

UNITED STATES OF AMERICA
 NUCLEAR REGULATORY COMMISSION



In the Matter of)	
)	
PUGET SOUND POWER &)	
LIGHT COMPANY, et al.)	Docket Nos. 50-522
)	50-523
(Skagit Nuclear Power)	
Project, Units 1 and 2))	

RULING ON RADON

1. Pursuant to the suggestion of the NRC Staff in its letter to the Board dated August 15, 1978, the then Chairman of the Board, by his letter to the parties of August 23, 1978, invited the parties to submit their responses to the following three questions:

- (a) whether opportunity is desired in the Skagit proceeding to supplement, contradict, or object to anything in the Perkins record;
- (b) whether the Perkins evidentiary record supports the generic findings and conclusions of the Licensing Board respecting the amount of the radon emissions in the mining and milling process and resultant health effects; and
- (c) whether the radon emissions and resultant health effects are such as to tip the NEPA balance against construction of the Skagit facility.

2. Responses from Applicants (September 21, 1978) and from NRC Staff (September 22, 1978) were negative regarding question (a), affirmative regarding question (b), and negative regarding question (c).

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3. Response from Intervenor SCANP (November 15, 1978) answered affirmatively question (a), negatively question (b), and found the Perkins record inadequate to answer question (c). SCANP questioned the adequacy of the Perkins record on the basis of the following two allegations:

- (a) The NRC Staff's assumption concerning radon releases from mill tailings are in error; and
- (b) The atmospheric dispersion model used by the NRC Staff is not appropriate. 1/

4. The response of Intervenor Forelaws on Board and Coalition for Safe Power (September 22, 1978) reserved judgment on the cited issues pending the opportunity to cross-examine witness Gotchy of the NRC staff.

5. The Commission recently promulgated a final uranium fuel cycle rule (44 FR 45362, August 2, 1979), replacing an interim rule which had been issued on March 14, 1977. The final rule recognizes that appropriate values for radon releases are open for consideration in developing environmental cost-benefit analysis for individual cases. Of noteworthy recent releases on radon also are NUREG-0511, April 1979 and the Atomic Licensing Appeal Board decision ALAB-562, September 10, 1979.

1/ SCANP's discussion of this deficiency does not make a distinction between dose commitment to the population deriving from a given radon source value and the resultant environmental significance or health impacts from said source. A recognition of this distinction is necessary for an orderly resolution of the radon issue. Table S-3 (44 FR 45362, August 2, 1979) does not address health impacts.

6. Pursuant to the foregoing recent developments of policy and procedure bearing upon radon, the Board takes the occasion to rule that --


- (a) The so-called Perkins record, together with the related Partial Initial Decision, 8 NRC 87 (1978), will be admitted into the record of the Skagit proceeding.
- (b) Supplementation of the Perkins record will be admitted into the record of the Skagit proceeding in accordance with the following:
 - (i) Evidence on radon release values and concentration levels as a result of the following:
 - Five sources referenced at ALAB-562, September 10, 1979, namely, emissions from mill tailings piles; emissions from abandoned, underground mines; emissions from open pit mines; water pathways to human activities that might carry radon or its progenitors from abandoned mines or tailings piles; and releases associated with the commercial recovery of uranium from phosphate residues.
 - Such other radon source as may be approved by the Board upon showing by a party of good cause on or before December 3, 1979.
 - (ii) Determination of the radon source term relates only to the mining and milling of that amount of uranium necessary to support the operation of the proposed Skagit facility. Historical practices for previously abandoned mines and the disposition of mill tailings piles from previously deactivated milling sites are not pertinent.
 - (iii) The radon issue is generic and consistent with the Commission's final fuel cycle rule, it does not address any particular nuclear power plant.

7. The subject of radon as circumscribed above will be set for hearing in keeping with a schedule to be determined later.

Done this *9th* day of November 1979 at Washington, DC.

ATOMIC SAFETY AND LICENSING BOARD

By:


Valentine B. Deale, Chairman

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