50-275

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MAY 08 1979

The Honorable Robert J. Lagomarsino
United States House of Representatives
Washington, D. C. 20515

Dear Congressman Lagomarsino:

I am pleased to respond to your letter of March 20, 1979 to Mr. Carlton Kammerer, Director of Congressional Affairs, Nuclear Regulatory Commission. You enclosed a letter from your constituent, Ed Maschke and requested information about his concerns. Specifically, your constituent was concerned about the proximity of the Hosgri Fault to the Diablo Canyon site, the ability of the Diablo Canyon plants to withstand a severe earthquake, and the matters of nuclear waste disposal and the hazards of low level radiation. In addition, a concern was raised as to the quality of construction at various areas of the plant.

The Hosgri Fault, which is located 3 1/2 miles from the Diablo plants, was discovered in 1971 and has been the subject of intensive investigation by the Pacific Gas & Electric Company, the U. S. Geological Survey and the Nuclear Regulatory Commission. As a principal geologic advisor for the Commission, the USGS in 1975 suggested that a magnitude of 7.5 be assigned as a potential seismic value for the Hosgri Fault. It is important to note that the USGS did not say that the Hosgri would experience a 7.5M earthquake but from a conservative standpoint that magnitude could not be ruled out. Comprehensive public hearings on this matter were held by the Atomic Safety and Licensing Board over about a two-month period. Some of this nation's and the world's leading authorities testified and were subject to cross-examination. The consensus among those experts was that a magnitude of 6.5 would be a more reasonable assessment of the capability of the Hosgri Fault. Nevertheless, the experts went on to say that the plant has been designed to withstand the greater seismic event of 7.5. These hearings were completed on February 15, 1979. The Licensing Board is in the process of preparing its decision regarding the licensing of Diablo Canyon based on the record of these proceedings.

In regard to the quality of construction at the Diablo site, stringent construction controls, among other things, are required by the utility's Quality Assurance Program which has been reviewed and found to satisfy the Commission's requirements described in Appendix B to Part 50 of Title 10 of the Federal Code of Regulations. Each utility is responsible for assuring that its nuclear power plants are built and operated safely in accordance with the above cited regulation. The NRC's Office of Inspection

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With regard to nuclear waste disposal, the Commission has been quite concerned with this matter. While the Department of Energy has primary responsibility for developing and constructing waste disposal facilities, the NRC has the responsibility to license such facilities and to insure that nuclear waste storage and disposal will not endanger the health and safety of the public. The NRC has been working to develop a regulatory framework for the licensing of high-level waste repositories and has published for comment in the Federal Register proposed procedures for such licensing. (43 FR 53869, November 17, 1978). The NRC has established an office with divisional status, the Division of Waste Management, which deals exclusively with nuclear waste issues. In addition, the NRC participated in the activities of the Interagency Review Group on Nuclear Waste Management which was established by President Carter in March of 1978 and charged with developing a government-wide strategy for dealing with the waste management problem. The draft report of this, incorporating a broad range of inputs and views from many scientific groups and members of the public, was issued for public comment in October 1978. It was issued in final form, incorporating many of the three-thousand comments received, in March of 1979. The report is to be forwarded to the President for action. It is expected that the recommendations in this report will shape the future handling of the nuclear waste disposal issue. These activities are indicative of the attention being given to the nuclear waste disposal problem at the NRC and at other government agencies.

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I trust that the above information has been responsive to your constituent's concerns.

Sincerely,

(Signed) Lee V. Gossick

Lee V. Gossick
Executive Director
for Operations

LWR*
DVassallo
4/4/79

ELD*
EKetchen
4/23/79

SEE PREVIOUS YELLOW FOR CONCURRENCES*

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SURNAME>						
DATE>	4/25/79	4/26/79	4/26/79	4/26/79	4/25/79	5/4/79

MEMORANDUM FOR: Lee V. Gossick, Executive Director for Operations

FROM: John F. Stolz, Chief, Light Water Reactors Branch No. 1, DPM

SUBJECT: LATE RESPONSE TO "GREEN TICKET" LETTER FROM CONGRESSMAN LAGOMARSINO

Our response to Congressman Lagomarsino's letter regarding his constituent's concerns about the Diablo Canyon license has been delayed three weeks beyond the completion deadline.

