

# PACIFIC GAS AND ELECTRIC COMPANY

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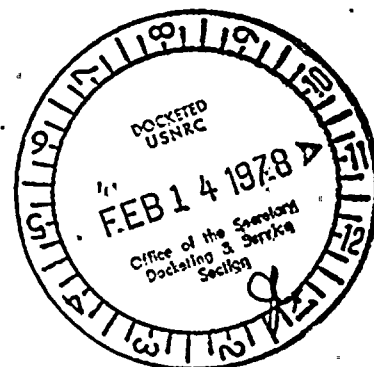
ATTORNEYS

RELATED CORRESPONDENCE

February 6, 1978

Mr. John F. Stolz, Chief  
Light Water Reactors Branch No. 1  
Division of Project Management  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Re: Docket No. 50-275-OL  
Docket No. 50-323-OL  
Diablo Canyon Units 1 and 2



Dear Mr. Stolz:

Enclosed are 40 copies of the answers to the following questions:

- 1 - 4 of your letter dated 11-09-77
- 5 - 49 of your letter dated 12-09-77
- 50 - 54 of your letter dated 12-27-77
- 55 - 58 of your letter dated 01-30-78

Five copies of this submittal have been sent directly to Mr. Dennis Allison.

The answers to Questions 33, 38 and 53 are supplemented by addenda 1, 2 and 3, respectively. These addenda consist of test reports and color-coded, full-size drawings. However, their bulk and the time-consuming hard labor required to produce these addenda prevent general distribution. Five copies of the addenda have been sent directly to Mr. Dennis Allison.

The questions and answers will be incorporated into the report, "Diablo Canyon Fire Protection Review" which was submitted as Amendment 51 to our operating license application.

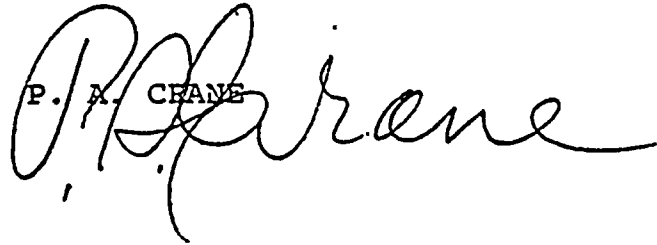
Mr. John F. Stolz

-2-

February 6, 1978

Kindly acknowledge receipt of this material on the enclosed copy of this letter.

Very truly yours,

  
P. A. CRANE

PAC/da

Enclosures

cc: Service List

bcc: CPUC Application Nos. 49051 and 50028

NUS

bbcc: Diablo Distribution

# PACIFIC GAS AND ELECTRIC COMPANY

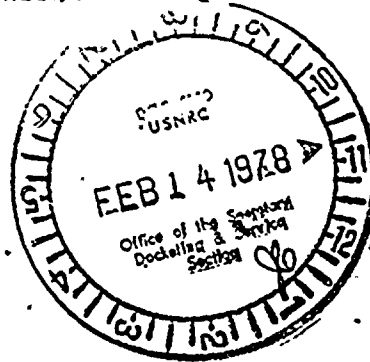
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#### ATTORNEYS

February 8, 1978

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

Dockets 50-275  
50-323

Dear Mrs. Bowers:

This is a reply to the Board's order dated February 1, 1978 in which we were requested to report on the status of the interim operating license application.

At a meeting with the NRC Staff on December 15, 1977 the Staff informed us that they thought the best prospect for an early decision on an operating license was to concentrate on the full term license application rather than the interim license application. Their opinion was based upon the fact that (i) the schedule estimates indicated that a decision on an interim license probably could not be reached much sooner than a decision on the full term application, (ii) reviewing both applications at the same time would delay them both, (iii) an interim license involved a novel approach which could result in extra delays; and (iv) we had informed the Staff that we would have all the modifications resulting from the Hosgri seismic evaluation completed by mid-1978. We indicated to the Staff that we were prepared to accept their judgment on the matter based upon their agreement to give our application top priority (See the meeting summary dated January 23, 1978).

Accordingly, as indicated in Mr. Edson G. Cases' letter dated January 23, 1978, the NRC Staff is now concentrating its review on the full term license. In addition, the Staff is also continuing

Mrs. Elizabeth S. Bowers, Chairman  
Atomic Safety and Licensing Board  
U. S. Nuclear Regulatory Commission

February 8, 1978  
Page 2.

to review the probabilistic studies submitted in support of the interim operating license application because they "will be useful for the full term license proceedings." In any event, we definitely do not wish to withdraw the interim operating license application because we may wish to reactivate it should review of the full term application be delayed by some presently unknown event.

Very truly yours,

PHILIP A. CRANE, JR.

cc: Service List

ward J. Volz

Secretary-Treasurer

# CALIFORNIA STATE ASSOCIATION OF ELECTRICAL WORKERS

Affiliated With



## International Brotherhood of Electrical Workers

2/23/78  
A.F.L.-C.I.O.

2/

Representing 90,000 Members in the State of California

Mr. Peter A. Bradford  
Nuclear Regulatory Commission  
Washington, D.C. 20555

... SET NUMBER " 50-133  
... & UTIL. EAC. 50-582, 583  
50-275, 323

Re: California Nuclear Power Plants

Dear Mr. Bradford:

The California State Association of Electrical Workers urges strong efforts by your commission to do the following:

1. Support San Diego Gas & Electric Company in their planned construction of the Sundesert plant near Blythe, California.
2. Help in clearing obstacles to the opening of the two units at San Luis Obispo (Diablo Canyon).
3. Support reopening of Pacific Gas & Electric's Humboldt nuclear facility.

In our opinion, the possibility of any major damage to these plants by earthquake or other natural disasters is unlikely.

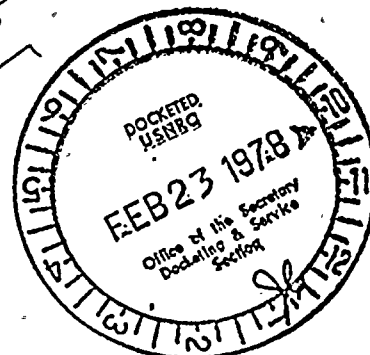
We are concerned with all the delays, increased costs of construction and the possibility of further unemployment in the State of California within the next several years because of the inability to supply power to our ever growing state. (You can't halt the migration to California!)

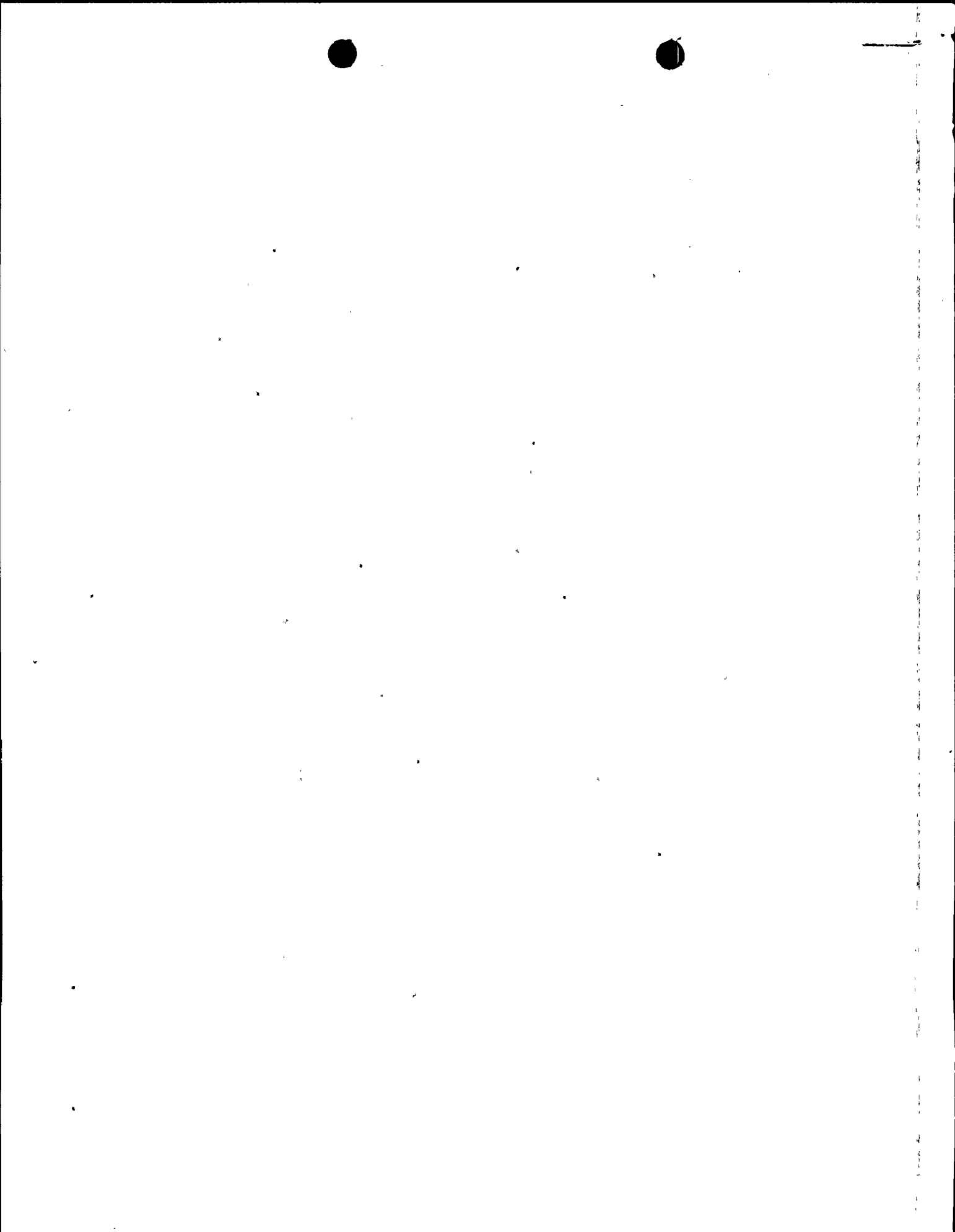
Our Association, while only 90,000 members, is a cross-section of any community, and we believe that nuclear energy is the only practical way during the next two decades for generating electrical power. Hopefully, by then the technology will be advanced so that solar or geothermal may be the answer for our future needs.

