

EDO Principal Correspondence Control

FROM: DUE: 08/09/10

EDO CONTROL: G20100460  
DOC DT: 07/19/10  
FINAL REPLY:

Representative Lois Capps  
Representative Bob Filner

TO:

Chairman Jaczko`

FOR SIGNATURE OF :

\*\* PRI \*\*

CRC NO: 10-0335

Chairman Jaczko

DESC:

Seismic Issues Surrounding Diablo Canyon Nuclear  
Power Plant (EDATS: SECY-2010-0378)

ROUTING:

Borchardt  
Weber  
Virgilio  
Ash  
Mamish  
OGC/GC  
Leeds, NRR  
Collins, RIV  
Haney, NMSS  
Burns, OGC  
Schmidt, OCA

DATE: 07/21/10

ASSIGNED TO:

CONTACT:

EDO

Rihm

SPECIAL INSTRUCTIONS OR REMARKS:

Please prepare response in accordance with OEDO  
Notice 2009-0441-02 (ML093290179). NRR, Region IV,  
and NMSS to provide input to Roger Rihm, OEDO, if  
required. Roger Rihm will coordinate response with  
OGC and OCA.

**EDATS Number:** SECY-2010-0378

**Source:** SECY

## General Information

**Assigned To:** OEDO

**OEDO Due Date:** 8/9/2010 11:00 PM

**Other Assignees:**

**SECY Due Date:** 8/11/2010 11:00 PM

**Subject:** Seismic Issues Surrounding Diablo Canyon Nuclear Power Plant

**Description:**

**CC Routing:** NRR; RegionIV; NMSS; OGC; OCA

**ADAMS Accession Numbers - Incoming:**  
ML102030266

**Response/Package:** NONE

## Other Information

**Cross Reference Number:** G20100460, LTR-10-0335

**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

**Sensitivity:** None

**Signature Level:** Chairman Jaczko

**Urgency:** NO

**Approval Level:** No Approval Required

**OEDO Concurrence:** YES

**OCM Concurrence:** NO

**OCA Concurrence:** NO

**Special Instructions:** Please prepare response in accordance with OEDO Notice 2009-0441-02 (ML093290179). NRR, Region IV and NMSS to provide input to Roger Rihm, OEDO, if required. Roger Rihm will coordinate response with OGC and OCA.

## Document Information

**Originator Name:** Rep. Lois Capps & Rep. Bob Filner

**Date of Incoming:** 7/19/2010

**Originating Organization:** Congress

**Document Received by SECY Date:** 7/21/2010

**Addressee:** Chairman Jaczko

**Date Response Requested by Originator:** NONE

**Incoming Task Received:** Letter

OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET

Date Printed: Jul 21, 2010 10:11

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**PAPER NUMBER:** LTR-10-0335 **LOGGING DATE:** 07/21/2010  
**ACTION OFFICE:** EDO

**AUTHOR:** REP Lois Capps  
**AFFILIATION:** CONG  
**ADDRESSEE:** Gregory Jaczko  
**SUBJECT:** Seismic issues surrounding the Diablo Canyon nuclear power plant

**ACTION:** Signature of Chairman  
**DISTRIBUTION:** RF, OCA to Ack

**LETTER DATE:** 07/19/2010  
**ACKNOWLEDGED:** No  
**SPECIAL HANDLING:** Commission Correspondence

**NOTES:**  
**FILE LOCATION:** ADAMS  
**DATE DUE:** 08/11/2010 **DATE SIGNED:**

EDO --G20100460

**Congress of the United States**  
**Washington, DC 20515**

July 19, 2010

The Honorable Gregory B. Jaczko  
Chairman  
U.S. Nuclear Regulatory Commission  
Mail Stop O-16G4  
Washington, DC 20555-0001

Dear Chairman Jaczko:

We are writing to make you aware of efforts underway in our state to gather and analyze the most current data on the seismic issues surrounding the Diablo Canyon Nuclear Power Plant (DCNPP). We are also concerned with the NRC's evaluation of a newly discovered earthquake fault offshore of DCNPP that is based on a preliminary report that uses information gathered in the past.

Our state regulatory agencies have a responsibility for maintaining both the reliability and economic viability of California's energy planning strategies, along with concerns for protection of health, safety and security. Moreover, the legislature has mandated that a new, updated seismic study using advanced methods be undertaken for the DCNPP area, and has made completion of these studies in a timely fashion a requirement for any state processes that affect relicensing of the DCNPP.

We specifically ask the NRC to collaborate with our state's regulatory agencies and create a joint panel to review—upon their completion—the seismic studies requested of the utility by our state regulators and legislature. In recent years, the California Energy Commission (CEC) has facilitated similar panels when deliberating on energy planning and nuclear policy issues, which also included participation of federal agencies such as the NRC and the U.S. Department of Energy. To assist with their most recent seismic vulnerability assessment, the CEC formed a Seismic Vulnerability Advisory Team made up of seismic safety experts from California's Seismic Safety Commission, California Geological Survey, and the California Coastal Commission. It is likely that a similar team could be assembled for the proposed joint review panel.

The CEC, the California Public Utilities Commission and the California Coastal Commission have all filed comments in the DCNPP license renewal proceedings, indicating that many seismic uncertainties remain unstudied and unresolved. The urgency of resolving the state's seismic concerns necessitates the formation of a joint

review panel made up of experts and we urge the NRC to take immediate steps to ensure it has the tools and resources it needs.

Thank you for your attention to this request.

Sincerely,



LOIS CAPPS  
Member of Congress



BOB FILNER  
Member of Congress