

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges

OFFICE OF SECRETARY  
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BRANCH

John F. Wolf, Chairman  
Frank F. Hooper  
Gustave A. Linenberger, Jr.

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In the Matter of  
PUGET SOUND POWER & LIGHT COMPANY, ET AL.  
(Skagit/Hanford Nuclear Power Project,  
Units 1 and 2)

Docket Nos. STN 50-522  
STN 50-523

November 5, 1982

MEMORANDUM AND ORDER RE:  
SECOND SUPPLEMENT TO PETITION TO INTERVENE  
OF COLUMBIA RIVER INTER-TRIBAL FISH COMMISSION

1. Columbia River Inter-Tribal Fish Commission (CRITFC)  
Contention 1 is identical in wording with Accepted Contention 1  
(Memorandum and Order of November 2, 1982). CRITFC 1 is therefore  
accepted and consolidated with Accepted Contention 1, as to which the  
lead party is Natural Resources Defense Council (NRDC).

2. CRITFC Contention 2 raises the same issues as Accepted  
Contention 3. Therefore CRITFC's Contention 2 is consolidated with  
Accepted Contention 3 as to which the lead party is Coalition for Safe  
Power (CSP).

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3. CRITFC Contention 3, excluding the phrase "environmental and," is identical with Accepted Contention 2. CRITFC's Contention 3 is therefore consolidated with Accepted Contention 2 as to which National Wildlife Federation and Oregon Environmental Council (NWF/OEC) is the lead party. (See October 29, 1982 Memorandum and Order, p. 2, regarding our rejection of the phrase "environmental and".)

4. CRITFC's Contention 4 is identical with NWF/OEC's Contention 5 which the Board rejected in its Order of July 6, 1982 (p. 3). Accordingly, for the reason stated there, this contention is also rejected.

5. CRITFC's Contention 5 is deemed by the Board to comprise two separable contentions deriving from the two sentences making up the proposed contention, and it is so treated here. The first sentence of CRITFC 5 is identical to the first sentence of the fifth contention submitted by the Yakima Indian Nation (YIN). In the Board's Order of October 29, 1982 (pp. 3-4), we deferred acceptance of YIN 5-1 for the reason there stated. Accordingly, we afford the same treatment to the first sentence of CRITFC 5.

6. The second sentence of CRITFC 5 is identical to the second sentence of the fifth contention submitted by YIN, this latter contention having been designated by the Board as Accepted Contention 4 in its Order of November 2, 1982 at page 4. However, the Board sees no merit to the hearing process in having both YIN and CRITFC argue for

the protection of treaty rights of the Yakima Indian Nation. We thus reword and accept the second sentence of CRITFC 5 as follows:

Environmental impacts associated with the construction and operation of the S/HNP facility at the proposed site on the Hanford Reservation must not infringe existing treaty rights of those Indian tribes, bands or nations exclusive of YIN that are protected by CRITFC by virtue of its existing constitution and by-laws.

Thus stated and accepted, this becomes Accepted Contention 11, which is to be added to the Board's list of ten accepted contentions issued on November 2, 1982.

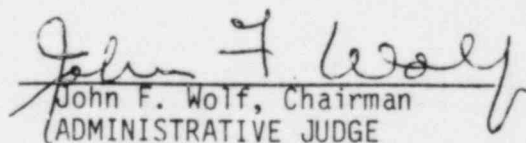
7. Pursuant to ALAB-700, the second supplement to its petition to intervene of the Columbia River Inter-Tribal Fish Commission is granted. Having submitted at least one admissible contention, CRITFC is hereby admitted as a party to this proceeding.

8. Any objections to the wording, consolidation, or lead party designations contained herein must be filed in writing with the Board by December 6, 1982.

9. In the case of consolidated contentions, CRITFC is urged to confer with the appropriate parties for the purpose of preparing discovery requests and responses and preparing for cross-examination.

It is so ORDERED.

FOR THE ATOMIC SAFETY AND  
LICENSING BOARD

  
John F. Wolf, Chairman  
ADMINISTRATIVE JUDGE

Dated at Bethesda, Maryland  
this 5th day of November, 1982.