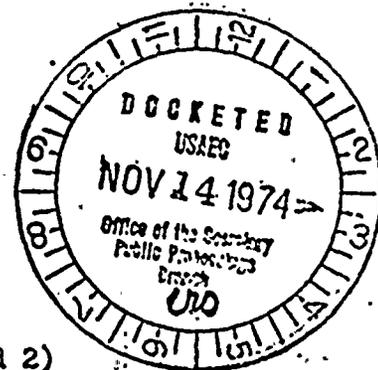


November 9, 1974

Secretary
U.S. Atomic Energy Commission
Washington, D.C. 20545



attn: Chief, Public Proceedings Staff

In the matter of Pacific Gas and Electric Co.
(Diablo Canyon Nuclear Power Plant, Units 1 and 2)
Docket Nos. 50-275-OL and 50-323-OL

MOTION FOR SUSPENSION OF DISCHARGING

If my letters of July 1 and September 27 to the Secretary of the Commission did not do so, I would like to put my request for suspension of pump testing, and, in fact, any further discharging into the ocean, in the form of a motion.

Mr. Steve Schultz, a California Department of Fish and Game Biologist, the week of September 1, told me the investigation of the abalone mortality found July 22, 23 in Diablo Cove was completed and a full report would be sent to his superiors in Sacramento the following week. He was instructed to give out no details, but did say that the damage found in the Cove was a result of chemical alteration in the discharged water. I do not understand why there has been nearly a two month delay in sending a report of the findings on to the A.E.C., or why the A.E.C. has not demanded the information sooner.

The applicant belabors maintaining schedule to insure an orderly and timely start up of the plant. From my talk with Mr. Schultz, the damage done in Diablo Cove, and very possibly outside the Cove, from toxication of ambient, untreated sea water passing through the plants circulation system, makes such an arguement and concern meaningless and irrelevant if they intend to live up to their environmental obligations.

If PGandE is allowed to discharge until the Board rules, an extensive area in and outside Diablo Cove may be destroyed, particularly to divers. Based on the yet unpublished DFandG report (2 mos. after predicted release), and the strong probability that the damage found July 22, 23 and after was the result of the constructed system and the materials of construction, I ask, effective immediately, that the applicant not be allowed to operate their circulating pumps in order to make tests to comply with their own schedule or the Board's August 2 order.

Based on the applicant's repeated failure to meet its monitoring obligations by not adequately studying the intake and discharge related impact on the environment, evidenced by silt damage in South Cove, and the recent damage in Diablo Cove, I ask that the applicant not be permitted to operate the existing shoreline discharge structure for any purpose until they have answered questions to the best of their ability.

124



1

and without the use of the discharge, concerning thermal effect on the marine environment.

Sincerely Yours,

William P. Cornwell

William P. Cornwell

cc/

Elizabeth S. Bowers, Esq.
Dr. William E. Martin
Mr. Glen O. Bright
Richard L. Black, Esq.
Philip A. Crane, Jr., Esq.
Andrew J. Skaff, Esq.
Frederick Eissler
John Forster
Lonnie Valentine
Gorden and Sandra Silver
Elizabeth E. Apfelberg

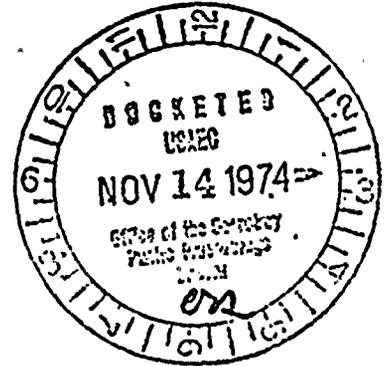


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November 8, 1974

Philip A. Crane, Jr., Esq.
Pacific Gas and Electric Co.
77 Beale St.
San Francisco, Calif., 94106



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

Dear Mr. Crane:

I refer to my letter dated September 9, 1974, outlining the story as told to me by John Garcia, Pinkerton guard at the Diablo Canyon Nuclear Plant, in which he claims to have seen otters transferred from a van into Diablo Cove.

In a letter addressed to me, dated September 17, 1974 your explanation of the incident was that Garcia was reporting a rumor he had heard. As I have explained, he told me that he and his partner had been very surprised to actually see people removing otters from their van and placing them into the water of Diablo Cove.

Because of the discrepancy in Garcia's stories, and as the Diablo Canyon Cove area remains an environmental issue in the licensing hearings, I believe the matter should be further investigated. I think this should be done by someone not employed by PGandE. Would you arrange for me to meet with Garcia and his partner?

In your reply to my September 9 letter, I don't feel that my second question was answered. I would like to rephrase the question to be answered under oath, by Pacific Gas and Electric Company, including its officers, employees, contractors, subcontractors or consultants in accordance with the appropriate provisions and A.E.C. rules of practice, 10CFR 2.740b.

Does Pacific Gas and Electric Company have any knowledge of:
person handling or moving sea otters into or out of the ocean
in the vicinity of Diablo Cove?

cc/

Elizabeth S. Bowers, Esq.
Dr. William E. Martin
Mr. Glen O. Bright
Richard L. Black, Esq.
Frank W. Karas
Andrew J. Skaff, Esq.
Frederick Eissler
John Forster
Lonnie Valentine
Gorgen and Sandra Silver
Elizabeth E. Apfelberg

Sincerely Yours,

William P. Cornwell
William P. Cornwell



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