

4/24/81

EXHIBIT N

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

PACIFIC GAS & ELECTRIC COMPANY
(Diablo Canyon Nuclear Power Plant
Units 1 and 2)

No. 50-275 OL
50-323 OL

AFFIDAVIT OF WILLIAM RICHARDSON, JR.

I, WILLIAM RICHARDSON, JR., being duly sworn, do state the following:

(1) I am a member of the City Council of Pismo Beach, California and have served as a member of that body for several years. I reside at 143 Morro Ave., Shell Beach, California.

(2) The City of Pismo Beach has a population of over 5,300 residents and, during the peak season, the number of visitors to the area may exceed 200,000 persons. At its closest point, the City is approximately twelve (12) miles downwind from the Diablo Canyon Nuclear Power Plant.

(3) As a member of the City Council, I am responsible, together with the Mayor and other members of the City Council, for any emergency activities which might be necessary in the event of a radiological emergency at Diablo Canyon Nuclear Power Plant.

(4) The City does not have an adequate emergency plan or plans for responding to a radiological emergency at Diablo Canyon Nuclear Power Plant.

(5) Although I understand that an emergency plan was adopted for the County of San Luis Obispo a number of years ago, I believe that plan has not been implemented at least to the extent that it purports to include the City of Pismo Beach. In my opinion, the City is currently unprepared to respond to an emergency at Diablo Canyon Nuclear Power Plant.

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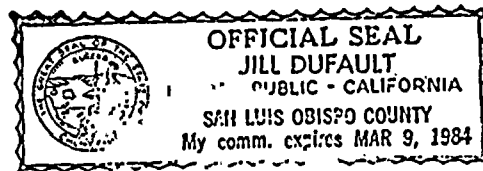
Affidavit of WILLIAM RICHARDSON, JR.
Page 2

(6) I understand that the County of San Luis Obispo is now in the process of revising and upgrading the County emergency plan. Until that revised plan has been finalized, approved, fully implemented, and tested throughout the County, including the City of Pismo Beach, there is no assurance that the City can adequately respond to a radiological emergency at the Diablo Canyon Nuclear Power Plant.

William Richardson, Jr.
WILLIAM RICHARDSON, JR.

Subscribed and sworn to before me this 24th day of April, 1981.

Jill DuFault
Notary Public Jill DuFault



My Commission expires: March 9, 1984

BOARD OF SUPERVISORS



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Members of the Board

HANS HEILMANN
STEVE MAC ELVAINE
KURT P. KUPPER
HOWARD MANKINS
DR. RICHARD J. KREJSA

March 26, 1979

Assemblywoman Carol Hallett
State Capitol, Room 3126
Sacramento, California 95814

Dear Assemblywoman Hallett:

At the March 26, 1979, meeting of our County Board of Supervisors, this Board considered and approved the revised "San Luis Obispo County Emergency Plan" (enclosed). During discussion on the matter, our Board strongly noted that the State emergency plan guidelines contained useless information which did not meet local needs. Further, the guidelines failed to outline model response procedures for use during an emergency. Our approval of the revised plan was strictly a matter of meeting the State's final deadline for submittal of the plan.

It is our Board's belief that the County Emergency Plan, which reflects the recommended State guidelines, is cumbersome, verbose, and unusable as a response manual. It is unfortunate that the State Office of Emergency Services considers their guidelines a "model" example of an emergency response plan. It is obvious that this is not the case.

We request that you review and determine the usefulness of our emergency plan. Further, we strongly request that you take steps which would mandate the State Office of Emergency Services to publish step by step guidelines which could be used to develop a simplified and useful emergency response plan.

