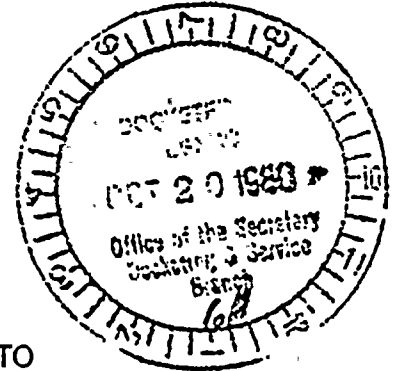


RELATED CORRESPONDENCE

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

In the Matter of: )  
PACIFIC GAS AND ELECTRIC COMPANY )  
(Diablo Canyon Nuclear Power Plant, )  
Units 1 and 2 )



RESPONSE OF INTERVENOR SLOMFP TO  
MOTION OF NRC STAFF TO COMPEL  
ANSWERS TO INTERROGATORIES

The Staff seeks to compel answers to its first set of interrogatories to Intervenor SLOMFP. The bases for the motion appear to be:

(a) The Staff would prefer answers which correspond precisely to the format of its questions, rather than the narrative, cumulative answers furnished by SLOMFP.

(b) The Staff wishes to know what SLOMFP means by "target areas", as used in its Amended Contentions.

(c) The Staff contends that SLOMFP is required now to furnish the details and bases of its "illegality" contention (AC No. 12), and is barred by Board order from objecting to the Contention Interrogatories on this subject.

I. With respect to the first point, SLOMFP submits that the Staff should designate precisely the alleged deficiencies in Intervenor's original answers. Intervenor combined the questions of Applicant and the Staff for purposes of preparing answers because the questions (contention in form) covered the same ground, and because there were so many. Considering the time limits placed upon responding to discovery, and



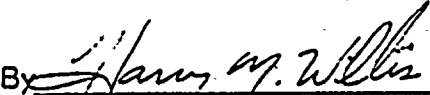
the somewhat difficult physical conditions of preparing answers at the discovery facility, the fastidiousness of the Staff in this regard seems misplaced.

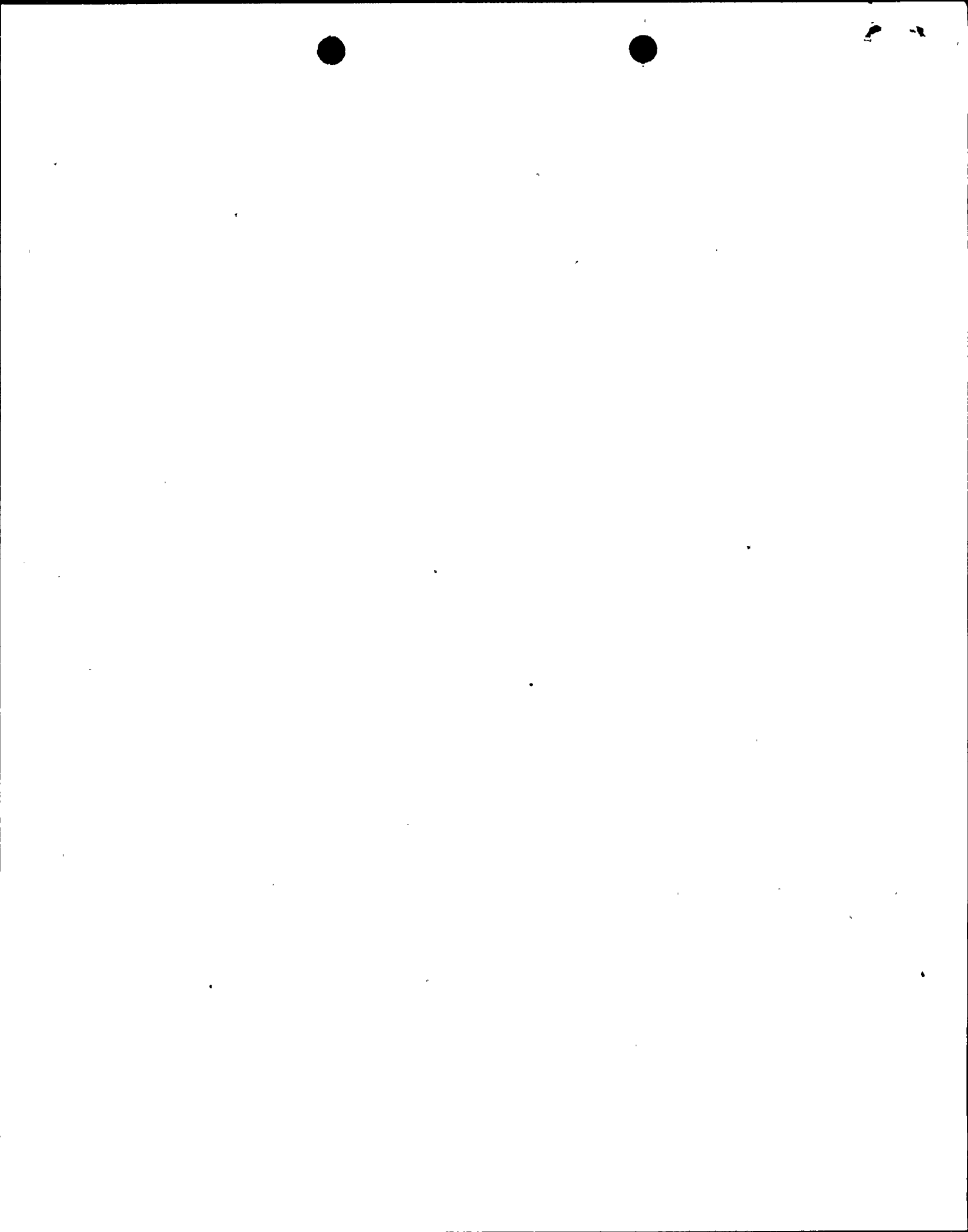
2. SLOMFP did not intend, as the Staff suggests, to use the term "target area" as a term of art in certain of its amended contentions (those relating to the scenarios of Chapter II of the Security Plan). Rather, Intervenor used the term descriptively to refer to the coded portions of the scenarios which concern areas on the reactor site where acts of sabotage are hypothesized to occur. Put another way, the relevant inquiry is not what SLOMFP means by "target areas," but what the Security Plan designates as "target areas." and for this reason Intervenor interposed a relevancy objection.

