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50-270/323

OCT 1 1979

Distribution:

- Docket File G. Ertter (07269)
- NRC PDR M. Groff
- Local PDR E. Hughes
- EDO Reading B. Moore
- NRR Reading J. Yore
- LWR #1 File IE (3)
- H. R. Denton SECY-Mail (79-2480)
- E. G. Case H. N. Berkow
- D. B. Vassallo D. Muller
- S. A. Varga R. J. Mattson
- J. F. Stolz F. Schroeder
- B. C. Buckley
- E. G. Hy]ton
- OELD

Ms. Lynn Taylor  
P. O. Box 488  
San Luis Obispo, California 93406

Dear Ms. Taylor:

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If, as a result of these evaluations, it is determined that changes in the design and operation of the Diablo Canyon plant are required and those changes warrant reopening of the record, the NRC staff will take the initiative to do so.

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The Atomic Safety and Licensing Board's decision on this matter, among others, is still pending.

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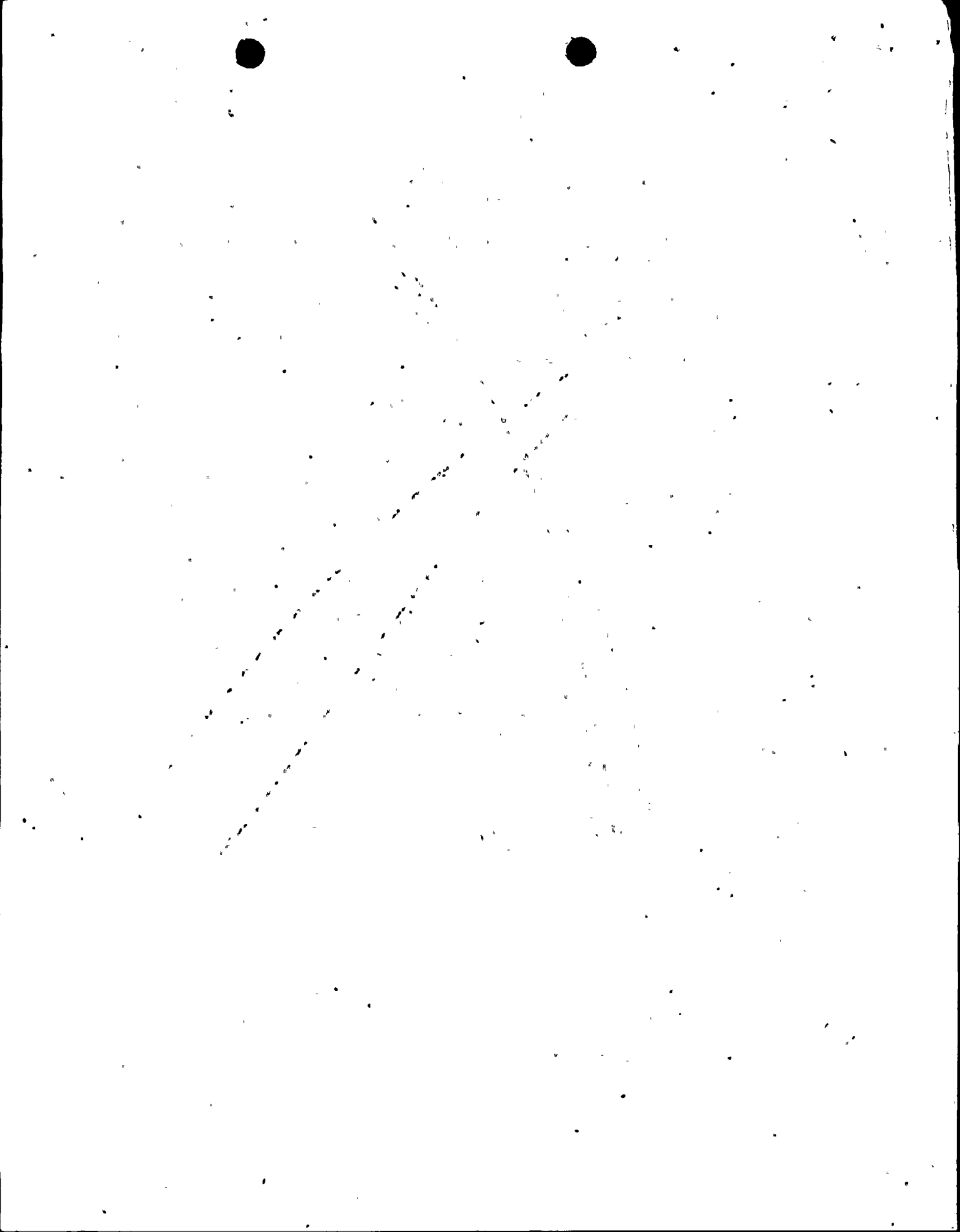


As you mention in your letter, there is at present no evacuation plan for the areas surrounding San Luis Obispo County. Under present Commission guidelines particular emphasis is placed on emergency planning within the low population zone surrounding the plant, which for Diablo Canyon is six miles. The NRC's Office of State Programs has recently concurred in the State of California Nuclear Power Plant Emergency Response Plan. The State plan lists assignments and responsibilities for the State Office of Emergency Services and the State Department of Health, Radiological Health Section for assisting local county authorities in monitoring, assessment, and in recommendations for insuring the protection of public health and safety in the wake of a potentially contaminating event at a nuclear power facility. In addition, Governor Brown of California has recently appointed a Nuclear Power Plant Emergency Review Panel to evaluate the adequacy of emergency preparedness measures to mitigate the consequences of a nuclear power plant accident.

The NRC staff plans to undertake an intensive effort over about the next year to improve licensee preparedness at all operating power reactors and those reactors scheduled for an operating license decision within the next year, such as Diablo Canyon, Unit 1. One of the elements of the NRC staff effort related to your concern is assurance by the staff that the capability to take appropriate emergency actions, that may include evacuation, will be extended to a distance of 10 miles as soon as practical; but not later than January 1, 1981. An NRC-EPA Task Force report NUREG-0396 dated December 1978 indicated that evacuation consideration beyond a distance of 10 miles would be extremely unlikely.

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- 6. In regard to your concern over the effects of radiation on the environment, the Commission has always subscribed to the principle that radiation exposure of the public should be kept as low as is reasonably achievable. This principle has been a central one in the field of radiation protection for many years. Operating licenses of nuclear power plants include provisions to limit and control radioactive effluents from the plants. The term "as low as is reasonably achievable" requires taking into account the state of technology, the economics of improvements in relation to benefits to the public health and safety, other societal and socioeconomic considerations, and the relationship of these to the use of nuclear energy in the public interest. The Commission has adopted numerical guidelines for design objectives and limiting conditions for operation of nuclear power plants to meet the criterion of "as low as reasonably achievable" for radioactive material in effluents from nuclear power plants. Using these guidelines, the radiation resulting from radioactive release from nuclear power plants during normal plant operation is a small fraction of that received from natural background activity.

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

Sincerely,

Original signed by:

D. B. Vassallo, Acting Director  
Division of Project Management  
Office of Nuclear Reactor Regulation

*[Handwritten mark]*

OFFICE	DPM:AWR #1	DPM:AWR #1	DPM:AWR #1	DPM:LWR AD	ELD	DPM:AWR #1
CURNAME	EQ:ton:pcm	BCBuckley	JFStolz	SAVarga	Turbellek	DBVassallo
DATE	09/13/79	09/14/79	09/14/79	09/14/79	09/17/79	10/1/79