Very truly yours,

Howard J. Volz  
Secretary/Treasurer

HJV:si  
opeiu 139, afl/cio





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March 20, 1978

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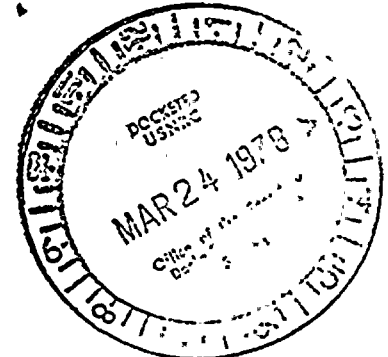
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Mr. John F. Stolz, Chief  
Light Water Reactors Branch No. 1  
Division of Project Management  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Re: Docket No. 50-275-OL  
Docket No. 50-323-OL  
Diablo Canyon Units 1 & 2



Dear Mr. Stolz:

On January 24, 1978 we responded to your letter of November 22, 1977 regarding the Regulatory Staff's position on emergency power system designs for sustained degraded grid voltage conditions. The attached material, Emergency Power System Revisions, March 17, 1978, replaces Items 1, 2, 3, and 6 of Position 1 - additional points on page 2 of our response.

Kindly acknowledge receipt of this material on the enclosed copy of this letter and return it to me in the enclosed addressed envelope.

Very truly yours,

Philip A. Crane, Jr.

Enclosures  
CC w/enc.: Service List

EMERGENCY POWER SYSTEM  
REVISIONS  
MARCH 17, 1978

1. Selection of voltage and time set points is based upon the consequences of the initiated action, system and plant status, and the variable sensed.

Initial transfer of ESF loads from the unit to the Standby Startup Source is delayed only 0.8 to 2.3 seconds, depending upon the degree of low voltage, in order to maintain plant operation.

The delay in starting the diesel generators upon detection of Standby Startup low voltage varies from 1.0 second at 0 volts to 6.4 seconds at 90 percent voltage. This prevents nuisance diesel generator starts and, at the same time, minimizes the period when a backup power source is not immediately available.

As described above, initiation of load shedding requires coincident detection and a time delay variable from 4 seconds at 0 volts to 19 seconds at 90 percent voltage. This design is utilized to provide maximum availability and adequate protection for the ESF equipment and to prevent undesirable load shedding.

2. Coincident logic is employed as described above. Offsite power sources are not actually tripped because high voltage breakers are not opened. Coincident logic is therefore not required to prevent spurious trips.
3. Starting of the diesel generator is delayed 1 to 6.4 seconds upon sensing of a low voltage condition on the Standby Startup Source. This delay does not, however, reduce the availability of the offsite source should a backup be required because it is still the preferred source once adequate voltage is restored.
6. Each ESF bus has its own set of protection relay and transfer schemes. The function and installation of these schemes are designed in accordance with IEEE Std. 279-1971, "Criteria for Protection Systems for Nuclear Power Generating Stations." Because there are three ESF buses and only two are required for system operation, no single failure in degraded grid protection equipment would result in an unsafe condition.



# COPY

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April 4, 1978

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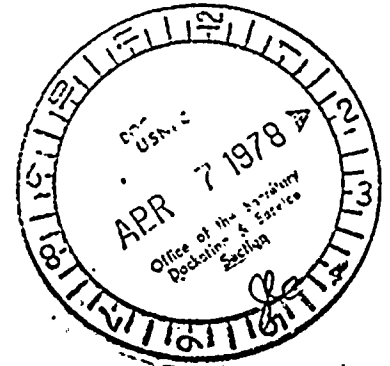
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ATTORNEYS

RELATED CORRESPONDENCE

L. Dow Davis IV  
 Office of Executive Legal Director  
 BETH 042  
 U. S. Nuclear Regulatory Commission  
 Washington, D. C. 20555

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



Dear Dow:

We have reviewed Mr. Fleischaker's letter to you dated March 20, 1978 setting forth his draft of the proposed contentions. We believe the changes he suggests from the version circulated by you are acceptable.

Very truly yours,

PHILIP A. CRANE, JR.

PAC:nl

cc: Service List

# COPY

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April 4, 1978

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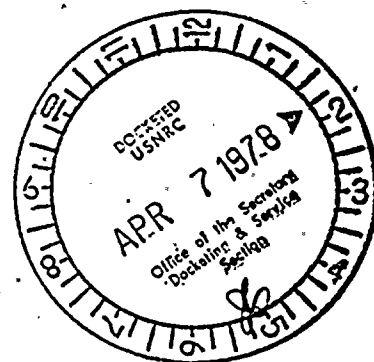
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Ms. Elizabeth S. Bowers, Esq.  
Chairman  
Atomic Safety and Licensing Board  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

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



Dear Ms. Bowers:

In your Order dated March 14, 1978 you requested the parties other than the NRC Staff to submit conclusions of law on the environmental issues and transcript corrections. I have reviewed the findings of fact and conclusions of law prepared by the NRC Staff dated April 4, 1977 and I have no additions or changes to suggest to the Staff's proposals.

I have misplaced my copy of the transcript corrections but I expect to be able to mail it in by the end of this week.

Very truly yours,

PHILIP A. CRANE, JR.

PAC:nl

cc: Service List



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

April 3, 1978

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

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

Dr. William E. Martin  
Senior Ecologist  
Battelle Memorial Institute  
Columbus, Ohio 43201

In the Matter of  
Pacific Gas and Electric Company  
(Diablo Canyon Nuclear Power Plant, Units Nos. 1 and 2)  
Docket Nos. 50-275 O.L. and 50-323 O.L.

Dear Members of the Board:

Enclosed for your information is Mr. Eward Case's letter of March 22, 1978 denying Intervenor's request for a Show Cause Order pursuant to 10 C.F.R. §2.206 and the accompanying Safety Evaluation Report.

Sincerely,

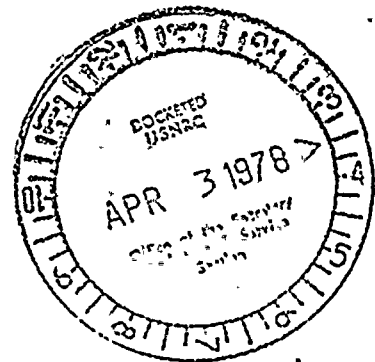
L. Dow Davis  
Counsel for NRC Staff

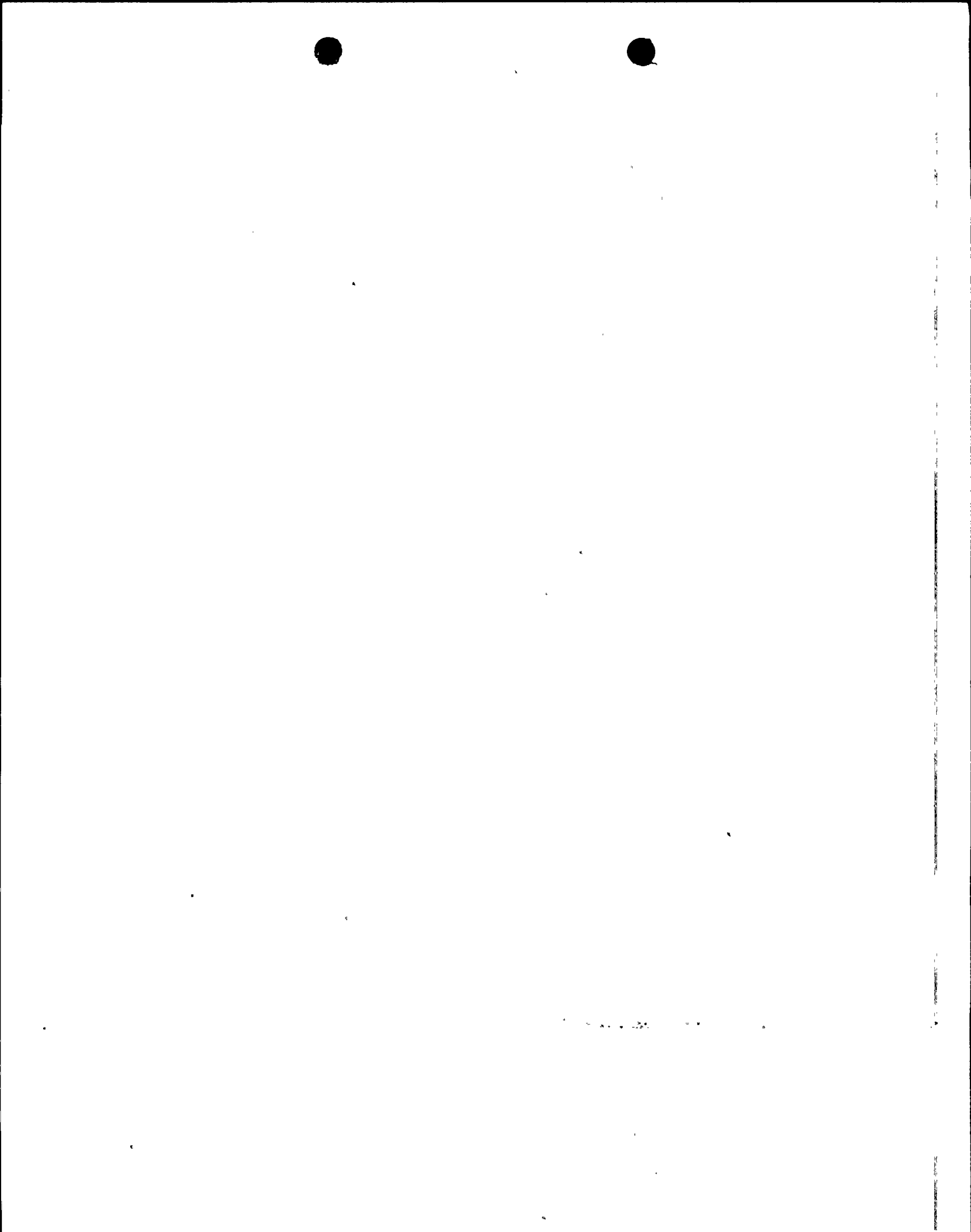
Enclosure

cc (w/ encl.):  
Atomic Safety and Licensing Appeal Panel

cc (w/o encl.):  
Philip A. Crane, Jr., Esq.  
Mrs. Elizabeth Apfelberg  
Mr. Raye Fleming  
Mr. Frederick Eissler  
Mrs. Sandra A. Silver  
Mr. Gordon Silver  
Richard Hubbard  
Paul C. Valentine, Esq.  
Yale I. Jones, Esq.  
Brent Rushforth, Esq.  
David F. Fleischaker, Esq.

