

REGULATORY DOCKET FILE COPY

Distribution:

- Docket File
 - NRC PDR
 - Local PDR
 - NSIC
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 - TERA
 - EDO Reading
 - NRR Reading
 - LWR #1 File
 - H. R. Denton
 - E. G. Case
 - H. N. Berkow
 - W. Russell
 - IE (3)
- R. C. DeYoung
 - R. J. Mattson
 - D. Eisenhut
 - D. F. Ross
 - D. B. Vassallo
 - S. A. Varga
 - J. F. Stolz
 - B. C. Buckley
 - E. G. Hylton
 - G. Ertter (08397)
 - M. Groff
 - E. Hughes
 - R. Lazo

50-275

Ms. Maya Ashworth
113 Del Sur Way
San Luis Obispo, California 93401

Dear Ms. Ashworth:

I am pleased to respond to your mailgram to the President which was referred to me for reply. You inquired as to the validity of a rumor you heard that an operating license would be issued for the Diablo Canyon Nuclear Power Plant on May 31, 1980.

We have no knowledge of this rumor and assure you that no such decision has been made. In order to complete our licensing review of nuclear power plants such as Diablo Canyon, the Nuclear Regulatory Commission staff is preparing an Action Plan that will identify actions considered necessary for individual plants as a result of the accident at Three Mile Island. The staff plans to submit the Action Plan to the Commission for review and approval in the very near future; when approved the requirements will be forwarded to the affected utilities. The Action Plan will include, among other requirements, the detailed criteria for implementing the recommendations of the Kemeny Commission and the corresponding implementation deadlines.

The NRC staff believes these actions are in accordance with the President's response (dated December 7, 1979) to the Kemeny Commission Report on the Three Mile Island accident. The President requested both the nuclear industry and the Nuclear Regulatory Commission to comply with the spirit and intent of the Kemeny Commission recommendations. In the case of Diablo Canyon, the presiding Atomic Safety and Licensing Board may require further public hearings on contentions related to the Action Plan requirements. In addition, the proceeding is still before the Atomic Safety and Licensing Appeal Board as to seismic and security issues and as indicated in the Policy Statement on the TMI-2 accident issued by the Commission on October 4, 1979, no new licenses for nuclear power reactors will be authorized by Atomic Safety and Licensing Boards or issued by the NRC staff, except after subsequent order of the Commission itself.

I trust that the above information adequately addresses your concern.

Sincerely,

Original Signed by
H. R. Denton

Harold R. Denton, Director
Office of Nuclear Reactor Regulation OCA

*See previous yellow for previous concurrences

DPM:BD	DPM:D	NRR				
DBVassallo	DFRoss	EGCase				
03/12/80	03/13/80	03/14/80				
OFFICE	DPM:LWR #1	DPM:LWR #1	DPM:LWR #1	DPM:LWR:AD	OELD	NRR
SURNAME	E. G. Hylton: pcm	B. C. Buckley	J. F. Stolz	*S. A. Varga	H. D. Davis	H. R. Denton
DATE	03/12/80	03/12/80	03/12/80	02/22/80	03/10/80	03/14/80

8004020 250 *[Handwritten initials]* 03/14/80



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Docket File R. C. DeYoung
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I trust that the above information adequately addresses your concern.

