

ORIGINAL

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the matter of:

DISCUSSION OF HEARING REQUESTS
AND WHETHER TO LIFT SUSPENSION
AT DIABLO CANYON

Docket No.

Location: Washington, D. C.

Pages: 1 - 61

Date: Thursday, November 3, 1983

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1 UNITED STATES OF AMERICA
2 NUCLEAR REGULATORY COMMISSION
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4 DISCUSSION OF HEARING REQUESTS AND WHETHER
5 TO LIFT SUSPENSION AT DIABLO CANYON
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7 CLOSED MEETING
8 (Exemptions 5 and 10)
9 - - -

10 Nuclear Regulatory Commission
11 Commissioners' Conference Room
12 11th Floor
13 1717 "G" Street, N. W.
14 Washington, D. C.

15 Thursday, November 3, 1983

16 The Commission met in closed session, pursuant to
17 notice, at 2:50 o'clock p.m., Nunzio J. Palladino, Chairman
18 of the Commission, presiding.

19 COMMISSIONERS PRESENT:

20 NUNZIO J. PALLADINO, Chairman of the Commission

21 VICTOR GILINSKY, Member of the Commission

22 THOMAS ROBERTS, Member of the Commission

23 JAMES ASSELSTINE, Member of the Commission

24 FREDERICK BERNHEAL, Member of the Commission

25 STAFF AND PRESENTERS SEATED AT COMMISSION TABLE:

S. CHILK

M. MALSCH

R. PARRISH

J. ZERBE

1 STAFF AND PRESENTERS SEATED AT COMMISSION TABLE: (cont.)

2 D. RATHBUN

3 J. WILSON

4 B. HAYES

5 AUDIENCE SPEAKERS:

6 J. FOUCHARD

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DISCLAIMER

This is an unofficial transcript of a meeting of the States Nuclear Regulatory Commission held on November 3, in the Commission's office at 1717 H Street, N. W. Washington, D. C. The meeting was open to public attendance and observation. This transcript has not been reviewed, corrected, or edited; it may contain inaccuracies.

The transcript is intended solely for general information purposes. As provided by 10 CFR 9.103, it is not part of the formal or informal record of decision of the matters discussed. Expressions of opinion in this transcript do not necessarily reflect final determinations or beliefs. No pleading or other paper may be filed with the commission in any proceeding which is the result of or addressed to any statement or argument contained herein, except as the Commission may authorize.

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P R O C E E D I N G S

CHAIRMAN PALLADINO: Let me call the meeting to order. Before we begin with the subject that was announced we have just been informed by Ben Hayes that he has another allegation from Region V that he just received that he feels he ought to acquaint the Commission with. So I would propose to hear him unless the Commission has objection to doing it.

(No response.)

CHAIRMAN PALLADINO: Why don't we take a minute or two on that.

MR. HAYES: I apologize for not discussing this previously. We just recently as of a few weeks ago received a request from a regional administrator to look into the possibility of a material false statement made by the licensee in response to a notice of violation.

We dispatched investigators to the site in the hopes of resolving this very quickly. We have determined that the information that was submitted to the Commission stems from the lowest level quality control inspector on the site and apparently it was an error on that gentleman's part. We do not have any indication of willful intent on behalf of the licensee to intentionally mislead the NRC.

In our opinion it is not a willful and material false statement but it may result in a civil penalty.

CHAIRMAN PALLADINO: All right. Thank you. Any