

December 23, 2003

Mr. Maynard Crossland
Director
Illinois Historic Preservation Agency
Preservation Services Division
One Old State Capitol Plaza
Springfield, IL 62701

SUBJECT: EARLY SITE PERMIT (ESP) REVIEW FOR THE CLINTON ESP SITE

Dear Mr. Crossland:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an ESP to set aside a site for the potential future construction of one or more new nuclear power plants. The NRC staff is currently seeking information from consulting parties, and other individuals and organizations likely to have knowledge of, or concerns with, historic properties in the area, to identify issues relating to the proposed undertaking's potential effects on historic properties.

If built, the new unit(s) would be co-located with the existing Clinton Power Station (CPS) site near the town of Clinton in DeWitt County, Illinois. The application for an ESP was submitted by Exelon Generation Company, LLC (Exelon), on September 25, 2003, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* Part 52 (10 CFR Part 52). The application is available through the web-based version of the NRC's Agencywide Documents Access and Management System (ADAMS) which can be found at <http://www.nrc.gov/reading-rm/adams.html>. The application is listed under accession number ML032721596.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969 (NEPA). In accordance with 36 CFR 800.8, the EIS will include analyses of potential impacts to historic properties, and will document the NRC staff's determination regarding the suitability of the proposed site for the construction and operation of one or more new nuclear plants.

If approved, the ESP would not authorize the applicant to begin construction of the unit(s). However, in its review the NRC staff will evaluate the environmental impacts of construction and operation and will also consider alternatives, including alternative sites.

Exelon has also included a site redress plan in its application in accordance with 10 CFR 52.17(c) and 52.25. If a site redress plan is incorporated in an ESP approved by the NRC, the applicant may carry out certain site preparation and limited construction activities. Exelon would still be required to obtain the appropriate local, State, and other Federal permits required for these activities prior to starting work.

In the context of the National Historic Preservation Act of 1966, as amended, the NRC staff has determined that the area of potential effect (APE) for this ESP review is the area at the power plant site and its immediate environs which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s), and construction and operation of new transmission lines that may follow parallel with some of the existing transmission line systems now serving CPS. The new lines would run from the Clinton ESP site to an interconnect point at the Brokaw substation near Bloomington, Illinois, about 23 miles north of the site; and from the Clinton ESP site to the Oreana substation, about 8 miles south of the site. The power plant site is located in DeWitt county, Illinois, and the transmission line corridors traverse DeWitt and McLean counties.

In its application, Exelon refers to a comprehensive cultural resource and historic property investigation that was performed prior to the construction of CPS, approximately 30 years ago. Exelon further states that any issues that were raised were resolved through removal of these historic and cultural resources. No historic standing structures have been identified within the Exelon ESP power block footprint, cooling tower footprint, or within the immediate vicinity of CPS. Exelon states that the location of the ESP facility power block footprint appears to have been heavily disturbed by previous construction of CPS. If the power block or cooling tower footprint area was expanded or moved, there is a potential for impact to historic properties. The applicant has committed to perform further evaluation to determine if additional archaeological review is required if additional area within the ESP site will be required for development.

We invite you and your staff to participate in the review of the Clinton ESP application. We will also be contacting any Native American Tribes that may have a potential interest in the proposed undertaking, affording them the opportunity to participate in this process and identify issues of concern to them. These tribes are being identified by records research with the Bureau of Indian Affairs, State and local governments, tribal organizations, and through other historical documentation.

On December 18, 2003, the NRC will conduct a public environmental scoping meeting at the Revere Ware Room in the Vespasian Warner Public Library, 310 N. Quincy Street, Clinton, Illinois. You and your staff are invited to attend. Your office will receive a copy of the draft EIS along with a request for comments after it is issued. This draft EIS will include identification of historic properties, assessment of impacts, and our preliminary determination. The anticipated publication date for the draft EIS is December 2004.

M. Crossland

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If you have any questions or require additional information, please contact the Environmental Project Manager for the Clinton ESP project, Mr. Thomas Kenyon at 301-415-1120 or TJK2@nrc.gov.

Sincerely,

/RA/

Pao-Tsin Kuo, Program Director
License Renewal and Environmental Impacts
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation

Docket No.: 52-007

cc: See next page

If you have any questions or require additional information, please contact the Environmental Project Manager for the Clinton ESP project, Mr. Thomas Kenyon at 301-415-1120 or TJK2@nrc.gov.

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