

FEB 02 1980

Docket Nos: 50-275
and 50-323

Mr. John C. Morrissey
Vice President & General Counsel
Pacific Gas & Electric Company
77 Beale Street
San Francisco, California 94106

Dear Mr. Morrissey:

SUBJECT: EXTENSION OF CONSTRUCTION PERMIT COMPLETION DATES (DIABLO CANYON
NUCLEAR POWER PLANT, UNITS 1 & 2)

In response to your request of November 26, 1979, the Nuclear Regulatory Commission has issued an Order extending the construction completion dates for the Diablo Canyon Nuclear Power Plant, Units 1 & 2. In lieu of the latest completion dates of December 31, 1979 and February 29, 1980, as specified in our previous Order dated July 11, 1979 on Construction Permit No. CPPR-39, for Unit 1, and Order dated April 13, 1979 on Construction Permit No. CPPR-69 for Unit 2, the latest completion dates have been extended to September 30, 1980 for Unit 1 and March 31, 1981 for Unit 2.

A copy of the Order and the staff evaluation are enclosed for your information. The Order has been transmitted to the Office of the Federal Register for publication.

Sincerely,

Original Signed by

John F. Stolz, Chief
Light Water Reactors Branch No. 1
Division of Project Management

Enclosures:

1. Order Extending Construction Permit Completion Dates
2. Staff Evaluation

cc:

See next page

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DATE	01/21/80	01/22/80	01/22/80	01/22/80	

Mr. John C. Morrissey

cc: Richard S. Salzman, Esq., Chairman
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Mr. John C. Morrissey

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Radiologic Health Section
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Chairman San Luis Obispo County
Board of Supervisors
County Courthouse Annex - Room 220
San Luis Obispo, California 93401

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UNITED STATES NUCLEAR REGULATORY COMMISSION

PACIFIC GAS AND ELECTRIC COMPANY

DIABLO CANYON NUCLEAR POWER PLANT, UNITS 1 AND 2

DOCKET NOS. 50-275 AND 50-323

ORDER EXTENDING CONSTRUCTION COMPLETION DATES

Pacific Gas and Electric Company is the holder of Construction Permit Nos. CPPR-39 and CPPR-69 issued by the Atomic Energy Commission* on April 23, 1968 and December 9, 1970, respectively, for construction of the Diablo Canyon Nuclear Power Plant, Units 1 and 2, presently under construction at the Company's site in San Luis Obispo County, California.

On November 26, 1979, Pacific Gas and Electric Company filed a request for extensions of the completion dates for Units 1 and 2 based on the time needed to comfortably accommodate the Commission's announcement of a pause in issuing operating licenses to the spring of 1980.

As a result of the accident at the Three Mile Island, Unit 2 Nuclear Power Plant, the Nuclear Regulatory Commission (NRC) conducted an extensive investigation of potential design deficiencies in the plant, plant operator response to the accident, operator errors and/or misinterpretation of plant instrumentation, and all other aspects of the accident which might lead to information that would improve the safety of nuclear power plants. The findings of this investigation and from the comprehensive study of the President's Commission showed that certain plant modifications and improvements in utility organizational structure were

*Effective January 20, 1975, the Atomic Energy Commission became the Nuclear Regulatory Commission and Permits in effect on that day were continued under the authority of the Nuclear Regulatory Commission.

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required to improve the safety of nuclear power plant operation and to upgrade the capability of utilities to cope with a severe accident. At this time the NRC staff is preparing an Action Plan for Commission review and approval that will include new or improved safety objectives, the detailed criteria for their implementation and the various implementation deadlines. The goal is to have the Action Plan available for Commission review and approval by mid-February 1980. When the Commission approves the Action Plan, the requirements will be submitted to the utilities for implementation. In order to accommodate a reasonable schedule needed to complete the safety evaluation regarding the applicant's response to the Action Plan requirements and the subsequent licensing actions related to these new safety requirements, the Nuclear Regulatory Commission staff concluded that the requested completion dates of construction for Unit 1 and for Unit 2 should be extended to September 30, 1980 and March 31, 1981, respectively.

This action involves no significant hazards consideration; good cause has been shown for the delays; an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with the extension; and the requested extension is for a reasonable period, the bases for which are set forth in a staff evaluation of request for extension.

For further details with respect to this action, see (1) the applicant's request for extension of the construction permit completion date for Diablo Canyon, Units 1 and 2 dated November 26, 1979, and (2) the staff's related evaluation, all of which are available for public inspection at the Commission's Public Document Room, 1717 H Street, N. W., Washington, D. C. 20555 and at the Local Public Document Room located at the California Polytechnic State University Library, Document and Maps Department, San Luis Obispo, California 93407.

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IT IS HEREBY ORDERED that the latest completion date for CPPR-39 is extended from December 31, 1979 to September 30, 1980 for Unit 1 and the latest completion date for CPPR-69 is extended from February 29, 1980 to March 31, 1981 for Unit 2.

