

RAS 4680

DCISC

DIABLO CANYON INDEPENDENT SAFETY COMMITTEE

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Office of the Secretary
United States Nuclear Regulatory Commission
Washington, D.C. 20555-0001

DOCKETED
USNRC

July 24, 2002 (1:13PM)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

SERVED July 24, 2002

**Attn: Rulemakings and Adjudications Staff; and
Spent Fuel Project Office - Project Manager.**

**Re: Request for Inclusion on all Official Service Lists; and
for Information Concerning Participation Under 10 CFR 2.715(c)
by the Diablo Canyon Independent Safety Committee, as
an interested State agency, in Docket No. 72-26-ISFSI;
Proceeding No. ASLBP 02-801-01-ISFSI.**

COMMITTEE MEMBERS

Philip R. Clark, Sr.
E. Gail de Planque
A. David Rossin

To Whom It May Concern:

COUNSEL

Robert R. Wellington

I am the Legal Counsel for the Diablo Canyon Independent Safety Committee (DCISC), a nuclear safety oversight body originally established by the Public Utilities Commission of the State of California (CPUC) as a part of a settlement agreement which arose out of rate proceedings for the Diablo Canyon Nuclear Power Plant (Diablo Canyon), and which has continued its task under subsequent decisions of the CPUC. The DCISC is a three-member Committee, with one member each appointed by the Governor of California, the Attorney General of California and the Chairperson of the California Energy Commission. The DCISC was formed for the purpose of reviewing and assessing the safety of operations at Diablo Canyon.

I request that the DCISC be added to the primary and any supplemental or related official service lists for documents which concern the above-captioned proceeding regarding the application of Pacific Gas & Electric Company, dated December 21, 2001, for a materials license to possess spent fuel and other radioactive materials associated with spent fuel in an independent spent fuel storage installation (ISFI) located on the site of Diablo Canyon. The address for mailing of all documents distributed pursuant to those service lists is:

Diablo Canyon Independent Safety Committee
Office of the Legal Counsel
857 Cass Street, Suite D
Monterey, California 93940

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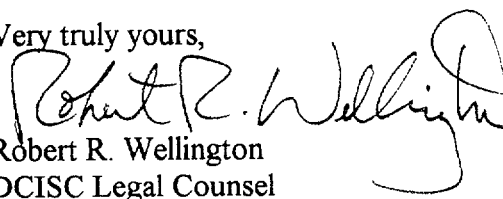
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SECY-02

On behalf of the Committee, I also request information concerning participation by the DCISC in the proceedings now pending before the Atomic Safety Licensing Board (ASLB) under the provisions of 10 CFR 2.715(c), which affords representatives of an interested State agency a reasonable opportunity to participate and to introduce evidence, interrogate witnesses and to advise the Commission in the proceeding without necessarily taking a position with respect to the issue. It is my understanding that participation, by the DCISC alone or in concert with other State agencies, concerning PG&E's Application for a materials license for an ISFSI installation before the ASLB, established on May 31, 2002, Chief Administrative Judge G. Paul Bollwerk, III, presiding, may be permitted at any session of the hearing or any prehearing conference as determined by the ASLB's presiding officer. I have also been advised that a prehearing conference in this proceeding, which will be open to members of the public, has been scheduled for September 10, 2002 in San Luis Obispo, California. I would appreciate your confirmation of my present understanding concerning the prehearing conference scheduled for September 10th and please consider this letter as my request for further information concerning a schedule established for submission of any written statements for consideration by the ASLB. Please advise the Presiding Officer that the DCISC intends to have a representative in attendance at the prehearing conference on September 10th.

Thank you for your attention to these requests and please do not hesitate to contact me, or Robert Rathie of this office, if you have any questions or should you require anything further concerning this matter.

Very truly yours,



Robert R. Wellington
DCISC Legal Counsel

RRW:rr

cc: Mr. Randy Hall
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Ms. Barbara Byron - Calif. Energy Comm. DCISC Members & consultants

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 LETTER FROM ROBERT R. WELLINGTON RE REQUEST FOR INCLUSION ON ALL OFFICIAL SERVICE LISTS AND PARTICIPATION IN THE PROCEEDING) have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

Office of Commission Appellate
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Washington, DC 20555-0001

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Docket No. 72-26-ISFSI
 LETTER FROM ROBERT R. WELLINGTON RE
 REQUEST FOR INCLUSION ON ALL OFFICIAL
 SERVICE LISTS AND PARTICIPATION IN THE
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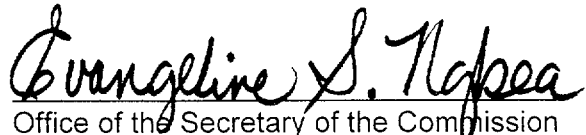
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 Office of the Secretary of the Commission

Dated at Rockville, Maryland,
 this 24th day of July 2002