Arthur C. Gehr, Esq.  
Janice E. Kerr, Esq.  
Mr. James O. Schuyler  
Bruce Norton, Esq.  
Atomic Safety and Licensing Board Panel  
Docketing and Service Section





# PACIFIC GAS AND ELECTRIC COMPANY

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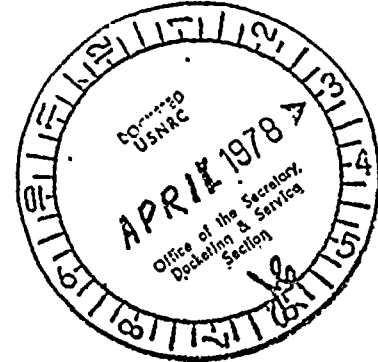
J. DEAN WORTHINGTON  
EXECUTIVE VICE PRESIDENT

April 3, 1978

RELATED CORRESPONDENCE

Mr. R. H. Engelken, Director  
Office of Inspection and Enforcement  
Region V  
U. S. Nuclear Regulatory Commission  
1990 North California Boulevard  
Walnut Creek Plaza, Suite 202  
Walnut Creek, California 94596

Re: Docket No. 50-275  
Docket No. 50-323  
Diablo Canyon Site  
Units 1 and 2



Dear Mr. Engelken:

Pursuant to the requirements set forth in Title 10 of the Code of Federal Regulations Part 21.21, Pacific Gas and Electric Company is hereby providing information that there is a reasonable indication that a type of equipment component contains a defect reportable under this Part. This information was reported by Mr. R. P. Wischow by telephone to Mr. George Spencer, Chief Reactor Construction and Engineering Support Branch, and Mr. L. E. Vorderbrueggen, Reactor Inspector, Region V, on March 31, 1978 at 1400 hours.

The information concerning this defect to the extent known at this time is as follows:

1. During the current seismic qualifications testing program at the Diablo Canyon Units 1 and 2, a suspected problem was identified in that some of the Unit 2 NEMA Size 2 motor controllers for nuclear safety-related equipment in the 480 volt system Bus Sections F, G, and H may not meet the current seismic criteria. Upon further examination and evaluation of these motor controllers, provided by the General Controls Division of the Westinghouse Electric Corporation, it was determined that the kickout springs for the NEMA Size 2 motor controllers supplied for Unit 2 had different characteristics than those supplied for Unit 1. The Renewal Parts Data literature for these motor controllers for both Unit 1 and Unit 2 furnished by this supplier referenced identical part numbers and therefore the springs should have had the same characteristics. These springs are an integral part of the motor controllers and have a direct effect on the overall seismic capability of the equipment.

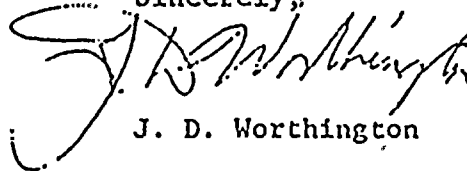
DIABLO DISTRIBUTION

April 3, 1978

2. About six NEMA Size 2 controllers are affected in each Unit for a total of about 12 such controllers. In addition, the NEMA Size 1 controllers may also be involved with a similar problem; this question is being examined and there is no further information available at this time.
3. This potential problem was identified for further evaluation by the PGandE Engineering Department in Nonconformance Report No. DCO-78-EN-005 dated March 24, 1978. The Nonconformance Technical Review Group met to review this potential problem on March 29, 1978. The potential problem was referred to the General Office Review Group who met and determined on March 30, 1978 at 1630 hours that this potential problem was reportable under 10CFR21. An oral report concerning this reportable item was made to the U. S. Nuclear Regulatory Commission, Region V, on March 31, 1978 at 1400 hours.
4. The corrective action includes examination of the 12 NEMA Size 2 motor controllers in Units 1 and 2. Those springs that do not meet the original specifications for Unit 1 will be replaced. Furthermore, the safety-related NEMA Size 1 motor controllers in the same bus sections will be examined and, if the springs are found to be unacceptable, replacement springs will be installed. Westinghouse will be asked by the Company to determine whether there were any similar modifications to the springs in other motor controllers for the 480 volt system Bus Sections F, G, and H. These actions will be completed by the Company and/or Westinghouse by September 1, 1978.
5. The Westinghouse Corporation representatives, Mr. R. Salvatori and W. Gangloff, were notified of this problem on March 31, 1978 at 1230 hours by Mr. J. O. Schuyler, PGandE Nuclear Projects Engineer.

This information constitutes full disclosure of this problem pursuant to 10CFR21.

Sincerely,



J. D. Worthington

cc: Director  
Office of Inspection and Enforcement  
U. S. Nuclear Regulatory Commission  
Washington, D.C. 20555  
(3 copies)

# PACIFIC GAS AND ELECTRIC COMPANY.

PG&E + 77 BEALE STREET, 31ST FLOOR • SAN FRANCISCO, CALIFORNIA 94106 • (415) 781-4211

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VICE PRESIDENT AND GENERAL COUNSEL

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PHILIP A. CRANE, JR.  
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JOHN B. GIBSON

ARTHUR L. HILLMAN, JR.  
ROBERT OHLBACH  
CHARLES W. THISELL  
ASSISTANT GENERAL COUNSEL

April 11, 1978

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GLENN WEST, JR.  
DAN GRAYSON LUBBOCK  
JACK F. FALUN, JR.  
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ROBERT L. BODDON  
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JOHN N. FRYE  
PATRICK O. GOLOCH  
PETER W. HANCOCK  
JUAN M. JAYD  
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NORRIS E. LINDEN  
JAMES C. LOGSDON  
RICHARD L. MEISS  
DOUGLASS A. OLESBY  
J. MICHAEL REIDENBACH  
YVES E. SANDON  
SUE ANN LEVIN SCHIFF  
DAVID J. WILLIAMSON  
BRUCE R. WORTHINGTON

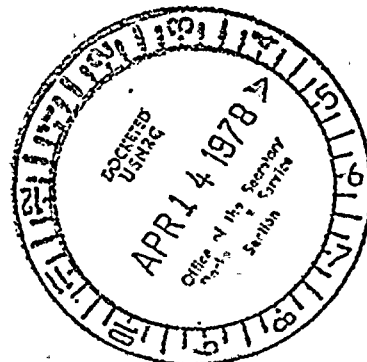
EDWARD J. MCBANNEY  
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RICHARD F. LOCKE  
HARRY W. LOND, JR.  
RICHARD M. MOSS  
ROBIN J. PETERS  
ROBERT R. RICEFF  
SHIRLEY A. SANDERSON  
JACK W. SHUCK  
SHIRLEY A. WOOD

ATTORNEYS

Mr. John F. Stolz, Chief  
Light Water Reactors Branch No. 1  
Division of Project Management  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Re: Docket No. 50-275-OL  
Docket No. 50-323-OL  
Diablo Canyon Units 1 & 2



Dear Mr. Stolz:

The following is a response to a verbal request for additional information made by the Staff in a meeting with representatives of PG&E and Westinghouse on March 6-7, 1978. This response was provided to P. Y. Chen by telephone on March 22, 1978.

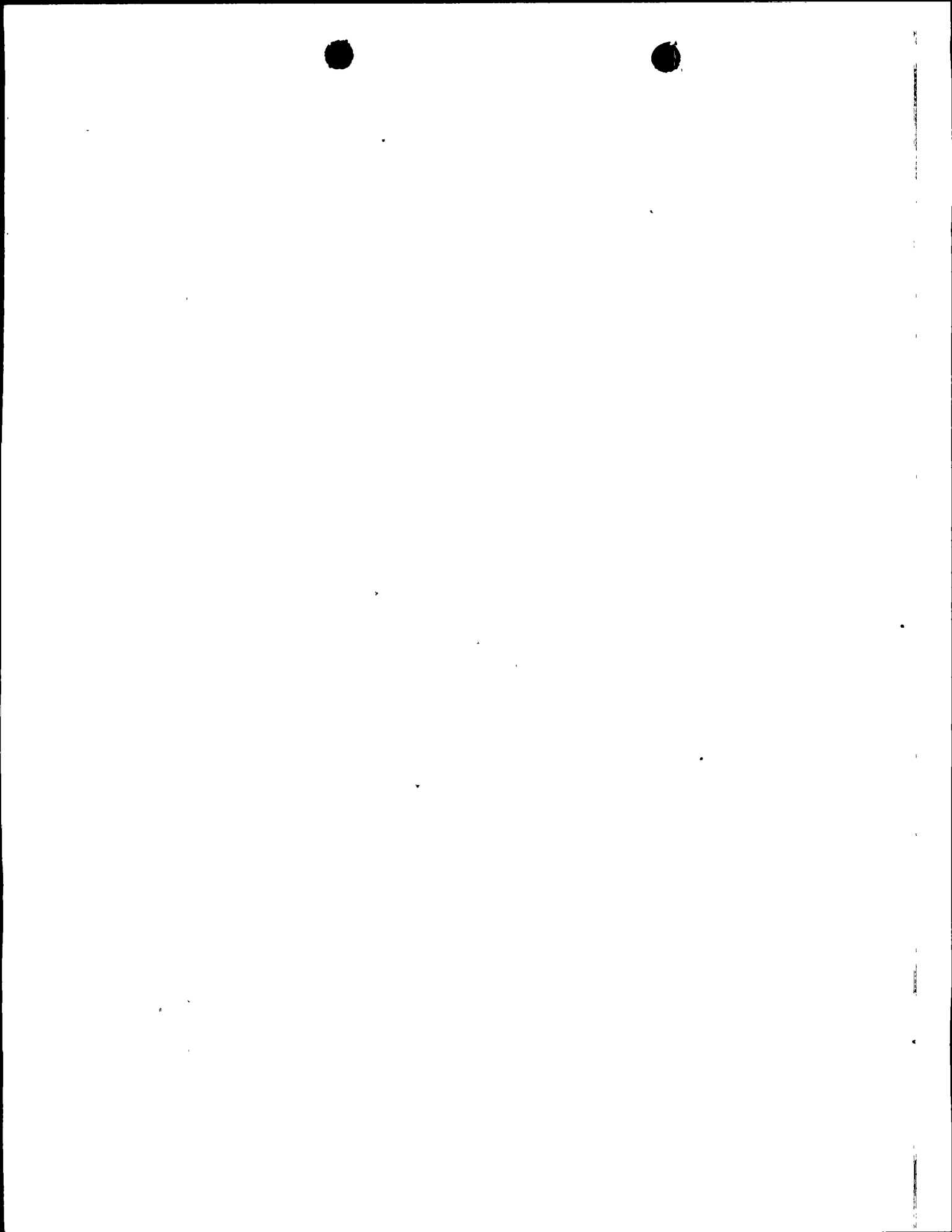
This supplements information on reactor vessel internals in a report entitled, "Response to Combinations of Calculated Loads for Pipe Break and Earthquake" transmitted to you by our letter of February 22, 1978. An "over-allowable" condition of 8% was reported in the lower radial support keys. It was stated in the report that the "over-allowable" condition was based on minimum code allowables and that the use of actual material properties could eliminate the apparent "over-allowable" condition.

