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 FACIL:50-275 Diablo Canyon Nuclear Power Plant, Unit 1, Pacific Ga  
 50-323 Diablo Canyon Nuclear Power Plant, Unit 2, Pacific Ga  
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 RECIP.NAME HOLLOWAY,J.W. RECIPIENT AFFILIATION Affiliation Unknown

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SUBJECT: Responds to ltr. re position on low power testing permit for facility. Proposed study to consider alternative approaches to energy problems will not result in delay of licensing, but will give better info on which to base decisions.

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# Congress of the United States

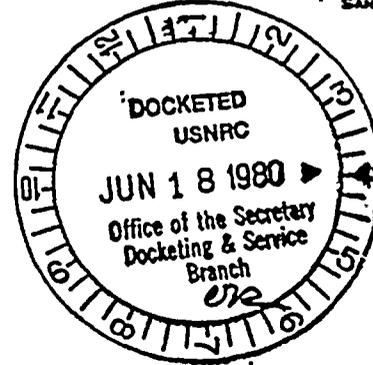
## House of Representatives

Washington, D.C. 20515

June 12, 1980

431 CANNON HOUSE OFFICE BUILDING  
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Mr. John W. Holloway  
President  
Santa Barbara-San Luis Obispo  
Building and Construction Trades Council  
P.O. Box 881  
San Luis Obispo, California 93406



Dear John:

Thank you for your letter expressing your concern about my position on the "low power" testing permit for the Diablo Canyon nuclear power plant. I appreciate hearing your thoughts on this issue and I welcome this opportunity to clarify my views on this important matter.

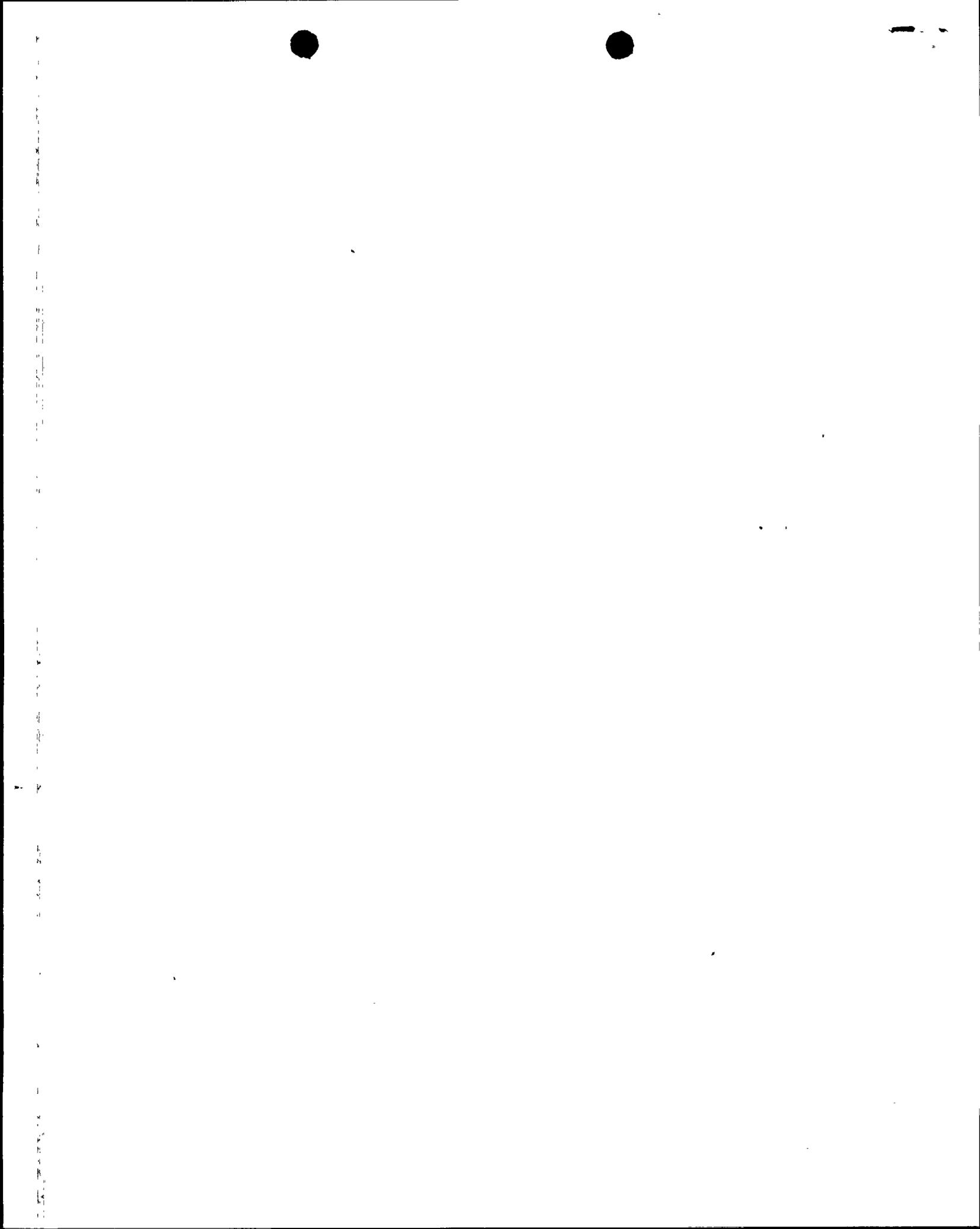
First of all, let me make clear that while I have indicated my concerns regarding some of the issues I believe need to be resolved by the Nuclear Regulatory Commission, the final decision on whether or not to license this plant is a regulatory rather than a political one. I have often stated that I believe the NRC process must be relied upon at every step. If this process is bypassed in any way, it will only result in court action that will further delay Diablo, assuming it is approved by the NRC. Thus, it is my belief that the procedures of the NRC must be the basis on which the ultimate fate of the plant should be decided.