FOR THE NUCLEAR REGULATORY COMMISSION

Original Signed by

D. F. Ross, Jr., Acting Director
Division of Project Management
Office of Nuclear Reactor Regulation

Date of Issuance: FEB 02 1980

DPM:DD

DBVassallo

02/1/80

~~NRR~~

~~HRDenton~~

~~01/22/80~~

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DATE	01/21/80	01/22/80	01/22/80	01/30/80	02/1/80

UNITED STATES NUCLEAR REGULATORY COMMISSION
PACIFIC GAS AND ELECTRIC COMPANY
DIABLO CANYON NUCLEAR POWER PLANT, UNITS 1 AND 2
DOCKET NOS. 50-275 AND 50-323
ORDER EXTENDING CONSTRUCTION COMPLETION DATES

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On November 26, 1979, Pacific Gas and Electric Company filed a request for extensions of the completion dates for Units 1 and 2 based on the time needed to comfortably accommodate the Commission's announcement of a pause in issuing operating licenses to the spring of 1980.

As a result of the accident at the Three Mile Island, Unit 2 Nuclear Power Plant, the Nuclear Regulatory Commission (NRC) conducted an extensive investigation of potential design deficiencies in the plant, plant operator response to the accident, operator errors and/or misinterpretation of plant instrumentation, and all other aspects of the accident which might lead to information that would improve the safety of nuclear power plants. The findings of this investigation and from the comprehensive study of the President's Commission showed that certain plant modifications and improvements in utility organizational structure were

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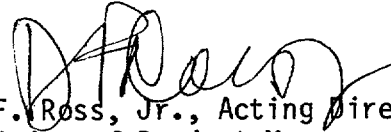
required to improve the safety of nuclear power plant operation and to upgrade the capability of utilities to cope with a severe accident. At this time the NRC staff is preparing an Action Plan for Commission review and approval that will include new or improved safety objectives, the detailed criteria for their implementation and the various implementation deadlines. The goal is to have the Action Plan available for Commission review and approval by mid-February 1980. When the Commission approves the Action Plan, the requirements will be submitted to the utilities for implementation. In order to accommodate a reasonable schedule needed to complete the safety evaluation regarding the applicant's response to the Action Plan requirements and the subsequent licensing actions related to these new safety requirements, the Nuclear Regulatory Commission staff concluded that the requested completion dates of construction for Unit 1 and for Unit 2 should be extended to September 30, 1980 and March 31, 1981, respectively.

This action involves no significant hazards consideration; good cause has been shown for the delays; an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with the extension; and the requested extension is for a reasonable period, the bases for which are set forth in a staff evaluation of request for extension.

For further details with respect to this action, see (1) the applicant's request for extension of the construction permit completion date for Diablo Canyon, Units 1 and 2 dated November 26, 1979, and (2) the staff's related evaluation, all of which are available for public inspection at the Commission's Public Document Room, 1717 H Street, N. W., Washington, D. C. 20555 and at the Local Public Document Room located at the California Polytechnic State University Library, Document and Maps Department, San Luis Obispo, California 93407.

IT IS HEREBY ORDERED that the latest completion date for CPPR-39 is extended from December 31, 1979 to September 30, 1980 for Unit 1 and the latest completion date for CPPR-69 is extended from February 29, 1980 to March 31, 1981 for Unit 2.

FOR THE NUCLEAR REGULATORY COMMISSION



D. F. Ross, Jr., Acting Director
Division of Project Management
Office of Nuclear Reactor Regulation

Date of Issuance: FEB 02 1980

EVALUATION OF REQUEST FOR EXTENSION OF THE CONSTRUCTION PERMIT
COMPLETION DATES FOR THE DIABLO CANYON NUCLEAR POWER PLANT, UNITS 1 AND 2

Introduction

On November 26, 1979, Pacific Gas and Electric Company (PG&E) filed a request for extension of the completion dates of the construction permits for the Diablo Canyon Nuclear Power Plant, Units 1 and 2. The extensions requested were from December 31, 1979 to September 30, 1980 for Unit 1 and from February 29, 1980 to March 31, 1981 for Unit 2. In the requests for extension PG&E stated that the additional time for Unit 1 was needed to conclude the licensing process and to comfortably accommodate the Commission's announcement of a pause in issuing operating licenses until spring 1980.

Discussion

The construction permit for Unit 1, CPPR-39, was issued on April 23, 1968, and was last modified by the Commission's Order dated July 11, 1979, which extended the latest completion date to December 31, 1979. The construction permit for Unit 2, CPPR-69, was issued on December 9, 1970, and was last modified by the Commission's Order dated April 1979, which extended the latest completion date to February 29, 1980.

