



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION IV  
611 RYAN PLAZA DRIVE, SUITE 400  
ARLINGTON, TEXAS 76011-4005**

April 12, 2004

Mr. Harry L. Ovitt, Chairperson  
Supervisor District One  
Board of Supervisors  
San Luis Obispo County  
County Government Center  
Room 370  
San Luis Obispo, CA 93408-2040

Dear Chairperson Ovitt:

Thank you for your April 9, 2004, letter requesting an NRC representative to attend and answer questions at the appeal hearing of the Planning Commission's decision to grant Pacific Gas and Electric Company a Coastal Development Permit to construct an Independent Spent Fuel Storage Installation (ISFSI) at Diablo Canyon Power Plant.

Your request for information from an NRC employee at the appeal hearing, to which NRC is not a party, is addressed in NRC's regulations, 10 C.F.R. 9.200-9.204, which provide that such request be addressed to the General Counsel of the NRC. The request should specifically address the need for an NRC employee to be available and the topics that will be covered with the NRC employee. For your convenience, I have attached a copy of the pertinent regulations. Upon receipt of this information, the General Counsel can determine whether to send an NRC representative.

You should address your request to Karen D. Cyr, Esq., General Counsel, U.S. Nuclear Regulatory Commission, O-15-D-21, Washington, DC 20555-0001, e-mail [KDC@nrc.gov](mailto:KDC@nrc.gov), with a copy to Charles E. Mullins, Senior Attorney, at the same address, e-mail [CEM@nrc.gov](mailto:CEM@nrc.gov). You may fax your request to Ms. Cyr at 301-415-3725, and to Mr. Mullins at 301-415-3200.

Sincerely,

/RA/

Bruce S. Mallett  
Regional Administrator

Attachment: As stated

cc: Karen D. Cyr, General Counsel  
Lawrence J. Chandler, Associate Gen. Counsel for Hearings, Enforcement &  
Administration  
John F. Cordes, Solicitor  
Irwin Rothschild, III, Asst. Gen. Counsel for Legal Counsel, Legislation & Special  
Projects  
Thomas P. Gwynn, Deputy Regional Administrator  
Charles E. Mullins, Senior Attorney  
Stephen H. Lewis, Senior Attorney  
Karla D. Smith, Regional Counsel  
William A. Maier, Regional State Liaison Officer

ADAMS: ☒ Yes    ☐ No    Initials: \_\_\_tpg\_\_\_

☒ Publicly Available   ☐ Non-Publicly Available   ☐ Sensitive   ☒ Non-Sensitive

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RIV:RC				
KDSmith:jc	TPGwynn	BSMallett		
/RA/	/RA/	/RA/		
4/12/2004	4/12/2004	4/12/2004		
OGC	OGC	OGC		
SHLewis	IRothschild,III	LJChandler		
No legal objection	No legal objection	No legal objection		
4/12/2004	4/12/2004	4/12/2004		

OFFICIAL RECORD COPY

T=Telephone

E=E-mail

F=Fax