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AUG 20 1979

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The Honorable Leon E. Panetta
 United States House of Representatives
 Washington, D. C. 20515

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Dear Congressman Panetta:

Thank you for your letter of July 13, 1979 addressed to Chairman Hendrie in which you identified several issues for our consideration regarding the Diablo Canyon nuclear power plant Unit 1. As you have noted in your letter, the licensing of that facility is now pending before the Commission. Because of that fact, it was deemed inappropriate for the Chairman or a Commissioner to respond personally to your letter since the Commission will be reviewing the rulings and decisions of the presiding Atomic Safety and Licensing Board. Such rulings and decisions will deal with the very matters you have raised in your letter. Accordingly, the Chairman has requested me to respond to your letter. It is my pleasure to do so.

In your letter you state your concern about the adequacy of emergency planning for the Diablo Canyon plant. As a result of our ongoing review of the Three Mile Island accident, NRC has established a plan to review the emergency plans for all operating reactors and those operating license applications which are near completion. This review will incorporate the recommendations of the joint EPA/NRC task force and the guidance of Regulatory Guide 1.101, Emergency Planning for Nuclear Power Plants, as well as the experience gained at Three Mile Island. Although the details of this review, including its schedule, are still in preparation, we expect that the Diablo Canyon plant will receive a high priority in this review.

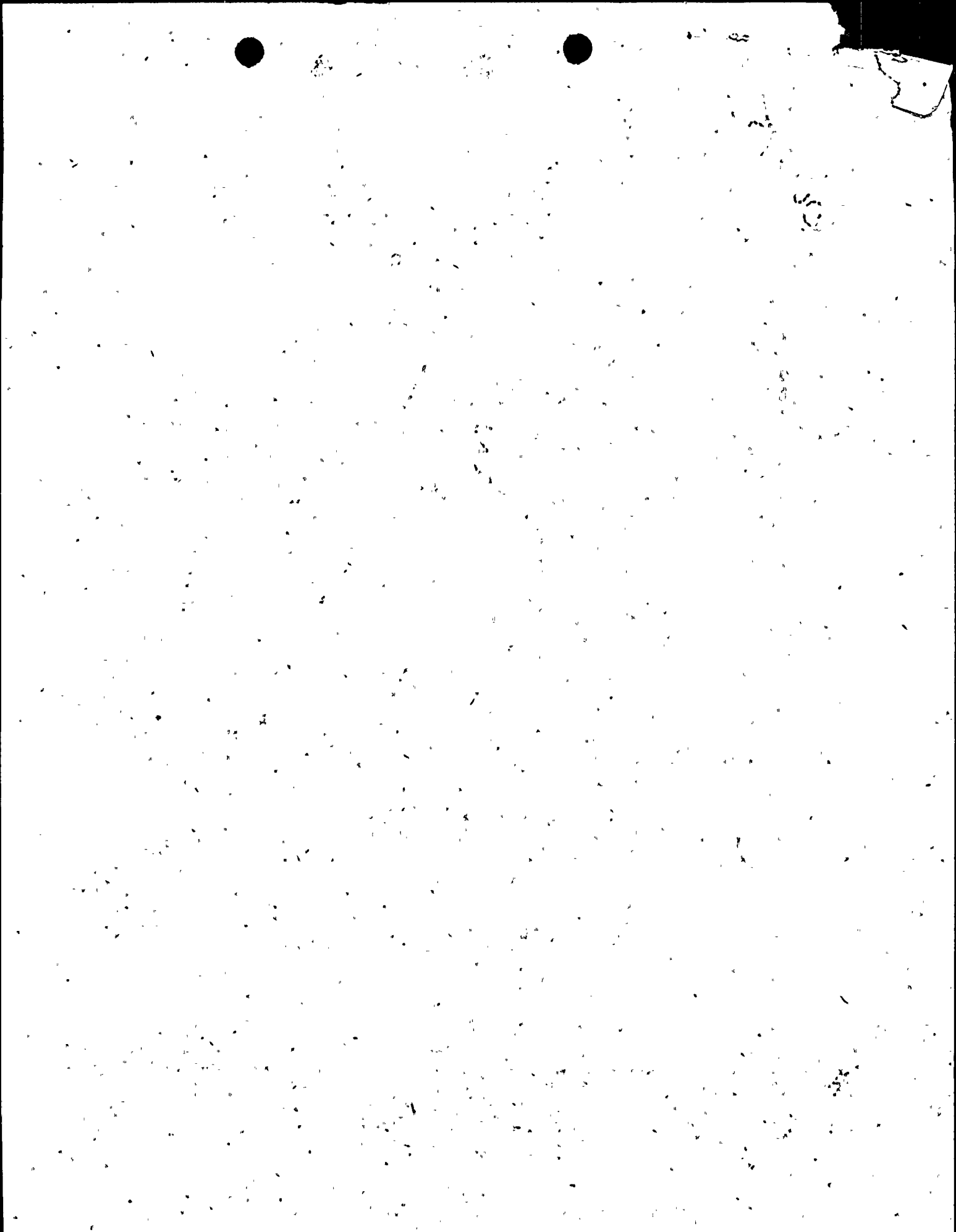
With regard to the earthquake resistance of the Diablo Canyon Plant, comprehensive public hearings on this matter were held by an Atomic Safety and Licensing Board over approximately a two month period. These hearings were completed on February 15, 1979. Many of the nation's leading authorities in seismic design, including Drs. Trifunac and Luco, testified at these hearings and were subject to cross examination. The Licensing Board is currently in the process of preparing its decision regarding the licensing of Diablo Canyon based on the record of these proceedings. Subsequent to the issuance of the Licensing Board's decision all parties have the opportunity for appeal to an Atomic Safety and Licensing Appeal Board; in any event the designated appeal board will conduct a sua sponte review of the record. Should the record be found deficient the appeal board may either remand the matter to the licensing board for further hearings, request additional testimony from the parties or required the parties to appear for further hearings by the appeal board. The culmination of this process should yield a thorough