The material used is forged ASTM A-182 Type F-304 steel. Substitution of the actual material properties into the faulted condition allowable stress equations (see the FSAR, Table 5.2 - 13) yields an allowable stress approximately 15% higher than the allowable stress based upon code minimums. As noted in the report, use of the actual material properties eliminates the apparent "over-allowable" condition.

Very truly yours,

Philip A. Crane, Jr.

CC: Service List





# PACIFIC GAS AND ELECTRIC COMPANY

77 BEALE STREET, 31ST FLOOR • SAN FRANCISCO, CALIFORNIA 94106 • (415) 781-4211

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CHARLES W. THISELL  
ASSISTANT GENERAL COUNSEL

May 2, 1978

RELATED CORRESPONDENCE

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OLYMPIA WEST, JR.  
DAN GRAYSON-SUBROCK  
JACK F. FALLIN, JR.

SENIOR COUNSEL

EDWARD J. MCDANNEY  
DANIEL C. DIBSON  
JAMES J. KELLY  
HOWARD V. GULUR

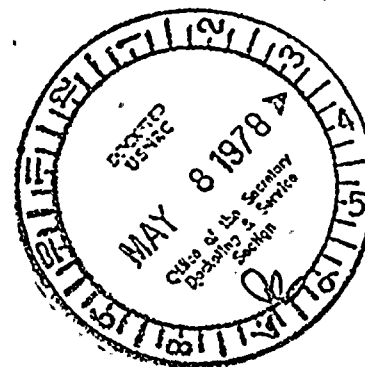
JOSHUA BARILEY  
ROBERT L. BORDON  
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DENARD J. DELLASANTA  
WILLIAM H. EDWARDS  
JOSEPH S. EGGLESTON, JR.  
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J. PETER BAUMBARTNER  
STEVEN P. BURKE  
DANIELA CHAPPELLE  
ERIK G. DENTON  
DANIEL P. ENDINAS  
DONALD E. ELLIOTT  
DAVID C. GILBERT  
ANNETTE GREEN  
ROBERT L. HARRIS  
KEVIN R. KUBITZ  
TODD L. LINDBERGH, JR.  
RICHARD F. LUCE  
MADON W. LUND, JR.  
RICHARD W. MOSS  
ROBERT J. PETERSON  
WALTER R. RICKERT  
SHIRLEY A. SANDERSON  
JACK W. SHUCK  
SHIRLEY A. WOOD

ATTORNEYS

Margaret J. Blodgett, Esq.  
Center for Law in the Public Interest  
10203 Santa Monica Boulevard  
Fifth Floor  
Los Angeles, California 90067

Re: Docket No. 50-275-OL  
Docket No. 50-323-OL  
Diablo Canyon Units 1 & 2



Dear Ms. Blodgett:

This is in reply to your letter to me dated April 19, 1978 concerning an aborted tour of the Diablo Canyon facility by the Mothers for Peace. I regret that there apparently was some misunderstanding as to the scope of the tour which they were offered. They were offered what I described in my letter to you dated April 6, 1978 as "... the standard tour which is available to members of the public."

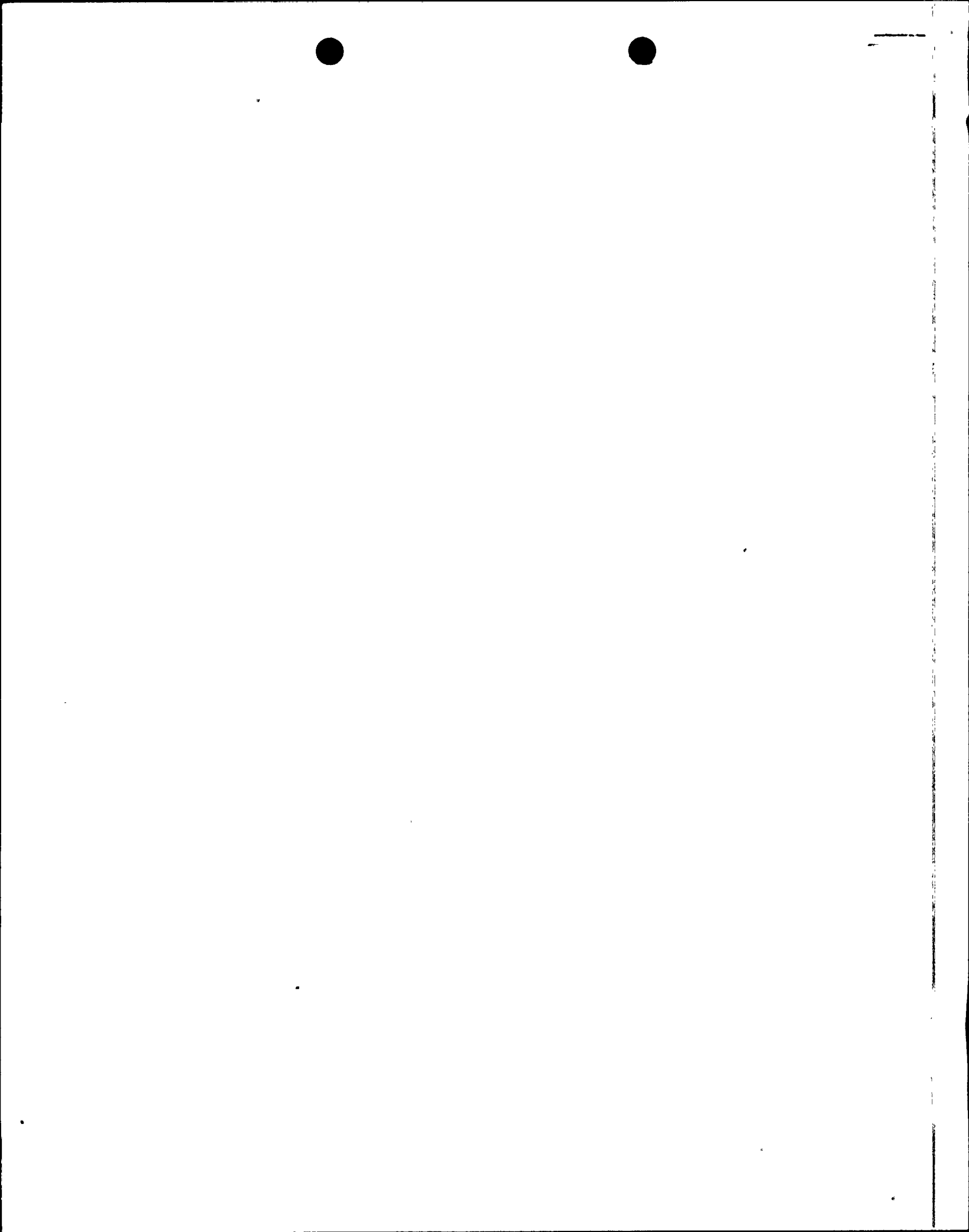
In any event we are not scheduling any more tours inside the plant for a number of reasons, including the scope of construction work currently in progress and reasons of plant security. Although one or more tours may be conducted through the plant in the near future, they were scheduled a long time ago. After these tours are completed (I personally know of only one such tour) visits to the plant will be limited as specified in the NRC regulations.

I received a second letter from you dated April 19, 1978 concerning Rattlesnake Canyon. We have made our opposition to this site abundantly clear to the Coastal Commission. If you wish more information on this I suggest you review the proceedings of that agency.

Very truly yours,

Philip A. Crane, Jr.

CC: Service List





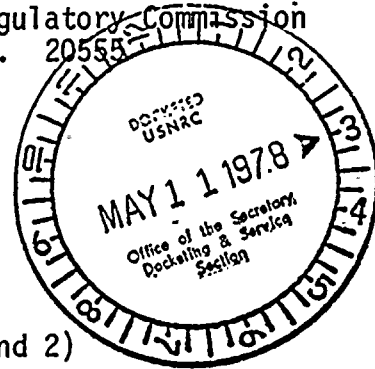
UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

May 8, 1978

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

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

Dr. William E. Martin  
Senior Ecologist  
Battelle Memorial Institute  
Columbus, Ohio 43201



In the Matter of  
Pacific Gas and Electric Company  
(Diablo Canyon Nuclear Power Plant, Units Nos. 1 and 2)  
Docket Nos. 50-275 O.L.  
50-323 O.L.

Dear Members of the Board:

This is in response to today's request by the Board for the Staff's views on a pleading entitled, "Intervenor's Response to Pacific Gas and Electric Company's Response and Supplemental Response to Intervenor's Petition to Establish the Qualifications of Security Expert for Discovery".

In the referenced pleading, intervenors requested reconsideration of the qualifications as experts for Dr. Douglas L. DeNike and Dr. Bruce L. Welch. In addition, they offered as an expert Mr. Richard L. Hubbard, attaching his qualifications as Exhibit "A" to their pleading.

The information currently submitted on Dr. DeNike presents no new facts of substance since the Board's Order of November 3, 1977 deciding Dr. DeNike was not an expert. The Staff suggests that the Board reaffirm its prior ruling in this regard.

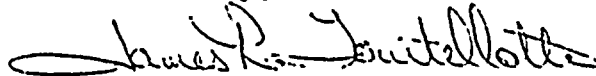
On February 17, 1978, the Staff filed a response to intervenor's petition to establish qualifications of Dr. Welch. There, the Staff took the position that while Dr. Welch may have had some passing acquaintance with security, petitioners failed to demonstrate that he was, in fact, an expert. In light of the elaboration set out in intervenor's response, Staff is still of the opinion that intervenors have failed to demonstrate that Dr. Welch has expert qualifications. Accordingly, Staff suggests the Board find that Dr. Welch is unqualified.

Elizabeth S. Bowers, Esq.  
Dr. William E. Martin  
Mr. Glenn O. Bright

-2-

Although the qualifications of Richard L. Hubbard indicate several years of experience in the fields of engineering and quality assurance in the nuclear industry, nothing in his resume, marked Exhibit "A" of intervenor's pleading, indicates that he possesses either the education or experience with security matters that would qualify him to serve as a security expert in this or any other proceeding. Simply because he possesses a degree of expertise in one area of the nuclear industry, it does not follow that he is also an expert in some unrelated discipline. The Staff urges the Board to reject Mr. Hubbard as a security expert.

