

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD 9/10/76

In the Matter of)

PACIFIC GAS AND ELECTRIC COMPANY)

Units 1 and 2)

Diablo Canyon Site)

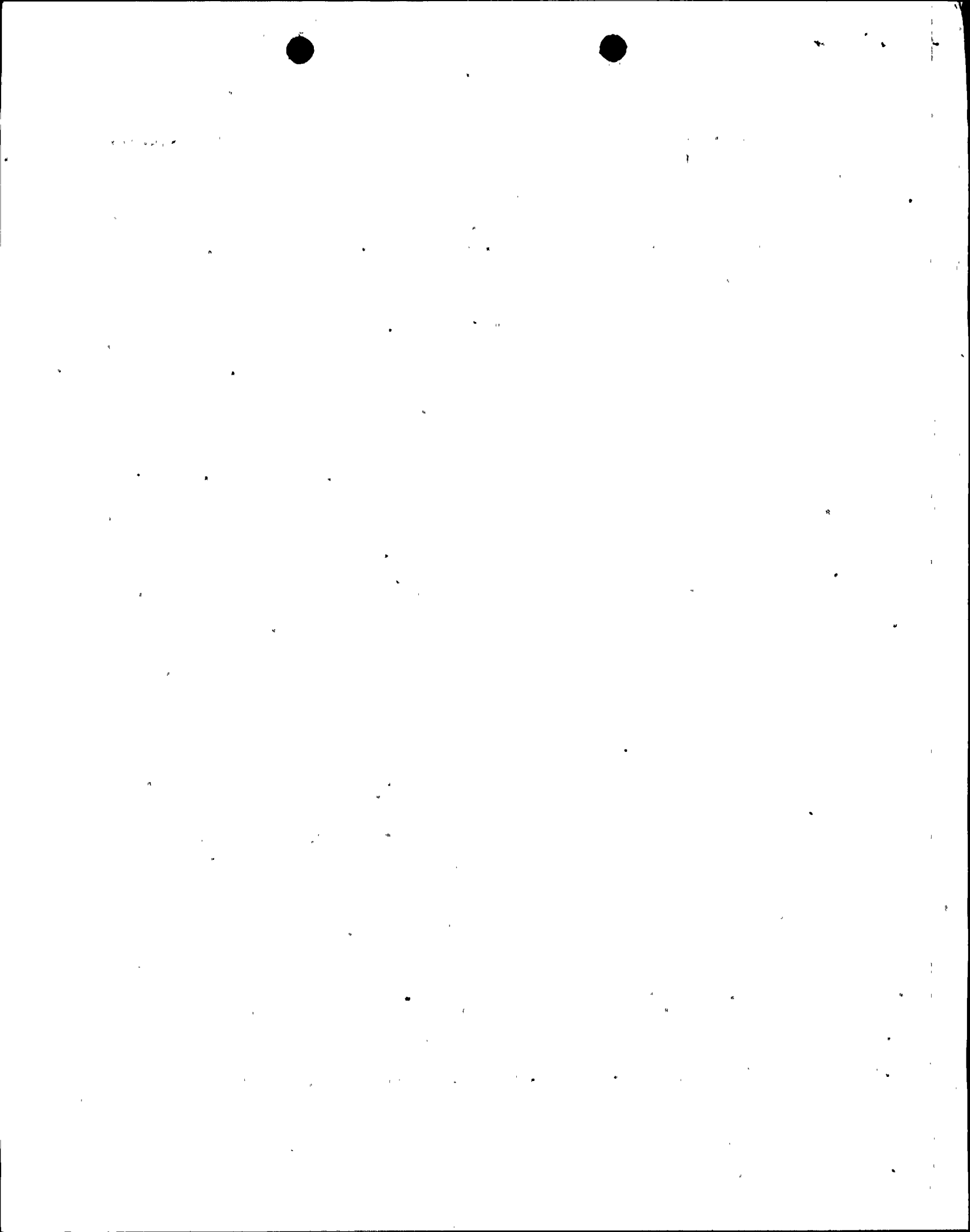
Dockets 50-275-OL
50-323-OL

REPLY OF PACIFIC GAS AND ELECTRIC COMPANY TO
MOTHERS FOR PEACE MOTION REGARDING SPECIAL
NUCLEAR MATERIAL LICENSE FOR UNIT 2

In a pleading dated August 15, 1976, which was received by PGandE September 3, 1976, the San Luis Obispo Mothers For Peace (MFP) requested the Atomic Safety and Licensing Board to deny PGandE's request for a Part 70 license to cover the fuel for Diablo Canyon Unit 2. PGandE respectfully submits that the MFP request should be denied.

