

FEB 16 1983

Mr. Donald J. Curtis
5170 Fresno Avenue
Atascadero, California 93422

Dear Mr. Curtis:

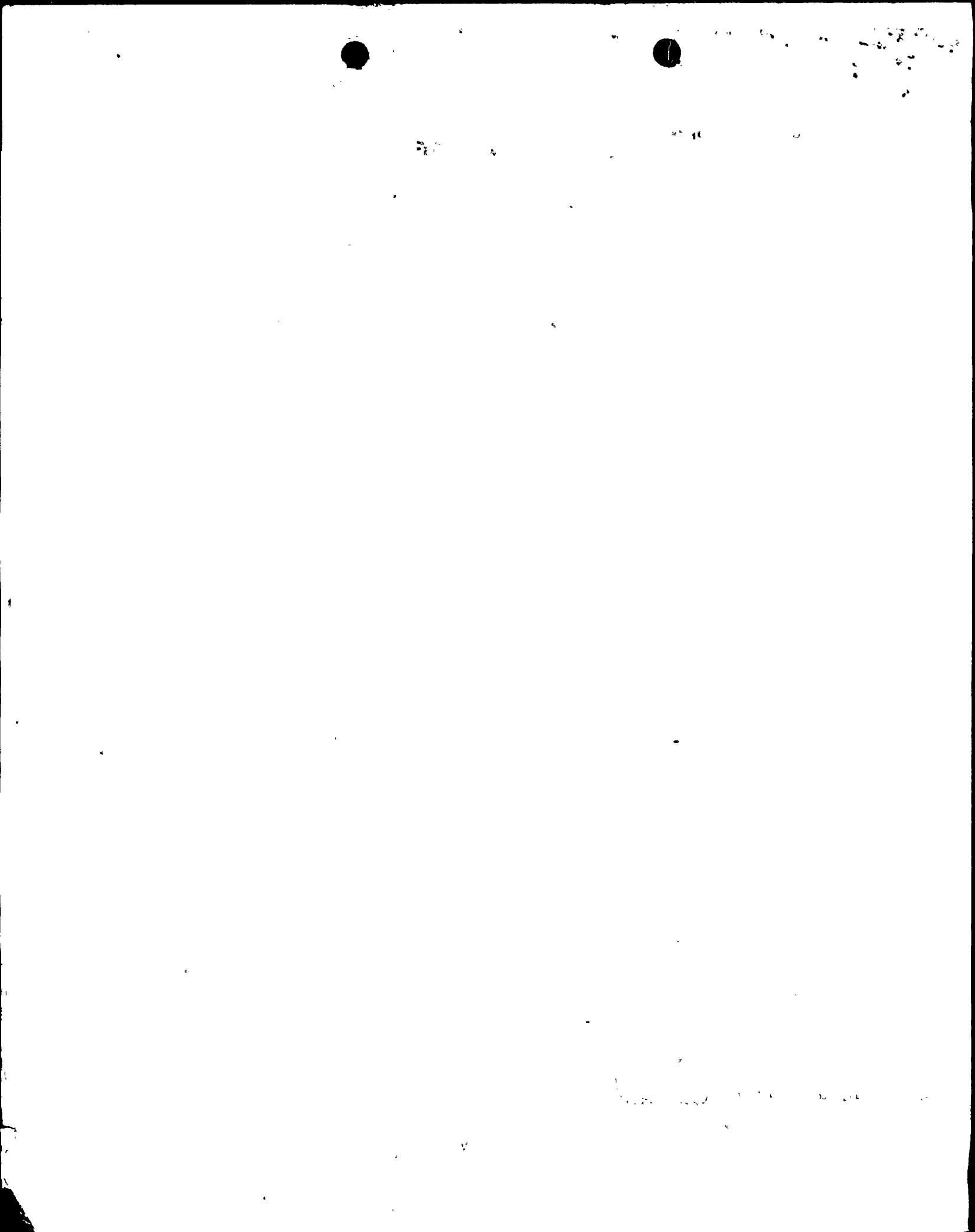
I am pleased to respond to your January 21, 1983 letter to Chairman Palladino in which you express concern over delays in bringing the Diablo Canyon Nuclear Power Plant on line. Your letter was referred to me for reply.