airing of the numerous arguments and counter arguments offered throughout these proceedings and should dispel any uncertainty as to the correct course of action.

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Concerning the third issue you raised on Class 9 accidents, we believe that there has been substantial progress made on better understanding Class 9 accidents and the general implications Class 9 accidents have on the safety of nuclear power. The Reactor Safety Study stands at present as the most comprehensive source of information on Class 9 accidents. Although the Lewis Report (NUREG/CR-0400, September 1978) points to a number of difficulties in the Reactor Safety Study that pertain to the estimation of accident probabilities, it also contains a detailed discussion of both the achievements and the limitations of the RSS. In recognition of the Lewis Report findings NRC did not repudiate the RSS, but indicated in its Statement on Risk Assessment dated January 18, 1979, that:

"WASH-1400 was largely successful in at least three ways; in making the study of reactor safety more rational, in establishing the topology of many accident sequences, and in delineating procedures through which quantitative estimates of the risk can be derived for those sequences for which a data base exists."

"Despite its shortcomings, WASH-1400 provides at this time the most complete single picture of accident probabilities associated with nuclear reactors. The fault-tree/event-tree approach coupled with an adequate data base is the best available tool with which to quantify these probabilities."

"WASH-1400 made clear the importance to reactor safety discussions of accident consequences other than early fatalities."

With regard to a study of Class 9 accidents at Diablo Canyon: Pacific Gas and Electric conducted an indepth evaluation of the increased risk to the public from seismically induced Class 9 accidents. This study was submitted to the NRC as Amendment 52, "Hosgri Seismic Evaluation," to the Diablo Canyon Safety Analysis Report. The NRC Office of Nuclear Regulatory Research, Probabilistic Analysis Staff, reviewed the applicant's analysis and wrote the attached memoranda dated December 30, 1977, and April 26, 1978. In summary, the Research staff found that "because of the low population density around the Diablo Canyon site (in comparison to other existing reactor sites in the country), we concluded that the risk to the public from a seismically induced reactor accident at Diablo Canyon is lower than the overall risk associated with licensed nuclear power plants similar to those analyzed in the Reactor Safety Study."

Each of the above answers describes our current view or status regarding the concerns you have expressed. Before Diablo Canyon is licensed to operate, I can assure you that all of the safety criteria that are currently imposed or that are developed from the Three Mile Island studies will have been applied to the Diablo Canyon plant. The Commission will have reviewed every appropriate element of safety and will have justified and endorsed the analyses

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The Honorable Leon E. Panetta

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that are being or will be made, to fully establish the safety of the Diablo Canyon Nuclear Plant.

