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Docket File

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LWR 1 File

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OCT 13 1978

Docket Nos. 50-275
and 50-323

Mr. John C. Morrissey
Vice President and General Counsel
Pacific Gas and 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 and 2)

In response to your requests of August 11, 1978 and August 23, 1978, the Nuclear Regulatory Commission has issued an Order extending the construction completion dates for the Diablo Canyon Nuclear Power Plant, Units 1 and 2. In lieu of the latest completion dates of September 30, 1978 and December 31, 1978, as specified previously in Construction Permit Nos. CPPR-39 and CPPR-69, for Units 1 and 2 respectively, the latest completion dates have been extended to April 30, 1979 for Unit 1 and October 31, 1979 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:

- Order Extending Construction Permit Completion Dates
- Staff Evaluation

cc: See page 2

OFFICE	LWR 1	LWR 1	OEED	LWR 1	
SURNAME	E. Hylton/red	D. Allison	Jourtelotte	J. Stolz	
DATE	9/27/78	9/27/78	9/29/78	9/29/78	

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cc: Elizabeth S. Bowers, Esq., Chairman
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U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Mr. Glenn O. Bright
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U. S. Nuclear Regulatory Commission
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California Department of Health
ATTN: Chief, Environmental
Radiation Control Unit
Radiologic Health Section
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Sacramento, California 95814

Chairman, San Luis Obispo County
Board of Supervisors
County Courthouse Annex - Room 220
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U. S. Environmental Protection Agency
ATTN: EIS Coordinator
Region IX Office
100 California Street
San Francisco, California 94111

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 August 11, 1978 and August 23, 1978, Pacific Gas and Electric Company filed requests for extensions of the completion dates for Units 1 and 2.

On May 11, 1976 and September 10, 1976, the Commission's staff published Supplements 4 and 5 to the Safety Evaluation Report for the Diablo Canyon Nuclear Power Plant documenting the need for a reevaluation of the plant's seismic capabilities, the criteria to be used in the reevaluation and the staff's request that Pacific Gas and Electric Company perform such a reevaluation. This reevaluation has resulted in significant modifications to upgrade the plant's seismic resistance. For Unit 1, additional time is required to complete the modifications

*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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and to conclude the licensing process. For Unit 2, additional time is required to complete the modifications by personnel who are giving priority to completing Unit 1.

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 requests for extension of the construction permit completion dates dated August 11, 1978 and August 23, 1978 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 in San Luis Obispo County Free Library, P. O. Box X, San Luis Obispo, California 93406.

IT IS HEREBY ORDERED that the latest completion date for CPPR-39 is extended from September 30, 1978 to April 30, 1979 for Unit 1 and the latest completion date for CPPR-69 is extended from December 31, 1978 to October 31, 1979 for Unit 2.

FOR THE NUCLEAR REGULATORY COMMISSION

Original signed by:
Roger S. Boyd

Roger S. Boyd, Director
Division of Project Management

*SEE PREVIOUS YELLOW FOR PREVIOUS CONCUR. Office of Nuclear Reactor Regulation

OFFICE	DPM:LWR #1	DPM:LWR #1	OELD	DPM:LWR:AD	DPM
Date of Issuance:	Hilton/Allison	JFStolz	JTourtellotte	DBVassallo	RSBoyd
SURNAME					
DATE	*9/ 27 /78	*9/ 29 /78	*9/ 29 /78	*9/ 29 /78	10/ /78

and to conclude the licensing process. For Unit 2, additional time is required to complete the modifications by personnel who are giving priority to completing Unit 1.

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 requests for extension of the construction permit completion dates dated August 11, 1978 and August 23, 1978 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 in San Luis Obispo County Free Library, P. O. Box X, San Luis Obispo, California 93406.

IT IS HEREBY ORDERED that the latest completion date for CPPR-39 is extended from September 30, 1978 to April 30, 1979 for Unit 1 and the latest completion date for CPPR-69 is extended from December 31, 1978 to October 31, 1979 for Unit 2.

