

DOCKETED
MAY 10 1982

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

IN THE MATTER OF ILLINOIS)
POWER COMPANY, SOYLAND POWER)
COOPERATIVE, INC. and WESTERN)
ILLINOIS POWER COOPERATIVE, INC.) Docket No. 50-461 OL
(Operating License for Clinton)
Power Station, Unit 1))

MOTION OF APPLICANTS THAT EVIDENTIARY
HEARINGS BE HELD IN CLINTON, ILLINOIS

Illinois Power Company ("Illinois Power"), Soyland Power Cooperative, Inc., and Western Illinois Power Cooperative, Inc. ("Applicants"), pursuant to Section 2.730(c) of the Rules of Practice of the Nuclear Regulatory Commission (the "Commission"), move that all evidentiary hearings in the above-captioned proceeding be held in the City of Clinton, Illinois. In support of their Motion, Applicants state as follows:

1. Section 2.703(b) of the Rules of Practice of the Commission states:

The time and place of hearing will be fixed with due regard for the convenience of the parties or their representatives, the nature of the proceeding and the public interest.

Moreover, the Commission's policy is to begin evidentiary hearings in the vicinity of the facility for which a license is sought. 10 C.F.R. Part 2, Appendix A. Clinton, Illinois is the only substantial population center within the 10 mile radius of the Clinton Power Station. Consequently, Clinton is the metropolitan

area which best meets the Commission's policy of beginning evidentiary hearings in the vicinity of the plant.

2. The three other substantial population centers located within a 50 mile radius of the Clinton Power Station, Bloomington-Normal, Decatur, and Champaign-Urbana, are much less accessible than Clinton to those individuals who will be most affected by the operation of the Clinton Power Station. For example, Champaign-Urbana lies 35 miles east of the Clinton Power Station, while Bloomington-Normal lies 25 miles north of the Clinton Power Station. Decatur, which lies 20 miles south of the Clinton Power Station, is the closest metropolitan area after Clinton. Because of the travel time to Bloomington-Normal or Champaign-Urbana, either of these two metropolitan areas would be much less convenient than Clinton for many individuals who live within the 50 mile radius of the Clinton Power Station. On the other hand Clinton is equally accessible to individuals who live in Bloomington-Normal, Champaign-Urbana, or Decatur.

3. There is strong public support from governmental bodies and civic organizations, which represent individuals who live within the 10 mile radius of the Clinton Power Station and who will thus be most affected by its operation, for holding the evidentiary hearings in Clinton. See attached Exhibit A which consists of letters and resolutions from the following govern-

mental bodies and civic organizations urging that the evidentiary hearings for the operating license be held in Clinton: The City of Clinton; the Clinton Chamber of Commerce; the Clinton Rotary Club; the Exchange Club of Clinton; and the Clinton Kiwanis Club.

4. Adequate facilities for holding the operating license evidentiary hearings are available in Clinton. These include (a) the Parish Hall of St. John's Church, 500 N. Monroe Street, Clinton, which holds 400 people and is air-conditioned and (b) the auditorium of the Clinton Public High School.

5. Champaign was the site of most of the construction permit hearings and has been the site of the prehearing conferences during the operating license proceedings. It is only fair that the evidentiary hearings be held in another location to give individuals living in other areas better access to the hearings. Clinton, because of its central location and equal accessibility to all individuals who may be affected by the operation of the Clinton Power Station and thus wish to participate in the hearings, is the most logical choice.

6. Most documents which will be relevant to the proceedings are located at the Clinton Power Station. Also, many of the personnel possessing knowledge or information relevant to the proceedings have their offices at the Clinton

Power Station. Should questions arise at the hearings that require additional information, that information would have to be obtained from records located at the Clinton Power Station or from personnel having their offices at the Clinton Power Station or at Illinois Power headquarters in Decatur.

7. If the Board determines that the hearings should not be held in Clinton, the evidentiary hearings should be held in Decatur, Illinois. Decatur is equally accessible to individuals who live in Bloomington-Normal or Champaign-Urbana and is much more accessible than either of those areas would be to individuals who live within a 10 mile radius of the Clinton Power Station. There are adequate facilities in Decatur, such as the Decatur Civic Center in which the ACRS subcommittee hearings were held. Should additional information be required at the hearings, that information would come, as noted in paragraph 6, from personnel located in either Decatur or at the Clinton Power Station.