Sincerely,



James R. Tourtellotte  
Assistant Chief Hearing Counsel

cc: Philip A. Crane, Jr., Esq.  
Mrs. Elizabeth Apfelberg  
Mrs. Raye Fleming  
Mr. Frederick Eissler  
Mrs. Sandra A. Silver  
Mr. Gordon Silver  
Richard B. Hubbard  
Paul C. Valentine, Esq.  
Yale I. Jones, Esq.  
Brent Rushforth, Esq.  
David F. Fleischaker, Esq.  
Arthur C. Gehr, Esq.  
Janice E. Kerr, Esq.  
Mr. James O. Schuyler  
Bruce Norton, Esq.  
Atomic Safety and Licensing Board Panel  
Atomic Safety and Licensing Appeal Panel  
Docketing and Service Section

May 5, 1978

Dear Mr. Hendrie;

Plutonium (PU<sub>239</sub>) has a radioactive  $\frac{1}{2}$  life of 24,000 years. It has been shown that there is no threshold below which radiation can not cause damage. Plutonium, the by-product of nuclear energy, will be radioactive for hundreds of thousands of years and presently there is no safe permanent way to deal with the deadly wastes.

I believe that to continue with nuclear as a source of energy is morally reprehensible. To leave such lethal poisons for future generations to deal with is totally insane. Should we ever find a way to dispose of these wastes it is even more unthinkable of us to assume society will remain stable and that it will be safely stored and guarded for 500,000 years.

Societies have, in the past, fallen over night. How would we have felt if the Egyptians had left such a legacy to us in their pyramids? Your children and grandchildren will be the ones forced to deal with your mistake. Can you, in all good conscience, leave this deadly gift to them?

Our greed, our uncaring and unthinking ways are creating a deadly radioactive time-bomb that will be ticking away far, far into the future. I implore you to abandon nuclear power and deny Diablo Canyon Nuclear Power Plant Site an operating license.

Sincerely,

*Meg Simonds*

Meg Simonds  
People Generating Energy  
452 Higuera St.  
San Luis Obispo, Ca. 93401  
(805) 543-6614







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

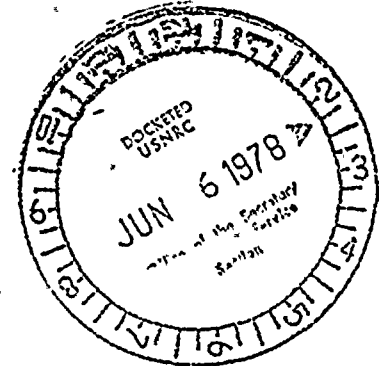
June 1, 1978

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

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

Dr. William E. Martin  
Senior Ecologist  
Battelle Memorial Institute  
Columbus, Ohio 43201

In the Matter of  
Pacific Gas and Electric Company  
(Diablo Canyon Nuclear Power Plant, Units Nos. 1 and 2)  
Docket Nos. 50-275 O.L. and 50-323 O.L.



Dear Members of the Board:

Intervenors supplemented their proposed findings of fact dated April 6, 1977 in a document entitled "Intervenor's Proposed Conclusions of Law Concerning Three Environmental Matters" dated May 11, 1978. Included in the May 11, 1978 document is what appears to be a request for re-opening the proceedings to consider information regarding the effects of low-level radiation on plant workers.

Since the rules of the Commission do not call for Staff answers to Intervenor's proposed findings, we request the Board inform us as to whether they would like the Staff to answer this extraneous part of the Intervenor's findings or whether the matter should be disregarded.

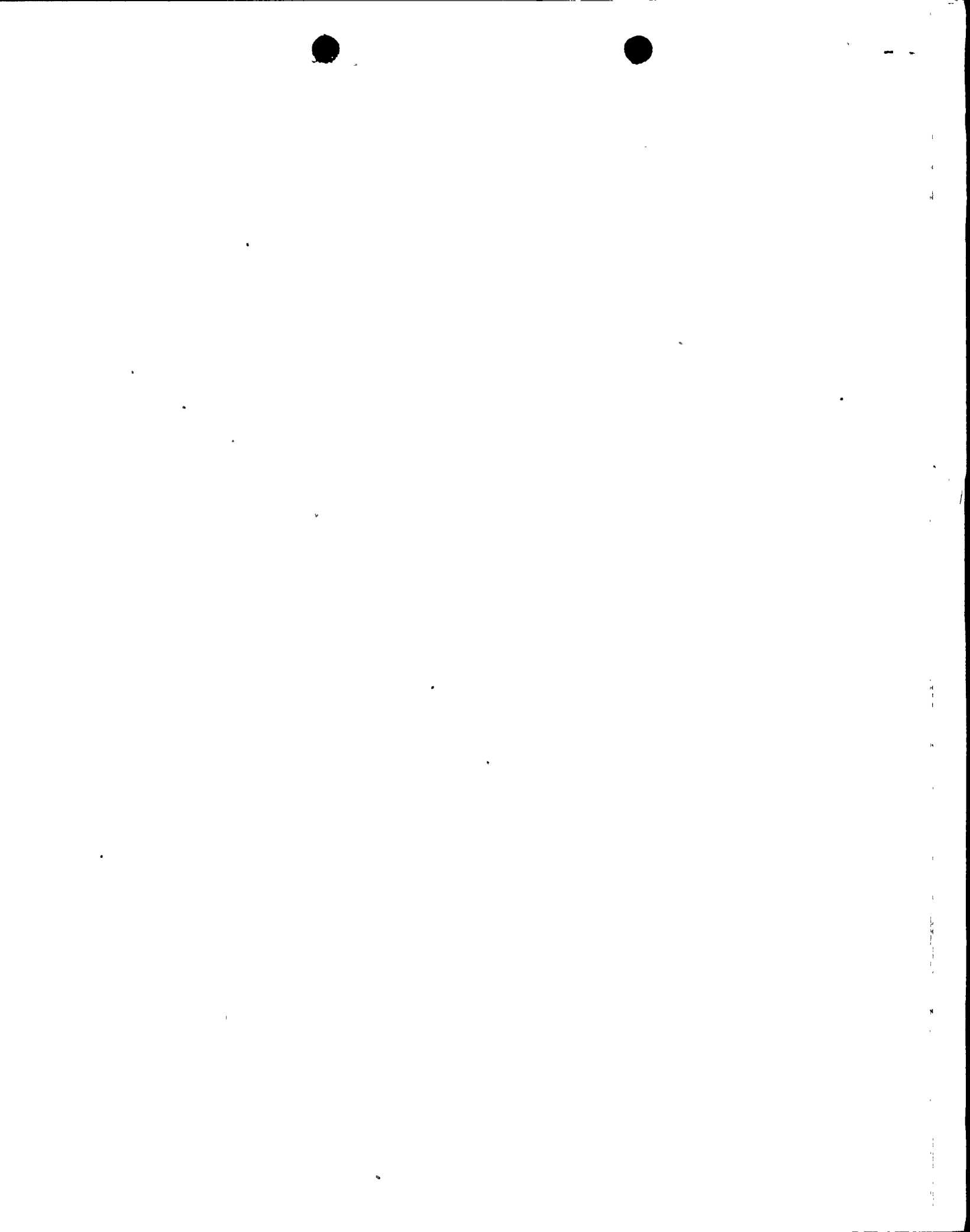
Sincerely,

James R. Tourtellotte  
Assistant Chief Hearing Counsel

cc:

Philip A. Crane, Jr.  
Mrs. Elizabeth Apfelberg  
Mrs. Raye Fleming  
Mr. Frederick Eissler  
Mrs. Sandra A. Silver  
Mr. Gordon Silver  
Richard B. Hubbard  
Paul C. Valentine, Esq.  
Yale I. Jones, Esq.  
John R. Phillips, Esq.  
David F. Fleischaker, Esq.  
Arthur C. Gehr, Esq.

Janice E. Kerr, Esq.  
Mr. James O. Schuyler  
Bruce Norton, Esq.  
Atomic Safety & Licensing Board Panel  
Atomic Safety & Licensing Appeal Panel  
Docketing and Service Section







UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of )  
PACIFIC GAS AND ELECTRIC COMPANY )  
(Diablo Canyon Nuclear Power Plant, )  
Units 1 and 2) )

