Federal Agencies), state, or local agencies are anticipated.



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

APR 02 1985

Docket Nos.: 50-546
and 50-547

Mr. S. W. Shields
Senior Vice President -
Nuclear Division
Public Service of Indiana
P. O. Box 190
New Washington, Indiana 47102

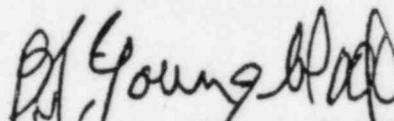
Dear Mr. Shields:

The NRC staff is reviewing your letter dated March 1, 1985 relating to the termination of activities authorized under Construction Permits Nos. CPPR-170 and CPPR-171 for the Marble Hill Nuclear Generating Station Unit Nos. 1 and 2.

Before we can terminate these construction permits the information identified in the enclosure must be provided to the NRC staff for review. Additionally, a site visit will be required to determine the adequacy of the Site Stabilization Plan.

Please provide the information requested in the enclosure within 45 days of receipt of this letter.

Sincerely,


B. J. Youngblood, Chief
Licensing Branch No. 1
Division of Licensing

Enclosure: As stated

cc: See next page

INFORMATION NEEDED
FOR ENVIRONMENTAL REVIEW OF PROJECT TERMINATION

1. Provide a site plan showing areas (including transmission corridors) disturbed by construction-related activities. Identify the specific use of each disturbed area. Estimate acreage for each such disturbed area.
2. Identify on the site plan all structures. Indicate which structures will be removed and which will remain. Provide a schedule for removal of structures and describe the method of debris disposal.
3. Describe the status of the site, with particular attention to disturbed areas and to related erosion and runoff control measures.
4. Describe plans for future use of the site to the extent that such plans have influenced the selection of site restoration activity, if any. Indicate the anticipated schedule for future use and describe how the future use influences the proposal for restoration work.
5. Describe proposed restoration activities, if any, including procedures and schedules for grading, seeding, and planting which will be done to leave the site in a stable condition.
6. Indicate what permits and approvals will be needed for other federal, state, or local agencies for any of the site restoration work.

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NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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PUBLIC SERVICE COMPANY OF) Docket Nos. 50-546
INDIANA, INC.) 50-547
WABASH VALLEY POWER)
ASSOCIATION, INC.)
(Marble Hill Nuclear Generating)
Station, Units 1 and 2))

NOTICE OF APPEARANCE

Notice is hereby given that the undersigned attorney herewith enters an appearance in the captioned matter. In accordance with 10 C.F.R. § 2.713(b), the following information is provided:

Name - Marjorie Ulman Rothschild
Address - U.S. Nuclear Regulatory Commission
Office of the General Counsel
Washington, DC 20555
Telephone Number - Area Code (301) 492-7991
Admission - Supreme Court of the United States
District of Columbia Court of Appeals
Supreme Court of the State of Florida
Name of Party - NRC Staff
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Marjorie U. Rothschild
Marjorie Ulman Rothschild
Counsel for NRC Staff

Dated at Bethesda, Maryland
this 17th day of July, 1986

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

PUBLIC SERVICE COMPANY OF INDIANA, INC.)
WABASH VALLEY POWER ASSOCIATION, INC.)

(Marble Hill Nuclear Generating
Station, Units 1 and 2)

Docket Nos. 50-546
50-547

CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF RESPONSE TO MEMORANDUM AND ORDER OF MAY 30, 1986" and "NOTICE OF APPEARANCE" for Marjorie U. Rothschild in the above -captioned proceeding have been served on the following by deposit in the United States mail, first class, or, as indicated by an asterisk, through deposit in the Nuclear Regulatory Commission's internal mail system, this 22nd day of July, 1986.

Ivan W. Smith, Esq., Chairman*
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

John D. Noland, Esq.
Public Service Company of Indiana
1000 East Main Street
Plainfield, IN 46168

Mr. Gustave A. Linenberger*
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Fred Hauck
R.R. #3, Tower Heights
Shelbyville, KY 40065

Dr. Oscar H. Paris*
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Indiana Sassafras Audubon Society
c/o Mary Kay Moody
6620 East State Road 45
Bloomington, IN 47401

Harry H. Voigt, Esq.
LeBouef, Lamb, Leiby & MacRae
1333 New Hampshire Avenue, N.W.
Washington, DC 20036

Mr. Tom Zeller, Vice President
Valley Watch, Inc.
P. O. Box 2262
Evansville, IN 47714

Robert Gray
Chairman of the Board
Save The Valley, Inc.
P.O. Box 813
Madison, IN 47250

Docketing and Service Section*
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Atomic Safety and Licensing Board
Panel*
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Atomic Safety and Licensing Appeal
Board Panel*
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Marjorie U. Rothschild
Marjorie U. Rothschild
Counsel for NRC Staff