

**RAS 4560**

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
ATOMIC SAFETY AND LICENSING BOARD

**DOCKETED 06/20/02**

**SERVED 06/20/02**

Before Administrative Judges:

G. Paul Bollwerk, III, Chairman  
Dr. Jerry R. Kline  
Dr. Peter S. Lam

In the Matter of

PACIFIC GAS AND ELECTRIC CO.

(Diablo Canyon Power Plant Independent  
Spent Fuel Storage Installation)

Docket No. 72-26-ISFSI

ASLBP No. 02-801-01-ISFSI

June 20, 2002

MEMORANDUM AND ORDER  
(Revised Schedule Regarding Stay Requests)

In response to the Licensing Board's order of this date establishing a schedule for participant responses to the respective June 11 and June 12, 2002 requests of petitioner Lorraine Kitman and of Klaus Schumann and Mary Jane Adams to stay this proceeding, counsel for petitioners San Luis Obispo Mothers for Peace, et al., (SLOMFP) advised the Board Chairman that SLOMFP intends to file a stay motion by "mid-week" next week. The Board appreciates counsel informing it of SLOMFP's intentions and would like to establish a unified schedule to deal with all stay matters.

Accordingly, any further motions to stay this proceeding relating to the bankruptcy proceedings regarding applicant Pacific Gas and Electric Company (PG&E) shall be filed and served on the Board members, the Office of the Secretary, and the other participants no later than noon Eastern Daylight Time (EDT) on Wednesday, June 26, 2002. Further, participant responses to any stay requests, including the pending Kitman and Schumann/Adams requests, shall be filed on or before 4:30 p.m. EDT on Wednesday, July 3, 2002.

Per the Board's June 6, 2002 initial prehearing order, absent Board preapproval, stay motions should not exceed ten pages in length. See Licensing Board Memorandum and Order (Initial Prehearing Order) (June 6, 2002) at 7-8 (unpublished). Further, in light of the multiple stay motions/requests, each participant is authorized to file a fifteen-page unified response to the stay motions/requests.

It is so ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD\*

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G. Paul Bollwerk, III  
ADMINISTRATIVE JUDGE

Rockville, Maryland

June 20, 2002

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\* Copies of this memorandum and order were sent this date by Internet e-mail transmission to counsel or the representative for (1) applicant PG&E; (2) petitioners Lorraine Kitman, Peg Pinard and the Avila Valley Advisory Council, and SLOMFP; (3) Klaus Schumann and Mary Jane Adams; and (4) the NRC staff.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
)  
PACIFIC GAS AND ELECTRIC CO. ) Docket No. 72-26-ISFSI  
DIABLO CANYON POWER PLANT )  
)  
(Independent Spent Fuel Storage )  
Installation) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB MEMORANDUM AND ORDER (REVISED SCHEDULED REGARDING STAY REQUESTS) have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

Office of Commission Appellate  
Adjudication  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
G. Paul Bollwerk, III, Chair  
Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
Peter S. Lam  
Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
Jerry R. Kline  
Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Stephen H. Lewis, Esq.  
Angela B. Coggins, Esq.  
Office of the General Counsel  
Mail Stop - O-15 D21  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Lorraine Kitman  
P.O. Box 1026  
Grover Beach, CA 93483

Docket No. 72-26-ISFSI  
LB MEMORANDUM AND ORDER (REVISED  
SCHEDULE REGARDING STAY REQUESTS)

Peg Pinard  
San Luis Obispo County Supervisor  
County Government Center  
1050 Monterey Avenue  
San Luis Obispo, CA 93408

Diane Curran, Esq.  
Harmon, Curran, Spielberg  
& Eisenberg, L.L.P.  
1726 M Street, NW, Suite 600  
Washington, DC 20036

David A. Repka, Esq.  
Brooke D. Poole, Esq.  
Winston & Strawn  
1400 L Street, NW  
Washington, DC 20005-3502

Klaus Schumann  
Mary Jane Adams  
26 Hillcrest Drive  
Paso Robles, CA 93446

Seamus M. Slattery, Chairman  
Avila Valley Advisory Council  
P.O. Box 58  
Avila Beach, CA 93424

Lawrence F. Womack, Vice President  
Nuclear Services  
Diablo Canyon Power Plant  
P.O. Box 56  
Avila Beach, CA 93424

Richard F. Locke, Esq.  
Pacific Gas & Electric Company  
77 Beale Street, B30A  
San Francisco, CA 94105

[Original signed by Evangeline S. Ngbea]

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Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 20<sup>th</sup> day of June 2002