Respectfully submitted,

HANS HEILMANN
Chairman
Board of Supervisors

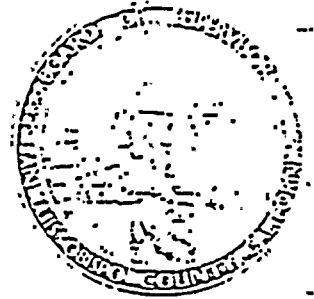
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Enclosure

Exhibit A

BOARD OF SUPERVISORS

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Members of the Board

HANS HEILMANN

Steve MacElvaine

KURT P. KUPPER

HOWARD MANKINS

DR. RICHARD J. KREJSA

April 11, 1979

Honorable Mel Levine, Chairman
Assembly Subcommittee on Energy
Room 4167
State Capitol
Sacramento, California
95814

Dear Chairman Levine and Members of the Energy Subcommittee:

I am Dr. Richard J. Krejsa, Supervisor of the Fifth District, San Luis Obispo County. I was first elected in 1972 and took office in January 1973. I am currently 2nd Vice Chairman of the CSAC Energy Committee; a member of CSAC's Health and Welfare Committee; President of the Central Coast Regional Association of County Supervisors; Chairman of the Mid-Coast Health Systems Agency; and Professor of Biological Sciences at California Polytechnic State University, San Luis Obispo.

Please accept my apologies for not being able to attend your hearing Monday night, April 16, on such short notice. I will be in Sacramento on April 19th, and could arrange to meet with you if you wish to speak to me personally.

Given the opportunity to testify in person, I would offer the following comments and information to your subcommittee.

In 1966, California coastal counties competed for the "prize" of having a nuclear power plant (and potential tax benefits) within their boundaries. San Luis Obispo was the lucky "winner".

Public hearings, such as they were, were held by the P.U.C. and the (then) A.E.C. beginning in February, 1967. Initial permits for Diablo Canyon Unit One were granted by February, 1968. Whatever the basis for the P.U.C. and A.E.C. decisions at that time, I would call your attention to the fact that atomic energy then was considered generally to be safe, clean, inexpensive, and peaceful.

4/11/79

The initial application was never reviewed in the light of either the National Environmental Protection Act of 1969 (NEPA) or of the California Environmental Quality Act of 1970 (CEQA). Waste storage was a minor problem to be solved at some future time, the Hosgri Fault was unknown, and hydrogen bubbles were never even imagined.

Now, 13 years later, the County finds itself with an overcrowded jail, special courtroom facilities, nationwide attention, and at least \$1/4 million in additional non-budgeted expenses (tax dollars), and perhaps that much more yet to come, in order to cover the costs of the mass arrest of 487 nuclear protestors who went "over the fence" on August 6, 1978. Further demonstrations are planned for June 30, 1979. A "Land and Sea Blockade" is threatened if the NRC grants an operating license to P.G. & E. The costs of policing such could be enormous to our County.

The presence of the Diablo Canyon Nuclear Power Plant is now requiring all sorts of previously unrecognized and unexpected functions, originally assumed to be federal or state responsibilities, but now federally - or state - mandated on local jurisdictions. Among these are the preparation and implementation of a Nuclear Power Plant Emergency Response Plan. (It is hard to conceive of the necessity of a Solar Power Emergency Response Plan), -- a Nuclear Emergency Evacuation Plan, baseline monitoring of air quality at various off-site localities, monitoring of radioactive waste transportation routes, specialized training of health and safety personnel, mock emergency drills, etc., and of course, constant preparation for further demonstrations.

But all this is prologue. I wish to limit my testimony primarily to the cavalier way in which the public safety has been treated not only by the A.E.C. (now NRC), but also by the San Luis Obispo County Board of Supervisors. The only (weak) defense I can offer for my colleagues on Boards prior to 1976 is that they were thoroughly brainwashed into believing that nuclear power was federal responsibility and that the A.E.C./NRC was the source of all wisdom and jurisdiction in this matter. Since 1976, Board members have no such excuse behind which to hide.

Officially, our County has: 1) a County Emergency Plan; 2) a Nuclear Power Plant Emergency Response Plan; and 3) a Nuclear Emergency Evacuation Plan. On the face, all three of these indicate an increased readiness to respond by coordinating the various prime agencies within the County. All three plans meet mandated guidelines.

