

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

7590-01

DOCKETED  
FEB 22 1978

In the Matter of Puget Sound Power &  
Light Company, Pacific Power and  
Light Company, The Washington Water  
Power Company, and Portland General  
Electric Company

(Skagit/Hanford Nuclear Project,  
Units 1 and 2)

Formerly  
(Skagit Nuclear Power Project,  
Units 1 and 2)

'82 FEB 22 DOCKETED NRS. STN 50-522  
and STN 50-523

NOTICE OF RECEIPT OF AMENDED FEB -2 11:49  
APPLICATION FOR CONSTRUCTION PERMITS  
AND FACILITY LICENSES AND NOTICE OF  
HEARING ON AMENDED APPLICATION FOR  
CONSTRUCTION PERMITS

By an application dated September 18, 1974, Puget Sound Power & Light Company, acting for itself and as agent for Pacific Power and Light Company, The Washington Water Power Company, Idaho Power Company, and Washington Public Power Supply System applied for construction permits for two boiling water nuclear reactors designated as the Skagit Nuclear Power Project, Units 1 and 2, each of which was designed for operation at 3800 thermal megawatts with a net electrical output of approximately 1300 megawatts per unit. The proposed facilities were to be located at the applicants' site 5 miles northeast of Sedro Woolley in Skagit County, Washington. By an agreement dated January 23, 1977, ownership shares in the Skagit facility were reallocated. Idaho Power Company and Washington Public Power Supply System are no longer co-applicants, and Portland General Electric Company was added as a 30% owner and co-applicant. Hearings on the Skagit application have been convened pursuant to a Notice of Hearing published in the Federal Register on December 20, 1974 (39 FR 44065) and also pursuant to an Amended Notice of Hearing published in the Federal Register on March 1, 1977 (41 FR 8835).

On September 26, 1981, Puget Sound Power & Light Company submitted Amendment 5 to the application which relocates the proposed nuclear facilities to the Department of Energy's Hanford Reservation in Benton County, Washington, and changes the name of the project from Skagit Nuclear Power Project to Skagit/Hanford Nuclear Project. The proposed facilities, designated Skagit/Hanford Nuclear Project, Units 1 and 2, will retain the same design boiling water reactors as the original application and will be located approximately 8 miles west of the Columbia River, 7 miles north of the Yakima River at Horn Rapids Dam, and 12 miles northwest of the city of North Richland in Benton County, Washington.

Pursuant to the Atomic Energy Act of 1954, as amended (the Act), and the regulations in Title 10, Code of Federal Regulations, Part 50, "Licensing of Production and Utilization Facilities", Part 51, "Licensing and Regulatory Policy and Procedures for Environmental Protection", and Part 2, "Rules of Practice for Domestic Licensing Proceedings", notice is hereby given that a hearing will be held at a time and place to be set by the Atomic Safety and Licensing Board (Board) previously designated to preside over the proceeding, to consider the application, as amended. Portions of this hearing may be held jointly between the U.S. Nuclear Regulatory Commission (NRC) and the Washington State Energy Facility Site Evaluation Council (EFSEC) on matters within their jurisdiction, particularly the National Environmental Policy Act of 1969 (NEPA) and the State Environmental Policy Act of 1971 (SEPA). The joint hearing will be governed by the Protocol for the Conduct of Joint Hearings which is set forth in an agreement between the NRC and EFSEC, dated July 31, 1981.

The NRC staff has completed part of its safety evaluation with respect to the Skagit/Hanford Project. These completed reviews are set forth in the staff Safety

Evaluation Reports (SERs) for the Skagit/Hanford Nuclear Project, Units 1 and 2 (formerly, Skagit Nuclear Power Project, Units 1 and 2): NUREG-0309 (September 1977); NUREG-0309, Supplement No. 1 (October 1978); and NUREG-0309, Supplement No. 2 (October 1981). Supplement No. 2 to the Skagit/Hanford SER addresses all the action items relative to the accident at Three Mile Island, Unit 2 that currently must be reviewed. Upon completion by the Commission's staff of the final supplement to the SER and an environmental review, and upon receipt of a report by the Advisory Committee on Reactor Safeguards, the Director of Nuclear Reactor Regulation will consider making affirmative findings on Items 1-3, a negative finding on Item 4, and an affirmative finding on Item 5 specified below as a basis for the issuance of construction permits to the applicants. In the event that a separate hearing is held with respect to a Limited Work Authorization, Item 6 below describes the matters for consideration.

