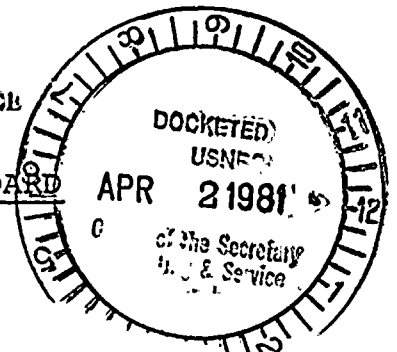


UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

RELATED CORRESPONDENCE

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

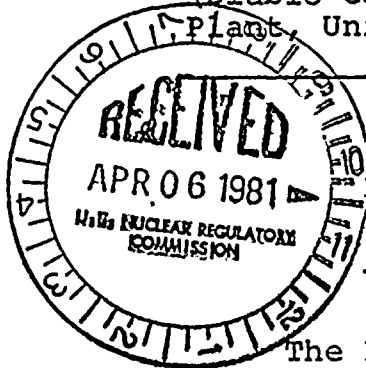


In the Matter of )  
PACIFIC GAS AND ELECTRIC COMPANY )  
(Diablo Canyon Nuclear Power )  
Plant, Unit Nos. 1 and 2 )

Docket Nos. 50-275 O.L.  
50-323 O.L.

(Low Power Proceeding)

3/30/81



RESPONSE OF GOVERNOR EDMUND G. BROWN, JR. TO  
THE NRC STAFF AND PACIFIC GAS AND ELECTRIC  
COMPANY DOCUMENT PRODUCTION REQUESTS

The NRC Staff on February 24, 1981, and the Pacific Gas and Electric Company ("PG&E") on February 28, 1981, requested Governor Brown to produce documents described in those requests. By filings dated March 16, 1981 and March 19, 1981, Governor Brown has responded to the NRC Staff and PG&E interrogatories and admission requests, and in those responses has described those documents which Governor Brown has which fall within the document requests. We do add to those lists the following documents which had been omitted: NUREG's 0460, 0400, and 0510, as well as the TMI analyses by the Kemeny Commission and the Rogovin report.

With respect to the NRC Staff document request, all documents which are requested are, to our knowledge, in the NRC Staff's possession and, accordingly, no current production is contemplated.

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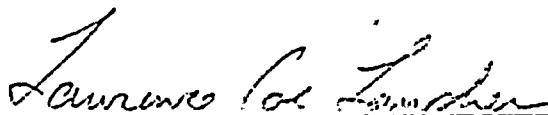
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With respect to the PG&E request, all documents which were requested are, similarly, in PG&E's possession with one exception. That exception is a March 11, 1981 document, with enclosures, relating to the EPRI test program for block valves. A copy of that document is enclosed herewith.

Respectively submitted,

Byron S. Georgiou  
Legal Affairs Secretary  
Governor's Office  
State Capitol  
Sacramento, California 95814



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Attorneys for Governor Edmund G.  
Brown, Jr. of the State of California

March 30, 1981



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FOR IMMEDIATE RELEASE  
MARCH 11, 1981

FOR FURTHER INFORMATION:  
Robert D. Pollard  
Nuclear Safety Engineer, UCS  
202/296-5600

