

J. S. Carstens
2071 Caminito Circulo Norte
Mt. La Jolla, California 92037

Telephone
714-454-1847

February 20, 1979

Commissioner Victor Galinsky
Nuclear Regulatory Commission
Washington, D.C.

Dear Mr. Galinsky:

I read your speech of January 16, 1979 at A.I.F. Forum in Las Vegas, Nevada, entitled, Activating the NRC. I was quite surprised at the contents and now believe you are doing a great service in leading the NRC along a better path. I am hopeful that the President will realize this and reappoint you as we sorely need men of your honesty at last running the NRC. I read your other speeches and after the long periods of secrecy, lying, and withholding of facts from the Congress and the American people, it is most refreshing. I also commend the two newest members of the Commission.

My credentials are explained in the attached interview with the San Diego Tribune. I am not a radical but a very concerned citizen on nuclear power. In fact, I was Republican up to Nixon, now I am Independent. I have never been arrested, I am in good financial condition. I do not owe any income taxes but have paid an awfully lot in my business career. I am retired and spending all my time with a competent environmentalist attorney opposing the operating permit for San Onofre 2 and 3. I have fought San Onofre 2 and 3 from the Coastal Commission Hearings and permit through all the courts to stop construction and now the operating permit at a cost of over \$35,000.00 to myself and my wife with no other contributors.

Today San Onofre 2 and 3 would never be approved as a site for a nuclear plant. Fronting on Route 5, the main freeway from the north to San Diego and Mexico, on the ocean side fronting on a State Park, and in an earthquake area on a coast riddled with faults, extremely hazardous to marine life, with a very limited evacuation route, in the midst of the fastest growing population in California, and right next to an obsolete plant built without earthquake criteria.

Point 1: Earthquake Situation.

We enclose letters on the earthquake issue which are self explanatory. When we think of the billions of dollars wasted annually by an inefficient Federal Government and Congress, it is incomprehensible that the U.S. Geologic Survey claims they cannot afford a few thousand dollars to make an independent and thorough study of the land and ocean within 50 miles all around the plant to determine if any unknown live faults exist. We know the Hosgrei, Inglewood, Rose Canyon, Baja faults are continuous as acknowledged by the USGS. Several earthquakes of 3, 4, and 5 on the Richter scale including a recent Santa Barbara 1978, Sylmar 1971, plus bulges in the San Andreas fault and others we have mentioned are seismic matters to further consider. At present we only have the opinions of Southern California Edison's paid geologists, their so-called consultants and what we consider NRC geologists without intimate knowledge of the area.

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Page Two

I assume NRC does not want another Diablo Canyon, Bodega Bay, or Vallecitos reactor experience. These were the result of incompetence (and in San Diablo dishonesty of the Utility), incomplete information furnished NRC by the company or utility and lack of USGS independent studies. We object vigorously to the agreement between NRC and USGS which grossly reflects the public interest. This agreement must be cancelled. We do not contend that USGS should study every site but in the California Coastal Zone, riddled with earthquakes, it is imperative to assure the public of the safety of the reactors 2 and 3 in this increasingly populated area. If this is not done and an earthquake occurs with great loss of life and property, you can be sure that the NRC will be held fully responsible.

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I enclose our critique of the E.I.R. issued recently by the NRC. It speaks for itself. It is difficult to believe that a presumably competent staff prepared the E.I.R. ignoring all these important matters. The staff obviously expects to jam this through as usual. Needless to say it does not square with the concern for the public interest and the responsibilities you speak of in your speech. It overrides anything that is inconvenient or which may hinder an operating license.

Point 3: Appropriation of Beach at San Onofre State Park.

I enclose articles on this beach infringement. Your Review Board called it "De Minis" ignoring the Coastal Commission Permit which specifically stated the public must have full access. State law and the California Constitution likewise requires full access for all citizens not partial access. Your attorney told us it was not an NRC concern because of the Coastal Commission Permit. After over a year of stalling by Edison against a new hearing if this is not done it will force us to sue to prevent this infringement.

Point 4: Marine Study.

Note articles enclosed regarding excess temperature at the outlet. Your attorney Mr. Larry Chandler stated in the Pre-Hearing Conference that the consequences of illegal temperature discharge was a Non-Issue and no concern of NRC but was the responsibility of the Coastal Commission and a permit issued by them to Edison. In other words, the NRC doesn't care about the admitted damage or actual destruction of the kelp beds or the greater destruction of marine life to be caused by this excess temperature. Some sense of responsibility!

Point 5: Interim Statement on Rule-making Policy NUREC-0499.

These comments on general policy for rule-making by Marc Messing of the Environmental Policy Center are interesting to read and should be to you because: -
a. 2) "Of two dozen individuals involved in nuclear licensing proceedings and policy issues only One was aware of the Interim Policy Statement". In the event the commissioners were not aware of it I thought I should let you know about it. It makes me wonder who makes policy at NRC. Please note the comments, in very polite language, of the lack of thinking, experience, judgement by the persons who prepared this document. Thus vast decisions are made in the NRC bureaucracy.

Point 6: Decommissioning.

I ordered a Battelle study and appendixes on decommissioning, a subject which has been ignored by NRC and utilities since the beginning of nuclear power. As a taxpayer I would be interested to know how many hundred thousands of dollars have been wasted on this so-called study. They tell us what everone knows; that is the very methods of decommissioning, not how to do it because nobody has ever decommissioned a 1000 megawatt nuclear reactor. They use an absurd 39 million cost. Utility executives estimate to decommission Bodega Bay, a small reactor, will equal its own cost. Experts believe cost will equal initial cost of reactor if reactor has to be entombed and then dismantled and transported away. The utilities advocate entombment because it is cheaper. If you think the American people are going to stand for leaving a radioactive reactor standing indefinitely or even for 100 years recommended you don't know the mood of the people on atomic plants in their neighborhood. This will be particularly true of San Onofre 2 and 3 in the midst of an explosive population growth.

The truth is we have plunged ahead with pressure from the old AEC, greedy companies like Westinghouse, General Electric and other manufacturers with no oversight and ignorant members of Congress, until recently, with pressure from utilities who thought they had a gold mine, with financial interests who would make millions off of financing the plants, and its suppliers, etc, and now we find the utilities don't want to pay the piper as per the report the consumer is going to pay for the waste, the decommissioning, the increasing costs of uranium, the increasing cost of building new reactors, the inflation and high interest rates, etc. When all this comes home to roost I hate to predict the result.

Waste Problem.

Dr. Deutsch has now pushed to 1995 when we might find a long-term, safe solution. The AEC, the Congressmen, the powerful establishments such as the Rockefeller interests, the nuclear industry, all have a lot to answer for, so that I think you are right that the NRC had better put its house in order. The Board has told us that waste and decommissioning are going to be rule-making. This may take a year or two. They do not plan to consider it before the operating permit but both these items and the tremendous uranium cost increase, strongly affect the cost benefit ratio and really make it meaningless, but you can bet they are not going to do anything about that either.

Point 7:

The Commissions repudiation of the Rasmussen report took a lot of courage on the part of the Commission and is highly commended; however, the fault tree methodology and the computer models are useless in assessing the degree of safety or risk a reactor with the factors of human error (not consider in Rasmussen) quality assurance, poor workmanship, poor quality of manufacture of components, no real supervision of construction by NRC and many other factors.

We also commend the Commission on the long overdue new realities on evacuation areas as recently announced. In our Hearings, Edison said they had no concern beyond 1.9 miles beyond the reactor perimeter. Can you imagine such irresponsibility?

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I would like to make a comment on San Diablo Canyon. Please note enclosed article. It now appears your weak chairman of the Review Board will approve going ahead with the plant even though the so-called strengthening will do no good as stated. I think the commission must consider that if you gave them an operating permit, in spite of the obvious danger, and an earthquake occurred releasing dangerous radiation with great loss of life and property this would thoroughly discredit the NRC for good. In addition, you would pay one hundred million or more to decommission the plant because if you once start it up you have activated the plant and it can not just be torn down like any gas or coal plant. It takes honesty and courage to bite the bullet and from the past course and knowledge of this Board they just haven't got it.

