

July 6, 2010

Ms. Rochelle Becker  
Alliance for Nuclear Responsibility  
P.O. Box 1328  
San Luis Obispo, CA 93406

Dear Ms. Becker:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of February 2, 2010. In the time since I received your letter, my staff has worked closely with staff in NRC's Region IV office to respond to your concerns. In order to better inform the local public about the NRC's continuing safety oversight, the staff plans to hold a public meeting in California in September to further discuss the NRC's role and actions regarding seismic issues.

In your letter, you requested that the NRC staff halt its review of the Diablo Canyon Power Plant, Units 1 and 2 (DCPP) license renewal application until State-requested seismic studies have been completed. The State, in this case, has separate requirements for seismic evaluations that stem from State laws and regulatory oversight for issues like electric grid reliability, electric ratemaking, and coastal land management. The NRC staff has coordinated with the State on issues related to its jurisdiction and will continue to do so.

At this time, it is not necessary for the NRC staff to delay the reviews it recently began of the license renewal application submitted by Pacific Gas and Electric (PG&E) for DCPP. PG&E submitted its application for the license renewal of DCPP in November 2009, within the timeframe allowed under NRC rules. The NRC staff then evaluated the application and found that it met the standards necessary to begin a formal review of the application. The NRC's safety and environmental review processes take a minimum of 22 months to complete.

It is important to note that this license renewal review will not affect the ongoing safety oversight process within which the NRC staff will continue to address seismic issues. The NRC staff is involved on a daily basis in monitoring and inspecting the operations at DCPP. By addressing seismic issues within the agency's continuing safety oversight of the power plant, the NRC staff is able to quickly respond to new information, as the agency demonstrated when it monitored the response by PG&E to the discovery of the Shoreline Fault.

Should information at any time now or in the future, regardless of whether the NRC is performing a license renewal review, show that there is a basis to question the continued safe operation of DCPP, the NRC will take the appropriate actions as part of the agency's ongoing safety oversight. The NRC staff will continue to monitor assessments of the Shoreline Fault and other seismic issues around DCPP and ensure that the power plant's safety systems remain capable of safely shutting the plant down in case of a seismic event.

Finally, your letter raised concerns about the NRC's openness and transparency in terms of the staff's outreach efforts during the DCPD license renewal review and during the ongoing update of NUREG-1437, "Generic Environmental Impact Statement for License Renewal of Nuclear Plants," also known as the GEIS. Regarding public outreach during the DCPD license renewal review, the NRC has held a total of four public meeting sessions on two different dates to answer the public's questions and to receive public comments about environmental issues. During these public meetings, the NRC staff presented information about license renewal and supplemented this information with a variety of background materials. I understand that members of your organization were able to participate in the meetings, and I also understand that the NRC staff made special accommodations so that you could present your comments by video during one of the environmental scoping sessions. Regarding the update to NUREG-1437, the NRC staff held public meetings as part of an ongoing public rulemaking process to update existing NRC guidance. During this process, NRC staff scheduled one meeting in each of NRC's four regions, as well as a webinar meeting from NRC headquarters. The NRC staff scheduled an additional public meeting in California to respond to stakeholder interest in the NUREG-1437 revision process.

I appreciate your time and interest in contacting the NRC. The NRC staff will contact you to ensure that your organization can be represented at the upcoming public meeting on seismic issues. The NRC staff will also contact representatives from the State of California regarding the upcoming meeting, to ensure that they are able to attend. Should you have additional questions about the DCPD license renewal review process or concerns about the oversight of the plant's safe operation, I invite you to contact Mr. David Wrona, Chief of Renewal Projects Branch 2 in the Division of License Renewal, at 301-415-2292.

Sincerely,

*/RA/*

Eric J. Leeds, Director  
Office of Nuclear Reactor Regulation

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Finally, your letter raised concerns about the NRC’s openness and transparency in terms of the staff’s outreach efforts during the DCPD license renewal review and during the ongoing update of NUREG-1437, “Generic Environmental Impact Statement for License Renewal of Nuclear Plants,” also known as the GEIS. Regarding public outreach during the DCPD license renewal review, the NRC has held a total of four public meeting sessions on two different dates to answer the public’s questions and to receive public comments about environmental issues. During these public meetings, the NRC staff presented information about license renewal and supplemented this information with a variety of background materials. I understand that members of your organization were able to participate in the meetings, and I also understand that the NRC staff made special accommodations so that you could present your comments by video during one of the environmental scoping sessions. Regarding the update to NUREG-1437, the NRC staff held public meetings as part of an ongoing public rulemaking process to update existing NRC guidance. During this process, NRC staff scheduled one meeting in each of NRC’s four regions, as well as a webinar meeting from NRC headquarters. The NRC staff scheduled an additional public meeting in California to respond to stakeholder interest in the NUREG-1437 revision process.

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Sincerely,

Eric J. Leeds, Director  
Office of Nuclear Reactor Regulation

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Letter to R. Becker from E. Leeds dated July 6, 2010

SUBJECT: DIABLO CANYON LICENSE RENEWAL

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Diablo Canyon Nuclear Power Plant  
Units 1 and 2

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- 2 -

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