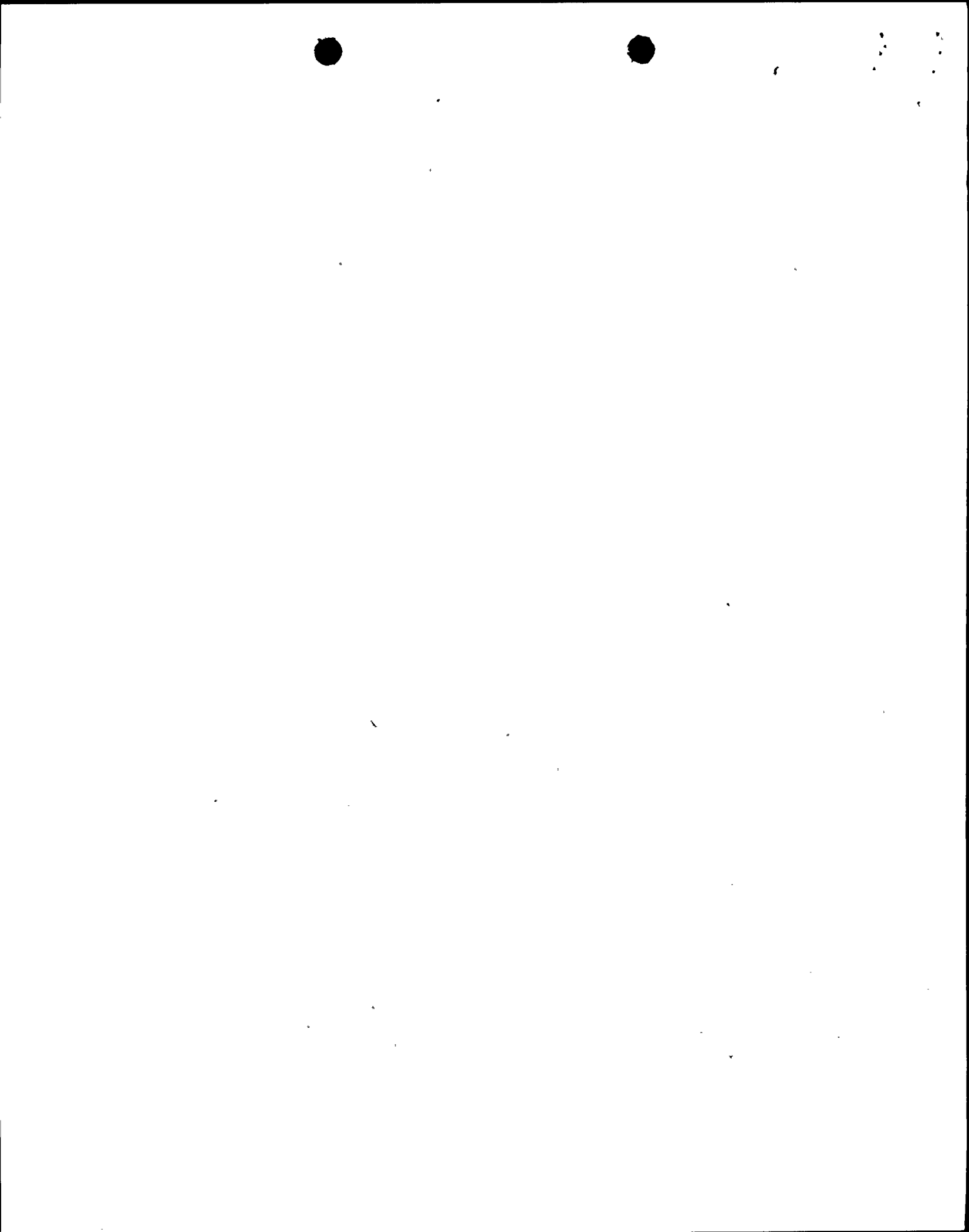
Alden Meyer  
Utility Action Project, EAF  
202/659-1130

EAF, UCS DISCLOSE NUCLEAR INDUSTRY ATTEMPT  
TO COVER UP SAFETY DEFECTS

The Environmental Action Foundation (EAF) and the Union of Concerned Scientists (UCS) today released an internal nuclear industry document that reveals an industry research institute's plans to withhold key safety data from the Nuclear Regulatory Commission (NRC) and member utilities. Two years after the accident at Three Mile Island, EAF and UCS charged, the nuclear industry still cares more about its public image and promoting expansion of nuclear power than with honestly addressing the major safety problems revealed by the TMI accident.

The industry letter, obtained by EAF from an anonymous source, discloses that tests conducted by the industry-funded Electric Power Research Institute (EPRI) in January documented