I would like one more comment and that is that I now realize that it is a rigged game to intervene. NRC and Edison have plenty of lawyers and money, the intervenors have to pay their own hard earned dollars and cannot afford the legal witnesses, depositions and other costs. The funding of the intervenors in the Licensing Bill is absolutely necessary if the public is going to be represented and protected. Very few people can afford to intervene.

I have made extra copies of this letter for the other commissioners and after you have studied it and the supporting material I would appreciate your photo-stating the supporting material and giving it to them with the letter. In all these years I have never written the AEC or NRC because I thought it was useless but now I felt it was necessary particularly in view of the arbitrary way in which our intervention is being treated by the NRC. If you brush it all aside then we will know the NRC is still doing the same old thing of ignoring legitimate and honest criticism.

Sincerely,



A. S. Carstens

asc:nas
Encl.

A. S. CUTTERNS

ONE MANS NUCLEAR DREAM
TARGET: SAN ONOFRE

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15 County 8 Parts - 132 Pages

Thursday, May 10, 1978

San Diego, California

THE IRISH QUARTET

Evening

11:30 PM

BY BOB DORN

On the desk in the study of his Muirlands home in La Jolla, August S. "Bill" Carstens keeps a Ralph Waldo Emerson quote:

"Nothing is at last sacred but the integrity of your own mind."

Carstens, at 73, may seem rather old to be tilting at the windmills of the nuclear establishment. But that's where the concerns that burden his own mind have led him.

He's chosen to wander in the deep thickets of a world in which the signposts are marked with words like "critical mass" and "tremors" and in which agencies and institutions with names like ERDA and NRC and SCE are the far-off si-

lentions.

But at the moment — four years and \$25,000 in lawyers' fees after he began a series of legal skirmishes — Carstens can contemplate some doubts he has made in the San Onofre nuclear power project up the coast from his home.

The state Coastal Commission last month sent Southern California Edison Co. a letter requiring a new hearing on expansion of the plant — a hearing that could open up the question of whether the entire project is a violation of SCE's construction permit and the California Constitution.

It was Carstens' pressure on the commission that produced the April 10 decision.

"I'm not so dumb or optimistic as to think we'll be able to stop construction," says Carstens. "But I do think we can make the utilities responsible."

That makes this relatively stodgy insurance expert who once had his own Washington, D.C., back-mouthing "all the big business guys playing ball with the utilities?"

People think I'm taking a radical stance. I'm not a radical, but I am radical about people's rights. We're only 50 miles from that site and in the event of a meltdown, this town would be wiped out.

"I don't want those utilities and

government up there somewhere saying, 'We know best and don't ask us any questions.'"

Carstens' indignation, the yards of books in his back room on alternate technologies, on the DNA controversy, on natural medicine, on politics and government and his interest in wilderness protection — all of these make him a card-carrying environmentalist. But there is one significant difference.

"Most environmentalists don't have any money," Carstens says.

In the late 1920s, Carstens graduated from Baltimore Pace Institute in accounting and insurance and took a job in Los Angeles with John

Nuclear

CONTINUED FROM PAGE B-1

ter how far away they originate and for what reasons.

"And every commercial policy has a clause like that, too," Carstens says.

Carstens will argue tirelessly against nuclear energy. He brushes aside assertions made by nuclear proponents who say reactors offer an available, immediate energy source to meet the shortage created by a dwindling world supply of fossil fuel.

Like other environmentalists he believes not enough research has been applied to development of alternative energy sources, such as solar and hydrothermal energy. But he goes even further.

He says that part of his purpose, in fact, is to stall nuclear development enough to force more research into the alternative energy sources.

Carstens cites arguments against nuclear plant safety. Actuarial studies on the entire industry never looked at the transport of fuel or methods of waste disposal, he says, and there have been plant accidents.

And he'll talk about the rising costs of building and operating plants. "A nuclear plant costs now two to three times more than what it did five or six years ago. In the last five years uranium has gone up from \$7 to \$40 a pound, the price of power has gone from 4 cents to 17 cents a kilowatt."

But again and again he returns to his central obsession, his belief that the power to fix nuclear-energy policy is held by a narrow group of corporations and public officials who don't have to report to the public.

"You've gotta be a professor of nuclear engineering, or a Ph.D. in chemistry to testify at hearings," he says.

And, "When the AEC (Atomic Energy Commission, which several years ago was split into the Nuclear Regulatory Commission and the Energy Research and Development Administration, which is not to be confused with the Federal Energy Administration) was dominated by the House and Senate, the Senate and House — get this — never had

Hancock Mutual Insurance Co. The company eventually made him its expert on then-new group insurance and pension plans and moved him successively to Kansas City and Detroit.

He was making a name for himself, but he quit Hancock "because I got tired of working on salary." He opened his own firm in Detroit, then moved on to Washington, investing his earnings and building his reputation until he became the American College of Life Underwriters' chief group-insurance authority.

"I wasn't flogging sales door to door. I had time to read. I always had an open mind. I tell you, politics

is what I've been interested in all my life, and how government works." By 1971, after 40 years in the business, Carstens was ready to leave the normal workaday world and he sold his Washington firm. He and his wife, Rose, bought the house in La Jolla for their retirement.

"I had hoped things would get dull for a change," Mrs. Carstens says with a sigh. Instead, first Bill Carstens, and then she, grew outraged to learn of the nuclear machine to the north that threatened their garden.

"This house and every house on the block is insured," says the insurance man turned anti-nuke crusader.

ef. "But if you read your own (horrorshow's) policy you'll find there's a clause that says if the house becomes uninhabitable because of radiation you won't collect a nickel."

And sure enough, while he sits in his small back room amidst the boxes of trial transcripts and government reports and file cabinets filled with nuclear newsletters and newspaper clippings, Carstens pulls out his homeowner's policy.

Under the exclusions section is a long paragraph excluding from coverage all damage from nuclear explosions and fallout clouds, no matter

See NUCLEAR, B-4

hearings on the use of atomic energy.

"I've got that on record. So for 25 years nobody interfered with them."

And, finally, "Nuclear power plants are not economical and the public won't know it until after they're built."

As he talks, Carstens leans back in his chair, shutting his eyes at times to haul from his memory statistics and findings, then jumps up to his files to get the printed material to back them up.

He is a mixture of information and raw energy and feeling.

He says that when he retired, he drew up a list of problems he felt were the world's most crucial. He eliminated disarmament and overpopulation as being beyond the scope of his influence. He thought he could restrain nuclear power.

"My kids (he has two) are adults and they're doing wonderfully," Carstens says. "Rose and I decided we would raise them and put them through college and that we would owe them nothing after that."

"Now I feel free to spend the money whatever way I think it will do the most good."

"The smartest thing a guy can do when he retires is get involved in something that's bigger than he is. When you feel you're doing something worthwhile, you generate energy. People who don't have anything to do get tired."

The focus, in particular, of much of Carstens' energy and effort is the nuclear power plant at San Onofre, the generating station sitting along the coast just south of San Clemente on the northern edge of Camp Pendleton. The plant's first unit has been operating since 1968. Units two and three, now under construction, are scheduled for completion in the early 1980s.

Eighty percent of the energy generated at San Onofre goes to SCE customers in 17 California counties. And 20 percent of the San Onofre energy goes to San Diego Gas and Electric Co. for distribution to its customers.

Right now, Carstens' battle plan against San Onofre appears to have made substantial headway. It's based on 1973 and 1974 promises made by the utilities which included restoring the beachfront to public use after units two and three are completed.

In their joint final environmental statement filed with the Coastal Commission and the Nuclear Regulatory Commission, the two utility companies in partnership at San Onofre stated: "Use of the beach will not be restricted after construction is complete."

The construction permit issued by the Coastal Commission reads: "Upon completion of the erosion control and canyon stabilization plan, the applicants (SCE and SDG&E) shall allow full and uninterrupted public access to the beach, bluff and canyon area that is to remain in its present condition."

