

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 Generation	)	
Station, Units 1 and 2)	)	

AFFIDAVIT OF DR. ROBERT B. SAMWORTH IN  
SUPPORT OF NRC STAFF'S FURTHER ANSWER  
TO MOTION FOR WITHDRAWAL OF APPLICATION

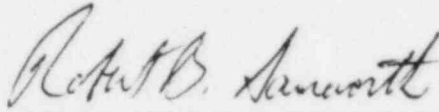
I, Robert B. Samworth, having first been sworn hereby states as follows:

1. I am currently employed with the U.S. Nuclear Regulatory Commission as a Senior Reactor Systems Engineer in the Facilities Operations Branch, Division of PWR Licensing-A, Office of Nuclear Reactor Regulation. From May 1976 to October 1, 1985, I was the Leader of the Environmental Engineering Section with responsibility for review of non-radiological environmental impact matters involved in licensing actions relating to Nuclear Power Reactors. A copy of my professional qualifications is attached.
2. In performance of my duties, I was assigned the environmental review of the request dated March 1, 1985, by Public Service of Indiana to withdraw their application for an operating license for the Marble Hill Generating Station.

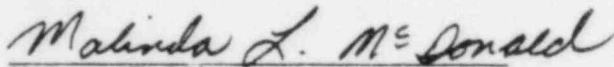
To accomplish a thorough environmental review, the staff requested additional information regarding site restoration from the Applicants on April 2, 1985. The information was transmitted to NRC by letter dated May 1, 1985 by S. W. Shields, Sr. Vice President, Public Service of Indiana.

3. After evaluation of the additional information, I performed a site visit on November 18, 1985. The primary objective of the site visit was to determine whether the site restoration plan considered all critical site areas. A particular effort was made to inspect areas of the site which potentially could be subject to continued erosion and contribute silt to surface waterbodies, as well as identify areas where standing water could result in saturated soils. The entire site, including the sedimentation pond was examined.
4. Based on my evaluation of the information submitted by the Applicants and my site visit, I determined that there will be no significant detrimental environmental impact on or offsite resulting from termination of the proceeding. My findings constitute the underlying input and basis for the attached "Environmental Review Related To Public Service Company of Indiana's Request To Terminate The Marble Hill License Proceeding" prepared by the Division of

Licensing, Office of Nuclear Reactor Regulation. I have read the attached Environmental Review and affirmed that it is true and correct.

  
Robert B. Samworth

Subscribed and sworn to before  
me this 27th day of March, 1986

  
Notary Public

My commission expires: 7/1/86

## Personal Qualifications Statement

Robert B. Samworth, Ph.D.

January 22, 1986

Robert B. Samworth is employed by the U.S. Nuclear Regulatory Commission as a Senior Reactor Systems Engineer in the Facilities Operations Branch, PWR-A Division, Office of Nuclear Reactor Regulation. From May 1976 to October 1985 he was the Leader of the Environmental Engineering Section, Environmental and Hydrologic Engineering Branch, Division of Engineering, Office of Nuclear Regulation. The Division of Engineering and its organizational units were abolished in the NRR reorganization of October 1985.

As the Leader of the Environmental Engineering Section, major portions of environmental impact statements were prepared under his supervision. Included were essentially all sections on non-radiological impacts to aquatic and terrestrial resources. Specifically among issues for which his section was responsible are construction impacts and land use issues.

Dr. Samworth was the senior staff expert on environmental engineering questions and is highly qualified for this responsibility through education and training. He holds a B.S. degree in Civil Engineering from the University of Delaware, an M.S. degree in Sanitary Engineering from the Johns Hopkins University, and the Ph.D. degree in Civil Engineering from Cornell University.

Dr. Samworth joined the regulatory staff in October, 1972, as an environmental engineer during the period of the NRC's initial NEPA reviews of nuclear power plant license applications. He performed reviews related to impacts of power plant operation on water quality and water use and provided Environmental Impact Statement input for several projects prior to assuming the responsibilities of Section Leader. He participated in the development of review procedures as set forth in the Environmental Standard Review Plans, revisions to Regulatory Guide 4.2, and revisions to NRC's regulations for environmental reviews found in 10 CFR Part 51.

Prior to joining NRC he was the Chief of the Grants, Research, and Statistics Branch with the Department of Environmental Services of the Government of the District of Columbia. There he was responsible for evaluating new technology for achieving department objectives in water supply, wastewater collection and treatment, and solid waste collection and disposal. He served as liason between laboratory scientists and design engineers in the design of the treatment processes employed at the District's new wastewater treatment plant.

Before that he was employed as a Public Health Engineer with the Tennessee Valley Authority where he conducted research concerning environmental problems associated with power generation at steam- and hydro-electric generation facilities.