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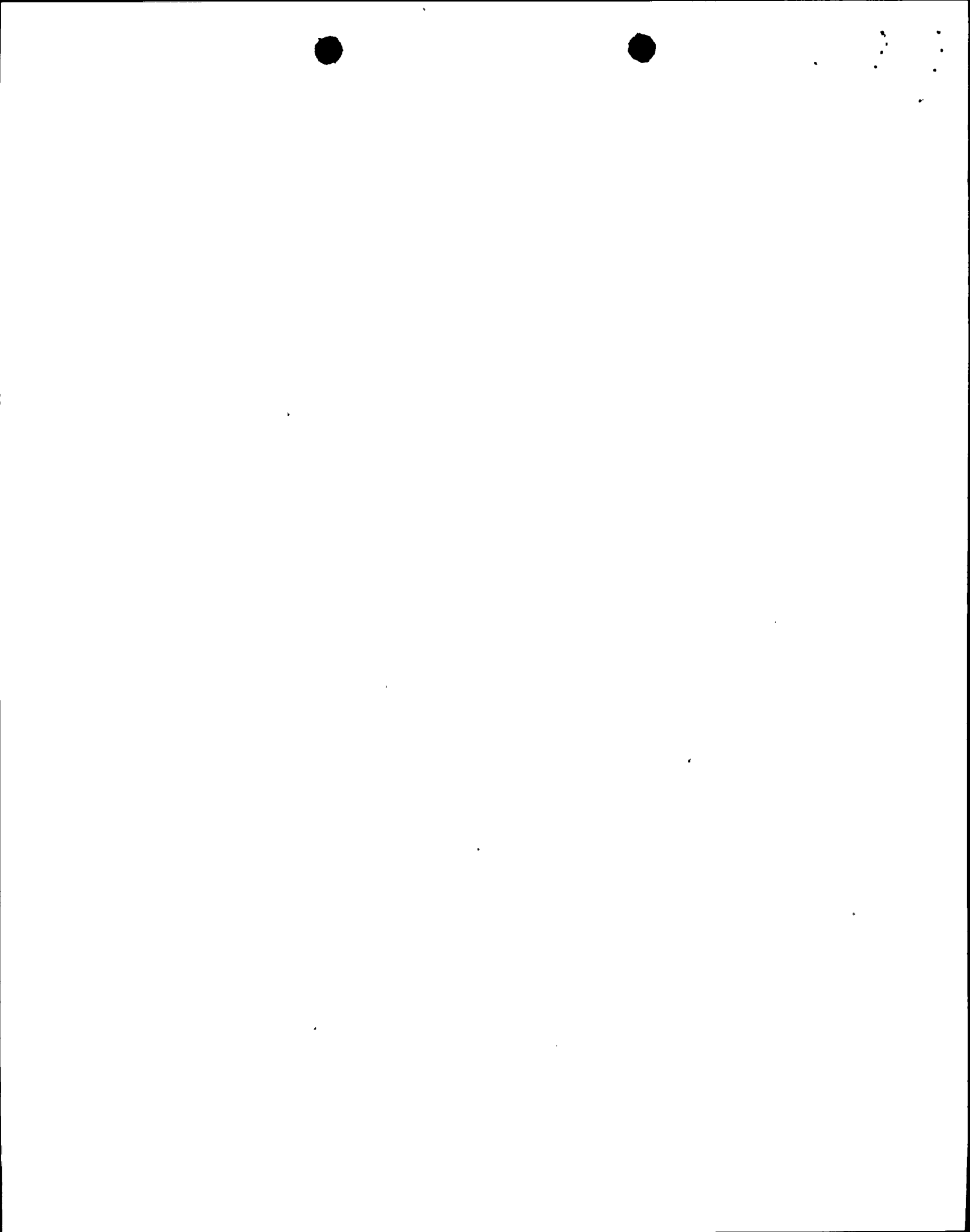


the inability of key nuclear reactor components, known as block valves, to close against full flow. The EPRI letter also admitted that these test results would be withheld from utilities, ostensibly because their contracts with EPRI for safety testing do not cover this particular component. EPRI similarly decided not to report all the test results to the Nuclear Regulatory Commission.

"This letter shows that the nuclear industry is rapidly returning to its pre-TMI complacency towards serious safety problems at nuclear power plants," argued Alden Meyer of EAF's Electric Utility Project. "That attitude was identified by several studies as perhaps the key factor leading to the accident at Three Mile Island," Meyer continued. "It amazes us that the industry seems to have learned so little from that accident."

Robert Pollard, UCS Nuclear Safety Engineer, said that the EPRI letter "discloses a serious safety problem. Block valves are required in nuclear power plants to reduce the frequency of repeated challenges to the emergency core cooling systems. They are essential in ensuring safe plant shutdowns," Pollard explained. "A key factor in the TMI accident was the failure of the power operated relief valve to reclose. Fortunately, during the TMI accident, a block valve similar but not identical to those tested by EPRI

(more)





performed successfully, stopping the escape of vital cooling water and forestalling even worse damage to the reactor."

"EPRI's handling of this matter seems to be motivated by a desire to keep test failures quiet," Pollard charged. "Even more incredible to us, EPRI did not intend to inform the utilities which use these valves of the test failures. This attitude is totally inappropriate for an organization entrusted by the nuclear industry with a major part of its safety testing program."