But shortly after SCE and SDG&E agreed to the beach-access guarantees, the NRC developed objections to the idea of people swimming and sunbathing a few hundred yards from the reactors. The two utilities were told to come up with a plan to keep people out of the area.

They did, and it was approved by the NRC last September.

The plan calls for the erection of one chain-link fence at the south end of the plant and one at the north end, both of which will extend at right angles to the sea down to the mean high-tide line.

At low tide only, people will be able to walk around the last fence posts on the seaward end of the fences. At high tide, the fences will meet the water and access will be gained only by swimming.

But whether they swim or walk to it, people won't be able to use the entire beach, according to the NRC-blessed plan.

The utilities are defending the plan against complaints that the state Constitution is being violated by saying that they promised to provide access only to the portion of the beach that is west, or seaward, of the mean high-tide line. The federal government owns the dry part of the beach, and can do whatever it wants to block access to it, goes the argument.

Carstens' lawyer, Richard Wharton, argues that nowhere in the 1973 and 1974 documents, or in hearings transcripts, did the two companies make such a distinction.

That, among other things, is what Wharton wrote the commission after the exclusion plan gained NRC approval last September.

Carstens has a way of simplifying the issue. "When they said there would be full access to the beach, that meant full access. It doesn't mean anything else."

The Coastal Commission staff got the drift of the Wharton and Carstens argument, asked for and got a rejoinder from SCE attorney David Pigott, and then found in favor of the environmentalists.

The commission's new executive director, Michael Fisher, decided that the exclusion plan was not authorized by the construction permit. On April 10 this year he told the two utilities to return to the commission for a hearing on amending the conditions of the permit.

Carstens believes a new hearing could subject the entire expansion project, units two and three, to reconsideration.

"An amendment application would involve a look at the Coastal Act," says Stephanie Hoppe, lawyer for the commission. "It would raise the question, 'Does the amendment make the project inconsistent with the Coastal Act?'"

The two utilities have not decided yet to comply with Fisher's request for an application amending the permit, according to Pigott.

And Pigott will not address the

question of apparent inconsistencies between the "full access" statements of several years ago and the more complicated division of the beach the utilities are claiming this year.

"We have not responded and we're not prepared to comment now," he says.

But Pigott does talk quite openly about the utilities' — and the NRC's — desire to discourage all use of the beach, both above and below the mean high-tide line.

"We're looking at minimizing the number of people in the plant area.

"If people can't put their blankets down on that dry-sand area, we'll minimize the number of people who will find the beach area attractive," Pigott says.

Pigott anticipates that when construction is completed (the beach is now a staging area for heavy equipment and unusable under the construction permit guidelines) people may have trouble understanding where they should or shouldn't be.

If they should trouble to walk around the fence, but then walk toward the reactors and onto dry sand, "they would be advised to leave, possibly by a security guard or by loudspeaker, whatever would be reasonable."

No one, neither Pigott, Hoppe, nor Wharton, seems to know what will happen if the utilities choose to ignore Fisher's request for an amended plan application. Or they aren't saying.

But Carstens is going to continue the fight, any way he can.

"I've been fighting this since 1973, and I'm not about to roll over and play dead now."

"I certainly admire the man," says Lloyd von Haden, the Vista councilman who was one of the earliest opponents of San Onofre and who once asked Carstens for more money during an earlier court battle.

"He's been pretty much all by himself and the main contributor of money. I have as much dedication, but not as much money."

Carstens is ready to recruit or join any group.

"I've attended meetings of the Abalone Alliance (a mainly student group from UCSD which, with students from other schools, last year fielded a demonstration of 800 at San Onofre).

"They're agin' it, but they don't know anything. I told them they'd have to really know nuclear power in order to feel against it."

But Carstens says he understands why most people are not nearly as concerned with nuclear hazards as he is.

"They don't have time to read. Students don't and businessmen don't. But this is my full-time job."

Still, it gets lonely and frustrating for him.

"You know, in all this time, nobody has ever called me up and said, 'Mr. Carstens, you're doing a wonderful job, can I be of any help?' People can be so stupid, so shortsighted."



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

May 2, 1979

5/2/79



Mr. A. S. Carstens
2071 Caminito Circulo Norte
Mt. La Jolla, CA 92037

In the Matter of
SOUTHERN CALIFORNIA EDISON COMPANY, ET AL.
(San Onofre Nuclear Generating Station, Units 2 and 3)
Docket Nos. 50-361 OL and 50-362 OL

Dear Mr. Carstens:

Your letter of February 20, 1979, to Commissioner Victor Gilinsky has been referred to me for reply. As a member of the Commission, it may be necessary for Commissioner Gilinsky to consider the merits of the San Onofre Nuclear Generating Station, Units 2 and 3, proceeding, and it would, therefore, be inappropriate for him to address the matters you raise at this time. Additionally, for this reason, I must also point out that since you are a party to the ongoing licensing proceedings and thus precluded by 10 CFR §2.780 from submitting off the record to the Commissioners "any evidence, explanation, analysis or advice ... regarding any substantive matter at issue in [the] proceeding ...," we would appreciate your directing any further submissions of this nature to your attorney for filing, when appropriate, on the proceeding record with service upon all parties.

Regarding the points raised in your letter, Point 1: Earthquake Situation, will be addressed in the Staff's Safety Evaluation Report, currently in preparation. For your additional information, the NRC Staff has been consulting with the U.S. Geological Survey throughout its review of the site geology and has, in fact, formally requested its assistance in the review of the seismology portion of the application.

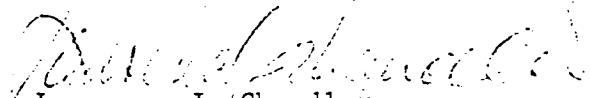
Point 2: Critique of E.I.R., Point 3: Appropriation of Beach at San Onofre State Park, Point 4: Marine Study, and Point 6: Decommissioning and Waste Problem raise matters which will, in fact, receive appropriate consideration in the Staff's Final Environmental Statement which is now being prepared. I would note, without elaboration, that you appear to have misunderstood my statements regarding the Staff's position on the marine study set out in your Point 4, as a review of the Prehearing Conference transcript (pp.572-573, 574, 576, 579-580) will clearly reveal. Similarly, your statement in Point 3, that I said that beach access is not a concern to the Staff, is in error. As noted above, it is a concern and will be addressed in the Final Environmental Statement. However,

the legal question of access as you seek to raise the matter, is fundamentally a concern within the State of California's jurisdiction and not the NRC's.

Point 5: Interim Statement on Rulemaking Policy NUREG-0499, and Point 7:, which relates to the Rasmussen Report and emergency planning do not present matters warranting reply except to note that the issue of emergency planning will be dealt with in the Safety Evaluation Report and is, as you know, an admitted contention in the licensing proceeding.

Your concerns and views are appreciated and I will forward your letter to the Staff for its further consideration.

Sincerely,



Lawrence J. Chandler
Counsel for NRC Staff

cc w/incoming:
Service List

7. 5

A. S. Carstens
2071 Caminito Circulo Norte
Mt. La Jolla, California 92037

Telephone
714-454-1847

February 20, 1979

Commissioner Victor Galinsky
Nuclear Regulatory Commission
Washington, D.C.

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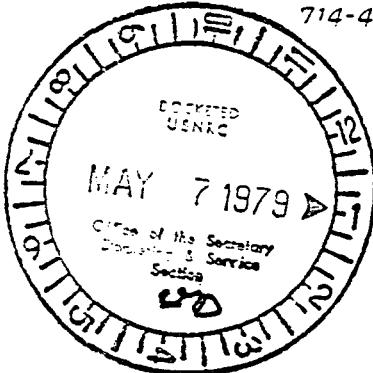
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Point 6: Decommissioning.

I ordered a Battelle study and appendixes on decommissioning, a subject which has been ignored by NRC and utilities since the beginning of nuclear power. As a taxpayer I would be interested to know how many hundred thousands of dollars have been wasted on this so-called study. They tell us what everone knows; that is the very methods of decommissioning, not how to do it because nobody has ever decommissioned a 1000 megawatt nuclear reactor. They use an absurd 39 million cost. Utility executives estimate to decommission Bodega Bay, a small reactor, will equal its own cost. Experts believe cost will equal initial cost of reactor if reactor has to be entombed and then dismantled and transported away. The utilities advocate entombment because it is cheaper. If you think the American people are going to stand for leaving a radioactive reactor standing indefinitely or even for 100 years recommended you don't know the mood of the people on atomic plants in their neighborhood. This will be particularly true of San Onofre 2 and 3 in the midst of an explosive population growth.