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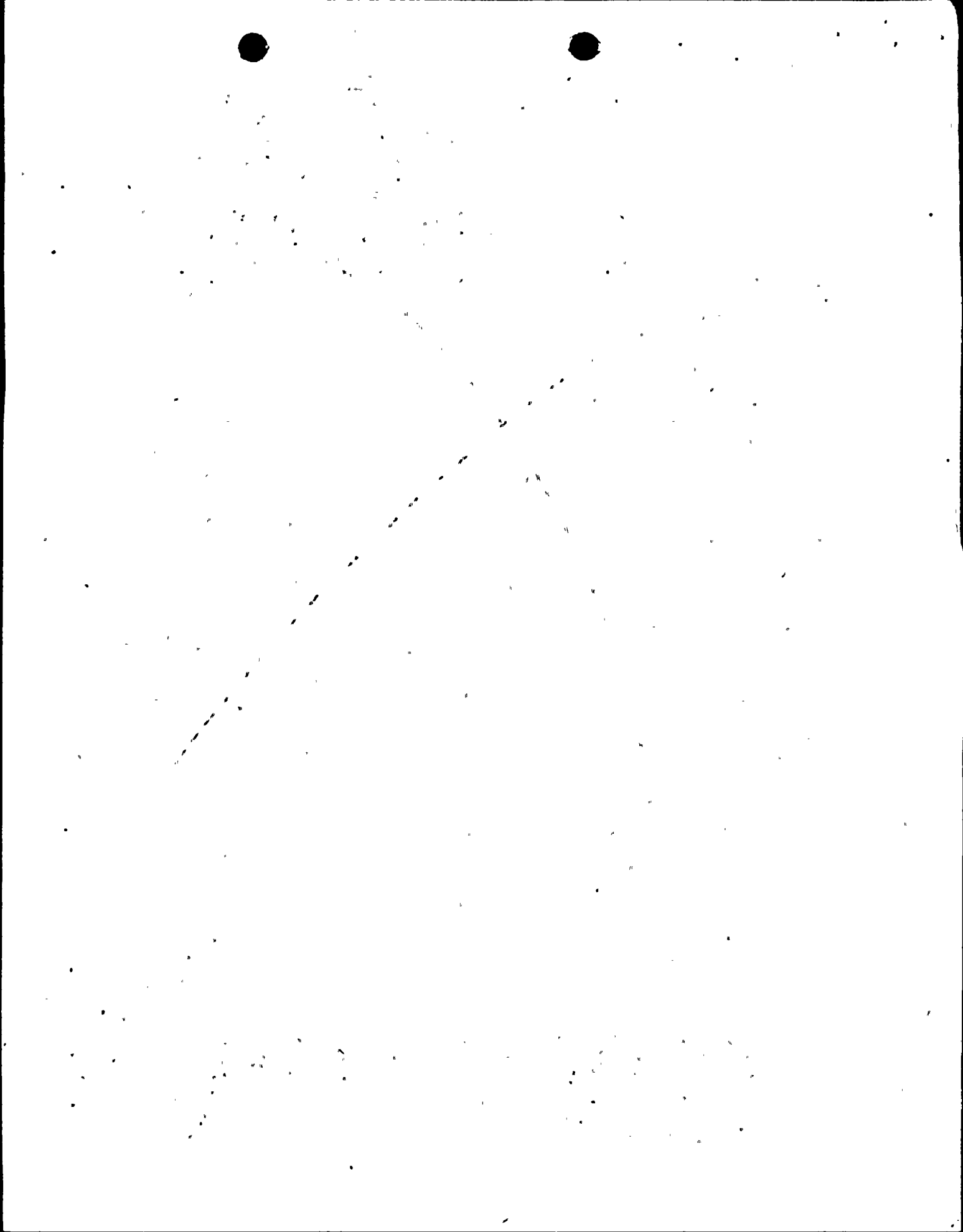
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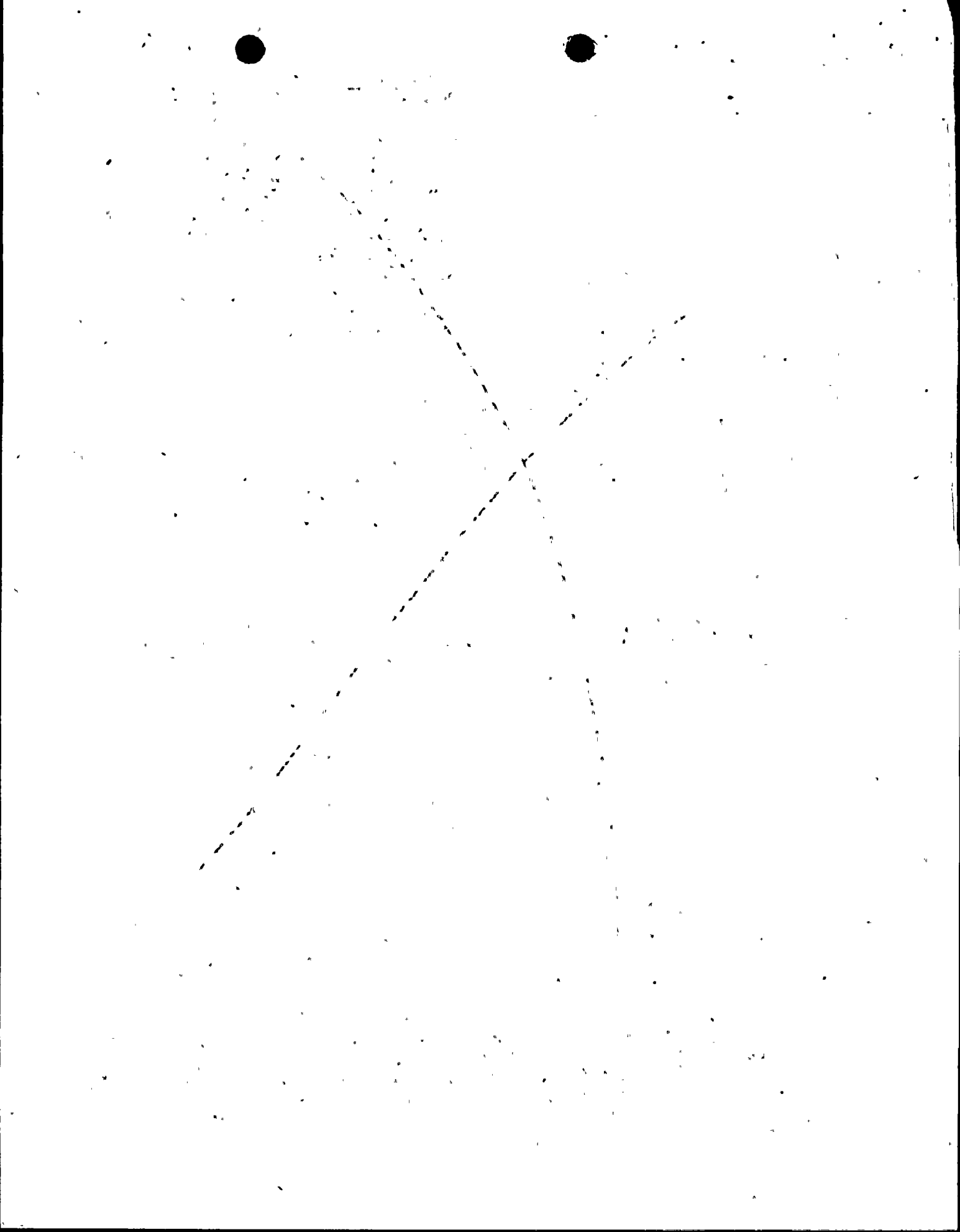
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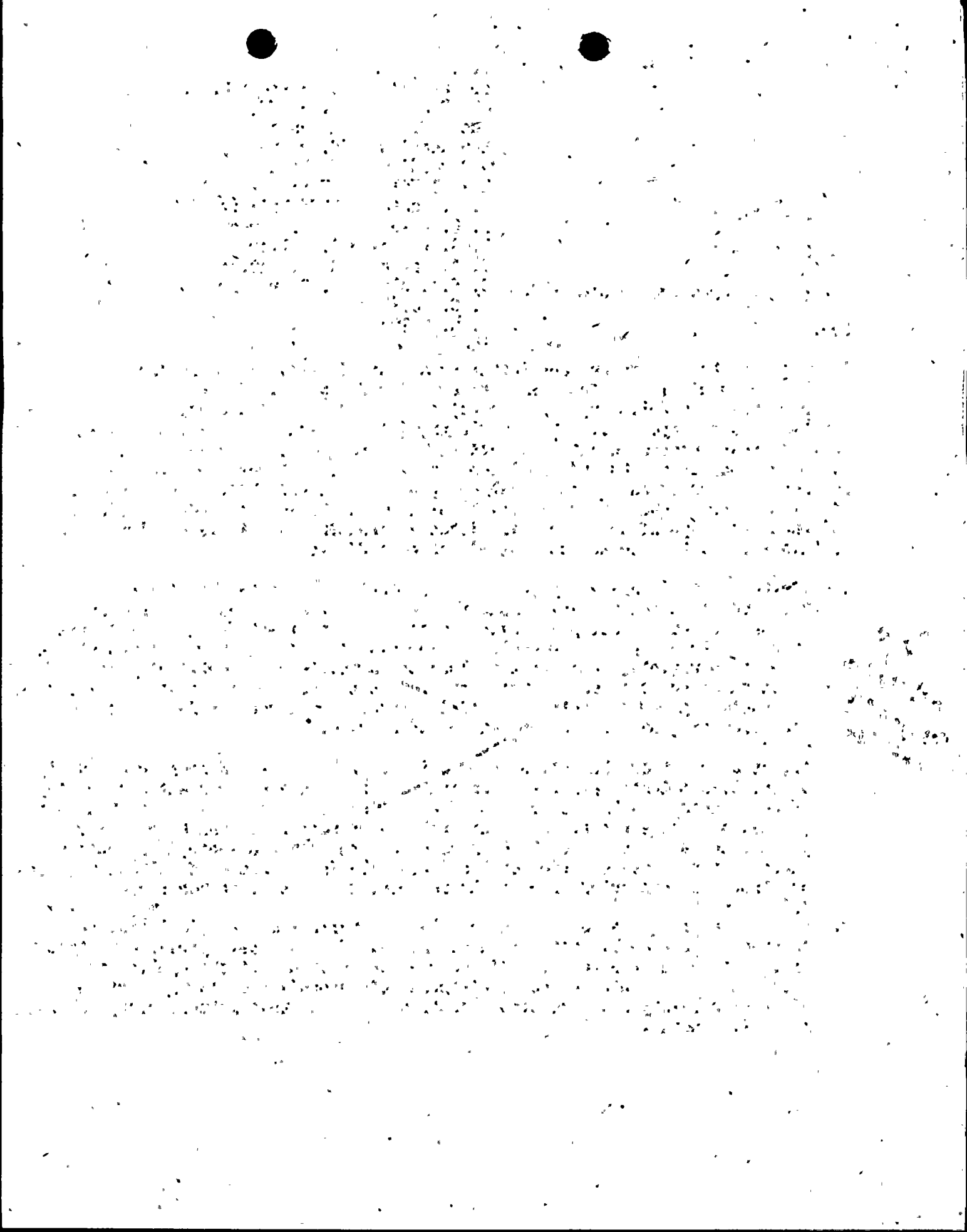
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*See attached suggested language*