Docket Nos. 50-275 OL  
50-323 OL

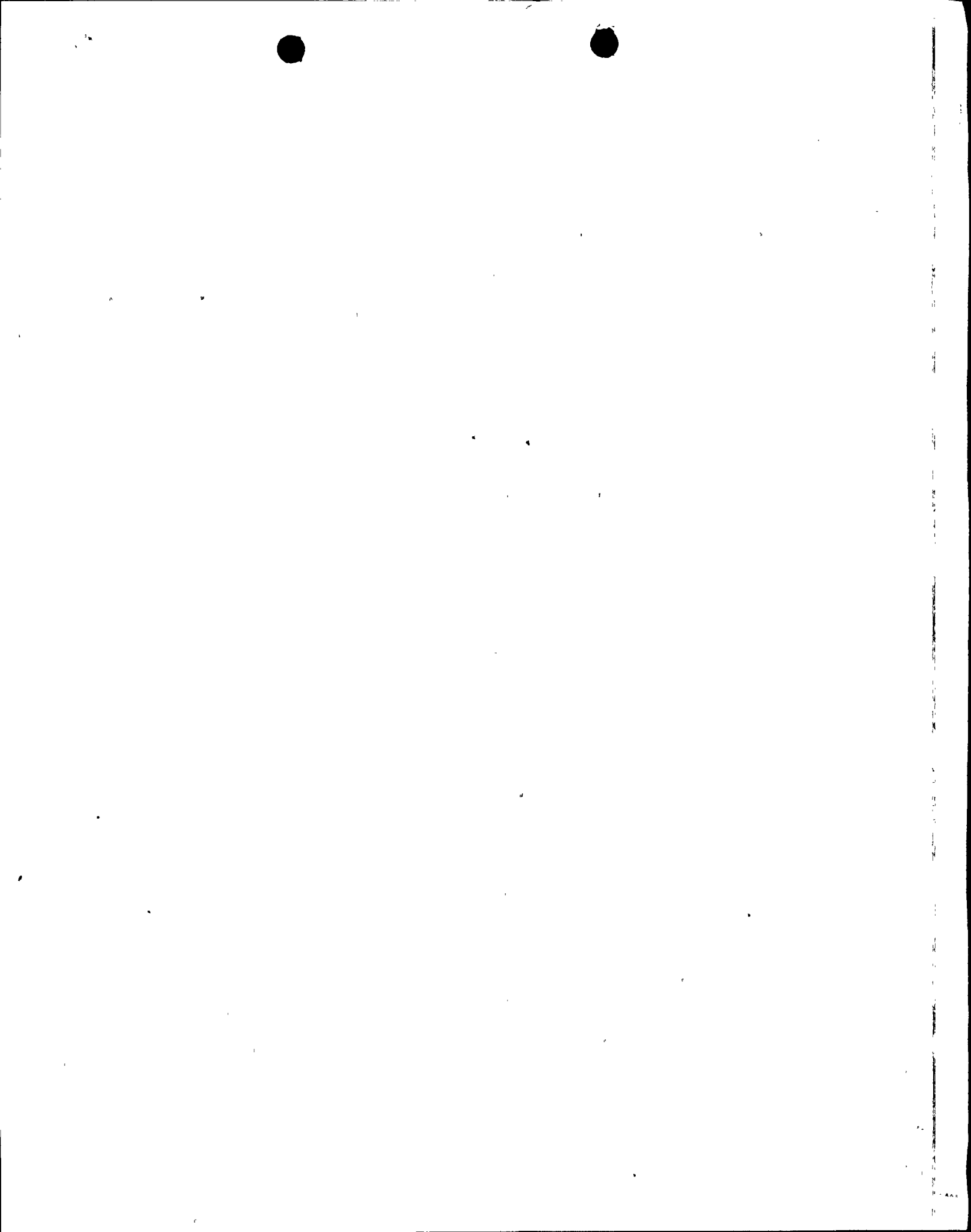
ORDER RELATIVE TO DEPOSITION  
OF DAVID COMEY AS A SECURITY EXPERT

6-13-78

On May 23, 1978, the San Luis Obispo Mothers for Peace (MFP) petitioned the Board to determine that David Comey is a qualified expert for discovery of the security plan. Counsel for MFP submitted an affidavit which states that Mr. Comey was unavailable because of conflicts in schedule during the sixty (60) day search period granted by the Board but on May 23, 1978, counsel learned he is now available. Counsel alleged that neither PG and E nor Staff is prejudiced by the lateness of the petition.

On June 5, 1978, PG and E and Staff each responded to the petition. The Staff did not comment on the question of untimeliness of the petition but stated that there was insufficient information to determine if Mr. Comey is an expert in security matters. The Staff requested the Board to defer its ruling until the Staff deposes Mr. Comey. It suggested that the deposition could be taken within thirty (30) days from the date of this Order.

HEARING/1  
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Reg. Files

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Elizabeth S. Bowers, Chairman  
Glenn O. Bright, Member  
William E. Martin, Member



SERVED JUN 13 1978

In the Matter of  
PACIFIC GAS AND ELECTRIC COMPANY  
(Diablo Canyon Nuclear Power Plant,  
Units 1 and 2)

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

June 12, 1978

PARTIAL INITIAL DECISION

(Operating License)  
(Environmental Issues)

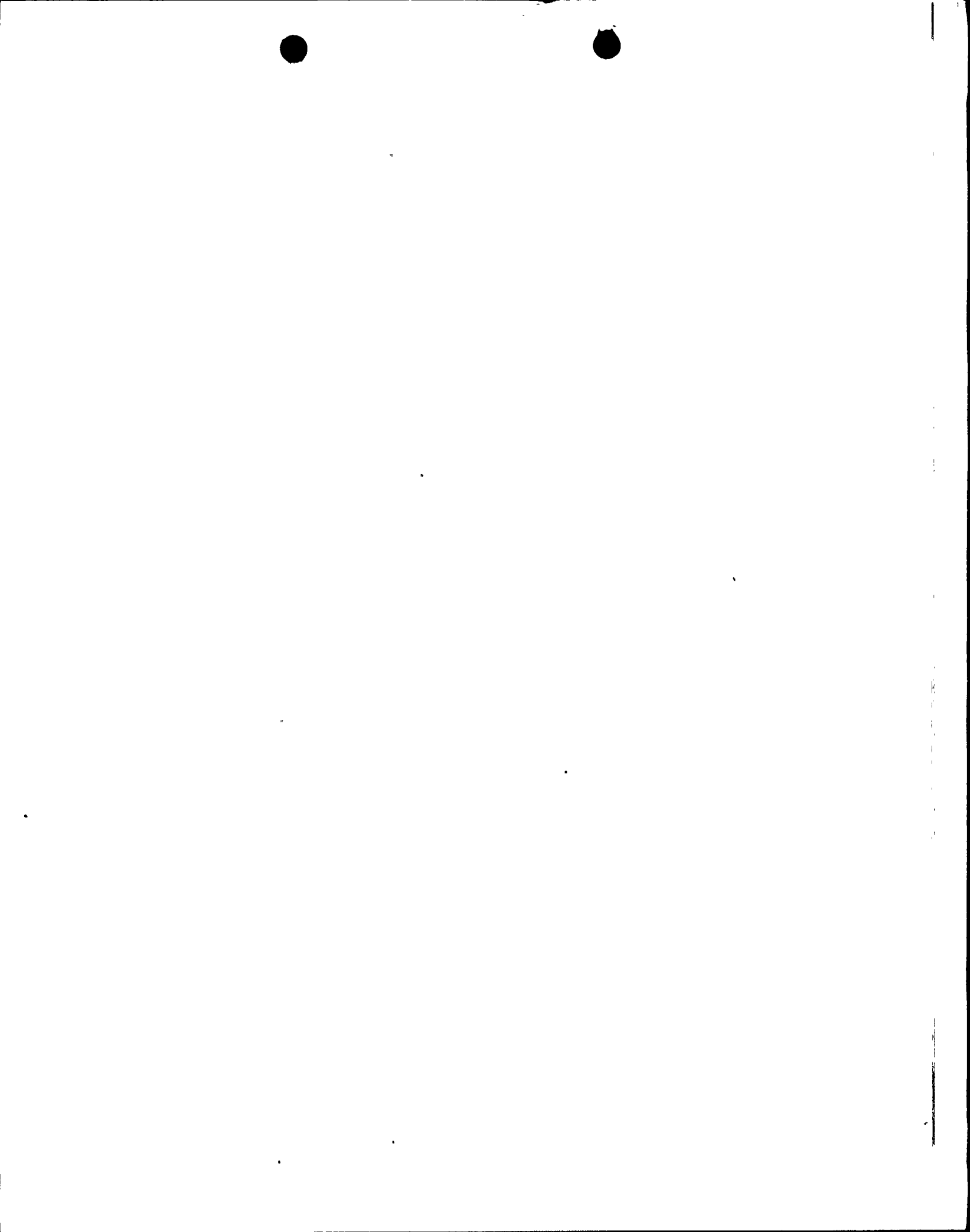
APPEARANCES

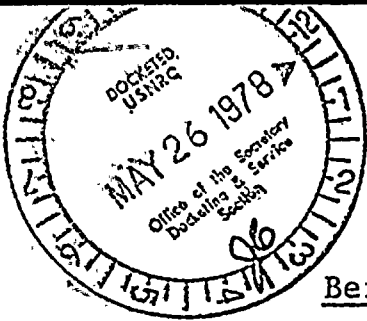
Philip A. Crane, Jr., Esq., Assistant General Counsel,  
Pacific Gas and Electric Company, 77 Beale Street,  
San Francisco, California 94106; Bruce Norton, Esq.,  
and Arthur Gehr, Esq., Snell and Wilmer, 3100 Valley  
Center, Phoenix, Arizona 85073 on behalf of the  
Applicant.

James Geocaris, Esq., and Brent Rushforth, Esq., Center  
for Law in the Public Interest, 10203 Santa Monica Drive,  
Los Angeles, California, on behalf of Intervenors Scenic  
Shoreline Preservation Conference, Inc., Ecology Action  
Club of California State Polytechnic-University, (San  
Luis Obispo), San Luis Obispo Mothers for Peace, John J.  
Forster, Sandra Silver, and Elizabeth Apfelberg.

James Tourtellotte, Esq., L. Dow Davis, Esq., and  
Paul Kiefer, Esq., Office of Executive Legal Director,  
U.S. Nuclear Regulatory Commission, Washington, D.C.,  
20555 on behalf of the Regulatory Staff.

Hessing/1  
GD





UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of )  
PACIFIC GAS AND ELECTRIC COMPANY )  
(Diablo Canyon Nuclear Power Plant, )  
Units 1 and 2) )

Docket Nos. 50-275 OL  
50-323 OL

ORDER RELATIVE TO PG AND E'S  
MOTION FOR EXTENSION OF TIME

5-25-78

On May 15, 1978, PG and E requested a time extension from May 16 to May 19 to respond to Intervenors' third set of interrogatories. The request was received by the Board after-the-fact on May 22, 1978. On May 22, 1978, PG and E moved for additional time to and including May 26, 1978, to respond to the interrogatories. The Board has not received a response from the Intervenors but due to the short time frame a response would also be after-the-fact. The Staff expedited its response to the Board stating it had no objection.

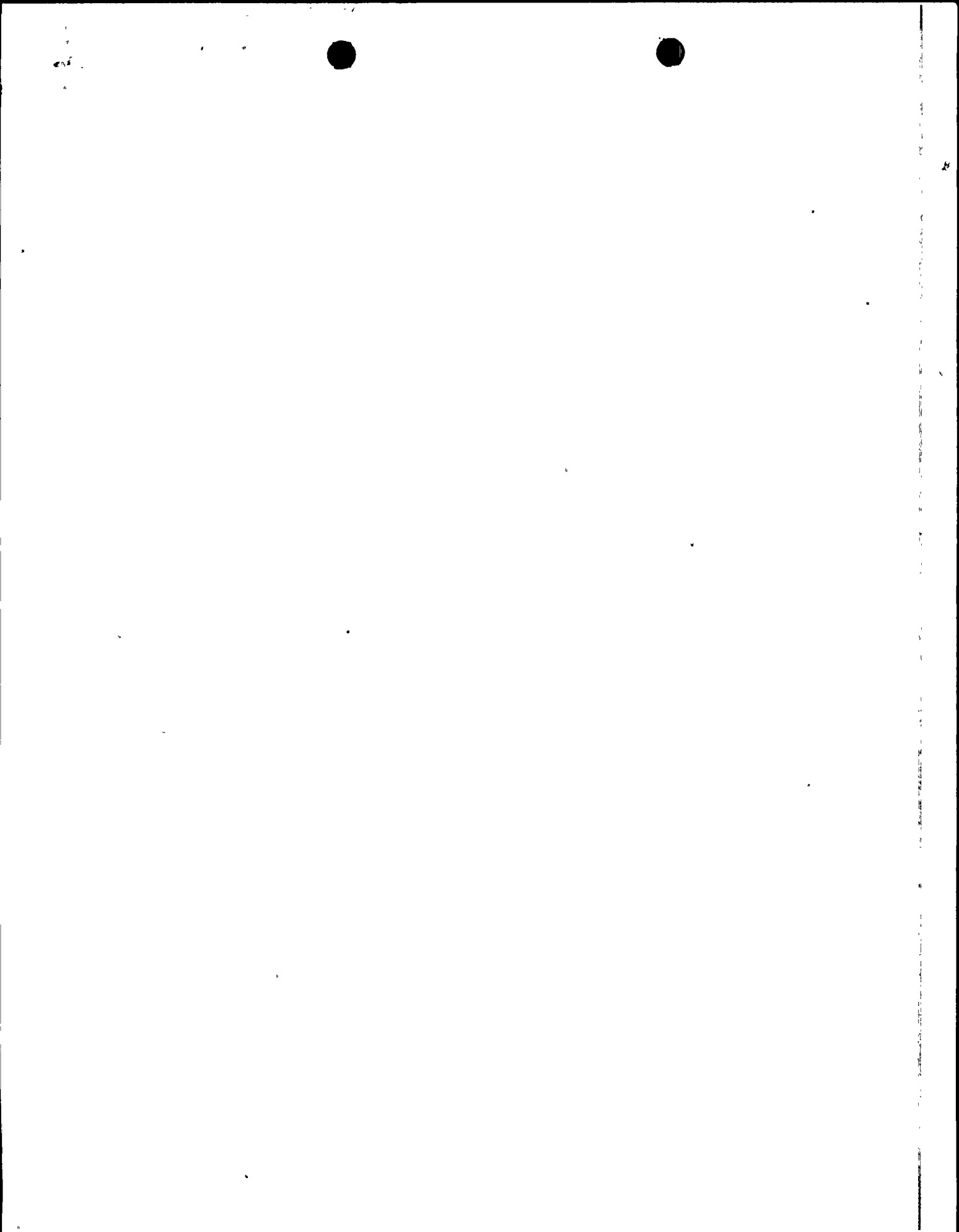
The Board has determined that good reason has been stated for the extension of time to May 26, 1978, and the motion is granted.

