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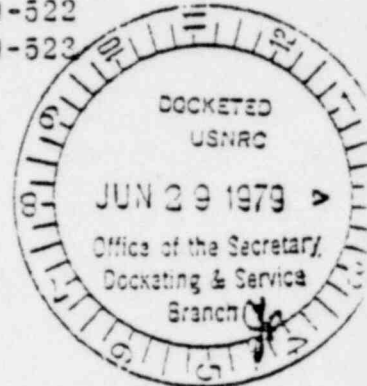
UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

ROGER M. LEED

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
 )  
PUGET SOUND POWER & LIGHT )  
COMPANY, et al., )  
 )  
(Skagit Nuclear Power Project )  
Units 1 and 2 )

Docket Nos. 50-522  
50-522



Order for Evidentiary Hearing  
and Related Matters

1. On March 27, 1979, an order for a three-day conference, on April 24, 25 and 26, 1979, to schedule evidentiary hearings and to take further steps to move along the proceeding was issued. On April 10, 1979, an order of the agenda for the conference was issued.

2. The conference itself took place in Seattle, Washington on April 24, and the agenda for the conference having been handled in an expeditious manner, the conference itself ended the same day.

3. At the conference, the following agreements were made by the parties and approved by the Board, and they are hereby confirmed by the Board:

TIME AND PLACE OF EVIDENTIARY HEARING:

The evidentiary hearing shall resume at 9:30 a. m., Tuesday, July 17, 1979, at Room 3086, New Federal Building, 915 Second Avenue, Seattle, Washington, provided that a trial scheduled for Mr. Leed during the second half of June ends by June 29 (Tr. 11, 831).

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Attachment 5

POOR ORIGINAL

- 2 -

It is anticipated that this session of the evidentiary hearing will continue to and including Friday, August 3, 1979, excluding weekends.

PRE-FILING:

N. B. The nomenclature of headings and the numerical and alphabetical references to the headings are taken from the Board's Order of April 10, 1979. Page references to transcript are in parenthesis.

I. ENVIRONMENTAL MATTERS

A. Environmental Impact Statements

No further evidence (Tr. 11, 921).

B. Impacts of Construction

Staff: Prefile by June 1 (Tr. 11, 921).

Applicant, SCANP, FOB: Prefile testimony responding to Staff, by July 10 (Tr. 11, 921).

C. Impact of Operations (1) Cooling Tower Operation

No evidence (Tr. 11, 924).

C. Impact of Operations (2) Visual Impacts

No evidence (Tr. 11, 924).

C. Impact of Operations (3) Project Discharge

No evidence but SCANP warns that it may file motion to reopen aquatic impacts (Tr. 11, 924).

C. Impact of Operations (4) Ranney Collector System

Staff: Prefile by June 1 (Tr. 11, 924).

SCANP: Prefile by June 15 (Tr. 11, 925).

*Handwritten notes:*  
2005 11/4  
Scales  
Financial record  
Quality of service  
10/17/79 to 1/1/80  
C/B

*Handwritten notes:*  
In Review  
14 5:00  
3:30  
20/7/79  
23/8/79

*Handwritten note:* ok for [unclear]

*Handwritten note:* ok for [unclear]

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[unclear]  
[unclear]

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Anyone, particularly in response to earlier filing:  
Prefile by July 10 (Tr. 11, 925).

C. Impacts of Operations (5) Radiological Releases

No evidence contemplated. However, SCANP may file a motion re Class 9 accident (Tr. 11, 925).

C. Impacts of Operations (6) Socio, Economic and Other

This subject is transferred to H (Tr. 11, 925).

D. Effects of Postulated Accident

No evidence contemplated. Subject relates to SCANP's position on Class 9 accident (Tr. 11, 925).

E. Alternative Sites

Applicant, Staff, SCANP, FOB: Prefile by June 29 (Tr. 11, 925).

F. Alternative Energy Sources

Applicant, Staff, SCANP, FOB: Prefile by June 29 (Tr. 11, 925).

G. Need for Power

Pending SCANP's motion before Board.

H. Cost Benefit Analysis

Staff: Prefile by June 29 (Tr. 11, 923).

Applicant, SCANP, FOB: Prefile up to July 17 (Tr. 11, 923).

I. Federal Water Pollution Control Act

No evidence. SCANP's possible motion on aquatic effects is related to subject (Tr. 11, 929).

*Illinois 1. 12  
...  
Motion to disqualify  
...  
Motion of ...  
...  
555 & others*

*...  
...*

*...  
...  
...*

*Letter to Board re 222  
1396 300*

J. Wild and Scenic Rivers Act

No evidence (Tr. 11,929).

II. SITE SUITABILITY

A. Geography and Demography

No further evidence (Tr. 11,929).