If, as a result of the evaluation, it is determined that changes in the design of the Diablo Canyon plant are required and those changes warrant a reopening of the record, the NRC staff will take the initiative to do so. In this regard, you may be interested to know that intervening parties in the Diablo Canyon proceeding have requested the Commission to stay the proceeding pending the outcome of the investigation of the Three Mile Island accident. These requests have not yet been acted upon by the Commission or the Licensing Board.

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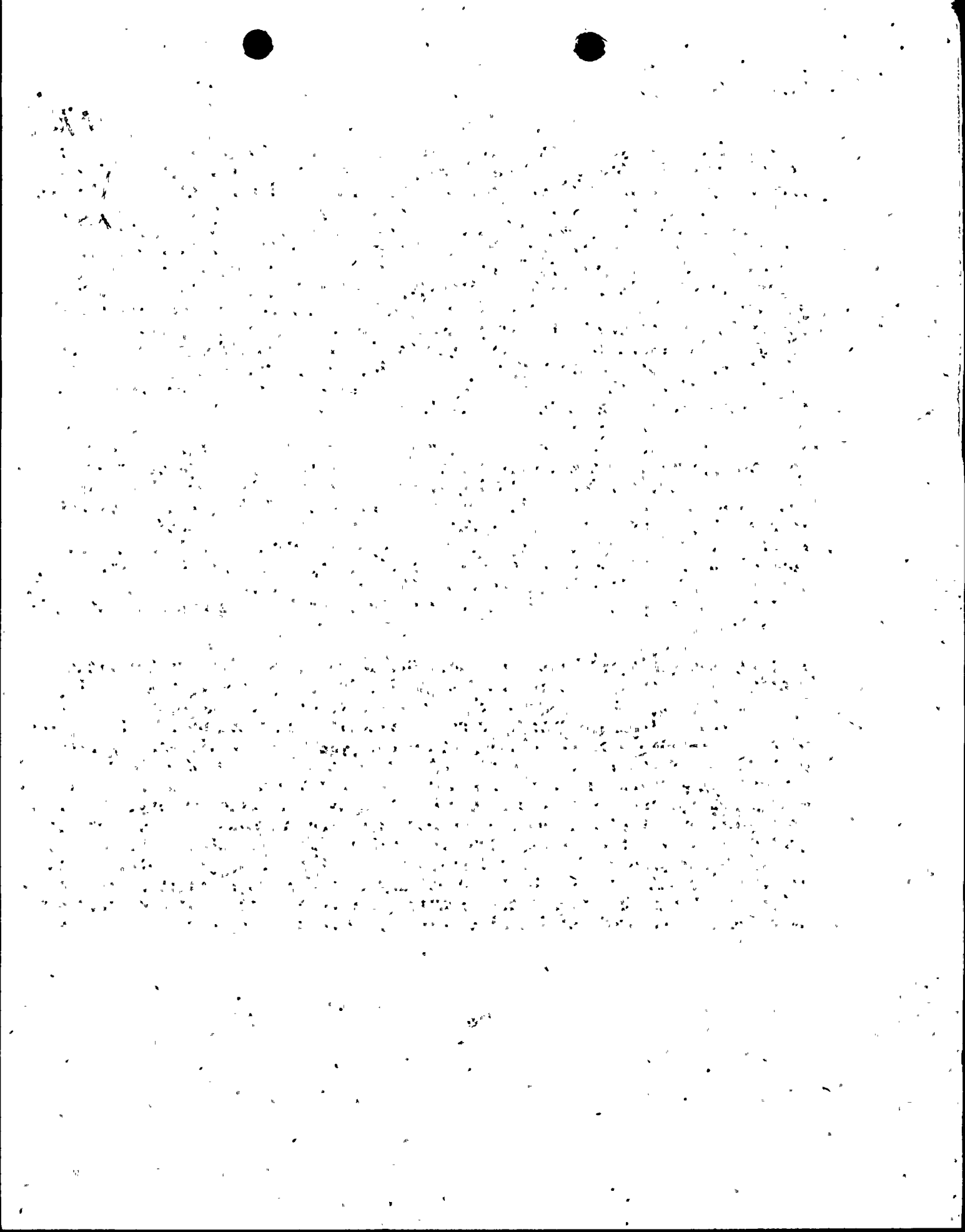
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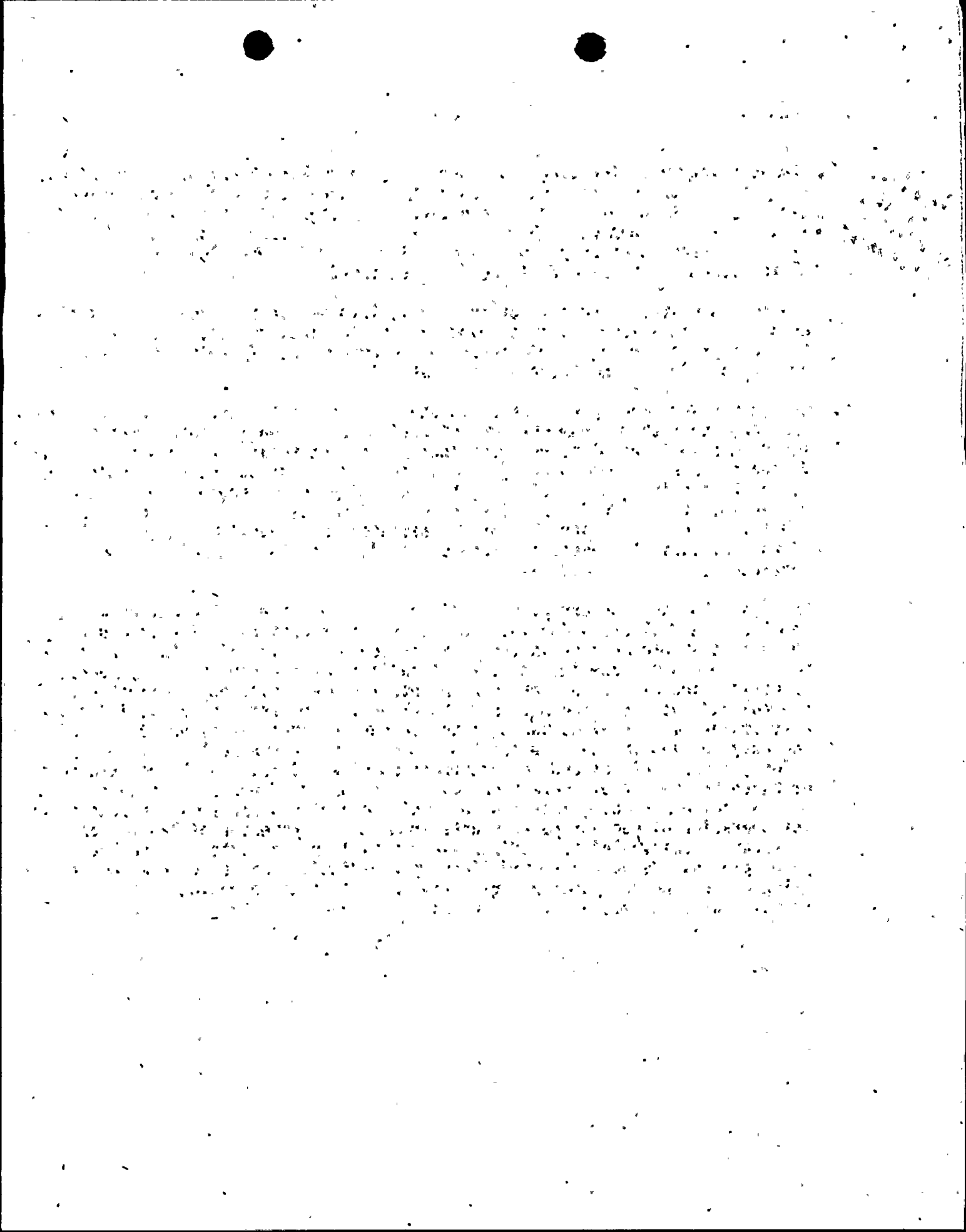
*modify per my previous comments*

