



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

JUL 20 1984

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

Dear Congressman Panetta:

As stated in his June 19, 1984 letter to you, Chairman Palladino requested the staff to respond to your concern over a perceived tendency by our staff in connection with the Diablo Canyon Nuclear Power Plant to assume that the margins of safety established by our criteria need not be adhered to for systems which are not pivotal to safety, and that less precise, ad hoc standards of safety can be applied. The testimony by the staff at the January 24, 1984, hearing relating to margins of safety and adherence to licensing criteria should not be construed to mean that the staff accepts less than the margins of safety required by the Commission's regulations.

The staff's determinations are bolstered by the extensive reviews undertaken by the Independent Design Verification Program conducted under the direction of Teledyne Engineering Services, the licensee's own comprehensive Internal Technical Program and the reviews and audits performed by the NRC staff and its consultant, Brookhaven National Laboratory. These efforts effectively evaluated virtually all safety-related structures, systems and components from the standpoint of their compliance with seismic design criteria and also covered a significant amount of such items in terms of compliance with other, non-seismic criteria. Since the latter area was evaluated using a suitable sampling approach, it has been recognized that some deviations from criteria may not have been detected. This is, nevertheless, considered acceptable for two reasons. First the findings resulting from the reviews provide ample assurance that any departure from criteria which may not have been detected because of the sampling approach used, is not likely to have safety significance. Second, it should be recognized that a departure from a specific criterion does not necessarily equate with a failure to satisfy a Commission regulation. The criteria established for any given facility reflect an acceptable (but not necessarily exclusive) approach to satisfying a regulation. Hence, a departure from such detailed requirement, if accompanied by adequate justification, does not necessarily entail a failure to comply with the regulation underlying it. The staff believes, based on the extensive reviews performed, that, in regard to the matters evaluated, it is unlikely that applicable regulations have not been complied with.

In addition, the testimony makes clear that further assurance is provided by the conservatisms inherent in the design and construction (including materials used) of nuclear power plants, which readily offset small departures from very precise criteria. Such conservatisms assure that safety margins called for by Commission regulations are maintained even if some deviations from a criteria were found.

8408010275 840720
PDR COMMS NRCC
CORRESPONDENCE PDR

The Honorable Leon Panetta

-2-

We trust this letter is responsive to your concern.

Sincerely,

(Signed) William J. Dircks

William J. Dircks
Executive Director for Operations

Distribution: *w/incoming

Docket File 50-275/323

NRC PDR* NGrace
L PDR* BSnyder

EDO 14143

WDircks

ECase/HDenton

HSchierling

JLee

LB#3 Reading

MJambor/DEisenhut

LChandler, ELD

TNovak/MO'Brien

OCA

SECY-84-0225

KBowman

JRoe

TRehm

VStello

RDeYoung

GCunningham

PPAS

TSpeis

DMuller

RVollmer

HThompson

* See previous concurrence

| | | | | | |
|-----------------|---------|-------------|-----------|------------|----------|
| DL:LB#3 | DL:LB#3 | DL:LB#3 | DE:AD | OELD | DE:AD/L |
| *HSchierling/ch | *JLee | *GWknighton | *JPKnight | *LChandler | *TMNovak |
| 6/16/84 | 6/27/84 | 7/16/84 | 7/12/84 | 7/13/84 | 6/30/84 |
| DL:DIR | NRR | 45R | OCA | EDO | |
| *DGEisenhut | ECose | HAdenton | SWZ | WJDircks | |
| 7/2/84 | 7/1/84 | 7/17/84 | 7/20/84 | 7/ /84 | |