IT IS SO ORDERED.

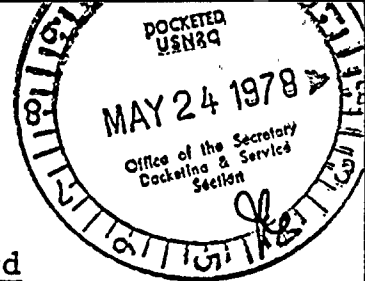
FOR THE ATOMIC SAFETY AND  
LICENSING BOARD

*Elizabeth S. Bowers* # 1  
Elizabeth S. Bowers, Chairman 60

Dated at Bethesda, Maryland  
This 25th day of May 1978



UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION



Before the Atomic Safety and Licensing Board

In the Matter of )  
PACIFIC GAS AND ELECTRIC COMPANY ) Docket Nos. 50-275 OL  
(Diablo Canyon Nuclear Power Plant, ) 50-323 OL  
Units 1 and 2) )

ORDER RELATIVE TO INTERVENORS  
MOTION TO COMPEL OF APRIL 26, 1978

*5-23-78*

On March 17, 1978, the Intervenors submitted a Second Set of Interrogatories Relating to Seismic Design to PG and E. The Applicant responded on April 14, 1978. On April 26, 1978, the Intervenors filed a "Motion to Compel Discovery" and PG and E responded on May 9, 1978.

Relative to Interrogatories 1a, b, and c; 2a, b, and c; and 3a, b, and c; PG and E responded to the very broad questions with references to the FSAR and the Hosgri Seismic Evaluation. Following receipt of the motion to compel, the Applicant also furnished two drawings in response to Interrogatory 1b. Intervenors allege that the information referenced by PG and E is "legally deficient" because it is incomplete. They request that PG and E prepare a "single listing" of the information requested.

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The Board has determined that the information referenced by PG and E is responsive to Intervenors' interrogatories and is complete and the PG and E cannot be required to reconstruct it in a more convenient form. The motion to compel relative to Interrogatories 1, 2, and 3 is denied.

In response to Interrogatory 5, the Applicant states that a "definitive report" will be available shortly from Wyle Laboratories. The Board does not agree with PG and E under 5b that "thoroughly inspected, adjusted, and tested for proper operation prior to being placed in service," is a sufficient response. After the report is released, Intervenors may designate certain specific items of equipment in order for PG and E to furnish further details. The Board will withhold ruling since it appears this matter will be resolved.

The Applicant has furnished its response to Interrogatory 8 to the Board and all parties. The motion to compel is denied.

IT IS SO ORDERED.

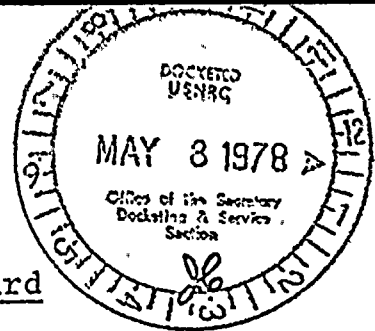
FOR THE ATOMIC SAFETY AND  
LICENSING BOARD

*Elizabeth S. Bowers*  
Elizabeth S. Bowers, Chairman

Dated at Bethesda, Maryland  
This 23rd day of May 1978.



UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION



Before the Atomic Safety and Licensing Board

In the Matter of )  
PACIFIC GAS & ELECTRIC COMPANY )  
(Diablo Canyon Nuclear Power )  
Plant, Units 1 and 2) )

Docket Nos. 50-275 OL  
50-323 OL

ORDER RELATIVE TO AN EXTENSION  
OF TIME FOR INTERVENORS

On May 2, 1978, the Center For Law In The Public Interest requested an extension of time from May 2 to May 12, 1978, to propose conclusions of law and transcript corrections relating to the hearing on environmental issues.

The request is granted.

IT IS SO ORDERED.

FOR THE ATOMIC SAFETY AND  
LICENSING BOARD

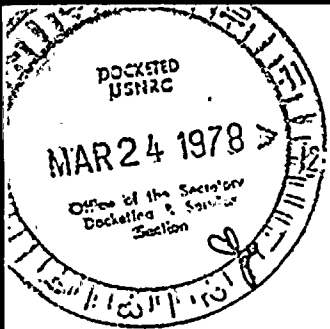
Elizabeth S. Bowers  
Elizabeth S. Bowers, Chairman

Dated at Bethesda, Maryland

This 5th day of May 1978.

H 1  
60





UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of )

PACIFIC GAS AND ELECTRIC COMPANY )

(Diablo Canyon Nuclear Power Plant, )  
Units 1 and 2) )

Docket Nos. 50-275 OL  
50-323 OL

ORDER RELATIVE TO TIME EXTENSION  
FOR THE SAN LUIS OBISPO MOTHERS FOR PEACE (SLOMP)

On March 17, 1978, counsel for SLOMP for the contention relating to the security plan requested until April 1, 1978, to file a response to Pacific Gas and Electric Company's filing regarding Dr. Bruce L. Welch.

Because time is of the essence, the Board hereby grants the request.

IT IS SO ORDERED.

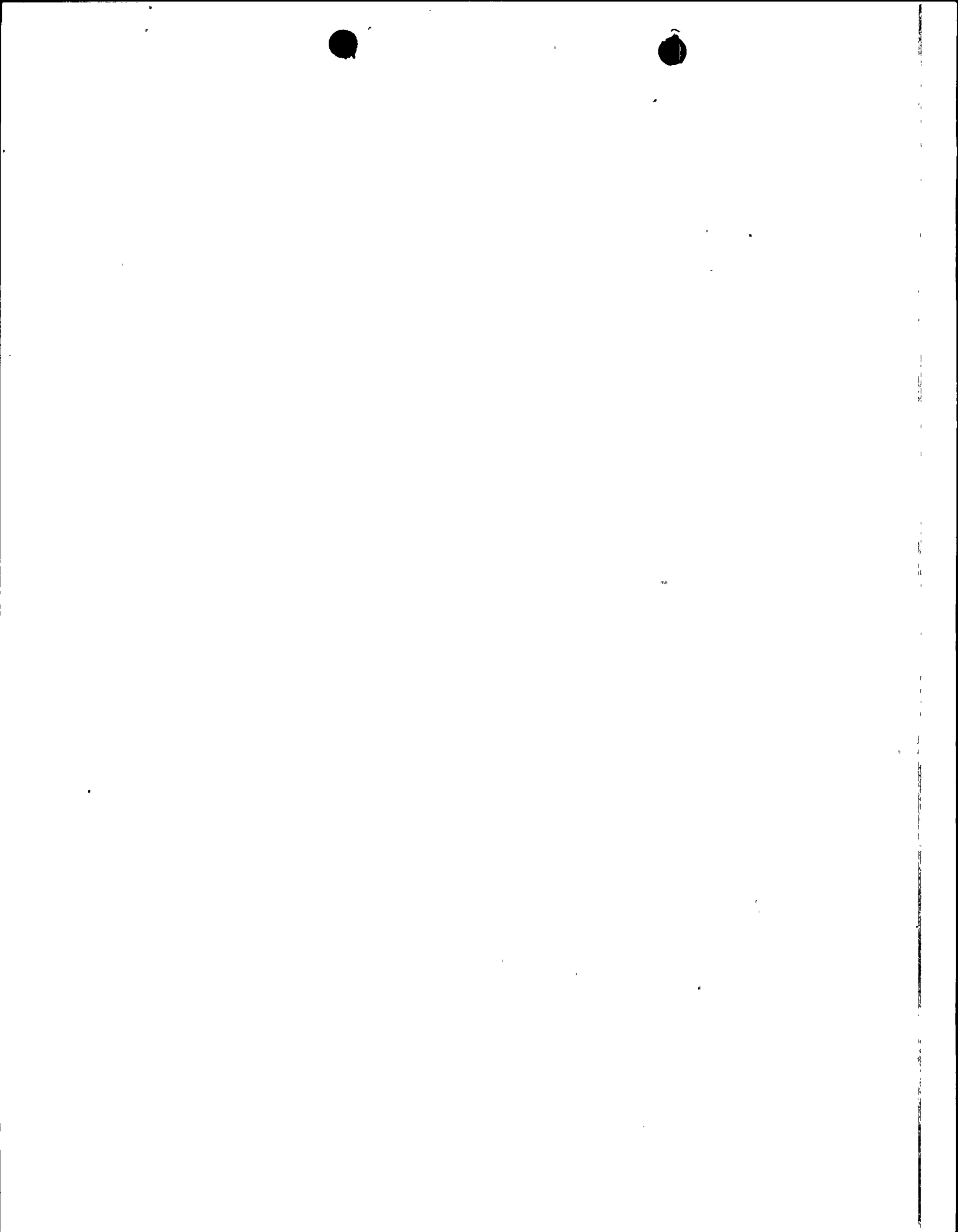
FOR THE ATOMIC SAFETY AND  
LICENSING BOARD

*Elizabeth S. Bowers*  
Elizabeth S. Bowers, Chairman

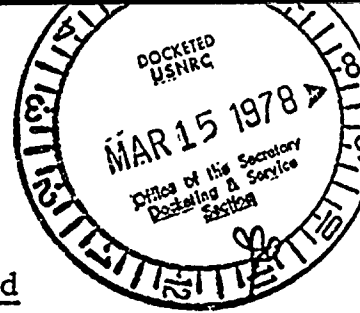
Dated at Bethesda, Maryland

This 23rd day of March 1978.