We fully recognize that substantial time may be involved in the formal licensing process associated with issuance of an operating license consistent with the rights provided by the Atomic Energy Act and Commission's regulations, particularly in proceedings as complex as the Diablo Canyon proceeding. We are continuing to take all appropriate steps to minimize any delays which may be attributed to this process.

As you are no doubt aware, there have been major delays in the completion of construction of the facility which were related to plant modifications that were made as a result of a seismic (HOSGRI) re-evaluation and as a result of the lessons learned from the Three Mile Island Accident (TMI) which occurred in March 1979. Following extensive hearings, a low power operating license was issued for Diablo Canyon, Unit 1 on September 22, 1981. Subsequently, on September 28, 1981 the Pacific Gas and Electric Company notified the NRC staff of discrepancies associated with the seismic design of certain plant piping, systems and structures. Because of the significance of the seismic safety concerns of this discovery, the low power license was suspended on November 19, 1981 until the NRC staff could assess the licensee's (PG&E) evaluation of the plant's conformance with the seismic design criteria. Since that time, the NRC staff has been and is intensively following the licensee's resolution of this problem. Additionally, an Independent Design Verification Program has been initiated to evaluate this matter. The licensee recently proposed, and the Commission approved, a three step process. This proposal recommends reinstatement of the operating license in stages as follows: (1) authority to load fuel, (2) authority to conduct low power testing, and (3) issuance of a full power license. PG&E's estimate as to when plant modification would be complete to permit fuel loading is March 31, 1983; the plant would be ready to perform initial criticality on about June 2, 1983 and commence the power ascension program on about June 30, 1983.

8302220525 830216
PDR ADOCK 05000323
H PDR

OFFICE▶	.....	.....	.....	.....	.....	.....	.....
SURNAME▶	.....	.....	.....	.....	.....	.....	.....
DATE▶	.....	.....	.....	.....	.....	.....	.....



Mr. Donald J. Curtis

- 2 -

The NRC staff is fully committed to complete it's review and evaluation in order to reach a timely licensing decision for each of the three steps mentioned above. The Commission is making every effort to avoid any unnecessary delays while still assuring the health and safety of the general public.

I trust that the above information has been responsive to your concerns.

