

**RAS 4594**

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

**DOCKETED 06/26/02**

**SERVED 06/26/02**

ATOMIC SAFETY AND LICENSING BOARD

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 26, 2002

MEMORANDUM AND ORDER  
(Schedule for Initial Prehearing Conference)

In its June 6, 2002 initial prehearing order, the Licensing Board provided the participants with several suggested dates for an initial prehearing conference and asked that they consult and provide the Board with their preference from among those dates. See Licensing Board Memorandum and Order (Initial Prehearing Conference) (June 6, 2002) at 4 (unpublished). As a result of those consultations, the participants have identified the week of September 9, 2002, as the time period during which they are available for the conference. See Joint Filing on Behalf of NRC Staff, Pacific Gas & Electric Company [(PG&E)], Lorraine Kitman, San Luis Obispo Mothers for Peace, and San Luis County Supervisor Peg Pinard and Avila Valley Advisory Council (June 12, 2002) at 1-2. Further, responding to the request of the local participants and having been able to identify suitable meeting space, the Board will conduct the conference in the San Luis Obispo, California area during that week.

Accordingly, the participants are advised that an initial prehearing conference in this proceeding will be convened beginning at 9:30 a.m. Pacific Daylight Time (PDT) on Tuesday,

September 10, 2002, in the Venetian Room of the Madonna Inn, 100 Madonna Road, San Luis Obispo, California, and shall continue from day to day at that location until completed. During the initial prehearing conference, the Board will hear oral arguments from the participants regarding the questions of the standing of petitioners Lorraine Kitman, San Luis Obispo Mothers for Peace, et al., (SLOMFP), and San Luis County Supervisor Peg Pinard and Avila Valley Advisory Council (AVAC) to intervene in this proceeding and the admissibility of any contentions proffered by those petitioners.<sup>1</sup>

Although this prehearing conference will be open to the public for observation to the extent it does not involve the discussion of proprietary or other sensitive information, the Board will not be conducting 10 C.F.R. § 2.715(a) limited appearance sessions for members of the public in conjunction with this conference. Limited appearance sessions may be scheduled in the San Luis Obispo area for a future date, however.

It is so ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD<sup>2</sup>

/RA/

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G. Paul Bollwerk, III  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
June 26, 2002

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<sup>1</sup> Currently pending with the Board are several requests to stay this proceeding filed by the petitioners and others. The schedule established by this issuance would, of course, be subject to revision based upon the Board's ruling on those requests.

<sup>2</sup> 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 AVAC, and SLOMFP; (3) Klaus Schumann and Mary Jane Adams; and (4) the 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 (SCHEDULE FOR INITIAL PREHEARING CONFERENCE) have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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Administrative Judge  
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Docket No. 72-26-ISFSI  
LB MEMORANDUM AND ORDER (SCHEDULE  
FOR INITIAL PREHEARING CONFERENCE)

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[Original signed by Evangeline S. Ngbea]

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Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 26<sup>th</sup> day of June 2002