Issues Pursuant to the Atomic Energy Act of 1954, as Amended

1. Whether in accordance with the provisions of 10 CFR §50.35(a):

- (a) The applicant has described the proposed design of the facilities including, but not limited to, the principal architectural and engineering criteria for the design, and has identified the major features or components incorporated therein for the protection of the health and safety of the public;
- (b) Such further technical or design information as may be required to complete the safety analysis and which can reasonably be left for later consideration will be supplied in the final safety analysis report;
- (c) Safety features or components, if any, which require research and development have been described by the applicant and the applicant has identified, and there will be conducted a research and development program reasonably designed to resolve any safety questions associated with such features or components.

- (d) On the basis of the foregoing, there is reasonable assurance that (i) such safety questions will be satisfactorily resolved at or before the latest date stated in the application for completion of construction of the proposed facilities, and (ii) taking into consideration the site criteria contained in 10 CFR Part 100, the proposed facilities can be constructed and operated at the proposed location without undue risk to the health and safety of the public.
2. Whether the applicant is technically qualified to design and construct the proposed facilities;
  3. Whether the applicant is financially qualified to design and construct the proposed facilities; and
  4. Whether the issuance of permits for construction of the facilities will be inimical to the common defense and security or to the health and safety of the public.

Issue Pursuant to National Environmental Policy Act of 1969 (NEPA)

5. Whether, in accordance with the requirements of 10 CFR Part 51, the construction permits should be issued as proposed.

Issues Pursuant to 10 CFR § 2.761a (Limited Work Authorization)

6. Pursuant to 10 CFR § 2.761a, a separate hearing and partial decision by the Board on issues pursuant to NEPA and general site suitability and certain other possible issues may be held and issued prior to and separate from the hearing and decision on other issues. In the event the Board, after the separate hearing, makes favorable findings on such issues, the Director of Nuclear Reactor Regulation may, pursuant to 10 CFR § 50.10(e) authorize the applicants to conduct certain onsite work entirely at their own risk prior to completion of the remainder of the proceeding.

In the event that this proceeding is not a contested proceeding, as defined by 10 CFR 2.4(n), the Board will determine without conducting a de novo evaluation of the application: (1) whether the application and the record of the proceeding contain sufficient information, the review of the application by the Commission's staff has been adequate to support the proposed findings to be made by the Director of Nuclear Reactor Regulation on Items 1-4 above, and to support, insofar as the Commission's licensing requirements under the Act are concerned, the issuance of the construction permits proposed by the Director of Nuclear Reactor Regulation; and (2) whether the NEPA review conducted by the Commission's staff has been adequate.

In the event that this proceeding becomes a contested proceeding, the Board will consider and initially decide, as issues in this proceeding, Items 1-5 above as a basis for determining whether construction permits should be issued to the applicant.

With respect to the Commission's responsibilities under NEPA, and regardless of whether the proceeding is contested or uncontested, the Board will, in accordance with 10 CFR 51.52(c): (1) determine whether the requirements of Section 102(2)(A), (C), and (E) of NEPA and 10 CFR Part 51 have been complied with in this proceeding; (2) independently consider the final balance among conflicting factors contained in the record of the proceeding for the permits with a view to determining the appropriate action to be taken; and (3) determine after weighing the environmental, economic, technical and other benefits against environmental and other costs, and considering available alternatives whether construction permits should be issued, denied, or appropriately conditioned to protect environmental values.

The Board will convene a prehearing conference of the parties, of their counsel, to be held subsequent to any required special prehearing conference, and within sixty



(60) days after discovery has been completed or at such other time as the Board may specify, for the purpose of dealing with the matters specified in 10 CFR §2.752.

The Board will set the time and place for any special prehearing conference, prehearing conference and evidentiary hearing, and the respective notices will be published in the FEDERAL REGISTER.

