

EDO Principal Correspondence Control

FROM: DUE: 02/23/10

EDO CONTROL: G20100067  
DOC DT: 01/22/10  
FINAL REPLY:

Erik Layman  
San Luis Obispo, California

TO:

Chairman Jaczko

FOR SIGNATURE OF :

\*\* GRN \*\*

CRC NO: 10-0035

Leeds, NRR

DESC:

PG&E's Application to Renew Operating License for  
the Diablo Canyon Power Plant  
(EDATS: SECY-2010-0078)

ROUTING:

Borchardt  
Virgilio  
Mallett  
Ash  
Mamish  
Burns/Rothschild  
Collins, RIV  
Burns, OGC  
*Baggett, OEDO*

DATE: 02/02/10

ASSIGNED TO:

NRR

CONTACT:

Leeds

SPECIAL INSTRUCTIONS OR REMARKS:

Template: SECY-017

ERIDS: SECY-01

# EDATS

Electronic Document and Action Tracking System

**EDATS Number:** SECY-2010-0078

**Source:** SECY

## General Information

**Assigned To:** NRR

**OEDO Due Date:** 2/23/2010

**Other Assignees:**

**SECY Due Date:** NONE

**Subject:** PG&E's Application to Renew Operating License for the Diablo Canyon Power Plant

**Description:**

**CC Routing:** RegionIV; OGC

**ADAMS Accession Numbers - Incoming:** NONE

**Response/Package:** NONE

## Other Information

**Cross Reference Number:** G202010067, LTR-10-0035

**Staff Initiated:** NO

**Related Task:**

**Recurring Item:** NO

**File Routing:** EDATS

**Agency Lesson Learned:** NO

**OEDO Monthly Report Item:** NO

## Process Information

**Action Type:** Letter

**Priority:** Medium

**Signature Level:** NRR

**Sensitivity:** None

**Urgency:** NO

**Approval Level:** No Approval Required

**OEDO Concurrence:** NO

**OCM Concurrence:** NO

**OCA Concurrence:** NO

**Special Instructions:**

## Document Information

**Originator Name:** Erik Layman

**Date of Incoming:** 1/22/2010

**Originating Organization:** Citizens

**Document Received by SECY Date:** 2/1/2010

**Addressee:** Chairman Jaczko

**Date Response Requested by Originator:** NONE

**Incoming Task Received:** Letter

OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET

*Date Printed: Feb 01, 2010 15:21*

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**PAPER NUMBER:** LTR-10-0035 **LOGGING DATE:** 02/01/2010  
**ACTION OFFICE:** EDO

**AUTHOR:** Erik Layman  
**AFFILIATION:** CA  
**ADDRESSEE:** Gregory Jaczko  
**SUBJECT:** PG&E-s application to renew the operating license for the Diablo Canyon power plant

**ACTION:** Appropriate  
**DISTRIBUTION:** Chairman, Comrs

**LETTER DATE:** 01/22/2010  
**ACKNOWLEDGED:** No  
**SPECIAL HANDLING:**

**NOTES:**  
**FILE LOCATION:** ADAMS

**DATE DUE:** **DATE SIGNED:**

EDO --G20100067

1/22/10

Chairman Greg Jaczko  
c/o Annette L. Vietti-Cook  
Secretary of the Commission  
U.S. Nuclear Regulatory Commission  
Mail Stop O-16G4  
Washington, DC 20555-0001

Dear President Jaczko,

As a ratepayer and citizen of California I would like to bring to your attention the matter of PG&E's application to renew the operating license at the Diablo Canyon Nuclear Power Plant for an additional 20 years.

Over the past five years, our state regulators and legislators have been conducting in depth research into the costs, risks and benefits of continuing to rely on aging nuclear reactors located in highly seismic areas. The January 9, 2010 M6.5 earthquake off Humboldt County in northern California, and the more devastating quake in Haiti remind us that, in all these issues, "mother nature bats last." The news that none of the nuclear reactors at Kashiwazaka Japan are generating commercial electricity nearly two and a half years after an earthquake at that facility—along with a reported \$12 billion in repairs and replacement costs—has left us wary of neglecting seismic concerns.

Our California leaders have another reason to be concerned: the fragile condition of our local, national and personal budgets. Money is in short supply, and this state has once before been made a laughingstock of the nation during the energy fiasco of 2000. Therefore, we applaud the responsible efforts of this state to ensure reliable and affordable electricity. After carefully studying all issues that might result in a negative impact on state economics or the reliability of energy supplies, the California Energy Commission (CEC), California Public Utilities Commission (CPUC) and legislature (Assembly Bill 1632) required that certain studies be completed and reviewed *before* PG&E filed for a license renewal. PG&E ignored the state's requirements and filed with the NRC its application to operate Diablo Canyon for an additional 20 years in November 2009.

In the spirit of openness and transparency, we asks that the NRC put a stay on considering any aspects of the PG&E application until these seismic studies required by our state are completed. While the NRC may grant a license renewal to PG&E, it is our California Public Utilities Commission—looking out for our ratepayer interests—that grants PG&E the right to ask for that renewal. And it is clear from the 2007 decision of the CPUC that PG&E was to bring the results of these studies to the CPUC for consideration *before* applying for license renewal.

We are willing to work with the NRC to help expedite these seismic studies. As was evidenced from the recent example of the GEIS public meetings, when we Californians demanded that meetings be held in our communities, we attended—in numbers that exceeded any other meeting location. In addition, since budgets are extremely tight in all areas, spending either ratepayer or taxpayer dollars on NRC processes for PG&E's license renewal beyond addressing the seismic concerns, could prove a huge waste of money. If you do proceed, yet intractable seismic issues later arise, who will reimburse us for the money spent in areas that would then be irrelevant for further study and consideration?

Please try to give us evidence of the NRC's new policy of openness and transparency. Sending NRC representatives to meet with our local elected officials in private, before first asking the public for our concerns, does not reinforce this policy. Clearly the public's perception that the NRC will fairly decide whether or not can safely operate for twenty years beyond 2025 is in jeopardy. This perception problem can be easily and productively remedied. Working with the local and state representatives and agencies to resolve seismic concerns will go along way to improving the public's perception of the NRC's ability to be open and transparent and to make decisions based on current and factual seismic information.

Sincerely,

Erik Logman  
1582 Condova Drive, San Luis Obispo, CA 93405