The truth is we have plunged ahead with pressure from the old AEC, greedy companies like Westinghouse, General Electric and other manufacturers with no oversight and ignorant members of Congress, until recently, with pressure from utilities who thought they had a gold mine, with financial interests who would make millions off of financing the plants, and its suppliers, etc, and now we find the utilities don't want to pay the piper as per the report the consumer is going to pay for the waste, the decommissioning, the increasing costs of uranium, the increasing cost of building new reactors, the inflation and high interest rates, etc. When all this comes home to roost I hate to predict the result.

Waste Problem.

Dr. Deutsch has now pushed to 1995 when we might find a long-term, safe solution. The AEC, the Congressmen, the powerful establishments such as the Rockefeller interests, the nuclear industry, all have a lot to answer for, so that I think you are right that the NRC had better put its house in order. The Board has told us that waste and decommissioning are going to be rule-making. This may take a year or two. They do not plan to consider it before the operating permit but both these items and the tremendous uranium cost increase, strongly affect the cost benefit ratio and really make it meaningless, but you can bet they are not going to do anything about that either.

Point 7:

The Commissions repudiation of the Rasmussen report took a lot of courage on the part of the Commission and is highly commended; however, the fault tree methodology and the computer models are useless in assessing the degree of safety or risk a reactor with the factors of human error (not consider in Rasmussen) quality assurance, poor workmanship, poor quality of manufacture of components, no real supervision of construction by NRC and many other factors.

We also commend the Commission on the long overdue new realities on evacuation areas as recently announced. In our Hearings, Edison said they had no concern beyond 1.9 miles beyond the reactor perimeter. Can you imagine such irresponsibility?

February 20, 1979
Page Four

I would like to make a comment on San Diablo Canyon. Please note enclosed article. It now appears your weak chairman of the Review Board will approve going ahead with the plant even though the so-called strengthening will do no good as stated. I think the commission must consider that if you gave them an operating permit, in spite of the obvious danger, and an earthquake occurred releasing dangerous radiation with great loss of life and property this would thoroughly discredit the NRC for good. In addition, you would pay one hundred million or more to decommission the plant because if you once start it up you have activated the plant and it can not just be torn down like any gas or coal plant. It takes honesty and courage to bite the bullet and from the past course and knowledge of this Board they just haven't got it.

I would like one more comment and that is that I now realize that it is a rigged game to intervene. NRC and Edison have plenty of lawyers and money, the intervenors have to pay their own hard earned dollars and cannot afford the legal witnesses, depositions and other costs. The funding of the intervenors in the Licensing Bill is absolutely necessary if the public is going to be represented and protected. Very few people can afford to intervene.

I have made extra copies of this letter for the other commissioners and after you have studied it and the supporting material I would appreciate your photo-stating the supporting material and giving it to them with the letter. In all these years I have never written the AEC or NRC because I thought it was useless but now I felt it was necessary particularly in view of the arbitrary way in which our intervention is being treated by the NRC. If you brush it all aside then we will know the NRC is still doing the same old thing of ignoring legitimate and honest criticism.

Sincerely,



A. S. Carstens

asc:nas
Encl.

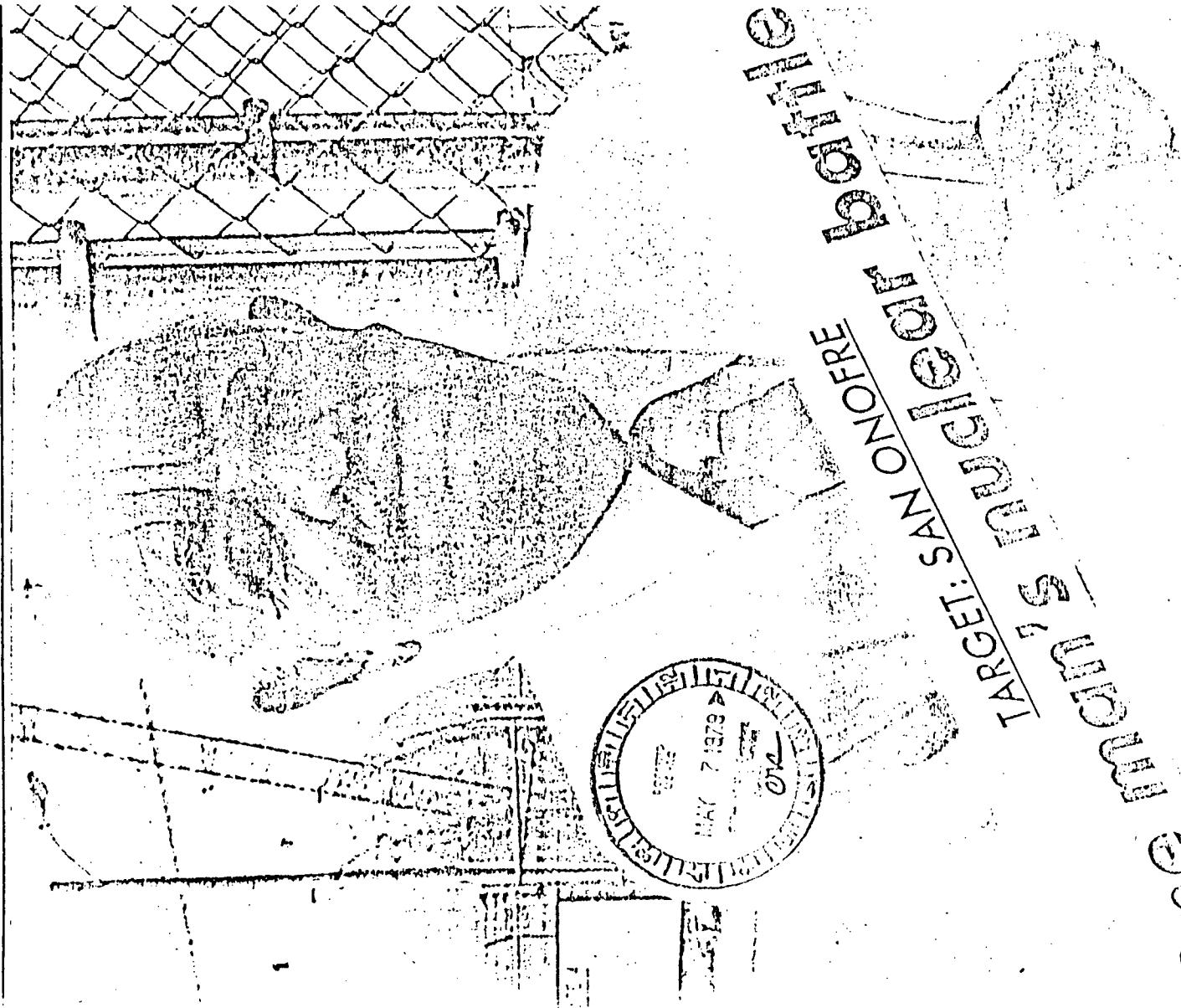
THE SAN DIEGO JOURNAL

EVENING

San Diego, California

Thursday, May 18, 1978

15 Cents 8 Pages - 132 Pages



By BOB DORN

On the desk in the study of his Muirlands home in La Jolla, August S. "Bill" Carstens keeps a Ralph Waldo Emerson quote.

"Nothing is at last sacred but the integrity of your own mind."

Carstens, at 73, may seem rather old to be tilting at the windmills of the nuclear establishment. But that's where the concerns that burden his own mind have led him.

He's chosen to wander in the deep thickets of a world in which the signposts are marked with words like "critical mass" and "Atoms" and in which agencies and institutions with names like ERDA and NRC and SCE are the far-off fiefdoms.

