

February 12, 1976

Elizabeth S. Bowers, Chairman
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Lanow Building - Room 1209
Washington, D.C. 20555



(Re: NRC Dockets 50-275/323-O.L.)

Dear Mrs. Bowers:

I have received today the February 9, 1976 letter of PG&E to you in which PG&E presents further elaboration on its protective order motion dated 1-27-76, and take this opportunity to reply.

1. PG&E has failed to provide a basis for objecting to intervenors inspecting the site security plan in Los Angeles. If a copy is in the custody of a federal office in Los Angeles it will be no less secure than the copies in the custody of the staff in Washington, D.C., even in the absence of a PG&E security agent. The Los Angeles inspection is requested because we may want to see the material more than once and because the arrangement is so trivial. We are confident that no one will seriously challenge PG&E's claim of privilege.
2. We have no objection to a protective order which, outside of an in camera session, calls for our silence regarding site security details and opinions obtained therefrom. We would, however, object to an all-inclusive gag rule, imposed after the fact, and preventing us from talking about things we do now have the right to talk about.
3. Denying us the right to keep our own notes imposes a very strong handicap. The ordinary person would have considerable difficulty in remembering, for purposes of discussion, the various details. Although we cannot cite the specific dockets, we have heard that intervenors, under a protective order, have been allowed to keep notes, and, it appears, to keep photographs of site security devices.

Respectfully yours,

Sandra A. Silver

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cc: Board Members
All parties
Secretary, NRC



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2/10/76



Elizabeth S. Bowers, Chairman
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Lanow Building - Room 1209
Washington, D.C. 20555

(Re: Dockets 50-275/323-OL)

Dear Mrs. Bowers,

On Friday, February 6, 1976, we received notification by mail, that a meeting was to be held in Menlo Park, California between Pacific Gas & Electric Co. and the Staff on Thursday, February 5, 1976 and Friday, February 6, 1976. The purpose of the meeting, as stated in the notification, was "to discuss geology and seismology of Diablo Canyon site."

The matter of notifying the intervenors, after the fact, of important meetings involving the Staff and PG&E has occurred on previous occasions, and was the subject of a conference call on February 10, 1975. In particular, both the staff and the applicant have been very reticent to discuss the issue of seismicity in the presence of the intervenors.

At a prehearing conference before this Board on April 10, 1975, the subject of notifying parties in advance of scheduled meetings was discussed (Tr. 502,503). When a request was made for early notification of meetings, the Board agreed that "it sounds like a very reasonable request." (Tr. 502). Mr. Tourtellotte, counsel for the Staff, replied that the staff, upon finding out about a meeting, "will try to get in touch with as many of those parties as we can reach by telephone." (Tr. 503). This was not done.

Although it is probably unnecessary to file a motion in this regard, we do urge the Board to remind the Staff to give us notification which is reasonably in advance of the meeting.

Sincerely,

Sandra A. Silver

Sandra A. Silver
San Luis Obispo Mothers For Peace

Dated: February 10, 1976

Xc: All Parties
Secretary, NRC



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