Sincerely,

(Signed) Lee V. Gossick

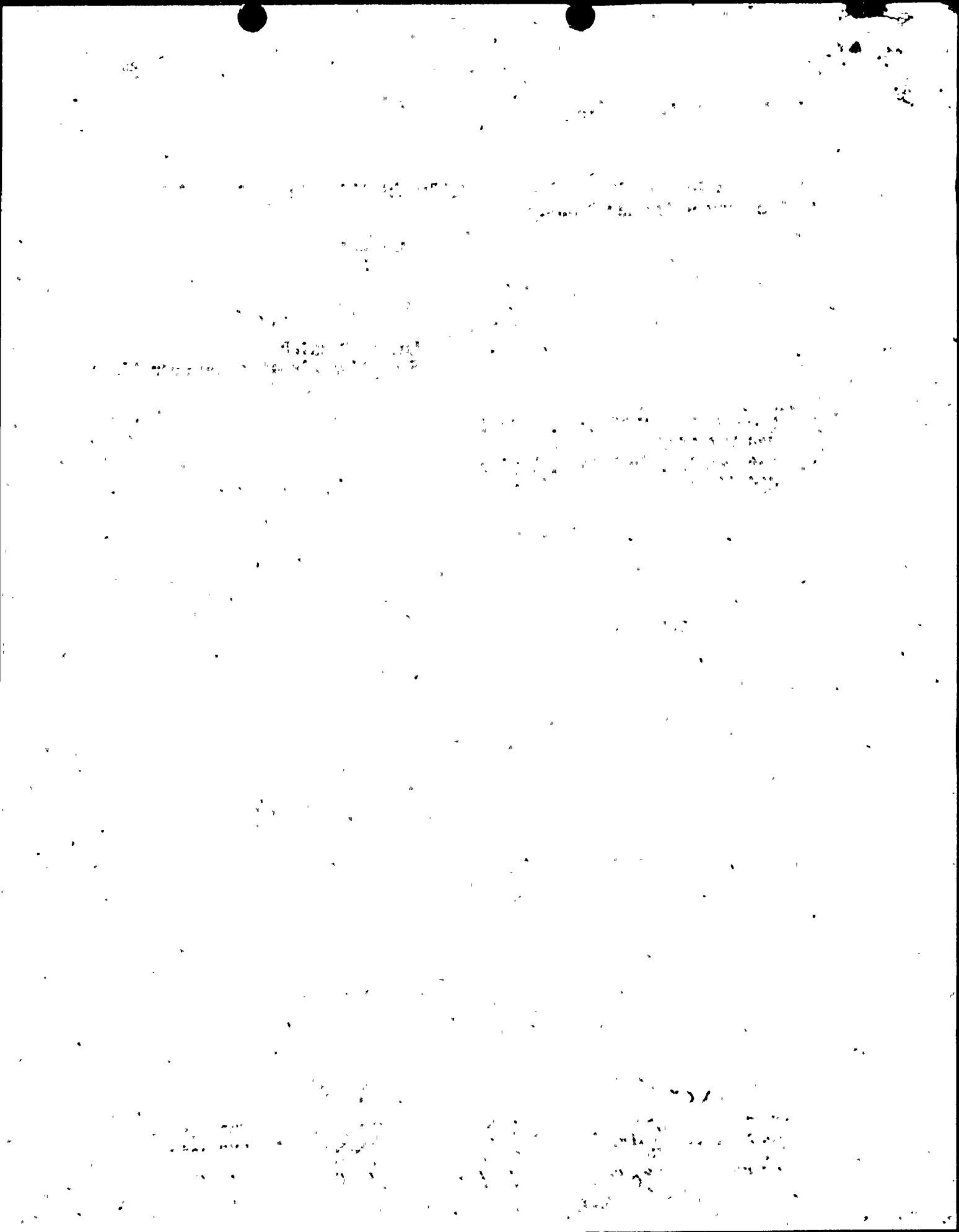
Lee V. Gossick
Executive Director for Operations

Enclosures:

- 1. Memo fm I.B. Wall to J.F. Stolz
dtd 12/30/77
- 2. Note fm A.R. Buhl to S. Levine
dtd 4/26/78

Input for the WASH-1400 parts was from RES. RMattson 8/10/79

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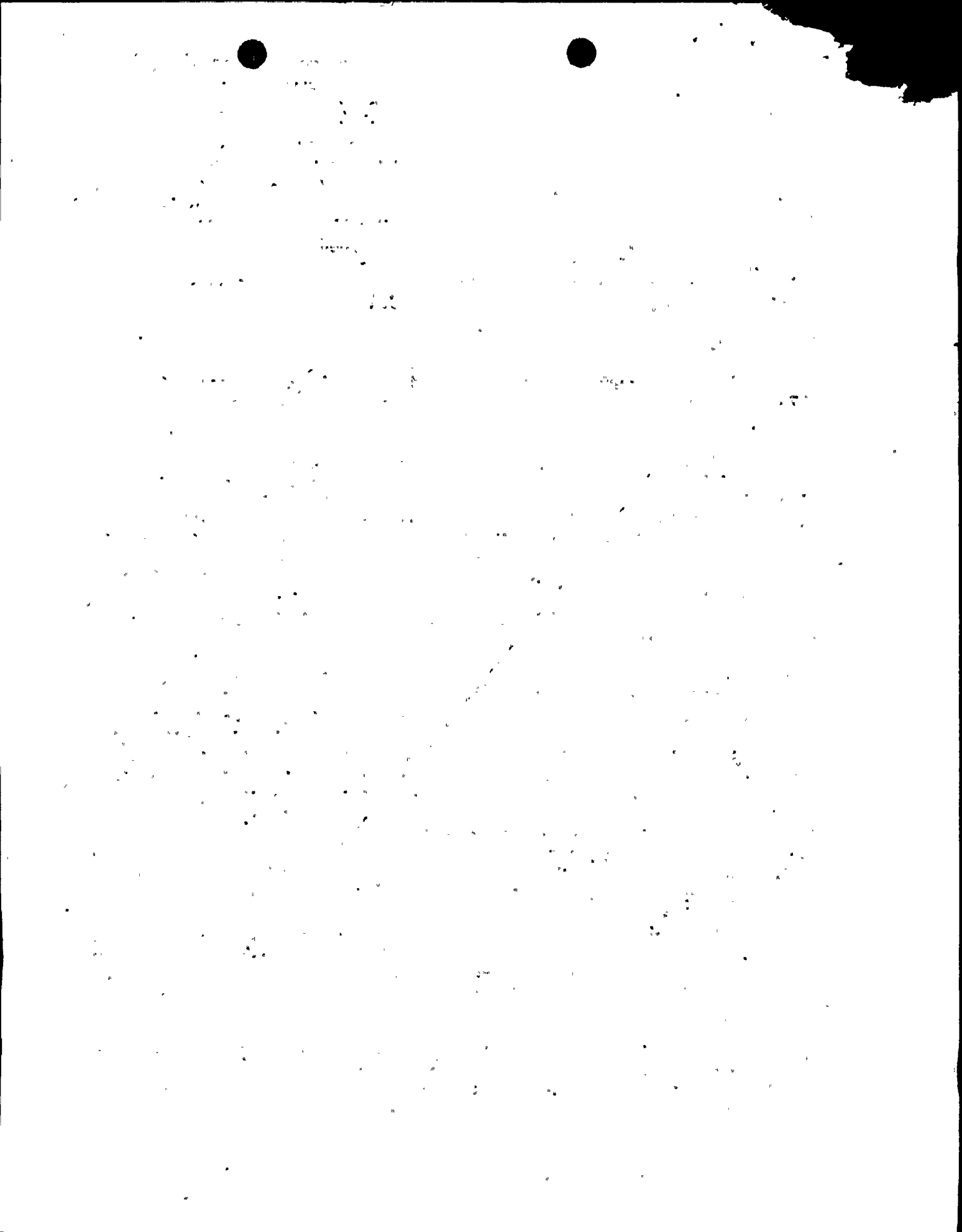
I appreciate your further concerns, as expressed in your letter of July 13, 1979 to Chairman Hendrie. We have addressed those concerns and our answers follow.

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