H 1  
60



UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION



Before the Atomic Safety and Licensing Board

In the Matter of )  
PACIFIC GAS & ELECTRIC COMPANY ) Docket Nos. 50-275 OL  
(Diablo Canyon Nuclear Power ) 50-323 OL  
Plant, Units 1 and 2) )

ORDER RELATIVE TO A PARTIAL  
INITIAL DECISION ON ENVIRONMENTAL ISSUES

3-14-78

During the course of the evidentiary hearing on environmental issues in December of 1976, the Board indicated that since no purpose would be served by a partial initial decision, the Board did not contemplate issuing one. The parties requested and were granted permission to submit proposed findings.

Considerable time has elapsed since the hearing and it still cannot be known with certainty when all proceedings will conclude. The Board has determined that it will issue a partial initial decision on the environmental issues. The NRC Staff is the only party who submitted proposed conclusions of law and transcript corrections. Recognizing that this should not be an onerous task, the other parties are requested to file by April 4, 1978.

H 1  
GD

IT IS SO ORDERED.

FOR THE ATOMIC SAFETY AND  
LICENSING BOARD

*Elizabeth S. Bowers*  
Elizabeth S. Bowers, Chairman

Dated at Bethesda, Maryland  
This 14th day of March 1978.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of )  
PACIFIC GAS & ELECTRIC COMPANY ) Docket Nos. 50-275 OL  
(Diablo Canyon Nuclear Power Plant, ) 50-323 OL  
Units 1 and 2)

ORDER RELATIVE TO NRC STAFF  
REQUEST FOR ADDITIONAL TIME

3-10-78

By letter of March 7, 1978, the Staff requests additional time from the due date of March 11, 1978, for the submission of proposed findings for the nonseismic safety issues. The Staff requests five (5) working days after the receipt of the Intervenors' proposed findings. The Staff states that neither Applicant nor Intervenors object. The request is granted.

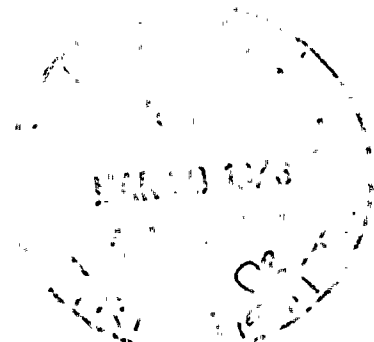
IT IS SO ORDERED.

FOR THE ATOMIC SAFETY AND  
LICENSING BOARD

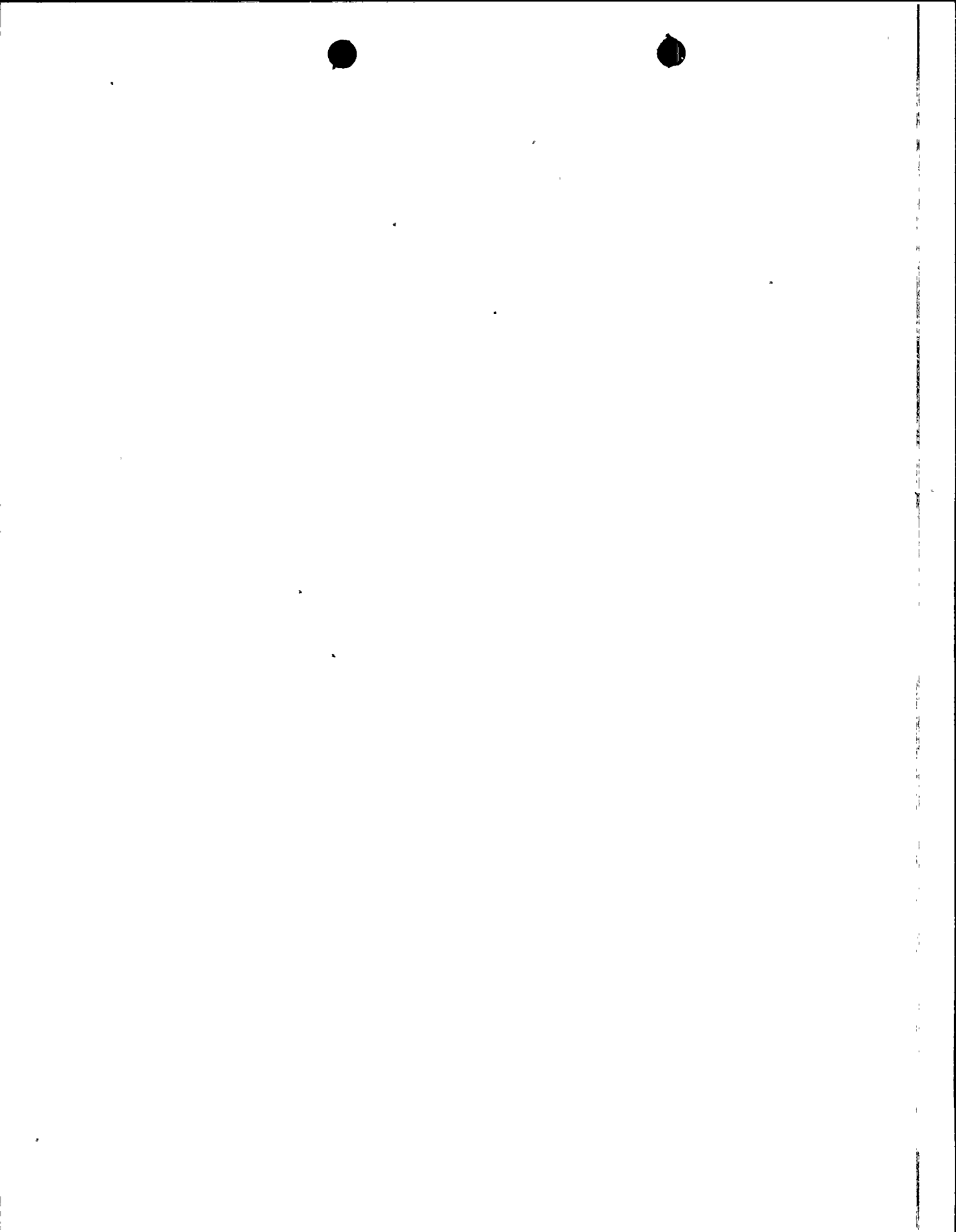
*Elizabeth S. Bowers*  
Elizabeth S. Bowers, Chairman

Dated at Bethesda, Maryland

This 10th day of March 1978.

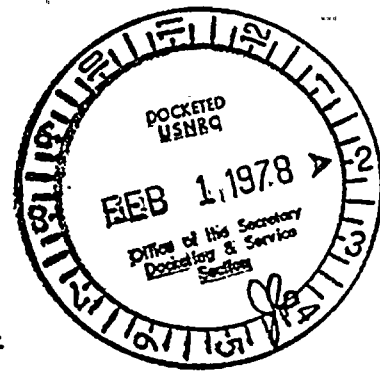


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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION



Before the Atomic Safety and Licensing Board

In the Matter of  
PACIFIC GAS & ELECTRIC COMPANY  
(Diablo Canyon Nuclear Power Plant,  
Units 1 & 2)

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Docket Nos. 50-275 OL  
50-323 OL

2-1-78

PENDING MOTION FROM PG&E FOR  
AN INTERIM OPERATING LICENSE

On August 25, 1977, PG&E filed a motion for an Interim Operating License for Diablo Canyon Unit 1. Subsequently, in a conference call with the Board, the Intervenors and Staff stated that they could not respond in the time provided by 10 CFR § 2.730. The Board granted the request for additional time and determined that the matter would be discussed at the evidentiary hearing commencing on October 18, 1977. The Board approved a schedule at the hearing that was based on the release of the Staff's SER (Tr. 3555-3596).

The Board has been receiving reports on the meetings of the parties-- the last report from the Staff by cover letter of January 27, 1978. By letter of January 25, 1978, Michael R. Klein, Esq., Washington counsel representing the Intervenors on the motion for the interim license, requested that his name be deleted from the service list "Since that request is no longer being prosecuted".

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PG&E is requested to inform the Board the status of the motion for the interim license.

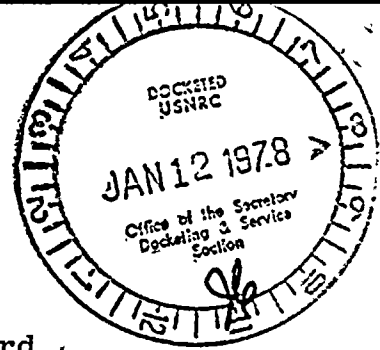
IT IS SO ORDERED.

FOR THE ATOMIC SAFETY AND LICENSING BOARD

*Elizabeth S. Bowers*  
\_\_\_\_\_  
Elizabeth S. Bowers, Chairman

Dated at Bethesda, Maryland,  
this 1st day of February, 1978.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION



Before the Atomic Safety and Licensing Board

In the Matter of	)	
	)	
PACIFIC GAS & ELECTRIC COMPANY	)	Docket Nos.
	)	
(Diablo Canyon Nuclear Power Plant,	)	50-275 OL
Units 1 & 2)	)	50-323 OL

ORDER RELATIVE TO PROPOSED FINDINGS  
ON NON-SEISMIC SAFETY ISSUES

*1-11-78*

By letter of November 28, 1977, counsel for the Intervenor proposed filing proposed findings on non-seismic safety issues at the conclusion of the hearing on all safety issues. On December 14, 1977 PG&E requested the Board to call for proposed findings on the non-seismic safety issues at this time.

The Board intends to issue a partial initial decision on the environmental issues and in order to have the option of issuing a partial initial decision on the non-seismic safety issues the Board requests all parties to file proposed findings of fact and conclusions of law on those issues within a reasonable period of time, e.g., six weeks from the date of this Order for the Intervenor and two months for

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the NRC Staff. PG&E may respond two weeks from the date of the Staff's filing.

IT IS SO ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD

  
Elizabeth S. Bowers, Chairman

Dated at Bethesda, Maryland,  
this 11th day of January, 1978.