Secondly, whether one is for or against nuclear power, the reality is that this nation is now dependent on nuclear power for over 12 percent of its electrical supply. At a time of energy crisis and the need to move away from dependence on foreign supplies of oil, there is no question but that there cannot be a shutdown of nuclear power in this country. At the same time, the concerns raised by the Three Mile Island accident and the questions surrounding safe disposal of nuclear wastes and others must be responded to if the public is to support and trust the further development of this energy resource. In addition, unless these concerns are addressed by the NRC and the Congress, the cost escalation of nuclear plant development and the unbearable economic burden on the utilities involved will surely eliminate this potential resource for the future.

Therefore, I believe that it is extremely important that the issues of principal concern to the public must be addressed by the NRC pursuant to its procedures if Diablo is to be licensed and if it is to have the support and confidence of the people who live near the plant and those who will be served by its power. I realize that low power testing is a . . .

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necessary prelude to a final operating permit and I do not object to the ultimate need for such pretesting, if the NRC decides to license the plant. Before doing this, however, I believe it is important for the NRC to address and to resolve all outstanding safety issues. The NRC has, in fact, indicated that it shares this concern. Indeed, the low power testing permit process utilized with other nuclear plants awaiting licensing has been deemed insufficient by the NRC where those plants are in contested adjudicatory proceedings as is Diablo. This is not a question of philosophy or politics as you suggest; this is a question of effective procedures designed by the NRC and the Congress to protect the public. I believe we should stick to those procedures.

With regard to the conversion issue, my approach does not relate just to Diablo, but applies to the nuclear industry in general where it faces the burden of overwhelming costs and unbearable regulatory delays. In some instances, it may make good economic sense to consider other alternative approaches. The study I am proposing would be a valuable tool for utilities and communities who may wish to pursue that option, if in fact it is an option. The study will not result in the delay of licensing but will give us at the federal level better information on which to base our decisions as to what makes good economic sense for the future. Indeed, from your union's point of view, conversion of any utility could mean not only the creation of energy but the creation of jobs as well. As a matter of fact, the momentum for conversion studies has been sparked by various utilities who, faced with licensing delays and the attendant financial problems, have commissioned preliminary studies on the feasibility of nuclear conversion. Thus, I think it makes good sense, again whether or not you are for or against nuclear power, to have this information available.

Again, I appreciate your views and the fact that you have come directly to me regarding my position. I have a voting record in support of the issues that concern your members and indeed, have been endorsed by your leadership because of that record. As always, I look forward to working with you and your members to ensure that our energy resources and our economy remain strong and productive for your union, for our community and for our nation.

Sincerely,

LEON E. PANETTA  
Member of Congress

LEP:toc

cc: Honorable Carol Hallett  
Honorable Robert Nimmo  
Honorable Robert Lagomarsino  
Chairman John Ahearne

