

RAS 6034

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

DOCKETED 03/13/03

SERVED 03/13/03

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

March 13, 2003

MEMORANDUM
(Limited Appearance Sessions)

In the Licensing Board's January 16, 2003 memorandum and order, in advising the parties of the Board's intent to conduct 10 C.F.R. § 2.715(a) limited appearance sessions on March 23 and 24, 2002, we referenced a notice of that same date (68 Fed. Reg. 3569 (Jan. 24, 2003) that provided a detailed schedule for those sessions.¹ In that notice, the Board indicated that the sessions for Sunday, March 23, and the morning of Monday, March 24, were contingent on having enough preregistered individuals. Based on current preregistrations, the Board now intends to hold all sessions as scheduled, although (as it noted in the January 16 notice) it reserves the right to terminate a session before the ending time provided in the notice if all speakers present have made a presentation.

¹ As described in the notice, the sessions are for Sunday, March 23, from 3 to 7 p.m., Pacific Standard Time (PST), and on Monday, March 24, from 10 a.m. to noon, PST; from 1:30 to 4:30 p.m., PST; and from 6:30 to 9:30 p.m., PST. All sessions are scheduled to be held in the Embassy Suites Hotel, San Luis Obispo Room, 333 Madonna Road, San Luis, Obispo, California.

Although our January 16, 2003 memorandum and order requested e-mail notice by March 14, 2003, from the parties and the 10 C.F.R. § 2.715(c) interested governmental entity participants if they did not plan to attend one or more of these sessions, for planning purposes the Board now finds it would be more efficacious if we had a positive response from each party or section 2.715(c) participant as to which, if any sessions, it plans to attend. Accordingly, each party/section 2.715(c) participant should advise the Board Chairman by e-mail no later than 4:30 p.m. EST on Monday, March 17, 2003, whether it plans to have a representative attend any of the limited appearance sessions and, if so, which ones. Please note, however, that these sessions are for members of the public, and the Board does not anticipate requesting or entertaining statements from any party/section 2.715(c) participant representatives.

We also would like to advise the parties and section 2.715(c) participants, as we are advising members of the public, to arrive early to allow time to pass through a security screening checkpoint.²

FOR THE ATOMIC SAFETY
AND LICENSING BOARD³

/RA/

G. Paul Bollwerk, III
ADMINISTRATIVE JUDGE

Rockville, Maryland

March 13, 2003

² The parties/section 2.715(c) participants should also be aware that members of the public are being advised that attendees are requested not to bring any unnecessary hand-carried items, such as packages, briefcases, backpacks, and other items that might need to be examined individually. Items that could readily be used as weapons will not be permitted in the room where these sessions will be held. No facilities will be available for storing any items outside the room, and attendees with items requiring inspection may be delayed in obtaining entry. Also, during these sessions, signs no larger than 18 inches by 18 inches will be permitted, but may not be attached to sticks, held up, or moved about in the meeting room.

³ Copies of this memorandum were sent this date by Internet e-mail transmission to counsel for (1) applicant Pacific Gas and Electric Co.; (2) petitioners San Luis Obispo Mother For Peace, et al.; (3) San Luis Obispo County, California, the California Public Utilities Commission, the California Energy Commission, the Avila Beach Community Services District, and the Diablo Canyon Independent Safety Committee; 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 (LIMITED APPEARANCE SESSIONS) have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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Docket No. 72-26-ISFSI
LB MEMORANDUM
(LIMITED APPEARANCE SESSIONS)

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LB MEMORANDUM
(LIMITED APPEARANCE SESSIONS)

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[Original signed by Adria T. Byrdsong]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 13th day of March 2003