WHEREFORE, for all the reasons given above, Applicants respectfully request that the Board hold the evidentiary

hearings on the operating license for the Clinton Power
Station in Clinton, Illinois.

Respectfully submitted,

Charles D. Fox IV

One of the Attorneys
for Applicants

Sheldon A. Zabel
William Van Susteren
Charles D. Fox IV
SCHIFF HARDIN & WAITE
7200 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606
(312) 876-1000

Dated: May 4, 1982

EXHIBIT A

THE CITY OF CLINTON

Stanley J. Stites, Mayor

CLINTON, ILLINOIS 61727

Commission Form Government

April 27, 1982

COMMISSIONERS
SHARON M. MILLER
Accounts and Finances
E. L. WATKINS
Streets and Public Improvements
BOB O'NEILL
Public Property
JOHN HEAP
Public Health and Safety

OFFICERS
JOSEPH B. TAYLOR
City Attorney
ROZELLA WICKERHAUSER
City Clerk
CLARA L. STEPHENS
City Treasurer

Wendell J. Kelley
Chairman and President
Illinois Power Company
500 South 27th Street
Decatur, Illinois 62525

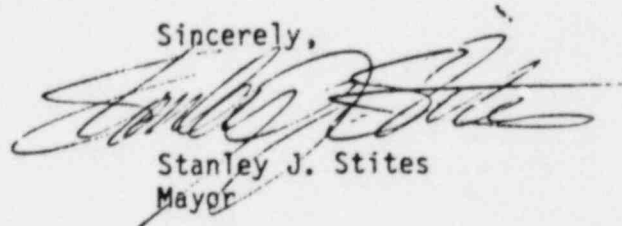
Dear Mr. Kelley:

We would like to request that the public hearings for the Clinton Power Station be held in the City of Clinton. Clinton is the only population center located in a ten mile radius of the power plant. We feel that all of the necessary facilities to hold the hearings are available in our city.

Clinton is the county seat of DeWitt County. Clinton and this county are the only areas directly affected by the Clinton Power Station.

We feel that because of our proximity of the plant, it is in our best interest to have the hearings held in Clinton.

Sincerely,

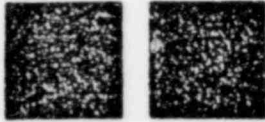


Stanley J. Stites
Mayor

SJS/mf

C of C

CLINTON CHAMBER OF COMMERCE



100 SOUTH CENTER STREET
CLINTON, ILLINOIS 61727

(217) 935-3364

RESOLUTION

WHEREAS: The City of Clinton and the County of DeWitt are the areas most directly affected by the IPC Clinton Power Station; and

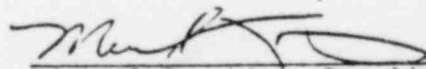
WHEREAS: The City of Clinton is the major population center within a ten mile radius of the Clinton Power Station; and

WHEREAS: The City of Clinton has facilities to accommodate public hearings regarding licensing of the Clinton Power Station;

NOW THEREFORE, be it resolved by the Board of Directors that the following statement of policy be adopted by the Clinton Chamber of Commerce;

We, the Chamber of Commerce recommend and encourage the Nuclear Regulatory Commission public hearings concerning Clinton Power Station licensing be held in the City of Clinton, County of DeWitt, State of Illinois.

The resolution was duly read and passed by the Board of Directors of the Clinton Chamber of Commerce on this the twenty-sixth day of April in the year 1982 A.D.


Michael Tompkins, President

Clinton Rotary Club
Clinton, IL 61727
April 27, 1982

Wendell J. Kelley, Chairman and President
Illinois Power Company
500 South 27th Street
Decatur, IL 62525

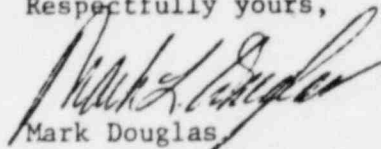
Dear Mr. Kelley,

The Clinton Rotary Club supports the contention that the Nuclear Regulatory Commission should hold public hearings for licensing the Clinton Power Station in Clinton, Illinois.

