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SEP 22 1981

MEMORANDUM FOR: Chairman Palladino
 Commissioner Gilinsky
 Commissioner Bradford
 Commissioner Ahearne
 Commissioner Roberts

LB#3 Files
 WJDircks
 HRDenton
 EChristenbury
 DEisenhut
 RTedesco
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 BBuckley
 ILee

THRU: William J. Dircks, Executive Director for Operations
 (Signed) William J. Dircks
 FROM: Harold R. Denton, Director
 Office Nuclear Reactor Regulation
 SUBJECT: DOCUMENTATION OF SECURITY FINDINGS REGARDING OPERATION
 OF DIABLO CANYON 1 AT LOW POWER

The Commission's Memorandum and Order of September 21, 1981, in this proceeding directed that the Director, Office of Nuclear Reactor Regulation, document the basis for findings that the Appeal Board has suggested or required him to make regarding:

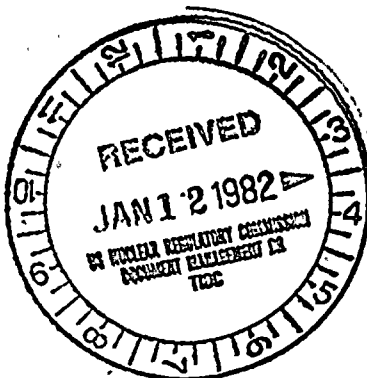
- guard training for the low power license;
- local law enforcement agency agreements; and
- response force size for the low power license.

My findings with respect to these specific issues and the bases for these findings are contained in the attachments to this Memorandum.

In addition, I have made the finding also discussed in the Appeal Board decision that the applicant has complied with all applicable regulatory requirements relating to its approved safeguards contingency plan.

Attachments:
 As stated

cc: OPE
 OGC
 SECY
 Service List



15/
 Harold R. Denton, Director
 Office Nuclear Reactor Regulation

*SEE PREVIOUS CONCURRENCE FOR INITIALS

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 BC Buckley
 9/22/81
 DL:JFM
 FJM Miraglia
 9/22/81

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DATE	9/22/81	9/22/81	9/22/81	9/22/81	9/22/81	9/22/81	9/22/81
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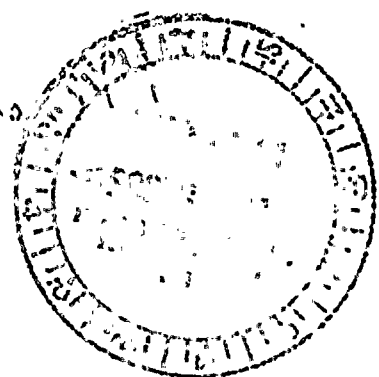
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Harold R. Denton, Director
 Office Nuclear Reactor Regulation

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DIABLO CANYON

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Guard Training for the Low-power License

ALAB-653 RESTRICTED stated that the Director of Nuclear Reactor Regulation must be assured of the adequacy of security organization training before issuing the low-power license. The Director of the Division of Safeguards, NMSS, by memorandum of September 16, 1981, confirmed that the Diablo Canyon Guard Training and Qualification Plan has been approved as meeting the requirements of Appendix B, 10 CFR 73. Region V has advised that Diablo Canyon Training program is designed to assure conformance with the commitments contained in the approved plan. The Diablo Canyon guards are presently trained to meet Regulatory Guide 5.20 standards. In addition, approximately two-thirds of the guards have completed Appendix B training in accordance with their approved plan.

The present level of protection is judged by the Director, Division of Safeguards, NMSS as being equal to that which exists at most operating reactors. Under applicable regulations, 10 CFR 73 Appendix B training at operating reactors must be completed within two years of the approval of training plans. As a result, most operating reactors are in the process of training their guards to this standard rather than to the previous Regulatory Guide 5.20 level. Thus, Diablo Canyon meets or exceeds the level of guard training now found at most operating reactors.

In accordance with ALAB-653 RESTRICTED, Condition E of the license requires that all guards be trained and qualified to Appendix B levels by January 1, 1982.

Based on the above, I have determined that the level of guard training at Diablo Canyon, Unit 1 is adequate for a low-power license.

Local Law Enforcement Agency Agreements (LLEA)

ALAB-653 RESTRICTED states that the Director of Nuclear Reactor Regulation must be satisfied that the commitments contained in the Diablo Canyon Nuclear Power Plant Security Plan regarding local law enforcement agencies are valid and up-to-date at the time of issuance of an operating license.

A memorandum of September 17, 1981, from R. H. Engelken, Director for Region V, to V. Stello, Jr., Director, Office of Inspection and Enforcement, states that the LLEA commitments to the licensee are up-to-date and valid. These conclusions were based on interviews with licensee management and members of the security organization; the Sheriff, San Luis Obispo County and members of his staff; drills and tests conducted during the preoperational inspections and direct observations of LLEA actions during the recent activities in the site vicinity.

Based on my review of the above documents, I have determined that the LLEA commitments for assistance are up-to-date and valid.



Response Force for the Low-Power License

ALAB-653 RESTRICTED specifies the minimum number of armed responders required at Diablo Canyon at all times unless or until the staff adequately justifies to the Director of Nuclear Reactor Regulation a reduction in that number.

No reduction in number of armed responders has been approved by the Director. Condition E of Operating License for Diablo Canyon Nuclear Plant Unit 1, states in part

"The approved Diablo Canyon Security Plan identified above is hereby amended to increase the minimum number of armed responders consistent with ALAB-653 (RESTRICTED) decision of September 9, 1981."

In addition, the NRC staff has determined that the available number of armed responders employed by the applicant is more than sufficient to meet the requirements of the above license condition, at all times.

Based on the above, I have determined that the response force size at Diablo Canyon, Unit 1, is adequate for issuance of the low-power license and that the minimum number of armed responders specified by the Appeal Board will be on duty at all times.

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