Sincerely,

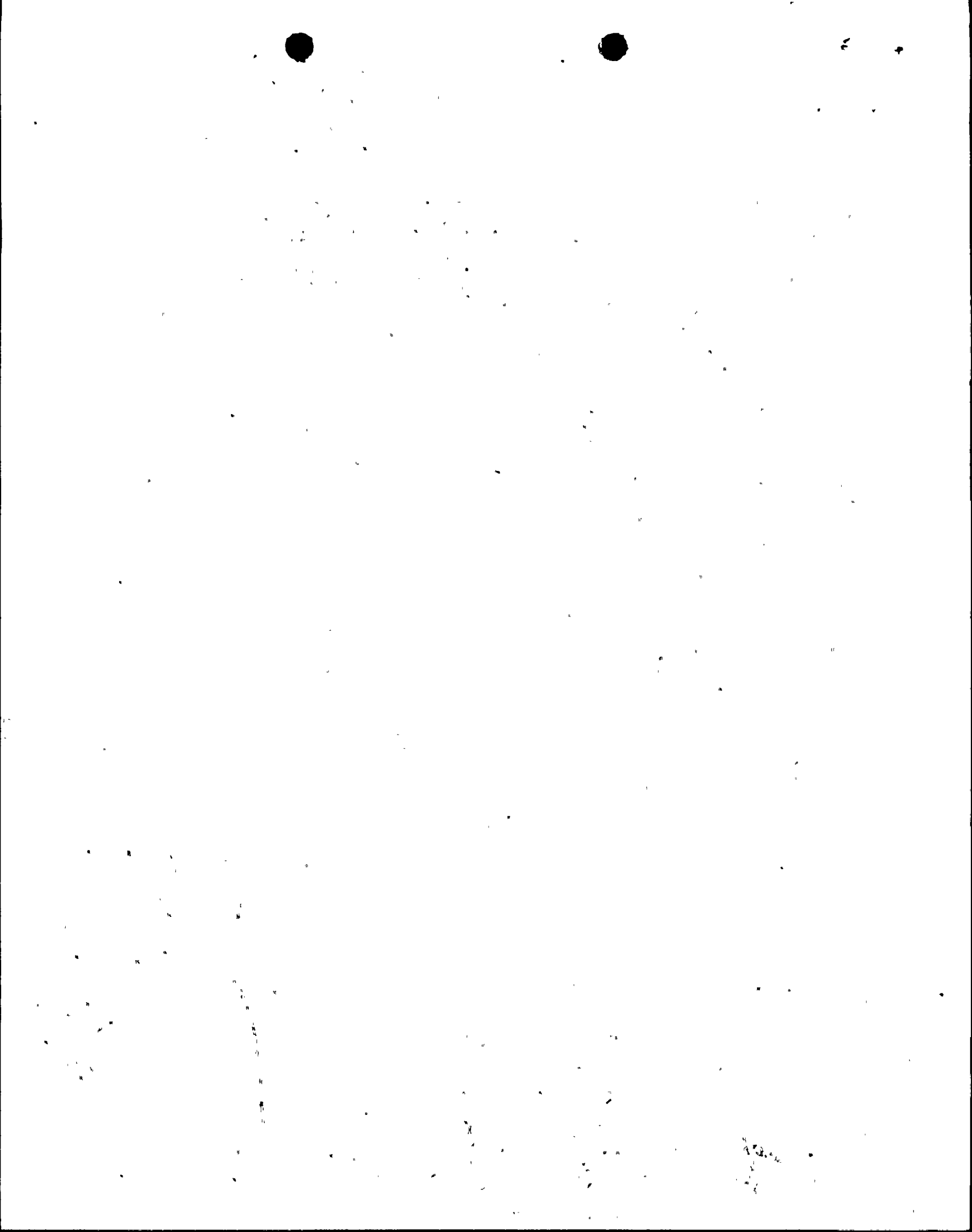
Harold R. Denton, Director
 Office of Nuclear Reactor Regulation

*per previous
 comments
 made
 on
 previous
 [signature]
 2/10/80*

*See previous yellow for previous concurrence

DPM:DD DPM:D NRR OCA
 DBVassallo DFRoss EGCASE
 03/ /80 03/ /80 03/ /80 03/ /80

OFFICE	DPM:LWR #1	DPM:LWR #1	DPM:LWR #1	DPM:LWR:AD	OELD	NRR
SURNAME	EGErtter; pcm	BCBuckley	JFStolz	*SAVarga	[signature]	HRDenton
DATE	03/15/80	03/15/80	03/5/80	02/22/80	03/10/80	03/ /80



Distribution:

Docket File	IE (3)	R. Lazo
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The NRC staff believes these actions are in accordance with the President's response (dated December 7, 1979) to the Kemeny Commission Report on the Three Mile Island accident. The President requested both the nuclear industry and the Nuclear Regulatory Commission to comply with the spirit and intent of the Kemeny Commission recommendations. In the case of Diablo Canyon, ~~it is likely that~~ the presiding Atomic Safety and Licensing Hearing Board may require further public hearings on contentions related to the Action Plan requirements. In addition, the proceeding is still before the Atomic Safety and Licensing Appeal Board, ~~whose decision must be issued prior to any licensing action by the Commission.~~ Such a decision is not expected until some time in the summer of this year, at the earliest.

I trust that the above information adequately addresses your concern.