3. It is not possible to respond to the contention interrogatories regarding Intervenor's Amended contention 12 at the present time. The Board's order of September 18, 1980, tentatively rejected this contention, with leave, however, to resubmit the contention "in light of" the answers of Applicant to its interrogatories on the subject. The Board's order, of course, instructed "the parties" not to object to interrogatories on the basis of tentative rejection; however, a fair and logical reading of this provision suggests that the Board was offering SLOMFP an opportunity to prepare a more precise contention at the close of discovery, and did not intend to foreclose Intervenor from objecting to premature contention interrogatories on the subject.

DATED: October 3, 1980

SEYMOUR & WILLIS

By   
HARRY M. WILLIS  
Attorneys for Intervenor SLOMFP



CERTIFICATE OF SERVICE

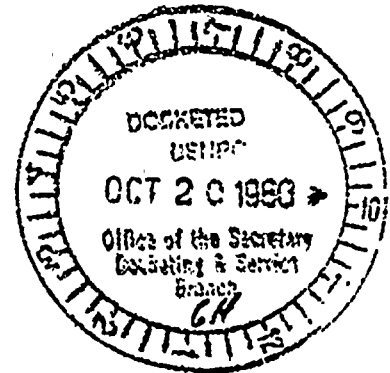
I hereby certify that on October 3, 1980, a copy of the attached RESPONSE OF INTERVENOR SLOMFP TO MOTION OF NRC STAFF TO COMPEL ANSWERS TO INTERROGATORIES was served on the parties listed below:

\*RICHARD S. SALZMAN, ESQ., CHAIRMAN  
\*DR. W. REED JOHNSON  
\*MR. THOMAS E. MOORE, MEMBER  
Atomic Safety and Licensing Appeal Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

WILLIAM J. OLMSTEAD, ESQ.  
L. DOW DAVIS, ESQ.  
LUCY SCHWARTZ, ESQ.  
EDWARD G. KETCHEN, ESQ.  
Office of Executive Legal director  
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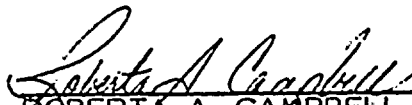
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I declare under penalty of perjury that the foregoing is true and correct.

Executed this 3rd day of October, 1980, at San Francisco, California.

  
ROBERTA A. CAMPBELL  
Secretary to  
HARRY M. WILLIS

\*Hand delivered by Federal Express on October <sup>6:20</sup> 4, 1980.