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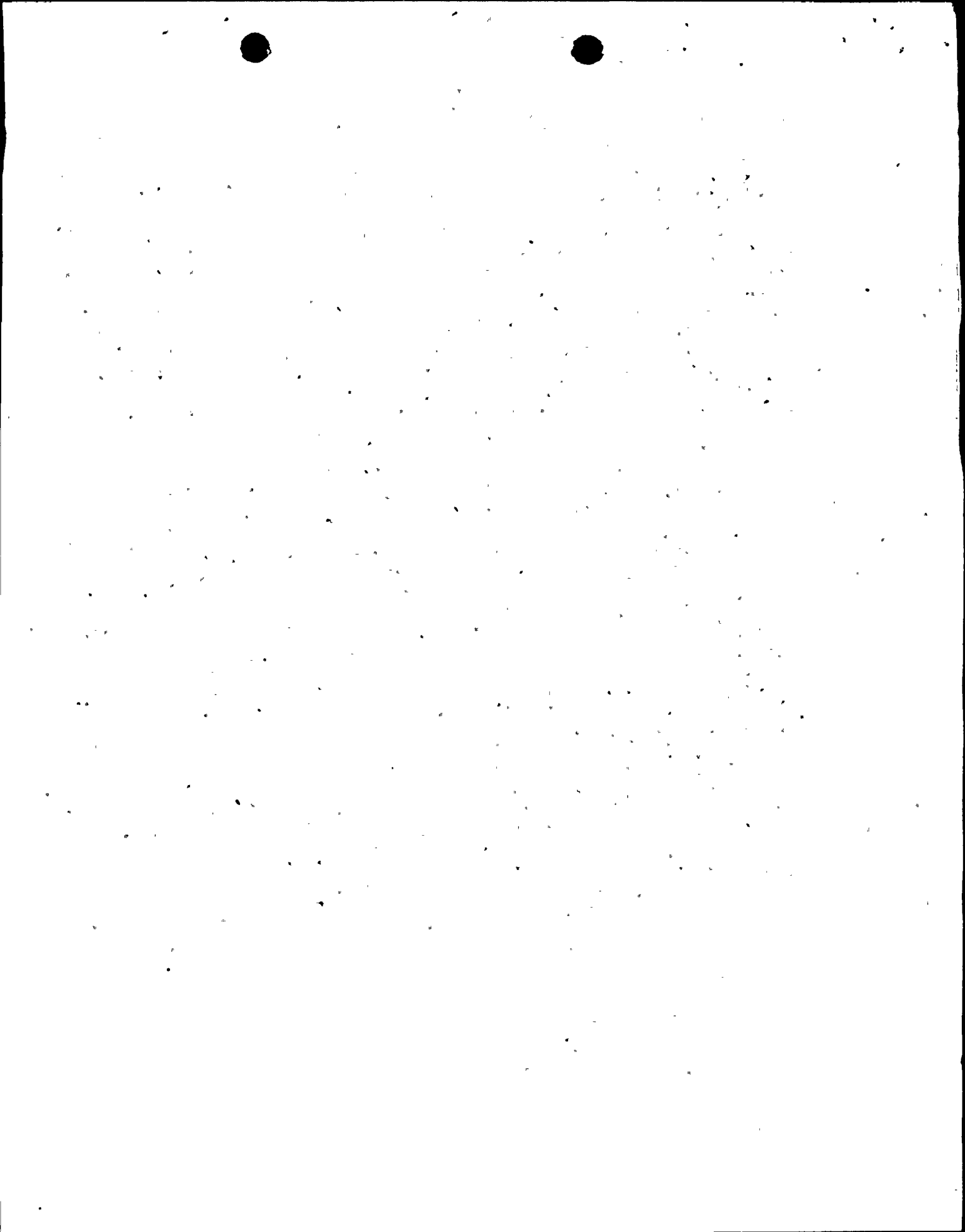
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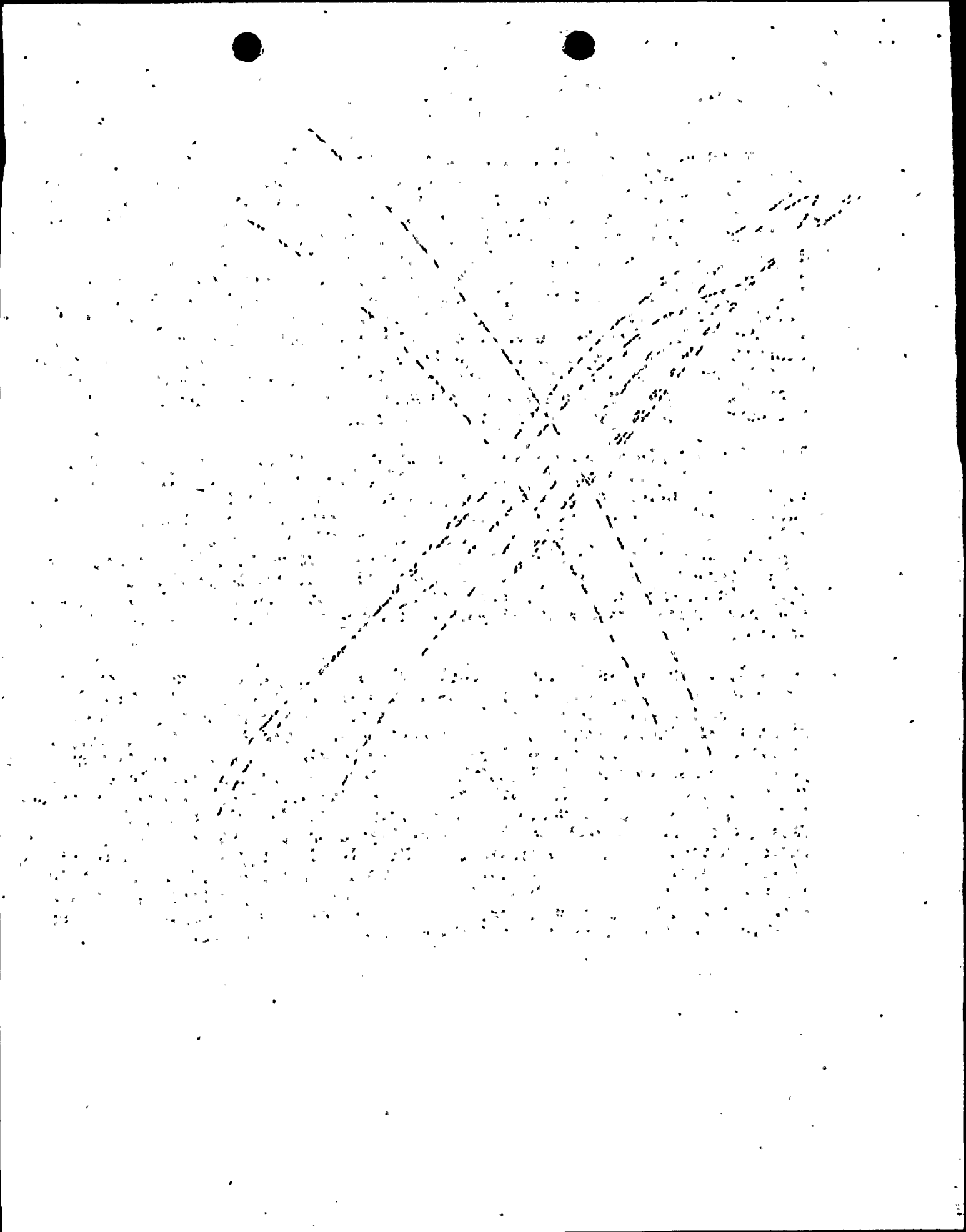