Sincerely,

As indicated etc - insert attached

Harold R. Denton, Director
Office of Nuclear Reactor Regulation

*See previous yellow for previous concurrences

DPM:DD	DPM:D	NRR	OCA
DBVassallo	DFRoss	EGCase	
03/ /80	03/ /80	03/ /80	03/ /80

OFFICE	DPM:LWR #1	DPM:LWR #1	DPM:LWR #1	DPM:LWR:AD	OELD	NRR
SURNAME	EHylton:pcm	BCBuckley	JFStolz	*SAVarga	*LDDavis	HRDenton
DATE	03/4/80	03/4/80	03/14/80	02/22/80	02/27/80	03/ /80



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FEB 14 1980

In addition to the above requirements, Commission review of the results of other investigations, including the Presidential Commission and the NRC's Special Inquiry Group, can be expected to lead to additional requirements for use in licensing reviews of new plants. We are in the final stages of development of an Action Plan for Commission review and approval implementing recommendations of the President's Commission and other studies resulting from the TMI-2 accident. This Action Plan will include new or improved safety objectives, the detailed criteria for their implementation and the various implementation deadlines. We intend to submit a final draft of the Action Plan on February 15, 1980 to the Commission for review and approval.

Insert

As indicated in the Policy Statement on the TMI-2 accident issued by the Commission on October 4, 1979, no new licenses for nuclear power reactors will be authorized by Atomic Safety and Licensing Boards or issued by the NRC staff, except after further order of the Commission itself. In addition, until the Commission has completed the reviews necessary to ensure that operating reactors are adequately responding to the lessons learned from the TMI-2 accident, only limited resources will be available for reviews associated with issuing new operating licenses.

I thank you for this opportunity to respond to your letter.

Sincerely,

[Signature]
 Harold R. Denton, Director
 Office of Nuclear Reactor Regulation

2-13-80

LWR #1: BC
 ODParr
 2/8/80

OFFICE	LWR #3: LPM	LWR: ATD	DD: DPM	D: DPM	NRR	NRR
SURNAME	ADromerick/LH	SAVarga	DBVassallo	DFress	EGCase	HRDenton
DATE	2/7/80	2/11/80	2/12/80	2/12/80	2/14/80	2/14/80



ACCORD TO THE RECORDS OF THE BUREAU OF LAND MANAGEMENT

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NRR Reading	E. Hylton
LWR #1 File	G. Ertter (08397)
H. R. Denton	M. Groff
E. G. Case	E. Hughes
H. N. Berkow	R. Lazo
W. Russell	
IE (3)	
R. C. DeYoung	