In the first place the motion is misdirected. Issuance of the Part 70 license is under consideration by the NRC Staff as a part of its required independent review of PGandE's application under 10 CFR 70. This independent review by the Staff has been recognized by this Atomic Safety and Licensing Board, and the Board has stated it has no desire to interfere with this review (ASLB Order dated March 12, 1975). Thus, the motion should have been directed to the NRC Staff in the first instance.

Moreover, the motion completely ignores developments which have occurred since the hearing was held on receipt of fuel for Unit 1. At the time of the hearing on PGandE's application for a Part 70 license for the Unit 1 fuel, the Regulatory Staff had not completed its evaluation

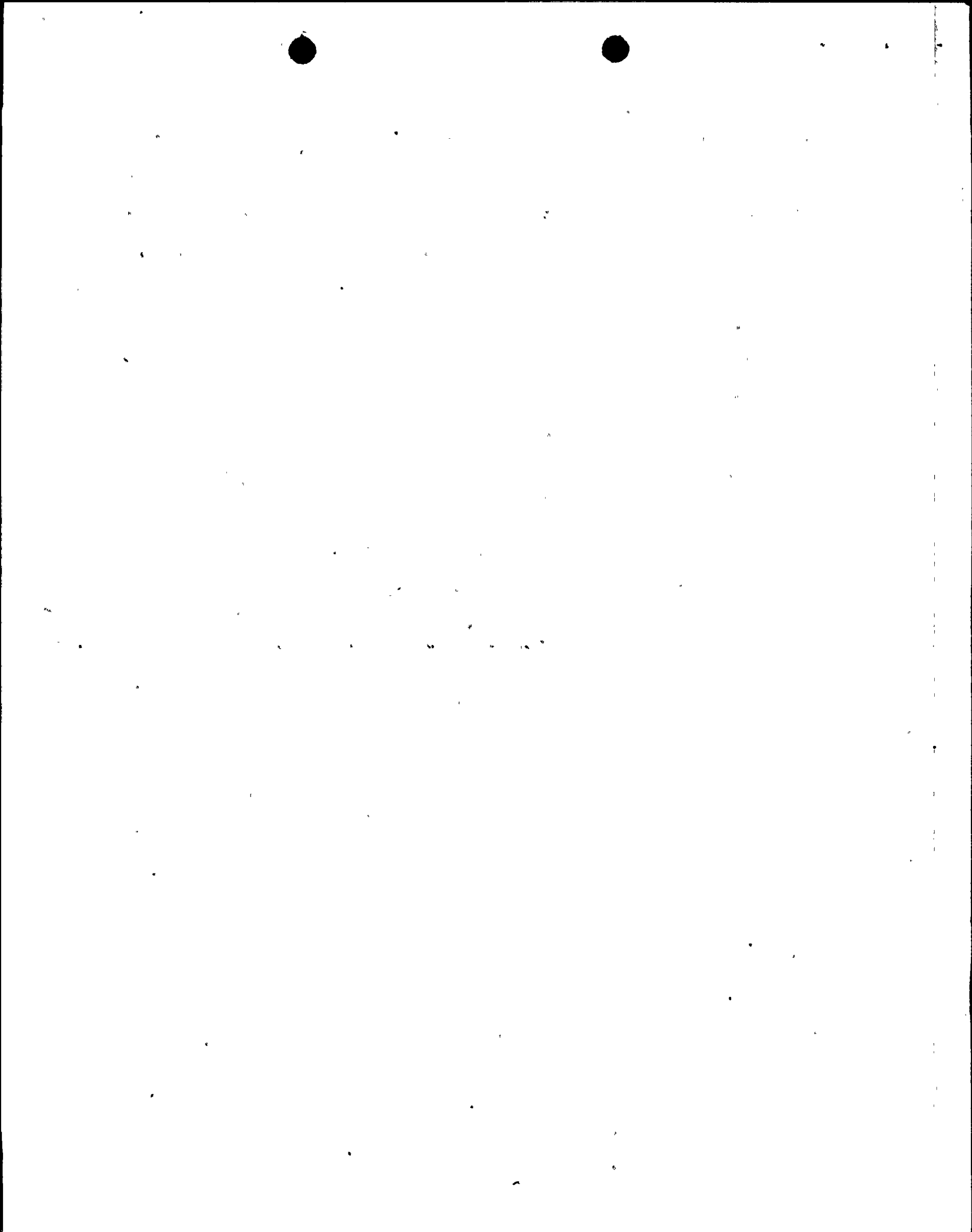


of the seismic design basis for the plant. Consequently, the Regulatory Staff had required that PGandE propose additional steps to assure that the stored fuel would not achieve criticality, assuming that structural failure of fuel storage facilities might occur. The storage conditions for Unit 1 fuel considered at that hearing included the additional steps, such as storage under borated water, which were proposed in response to the Regulatory Staff's requirement (Tr. 639, 653; Lindblad testimony following Tr. 850, pp. 4, 5, 1131; NRC Staff Safety Evaluation pp. 4, 6).

Supplement No. 4 to the Staff Safety Evaluation Report dated May 11, 1976, which was issued after the hearing and decision on the Unit 1 fuel, recites that the U.S. Geological Survey has concluded that a magnitude 7.5 earthquake could occur on the Hosgri Fault and, based upon