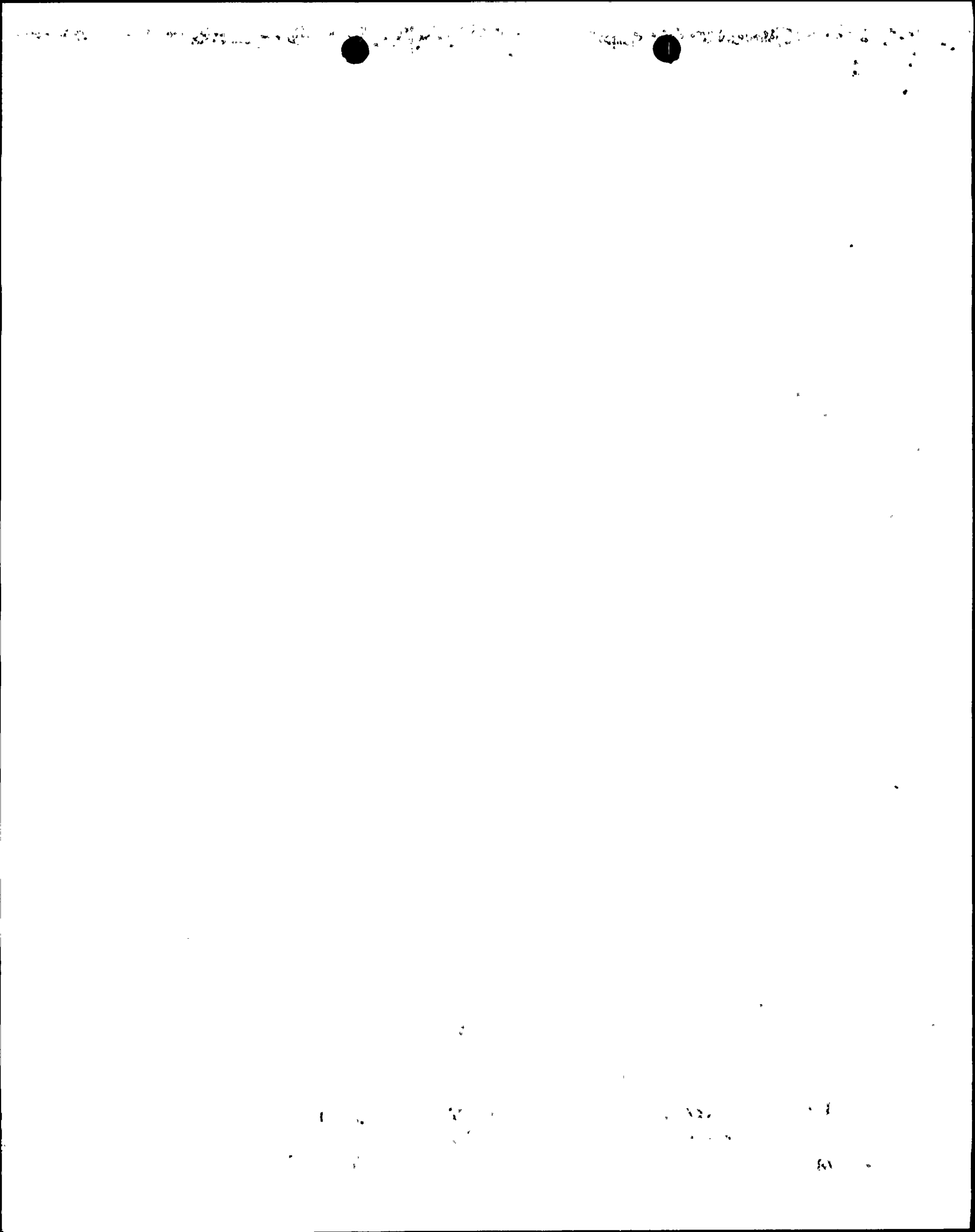
Sincerely,

Original Signed by
H. R. Denton /

Harold Denton, Director
Office of Nuclear Reactor Regulation

OFFICE	DL: LB#31	DL: LB#B	OELD	DL: ADL	DL: DNR	NRR: DDIR	NRR: DIR
SURNAME	BBuckley/yt	GK/ghton	LChandler	TMNovak	DGEisenhut	EGase	HRDenton
DATE	2/10/83	2/10/83	2/10/83	2/1/83	2/1/83	2/1/83	2/1/83

Handwritten note: If no legal objection changes suggested



GREEN TICKET NO. 12712

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JMTaylor, DEQA:IE

Attorney, OELD

TNovak/MStine

MBridgers, EDO (EDO#12712)

Correspondence Clerk, NRR (EDO#12712)

SECY (3)