But in reality, this is an illusion. The word "response" implies capability to respond if called. The word "plan" implies a sense of security. It is my testimony to you that were we called upon to respond to any serious nuclear emergency up to this time, our capability to respond is and has been severely limited. The sense of security is false. With a few exceptions, most of the agencies that would be called upon to respond to an emergency do not have the training and/or equipment necessary to respond adequately. Other than mutual-aid agreements between fire and police agencies, none between the Cities and County have been entered as required by the County Emergency Plan.

As a matter of fact, our Board of Supervisors, on March 26, 1979, one day

Honorable Mel Levine

4/11/79

before the Three Mile Island disaster, adopted our "revised" County Emergency Plan under protest after I pointed out to them that while it meets State guidelines, it is unworkable in the event of an emergency! Indeed, with unanimous approval of our Board, the Chairman wrote a letter to our Legislators, Carol Hallett and Bob Nimmo, in which, in part, says the following:

"It is our Board's belief that the County Emergency Plan, which reflects the recommended State guidelines is cumbersome, verbose, and unusable as a response manual." I enclose both the Board Resolution and the Chairman's letter as my first exhibits.
(EXHIBIT "A")

Now this recognition by our Board is most ironic in view of the following circumstances, which are also documented:

On December 18, 1972, a letter was sent to P.G. & E. by Mr. Russell K. Powell, a Deputy Administrator (read 3rd level hierarchy in County Administrator's Office) assuring them that the Board of Supervisors is "most receptive to the emergency needs at all times" and that "our office of Civil Defense and Disaster" stands ready to assist your company in efforts to protect the lives and well-being of citizens should such an emergency occurrence arise at your Diablo Canyon Nuclear Plant." (EXHIBIT "B")

Honorable Chairman and members, someone directed Mr. Powell to write such a letter but there is no record of a Board Resolution or Board Order which says that our Board is able to meet the emergency needs of anyone! Furthermore, in 1972, there was no "Office of Civil Defense and Disaster" in the County of San Luis Obispo, unless Mr. Powell considered himself self-designated! Indeed, our County did not have a County Emergency Plan until one was adopted by the Board in mid-1975. In point of fact, even that single document was of such low priority with the Board majority that no funds were budgeted for its printing until June, 1976, at which time only 33 copies were printed and distributed to less than half of the agencies which could eventually be called upon in the event of an emergency. Please recall that the plant was scheduled to open in 1976. Indeed, it is that same document slightly revised and updated to meet State guidelines that our Board unanimously found unusable just two weeks ago!

Now, however strange you might find these circumstances, the next is even worse. That "promisory note" of Mr. Powell, unsupported by Board action, forms one of the main bases on which Nuclear Regulatory Commission staff found PG& E in compliance with federal regulation 10 CFR 50, Appendix E, Section IV D (which states that the applicant must make arrangements with local officials and agencies for any help that may be needed in an emergency).

I refer you to the letter from Mr. Lee Gossick, Executive Director for Operations, NRC, to the Honorable Robert J. Legomansino, in response to a letter from me (Exhibit C). Specifically, paragraph 4, on the first page which states:

"In the case of Diablo Canyon, the NRC's Safety Evaluation Report dated October 16, 1974, stated that the NRC staff

reviewed the Diablo Canyon facility emergency plan and found that it conforms with Appendix E and was acceptable."

Again, I remind you that however inadequate, our County did not have a published Emergency Plan until June 1976, almost two years after P.G. & E.'s plan was approved and three and one half years after Mr. Powell assured P.G. & E. of Board readiness!

Further, you will notice in paragraph 5 of the Gossick letter to Lagamarsino, that P.G. & E. also has a letter in support of their application, dated January 25, 1973, from Sierra Vista Hospital which states:

"I understand the conditions that you propose in your letter and feel that we would be able to provide the necessary facility and services."