In a letter sent to the NRC Commissioners today, Pollard asserted that withholding this information appears to be a clear violation of the NRC's regulations. The UCS letter requests the Commissioners to address the following issues:

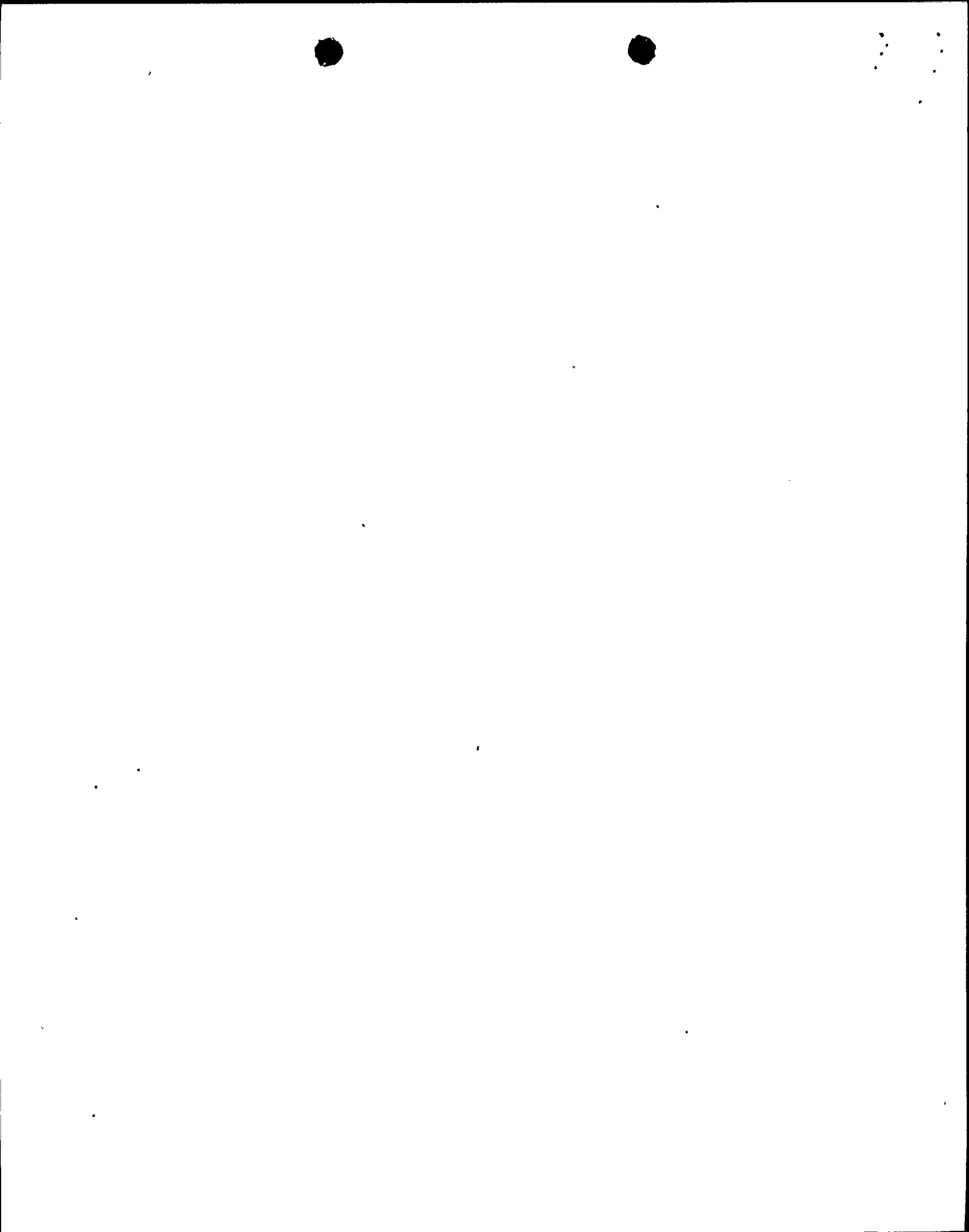
---Did those NRC staff members aware of the block valve test failures bring this information to the attention of the Commission?

---Which existing reactors utilize the block valve that failed the tests, are those plants now in operation, and if so, why are they allowed to continue operations?

---Has EPRI violated NRC regulations by not reporting the test results?

---Why has the NRC staff failed to report the test information to NRC licensing boards, as required, especially

(more)



in the Three Mile Island Unit 1 restart case, where this issue is directly relevant?

UCS also asked the NRC to "order the immediate modification or replacement of all valves failing EPRI tests," and to "direct the staff to undertake responsible oversight of the EPRI program, to obtain all test results expeditiously and to inform the Commissioners of significant developments."

Pollard asked the NRC to respond to the UCS letter within two weeks. "The attitude exemplified by the EPRI letter is unacceptable to the American public," Pollard charged. "We expect it to be unacceptable to the nuclear industry's regulators, as well. We are calling on the NRC to take effective action in this instance, and to signal the industry that when it comes to serious safety issues, complacency and cover-ups are a thing of the past."



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