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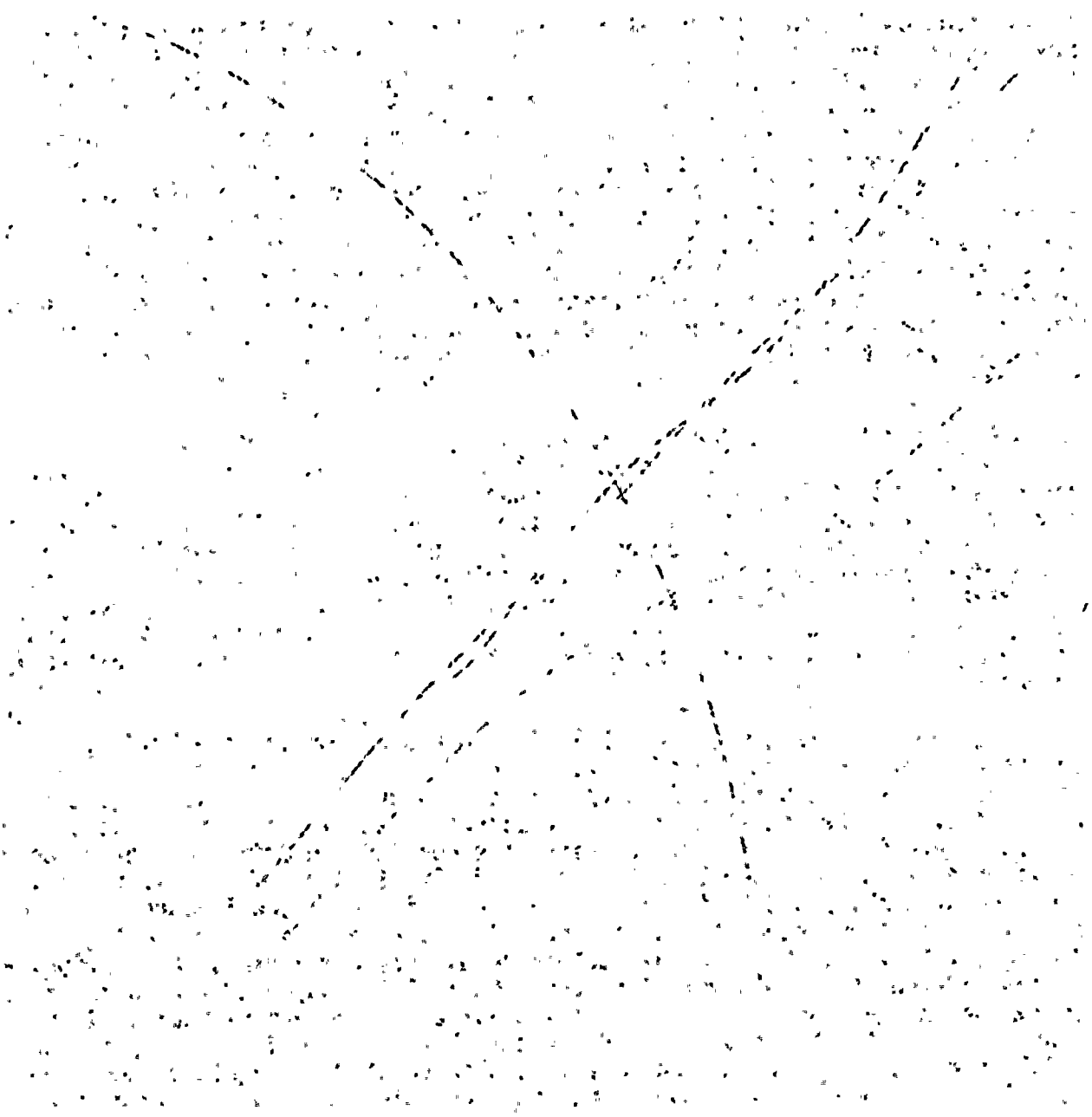


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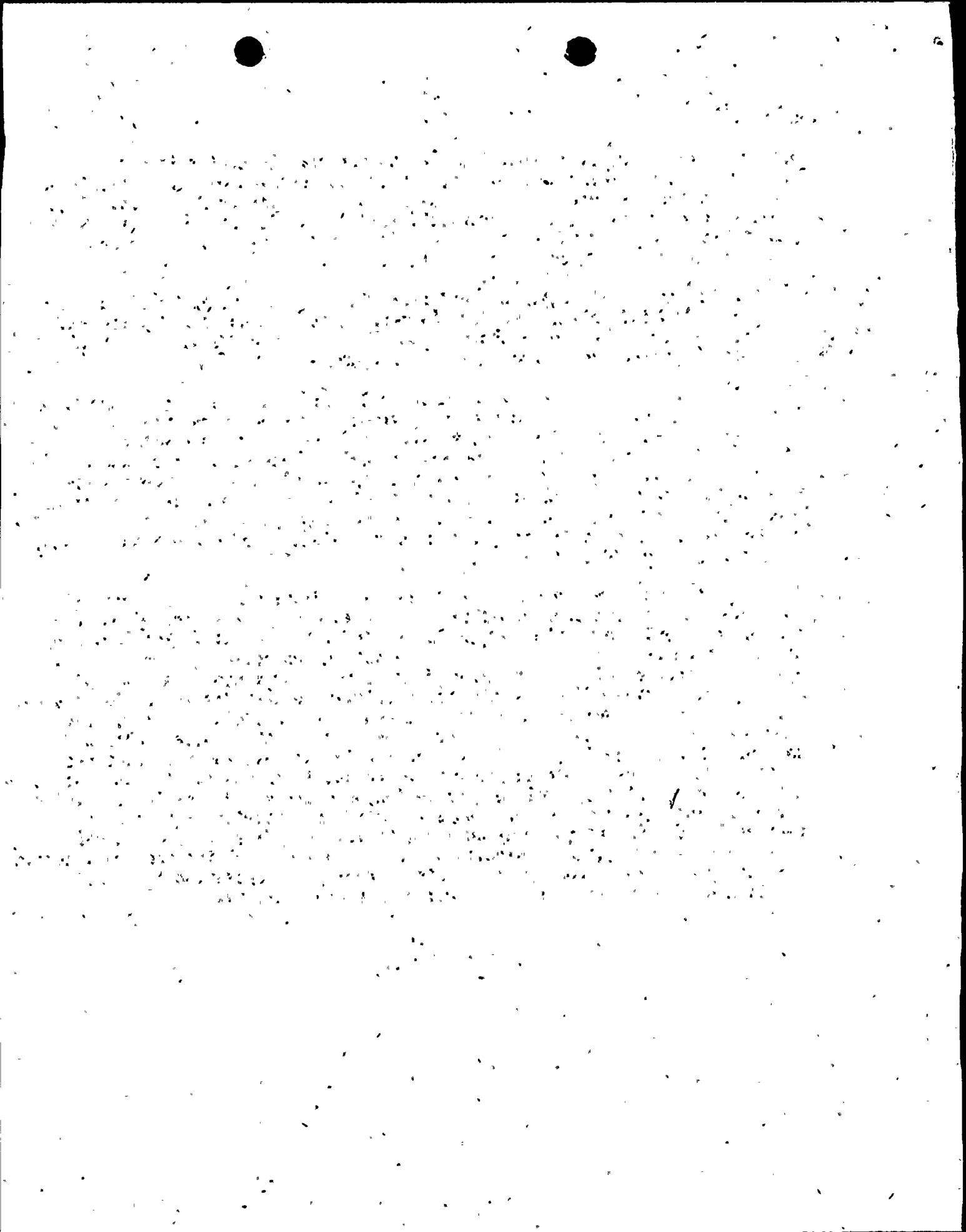
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6. In regard to your concern over the effects of radiation on the environment, the Commission has always subscribed to the principle that radiation exposure of the public should be kept as low as is reasonably achievable. This principle has been a central one in the field of radiation protection for many years. Operating licenses of nuclear power plants include provisions to limit and control radioactive effluents from the plants. The term "as low as is reasonably achievable" requires taking into account the state of technology, the economics of improvements in relation to benefits to the public health and safety, other societal and socioeconomic considerations, and the relationship of these to the use of nuclear energy in the public interest. The Commission has adopted numerical guidelines for design objectives and limiting conditions for operation of nuclear power plants to meet the criterion of "as low as reasonably achievable" for radioactive material in effluents from nuclear power plants. Using these guidelines, the radiation resulting from radioactive release from nuclear power plants during normal plant operation is a small fraction of that received from natural background activity.

