

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE COMMISSION

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USNRC

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OFFICE OF SECRETARY
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In the Matter of)

PACIFIC GAS AND ELECTRIC COMPANY)

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

Docket Nos. 50-275 O.L.
50-323 O.L.

REQUEST FOR HEARING ON
LIFTING OF LICENSE SUSPENSION

By order dated November 19, 1981, the Nuclear Regulatory Commission ("Commission") suspended the fuel loading and low power testing license, DPR-76, for Pacific Gas and Electric Company's ("PGandE") Diablo Canyon Nuclear Power Plant ("Diablo Canyon"), Unit 1. The stated basis for the suspension was the discovery of certain design errors at the facility which indicated that

certain structures, systems, and components important to safety at the plant may not be properly designed to withstand the effects of earthquakes, and further indicate[d] that violations of NRC regulations in 10 C.F.R. Part 50, Appendix B have occurred. Had this information been known to the Commission on or prior to September 22, 1981, Facility License No. DPR-76 would not have been issued until the questions raised had been resolved.

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Pursuant to § 189(a) of the Atomic Energy Act, 42 U.S.C. § 2239, the Joint Intervenors to the above-entitled proceeding hereby request a formal adjudicatory hearing prior to a Commission decision to lift the suspension on the Diablo Canyon license. The factual and legal basis for this request and the reasons for the hearing are those outlined by the Joint Intervenors in their September 1, 1983 letter to the Commission responding to the Commission's request for comments on the status of the ongoing Diablo Canyon design verification program. The purpose of the requested hearing is to determine PGandE's entitlement to lifting of the suspension and, indeed, whether the one-year license remains effective today given the two years that have elapsed since its issuance.

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Accordingly, for the reasons stated, the Joint
Intervenors request that an adjudicatory hearing be held prior
to a Commission decision to lift the suspension on facility
operating license DPR-76.

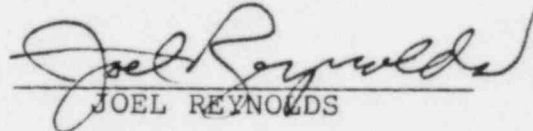
DATED: September 6, 1983

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of September, 1983, I have served copies of the foregoing JOINT INTERVENORS' REQUEST FOR HEARING, mailing them through the U.S. mails, first class, postage prepaid.

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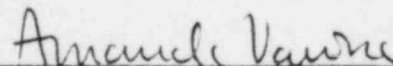
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