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USNRC

January 28, 2000

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
Washington Public Power)	Docket No. 50-460-OL
Supply System)	
)	
(Nuclear Project No. 1))	

NRC STAFF RESPONSE TO
WASHINGTON PUBLIC POWER SUPPLY SYSTEM'S
MOTION FOR WITHDRAWAL OF APPLICATION

On January 4, 2000, Washington Public Power Supply System (Supply System)¹ filed a "Motion for Withdrawal of Application." In its motion, the Supply System requested the Licensing Board, pursuant to 10 C.F.R. § 2.107(a), to issue an order authorizing the withdrawal of the Operating License (OL) application at issue in the proceeding and

¹ In its motion, the applicant states that, even though the Supply System is now conducting business under the name "Energy Northwest," "Washington Public Power Supply System" is the applicant's name of record in this proceeding and, to avoid confusion, that name is used in the motion.

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terminating the proceeding.² The NRC staff (Staff) has no objection to the Licensing Board's granting the Supply System's motion.³

Respectfully submitted,

Ann P. Hodgdon

Ann P. Hodgdon
Counsel for NRC Staff

Dated at Rockville, Maryland
this 28th day of January, 2000.

² On January 11, 2000, the Licensing Board issued an Order (Schedule for Application Withdrawal Motion Responses) in which the Board directed that responses to the motion be filed by January 31, 2000.

³ Attached to the Supply System's motion is a letter to the NRC (Staff) dated December 21, 1999, in which the Supply System requests the Staff to terminate the construction permit (CP) for WNP-1.

The NRC staff plans to respond to the Supply System's request in much the same manner that it addressed the Supply System's request for termination of the construction permit for WNP-3 in 1996. These plans, which were noted with approval in the Licensing Board's order granting the Supply System's motion to withdraw its operating license application for WNP-3 and to terminate the proceeding, *Washington Public Power Supply System* (WPPSS Nuclear Project No. 3), LBP-96-21, 44 NRC 134 (1996), included meeting with the Supply System and interested state and local agencies, conducting a site inspection, and preparing an Environmental Assessment (EA) based on those activities and on any documentation the Staff might require pursuant to the Commission's regulations in 10 C.F.R. § 51.41. Here, as noted in the Supply System's motion, the stakeholders include the Department of Energy (DOE), which owns the Hanford Reservation on which WNP-1 is sited. Motion at 3-4. The Supply System states its expectation that the Staff will review site restoration environmental matters for WNP-1 and prepare an EA. *Id.* This statement accurately reflects the Staff's intentions.

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OF
GENERAL
ADMINISTRATION

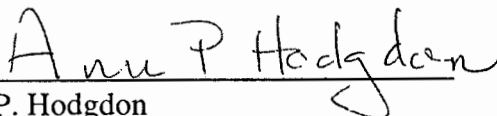
In the Matter of)
)
Washington Public Power) Docket No. 50-460-OL
Supply System)
)
(Nuclear Project No. 1))
)

NOTICE OF APPEARANCE

Notice is hereby given that the undersigned attorney enters an appearance in the above-captioned matter. In accordance with § 2.713(b), 10 C.F.R., Part 2, the following information is provided:

Name: Ann P. Hodgdon
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U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
Telephone Number: (301) 415-1587
Admissions: U.S. Court of Appeals, District of Columbia
Name of Party: NRC Staff

Respectfully submitted,


Ann P. Hodgdon
Counsel for NRC Staff

Dated at Rockville, Maryland
this 28th day of January, 2000

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

Washington Public Power
Supply system

(Nuclear Project No. 3)

Docket No. 50-460-OL

CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF RESPONSE TO WASHINGTON PUBLIC POWER SUPPLY SYSTEM'S MOTION FOR WITHDRAWAL OF APPLICATION" and "NOTICE OF APPEARANCE" for Ann P. Hodgdon in the above-captioned proceeding have been served on the following through deposit in the Nuclear Regulatory Commission's internal mail system with copies by electronic mail, or by deposit in the United States mail, first class, as indicated by an asterisk, with copies by electronic mail where indicated, this 28th day of January, 2000.

G. Paul Bollwork, III
Administrative Judge
Atomic Safety and Licensing Board
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Attn: Rulemakings and Adjudications
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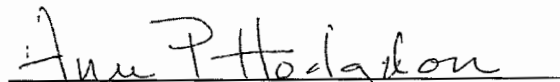
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Ann P. Hodgdon
Counsel for NRC Staff