

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Herbert Grossman, Chairman  
Glenn O. Bright  
Dr. Jerry Harbour

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In the Matter of  
WASHINGTON PUBLIC POWER SUPPLY SYSTEM,  
et al.  
(WPPSS Nuclear Project No. 2)

) Docket No. 50-397-CPA  
) ASLBP No. 83-480-01 CPA  
) November 30, 1982

ORDER  
(Setting Prehearing Conference)

On September 4, 1981, the Washington Public Power Supply System (WPPSS) filed an application for an extension of its construction permit completion date for the Washington Nuclear Project No. 2 (WNP-2) from December 1, 1981 until February 1, 1984. In its application, WPPSS indicated that under 10 CFR § 50.55(b) "good cause" existed for an extension because of construction delays for certain listed reasons.

On February 2, 1982, the NRC published an order finding that the proposed extension of completion date involved no significant hazards consideration, good cause had been shown for the delays, and the requested extension was for a reasonable period. The order extended the completion date as requested. 47 FR 4780 (February 2, 1982).

On February 22, 1982, the Coalition for Safe Power (CSP) filed a request for hearing requesting that a public hearing be held and that CSP be granted leave to intervene. It listed specific aspects of the proposed construction permit extension which it claimed would affect its interests. Attached to the request for hearing were affidavits of members of CSP, including one from M. Terry Dana, purportedly residing in Richland, Washington, authorizing CSP to represent their interests before the NRC on any matter pertaining to WPPSS Nuclear Units 1, 2 or 4, the Skagit/Hanford Nuclear Projects, Units 1 and 2, and construction or operation of any other nuclear power facility at the Hanford Nuclear Reservation. WPPSS and the NRC Staff oppose the request for hearing.

On October 8, 1982, the Commission issued an Order, CLI-82-29, concerning CSP's request for hearing on WNP-2, and a similar request for hearing on a construction permit extension application for WNP-1. The Order provided Commission guidance on the scope of construction permit extension proceedings, determined that 6 of the 7 "aspects" raised by CSP were outside the scope of an extension proceeding, and determined that only one contention (jointly raised with regard to WNP-1 and WNP-2) would be litigable if properly particularized and supported. The Commission Order referred the hearing petitions filed by CSP to the Atomic Safety and Licensing Board Panel Chairman to designate a Board to determine whether the other hearing requirements of the Commission's regulations in 10 CFR § 2.714 had been met, and

if so, to conduct an appropriate proceeding under 10 CFR Part 2, Subpart G and 10 CFR Part 50.

On October 14, 1982, an Atomic Safety and Licensing Board was designated. 47 FR 46922 (October 21, 1982). The Board was reconstituted on October 25, 1982. 47 FR 49762 (November 2, 1982). As reconstituted, the Board is comprised of the following Administrative Judges: Herbert Grossman, Chairman; Mr. Glenn O. Bright and Dr. Jerry Harbour.

The Board will conduct a prehearing conference beginning at 9:30 a.m. on January 19, 1983 and continuing through January 20, 1983, if necessary, at the Federal Building, Auditorium, 825 Jadwin Avenue, Richland, Washington 99352. All prospective parties to this proceeding, or their respective counsel, are directed to attend. At the prehearing conference, the parties should be prepared to discuss all matters relating to standing of the parties, specific issues that might be considered at an evidentiary hearing, possible further scheduling in the proceeding, and whether to consolidate this proceeding with the construction permit extension proceeding involving WNP-1.

CSP may file a supplement to its request for a hearing not later than 15 days prior to the prehearing conference, which shall include a list of specific contentions sought to be litigated in this proceeding. The parties are directed to arrange for the WPPSS and NRC Staff

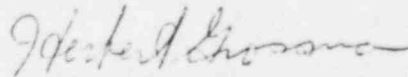
to receive any supplements on that date (January 4, 1983), to avoid delays that would otherwise be occasioned by a mailing of the filing. WPPSS and NRC Staff are requested to file any responses to the supplemental petition by January 17, 1983 and deliver copies to the Board in the forenoon on that date.

The public is invited to attend the prehearing conference. Oral limited appearance statements will be heard at the conference if time permits. Written limited appearance statements may be submitted to the Board at the conference or be mailed to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

Board Members Glenn O. Bright and Jerry Harbour join in this Order.

By Order of the Board.

FOR THE ATOMIC SAFETY AND  
LICENSING BOARD

  
Herbert Grossman, Chairman  
ADMINISTRATIVE JUDGE

Dated at Bethesda, Maryland,  
this 30th day of November, 1982. -