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WASHINGTON PUBLIC POWER SUPPLY SYSTEM

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February 19, 1987

B. Lavelle Black
Chief, Branch of Lands and Minerals Operations
BLM Oregon State Office
P. O. Box 2965
Portland, Oregon 97208

Dear Mr. Black:

Subject: PROPOSED WITHDRAWAL, U.S. DEPARTMENT
OF ENERGY HANFORD SITE, BENTON COUNTY, WA.

On June 18, 1986, the Bureau of Land Management (BLM) published in the Federal Register a notice of proposed continuation of withdrawals of certain lands within the U.S. Department of Energy (DOE) Hanford Reservation (51 Federal Register 22138). The proposed withdrawal would segregate those lands from the public land laws, including the mining laws, causing them to remain closed to surface entry and mining. However, all but a small fraction of the lands would be open to applications and offers under the mineral leasing laws. The Washington Public Power Supply System hereby submits comments on, and requests modification of, the proposed land withdrawals on the Hanford Reservation.

The Supply System is the holder of a construction permit and an operating license issued by the Nuclear Regulatory Commission (NRC) for, respectively, the WNP-1 and WNP-2 nuclear power plants located on the Hanford Reservation. The NRC forwarded information received from BLM to the Supply System by letter dated October 23, 1986. In that letter the NRC noted that WNP-2 is located "within approximately 2,000 feet of lands currently available, with BLM approval for exploration and subsequent development of mineral resources." The Supply System has since reviewed the proposed withdrawals with particular emphasis on the potential for mineral leasing on lands near the WNP-1 and WNP-2 sites. The Supply System requests that the proposed land withdrawals be modified by BLM to restrict mineral leasing in the vicinity of these two nuclear power reactors.

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Federal Regulations require that nuclear licensees define and maintain an "exclusion area" surrounding a facility (10CFR 100.11(a)(1)). The size of the exclusion area is based upon postulated fission product releases and is intended to provide protection to the public health and safety in normal reactor operation as well as in the event of an accident. The NRC regulations further require that in the exclusion area, "the reactor licensee (have) the authority to determine all activities including exclusion or removal of personnel and property from the area." (10CFR 100.3(a)). This required control not only protects public health and safety, but assures that activities in the exclusion area do not compromise safe operation of the nuclear power plant.

The existing exclusion area for WNP-1 and WNP-2 consists of two overlapping circles with a radius of 1,950 meters (1.2 miles) centered on the WNP-1 and WNP-2 reactor buildings. This area extends into the parcels designated by BLM to be available for mineral leasing. The Supply System does not believe that the proposed withdrawal from the mineral leasing laws affects compliance with NRC exclusion area control requirements.¹ However, to avoid potential conflicts, the Supply System simply requests that the proposed land withdrawals be extended to include mineral leasing activities on any complete land sections that contain part of the exclusion area boundary (see attached map). Please note however, that some of the lands surrounding WNP-1 and WNP-2 are acquired lands; this request does not apply to those parcels.

¹ In reviewing the WNP-2 operating license application, the NRC previously concluded that the Supply System possessed sufficient authority to determine all activities within the exclusion area as required by 10CFR Part 100. Specifically, the Supply System is authorized by Paragraph 7 of the lease with DOE for the WNP-2 site to take such actions as are necessary to comply fully with the terms of its operating license with respect to the exclusion area. Such actions may include the exclusion of persons or activities related to mineral rights. In addition, Paragraph 5(b) of the lease provides that DOE will "negotiate with the Supply System for such rights of way over the Hanford Operations Area as are necessary to service the Leased Premises." Thus, the Supply System could obtain an easement over the exclusion areas which would assure that no permanent structures or other activities inconsistent with the exclusion areas would be carried on therein. In sum, it appears that even if the lands within the WNP-2 exclusion area are opened for mineral leasing, the Supply System will retain sufficient control (in conjunction with DOE) to assure continued regulatory compliance. Similar lease provisions exist with respect to WNP-1.

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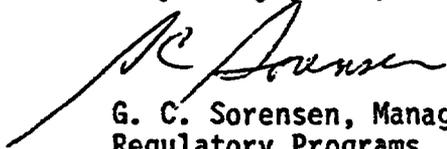
The expansion of the proposed withdrawal would have minimal effect on the mineral development of the area. Much of the surrounding area is open for leasing and exploration, but little mining activity has actually occurred or been proposed. Although several oil companies have been exploring and drilling for gas in the region since the late 1970s, no commercial fields have yet been established. In sum, the lands requested for withdrawal do not represent a unique geologic environment, and as such, their removal would not represent a significant loss of opportunity.

In addition, the Supply System notes that whether or not the proposed lands are withdrawn from mineral leasing, leasing should not and would not likely be permitted in the vicinity of the WNP-1 and WNP-2 site. The regulations governing mineral leasing recognize that such leases are granted at the discretion of the Secretary. The regulations indicate that approval of a mineral lease should not be given without first consulting, where applicable, the "surface managing agency" (in this case DOE). (See 43 CFR 3103.7.) Mining activities, even beyond the exclusion area, represent a potentially hazardous activity which could affect plant safety-related structures. It seems unlikely, therefore, that DOE would consent to mineral leasing or the conduct of activities on leased land which would pose a hazard to the operation of any nuclear-related activities on the Hanford Reservation.