B. Nearby Industrial, Military and Transportation

Issue regarding evidence on military aviation left for SCANP and NRC staff to resolve (Tr. 11,929).

C. Geology and Seismology

Applicant: Prefile by June 1 (Tr. 11,930).

SCANP: SCANP will advise by June 1 when Dr. Cheney will complete his report (Tr. 11,931).

Staff: Hopefully targeting a September time frame (Tr. 11,931).

D. Suitability for Development of Evacuation Plan

SCANP: Prefile by July 10 (Tr. 11,933).

III. RADIOLOGICAL HEALTH AND SAFETY

A. Site Criteria

This relates to B. Geology and Seismology under II. SITE SUITABILITY above (Tr. 11,933).

B. Financial Qualifications

Applicant: Prefile by June 1 (Tr. 11,934).

Staff: Prefile by June 29 (Tr. 11,934).

SCANP: Prefile by July 10 (Tr. 11, 936).

FOB: Prefile by June 29 (Tr. 11, 938).

C. Others (1) Loose Parts Monitoring

Applicant and Staff: Prefile by June 29 (Tr. 11, 938).

C. Others (2) Quality Assurance

Applicant: Prefile by June 29 (Tr. 11, 939).

Staff: Not certain whether there will be any testimony beyond the SER (Tr. 11, 941).

C. Others (3) SCANP's Contention re Adequacy of Applicant's Emergency Plan

Applicant and Staff: Prefile by June 29 (Tr. 11, 942).

SCANP: Prefile by July 10 (Tr. 11, 942).

DISCOVERY:

Initial discovery requests regarding any outstanding item which will be heard at the hearing beginning July 17, 1979 may not be made after June 1, 1979, and supplemental discovery requests, that is, requests based on unsatisfactory responses to any initial discovery request, may not be made after ten days following receipt of the answer to the initial discovery request which occasioned the supplemental request (Tr. 11, 945-11, 949).

4. The Board received a letter from SCANP dated June 6, 1979 stating that it objects to the Applicant's proposal to introduce into evidence the "Bechtel Report" on site geology at the scheduled July hearing on the basis that it had not yet been supplied "proprietary" exhibits to the report which it had requested. Since no answer to intervenor's

statement has been received to date, it is assumed that applicant and intervenor have resolved the issue. If they have not, the board requests that they make every effort to settle the issue forthwith, or otherwise to present promptly the matter in suitable detail to the Board for a ruling.

5. Since the April 25 conference, the Board has received several requests for limited appearances. The Board has decided to permit limited appearances at the beginning of the hearing scheduled to start on July 17. Limited appearances requested of the Board since the April 25 conference are hereby granted to the following:

\*Robert E. Skelly  
Member of the Legislative Assembly  
Province of British Columbia

Municipal Council of Surrey  
British Columbia  
by Alderman Bob Jacob

British Columbia Medical Association  
by Niel Petreman, M.D.  
President  
Vancouver, British Columbia

Greenpeace  
(a non-profit organization)  
by Rod Marining, Director  
Vancouver, British Columbia

\*Mr. Skelly's letter of June 15, 1979 requesting a limited appearance stated: "Myself and other Members of the Legislative Assembly would like to make a limited appearance and statement at the hearing." In his limited appearance, Mr. Skelly is welcome to speak for himself and his colleagues and to submit a statement in their behalf.



6. Persons wishing to make a limited appearance at the hearing scheduled to begin on July 17, 1979, are requested to give advance notification to the Secretary, United States Nuclear Regulatory Commission, Washington, D.C. 20555. Those planning to make a limited appearance at the hearing beginning on July 17 are directed to check with the Board's clerk at 9 AM that day at the hearing room.

7. The Commission's regulation at 10 CFR §2.715(a), pertaining to limited appearances, is pertinent:

"a A person who is not a party may, in the discretion of the presiding officer, be permitted to make a limited appearance by making oral or written statement of his position on the issues at any session of the hearing or prehearing conference within such limits and on such conditions as may be fixed by the presiding officer, but he may not otherwise participate in the proceeding."

8. In keeping with the understanding left the Board at the April 25 conference, the parties will have agreed prior to the hearing upon the sequence of treating various subjects at the hearing beginning July 17 and upon the order for calling witnesses. A summary statement of such information will be made available to the board members so that they will have it in hand during the week preceding July 17 (Tr. 11,949-11,950).

9. In the event Mr. Leed's trial is not ended by June 29, the parties should promptly notify the Board with their recommendations for time to resume the evidentiary hearing.

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Done this *29<sup>th</sup>* day of June, 1979 at Washington, D.C.

ATOMIC SAFETY & LICENSING O  
BOARD

By *Valentine B. Deale*  
Valentine B. Deale, Chairman

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