

July 12, 1982



SECY-82-28B

ADJUDICATORY ISSUE
(Affirmation)

For: The Commissioners

From: Leonard Bickwit, Jr.
General Counsel

Forrest J. Remick
Director, OPE

Subject: DIABLO CANYON PHYSICAL SECURITY -
PURGING OF CLASSIFIED MATERIAL IN
ALAB-653

Discussion: In SECY-82-28 OGC and OPE discussed the
existence of classified material in
ALAB-653. Subsequently a majority of
the Commissioners indicated a preference
for purging the classified material from
the opinion and the underlying record if
this could legally be done. A memo was
sent to Thomas S. Moore, Diablo Canyon
Physical Security Appeal Board Chairman,
requesting his views on whether this
information should be purged. His reply
stated that it could not legally be
purged.

Contact:
Rick Levi, OGC
41465
John Montgomery, OPE
43295

9403070294 930525
PDR FOIA
GILINSK92-436 PDR

Information in this record was deleted
in accordance with the Freedom of Information
Act, exemptions 5
FOIA- 92-436

S/3

Recommendation:

E. B. C.
 Leonard Bickwit, Jr.
 General Counsel

[Signature]
 Forrest J. Remick
 Director, OPE

Enclosures: (1) Draft order
 (2) Draft memo

Commissioners' comments should be provided directly to the Office of the Secretary by c.o.b. Monday, July 26, 1982.

Commission Staff Office comments, if any, should be submitted to the Commissioners NLT Monday, July 19, 1982, with an information copy to the Office of the Secretary. If the paper is of such a nature that it requires additional time for analytical review and comment, the Commissioners and the Secretariat should be apprised of when comments may be expected.

This paper is tentatively scheduled for affirmation at an Open/Closed Meeting during the Week of July 26, 1982. Please refer to the appropriate Weekly Commission Schedule, when published, for a specific date and time.

DISTRIBUTION:
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ATTACHMENT 1

ATTACHMENT 2



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555

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OFFICE OF THE
SECRETARY

MEMORANDUM FOR: William J. Dircks, Executive
Director for Operations

FROM: Samuel J. Chilk, Secretary

SUBJECT: CLASSIFIED MATERIAL IN ALAB-653 (DIABLO CANYON
PHYSICAL SECURITY)

The Commission has directed that all persons who have had access to classified material in the Diablo Canyon physical security proceedings be briefed on the implications and responsibilities of having had such access. They are not to be informed of which material is classified. The staff is also directed to determine which portions of the underlying record of the proceeding contain classified national security information and to collect those documents from the applicant and the document rooms established for use of the intervenors. Expurgated copies of the documents and ALAB-653 are to be substituted within two days of the date of this memo.