In summary, the Supply System requests the inclusion of mineral leasing in the proposed withdrawals for any complete land sections that include a part of the exclusion area for either WNP-1 or WNP-2. In addition, even where the filing of applications and offers under the mineral leasing laws is allowed under an existing or proposed withdrawal, no leases in the vicinity of the reactors should be granted that would create a potential hazard to safe operation of the plant.

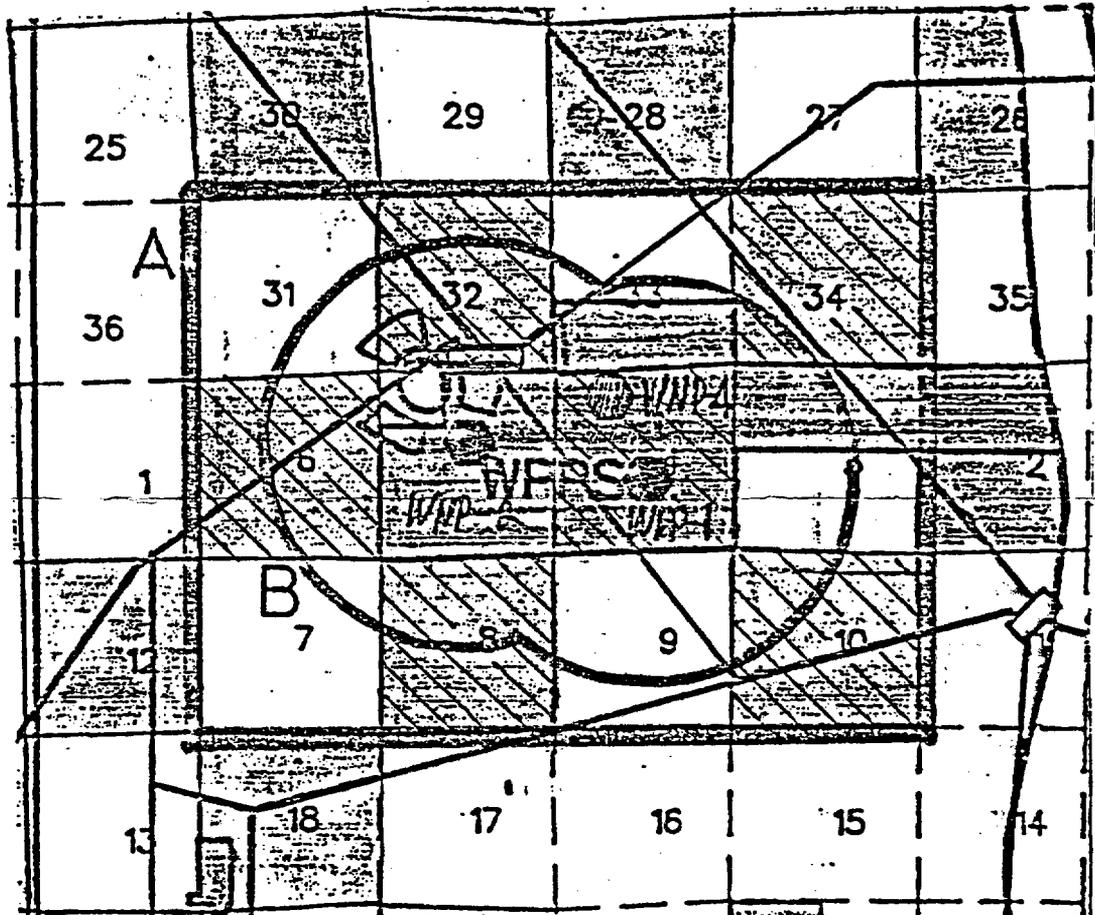
We will appreciate your consideration of these comments. If you require any additional information, please call me at (509) 372-5238.

Very truly yours,



G. C. Sorensen, Manager
Regulatory Programs

cc: JO Bradfute/NRC
JB Martin/Region V
NS Reynolds/BLCP&R



WASHINGTON PUBLIC POWER SUPPLY SYSTEM
 REQUEST FOR MINERAL LEASING WITHDRAWAL
 HANFORD RESERVATION, WASHINGTON

Explanation

- A. The rectangular area marked "A" consists of those lands that the Supply System requests be withdrawn from mineral leasing (includes DOE acquired lands).
- B. The circular areas marked "B" contain those lands of the WNP-2 and WNP-1 Exclusion Areas required by 10 CFR 100 (1,950 meters radius).

Map: Map base from G. Brown, BLM - Spokane
 Not to scale - Schematic Only
 Map Location: T11N R28E, T12N R28E on the U. S. Department of Energy Hanford Reservation in eastern Washington State