

11/17/82

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	}	
WASHINGTON PUBLIC POWER SUPPLY SYSTEM		Docket No. 50-460 OL
(WPPSS Nuclear Project No. 1)		

NRC STAFF RESPONSE TO COALITION FOR SAFE POWER  
AMENDMENT TO REQUEST FOR HEARING AND PETITION TO INTERVENE

I. INTRODUCTION

On September 10, 1982 the Coalition for Safe Power (Petitioner) filed a "Request for Hearing and Petition for Leave to Intervene" (Petition), pursuant to 10 CFR § 2.714, in response to a notice of opportunity for hearing in the Federal Register (47 Fed. Reg. 35567, August 16, 1982) regarding the Washington Public Power Supply System (WPPSS) operating license application for WPPSS Nuclear Project No. 1 (WNP-1). The Staff did not oppose the petition provided it was amended to cure certain deficiencies. See NRC Staff Response, dated September 30, 1982.

By Order dated October 13, 1982, the Board granted Petitioner leave to amend its petition by November 2. On November 10, 1982, the Staff received Petitioner's amendment, dated November 2. Included in the amendment is an affidavit of a member of Petitioner's organization who resides near the plant. For the reasons set forth below, the Staff

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because Petitioner has cured the defects in its original petition regarding the showing of standing to intervene.

## II. DISCUSSION

The Staff found the September 10, 1982 petition deficient because Petitioner did not sufficiently demonstrate it had standing to intervene as an organization based upon the interests of its members. See NRC Staff Response dated September 30, 1982 at 2-7. Petitioner had not identified (by name and address) at least one member of its organization who resides near the plant and who authorizes Petitioner to represent interests which could be affected by plant operation.<sup>1/</sup>

By supplying the executed affidavit of Larry L. Caldwell, Petitioner has cured the defects as to standing in its petition. Mr. Caldwell states: (1) that he lives in Richland, Washington approximately ten miles from WNP-1; (2) that he is a member of Petitioner's organization who has interests which allegedly will be affected by operation of WNP-1; and (3) that he authorizes Petitioner to represent his interests. Consequently, the Staff believes the petition, as amended by submission of an affidavit of a member who apparently has standing in his own right, satisfies the standing requirements of 10 CFR § 2.714(a).

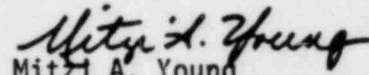
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<sup>1/</sup> When an organization claims standing based on the interests of its members, at least one of its members must have standing in his or her own right, the organization must identify (by name and address) specific individual members whose interests may be affected, and the organization must demonstrate that such members have authorized the organization to represent their interests in the proceeding. Houston Lighting and Power Co. (Allens Creek Nuclear Generating Station, Unit 1), ALAB-535, 9 NRC 377, 393-97 (1979). The Board and parties are entitled to be provided with sufficient information to determine, by independent inquiry, the truthfulness of assertions in a petition to intervene. Id. at 393.

III. CONCLUSION

In light of the November 2 amendment, Petitioner has satisfied the standing requirements of 10 CFR ; 2.714(a).

Respectfully submitted,

  
Mitzi A. Young  
Counsel for NRC Staff

Dated at Bethesda, Maryland  
this 17th day of November, 1982

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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF RESPONSE TO COALITION FOR SAFE POWER AMENDMENT TO REQUEST FOR HEARING AND PETITION TO INTERVENE" in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class, or, as indicated by an asterisk, by deposit in the Nuclear Regulatory Commission's internal mail system this 17th day of November, 1982:

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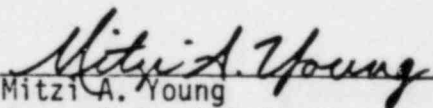
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