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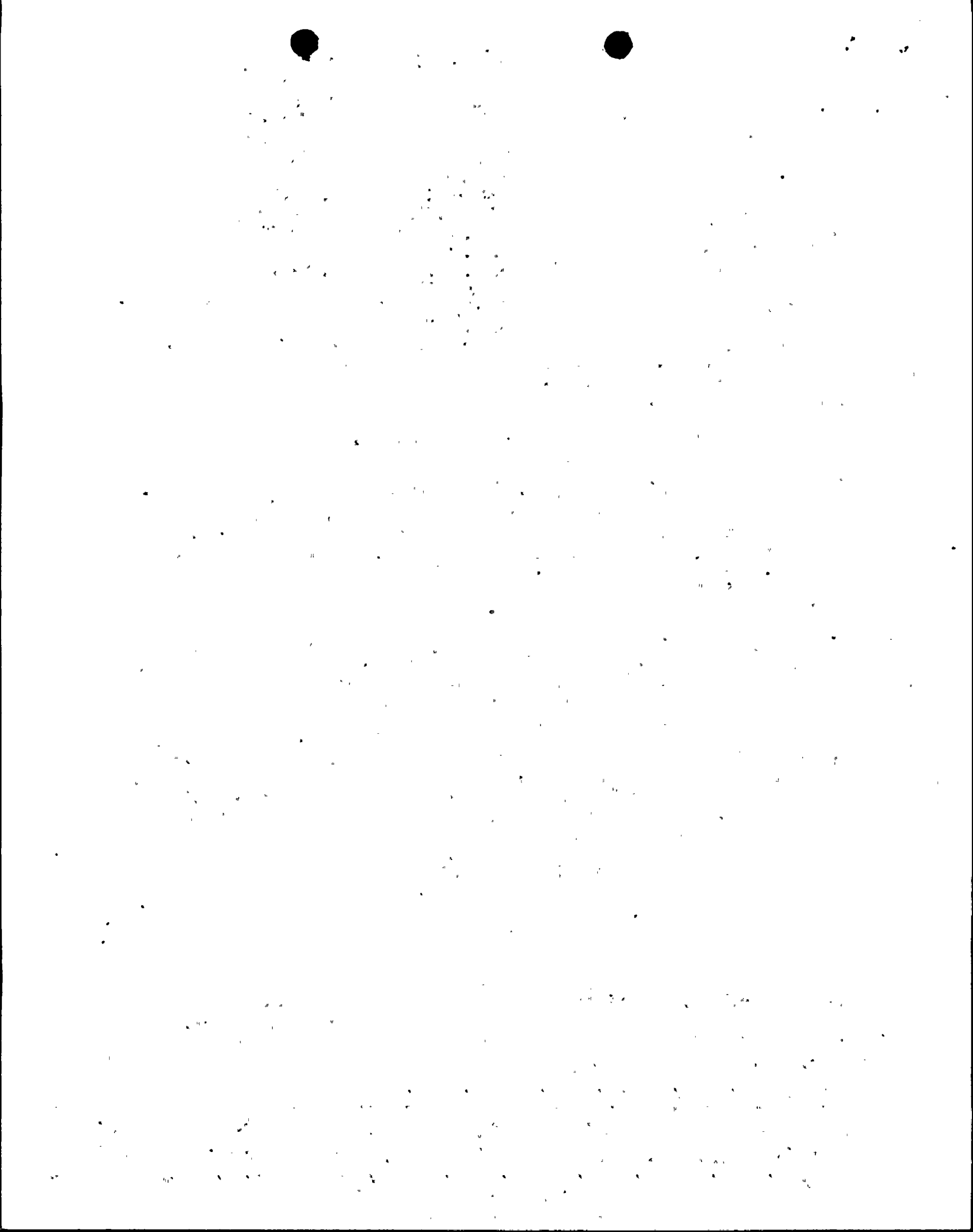
I trust that the above information adequately addresses your concern.

Sincerely,

*See previous yellow for previous concurrent
 Harold R. Denton, Director
 Office of Nuclear Reactor Regulation
 OCA

DPM:DD	DPM:D	NRR	
DBVassallo	DFRoss	EGCase	
03/ /80	03/ /80	03/ /80	03/ /80

OFFICE	DPM:LWR #1	DPM:LWR #1	DPM:LWR #1	DPM:LWR:AD	OELD	NRR
SURNAME	EGHylton;pcm	BCBuckley	JFStolz	*SAVarga	*LDDavis	HRDenton
DATE	03/ /80	03/ /80	03/ /80	02/22/80	02/27/80	03/ /80



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The Commission believes these actions are in accordance with the President's response (dated December 7, 1979) to the Kemeny Commission on the Three Mile Island accident. The President requested both the nuclear industry and the Nuclear Regulatory Commission to comply with the spirit and intent of the Kemeny Commission recommendations. In the case of Diablo Canyon, it is likely that the present Atomic Safety and Licensing Hearing Board may require further public hearings on public contentions related to the Action Plan requirements.

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Sincerely,

Harold R. Denton, Director
 Office of Nuclear Reactor Regulation

In addition, the proceeding is still before the Atomic Safety and Licensing Appeal Board, whose decision must be issued prior to any licensing

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DPM:DD	DPM:D	NRR	OCA
DBVassallo	DFRoss	EGCase	
02/ /80	02/ /80	02/ /80	02/ /80

OFFICE	DPM:WVR #1	DPM:LWR #1	DPM:LWR #1	DPM:LWR:AD	OCEB	NRR
SURNAME	EGHylton:pcm	BCBuckley	JFStolz	SAVarga	EDD	HRDenton
DATE	02/22/80	02/22/80	02/22/80	02/22/80	02/25/80	02/ /80



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Harold R. Denton, Director
 Office of Nuclear Reactor Regulation

DPM:DD	DPM:D	NRR	OCA
DBVassallo	DFRoss	EGCase	
02/ /80	02/ /80	02/ /80	02/ /80

OFFICE	DPM:LWR #1	DPM:LWR #1	DPM:LWR #1	DPM:LWR:AD	OELD	NRR
SURNAME	EGHylton	BCBuckley	JFStolz	SAVarga		HRDenton
DATE	02/22 /80	02/22 /80	02/ /80	02/ /80	02/10 /80	02/ /80



11

[The page contains extremely faint and illegible text, likely bleed-through from the reverse side. The text is scattered across the page and is not readable.]