But at the moment -- four years and \$25,000 in lawyers' fees after he began a series of legal skirmishes -- Carstens can contemplate some dents he has made in the San Onofre nuclear power project up the coast from his home.

The state Coastal Commission last month sent Southern California Edison Co. a letter requiring a new hearing on expansion of the plant -- a hearing that could open up the question of whether the entire project is a violation of SCE's construction permit and the California Constitution.

It was Carstens' pressure on the commission that produced the April 10 decision.

"I'm not so dumb or optimistic as to think we'll be able to stop construction," says Carstens. "But I do think we can make the utilities more responsible."

What makes this relatively wealthy insurance expert who once owned his own Washington, D.C., firm bad-mouth "all the big business guys playing ball with the utilities"?

"People think I'm taking a radical stance. I'm not a radical, but I am radical about people's rights. We're only 50 miles from that site and in the event of a meltdown, this town would be wiped out."

"I don't want these utilities and

government up there somewhere saying, 'We know best and don't ask us any questions.'"

Carstens' indignation, the yards of books in his back room on alternate technologies, on the DNA controversy, on natural medicine, on politics and government and his interest in wilderness protection -- all of these make him a card-carrying environmentalist. But there is one significant difference.

"Most environmentalists don't have any money," Carstens says.

In the late 1920s, Carstens graduated from Baltimore Pace Institute in accounting and insurance and took job in Los Angeles with John

Hancock Mutual Insurance Co. The company eventually made him its expert on their new group insurance and pension plans and moved him successively to Kansas City and Detroit.

He was making a name for himself, but he quit Hancock "because I got tired of working on salary." He opened his own firm in Detroit, then moved on to Washington, investing his earnings and building his reputation until he became the American College of Life Underwriters' chief group-insurance authority.

"I wasn't flogging sales door to door. I had time to read; I always had an open mind. I tell you, politics

is what I've been interested in all my life, and how government works."

By 1971, after 40 years in the business, Carstens was ready to leave the normal workaday world and he sold his Washington firm. He and his wife, Rose, bought the house in La Jolla for their retirement.

"I had hoped things would get dull for a change," Mrs. Carstens says with a sigh.

Instead, first Bill Carstens, and then she, grew outraged to learn of the nuclear machine to the north that threatened their garden.

"This house and every house on the block is leased," says the insurance man turned anti-nuke crusader.

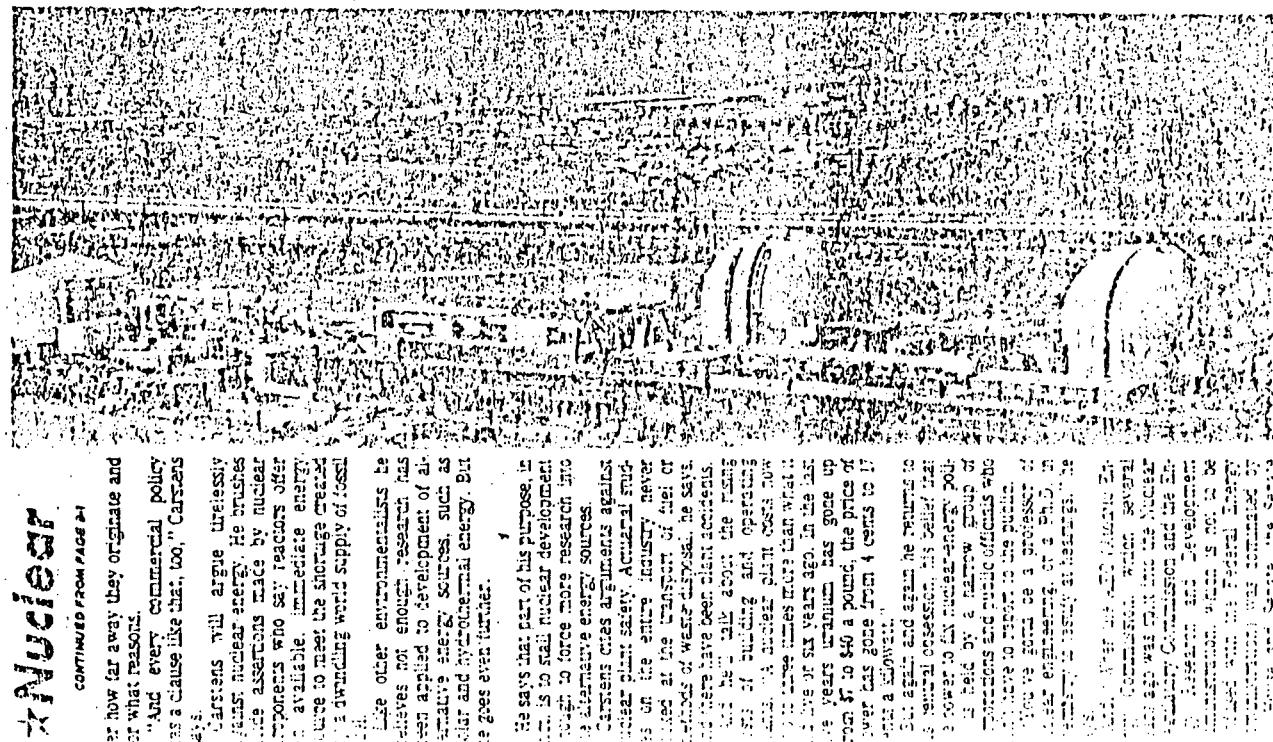
"But if you read your own homeowner's policy you'll find there's a clause that says if the house becomes uninhabitable because of radioactive you won't collect a nickel."

And sure enough, while he sits in his small back room amidst the boxes of FBI transcripts and government reports and file cabinets filled with nuclear newsletters and newspaper clippings, Carstens pulls out his homeowner's policy.

Under the "exclusions" section is a long paragraph excluding from coverage all damage from nuclear explosions and fallout clouds, no mat-

See NUCLEAR, B 4

Photo by Bob Irvin



Nuclear

Continued from page A1

or how far away they originate and for what reasons.

"And every commercial policy has a clause like that, too," Carstens says. "Carstens will argue tirelessly against nuclear energy. He criticizes the assertions made by nuclear power companies who say reactors offer available, immediate energy source to meet the shortage created by a dwindling world supply of fossil

fuels. Other environmentalists believe not enough research has been applied to development of alternative energy sources, such as solar and hydro-nuclear energy. But he goes even further.

He says that part of his purpose is to stall nuclear development to force more research into alternative energy sources. Carstens cites arguments against nuclear plant safety. Actual statistics on the entire industry never varied at the transport of fuel or disposal of waste disposal, he says. There have been client accidents, but he says, the financial costs of building and operating a nuclear plant costs four to five times more than what it did five or six years ago. In the late 1960s uranium has gone up from \$7 to \$10 a pound, the price of copper has gone from 4 cents to 12 cents a pound.

Carstens and again he returns to the nuclear concession his father had to offer to pay nuclear power is held by a narrow group of corporations and public officials who are forced to do public hearings to be held on a professor of environmental science and the researcher and developer of nuclear power.

Carstens says he does not go to these hearings, but he does attend them. He says he does not go to the hearings, but he does attend them.

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Carstens says he does not go to the hearings, but he does attend them.

hearings on the use of atomic energy.

"I've got that on record. So for 25 years nobody interfered with them."

And, finally, "Nuclear power plants are not economical and the public won't know it until after they're built."

As he talks, Carstens leans back in his chair, shutting his eyes at times to haul from his memory statistics and findings, then jumps up to his files to get the printed material to back them up.

He is a mixture of information and raw energy and feeling.

He says that when he retired, he drew up a list of problems he felt were the world's most crucial. He eliminated disarmament and overpopulation as being beyond the scope of his influence. He thought he could restrain nuclear power.

"My kids (he has two) are adults and they're doing wonderfully," Carstens says. "Rose and I decided we would raise them and put them through college and that we would owe them nothing after that."

"Now I feel free to spend the money whatever way I think it will do the most good."

"The smartest thing a guy can do when he retires is get involved in something that's bigger than he is. When you feel you're doing something worthwhile, you generate energy. People who don't have anything to do get tired."

