

AVILA BEACH COMMUNITY SERVICES DISTRICT

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August 14, 2002

50-275/323

Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Support for Petition of Intervenors and Interested Parties relative to the safety of the
Community of Avila Beach and the Avila Beach Community Services District

Dear Sirs;

Recently, the Board of Directors of the Avila Beach Community Services District (District) were made aware of the proposal by PG&E to convert the storage method of containing spent fuel generated by the Diablo Canyon Nuclear Power Plant. The District was also advised that the Avila Valley Advisory Council (AVAC), Supervisor Peg Pinard and others have filed for intervenor status with respect to the Commission's hearings on the PG&E proposal. We further understand that the Port San Luis Harbor District has filed as an "interested party" in this matter. Considering the seriousness of the proposal to construct dry cask storage at Diablo Canyon and how the safety of any method of storage of spent nuclear power plant fuel very directly affects the Community of Avila Beach and the District's infrastructure, the District wishes to advise the Commission that:

1. *the Avila Beach Community Services District supports the efforts of Supervisor Pinard, AVAC, other intervenors and the Harbor District in their efforts to have the Commission examine all elements of the proposal for spent fuel storage and to ensure that any plan, including that of the existing method of storage, meets the ultimate safety needs required to protect the community and surrounding areas.*
2. *the District hereby requests "interested party" status in this matter in accordance with 10C.F.R. 2.715.*

As the Commission staff may know from previous hearings concerning the power plant, the District is the closest community to the plant and lies approximately six miles downwind from the site. Avila Drive is the only direct access route to the plant and any traffic into and out of the plant must travel through the District. During times of serious flooding or other emergencies, the community is essentially trapped with only a precarious road subject to landslides and flooding available to it. Especially since the September 11th attack, the Board is extremely concerned about the potential for an uncontrollable incident resulting in release of spent fuel, with the lack of a substantial structure to protect the spent fuel pool. Any efforts to reconfigure the storage of spent fuel to a dry cask method must take into account not only natural hazards but the potential for malicious intent.

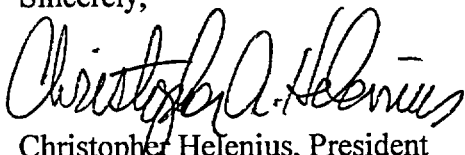
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The Board of Directors has also previously inquired as to the emergency evacuation routes and has requested the Commission's analysis of the official plans that had been adopted at the time of original plant construction (letter of April 23, 2002) and has also requested that hearings on the storage issue be held in San Luis Obispo County (letter of May 17, 2002). As of this date the Board has not received any response to its letters and would appreciate your kind attention to these previous requests for information.

Finally, we would hope the Commission will receive and consider the District's comments because of the very direct impact of the power plant to our District and act to incorporate our comments and interests into your actions on the matter of dry cask storage. Our concerns as expressed in this letter are further heightened by reason of our concern that PG&E is said to be planning to seek an extension for their operating license for many more years to come, perhaps through and to 2050. This would generate substantial increase in the amount of spent fuel requiring on-site storage.

You may contact us at the above address and phone number. Thank you for your consideration of these matters.

Sincerely,



Christopher Helenius, President
Board of Directors

cc: Board of Supervisors
Supervisor Peg Pinard
AVAC (Seamus Slattery)
Senators Boxer and Feinstein
Representative Capps
Senator O'Connell
Assemblyman Maldonado
NRC Inspector David Proulx
NRC Inspector Terry Jackson