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The Commission believes these actions are in accordance with the President's response (dated December 7, 1970) to the Kemeny Commission on the Three Mile Island accident. The President requested both the nuclear industry and the Nuclear Regulatory Commission to comply with the spirit and intent of the Kemeny Commission recommendations. In the case of Diablo Canyon, it is likely that the present Atomic Safety and Licensing Hearing Board may require further public hearings on public contentions related to the Action Plan requirements. The Commission is proceeding on the Action Plan on the highest priority basis as directed by the President in order to minimize any licensing delays.

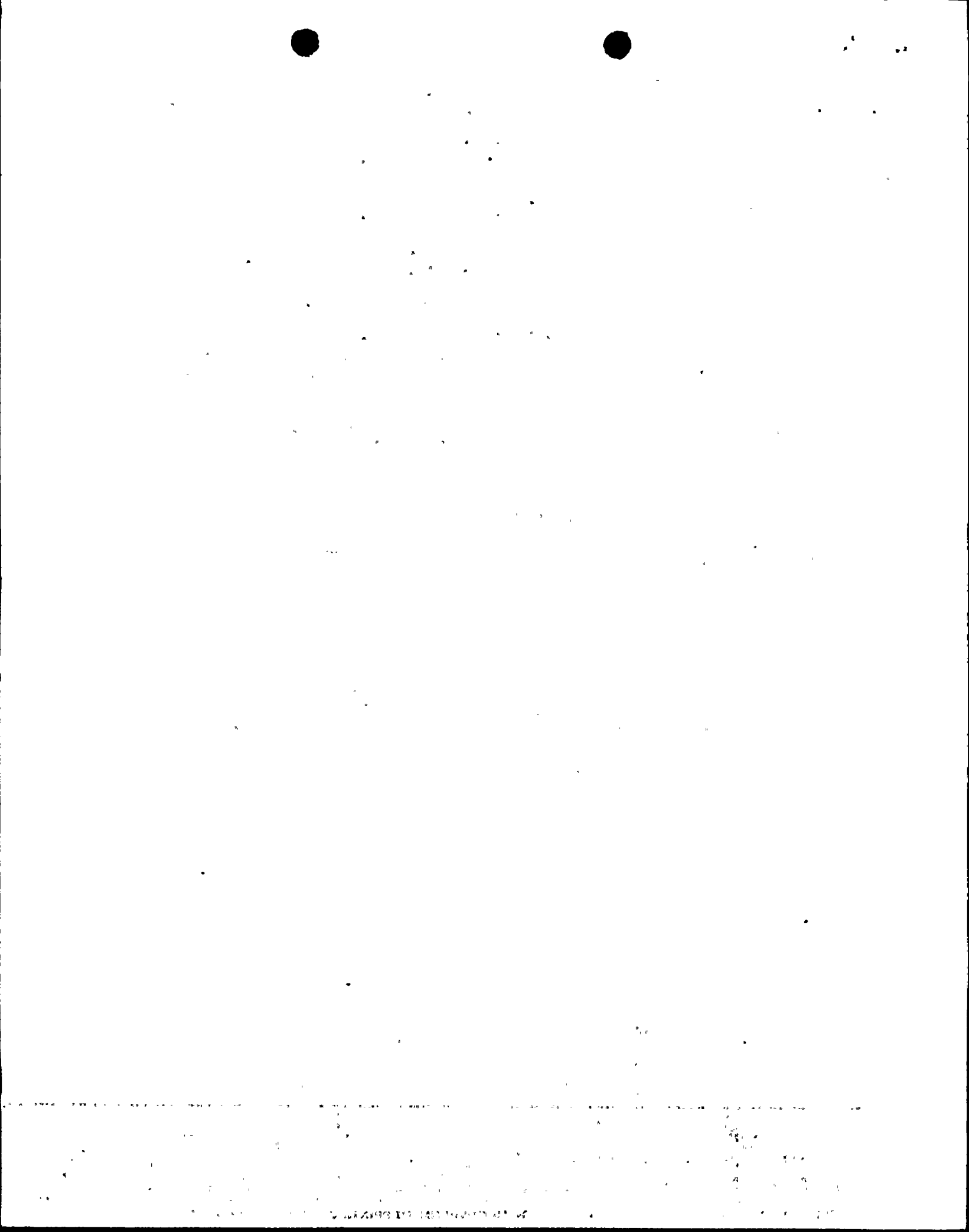
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DPM:DD	DPM:D	NRR	OCA
DBVassallo	DFRoss	EGCase	
02/ /80	02/ /80	02/ /80	08/ /80