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

FEB 2 6 1986

MEMORANDUM FOR: B. J. Youngblood, Director  
PWR Project Directorate #4  
Division of PWR Licensing-A

FROM: V. Benaroya, Chief  
Facilities Operations Branch  
Division of PWR Licensing-A

SUBJECT: ENVIRONMENTAL REVIEW RELATED TO PUBLIC SERVICE COMPANY OF  
INDIANA'S REQUEST TO TERMINATE THE MARBLE HILL LICENSE  
PROCEEDING

Introduction

By motion dated April 4, 1985 filed with the Atomic Safety and Licensing Board, PSI requested the termination of the Marble Hill operating license proceedings. The NRC staff's response to this motion, dated April 24, 1985, advised the Licensing Board that the technical staff is conducting a review of the site to determine whether any conditions for the protection of the environment are necessary.

To accomplish a thorough environmental review we requested additional information regarding site restoration from the applicant on April 2, 1985. The information was transmitted to NRC by letter dated May 1, 1985 by S. W. Shields, Public Service of Indiana, Senior Vice President.

After evaluation of the additional information a site visit was made by NRC Staff on November 18, 1985. The primary objective of the site visit was to determine whether the site restoration plan considered all critical site areas. A particular effort was made to inspect areas of the site which potentially could be subject to continued erosion and contribute silt to surface waterbodies, as well as identify areas where standing water could result in saturated soils. The entire site, including the sedimentation pond was examined.

Evaluation

On April 24, 1985, the NRC urged the Atomic Safety and Licensing Board to hold Public Service of Indiana's (PSI) request to withdraw license applications for Marble Hill in abeyance until the staff could review the applicant's site restoration plan and additional information requested by the staff by letter dated April 2, 1985.

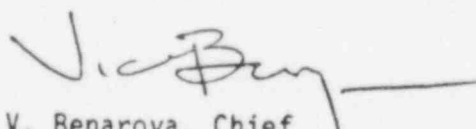
On November 18, 1985, Tom Alexion and R. Samworth toured the Marble Hill site to determine whether there would be any dire environmental consequences resulting from NRC accepting the cancelled Construction Permits and returning OL applications to Public Service of Indiana. With these actions NRC would relinquish all responsibility for future activities at the site. They traversed the plant area and went around the perimeter of the site and found no evidence of impacts to offsite areas.

The site could be characterized as being typical of any abandoned large industrial facility. Backfilling around building foundations and other earth-moving activities have long been completed. Thus the potential for erosion contributing silt to site drainage courses is low. The sanitary waste facilities are maintained to serve the office building still in use. The NPDES Discharge Permit remains in effect for that facility. PSI is selling the temporary structures (most have already been removed) and usable construction supplies and equipment. Removal of these items appears to be of no significance environmentally.

The site inspection focused on potential for erosion. Dr. Samworth and Mr. Alexion looked in particular at the one stream into which the site drains and at the shoreline of the Ohio River in the vicinity of the intake and discharge structures. There had been a heavy rain a few days before their inspection. Therefore if the erosion potential were high, eroded areas would be conspicuous and the drainage stream would show the consequences of siltation. They saw no significant erosion of any portions of the areas disturbed for station construction and consequently as expected no evidence of siltation in the stream areas they had access to. The site does not appear to be subject to excessive erosion associated with the condition in which it now stands.

The staff has completed its review of the applicants site restoration plan and the information provided by letter dated May 1, 1985.

Based upon this review and the results of our November 18, 1985 site visit the staff concludes that there will be no significant environmental impact resulting from the termination of Construction Permits Nos. CPPR-170 and 171 for Marble Hill.

  
V. Benaroya, Chief  
Facilities Operations Branch  
Division of PWR Licensing-A

cc: M. Karman  
M. Spangler  
E. Rossi  
L. Crocker



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)

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}  
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}  
Docket Nos. 50-546  
50-547

CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF SUPPLEMENTAL ANSWER TO APPLICANTS' MOTION TO TERMINATE PROCEEDING" 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 28th day of March, 1986:

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

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

Dr. Oscar H. Paris\*  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
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Shelbyville, KY 40065

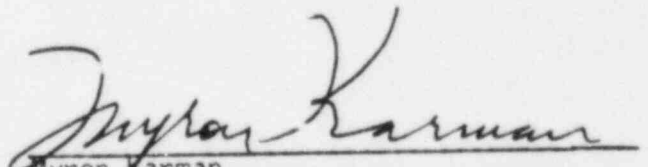
Indiana Sassafras Audubon Society  
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Mr. Tom Zeller, Vice President  
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Panel\*  
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Atomic Safety and Licensing Appeal  
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Washington, DC 20555

  
Myron Karman  
Deputy Assistant Chief Hearing Counsel