PAGE 1 REVISED BY EDO 7/18/84

50-275



1

2

3

4

5

6

7

8



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

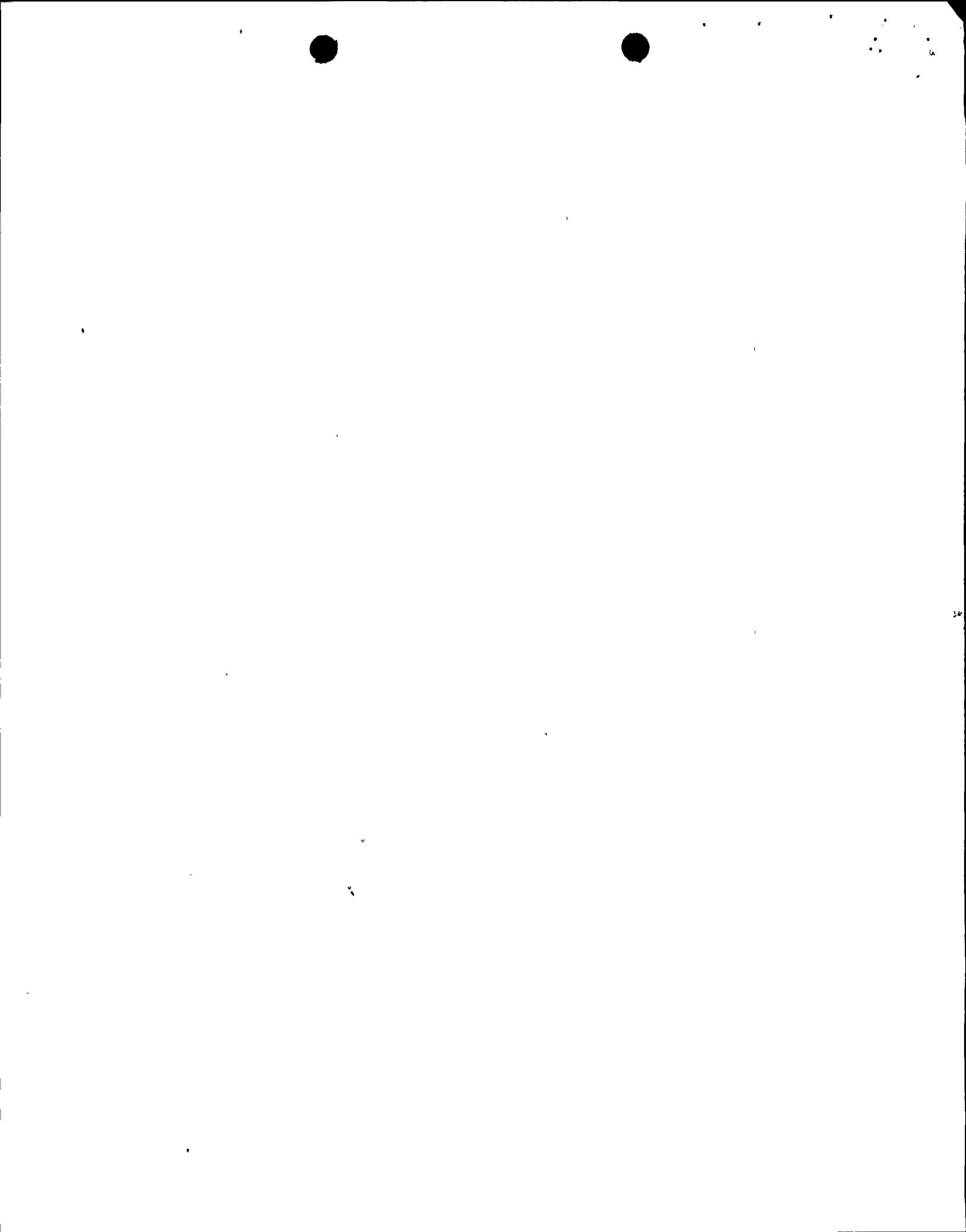
The Honorable Leon Panetta
United States House of Representatives
Washington, D. C. 20515

Dear Congressman Panetta:

As stated in his June 19, 1984 letter to you, Chairman Palladino requested the staff to respond to your concern over a perceived tendency by our staff in connection with the Diablo Canyon Nuclear Power Plant to assume that the margins of safety established by our criteria need not be adhered to for systems which are not pivotal to safety, and that less precise, ad hoc standards of safety can be applied. The testimony by the staff at the January 24, 1984, hearing relating to margins of safety and adherence to licensing criteria should not be construed to mean that the staff accepts less than the margins of safety required by the Commission's regulations. Rather, the testimony made clear that while there may be undetected departures from licensing criteria, such departures would not likely have any safety significance. Further, it should be recognized that a departure from a specific criterion does not necessarily equate with a failure to satisfy a Commission regulation. The criteria established for any given facility reflects an acceptable (but not necessarily exclusive) approach to satisfying a regulation. Hence; a departure from such detailed requirement; if accompanied by adequate justification; does not necessarily entail a failure to comply with the regulation underlying it.

The staff's judgment in this matter is bolstered by the extensive reviews under-taken by the Independent Design Verification Program conducted under the direction of Teledyne Engineering Services, the licensee's own extensive Internal Technical Program and the reviews and audits performed by the NRC staff and its consultant, Brookhaven National Laboratory. These efforts effectively evaluated virtually all safety-related structures, systems and components from the standpoint of their compliance with seismic design criteria and also covered a significant amount of such items in terms of compliance with other, non-seismic criteria. The findings resulting from the reviews provide ample assurance that any departure from criteria which may not have been detected is not likely to have safety significance.

In addition, the testimony makes clear that further assurance is provided by the conservatism inherent in the design and construction (including materials used) of nuclear power plants, which readily offset small departures from very precise criteria. Such conservatism assure that safety margins called for by Commission regulations are maintained even if some deviations from a criteria were found.



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

Dear Congressman Panetta:

As stated in his June 19, 1984 letter to you, Chairman Palladino requested the staff to respond to your concern over a perceived tendency by our staff in connection with the Diablo Canyon Nuclear Power Plant to assume that the margins of safety established by our criteria need not be adhered to for systems which are not pivotal to safety, and that less precise, ad hoc standards of safety can be applied. The testimony by the staff at the January 24, 1984, hearing relating to margins of safety and adherence to licensing criteria should not be construed to mean that the staff accepts less than the margins of safety required by the Commission's regulations. Rather, the testimony made clear that while there may be undetected departures from licensing criteria, such departures would not likely have any safety significance. Further, it should be recognized that a departure from a specific criterion does not necessarily equate with a failure to satisfy a Commission regulation. The criteria established for any given facility reflects an acceptable (but not necessarily exclusive) approach to satisfying a regulation. Hence, a departure from such detailed requirement, if accompanied by adequate justification, does not necessarily entail a failure to comply with the regulation underlying it.

The staff's judgment in this matter is bolstered by the extensive reviews under-taken by the Independent Design Verification Program conducted under the direction of Teledyne Engineering Services, the licensee's own extensive Internal Technical Program and the reviews and audits performed by the NRC staff and its consultant, Brookhaven National Laboratory. These efforts effectively evaluated virtually all safety-related structures, systems and components from the standpoint of their compliance with seismic design criteria and also covered a significant amount of such items in terms of compliance with other, non-seismic criteria. The findings resulting from the reviews provide ample assurance that any departure from criteria which may not have been detected is not likely to have safety significance.

In addition, the testimony makes clear that further assurance is provided by the conservatisms inherent in the design and construction (including materials used) of nuclear power plants, which readily offset small departures from very precise criteria. Such conservatisms assure that safety margins called for by Commission regulations are maintained even if some deviations from a criteria were found.

