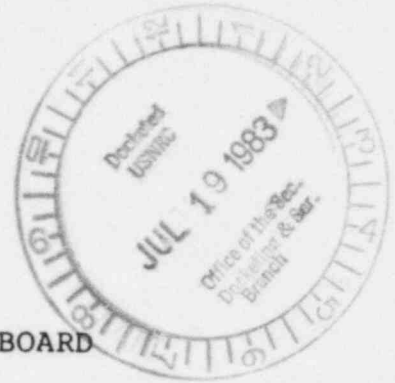


UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION



BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

In the Matter of) Docket No. 50-275
) Docket No. 50-323
PACIFIC GAS AND ELECTRIC COMPANY)
) (Reopened Hearing --
Diablo Canyon Nuclear Power Plant) Design Quality
Units Nos. 1 and 2) Assurance)
)

RESPONSE OF GOVERNOR DEUKMEJIAN TO FIRST
DOCUMENT PRODUCTION REQUEST BY APPLICANT
PACIFIC GAS AND ELECTRIC COMPANY

PRELIMINARY STATEMENT

This response is limited to documents presently in the possession of the current administration, its counsel, and their consultants. No documents are included or referred to that are dated before January 3, 1983, except as such documents may have been among the papers received from the previous administration or its counsel.

Request No. 1.

All writings you have taken at all meetings between the NRC and/or PG&E and/or companies involved in the Independent Design Verification Program (IDVP) from October 1, 1981 to the present.

Response:

This request is objected to as requesting material that is attorney work product and not discoverable under the NRC Rules of Practice, 10 C.F.R. section 2.740(b)(2). All writings

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requested were made by attorneys or consultants working at the direction of attorneys, were made in preparation for litigation, and contain the mental impressions, conclusions, and opinions of the authors.

Request No. 2.

All documents relating to Diablo Canyon design or design quality assurance prepared by PG&E, the IDVP, or the NRC, having comments, notes, or the like on them and any writings prepared by or for you discussing, commenting on or otherwise referring to those documents.

Response:

This request is objected to on the following grounds. All documents requested are on file in this case and are fully available to PG&E. Insofar as the request seeks notes, comments, and the like written on these documents by counsel or their employees or seeks writings discussing or commenting on these documents, the request seeks material that is work product and not discoverable under the NRC Rules of Practice 10 C.F.R. Section 2.740(b)(2). Any and all such writings were made by counsel or by consultants to or employees of counsel working at counsel's direction, were made in preparation for litigation, and contain the mental impressions, legal theories, conclusions, and opinions of the authors.

Request No. 3.

All other documents relating to Diablo Canyon design or design quality assurance not produced in response to Request No. 2 which have been prepared or reviewed by or

for you.

Response:

Insofar as this request seeks material prepared by or at direction of counsel, in preparation for litigation, and containing the mental impressions, legal theories, and conclusions of the authors, the request is objected to on the ground that the documents are work product and not discoverable under the NRC Rules of Practice, 10 C.F.R. Section 2.740(b)(2).

The Governor has received some letters from private citizens or groups discussing design quality assurance at Diablo Canyon, and will produce these in Sacramento if requested to do so.

Request No. 4.

All documents that contain calculations, analyses or computer programs performed by or for you regarding the design of Diablo Canyon structures, systems or components.

Response:

Other than documents objected to in the response to Request No. 2, above, no such documents exist.

Request No. 5.

All correspondence between you and the NRC or its contractors related in any way to design or design quality assurance at Diablo Canyon.

Response:

This request is objected to on the ground that PG&E has received a copy of all such correspondence. Accordingly, requiring production again would unduly burdensome.

Request No. 6.

All correspondence or records of meetings or telephone conversations between Mr. Hubbard (or his associates) and Dr. Rosette [Sic.] (or his associates) related in any way to design of structures, systems, or components at Diablo Canyon.

Response:

This request is objected to as calling for materials that are work product and not discoverable under the NRC Rules of Practice, 10 C.F.R. Section 2.740(b)(2). All meetings between Mr. Hubbard and Dr. Roësset took place in the presence of counsel, and notes of such meetings were taken by or at direction of counsel, in preparation for litigation, and contain the mental impressions, legal theories, opinions, and conclusions of the authors.