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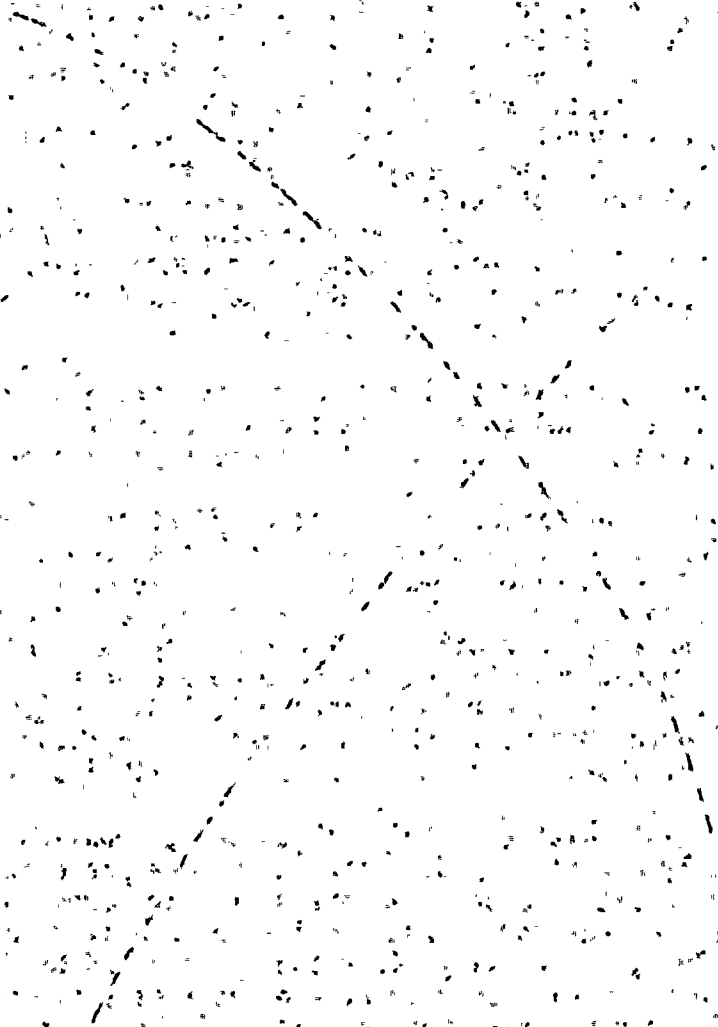
As you mention in your letter, there is at present no evacuation plan for the areas surrounding San Luis Obispo County. Under present Commission guidelines particular emphasis is placed on emergency planning within the low population zone surrounding the plant, which for Diablo Canyon is six miles. The Office of State Programs has recently concurred in the State of California Nuclear Power Plant Emergency Response Plan. The State plan lists assignments and responsibilities for the State Office of Emergency Services and the State Department of Health, Radiological Health Section for assisting local county authorities in monitoring, assessment, and in recommendations for insuring the protection of public health and safety in the wake of a potentially contaminating event at a nuclear power facility.

In addition, Governor Brown of California has recently appointed a Nuclear Power Plant Emergency Review Panel to evaluate the adequacy of emergency preparedness measures to mitigate the consequences of a nuclear power plant accident.

The NRC staff plans to undertake an intensive effort over about the preparedness of all operating power reactors and those reactors scheduled for an operating license decision within the next year, such as Diablo Canyon, Unit 1. One of the elements of the NRC staff effort related to your concern is that the staff will assure that the capability to take appropriate emergency actions, that may include evacuation, will be extended to a distance of 10 miles as soon as practical; but not later than January 1, 1981. An NRC-EPA Task Force report NUREG-0396 dated December 1978 indicated that evacuation consideration beyond a distance of 10 miles would be extremely unlikely.

3. In 1971, two geologists with the Shell Oil Company, (Hoskins and Griffith), published previously proprietary data indicating the presence of a 90 mile long fault (Hosgri Fault) about 3 1/2 miles offshore from the Diablo Canyon plant site. In the operating license application submitted by the utility for Diablo Canyon in 1973, the utility cited the Hoskins and Griffith reference and provided a map showing their location of the fault offshore of the plant site. The work of Hoskins and Griffith was used in addition to the independent intensive investigations conducted by the Pacific Gas & Electric Company, the U. S. Geological Survey and the Nuclear Regulatory Commission. As a principal geology advisor for the Commission, the USGS in 1975 suggested that a magnitude of 7.5 be assigned as a potential seismic value for the Hosgri Fault. It is important to note that the USGS did not say that the Hosgri would experience a 7.5M earthquake but from a conservative standpoint that magnitude could not be ruled out. Comprehensive public hearings on this matter were held by the Atomic Safety

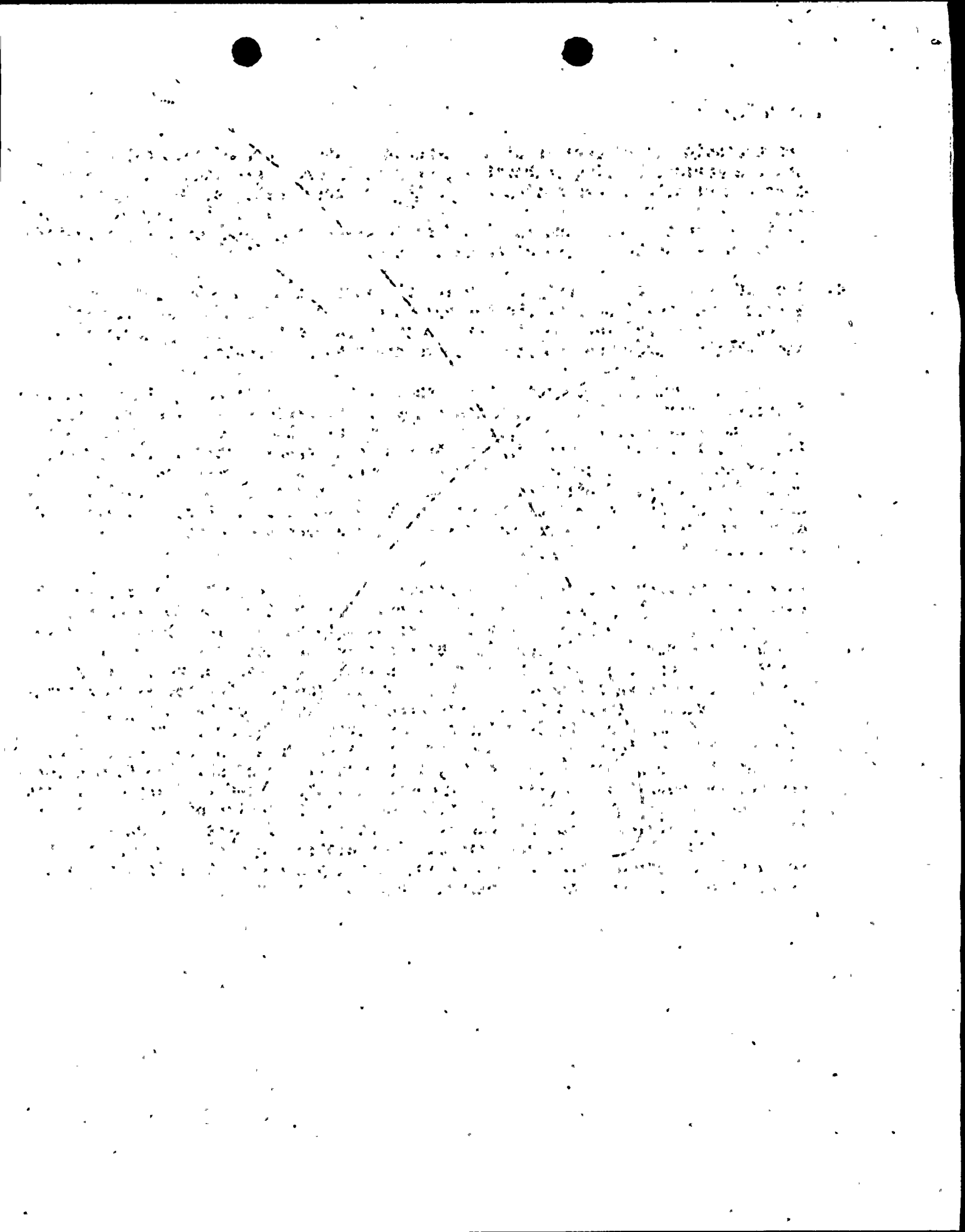
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and Licensing Board over about a two-month period. Some of this nation's and the world's leading authorities, subject to cross-examination, testified that the plant has been designed to withstand the greater seismic event of 7.5. These hearings were completed on February 15, 1979. The Licensing Board is in the process of preparing its decision regarding the licensing of Diablo Canyon based on the record of these proceedings.

4. The NRC is neither directly nor indirectly involved on the issue of radiation exposure to individuals at the Nevada Weapon Testing Grounds. You may wish to consider forwarding your concern to the Department of Health, Education and Welfare and/or the Department of Veterans Administration.
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Ms. Lynn Taylor  
P. O. Box 488  
San Luis Obispo, California 93406

Dear Ms. Taylor:

I am pleased to respond to your letter of August 23, 1979 to the Nuclear Regulatory Commission, which was referred to me for reply. In your letter you expressed the following concerns (1) the issuance of an operating license for the Diablo Canyon Nuclear Power Plants; (2) the lack of an evacuation plan for the areas surrounding San Luis Obispo, California; (3) why haven't the geologists who located the Hosgri Fault been listened to?; (4) why are veterans who were exposed to radiation in Nevada dying of cancer?; (5) why are some of the members of the NRC so closely involved with the Nuclear Industry?; and (6) what are we going to do in this closed environment when it is completely irradiated?