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

Dear Congressman Panetta:

As stated in his June 19, 1984 letter to you, Chairman Palladino requested the staff to respond to your concern over a perceived tendency by our staff in connection with the Diablo Canyon Nuclear Power Plant to assume that the margins of safety established by our criteria need not be adhered to for systems which are not pivotal to safety, and that less precise, ad hoc standards of safety can be applied. The testimony by the staff at the January 24, 1984 hearing relating to margins of safety and adherence to licensing criteria should not be construed to mean that the staff accepts less than the margins of safety required by the Commission's regulations. Rather, the testimony made clear that while there may be undetected departures from licensing criteria, such departures would not likely have any safety significance. Further, it should be recognized that a departure from a specific criterion does not necessarily equate with a failure to satisfy a Commission regulation. The criteria established for any given facility reflect an acceptable (but not necessarily exclusive) approach to satisfy a regulation. Hence, a departure from such detailed requirement, if accompanied by adequate justification, does not necessarily entail a failure to comply with the regulation underlying it.

The staff's judgement in this matter is bolstered by the extensive reviews undertaken by the Independent Design Verification Program conducted under the direction of Teledyne Engineering Services, the licensee's own extensive Internal Technical Program and the reviews and audits performed by the NRC staff and its consultant, Brookhaven National Laboratory. These efforts effectively evaluated virtually all safety related structures, systems and components from the standpoint of their compliance with seismic design criteria and also covered a significant amount of such items in terms of compliance with other, non-seismic criteria. The findings resulting from the reviews provide ample assurance that any departure from criteria which may not have been detected is not likely to have safety significance.

In addition, the testimony makes clear that further assurance is provided by the conservatisms inherent in the design and construction (including materials used) of nuclear power plants, which readily offset small departures from very precise criteria. Such conservatisms assure that safety margins called for by Commission regulations are maintained even if some deviations from a criteria were found.

CONFIDENTIAL

The following information was obtained from a review of the files of the [redacted] and is being furnished to you for your information. It is to be understood that this information is confidential and should not be disseminated outside your office.

[The remainder of the text in this block is extremely faint and largely illegible due to the quality of the scan.]

The following information was obtained from a review of the files of the [redacted] and is being furnished to you for your information. It is to be understood that this information is confidential and should not be disseminated outside your office.

[The remainder of the text in this block is extremely faint and largely illegible due to the quality of the scan.]

The following information was obtained from a review of the files of the [redacted] and is being furnished to you for your information. It is to be understood that this information is confidential and should not be disseminated outside your office.

[The remainder of the text in this block is extremely faint and largely illegible due to the quality of the scan.]

The Honorable Leon Panetta

-2-

We trust this letter is responsive to your concern.

Sincerely,

William J. Dirks^c
Executive Director for Operations

* See previous concurrence

DL:LB#3
*HSchierling/ch
6/16/84

DL:LB#3
*JLee
6/27/84

~~DL:LB#3~~
G/Knighton
7/16/84

DE:AD
*JPKnight
7/12/84

OELD
*LChandler
7/13/84

DE:AD/L
*TMNovak
6/30/84

DL:DIR
*DGEisenhut
7/2/84

NRR
ECase
7/ /84

NRR
HRDenton
7/ /84

OCA
7/ /84

EDO
WJDirks^c
7/ /84

THE UNIVERSITY OF CHICAGO

CHICAGO, ILL.

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

JUL 20 1984

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

Dear Congressman Panetta:

As stated in his June 19, 1984 letter, to you Chairman Palladino requested the staff to respond to your concern over a perceived tendency by our staff in connection with the Diablo Canyon Nuclear Power Plant to assume that the margins of safety established by our criteria need not be adhered to for systems which are not pivotal to safety, and that less precise, ad hoc standards of safety can be applied. The testimony by the staff at the January 24, 1984 hearing relating to margins of safety and adherence to licensing criteria should not be construed to mean that the staff accepts less than the margins of safety required by the Commission's regulations. Rather, the testimony made clear that while there may be undetected departures from licensing criteria, such departures would not likely have any safety significance.

The staff's judgement in this matter is bolstered by the extensive reviews undertaken by the Independent Design Verification Program conducted under the direction of Teledyne Engineering Services, the licensee's own extensive Internal Technical Program and the reviews and audits performed by the NRC staff and its consultant, Brookhaven National Laboratory. These efforts effectively evaluated virtually all safety related structures, systems and components from the standpoint of their compliance with seismic design criteria and also covered a significant amount of such items in terms of compliance with other, non-seismic criteria. The findings resulting from the reviews provide ample assurance that any departure from criteria which may not have been detected is not likely to have safety significance.