Request No. 7.

All notes, calculations, meeting minutes, computer outputs, drawings or other writings prepared by MHB Technical Associates or Dr. Rosette [sic.] or any other of your technical consultants related in any way to design or design quality assurance at Diablo Canyon.

Response:

All documents requested have been requested and objected to previously.

Request No. 8.

All Quality assurance manuals and procedures (including quality control procedures) governing the work of MHB Technical Associates since January 1, 1977, including

all amendments or revisions thereto.

Response:

This request is objected to as irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, insofar as the request asks for quality assurance materials not related to the design of nuclear power plants. To the extent that the request calls for documents pertaining to nuclear power plant, there are no responsive documents.

Request No. 9.

Copies of all documentation showing adherence to MHB Technical Associates' quality assurance/quality control procedures for MHB Technical Associates' work relating to Diablo Canyon.

Response:

This request is objected to as irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, insofar as the request asks for quality assurance materials not related to the design of nuclear power plants. To the extent that the request calls for documents pertaining to nuclear power plant, there are no responsive documents.

Request No. 10.

All quality assurance manuals and procedures (including quality control procedures) governing the work of Dr. Rosette [sic.] since January 1, 1982, including all amendments or revisions thereto.

Response:

This request is objected to as irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, insofar as the request asks for quality assurance materials not related to the design of nuclear power plants. To the extent that the request calls for documents pertaining to nuclear power plant, there are no responsive documents.

Request No. 11.

Copies of all documentation showing adherence by Dr. Rosette [sic.] to quality assurance/quality control procedures for Dr. Rosette's work relating to Diablo Canyon.

Response:

This request is objected to as irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, insofar as the request asks for quality assurance materials not related to the design of nuclear power plants. To the extent that the request calls for documents pertaining to nuclear power plant, there are no responsive documents.

Request No. 12.

All documents identified in your answers to PG&E's first set of interrogatories served the same date as this request.

Response:

Such documents were either attached to those answers or are part of the record in this case and possessed by or available to PG&E. The only document not so attached or in the public record is the report entitled "Identification and

Ranking of Nuclear Plant Structures, Systems, and Components, and Graded Quality Assurance Guidelines - Draft," prepared by EG&G; a copy of which is forwarded to counsel for PG&E under separate cover.

Request No. 13.

All exhibits you intend to mark for identification at the hearing of this matter.

Response:

At this time, it has not yet been decided what exhibits will be offered. At the appropriate time, counsel will exchange exhibit lists with all parties.

Dated: July 15, 1983

Respectfully submitted,

JOHN K. VAN DE KAMP, Attorney General
of the State of California,
ANDREA SHERIDAN ORDIN,
Chief Assistant Attorney General
MICHAEL J. STRUMWASSER,
Special Counsel to the
Attorney General,
SUSAN L. DURBIN,
PETER H. KAUFMAN,
Deputy Attorneys General,

Susan L. Durbin
SUSAN L. DURBIN

Attorneys for Governor
George Deukmejian

3580 Wilshire Boulevard
Los Angeles, CA 90010
Telephone: (213) 736-2105

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) Assurance)
)

CERTIFICATION

I, Susan L. Durbin, hereby certify:

1. I am a deputy attorney general and have been assigned by the Attorney General to serve as one of the attorneys for Governor George Deukmejian.

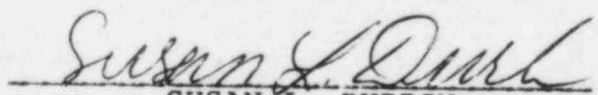
2. I am authorized to make this certification on behalf of Governor Deukmejian.

3. I am familiar with the first document production request propounded by Pacific Gas and Electric Company to Governor Deukmejian and with the foregoing response thereto.

4. I am informed and believe that all documents responsive to said request have been produced, except for those documents withheld on express claim of privilege.

I certify that the foregoing is true and correct.

Executed at Los Angeles, California on July 15, 1983.


SUSAN L. DURBIN