

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

'82 OCT -8 P3:24

COMMISSIONERS:

Nunzio J. Palladino, Chairman
Victor Gilinsky
John F. Ahearne
Thomas M. Roberts
James K. Asselstine

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

SERVED OCT 7 1982

In the Matter of))
PACIFIC GAS AND ELECTRIC COMPANY)) Docket Nos. 50-275 OL
(Diablo Canyon Nuclear Power)) 50-323 OL
Plant, Units 1 and 2)) (Security Proceeding)

ORDER

(CLI-82-30)

In its July 29, 1982 Order in this proceeding the Commission noted that two sentences in ALAB-653 contain classified national security information and that it was "considering expunging the classified material from ALAB-653 and the underlying record pursuant to 10 CFR 2.913." The Commission also provided the parties an opportunity to "comment on whether expunction of the classified material would prejudice them." No party has commented.

10 CFR 2.913 requires that National Security Information be expunged from the record at the close of the reception of evidence "where such expunction would not prejudice the interests of a party or the public interest." The Commission has determined that this classified information is not essential to the Appeal Board's opinion

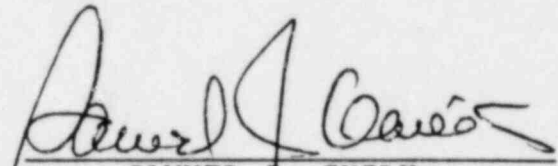
DS02

and that its expunction would not prejudice any party or the public. The Commission therefore directs that all classified material be expunged from ALAB-653 and the underlying record.

It is so ORDERED.



For the Commission*


SAMUEL J. CHILK
Secretary of the Commission

Dated at Washington, D.C.

this 8th day of October, 1982.

* Commissioner Roberts was not present when this Order was affirmed, but had previously indicated his approval of this Order. Had Commissioner Roberts been present, he would have affirmed his prior vote.