

October 30, 1981

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Docket Nos. 50-275
and 50-323

Mr. Richard G. Alvarez
P.O. Box 965
Atascadero, CA 93422



Dear Mr. Alvarez:

This is in response to your recent message to President Reagan regarding the delay in licensing of the Diablo Canyon Nuclear Power Plant.

NRC has a mandate to assure adequate protection of the public health and safety and the implementation of this mandate is our principal concern. Indeed, we issued no licenses following the TMI accident until we were assured that the lessons learned could be suitably incorporated into the plant designs. Similarly, no full-power licenses will be issued without the Federal Emergency Management Agency's review and evaluation of the applicants' emergency preparedness plans.

Extensive public hearings have been held on various matters on the Diablo Canyon application. Recently, proceedings on the issuance of a low power license were held in San Luis Obispo, CA before an Atomic Safety and Licensing Board. The Board's findings were issued on July 17, 1981, and concluded that operation of the Diablo facility at power levels not to exceed 5% rated power would not pose an undue risk to the health and safety of the general public. The Diablo Canyon facility has been reviewed for conformance with requirements developed as a result of the TMI-2 accident and was found to be acceptable. However, as you may know, PG&E recently notified the NRC staff of a potential deficiency associated with certain piping and components within the containment annulus. Consequently, the fuel loading and low power testing will not be undertaken until the NRC has given its approval, which will come only after our completion of the evaluation of this issue.

We appreciate your interest in the Diablo Canyon project and understand your frustration at the delays in its licensing. Please be assured that the NRC is taking every reasonable action to expedite the licensing process, consistent with our commitments to ensure the public health and safety.

Sincerely,
Original Signed by
Herbert N. Berkow

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Herbert N. Berkow, Chief
Management Analysis Branch
Planning and Program Analysis Staff

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DATE	10/29/81	10/30/81					