this, the NRC consultant recommended, and the Staff accepted, that an effective horizontal ground acceleration of 0.75g be used for the development of design response spectra for the plant facilities. In page 10 of its application for a Part 70 license for the Unit 2 fuel PGandE stated that

" . . . the design of the fuel storage facilities is considered to be adequate to maintain spacing between fuel assemblies for seismic loading conditions resulting from a magnitude 7.5 earthquake postulated to occur on the Hosgri Fault, as set forth by the USNRC Regulatory Staff in Supplement No. 4 to the Safety Evaluation Report."

The bases for this statement were presented by PGandE to the Regulatory Staff in a meeting on August 11, 1976. The Regulatory Staff has evaluated this information as a part of its independent review of PGandE's application and agrees with PGandE's conclusion that the seismic design of the fuel storage facilities is adequate. A summary of the information



presented at the August 11, 1976 meeting and the Regulatory Staff's conclusion are contained in the meeting summary dated August 25, 1976, which was provided to all parties by the Staff. Copies of this summary without the attachments are attached. Accordingly, since the fuel storage facilities have been shown to be adequate for the seismic conditions specified by the Regulatory Staff, it is not necessary to postulate a failure of these facilities and, therefore, the fuel may be stored as originally intended (i.e., dry).

In summary, since storage of the Unit 2 fuel at the site will have no adverse effect on the health and safety of the public the MFP motion should be denied.