The focus, in particular, of much of Carstens' energy and effort is the nuclear power plant at San Onofre, the generating station sitting along the coast just south of San Clemente on the northern edge of Camp Pendleton. The plant's first unit has been operating since 1968. Units two and three, now under construction, are scheduled for completion in the early 1980s.

Eighty percent of the energy generated at San Onofre goes to SCE customers in 17 California counties. And 20 percent of the San Onofre energy goes to San Diego Gas and Electric Co. for distribution to its customers.

Right now, Carstens' battle plan against San Onofre appears to have made substantial headway. It's based on 1973 and 1974 promises made by the utilities which included restoring the beachfront to public use after units two and three are completed.

In their joint final environmental statement filed with the Coastal Commission and the Nuclear Regulatory Commission, the two utility companies in partnership at San Onofre stated: "Use of the beach will not be restricted after construction is complete."

The construction permit issued by the Coastal Commission reads: "Upon completion of the arbor control and canyon stabilization plan, the applicants (SCE and SDG&E) shall allow full and uninterrupted public access to the beach, dune and canyon area that is to remain in its present condition."

But shortly after SCE and SDG&E agreed to the beach-access guarantees, the NRC developed objections to the idea of people swimming and sunbathing a few hundred yards from the reactors. The two utilities were told to come up with a plan to keep people out of the area.

They did, and it was approved by the NRC last September.

The plan calls for the erection of one chain-link fence at the south end of the plant and one at the north end, both of which will extend at right angles to the sea down to the mean high-tide line.

At low tide only, people will be able to walk around the last fence posts on the seaward end of the fences. At high tide, the fences will meet the water and access will be gained only by swimming.

But whether they swim or walk to it, people won't be able to use the entire beach, according to the NRC-blessed plan.

The utilities are defending the plan against complaints that the state Constitution is being violated by saying that they promised to provide access only to the portion of the beach that is west, or seaward, of the mean high-tide line. The federal government owns the dry part of the beach, and can do whatever it wants to block access to it, goes the argument.

Carstens' lawyer, Richard Wharton, argues that nowhere in the 1973 and 1974 documents, or in hearings transcripts, did the two companies make such a distinction.

That, among other things, is what Wharton wrote the commission after the exclusion plan gained NRC approval last September.

Carstens has a way of simplifying the issue. "When they said there would be full access to the beach, that meant full access. It doesn't mean anything else."

The Coastal Commission staff got the drift of the Wharton and Carstens argument, asked for and got a responder from SCE attorney David Pigott, and then found in favor of the environmentalists.

The commission's new executive director, Michael Fisher, decided that the exclusion plan was not authorized by the construction permit. On April 19 this year he told the two utilities to return to the commission for a hearing on amending the conditions of the permit.

Carstens believes a new hearing could subject the entire expansion project, units two and three, to reconsideration.

"An amendment application would involve a look at the Coastal Act," says Stephanie Hoppe, lawyer for the commission. "It would raise the question, 'Does the amendment make the project inconsistent with the Coastal Act?'"

The two utilities have not decided yet to comply with Fisher's request for an application amending the permit, according to Pigott.

And Pigott will not address the

question of apparent inconsistencies between the "full access" statements of several years ago and the more complicated division of the beach the utilities are claiming this year.

"We have not responded and we're not prepared to comment now," he says.

But Pigott does talk quite openly about the utilities' — and the NRC's — desire to discourage all use of the beach, both above and below the mean high-tide line.

"We're looking at minimizing the number of people in the plant area,

"If people can't put their blankets down on that dry-sand area, we'll minimize the number of people who will find the beach area attractive," Pigott says.

Pigott anticipates that when construction is completed (the beach is now a staging area for heavy equipment and unusable under the construction permit guidelines) people may have trouble understanding where they should or shouldn't be.

If they should trouble to walk around the fence, but then walk toward the reactors and onto dry sand, "they would be advised to leave, possibly by a security guard or by loudspeaker, whatever would be reasonable."

No one, neither Pigott, Hoppe, nor Wharton, seems to know what will happen if the utilities choose to ignore Fisher's request for an amended plan application. Or they aren't saying.

But Carstens is going to continue the fight any way he can.

"I've been fighting this since 1973, and I'm not about to roll over and play dead now."

"I certainly admire the man," says Lloyd von Haden, the Vista councilman who was one of the earliest opponents of San Onofre and who once asked Carstens for more money during an earlier court case.

"He's been pretty much all by himself and the main contributor of money. I have as much dedication, but not as much money."

Carstens is ready to recruit or join any group.

"I've attended meetings of the Abalone Alliance (a mainly student group from UCSD which, with students from other schools, last year fielded a demonstration of 300 at San Onofre).

"They're against it, but they don't know anything. I told them they'd have to really know nuclear power in order to feel against it."

But Carstens says he understands why most people are not nearly as concerned with nuclear hazards as he is.

"They don't have time to read. Students don't and businessmen don't. But this is my full-time job."

Still, it gets lonely and frustrating for him.

"You know, in all this time, nobody has ever called me up and said, 'Mr. Carstens, you're doing a great job.' We can't be of help," he says.



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

4/4/79



April 4, 1979

BOARD NOTIFICATION

Re: Davis Besse 2 & 3
Jamesport 1 & 2
Oyster Creek
Pilgrim 2
St. Lucie 2
San Onofre 2 & 3

Docket Nos. 50-500, 50-501
Docket Nos. 50-516, 50-517
Docket No. 50-219
Docket No. 50-471
Docket No. 50-389
Docket Nos. 50-361, 50-362

Ladies and Gentlemen:

The enclosure to this letter entitled "Differences in Procedures for Estimating Atmospheric Dispersion Conditions at Inland and Coastal Sites" was prepared by the Staff for notification of Licensing Boards. Inadvertently it was supplied only to the Licensing Board considering Diablo Canyon on September 14, 1978. Recently, it has come to our attention that this information should also have been provided to the above-captioned Boards.

Sincerely,

Joseph F. Scinto
Deputy Director, Hearing Division

Enclosure

Distribution (See attached)

Distribution:

Copies of a "Board Notification" letter dated April 4, 1979, signed by Joseph F. Scinto have been served on the following persons. Those whose addresses are at the U.S. Nuclear Regulatory Commission have been served by the NRC internal mail system and others have been served by deposit in the U.S. Mail. One copy has been served on each person even though his or her name appears on more than one service list. In addition to copies served on Atomic Safety and Licensing Boards and Atomic Safety and Licensing Appeal Board members identified on the service list, 5 copies of the cover letter for each captioned proceeding and 5 copies in total of the attachment have been provided to the Atomic Safety and Licensing Board Panel, and 1 copy of both cover letter and attachment has been provided to the Atomic Safety and Licensing Appeal Board Panel.

In the Matter of)
THE TOLEDO EDISON COMPANY,)
ET AL)
(Davis-Besse Nuclear Power Station,)
Units 2 and 3)

Docket Nos. 50-500
50-501

Alan S. Rosenthal, Esq., Chairman*
Atomic Safety and Licensing Appeal
Board
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Richard S. Salzman, Esq.*
Atomic Safety and Licensing Appeal
Board
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Jerome E. Sharfman, Esq.*
Atomic Safety and Licensing Appeal
Board
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Edward Luton, Esq., Chairman*
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Dr. Cadet H. Hand, Jr.
Bodega Marine Laboratory
University of California
P. O. Box 247
Bodega Bay, California 94923

Dr. David L. Hetrick
Professor of Nuclear Engineering
The University of Arizona
Tucson, Arizona 85721

Mr. Lowell E. Roe
Vice President, Power
The Toledo Edison Company
Edison Plaza
300 Madison Avenue
Toledo, Ohio 43652

Bruce Churchill, Esq.
Ernest L. Blake, Esq.
Shaw, Pittman, Potts & Trowbridge
1800 M Street, N. W.
Washington, D. C. 20036

Mr. William B. McGorum, Jr.,
Ohio Power Siting Commission
P. O. Box 1735
361 E. Broad Street
Columbus, Ohio 43216

