



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-4005**

April 12, 2004

Mr. Harry L. Ovitt, Chairperson
Supervisor District One
Board of Supervisors
San Luis Obispo County
County Government Center
Room 370
San Luis Obispo, CA 93408-2040

Dear Chairperson Ovitt:

Thank you for your April 9, 2004, letter requesting an NRC representative to attend and answer questions at the appeal hearing of the Planning Commission's decision to grant Pacific Gas and Electric Company a Coastal Development Permit to construct an Independent Spent Fuel Storage Installation (ISFSI) at Diablo Canyon Power Plant.

Your request for information from an NRC employee at the appeal hearing, to which NRC is not a party, is addressed in NRC's regulations, 10 C.F.R. 9.200-9.204, which provide that such request be addressed to the General Counsel of the NRC. The request should specifically address the need for an NRC employee to be available and the topics that will be covered with the NRC employee. For your convenience, I have attached a copy of the pertinent regulations. Upon receipt of this information, the General Counsel can determine whether to send an NRC representative.

You should address your request to Karen D. Cyr, Esq., General Counsel, U.S. Nuclear Regulatory Commission, O-15-D-21, Washington, DC 20555-0001, e-mail KDC@nrc.gov, with a copy to Charles E. Mullins, Senior Attorney, at the same address, e-mail CEM@nrc.gov. You may fax your request to Ms. Cyr at 301-415-3725, and to Mr. Mullins at 301-415-3200.

Sincerely,

/RA/

Bruce S. Mallett
Regional Administrator

Attachment: As stated

cc: Karen D. Cyr, General Counsel
Lawrence J. Chandler, Associate Gen. Counsel for Hearings, Enforcement &
Administration
John F. Cordes, Solicitor
Irwin Rothschild, III, Asst. Gen. Counsel for Legal Counsel, Legislation & Special
Projects
Thomas P. Gwynn, Deputy Regional Administrator
Charles E. Mullins, Senior Attorney
Stephen H. Lewis, Senior Attorney
Karla D. Smith, Regional Counsel
William A. Maier, Regional State Liaison Officer

ADAMS: Yes No Initials: ___tpg___

Publicly Available Non-Publicly Available Sensitive Non-Sensitive

S:\RAS\SMITH\SLO Board of Supervisors ltr.wpd

RIV:RC				
KDSmith:jc	TPGwynn	BSMallett		
/RA/	/RA/	/RA/		
4/12/2004	4/12/2004	4/12/2004		
OGC	OGC	OGC		
SHLewis	IRothschild,III	LJChandler		
No legal objection	No legal objection	No legal objection		
4/12/2004	4/12/2004	4/12/2004		

OFFICIAL RECORD COPY

T=Telephone

E=E-mail

F=Fax