

UNITED STATES OF AMERICA

DOCKETED
USNRC

NUCLEAR REGULATORY COMMISSION

'83 OCT 17 AM 11:37

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

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.

JOINT INTERVENORS' MOTION
FOR LEAVE TO FILE REPLY

The Joint Intervenors hereby move this Board for leave to file the attached reply to PGandE and NRC Staff responses to the Joint Intervenors' September 9, 1983 Supplement to Motion to Reopen the Record on the Issue of Construction Quality Assurance.

On September 9, 1983, the Joint Intervenors filed as a supplement to their pending construction quality assurance motion a recently discovered Nuclear Services Corporation ("NSC") audit of PGandE's principal construction contractor, Pullman Power Products ("Pullman"). On September 21, PGandE filed a response and, after seeking a ten-day extension, the NRC Staff filed a response of October 6, 1983. Both of these

D503

responses relied in part upon documents and "defenses" not previously part of the record in this proceeding, including PGandE's response to the NSC audit, Pullman's response to the NSC audit, and a number of Region IV Inspection Reports concerning Pullman's Paramount fabrication facility.

In order to respond to these documents and defenses, the Joint Intervenors seek leave to file the attached brief reply. The reply consists of a point-by-point discussion of the principal issues raised in the respective PGandE and Staff responses, and it has been prepared promptly upon receipt of the Staff's response on Monday, October 10, 1983. Because counsel for the Joint Intervenors was in San Francisco for depositions in this proceeding on October 10 through 12, this reply could not be prepared or filed until October 13.

/

/

/

/

/

/

/

/

/

/

/

/

/

/

For the foregoing reasons, the Joint Intervenors respectfully request that the requested leave to file be granted.

DATED: October 13, 1983

Respectfully submitted,

JOEL R. REYNOLDS, ESQ.
JOHN R. PHILLIPS, ESQ.
ERIC HAVIAN, ESQ.
Center for Law in the
Public Interest
10951 W. Pico Boulevard
Los Angeles, CA 90064
(213)470-3000

DAVID S. FLEISCHAKER, ESQ.
P. O. Box 1178
Oklahoma City, OK 73101

By 
JOEL REYNOLDS

Attorneys for Joint Intervenors
SAN LUIS OBISPO MOTHERS FOR
PEACE
SCENIC SHORELINE PRESERVATION
CONFERENCE, INC.
ECOLOGY ACTION CLUB
SANDRA SILVER
ELIZABETH APFELBERG
JOHN J. FORSTER

*Docket and Service Branch
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Lawrence Chandler, Esq.
Office of the Executive Legal Director - BETH 042
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Janice E. Kerr, Esq.
Lawrence Q. Garcia, Esq.
J. Calvin Simpson, Esq.
California Public Utilities Commission
5246 McAllister Street
San Francisco, CA 94102

John Van de Kamp, Attorney General
Andrea Sheridan Ordin, Chief Attorney General
Michael J. Strumwasser, Special Counsel to the
Attorney General
State of California
3580 Wilshire Boulevard, Suite 800
Los Angeles, CA 90010

David S. Fleischaker, Esq.
Post Office Box 1178
Oklahoma City, OK 73101

Richard Hubbard
MHB Technical Associates
1723 Hamilton Avenue, Suite K
San Jose, CA 95725

Arthur C. Gehr, Esq.
Snell & Wilmer
3100 Valley Center
Phoenix, AZ 85073

Bruce Norton, Esq.
Norton, Burke, Berry & French, P.C.
Post Office Box 10569
Phoenix, AZ 85064

Maurice Axelrad, Esq.
Lowenstein, Newman, Reis & Axelrad, P.C.
1025 Connecticut Avenue, N.W.
Washington, D.C. 20036

Virginia and Gordon Bruno
Pecho Ranch
Post Office Box 6289
Los Osos, CA 93402

Sandra and Gordon Silver
1760 Alisal Street
San Luis Obispo, CA 93401

Nancy Culver
192 Luneta
San Luis Obispo, CA 93402

Carl Neiburger
Telegram Tribune
Post Office Box 112
San Luis Obispo, CA 93402

Betsy Umhoffer
1493 Southwood
San Luis Obispo, CA 93401

Christina Concepcion
CHRISTINA CONCEPCION

* Delivered via Express Mail