OFFICE	DPM:LWR.#1	DPM:LWR.#1	DPM:LWR.#1	DPM:LWR:AD	QELD	NRR
SURNAME	EGHylton:pcm	BCBuckley	JFStolz	SAVarga		HRDenton
DATE	02/ /80	02/ /80	02/ /80	02/ /80	02/ /80	02/ /80



Distribution

Docket File (50-275)

NRC PDR

Local PDR

EDO Reading

NRR Reading

LWR #1 File

H. Denton

E. Case

H. Berkow

W. Russell

R. DeYoung

R. Mattson

D. Eisenhut

D. Ross

D. Vassallo

S. Varga

J. Stolz

B. Buckley

E. Hylton

G. Ertter (#08397)

M. Groff

E. Hughes

B. Moore

R. Lazo, ASLB

IE (3)

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113 Del Sur Way
San Luis Obispo, California 93401

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We have no knowledge of this rumor and assure you that no such decision has been made. The Nuclear Regulatory Commission (NRC) staff is presently developing an action plan describing the entire NRC program regarding post Three Mile Island accident requirements. The plan is proposing to implement the recommendations of the Kemeny Report, among other recommendations including the schedule for the implementation of the above cited recommendations. When the NRC gives final approval to this plan, the requirements will be transmitted to the affected utilities for their action.

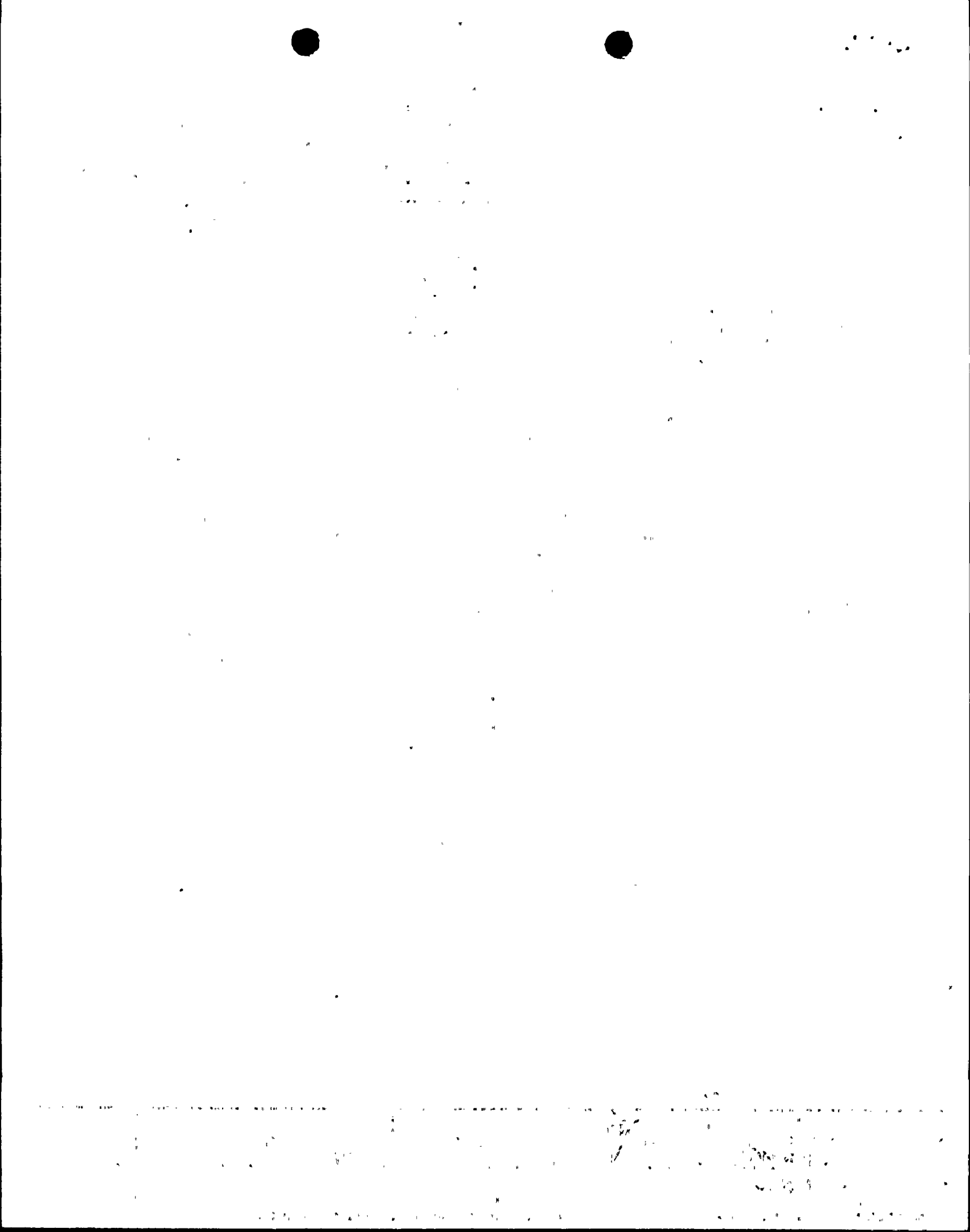
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Office of Nuclear Reactor Regulation