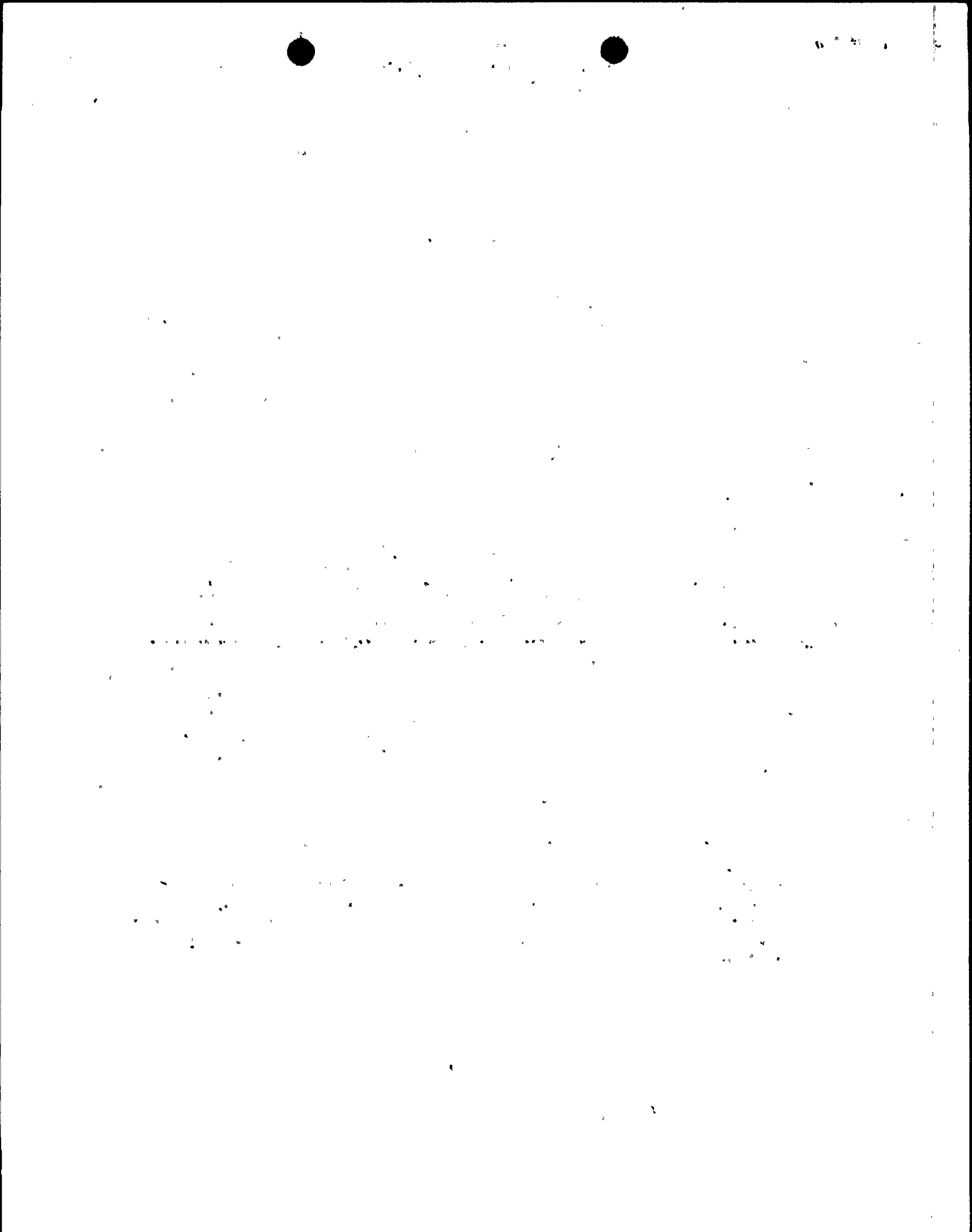
Respectfully submitted,

JOHN C. MORRISSEY
PHILIP A. CRANE, JR.
BRUCE R. WORTHINGTON

By 
Philip A. Crane, Jr.

Attorneys for
Pacific Gas and Electric Company
77 Beale Street
San Francisco, California 94106
415-781-4211

Dated: September 10, 1976





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

AUG 25 1976

DOCKET NOS. 50-275 and 50-323

APPLICANT: Pacific Gas and Electric Company (PG&E)

FACILITY: Diablo Canyon Nuclear Power Station, Units 1 and 2 (Diablo Canyon)

SUMMARY OF MEETING HELD ON AUGUST 11, 1976 TO DISCUSS SEISMIC REEVALUATION
OF DIABLO CANYON

We met with the applicant and the applicant's consultant on August 11, 1976 in Bethesda, Maryland to discuss the seismic reevaluation of Diablo Canyon.

A list of attendees is provided in Enclosure 1.

BACKGROUND

The seismic design of Diablo Canyon was being reevaluated in terms of a magnitude 7.5 earthquake on the Hosgri fault with an effective site acceleration of 0.75g. This earthquake, which involved more severe ground shaking than the original design earthquake was described in Supplement No. 4 to the Safety Evaluation Report (SER) on May 11, 1976. Following Supplement No. 4 to the SER it was still necessary to develop design response spectra to be used as inputs for engineering calculations in reevaluating the plant.