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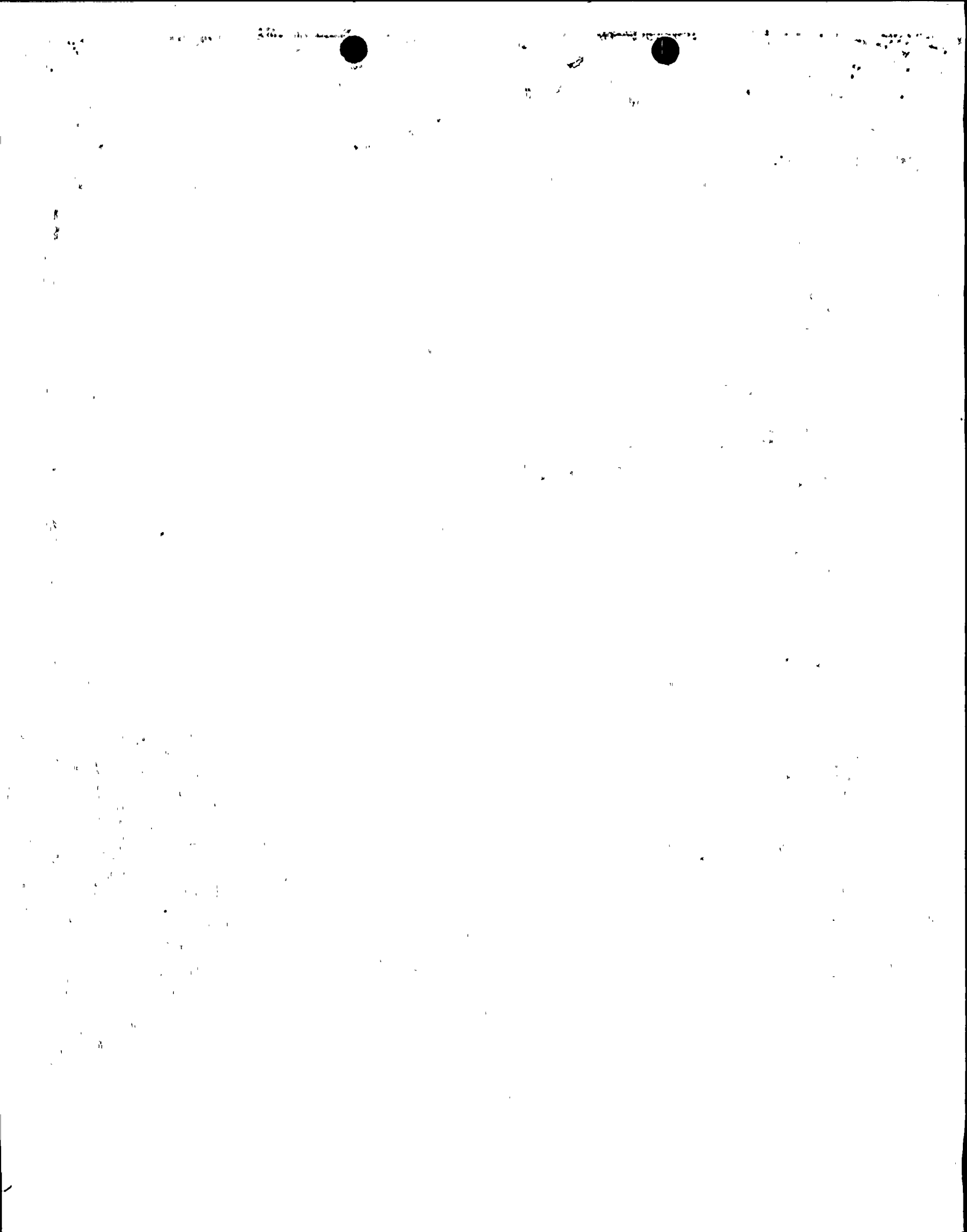
Snyder

Engelken

GCunningham

Case/Denton

*w/incoming



FROM Donald J. Curtis Atascadero, CA	ACTION CONTROL COMPL DEADLINE 2/11/83	CONTROL NO. 12712
TO: Chairman Palladino	INTERIM REPLY	DATE OF DOCUMENT 1/21/83
	FINAL REPLY 131 Denton	PREPARE FOR SIGNATURE OF: <input type="checkbox"/> CHAIRMAN <input type="checkbox"/> EXECUTIVE DIRECTOR OTHER: <u>Denton</u>
	FILE LOCATION 2/16/83	

DESCRIPTION LETTER MEMO REPORT OTHER

Diablo Canyon plant should be licensed without further delay

SPECIAL INSTRUCTIONS OR REMARKS

SECY-83-1381

ASSIGNED TO	DATE	INFORMATION ROUTING
Denton, NRR	1/27/83	Engelken
Eisenhöt	1/27/83	GCunningham
<i>Hook</i>		Case/Denton
<i>131 Denton / Buckley</i>		1. PPBS
<i>Richard King 2/2/83</i>		2. Spfs
		3. Mattson
		4. Voßmer
		5. Thompson
		6. Check
		7. Snyder

NRC FORM 232 (6-80) EXECUTIVE DIRECTOR FOR OPERATIONS PRINCIPAL CORRESPONDENCE CONTROL

No. 83-1381 Logging Date 1/26/83

NRC SECRETARIAT

TO: Commissioner Exec. Dir./Oper. Cong. Liaison Public Affairs Inspector & Auditor Policy Evaluation

Gen. Counsel Solicitor Secretary

incoming: Donald J. Curtis Date 1/27/83
From: Atascadero, CA
To: Palladino

Subject: unreasonable delay of the operation of the Diablo Canyon plant

- Prepare reply for signature of:
 - Chairman
 - Commissioner
 - EDO, GC, CL, SOL, PA, SECY, IA, PE
 - Signature block omitted
 - Return original of incoming with response

Rec'd Off. EDO 27-83
Date.....
Time.....

Remarks: docket

For the Commission: bac

*Send three (3) copies of reply to Secy Correspondence and Records Branch