That "promisory note" was written by Mr. Glenn Carlson, Administrator of Sierra Vista Hospital who, privately admitted to me in 1976, that the letter was not an agreement to provide services but only an acknowledgement of the needs of P.G. & E. My understanding is substantiated by an article in the Santa Maria Times, dated November 5, 1976, which states:

"(Glenn Carlson, --- told the TIMES by telephone that the hospital does not have a binding agreement, or any kind of agreement with Pacific Gas and Electric. He said there has been contact between the two, including a letter, but "no agreement")" (EXHIBIT D)

In my letter to Lee Gossick dated September 16, 1976, (EXHIBIT E); at the safety hearings conducted by the State Energy Commission in Avila Beach on November 4, 1976, EXHIBIT F; and again at the Environmental Hearings of NRC Atomic Safety Licensing Board, on December 7, 1976 (EXHIBIT G); I testified that the Powell letter was not supported by Board action and that there exists no arrangement for medical treatment in the event of any accident involving off-site release. That is a matter of record and it has never been refuted. Indeed, Energy Commissioner Ron Doctor found my testimony "astounding".

I repeated these charges and others again on December 5, 1978, to the NRC Atomic Safety and Licensing Board (EXHIBIT H). To my knowledge at that time, there were yet no arrangements for medical care for radiation injury for other than P.G. & E. workers on-site. After my testimony, the French Hospital administrator reported to have said that they would provide assistance to others, but I am not yet aware of any public document or agreement that guarantees that care will be given to French Hospital or anywhere else to off-site victims.

One further point. In late 1975, the State Office of Emergency Services began to push for Nuclear Power Plant Emergency Response Plans and Evacuation Plans for each County having a nuclear unit within its boundaries. In early 1976 I tried to get our Board of Supervisors to prepare emergency plans when I discovered how ill-equipped our County was to meet any emergency (EXHIBIT I). No action was taken.

At budget time in August 1976, our Board finally consented to fund an Emergency Response Plan and Evacuation Plan after P.G. & E. let it be known that such a plan

Honorable Mel Levine

4/11/79

was necessary for them to meet NRC requirements. At that time one man, George Silva, filled the role of part-time Disaster Coordinator and part-time Animal Control Officer (dog catcher)! The Board allocated extra funds for a crash program to put together an Emergency Response Plan and Evacuation Plan. A hearing was scheduled for October 25, 1976. Only Orange County had a response plan available at that time so, for expedience sake, the Disaster Coordinator copied the San Onofre plan almost verbatim in order to meet the October 25 deadline, at which time the rough draft plans were presented to the Board. A hearing date was set for December 2, 1976, less than a week prior to the NRC Atomic Safety Licensing Board environmental hearings at Avila Beach.

On November 4, 1976, Disaster Coordinator Silva testified to the State Energy Commission that our proposed Nuclear Emergency Response and Evacuation Plans "--- in themselves do not represent a comprehensive emergency response system." According to Silva, the "necessary implementation procedures --- "to be considered in the development of a comprehensive system capable of responding effectively to a radiological hazard of an accident at a nuclear power plant." would involve seven items. (see EXHIBIT J) At this point and to my knowledge, very little has been done on items 2, 3, and 7, nothing on items 1, 4, 5, and 6. Again, another "promisory note" by the County.

On December 2 the draft plans were reviewed briefly by the Board, limited public testimony was received, and the Board continued the hearing until December 21 so that the matter could be "discussed in depth".

On December 21, 1976, the Board of Supervisors held a public hearing on the draft plans and, on December 22 adopted (3:2 vote) an inherently unworkable plan after allowing me to read into the record some 9 pages of detailed criticisms! (EXHIBIT K).

That plan was further updated with SOP's for various County departments and the California Highway Patrol on June 20, 1977. Otherwise, the plan remains full of unanswered questions rendering it barely implementable, if at all.

At this point I would call your attention to the fact that the 6-mile radius Low Population Zone (LPZ), set by the applicant with NRC approval, includes only 20 residences. Yet, within a 7-mile radius there are 1000 people and, within a 12-mile radius, more than half the population of our County resides! (EXHIBIT L) I would ask your committee to fully re-evaluate the unworkable concept of the LPZ and in its place suggest a workable strategy that would reasonably protect the population from unexpected releases of radioactivity from a functioning or malfunctioning nuclear power plant.