The NRC staff is presently engaged in an extensive evaluation of the Three Mile Island accident. This evaluation will cover all aspects of the design and operations of that plant with the objective of identifying improvements which should be applied to nuclear power plants which are now under construction or operating. Until that evaluation is completed or until otherwise directed by the Commission, the staff does not intend to issue any new licenses for nuclear power reactors even if authorized by a Licensing Board such as that presiding over the Diablo Canyon proceeding.

If, as a result of the evaluation, it is determined that changes in the design of the Diablo Canyon plant are required and those changes warrant a reopening of the record, the NRC staff will take the initiative to do so. In this regard, you may be interested to know that intervening parties in the Diablo Canyon proceeding have requested the Commission to stay the proceeding pending the outcome of the investigation of the Three Mile Island accident. These requests have not yet been acted upon by the Commission or the Licensing Board.

A public hearing was held in October 1977 on various matters including the adequacy of the applicant's Emergency Plans. The NRC staff provided testimony on this issue at the October 1977 hearing and stated that the applicant's Emergency Plans conformed to requirements of Appendix E to 10 CFR Part 50. The Atomic Safety and Licensing Board's decision on this matter, among others, is still pending.

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DECEMBER 1950



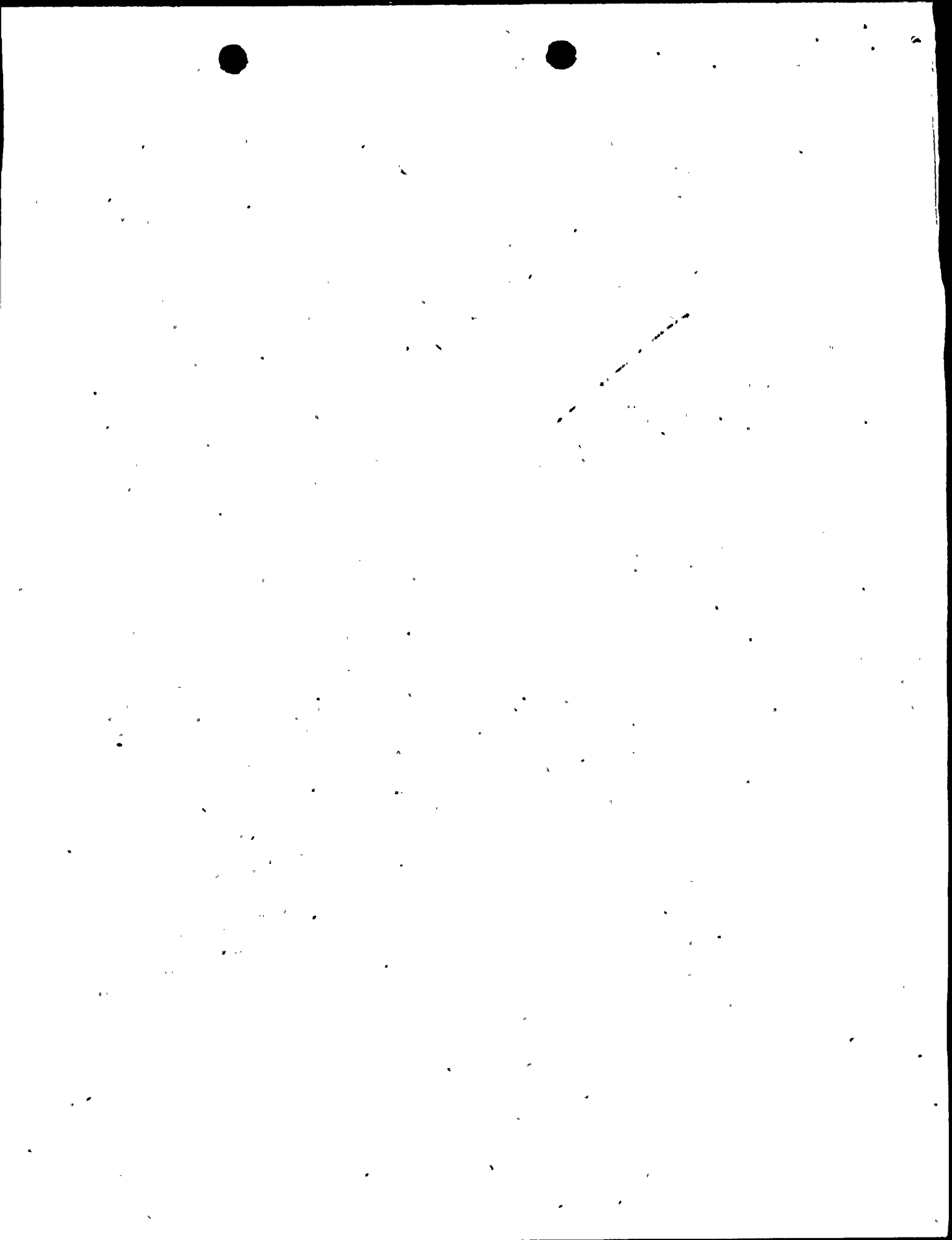
As you mention in your letter, there is at present no evacuation plan for the areas surrounding San Luis Obispo County. Under present Commission guidelines particular emphasis is placed on emergency planning within the low population zone surrounding the plant, which for Diablo Canyon is six miles. The Office of State Programs has recently concurred in the State of California Nuclear Power Plant Emergency Response Plan. The State plan lists assignments and responsibilities for the State Office of Emergency Services and the State Department of Health, Radiological Health Section for assisting local county authorities in monitoring, assessment, and in recommendations for insuring the protection of public health and safety in the wake of a potentially contaminating event at a nuclear power facility.

However, an NRC-EPA Task Force has completed a two-year study on the planning basis for radiological response plans for local and state governments. Their report NUREG-0396, EPA 520/1-78-016, dated December 1978, recommends an Emergency Planning Zone for protective measures for the plume exposure pathway of 10 miles, beyond which evacuation considerations would be extremely unlikely.

However, the NRC Commissioners have decided that a rulemaking proceeding is needed on emergency planning. A full-time task force has been established to study and prepare for a comprehensive plan on emergency preparedness. In addition, Governor Brown of California has recently appointed a Nuclear Power Plant Emergency Review Panel to evaluate the adequacy of emergency preparedness measures to mitigate the consequences of a nuclear power plant accident. We agreed in our letter to Governor Brown to review any recommendations contained in the Panel's report.

The Hosgri Fault, which is located 3 1/2 miles from the Diablo plants, was discovered in 1971 and has been the subject of intensive investigation by the Pacific Gas & Electric Company, the U. S. Geological Survey and the Nuclear Regulatory Commission. As a principal geologic advisor for the Commission, the USGS in 1975 suggested that a magnitude of 7.5 be assigned as a potential seismic value for the Hosgri Fault. It is important to note that the USGS did not say that the Hosgri would experience a 7.5M earthquake but from a conservative standpoint that magnitude could not be ruled out. Comprehensive public hearings on this matter were held by the Atomic Safety and Licensing Board over about a two-month period. Some of this nation's and the world's leading authorities testified and were subject to cross-examination. The experts went on to say that the plant has been designed to withstand the greater seismic event of 7.5. These hearings were completed on February 15, 1979. The Licensing Board is in the process of preparing its decision regarding the licensing of Diablo Canyon based on the record of these proceedings.

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Ms. Lynn Taylor

- 3 -

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We are not sure whom you refer to in the NRC that work closely with the Nuclear Industry other than those who conduct reviews of various technical matters. The NRC was established by the Energy Reorganization Act of 1974, as amended, and charged it with the responsibility for all licensing and related regulatory functions previously assigned to the Atomic Energy Commission. Consequently, the NRC technical staff conducts reviews of various technical submittals from utilities or nuclear steam system suppliers and, when necessary, convene meetings to resolve technical issues. It is our view that this involvement is necessary to ensure that nuclear power plants designed and operated in a safe manner.

