

March 3, 2004

The Honorable Barbara Boxer
United States Senate
Washington, D.C. 20510

Dear Senator Boxer:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am providing you a follow-up to my letter of December 24, 2003. That letter was in response to your letter of December 23, 2003, urging that the NRC undertake an emergency inspection at the Diablo Canyon Power Plant, operated by Pacific Gas and Electric Company (PG&E), following the magnitude 6.5 earthquake that occurred approximately 35 miles northwest of the plant near San Simeon, California, on December 22, 2003.

In my earlier letter, I indicated that the NRC had already performed inspections at the Diablo Canyon Power Plant, and I provided some details regarding those inspection activities and further inspections planned in response to the earthquake. I also committed to provide the results of those inspections performed immediately following the earthquake, which would be included in the resident inspector's integrated inspection report. The resident inspector's integrated inspection report (Enclosure 1) covers the 14-week period of inspection that ended on December 31, 2003, and includes inspections performed by the resident inspectors, announced inspections in emergency preparedness and radiation protection, as well as the follow-up inspections to the earthquakes October 18 and December 22, 2003. Specifically, Section 1R14.1 documents the follow-up inspections performed in response to earthquakes impacting the Diablo Canyon Power Plant. In addition to the inspection report, the staff has prepared a summary explanation of the seismic licensing basis for the Diablo Canyon Power Plant (Enclosure 2).

The NRC's overall response to the San Simeon earthquake consisted of three phases involving inspection and review by the onsite resident inspectors and Regional and Headquarters NRC representatives, including seismic experts. The first two phases have been completed. The first phase consisted of the immediate inspection activities performed by the resident inspectors and is covered in the enclosed integrated inspection report. The second phase involved an on-site inspection, during the week of January 5-9, 2004, by an NRC senior reactor inspector and the resident inspectors. In a January 16, 2004 letter, the NRC provided PG&E some preliminary results of Phase 1 and 2 of our inspection activities. A copy of that letter has been provided to your staff and is also included as Enclosure 3. The third phase involves ongoing NRC activities. The results of the inspection associated with Phase 2 and 3 will be documented in a future inspection report that will be provided to you in late April 2004 following completion of the current inspection period. A more detailed description of the three inspection phases is provided as Enclosure 4.

The completed phase 1 and 2 inspections did not identify any system or structural damage, and the licensee's immediate response to the earthquake was effective in ensuring continued safe operation of the plant. Additionally, the NRC staff participated in two public meetings in San Luis Obispo, California, on February 4, 2004, to discuss the NRC and licensee actions following the December 22, 2003 earthquake.

The NRC shares your concern that nuclear power plants be operated in a safe manner to protect public health and safety. Please do not hesitate to contact me if you have any questions.

Sincerely,

/RA/

Nils J. Diaz

Enclosures:

1. NRC Inspection Report 05000275/2003008
and 05000323/2003008
2. Summary Explanation of the Licensing Basis for Diablo Canyon Seismic Issues
3. NRC Letter dated January 16, 2004, Diablo Canyon Power Plant - Preliminary Result of
NRC Event Followup for the December 22, 2003, San Simeon Earthquake
4. NRC Immediate, Interim and Future Actions to Assess the Impact of
the San Simeon Earthquake on the Diablo Canyon Power Plant

cc w/enclosures:

See next page

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