Mr. Chairman and members of the committee, I submit to you that not withstanding the existence of three "approved" plans, had we experienced an emergency such as that recently at Three-Mile Island, or, heaven forbid, one worse than that, our County would be ill-prepared to respond in a manner which would guarantee the safety

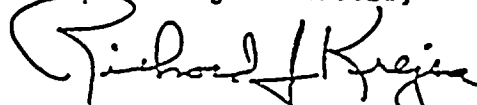
Honorable Mel Levine

4/11/79

of even a few of our citizens! I respectfully request that you read my documentation and then ask yourselves, in all honesty, if you had a nuclear plant in your backyard, whether you would trust the guidelines and procedures thus far established by the NRC or State O.E.S. to protect you and your families from the ultimate accident!

Thank you for your patience in receiving my testimony.

Respectfully submitted,



DR. RICHARD J. KREJSA
Supervisor, Fifth District

RJK:mls
Enclosures

We concerned physicians of San Luis Obispo County are opposed to the operation of Diablo Canyon Nuclear Power Plant for the following medical reasons:

1. We believe that long-term low dose radiation from Diablo Canyon will lead to increased rates of leukemia and cancer in San Luis Obispo County residents.
2. We believe that low dose radiation from Diablo Canyon will lead to an increased rate of birth defects among San Luis Obispo County residents.
3. We believe that the problems of waste disposal, sabotage risk, human error, and earthquake risk have the potential for causing both high and low dose radiation exposure in San Luis Obispo County residents.
4. We believe that medical facilities for handling a major release of nuclear energy from Diablo Canyon are inadequate.

The following San Luis Obispo County physicians, signed the statement of concern:

Bramwell Anthony M.D.
Robert Broomwall M.D.
Wayne Ball M.D.
David A. Bernhardt M.D.
Robert Boyd M.D.
Charles Blair M.D.
Harvey Billig M.D.
Phillip Colbert M.D.
Ivan S. Cliff M.D.
T.A. Collins M.D.
Zorus Colglazier M.D.
William Cain M.D.
James Bondurant D.O.
Mark Dahlstrom M.D.
Mark Eckert M.D.
Baring Farmer M.D.
Lawrence Field M.D.
Charles Fishman M.D.
Paul Gallagher M.D.
Gary Harkins M.D.
James Harrison M.D.
Robert Holzhauer M.D.
George Johnson M.D.
Gary Kolb M.D.
Guenther Mayer-
Harnisch M.D.
Cathy Long M.D.
Richard Johnson M.D.
Robert Lins M.D.
Marshall Jelderks M.D.
James Nash M.D.
E.F. Madsen M.D.
Willard Osibin M.D.
Michael Payne M.D.
Rodney Paragas M.D.
Ken Shapiro M.D.
Harold Segal M.D.
Don Smilovitz M.D.
W.L. Shephard M.D.
Arthur J. Silverstein D.O.
Joseph Sarullo M.D.
Stanley Reichenberg M.D.
Roger Steele M.D.
Daniel Small M.D.
David Ralston M.D.

Carol Stern M.D.
Jerome Schulte M.D.
Louis Zimmerman M.D.
Karl Kirschner M.D.
George Ward M.D.
Dale Rowland M.D.
Wallace Schwam M.D.
Lou Tedone M.D.
Herbert Hindler M.D.
Michael Middleton M.D.
Joeffrey Phillips M.D.
Jack Phirman M.D.
Gary Stanwych M.D.
William O'Brien M.D.
Milt Smith M.D.
Winston Anderson M.D.
B.M. Adamson M.D.
John Pappenfus M.D.
Larry Newman M.D.
John Norris M.D.
Ricahrd Hendricks M.D.
David Stevig M.D.
C.R. Tittle, Jr. M.D.
Robert Karger M.D.
David Van M.D.

May 12, 1979

