

**SUPPLEMENTARY INFORMATION:** On June 30, 1995, (60 FR 34381) the Commission published a complete revision of the NRC's Enforcement Policy in the Federal Register. The changes to the Enforcement Policy resulted from the efforts of a review team established in 1994 to assess the NRC's enforcement program. The review team published its recommendations in NUREG-1525, "Assessment of the NRC Enforcement Program," and the Commission made revisions to the Enforcement Policy after considering those recommendations. The revisions to the Enforcement Policy were intended to, among other things:

- Emphasize the importance of identifying problems before events occur, and of taking prompt, comprehensive corrective action when problems are identified;
- Direct agency attention at licensees with multiple enforcement actions in a relatively short period; and
- Focus on current performance of licensees.

The revisions to the Enforcement Policy were also intended to better focus the inspection and enforcement process on safety, provide greater incentives for strong self-monitoring and corrective action programs in the civil penalty assessment process, provide more predictability and consistency in the civil penalty assessment process, and to better convey clear regulatory messages.

When the Commission published the revised Enforcement Policy in the Federal Register on June 30, 1995, it stated that it would provide the public an opportunity to comment on the revised Enforcement Policy after it had been in effect for about 18 months. This opportunity for public comment is being made in accordance with this commitment.

Dated at Rockville, MD, this 30th day of January, 1997.

For the Nuclear Regulatory Commission.

James Lieberman,

*Director, Office of Enforcement.*

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[Docket No. 50-461]

### **Illinois Power Company; Soyland Power Cooperative; Environmental Assessment and Finding of No Significant Impact**

The U.S. Nuclear Regulatory Commission (the Commission) is considering the issuance of an order approving, under 10 CFR 50.80, the transfer of Facility Operating License No. NPF-62, to the extent now held by

Soyland Power Cooperative (Soyland), to Illinois Power Company (IP, the licensee) with respect to the Clinton Power Station, Unit No. 1 (CPS), located in DeWitt County, Illinois, and issuance of conforming amendments under 10 CFR 50.90.

#### **Environmental Assessment**

##### *Identification of the Proposed Action*

The proposed action would consent, by the issuance of an order, to the transfer of the 13.21% minority ownership interest in the facilities for CPS from Soyland to IP and approve the issuance of conforming amendments to the license. This Environmental Assessment supersedes that published on November 19, 1996 (61 FR 58897), which reflected the licensee's original submittal of October 17, 1996. The licensee's original submittal, which proposed transferring the Soyland interest to Illinova Power Marketing, Inc., was revised in the licensee's submittal of December 13, 1996.

##### *The Need for the Proposed Action*

The proposed action is required to obtain the necessary consent to the transfer of the license, to the extent now held by Soyland, and approval of amendments discussed above. Soyland is a minority owner of CPS with an ownership share of 13.21%. Due to severe financial difficulties arising in large part because of its CPS-related debt, Soyland has been forced to seek significant refinancing of its outstanding obligations. As a condition precedent to said refinancing, the U.S. Department of Agriculture, acting through the Administrator of the Rural Utilities Services, required Soyland to completely divest itself of any ownership of, or responsibility for, CPS. As a result, Soyland and Illinova Corporation (Illinova), the parent company of Illinois Power Company, entered into an agreement wherein Illinova assumed full financial responsibility for Soyland's CPS obligations as of September 1, 1996, and Soyland agreed to transfer its entire ownership interest in CPS, subject to receipt of all necessary regulatory approvals.

##### *Environmental Impacts of the Proposed Action*

The Commission has reviewed the proposed action and concludes that there will be no changes to the facility or its operation as a result of the proposed action. Accordingly, the NRC staff concludes that there are no significant radiological environmental

impacts associated with the proposed action.

With regard to potential nonradiological impacts, the proposed action will not affect nonradiological plant effluents and will have no other environmental impact. Accordingly, the NRC staff concludes that there are no significant nonradiological environmental impacts associated with the proposed action.

##### *Alternatives to the Proposed Action*

As an alternative to the proposed action, the staff considered denial of the proposed action. Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are similar.

##### *Alternative Use of Resources*

This action does not involve the use of any resources not previously considered in the Final Environmental Statement for the Clinton Power Station, Unit 1, documented in NUREG-0854.

##### *Agencies and Persons Consulted*

In accordance with its stated policy, on January 8, 1997, the staff consulted with the Illinois state official of the Illinois Department of Nuclear Safety, regarding the environmental impact of the proposed action. The state official had no comments.

##### *Finding of No Significant Impact*

Based upon the environmental assessment, the Commission concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the Commission has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the Illinois Power submittal dated December 13, 1996, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC and at the local public document room located at the Vespasian Warner Public Library, 310 N. Quincy Street, Clinton, Illinois.

Dated at Rockville, Maryland this 29th day of January 1997.

For the Nuclear Regulatory Commission.

Jon B. Hopkins,

*Acting Director, Project Directorate III-3, Division of Reactor Projects—III/IV Office of Nuclear Reactor Regulation.*

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