The City of Clinton and Dewitt County are the only areas directly affected by the Clinton Power Station. Clinton is the only population center within a ten-mile radius of the plant.

There are adequate facilities in Clinton for holding these hearings.

Respectfully yours,

A handwritten signature in dark ink, appearing to read "Mark Douglas", is written over the typed name.

Mark Douglas
President, Clinton Rotary

MD/tlh

The Exchange Club of Clinton



P. O. BOX 23

CLINTON, ILLINOIS 61727

April 28, 1982

Mr. Wendell Kelly
President
Illinois Power Company
500 South 27th Street
Decatur, Illinois 62525

Dear Mr. Kelly:

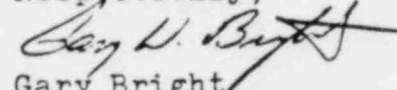
It has been brought to our attention that public licensing hearings for the Clinton Nuclear Station are forth coming, and are to be held in Champaign.

It is the concern of the Clinton Exchange Club, a Community Service Organization, that these public hearings be held in Clinton.

We feel that since the Clinton Nuclear Station affects our community, that members of our community be given every opportunity to attend these hearings.

Please forward our concern to the Atomic Safety and Licensing Board in regards to the location of these public hearings, thank you.

Respectfully;


Gary Bright
President

WB/wb

Clinton Kiwanis Club
Clinton, IL 61727
April 27, 1982

Wendell J. Kelley, Chairman and President
Illinois Power Company
500 South 27th Street
Decatur, IL 62525

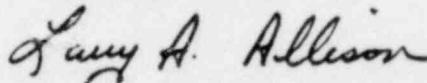
Dear Mr. Kelley,

The Clinton Kiwanis Club has the belief that the
Nuclear Regulatory Commission should hold public hearings for
licensing the Clinton Power Station in Clinton, Illinois.

Clinton and Dewitt County are the only areas directly
affected by the Clinton Power Station. Clinton is the only
population center within a ten-mile radius of the plant.

There are adequate facilities in the City of Clinton for
holding the hearings.

Sincerely yours,



Larry A. Allison
President, Clinton Kiwanis

LAA/clh

CERTIFICATE OF SERVICE

I hereby certify that an original and two conformed copies of the foregoing document were served upon the following:

Secretary of the Commission
United States Nuclear Regulatory Commission
Washington, D.C. 20555
Attention: Docketing and Service Branch

and that one copy of the foregoing document was served upon each of the following:

Hugh K. Clark, Esq., Chairman
P.O. Box 127A
Kennedyville, Maryland 21645

Dr. George A. Ferguson
School of Engineering
Howard University
2300 Sixth Street, N.W.
Washington, D.C. 20059

Dr. Oscar H. Paris
Atomic Safety and Licensing Board
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Washington, D.C. 20555

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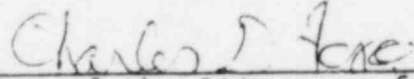
Prairie Alliance
Box 2424
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Champaign, Illinois 61820

Herbert H. Livermore
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Box 229A
Clinton, Illinois 61727

Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

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

in each case by deposit in the United States Mail, postage
prepaid on May 5, 1982.



One of the Attorneys for
Applicants

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William Van Susteren
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NOTICE

TO: Hugh K. Clark, Esq., Chairman
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Kennedyville, Maryland 21645

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s/
1/1

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Washington, D.C. 20555

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

PLEASE TAKE NOTICE that I have filed with the
Secretary of the United States Nuclear Regulatory Commission
MOTION OF APPLICANTS THAT EVIDENTIARY HEARINGS BE HELD IN
CLINTON, ILLINOIS in the above-captioned matter. A copy of
this document is attached hereto and hereby served upon you.

Charles D. Fox
One of the Attorneys for
Applicants

Sheldon A. Zabel
William Van Susteren
Charles D. Fox IV
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233 South Wacker Drive
Chicago, Illinois 60606
(312) 876-1000

Dated: May 5, 1982