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JUL. 01 1975

Docket Nos. 50-275
and 50-323

Mr. K. P. Chisholm
Contempo/Laguna Hills #73
23301 Ridge Route Drive
Laguna Hills, California 92653

Dear Mr. Chisholm:

I am pleased to respond to your letter of June 2, 1975 regarding the Los Angeles Times article of May 30, 1975.

The article deals with a motion made by the San Luis Obispo Mothers for Peace on April 10, 1975 before the Atomic Safety and Licensing Board (ASLB). The motion, in effect, requests that the ASLB deny Pacific Gas and Electric Company (PG&E) a license to possess and store nuclear fuel at or near the Diablo Canyon Nuclear Power Station until an operating license for the station has been issued. Normally, licenses to possess and store nuclear fuel are considered as separate matters from operating licenses and they are usually issued to power plants before the operating license is issued. The Nuclear Regulatory Commission (NRC) staff has not yet completed its evaluation on issuing the license to possess and store fuel at Diablo Canyon, so we are not yet prepared to comment on this particular matter. We expect to complete such an evaluation in the near future and report the results to the ASLB.

I would like to make a few more remarks to help put this matter in perspective. The ASLB will conduct public hearings and will consider PG&E's application for an operating license for the Diablo Canyon units after the operating license application has been reviewed by the NRC staff and then by the independent Advisory Committee on Reactor Safeguards (ACRS). The San Luis Obispo Mothers for Peace are intervenors before the ASLB. The NRC staff and the ACRS have not yet completed their reviews of the operating license application. The design of the units to withstand earthquakes is one of the areas in which these reviews have not been completed. As stated above, licenses to possess and store fuel are normally issued to power plants before operating licenses are issued. However, by this time the NRC staff evaluation of the operating license application is usually nearly complete.

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Mr. K. P. Chisholm

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Against this background the Mothers for Peace have moved that the ASLB prohibit the storage of nuclear fuel assemblies at or near the plant site until an operating license is issued. In their motion the Mothers for Peace cited security from sabotage and unresolved questions about the design to withstand earthquakes as reasons for prohibiting the storage of fuel.

The NRC staff will give careful consideration to all aspects of fuel storage at Diablo Canyon, including earthquakes and security, before reporting the results of its evaluation to the ASLB. We understand your statement that a new fuel assembly could be chopped or crushed without creating a dangerous situation. However, as the Mothers for Peace have pointed out, if a large number of fuel assemblies were geometrically deranged in the presence of fresh water, a critical configuration could result. We will include a consideration of this possibility in our evaluation of the matter.

I trust this information will be responsive to your needs.

Sincerely,

Original signed by R. C. DeYoung

R. C. DeYoung, Assistant Director
for Light Water Reactors Group 1
Division of Reactor Licensing

OFFICE >	RL:LWR 1-3	RL:LWR 1-3	FGM <i>House</i>	RL:AD/LWR 1
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DATE >	6/27/75	6/29/75	6/13/75	7/1/75

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