



STATE OF WASHINGTON

Dixy Lee Ray  
Governor

ENERGY FACILITY SITE EVALUATION COUNCIL

820 East Fifth Avenue, Olympia, Washington 98504

206 759 7321

RELATED CORRESPONDENCE

December 12, 1978

12/12/78



Valentine B. Deale, Esq., Chairman  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

In the Matter of  
Puget Sound Power and  
Light Company, et al.  
(Skagit Nuclear Power Project, Units 1 and 2)  
Docket Nos. 50-522 and 50-523

Dear Chairman Deale:

The Washington State Energy Facility Site Evaluation Council has received notice of your appointment as Chairman of the reconstituted Atomic Safety and Licensing Board for the Skagit Project. On behalf of the State of Washington we extend our best wishes on your appointment and offer any assistance to you or the other Board Members which the State may be able to provide relative to the State proceedings or any other background matter concerning the Skagit Project.

The State of Washington has been closely following the federal proceeding in this matter since filing of the application for this project with NRC in August 1974. It seems appropriate with the recent reconstitution of the Board, to reformulate the State's position. Therefore, the Council at its regular meeting of December 11, 1978 authorized the following statement:

INTERESTED STATE STATUS

The State of Washington, acting by and through the Energy Facility Site Evaluation Council, requests it be accorded status as an interested state and its representative, the undersigned, be recognized as the official representative of an interested state in accordance with 10 CFR § 2.715(c).

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The State further requests in addition to the undersigned the official distribution lists be expanded to include the Office of the Attorney General. This added reference should be as follows:

Thomas F. Carr, Esq.  
Assistant Attorney General  
Temple of Justice  
Olympia, Washington 98504  
(206) 753-4556

As Counsel to EFSEC Mr. Carr would be the appropriate contact for all procedural matters (conference calls, prehearing conferences, hearing schedules, etc.) relating to the Skagit Project.

#### PRIOR STATE PROCEEDINGS

The Council notes that a careful examination of the factors—pertaining to the location, construction and operation of the Skagit Nuclear Power Project, Units 1 and 2, was made by the State of Washington during the course of state licensing proceedings. These licensing proceedings were conducted as a contested case with rights of intervention extended to affected parties. The sworn hearing transcripts of the Council's contested case hearings contain a thorough examination into matters of appropriate state jurisdiction affecting the environment, health and safety of the citizens of the State of Washington and are available to the Board for inspection. On January 5, 1977 the State of Washington, in accordance with the provisions of chapter 80.50 RCW, entered into a Site Certification Agreement between the State and Puget Sound Power and Light Company. A copy of the Site Certification Agreement is attached for the Board's consideration and information.

#### LEGISLATIVE FORECLOSURE OF THE "NEED FOR POWER" QUESTION

The Council notes that the "Need for Power" question may still be an open item before the Board. The Washington State Legislature has established the following state policy: "It is the policy of the State of Washington to recognize the pressing need for increased energy facilities . . ." (RCW 80.50.010) and further "To provide abundant energy at reasonable cost." (RCW 80.50.010(3)). Despite recent amendments to chapter 80.50 RCW (the most recent being in 1977) no material changes have been made in the legislative determination since its enactment in 1970. Thus, the State of Washington has made a legislative determination that there is, indeed, a pressing need for power.

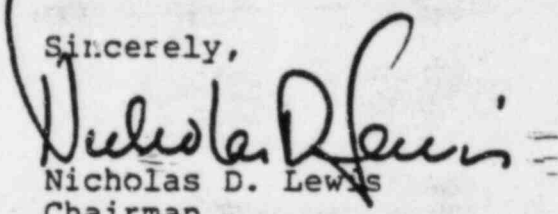
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INTEREST OF THE STATE'S CITIZENS

While the parties to the proceeding have various individual special interests which they are pursuing, there is a broader public interest which merits concern. The State feels compelled to note this matter has been underway for over four years. Costs of the project increase substantially with each passing month. Those costs will be paid in large measure by the consumer - citizens of this State. Therefore, in the State's view it is in the public interest to vigorously pursue these incomplete proceedings, with appropriate and objective consideration of outstanding matters, to a timely conclusion.

Thank you for your consideration of the State's concerns.

Sincerely,

  
Nicholas D. Lewis  
Chairman

NDL:se

Attachment

cc: Distribution List