In addition, the testimony makes clear that further assurance is provided by the conservatism inherent in the design and construction, including materials used of nuclear power plants, which readily offset small

| | | | | | | | |
|---------|--|--|--|--|--|--|--|
| OFFICE | | | | | | | |
| SURNAME | | | | | | | |
| DATE | | | | | | | |

111 0 8 088

2

departures from very precise criteria. Such conservatisms assure that safety margins called for by Commission regulations are maintained even if some deviations were found.

We trust this letter is responsive to your concern.

Sincerely,

William J. Dircks
Executive Director for Operations

* See previous concurrence

DL:LB#3
*HScheirling:jj
6/16/84

7/10/84

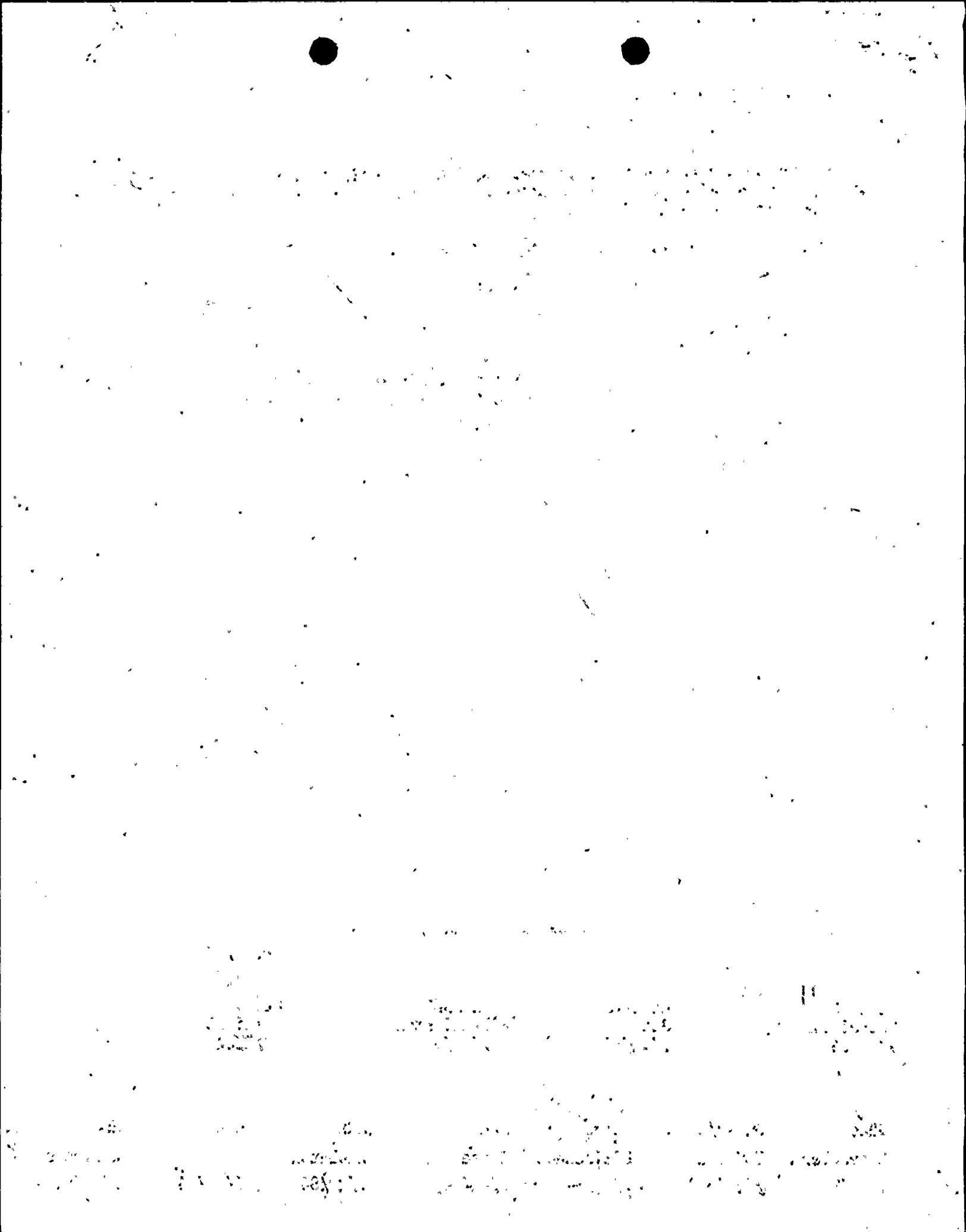
no legal objections added

DL:LB#3
*JLee
6/27/84

DL:LB#3
*GWKnighton
6/27/84

DE:AD
*JPKnight
7/1/84

| | | | | | | | |
|---------|-----------|-----------|--------------|--------|----------|--------|----------|
| OFFICE | OELD | DE:AD/L | DL:DIR | NRR | NRR | OCA | EDO |
| SURNAME | LChandler | TMNovak * | DGEisenhut * | ECase | HRDenton | | WJDircks |
| DATE | 7/13/84 | 6/30/84 | 7/2/84 | 7/1/84 | 7/1/84 | 7/1/84 | 7/1/84 |



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

Dear Congressman Panetta:

As stated in his June 19, 1984, letter to you Chairman Palladino requested the staff to respond to your concern over an apparent tendency of our staff to assume that the margins of safety established by our criteria need not be adhered to for systems which are not pivotal to safety, and that less precise, ad hoc standards of safety can be applied. The testimony by the staff at the January 24, 1984 hearing relating to margins of safety should not be construed to mean that the staff accepts less than the margins of safety required by the Commission's regulations. The testimony was meant to relate that inspection and review efforts are more heavily focused on those aspects which have the greatest potential for affecting public health and safety.