The review and concurrence with OELD involved about five members of their staff and took nearly three weeks. Part of this concurrence time was due to the several subjects addressed in our response.

John F. Stolz, Chief
Light Water Reactors Branch No. 1
Division of Project Management

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You enclosed a letter from your constituent, Ed Maschke and requested information about his concerns. Specifically, your constituent was concerned about the proximity of the Hosgri Fault to the Diablo Canyon site, the ability of the Diablo Canyon plants to withstand a severe earthquake, and the matters of nuclear waste disposal and the hazards of low level radiation. In addition, a concern was raised as to the quality of construction at various areas of the plant.

See attached note.

The Hosgri Fault, which is located 3 1/2 miles from the Diablo plants, was discovered in 1971 and has been the subject of intensive investigation by the Pacific Gas & Electric Company, the U. S. Geological Survey and the Nuclear Regulatory Commission. As a result of this investigation, significant modifications have been made at this facility to withstand a magnitude 7.5 earthquake at the Hosgri Fault. This is a very severe design basis earthquake. Moreover, comprehensive public hearings on this matter have been held by the Atomic Safety and Licensing Board over about a two month period. These hearings were completed on February 16, 1979. The Board is in the process of preparing its decision regarding the licensing of Diablo Canyon based on the record of these proceedings.

In regard to the quality of construction at the Diablo site, stringent construction controls, among other things, are required by the utility's Quality Assurance Program which has been reviewed and found to satisfy the Commission's requirements described in Appendix B to Part 50 of Title 10 of the Federal Code of Regulations. Each utility is responsible for assuring that its nuclear power plants are built and operated safely in accordance with the above cited regulation. The NRC's Office of Inspection and Enforcement conducts periodic scheduled and unannounced field inspections of the utility's implementation of its Quality Assurance Program. These field inspections during the construction phase are extensive and cover: (1) a review of the applicant's Quality Assurance performance, including audits of the applicant's Quality Assurance records and documentation;

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See attached note.

With respect to nuclear waste disposal, in March of 1977, President Carter established an Interagency Group on Nuclear Waste Management and charged it with developing a strategy for dealing with the waste management problem. The draft report of this group, incorporating a broad range of inputs and views from many governmental, scientific and public groups was issued for public comment in October 1978. When these comments have been received, reviewed and incorporated, as appropriate, the report will be forwarded to the President for further action. The Department of Energy has proposed a budget doubled from that of last year to put specific proposals on waste disposal into operation. Furthermore, the NRC has recently elevated its waste management organization to divisional status to prepare the regulatory framework for assuring that particular storage facilities will not endanger the health and safety of the public.

In the matter of low level radiation hazards, the Commission has always subscribed to the principle that radiation exposure of the public should be kept as low as is reasonably achievable. This principle has been a central one in the field of radiation protection for many years. Operating licenses of nuclear power plants include provisions to limit and control radioactive effluents from the plants. The term "as low as is reasonably achievable" requires taking into account the state of technology, the economics of improvements in relation to benefits to the public health and safety, other societal and socioeconomic considerations, and the relationship of these to the use of nuclear energy in the public interest. The Commission has adopted numerical guidelines for design objectives and limiting coditions for operation of nuclear power plants to meet the criterion of "as low as reasonably achievable" for radioactive material in effluents from nuclear power plants. Using these guidelines, the radiation resulting from radioactive release from nuclear power plants during normal plant operation is a small fraction of that received from natural background activity.

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LWR
DBVassallo
4/4/79

ELD
KETCHEN*
4/23/79

* See Note w/ Comments

OFFICE	LWR 1	DPM	NRR	NRR	EDO	OCA
SURNAME	EHylton/rad BBuckley DStolz	RBoyd	ECase	HDenton	LGossick	
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