

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

ATOMIC SAFETY AND LICENSING APPEAL BOARD

'83 OCT 25 A10:15

Administrative Judges:

Thomas S. Moore, Chairman
Dr. John H. Buck
Dr. W. Reed Johnson

OFFICE OF SECRETARY
DOCKETING & SERVICE
October 24, 1983

SERVED OCT 25 1983

In the Matter of)

PACIFIC GAS AND ELECTRIC COMPANY)

(Diablo Canyon Nuclear Power)
Plant, Units 1 and 2))

Docket Nos. 50-275 OL
50-323 OL

ORDER

On May 10, 1983, the joint intervenors filed a motion to reopen the record in this operating license proceeding on the issue of the adequacy of the applicant's construction quality assurance program at Diablo Canyon. On May 17, 1983, Governor Deukmejian filed a similar motion. The applicant and the NRC staff filed responses and, with our leave, the movants filed replies. Thereafter, we held a short hearing on the motions from July 19 - 22.

After giving full consideration to the motions, responses, replies and the record of the hearing on them, the motions are denied. We find that they fail to meet the established standards for reopening the record of a licensing proceeding.

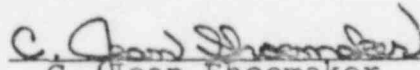
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See Kansas Gas and Electric Co. (Wolf Creek Generating Station, Unit 1), ALAB-462, 7 NRC 320, 338 (1978). An opinion setting forth our views on the motions will issue as soon as practicable. We are announcing our decision today because preparation for the upcoming hearing on the issue of design quality assurance in the reopened proceeding and the press of other business has delayed the issuance of our opinion.

It is so ORDERED.

FOR THE APPEAL BOARD


C. Jean Shoemaker
Secretary to the
Appeal Board