Since May 11, tentative or preliminary response spectra had been developed independently by the applicant's consultant, Dr. John Blume, and the NRC's consultant, Dr. Nathan Newmark. These tentative spectra and their bases had been discussed with the Advisory Committee on Reactor Safeguards (ACRS) in June and July.

DESIGN RESPONSE SPECTRA

In Amendment 44 to the Final Safety Analysis Report (FSAR), the applicant had submitted the design response spectra he proposed to use in the reevaluation and had described the bases for them. These proposed spectra were similar to the tentative spectra developed by our consultant, but some difference remained. We and our consultant had reviewed the amendment and had provided a set of draft questions to the applicant by telecopy. A copy of these questions is attached in Enclosure No. 2.



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At this meeting (August 11, 1976) the applicant provided responses to the draft questions. A copy of the applicant's responses is attached as Enclosure No. 3. We discussed these responses with the applicant.

We agreed to consider the applicant's responses and to let the applicant know which questions would be formally transmitted. The applicant was prepared to revise the FSAR to include responses to any or all of the draft questions as needed.

FUEL STORAGE FACILITIES

On July 9, 1976 the applicant had applied under 10 CFR Part 70 for a license to store fuel in Unit 2. On this application it had been stated that the fuel storage facilities design was considered adequate to maintain spacing between fuel elements for the seismic loading conditions resulting from the magnitude 7.5 earthquake described in Supplement No. 4 to the SER. At this meeting (August 11, 1976) the applicant discussed the bases for that statement.

The applicant stated that calculations had been performed, using the applicant's proposed design response spectra, which indicated smaller floor responses at the location of the new and spent fuel storage racks than were considered in the original design. The reasons for the smaller responses were: (1) taking credit for additional embedment, (2) increased damping values and, (3) reductions due to wave/base slab interactions. In addition, the applicant stated that calculations had been performed which indicated that the capabilities of the fuel storage facilities were greater than necessary to meet the floor responses considered in the original design. A brief summary of this information is attached as Enclosure No. 4.

Accordingly, the applicant felt that the seismic design of the fuel storage facilities (new fuel racks, new fuel storage vault, spent fuel racks and spent fuel pool) would be adequate, even in the event that the staff required some changes in the proposed design response spectra. We agreed that this conclusion was reasonable and any changes that might be made to the proposed design response spectra were unlikely to affect the acceptability of the design in this area.

D. P. Allison

D. P. Allison, Project Manager
Light Water Reactors Branch No. 1
Division of Project Management

Enclosures:
As stated

cc: See page 3



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Docket Nos. 50-275-OL
50-323-OL

CERTIFICATE OF SERVICE

The foregoing document(s) of Pacific Gas and Electric Company has (have) been served today on the following by deposit in the United States mail, properly stamped and addressed:

Mrs. Elizabeth E. Apfelberg
1415 Cazadero
San Luis Obispo, California 93401

James R. Tourtellotte, Esq.
Office of Executive Legal Director
BETH 042
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

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

Mr. Glenn O. Bright
Atomic Safety and Licensing Board
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Mr. William P. Cornwell
P. O. Box 453
Morro Bay, California 93442

Mr. Frederick Eissler
Scenic Shoreline Preservation
Conference, Inc.
4623 More Mesa Drive
Santa Barbara, California 93110

Mrs. Raye Fleming
1746 Chorro Street
San Luis Obispo, California 93401

Mr. John J. Forster
C/o Mr. Gordon Silver
5055 Radford Avenue
North Hollywood, California 91607

Director
Division of Reactor Licensing
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

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

Dr. William E. Martin
Atomic Safety and Licensing Board
Senior Ecologist
Battelle Memorial Institute
Columbus, Ohio 43201

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

Secretary
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Attn.: Docketing and Service Section



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Mrs. Sandra A. Silver
5055 Radford Avenue
North Hollywood, California 91607

Andrew Skaff, Esq.
Counsel
Public Utilities Commission
of the State of California
5066 State Building
San Francisco, California 94102

Brent N. Rushforth, Esq.
James A. Geocaris, Esq.
Center for Law in the Public Interest
10203 Santa Monica Boulevard
Los Angeles, California 90067

Philip A. Crane, Jr.

Philip A. Crane, Jr.
Attorney
Pacific Gas and Electric Company

Dated: September 10, 1976

