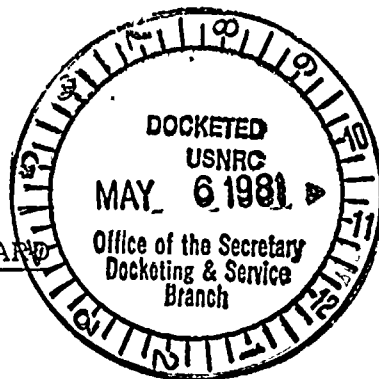


UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD



5/4/81

In the Matter of:

PACIFIC GAS & ELECTRIC
COMPANY
(Diablo Canyon Nuclear
Power Plant, Units 1 & 2)

Docket Nos. ~~50-275 O.L.~~
~~50-323 O.L.~~

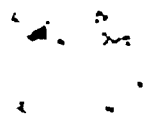
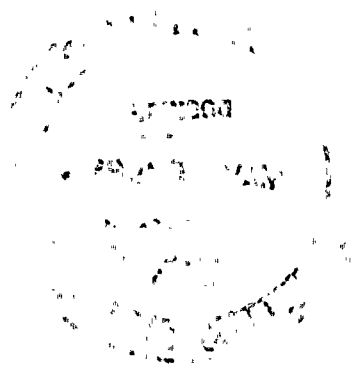
JOINT INTERVENORS' REQUEST TO SUPPLEMENT
MOTION TO REOPEN THE RECORD

In response to the Appeal Board's Order dated April 15, 1981, regarding USGS Open File Report 81-365, the Joint Intervenors filed a motion requesting the Appeal Board to reopen the record for the limited purpose of admitting the report and to establish a schedule for the parties to supplement their proposed Findings of Fact and Conclusions of Law. The Joint Intervenors requested, in the alternative, that the Appeal Board reopen the hearing to take the testimony of the authors of USGS Open File Report 81-365.

Both the NRC staff and the Pacific Gas & Electric Gas Co. ("Applicant") responded with scientific affidavits attacking the Open File Report. Both have requested this Board to take these affidavits into the record should it decide to receive the Open File Report into evidence. In contrast the Joint Intervenors interpreted the Appeal Board Order as a request for pleadings directed to procedural matters raised by receipt of the Open File Report -- i.e., how should the Board proceed on this new information.

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Consequently, the Joint Intervenors request an opportunity to submit the affidavit of Dr. James N. Brune which will discuss USGS Open File Report 81-365. This affidavit can be in the Board's hands by May 25, 1981. It could be submitted earlier except that Dr. Brune is attending professional meetings in Mexico the week of May 4 and counsel's wife will be in the hospital the week of May 11. The week of May 18 is the first opportunity for counsel to consult with Dr. Brune.

Respectfully submitted,

David S. Fleischaker
David S. Fleischaker, Esq. MB

Dated: May 4, 1981



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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

In the Matter of:)

PACIFIC GAS & ELECTRIC)
COMPANY)
(Diablo Canyon Nuclear)
Power Plant, Units 1 & 2)

Docket Nos. 50-275 O.L.)
50-323 O.L.)

CERTIFICATE OF SERVICE

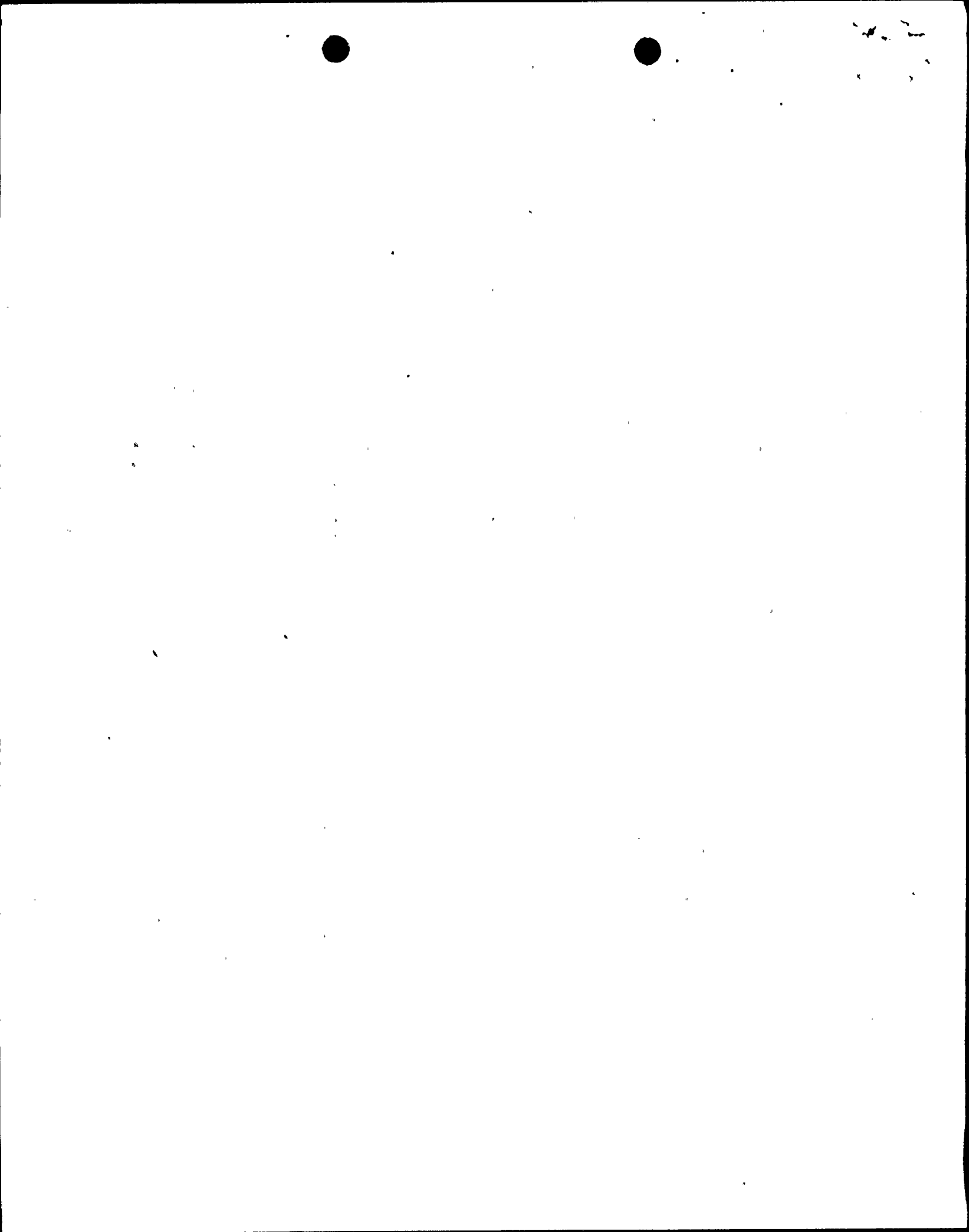
I hereby certify that on this 4th day of May, 1981, I have served copies of the foregoing JOINT INTERVENORS' REQUEST TO SUPPLEMENT MOTION TO REOPEN THE RECORD by mailing them through the U.S. Mail, first-class, postage prepaid, to those persons listed below

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