

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD



In the Matter of	NRC PUBLIC DOCUMENT ROOM	
	)	
PUGET SOUND POWER & LIGHT	)	Docket Nos. 50-522
COMPANY, et al.,	)	50-523
	)	
(Skagit Nuclear Power Project	)	June 7, 1979
Units 1 and 2)	)	
	)	

APPLICANTS' RESPONSE TO  
SKAGIT COUNTY PETITION FOR  
INTERVENTION AS INTERESTED COUNTY

1. On June 5, 1979, Skagit County filed a "Petition for Intervention as Interested County" pursuant to 10 CFR 2.715(c). Although denominated a petition for "intervention," what the County has requested is an opportunity to "participate" in this proceeding pursuant to 10 CFR 2.715(c) "without taking a position with respect to the issues presented".

2. Although no reply is required, Applicants thought it might be helpful to the Licensing Board to know -- as Applicants have previously advised the County -- that Applicants have no objection, per se, to participation by the County in this proceeding pursuant to 10 CFR 2.715(c). Applicants would, of course, be very concerned if this rather late coming participation were to significantly delay completion of the hearing and issuance of the Board's

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initial decision or partial initial decision. However, the County has assured Applicants that it does not wish to delay this proceeding and that the subjects on which it desires to participate are: (1) delivery of the reactor pressure vessels by barge up the Skagit River and (2) emergency evacuation plans. See also the attached article from the Skagit Valley Herald for June 6, 1979.

3. Applicants note that 10 CFR 2.715(c) authorizes the Board Chairman to "require such representative [of Skagit County] to indicate with reasonable specificity, in advance of the hearing, the subject matters on which he desires to participate". Applicants suggest that such a requirement would be appropriate in this case, in view of the advanced stage of this proceeding. Additionally, the familiar rule that late coming participants must take a proceeding as they find it (i.e. the definition of issues, the hearing schedules established, etc.) would seem appropriate here.

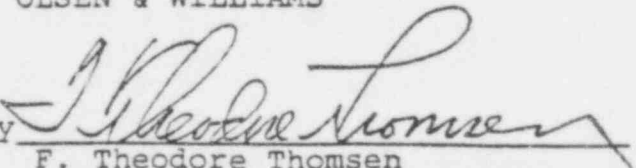
4. In its petition, the County requests that it "be included on the official distribution list so that local government may be fully apprised on all matters pending". Although not a matter of great moment, this could be misleading. Not only did one of the Skagit County Commissioners serve on the State Siting Council throughout its consideration of the Skagit Project (as required by state law), but also, in the instant NRC proceeding, from the very beginning, Mr. Robert C. Schofield, Director of the Skagit

County Planning Department, has been served with all documents. For example, see Applicants' certificate of service list dated January 30, 1975, covering Applicants' answers to the SCANP petition to intervene and to the request of the State of Washington to participate in this proceeding pursuant to 10 CFR 2.715(c), which included Mr. Schofield; he has remained on Applicants' service list continuously since that time. (Service has been made on the Director of Planning rather than on the Prosecuting Attorney because both the Rezone Agreement between Puget Power and Skagit County and the Site Certification Agreement between Puget Power and the State of Washington designate the Planning Department as the authorized representative of the County; if the County would prefer that we serve the Prosecuting Attorney, we would be pleased to do so.)

DATED: June 7, 1979.

Respectfully submitted,

PERKINS, COIE, STONE,  
OLSEN & WILLIAMS

BY 

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# County seeks to intervene in N-hearings

By LAURIE DUNHAM  
Staff Writer

MOUNT VERNON — Skagit County has petitioned to intervene in the Nuclear Regulatory Commission hearings on the proposed Skagit nuclear power project.

Intervenor status would allow the county to participate in the NRC proceedings, scheduled to resume July 17.

"We're not saying we're for the nuclear project or against it," Pat McMullen, county prosecuting attorney, said. "We're asking to intervene without taking a position either way."

A change in federal regulations last year allows local governments to participate in the NRC licensing process. The state was granted intervenor status in January.

McMullen said the areas the county will address at the licensing hearings are transportation of the nuclear reactor vessel up the Skagit River and implementation of emergency evacuation plans by Skagit County authorities.

"The purpose of this petition is to participate in the hearings and provide

information to the NRC licensing board," McMullen said. "We do not wish to delay the proceedings, but would like to maintain our status as an informed party in the nuclear project, particularly since the contract rezone may possibly expire at the end of this year."

Skagit County has a rezone contract with Puget Sound Power and Light, which is proposing to locate the twin-unit plan at Bacus Hill near Sedro-Woolley.

If work at the site does not begin by the end of this year, the contract expires and the zoning reverts to forestry. Puget Power can seek an extension of the rezone agreement from the county.

The petition is an attempt to keep informed on the project in case the county must consider extending the rezone agreement, McMullen said. "I think we'd be derelict if we waited until January" to study the situation, he said.

The decision to seek intervenor status was partly influenced by recent conflict with the state Energy Facility Site Evaluation Council.

The council had attempted to pass a policy which county officials viewed as state preemption of local control.

"We were getting edgy that maybe somebody is not watching out for our best interests," McMullen said.

Evacuation plans are an important topic because of recent changes in the county, including the possibility that a state honor camp will be located in the vicinity of the power plant, he said. Even though the county has denied the most recent honor camp proposal, McMullen said he expects the state to continue searching for a site in Skagit County.

Reported problems at the Satsop power project construction site also are a concern, he said.

"Once we get in (to the proceedings) we may find other things of concern," he said.

Puget Power currently is attempting to obtain a Limited Work Authorization from the NRC, which would allow the utility to begin excavation of the Bacus Hill site near Sedro-Woolley. Puget Power then must obtain a formal construction permit to build the twin-unit plant.

The prosecutor said he has received no objection to the county's petition for intervention from Puget Power.

The NRC is expected to rule on the county's petition before the next hearing.



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DOCKET NOS.

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CERTIFICATE OF SERVICE

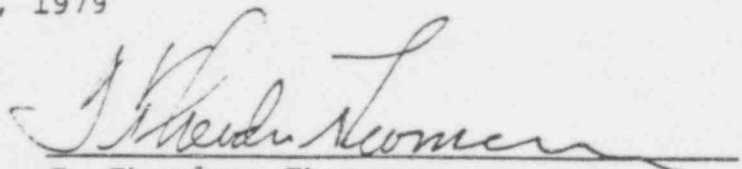
I hereby certify that the following:

APPLICANTS' RESPONSE TO  
SKAGIT COUNTY PETITION FOR  
INTERVENTION AS INTERESTED COUNTY



in the above-captioned proceeding have been served upon the  
persons shown on the attached list by depositing copies thereof  
in the United States mail on June 7, 1979 with proper  
postage affixed for first class mail.

DATED: June 7, 1979

  
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