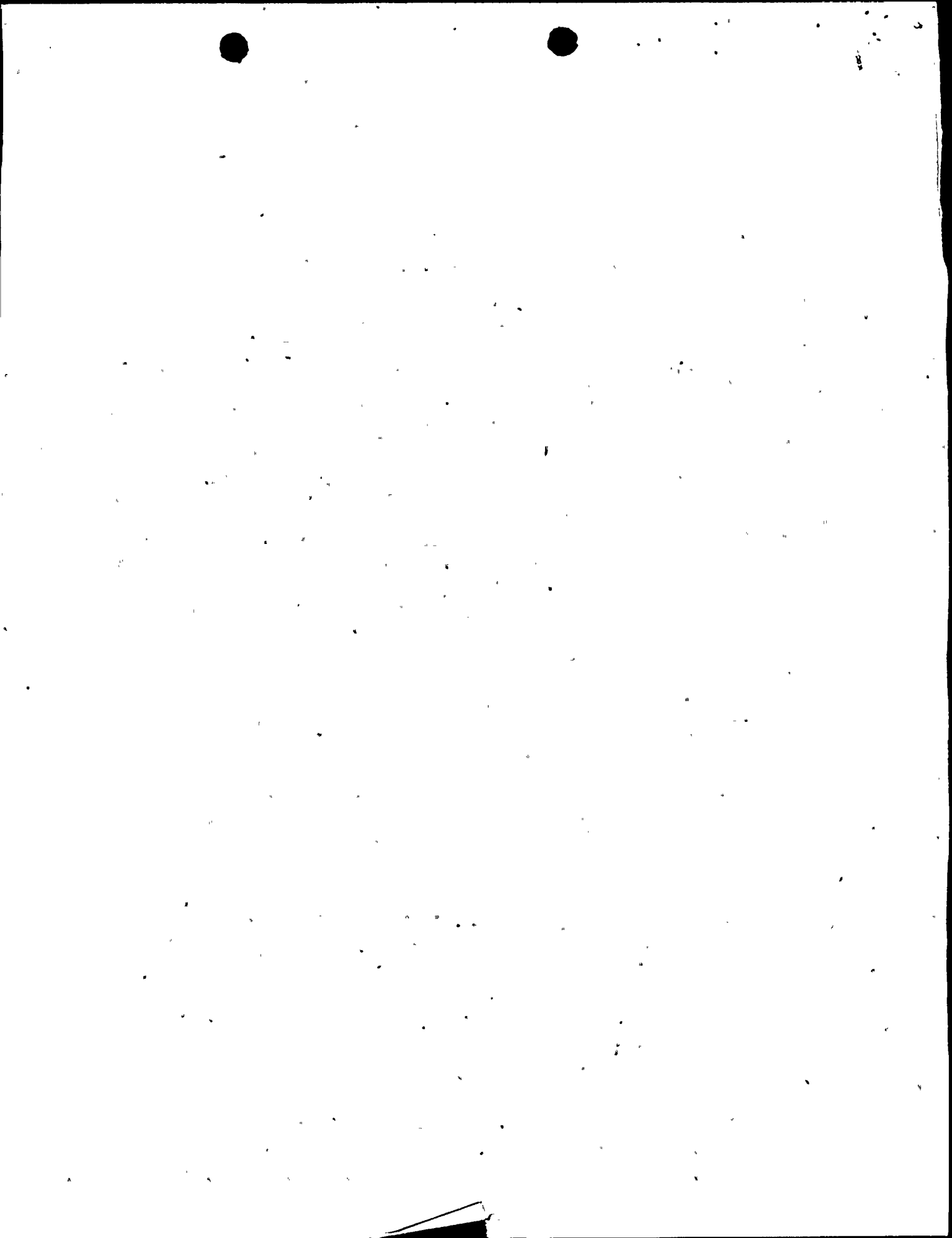
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I trust that the above information has been responsive to your concerns.

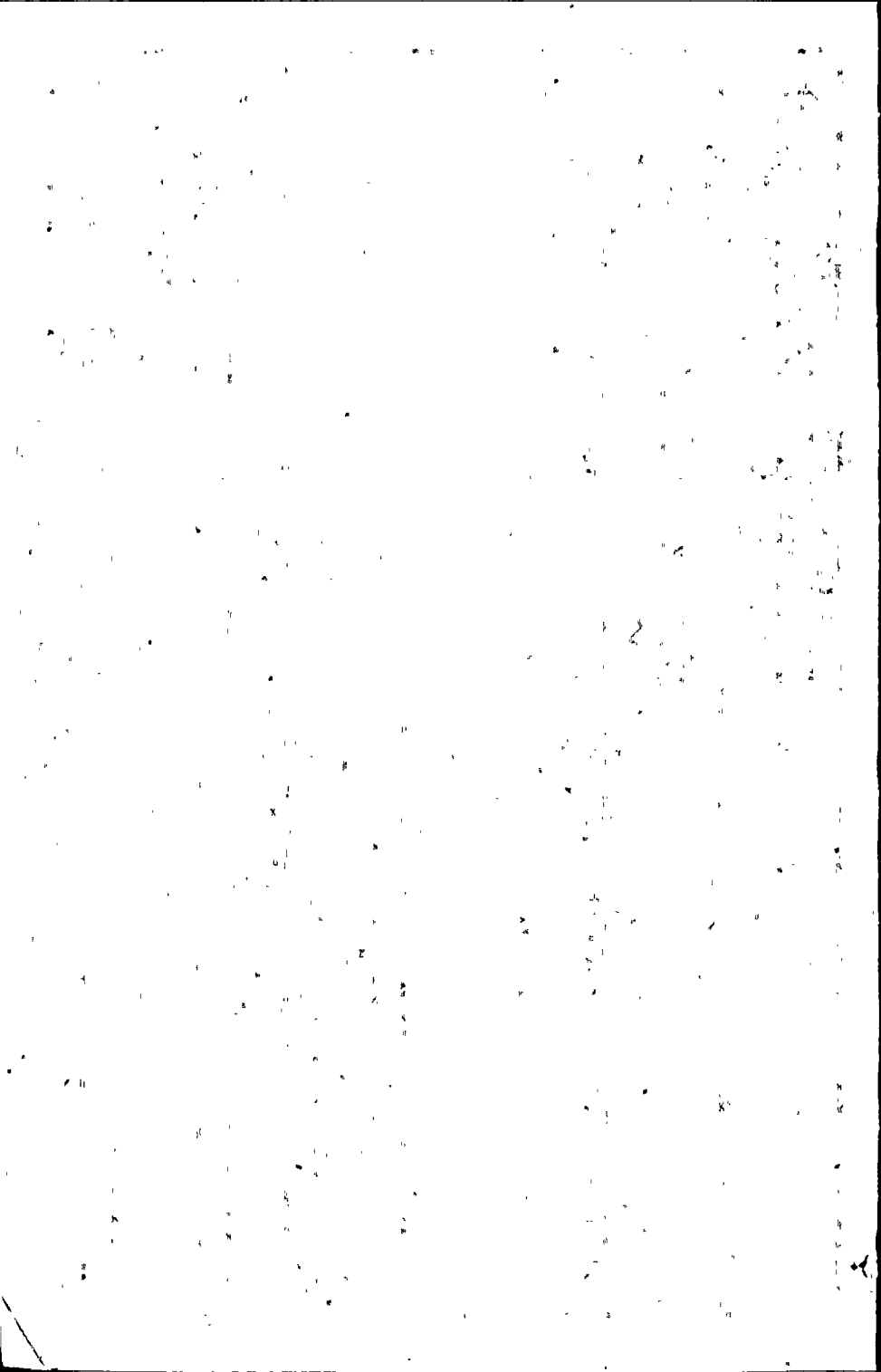
Sincerely,

D. B. Vassallo, Acting Director  
Division of Project Management  
Office of Nuclear Reactor Regulation

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FROM: Lynn Taylor San Luis Obispo, CA		ACTION CONTROL		DATES		CONTROL NO. 07269	
TO: NRC		COMPL' DEADLINE		11/23/76		DATE OF DOCUMENT 11/23/76	
		ACKNOWLEDGMENT				PREPARE FOR SIGNATURE OF:	
		INTERIM REPLY				<input type="checkbox"/> CHAIRMAN <input type="checkbox"/> EXECUTIVE DIRECTOR OTHER: <u>Darwin</u>	
		FINAL REPLY <u>1-1</u>		<u>11</u>			
		FILE LOCATION		<u>11</u>			
DESCRIPTION <input type="checkbox"/> LETTER <input type="checkbox"/> MEMO <input type="checkbox"/> REPORT <input type="checkbox"/> OTHER				SPECIAL INSTRUCTIONS OR REMARKS			
Questions concerning licensing of Diablo Canyon							
CLASSIFIED DATA							
DOCUMENT/COPY NO.		CLASSIFICATION		SECRET 70-2493			
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No. 79-2480

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 Public Affairs  Secretary  
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Incoming: ~~XXXXXXXX~~ Lynn Taylor  
From: P.O. Box 488  
San Luis Obispo, Ca.  
To: Chairman Hendrie Date 8/23/79  
Subject: Requests info. re: Diablo Canyon

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

For direct reply\* Suspende: Sept. 12

- For appropriate action  
 For information  
 For recommendation

Remarks: Original to Docket, Logged Ex Parte

For the Commission: Combs

\*Send three (3) copies of reply to Secy Mail Facility

Rec'd Off. EDO  
Date 8-28-79  
Time 10:35



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