FOR THE NUCLEAR REGULATORY COMMISSION

Original signed by
D. F. Ross
Roger S. Boyd, Director
Division of Project Management
Office of Nuclear Reactor Regulation

Date of Issuance:

OFFICE	LWR 1	LWR 1	OELD	LWR 1	LWR	DP
SURNAME	EGH ton/red	DAITson	LowtDell	JFStolz	DBVassallo	RSBoyd
DATE	9/29/78	9/25/78	9/29/78	9/29/78	9/29/78	10/11/78

EVALUATION OF REQUEST FOR EXTENSION OF THE CONSTRUCTION PERMIT

COMPLETION DATES FOR THE DIABLO CANYON NUCLEAR POWER PLANT, UNITS 1 AND 2

Introduction

On August 11, 1978, 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 September 30, 1978 to April 30, 1979 for Unit 1 and from December 31, 1978 to October 31, 1979 for Unit 2. PG&E filed a second request for these extensions on August 23, 1978, which provided additional information. In the requests for extension PG&E stated that the additional time for Unit 1 was needed to complete scheduled modifications and conclude the licensing process. PG&E also stated that the additional time for Unit 2 was needed to complete scheduled modifications by personnel who were giving priority to completing Unit 1.

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 February 1, 1978, which extended the latest completion date to September 30, 1978. The construction permit for Unit 2, CPPR-69, was issued on December 9, 1970, and was last modified by the Commission's Order dated February 1, 1978, which extended the latest completion date to December 31, 1978.

On May 11, 1976 and September 10, 1976, the Commission's staff published Supplements 4 and 5 to the Safety Evaluation Report for the Diablo Canyon Nuclear Power Plant. These supplements documented the need for a reevaluation of the plant's seismic capability, the criteria to be used in the reevaluation and the staff's request that PG&E perform such a reevaluation. This reevaluation has resulted in significant plant modifications to upgrade the plant's seismic resistance. The modifications are currently being installed in the plant. Based on PG&E's work schedules, the modifications are currently expected to be completed in the first quarter of 1979 for Unit 1 and about 8 months later for Unit 2. Priority is being given to completing Unit 1.

With regard to the licensing process, the Commission's staff is in the process of completing its review of PG&E's reevaluation. The staff's review must be completed and then the matter must be considered by the Atomic Safety and Licensing Board (ASLB) before the licensing process can be completed. The staff's current schedules estimate that a decision by the ASLB could be reached about March 9, 1979, barring any currently unforeseen delays.

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Accordingly, PG&E has requested an extension of the latest completion date in CPPR-39 for Unit 1 to April 30, 1979 and in CPPR-69 for Unit 2 to October 31, 1979.

Conclusion

The Commission's staff has 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 7 months and of Unit 2 for 10 months is justifiable.

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 nature and significance of the plant modifications and the staff's review of them are more fully discussed in the staff's evaluation of a request for an order to stop further modifications, dated March 22, 1978.)

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 the modifications and construction of Unit 2 is approximately 95% complete, essentially all construction impacts have occurred. The continuation of a construction work force on site for an additional 10 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 September 30, 1978 to April 30, 1979 and in CPPR-69 from December 31, 1978 to October 31, 1979, 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.

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Accordingly, issuance of an Order extending the latest completion dates for construction of Diablo Canyon Unit 1, as set forth in CPPR-39, to April 30, 1979 and of Unit 2, as set forth in CPPR-69, to October 31, 1979, is reasonable and should be authorized.

Original Signed by

D. P. Allison, 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: OCT 13 1978

*Milt Grossman & Jim Tourtellotte, O&LD,
Concurred Orally 9/28/78. Milt requested
addition of a reference to the stop work
evaluation, which was subsequently added
as the parenthetical statement on the second
page. D. Allison 9/29/78*

OFFICE	LWR 1	LWR 1	EPB-1		
SURNAME	DAllison/red	JStolz	J. O. Johnson		
DATE	9/29/78	9/29/78	9/28/78		