It is important to note that in addition to the margin of safety incorporated in Commission regulations there are further margins of safety that result from design and fabrication practices employed for nuclear power plants. These additional margins of safety are recognized to ameliorate uncertainty from less than absolute confirmation that the letter of the regulatory requirements have been met in each case. Whereas it is beyond reasonable expectation to assure absolute compliance in each case, we believe that upon completion of the review and inspection program carried out by the NRC staff, the safe design and construction of the Diablo Canyon Plant will be assured.

We trust this letter is responsive to your concern.

Sincerely,

William J. Dircks
Executive Director for Operations

DL:LB#3
HSchierling/yt
6/16/84
NRR
HRDenton
6/ /84

EDO
WJDircks
6/ /84

DL:LB#3
JLee
6/21/84

DL:AH#328
GWNighton
6/21/84

DE:AD
JPKnight
6/ /84

OELD
LChandler
6/ /84

DL:AB/L
TNovak
6/30/84

DL:DR
DGHenrut
6/21/84

NRR
ECase
6/ /84

OCA

6/ /84

1984
June 19, 1984

Letter of June 19, 1984
Dear Mr. [Name]
I am pleased to hear from you and to learn that you are interested in the [Project/Program]. The information you provided is very helpful and we will be reviewing it as soon as possible. We will contact you again once a decision has been reached. Thank you for your interest and for providing the necessary details.

I am sure that your [Project/Program] will be a great success and we are looking forward to the possibility of working with you. Please do not hesitate to contact us if you have any questions or need further information. We will be happy to assist you in any way we can. Thank you again for your interest and for providing the necessary details.

Sincerely,
[Name]

[Address]
[City, State, Zip]

[List of names and addresses]
[Name 1]
[Name 2]
[Name 3]
[Name 4]
[Name 5]
[Name 6]
[Name 7]
[Name 8]
[Name 9]
[Name 10]