Atomic Safety and Licensing
Board Panel*
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Atomic Safety and Licensing Appeal
Panel (5)*
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Docketing and Service Section (3)
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

In the Matter of)
LONG ISLAND LIGHTING COMPANY)
(Jamesport Nuclear Power Station,)
Units 1 and 2)

Docket Nos. 50-516
50-517

* Jerome E. Sharfman, Esq., Chairman
Atomic Safety and Licensing Appeal
Board
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

* Dr. W. Reed Johnson
Atomic Safety and Licensing Appeal
Board
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

* Richard S. Salzman, Esq.
Atomic Safety and Licensing Appeal
Board
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

* Sheldon J. Wolfe, Esq.
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Mr. Ralph S. Decker
Route 1, Box 190D
Cambridge, Maryland 21613

Dr. E. Leonard Cheatum
Route #3, Box 350A
Watkinsville, Georgia 30677

Edward J. Walsh, Jr., Esq.
Long Island Lighting Company
250 Old County Road
Mineola, New York 11501

W. Taylor Reveley, III, Esq.
Hunton & Williams
P. O. Box 1535
Richmond, Virginia 23212

Mr. A. E. Kintigh
Vice President-Generation
New York State Electric & Gas Co.
4500 Vestal Parkway East
Binghampton, New York 13902

Environmental Protection and
Progress Committee
Local 25, I. B. E. W.
Box 997
41 Pinelawn Road
Melville, New York 11746

Dr. Caryl R. Granttham
Co-Chairman, Concerned Citizens
of Suffolk County
Box 550
Jamesport, New York 11947

Ms. Jean H. Tiedke
Box 1103
Southold, New York 11971

Dr. Harris Fischer
Suffolk County Department
of Environmental Control
1324 Motor Parkway
Hauppauge, New York 11787

Irving Like, Esq.
Reilly, Like & Schneider
200 West Main Street
Babylon, New York 11702

Mrs. Laetitia deK. Bradley
144 Quaker Path
Setauket, New York 11733

Ms. Shirley L. Bachrach
Box 1054
Southold, New York 11971

Ms. Adelaide Flatau
30 Dartmouth Road
Shoreham, New York 11786

William C. Chapek
Box 997
Melville, New York 11746

Joseph C. Gramer, Esq.
425 Broadhollow Road
Melville, New York 11746

Frederick H. Lawrence, Esq.
Huber, Magill, Lawrence
and Farrell
99 Park Avenue
New York, New York 10016

Ira Lee Zebrak, Esq.
Huber, Magill, Lawrence
and Farrell
99 Park Avenue
New York, New York 10016

Dr. Arthur Tamplin
c/o Natural Resources Defense
Council
917 - 15th Street, N.W.
Washington, D. C. 20005

* Atomic Safety and Licensing
Appeal Panel
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

* Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

* Docketing and Service Section
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Jeffrey Cohen, Esq.
Deputy Commissioner and Counsel
New York State Energy Office
Agency Building 2
Empire State Plaza
Albany, New York 12223

Carl G. Dworkin, Esq.
Senior Attorney for Energy
New York State Department of
Environmental Conservation
50 Wolf Road
Albany, New York 12233

In the Matter of }
JERSEY CENTRAL POWER & }
LIGHT COMPANY }
(Oyster Creek Nuclear Power }
Plant, Unit No. 1) }

Docket No. 50-219

Robert M. Lazo, Esq., Chairman*
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

R. William Potter, Esq.
State of New Jersey
Department of the Public Advocate
Division of Public Interest Advocacy
P.O. Box 141
Trenton, New Jersey 08601

George F. Trowbridge, Esq.
Ernest L. Blake, Jr., Esq.
Shaw, Pittman, Potts & Trowbridge
1800 M Street, N.W.
Washington, DC 20036

Dr. Hugh C. Paxton, Member
Los Alamos Scientific Laboratory
P.O. Box 1663
Los Alamos, New Mexico 87544

Dr. Paul W. Purdom, Member
Director, Center for Urban
Research and Environmental
Studies
Drexel University
32nd and Chestnut Streets
Philadelphia, PA 19104

Anthony Z. Roisman, Esq.
Sheldon, Harmon & Roisman
1025 15th Street, N.W., 5th Floor
Washington, DC 20005

Steven P. Russo, Esq.
248 Washington Street
P.O. Box 1060
Toms River, New Jersey 08753

Joseph W. Ferraro, Jr., Esq.
Deputy Attorney General
State of New Jersey
Department of Law & Public Safety
1100 Raymond Boulevard
Newark, New Jersey 07102

Mark First, Esq.
Deputy Attorney General
State of New Jersey
State House Annex
Trenton, New Jersey 08625

Atomic Safety and Licensing
Board Panel*
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Atomic Safety and Licensing
Appeal Board*
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Docketing and Service Section*
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, DC 20555

In the Matter of)
BOSTON EDISON COMPANY, et al.) Docket No. 50-471
(Pilgrim Nuclear Generating Station,)
Unit 2)

*Edward Luton, Esq.
Atomic Safety and Licensing Board
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Dr. A. Dixon Callihan
Union Carbide Corporation
P. O. Box Y
Oak Ridge, Tennessee 37830

*Dr. Richard F. Cole
Atomic Safety and Licensing Board
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

George H. Lewald, Esq.
Ropes & Gray
225 Franklin Street
Boston, Massachusetts 02110

Dale G. Stoodley, Esq.
Boston Edison Company
800 Boylston Street
Boston, Massachusetts 02199

Henry Herrmann, Esq.
Room 1045
50 Congress Street
Boston, Massachusetts 02108

Mr. and Mrs Alan R. Cleeton
22 Mackintosh Street
Franklin, Massachusetts 02038

The Board of Selectmen
Town of Plymouth
Plymouth, Massachusetts 02360

William S. Abbott, Esq.
50 Congress Street, Suite 925
Boston, Massachusetts 02109

* Atomic Safety and Licensing
Appeal Board
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

* Atomic Safety and Licensing
Board Panel
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Mr. Lester B. Smith
Director of Conservation
Massachusetts Wildlife Federation
P.O. Box 343
Natick, MA 01761

* Docketing and Service Section
Office of the Secretary
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Laurie Burt, Esq.
Charles Corkin, II, Esq.
Jonathan Brant, Esq.
Assistant Attorneys General
Commonwealth of Massachusetts
Environmental Protection Division
One Ashburton Place, 19th Floor
Boston, Massachusetts 02108

In the Matter of }
FLORIDA POWER & LIGHT COMPANY }
- (St. Lucie Nuclear Power Plant, }
Unit 2) }

Docket No. 50-389

* Michael C. Farrar, Esq., Chairman
Atomic Safety and Licensing Appeal
Board
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

* Dr. W. Reed Johnson
Atomic Safety and Licensing Appeal
Board
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

* Richard S. Salzman, Esq.
Atomic Safety and Licensing Appeal
Board
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Edward Luton, Esq., Chairman
Atomic Safety and Licensing Board
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Michael Glaser, Esq., Alternate
Chairman
Atomic Safety and Licensing Board
1150 17th Street, N. W.
Washington, D. C. 20036

Dr. David L. Hetrick
Professor of Nuclear Engineering
University of Arizona
Tucson, Arizona 85721

Martin Harold Hodder, Esq.
1131 N.E. 86th Street
Miami, Florida 33138

Dr. Frank Hooper
Resource Ecology Program
School of Natural Resources
University of Michigan
Ann Arbor, Michigan 48104

Dr. Marvin M. Mann
Alternate
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Harold F. Reis, Esq.
Lowenstein, Newman, Reis & Axelrad
1025 Connecticut Avenue, N.W.
Washington, D. C. 20036

Norman A. Coll, Esq.
Steel, Hector & Davis
1400 S.E. First National Bank Bldg.
Miami, Florida 33131

Atomic Safety and Licensing Board
Panel
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Atomic Safety and Licensing Appeal
Board
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Docketing and Service Section
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Mr. Samuel J. Chilk
Secretary of the Commission
U.S. Nuclear Regulatory
Commission
Washington, D. C. 20555