Additional time contingencies will be required to allow for satisfactory completion of modifications and new requirements arising from the President's Commission and the NRC's staff investigation of the incident at the Three Mile Island Nuclear Power Plant, Unit 2 to the Diablo Canyon Nuclear Power Plants, Units 1 and 2, to the extent that they are applicable. Priority is being given to completing Unit 1.

Accordingly, PG&E has requested an extension of the latest completion dates in CPPR-39 for Unit 1 to September 30, 1980 and in CPPR-69 for Unit 2 to March 31, 1981.

Conclusion

The Commission's staff have reviewed the information provided in the applicant's submittal, and we conclude that the factors discussed above are reasonable and constitute good cause for delay; and the extension of construction of Unit 1 for 9 months and of Unit 2 for 13 months is justifiable.

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As a result of the staff's review of the Final Safety Analysis Report to date, and considering the nature of the delays, we have identified no area of significant safety considerations in connection with the extension of the construction permit completion dates for the Diablo Canyon Nuclear Power Plant, Units 1 and 2.

The assessment of potential environmental impacts associated with site preparation and the construction of Units 1 and 2 of the Diablo Canyon Nuclear Power Plant were addressed in the Final Environmental Statement (FES) issued in May 1973. Since the construction of Unit No. 1 is essentially complete except for installation of certain modifications and construction of Unit 2 is approximately 98% complete, essentially all construction impacts have occurred. The continuation of a limited construction work force on site for an additional 13 months is not expected to have any increased impact on the local environment or the nearby communities. The staff has determined that the extension of time for completion of work shown in Construction Permit No. CPPR-39 from December 31, 1979 to September 30, 1980 and in CPPR-69 from February 29, 1980 to March 31, 1981, is an administrative action since it does not alter impacts described in the FES or create new impacts not previously addressed in the statement. Having made this determination, the Commission has concluded, pursuant to 10 CFR Part 51.5 (d)(4), that an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with the issuance of this extension of time.

The staff finds that this action does not involve a significant hazards consideration, that good cause exists for the issuance of an Order extending the completion dates, and that an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with the issuance of such order.

Accordingly, issuance of an Order extending the latest completion dates for construction of Diablo Canyon Unit 1, as set forth in CPPR-39, to September 30, 1980 and of Unit 2, as set forth in CPPR-69, to March 31, 1981, is reasonable and should be authorized.

Original Signed by

B. C. Buckley, Project Manager
Light Water Reactors Branch No. 1
Division of Project Management

Original Signed by

John F. Stolz, Chief
Light Water Reactors Branch No. 1
Division of Project Management

Dated: FEB 02 1980

OFFICE	DPM: LWR #1	DPM: LWR #1			
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DATE	01/21/80	01/21/80	1/30/80		



UNITED STATES
 NUCLEAR REGULATORY COMMISSION
 WASHINGTON, D.C. 20555
February 12, 1980

DISTRIBUTION:
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 LWR #1 Rdg
 EGHylton

Docket No. **50-275 & 50-323**

Docketing and Service Section
 Office of the Secretary of the Commission

SUBJECT: **ORDER EXTENDING CONSTRUCTION COMPLETION DATES FOR DIABLO CANYON,
 UNITS 1 AND 2**

Two signed originals of the Federal Register Notice identified below are enclosed for your transmittal to the Office of the Federal Register for publication. Additional conformed copies (**15**) of the Notice are enclosed for your use.

- Notice of Receipt of Application for Construction Permit(s) and Operating License(s).
- Notice of Receipt of Partial Application for Construction Permit(s) and Facility License(s): Time for Submission of Views on Antitrust Matters.
- Notice of Availability of Applicant's Environmental Report.
- Notice of Proposed Issuance of Amendment to Facility Operating License.
- Notice of Receipt of Application for Facility License(s); Notice of Availability of Applicant's Environmental Report; and Notice of Consideration of Issuance of Facility License(s) and Notice of Opportunity for Hearing.
- Notice of Availability of NRC Draft/Final Environmental Statement.
- Notice of Limited Work Authorization.
- Notice of Availability of Safety Evaluation Report.
- Notice of Issuance of Construction Permit(s).
- Notice of Issuance of Facility Operating License(s) or Amendment(s).
- Other: **Order Extending Construction Completion Dates for Diablo Canyon,
 Units 1 and 2.**

Office of Nuclear Reactor Regulation

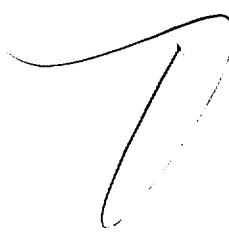
Enclosure:
 As Stated

~~P.S. Extra copy of letter and order enclosed for NRC PDR.~~

OFFICE →	LWR #1					
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DIABLO CANYON CONSTRUCTION COMPLETION DATE EXTENSION FOR UNITS 1 AND 2
DATED FEBRUARY 5, 1980

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