

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC

ATOMIC SAFETY AND LICENSING BOARD

'82 DEC -1 P1:48

Before Administrative Judges:

DEPT. OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

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

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In the Matter of	)	Docket No. 50-460-OL
WASHINGTON PUBLIC POWER SUPPLY SYSTEM,	)	
<u>et al.</u>	)	ASLBP No. 82-479-06 OL
(WPPSS Nuclear Project No. 1)	)	December 1, 1982

ORDER  
(Setting Special Prehearing Conference)

On July 30, 1982, the Nuclear Regulatory Commission published a Notice of Opportunity for Hearing with regard to an application for a Facility Operating License from Washington Public Power Supply System (WPPSS) for the Washington Nuclear Project No. 1 (WNP-1). 47 FR 35567-568 (August 16, 1982).

On September 10, 1982, the Coalition for Safe Power (CSP) filed a timely request for hearing and petition for leave to intervene in response to the notice, pursuant to 10 CFR § 2.714. Applicant opposed the petition. The Staff did not oppose the petition providing it was amended to cure certain deficiencies.

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By Order dated October 13, 1982, the Licensing Board granted CSP leave to amend its petition. CSP amended the petition and included in the amendment an affidavit of a member of CSP's organization, Larry L. Caldwell, that indicated that he lives in Richland, Washington, approximately 10 miles from WNP-1. Because of the amendment and affidavit of Mr. Caldwell, Staff no longer opposes the petition. Applicant continues to oppose the petition primarily on the grounds that the Caldwell affidavit does not establish that at the time of the September 15, 1982 deadline for filing a petition there had been a member of CSP with standing to petition who had authorized CSP to intervene. The Caldwell affidavit was executed on October 11, 1982. Applicant further submits that, if the petition is not timely because CSP lacked standing before the September 15, 1982 deadline, the petition does not meet the requirements of late filing set forth in 10 CFR § 2.714(a).

On September 16, 1982, an Atomic Safety and Licensing Board was designated. The Board was reconstituted on October 25, 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 special prehearing conference beginning at 10:30 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, and possible further scheduling in the proceeding.

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.

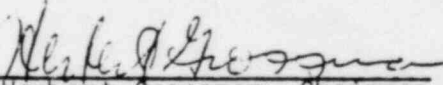
The public is invited to attend the prehearing conference. The State of Washington Energy Site Evaluation Council will be granted permission to make a limited appearance statement as requested. Other oral limited appearance statements will be heard at the conference if time permits. Written limited appearance 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 1st day of December, 1982.