In the Matter of)
SOUTHERN CALIFORNIA EDISON) Docket Nos. 50-361 OL
COMPANY, ET AL) 50-362 OL
(San Onofre Nuclear Generating)
Station, Units 2 and 3))

Ivan W. Smith, Esq., Chairman*
Atomic Safety and Licensing Board
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Dr. Cadet H. Hand, Jr., Member
Director, Bodega Marine Laboratory
University of California
P. O. Box 247
Bodega Bay, California 94923

Mr. Lester Kornblith, Jr., Member*
Atomic Safety and Licensing Board
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Janice E. Kerr, Esq.
J. Calvin Simpson, Esq.
Lawrence Q. Garcia, Esq.
California Public Utilities Commission
5066 State Building
San Francisco, California 94102

Charles R. Kocher, General Counsel
James A. Beoletto, Esq.
Southern California Edison Company
2244 Walnut Grove Avenue
Rosemead, California 91770

David R. Pigott, Esq.
Samuel B. Casey, Esq.
Chickering & Gregory
Three Embarcadero Center
Twenty-Third Floor
San Francisco, California 94111

Alan R. Watts, Esq.
Rourke & Woodruff
10555 North Main Street
Suite 1020
Santa Ana, California 92701

Richard J. Wharton, Esq.
4655 Cass Street
San Diego, California 92109

Mrs. Lyn Harris Hicks
GUARD
3908 Calle Ariana
San Clemente, California 92672

David W. Gilman
Robert G. Lacy
San Diego Gas & Electric Company
P. O. Box 1831
San Diego, California 92112

Phyllis M. Gallagher, Esq.
Suite 220
615 Civic Center Drive West
Santa Ana, California 92701

Atomic Safety and Licensing
Board Panel*
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Atomic Safety and Licensing
Appeal Panel (5)*
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Docketing and Service Section (3)
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

DIFFERENCES IN PROCEDURES FOR ESTIMATING ATMOSPHERIC DISPERSION CONDITIONS AT INLAND AND COASTAL SITES

The basic methodology for evaluating atmospheric dispersion conditions to be used in assessing the consequences of design basis accidents is described in Section 2.3.4 of the Standard Review Plan. Briefly, the methodology for both inland and coastal sites involves the development of a probability distribution of relative concentration (X/Q) versus frequency of occurrence at a minimum exclusion boundary distance, from which a X/Q value is selected which would not be equalled or exceeded more than 5% of the time. X/Q values are calculated at the nearest exclusion area boundary for dispersion conditions which are representative of the site in general. These values are determined by considering pairs of wind speed and stability conditions independent of wind direction.

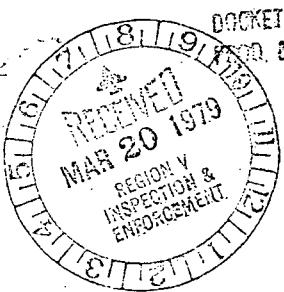
There is a difference between coastal sites and inland sites in the selection of the meteorological data base used for the calculation of X/Q values. The X/Q values calculated for inland sites are based on consideration of dispersion conditions for all wind directions. At coastal sites, only the dispersion conditions when the wind is blowing onshore have been considered. The consideration of only onshore flow conditions as a basis for calculation of X/Q values at coastal sites has been routinely described in safety evaluation reports, although the significance of the change in assumptions with respect to the magnitude of the X/Q value selected and the likelihood of this X/Q value has not been described.

Consideration of only onshore flow conditions effectively limits the probability distribution of X/Q values to between about 50% to 80% of the total time, depending on the fraction of time the wind blows onshore. The "5% X/Q" value at coastal sites has been selected from this limited probability distribution. This value represents the dispersion condition equalled or exceeded 5% of the time at the minimum exclusion area boundary distance onshore. This procedure results in lower calculated X/Q for coastal sites than for inland sites, inasmuch as a significant fraction of the data representative of poor diffusion conditions is effectively eliminated from consideration.

In ~~presently considered~~

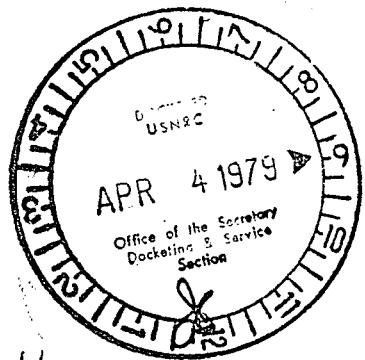
In our calculation of atmospheric dispersion conditions there are differences in assumptions used for computing short term accident dispersion conditions at coastal and inland sites. These differences result in generally lower (up to a factor of about three) calculated exclusion area boundary X/Q values at coastal sites than at inland sites, which have an effect on decisions with respect to the requirements for accident consequence mitigation equipment and systems.

sites. It is likely that adoption of this model will result in a general increase in short term accident exclusion area boundary X/Q values for coastal sites.



50-275, 323 OL
50-361,3Q/815

Stuart St. 267
Berkeley, Calif. 94703
March 17, 1979



Nuclear Regulatory Commission
1990 N. California Blvd. Suite 202
Walnut Creek, Calif. 94596

Dear Sirs and Mesdames:

As a citizen concerned with the well-being of both this planet and its inhabitants, I urge that do not approve operating liscences for the power plants at Diablo Canyon - or the one at San Onofre. It is essential that plants not be built in earthquake country → let alone be allowed to operate.

Furthermore, there must be full public input at the beginning of the construction licensing process. By the time the plant is built, the question of its operating safety wars with the financial ruin of refusing to licence it for operation. That refusal must take place in these two cases - as it did if the

past year in Austria for a plant already built. But future operating of the licensing process - must have public input at the start.

The state and its public must retain their right to regulate location of plants and dumping grounds. Nobody wants any of this deadly business in their own back yard - and federal status of a regulatory commission is therefore inappropriate. Take a stand with the State Energy Commission: far from making your jobs obsolete, the combined strength of state and federal support of nuclear-waste free environment will assure the reduction of a huge amount of fear in our people and our children.

Carolyn Edwards

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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Station, Unit Nos. 2 and 3)
)
)

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document(s) upon each person designated on the official service list compiled by the Office of the Secretary of the Commission in this proceeding in accordance with the requirements of Section 2.712 of 10 CFR Part 2 - Rules of Practice, of the Nuclear Regulatory Commission's Rules and Regulations.

Dated at Washington, D.C. this

6th day of April 1979.

Peggy T. Ballouing
Office of the Secretary of the Commission

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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SERVICE LIST

Ivan W. Smith, Esq., Chairman
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. - 20555

Dr. Cadet H. Hand, Jr., Director
Bodega Marine Laboratory
University of California
P.O. Box 247
Bodega Bay, California 94923

Mr. Lester Kornblith, Jr.
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Counsel for NRC Staff
Office of the Executive Legal Director
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Charles R. Kocher, Esq.
James A. Beoletto, Esq.
Southern California Edison Company
2244 Walnut Grove Avenue
Rosemead, California 91770

David R. Pigott, Esq.
Samuel B. Casey, Esq.
Chickering and Gregory
Three Embarcadero Center
San Francisco, California 94111

Mr. Lloyd von Haden
2089 Foothill Drive
Vista, California 92083

Janice E. Kerr, Esq.
J. Calvin Simpson, Esq.
California Public Utilities Commission
5066 State Building
San Francisco, California 94102

Alan R. Watts, Esq.
California First Bank Building
1055 North Main Street, Suite 1020
Santa Ana, California 92701

Richard J. Wharton, Esq.
4655 Cass Street, Suite 304
San Diego, California 92109

Lyn Harris Hicks
Advocate for GUARD
3908 Calle Ariana
San Clemente, California 92672

Mr. Hal Thomas, Director
Environmental Coalition of Orange
County
206 West Fourth Street
Santa Ana, California 92701

Phyllis M. Gallagher, Esq.
615 Civic Center Drive West
Santa Ana, California 92701

David W. Gilman, Esq.
Robert G. Lacy, Esq.
San Diego Gas & Electric Company
P.O. Box 1831
San Diego, California 92113