

J. B. Micallef

1633 Anacapa Street
Santa Barbara, CA 93101

January 18, 2012

Ms. Annette L. Vietti-Cook
U. S. Nuclear Regulatory Commission
Washington, DC 20555-0001

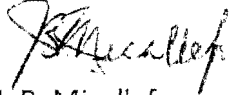
RE: Diablo Canyon Nuclear Power Plant

Dear Ms. Vietti-Cook:

Thank you for your legalese letter of December 22, 2011 in response to my letter of concerns pertaining to the safety of extending the operation of Diablo Canyon Nuclear Power Plant. In your letter, you note "...On June 7, 2011, the Board notified the Commission that until these seismic studies have been completed the adjudication will be delayed...The Board estimates that the delay could be approximately 52 months..."

I interpret that to mean that in approximately 52 months, the processing of the operational certification extension for Diablo Canyon will proceed as if there were no existing geologic faults running near or through the facility property.

Sincerely,



J. B. Micallef

NRC FORM 8B
(7-94)
NRCMD 3.57

BACKGROUND AND SIGNATURE TAB
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THE BACKGROUND MATERIAL
WHEN ASSEMBLING CORRESPONDENCE
(USE REVERSE SIDE FOR SIGNATURE TAB)



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555-0001

December 22, 2011

SECRETARY

J.B. Micallef
1633 Anacapa Street
Santa Barbara, CA 93101

SUBJECT: DIABLO CANYON NUCLEAR POWER PLANT

Dear Mr. Micallef:

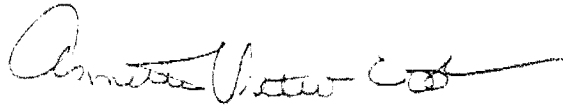
On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of October 31, 2011, to Chairman Gregory B. Jaczko in which you expressed concerns about the safety of extending operation of Diablo Canyon Nuclear Power Plant (Diablo Canyon). In particular, you requested that the NRC reject the request to renew Diablo Canyon's license on the basis of safety. The issues raised in your letter included: Diablo Canyon's proximity to geological fault lines, the extended exposure of the reactors to the products of nuclear reaction, and reaction to the Fukushima event.

Under Commission regulations, the Commission has an adjudicatory role in the Diablo Canyon license renewal proceeding. An appeal of an Atomic Safety and Licensing Board (Board) decision regarding consideration of Fukushima in that proceeding is currently pending before the Commission. In addition, currently pending before the Board is an issue relating to geological fault lines that may ultimately come before the Commission in its adjudicatory capacity. Therefore, it would be inappropriate while the case is pending for the Commission to address your specific concerns about the consideration of the Fukushima accident or seismic issues in the NRC's license renewal process.

With respect to the status of the proceeding, please note that on May 31, 2011, the NRC staff responded to PG&E's letter dated April 10, 2011 (Agencywide Document Access and Management System [ADAMS] Accession No. ML11138A315). As a result of PG&E's requested deferral of issuance of renewed operating licenses for the Diablo Canyon nuclear power plants, the NRC staff has updated the staff's review schedule and milestones to reflect the delays in the license review process associated with the projected completion of the seismic studies and the Coastal Zone Management Act coastal consistency certification. While the staff review schedule delays are not a stay or suspension of the license renewal process, the revised review schedule allows for the time to consider information associated with the anticipated 3-D seismic studies. On June 7, 2011, the Board notified the Commission that until these seismic studies have been completed the adjudication will be delayed (ADAMS Accession No. ML111580337). The Board estimates that the delay could be approximately 52 months. This is consistent with the staff's revised licensing schedule.

Please be assured that should information at any time show that there is a basis to question the continued safe operation of the Diablo Canyon facility, the NRC will take appropriate action as part of the agency's ongoing safety oversight.

Sincerely,

A handwritten signature in black ink, appearing to read "Annette Vietti-Cook", with a long horizontal flourish extending to the right.

Annette L. Vietti-Cook

J. B. Micallef

1633 Anacapa Street
Santa Barbara, CA 93101

October 31, 2011

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

RE: Diablo Canyon Nuclear Power Plant – California

Dear Dr. Jaczko:

The Pacific Gas & Electric Company (PG&E) Diablo Canyon Nuclear Power Plant, located on the coast line of central California, has been licensed and in operation since 1985. The two reactors, units 1 and 2, are licensed to operate until 2024 and 2025 respectively. At that time, assuming uninterrupted operation, the two units will have been bombarded by nuclear reaction for 40 years.

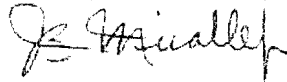
The PG&E Diablo Canyon Nuclear Power Plant is very close to thirteen geological fault lines, and I understand that one fault line goes up and under Reactor No. 1. With this in mind, PG&E is positioning itself to extend the operating permits for another twenty years beyond the current operating permits which expire in 2024 and 2025. If the permits are extended for 20 years, and the units continue operating, that means that the reactors would be bombarded by nuclear reaction for 50 years.

The recent occurrence at the Japanese Fukushima nuclear plant should be a wake-up call to PG&E, the NRC, and the world at large. The German government has seen the light, and is in the process of not renewing any nuclear power plant permits.

I urge you, as the head of the NRC, to reject the PG&E request for the extension of the Diablo Canyon Nuclear power plant on the basis of safety. We on the central coast of California live in the path of the death plume that would emanate from a nuclear disaster at PG&E's Diablo Canyon power plant.

As a side note, my discussion does not even address the safety and security problems of the waste created by the Diablo Canyon nuclear plant and its (perpetual) on-site storage.

Sincerely,

A handwritten signature in black ink, appearing to read "J. B. Micallef". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

J. B. Micallef

cc: The Hon. Dianne Feinstein
The Hon. Barbara Boxer
The Hon. Lois Capps