Docket File w/inc.

DISTRIBUTION

EDO Reading

NRR Reading

LB3 Reading

D. Eisenhut

R. Purple

R. Tedesco

T. Novak

OELD

NRC PDR w/Inc.

Local PDR w/inc.

SEP 2.5 1980

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

G. Lainas B. Grimes Dear Byron: J. Olshinski R. Vollmer Thanks for sending along a copy of Mr. Hershey's August 18, 1980 column from The New York Times. It is unfortunate that an article such as this one does give the impression that the NRC is some sort of organization anxious to pump out licenses no matter what the impact may be on health and safety. That is simply not true.

Diablo represents a very tough and complex licensing decision. Feelings are running high on both sides. The only fair way for the NRC staff to proceed is to adhere scrupulously to the Commission's rules and regulations and make its recommendation based on whether or not the Diablo plant meets those rules and regulations. That is what the staff has been trying to do.

How the Atomic Safety and Licensing Board will come out, we don't know. We can only speculate, and I suppose that is what Mr. Hershey did. But even after the Licensing Board makes its decision, that decision can be appealed to the Appeal Board and beyond that, the full Commission will have to make the ultimate decision. Thus, there is a serves of checkpoints that must be passed before a decision can be issued to allow Diablo a license to operate at low power. And at each point in the process the decision can only be based on whether or not the plant meets the approved safety criteria.

It is difficult to deal constantly with charges that we are biased and are ready to advocate licensing unsafe facilities. Such allegations are easy enough to get printed. Our denials never seem to get the same treatment. I appreciate your offer to help. In this area we certainly need it. In the meantime, all we can do is prove that we are neutral by our actions. Those actions can only be based on considerations of public health and safety.

Sincerely,

151 Bile

William J. Dircks **Executive Director** for Operations

Retyped in OEDO	9/22/80. See	e previo <u>us</u> yellow	for	concurrences	
Retyped in OEDO	8010240	305		l	

NRC FORM 318 (9-76) NRCM 0240

OFFICE SURNAME DATE

NRR *

☆U.S. GOVERNMENT PRINTING OFFICE: 1979-289-369

EDO

G. Ertter (EDO 9523) S. Cavanaugh (EDO 9523) E. Hughes M. Fudge D. Ross J. Lee S. Hanauer KJabbour F.Schroeder R. Miraglia B. Shapar W. Dircks H. Denton E. Case B. Snyder

5027.1.

L H Forwith California

J. Heltemes/AEOD

3 · ' 0[°]

ROUTING AND JE	RANSMITT	Dato	9/15/8	30
0: (Name, office symbol, re building, Agency/Post) K. Jabbour F. Miraglia	oom number,		Initials	Date
-K-labboun		20.	isit	9/1
F. Miraglia	Concurrence	e «	EB/M	915
OELD	Concurrenc		10 9	123/8
R. Tedesco	Concurrence			
R. Purple	Concurrence			
. D. Eisenhut	Concurrence	ce		į
E. Case	Concurrenc			
H. Denton	Concurrence			
L Action	File	Not	e and Ret	um
Approval	For Clearance	Per Conversation		
As Requested	For Correction	Prepare Reply		
Circulate	For Your Information	Sce Me		
Comment	Investigate			
Coordination	Justify			

REMARKS

Ltr for: Byron S. Georgiou

SUBJ:

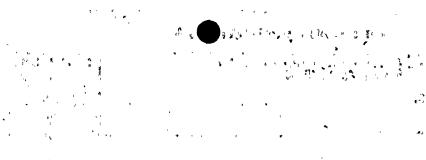
Response to article appearing in the New York Times protraying NRC staff as advocates of licensing Diablo Canyon to load and test at low power.

no logal ducation.	M out	2 change
"appauls" Soard	Ĵ.	"agged
Bangal"	1	
Bound" SAD	mis	

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)	¥.,	Room NoBidg.		
Patty Henderson		Phone No. 27831		
5041-102	OPTIONAL FORM 41 (Rev. 7-76), Prescribed by GSA FFMR (41 CFR) 101-11.206			

XU.S.GPO:1978-0-261-647/3354



· .

* • •

e C

r ^r land in the second s --بار بار