LWR#1:DPM
JStolz
2/15/80

OFFICE	LWR#1:DPM	AAO LWR:DPM	DPM	DPM	NRR	NRR
SURNAME	BBuckley/bm	SAVarga	DBVassallo	DFRoss	EGCase	HRDenton
DATE	2/15/80	2/15/80	2/ /80	2/ /80	2/ /80	2/ /80



Maya Ashworth
San Luis Obispo, CA

COMPL DEADLINE 3/4/80

08397

ACKNOWLEDGMENT

DATE OF DOCUMENT

INTERIM REPLY

2/7/80

TO:
The President

FINAL REPLY

PREPARE FOR SIGNATURE OF:
 CHAIRMAN
 EXECUTIVE DIRECTOR
OTHER: Denton

FILE LOCATION

DESCRIPTION LETTER MEMO REPORT OTHER
Req info re issuance of license for
Diablo Canyon

SPECIAL INSTRUCTIONS OR REMARKS

CLASSIFIED DATA

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Denton	2/13/80	<i>Denton</i> <i>Crew</i> <i>Berkow</i> <i>Rey</i> <i>Matson</i>

LEGAL REVIEW		<input type="checkbox"/> FINAL <input type="checkbox"/> COPY
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		<input type="checkbox"/> EDO ADMIN & CORRES BR
		EXT. _____
		COMMENTS, NOTIFY:
		EXT. _____
JCAE NOTIFICATION RECOMMENDED:		<input type="checkbox"/> YES <input type="checkbox"/> NO



11
12
13
14

MAYA ASHWORTH, 80665589126
113 DEL SUR WAY
SAN LUIS OBISPO CA 93401 *ARC*



4-0118655038 02/07/80 ICS IPMBNGZ CSP WSHB
8055448912 MGM TDBN SAN LUIS OBISPO CA 64 02-07 1040A EST

PRESIDENT JAMES CARTER
WHITE HOUSE DC 20500

DEAR MR PRESIDENT RUMOUR BEGAN CIRCULATING FRIDAY FEBRUARY 1 THAT YOU
INTEND TO USE EMERGENCY POWERS TO LICENSE DIABLO CANYON NUCLEAR PLANT
OUR AREA. RUMOR BEGAN IN PACIFIC GAS AND ELECTRIC PERSONNEL
DEPARTMENT, SAYS LICENSE GRANTED AS OF MAY 31 THIS YEAR MUCH LOCAL
CONCERN AN OPPOSITION. SITUATION VOLITILE. PLEASE CONFIRM OR DENY.
SINCERELY
MAYA ASHWORTH, 80665589126

11:32 EST
MGMCOMP MGM

5241 (R1/78)

TO REPLY BY MAILGRAM, PHONE, WESTERN UNION ANY TIME, DAY, OR NIGHT:

FOR YOUR LOCAL NUMBER, SEE THE WHITE PAGES

OF YOUR TELEPHONE DIRECTORY

OR

DIAL (TOLL FREE) 800-257-2241

(EXCEPT IN NEW JERSEY 800-632-2271)

OR DIAL WESTERN UNION'S INFOMASTER SYSTEM DIRECTLY:

FROM TELEX 6161

FROM TWX 910 420 1212