

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

In the Matter of

PACIFIC GAS AND ELECTRIC COMPANY

(Diablo Canyon Nuclear Power Plant, Unit 1)

Docket No. 50-275

**NRC STAFF UNOPPOSED MOTION REQUESTING LEAVE TO RESPOND TO THE SAN
LUIS OBISPO MOTHERS FOR PEACE AND FRIENDS OF THE EARTH HEARING
REQUEST AND REQUEST TO SUSPEND OPERATIONS**

On September 14, 2023, in a single pleading, San Luis Obispo Mothers for Peace and Friends of the Earth (Petitioners) filed both a “Request to the NRC Commissioners by San Luis Obispo Mothers for Peace and Friends of the Earth for a Hearing on NRC Staff Decision Effectively Amending Diablo Canyon Unit 1 Operating License to Extend the Schedule for Surveillance of the Unit 1 Pressure Vessel” (Hearing Request) and a “Request for Emergency Order Requiring Immediate Shutdown of Unit 1 Pending Completion of Tests and Inspections of Pressure Vessel, Public Disclosure of Results, Public Hearing, and Determination by the Commission that Unit 1 can Safely Resume Operation” (Request to Suspend Operations).¹ In accordance with 10 C.F.R. § 2.323, the U.S. Nuclear Regulatory Commission staff (the Staff) submits this unopposed motion requesting that the Staff and Pacific Gas and Electric Company (the licensee) be given the opportunity to file answers to the Request to Suspend Operations by September 25, 2023. The Staff believes that this would allow the Commission to be fully briefed

¹ Request to the NRC Commissioners by San Luis Obispo Mothers for Peace and Friends of the Earth for a Hearing on NRC Staff Decision Effectively Amending Diablo Canyon Unit 1 Operating License to Extend the Schedule for Surveillance of the Unit 1 Pressure Vessel and Request for Emergency order Requiring Immediate Shutdown of Unit 1 Pending Completion of Tests and Inspections of Pressure Vessel, Public Disclosure of Results, Public Hearing, and Determination by the Commission that Unit 1 can Safely Resume Operation (Sep. 14, 2023) (ML23257A302).

before taking any action on the Request to Suspend Operations. The Staff further requests that the Staff and the licensee be given the opportunity to file answers to the Hearing Request as is permitted by 10 C.F.R. § 2.309(i), on or before October 9, 2023, or for direction from the Commission regarding how and when to respond to the Hearing Request.

Respectfully submitted,

/Signed (electronically) by/

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Dated September 25, 2023

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Certificate of Consultation

Pursuant to 10 C.F.R. § 2.323(b), I hereby certify that the Staff has made a sincere effort to contact the other participants in this proceeding and resolve the issues raised in the above motion. The licensee and Petitioners stated that they do not object to the Staff's motion.

/Signed (electronically) by/

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Dated September 25, 2023

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Certificate of Service

Pursuant to 10 C.F.R. § 2.305, I hereby certify that copies of the foregoing “NRC STAFF UNOPPOSED MOTION REQUESTING LEAVE TO RESPOND TO THE SAN LUIS OBISPO MOTHERS FOR PEACE AND FRIENDS OF THE EARTH HEARING REQUEST AND REQUEST TO SUSPEND OPERATIONS,” dated September 25, 2023, have been served upon the Electronic Information Exchange (the NRC’s E-Filing System), in the captioned proceeding, this 25th day of September 2023.

/Signed (electronically) by/

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Dated September 25, 2023