Any person who does not wish, or is not qualified, to become a party to this proceeding may request permission to make a limited appearance pursuant to the provisions of 10 CFR §2.715. A person making a limited appearance may make an oral or written statement of position on the issues. A limited appearance may be made at any session of the hearing or at any prehearing conference subject to such limits and conditions as may be imposed by the Board. Persons desiring to make a limited appearance are requested to inform the Board by APR 6 1982

Any person whose interest may be affected by the proceeding, who wishes to participate as a party in the proceeding must file a written petition under oath or affirmation for leave to intervene in accordance with the provisions of 10 CFR §2.714. A petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding, and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or

who has been admitted as a party may amend a petition, but such an amended petition must satisfy the specificity requirements described above. A petition that sets forth contentions relating only to matters outside the jurisdiction of the Commission will be denied.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, the petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter, and the bases for each contention set forth with reasonable specificity. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to present evidence and cross-examine witnesses.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Atomic Safety and Licensing Board that the petitioner has made a substantial showing of good cause for the granting of a late petition and/or request. That determination will be based upon a balancing of the factors specified in 10 CFR §2.714(a)(1)(i)-(v)) and §2.714d.

With respect to the application, as amended, for construction permits for the Skagit/Hanford Nuclear Project, Units 1 and 2, all persons previously admitted as intervenors in this proceeding who wish to further participate with respect to the amended application, shall submit an amended petition for leave to intervene that

conforms to the requirements described above. Such amended petitions shall be filed within the time period for the filing of a petition to intervene.

An answer to this notice, pursuant to the provision of 10 CFR §2.705 must be filed by the applicant by MAR 1 1982

A request for a hearing or a petition or amended petition for leave to intervene shall be filed by MAR 8 1982 with the Secretary of the Commission, United States Nuclear Regulatory Commission, Washington, D. C. 20555, Attention: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, 1717 H Street, N.W., Washington, D. C. by the above date. A copy of the petition should also be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D. C. 20555, and to Mr. F. Theodore Thomsen, Perkins, Coie, Stone, Olsen & Williams, 1900 Washington Building, Seattle, Washington 98101, attorney for the applicant. Pending further order of the Board, parties are required to file, pursuant to the provisions of 10 CFR 2.708, an original and two (2) conformed copies of each such paper with the Commission. Any questions or requests for additional information regarding the content of this notice should be addressed to the Chief Hearing Counsel, Office of the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D. C. 20555.

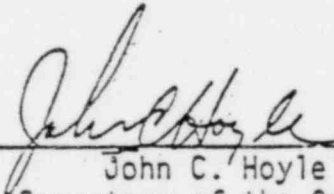
For further details, see the application for construction permits dated September 18, 1974, including site suitability information and the applicant's environmental report, along with any amendments or supplements thereto, which are or will be available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D. C., between the hours of 8:30 a.m. and 5:00 p.m. on weekdays. Copies of these documents will be available at the Richland Public Library, Swift and Northgate Streets, Richland, Washington 99352 between the hours of 10:30 a.m. and



9:00 p.m. on Monday thru Thursday, 5:00 p.m. and 9:00 p.m. on Friday, 10:30 a.m. and 5:30 p.m. on Saturday, and between 1:00 p.m. and 5:00 p.m. on Sundays during the school year only. As they become available, a copy of the safety evaluation report by the Commission's staff, the draft and final environmental statements, the report of the Advisory Committee on Reactor Safeguards (ACRS), the proposed construction permits, the transcripts of the prehearing conferences and of the hearing, and other relevant documents, will also be available at the above locations. Copies of the proposed construction permits and the ACRS report may be obtained, when available, by request to the Director, Division of Licensing, U.S. Nuclear Regulatory Commission, Washington, D. C. 20555. Copies of the Commission's staff safety evaluation reports and final environmental statement, when available, may be purchased at current rates, from the National Technical Information Service, Department of Commerce, 5285 Port Royal Road, Springfield, Virginia 22161.

FOR THE U. S. NUCLEAR REGULATORY COMMISSION

By



John C. Hoyle  
Acting Secretary of the Commission

Dated at Bethesda, Maryland,

this 15<sup>th</sup> day of February, 1982.