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ACCESSION NBR:8006240313 DOC.DATE: 80/05/23 NOTARIZED: NO DOCKET #  
 FACIL:50-275 Diablo Canyon Nuclear Power Plant, Unit 1, Pacific Ga 05000275  
 50-323 Diablo Canyon Nuclear Power Plant, Unit 2, Pacific Ga 05000323  
 AUTH.NAME -AUTHOR AFFILIATION  
 JONES,Y.I. Jones, Brown & Clifford  
 RECIP.NAME RECIPIENT AFFILIATION  
 BICKWIT,L. Office of the General Counsel

SUBJECT: Opposes, on behalf of San Luis Obispo Mothers for Peace,  
 800519 notice of intent to permit Nordlinger participation  
 in OL proceeding. Potential conflict of interest may arise  
 due to prior involvement w/ACRS consultant witnesses.

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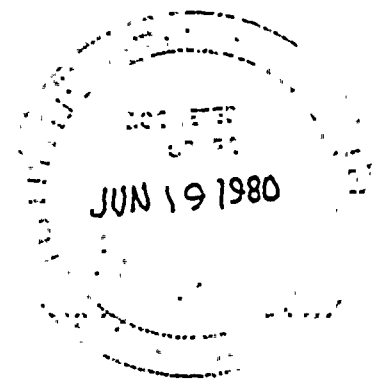
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(415) 431-5310

May 23, 1980



Leonard Bickwit, Jr., Esq.  
General Counsel  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

In the Matter of  
PACIFIC GAS AND ELECTRIC COMPANY  
(Diablo Canyon Nuclear Power Plant, Units 1 and 2) —  
Docket Nos. 50-275 OL and 50-323 OL

Dear Mr. Bickwit:

This acknowledges receipt on May 19, 1980, of your Notice of Intent to Permit an Attorney on Staff of General Counsel to Serve as an Attorney Adviser to the Commission on Security Plan Matters. I am lead counsel for the intervenor, San Luis Obispo Mothers for Peace. Please accept this letter as the intervenor's objection to Ms. Nordlinger's proposed participation in the above captioned matter.

Intervenor submits that allowing Ms. Nordlinger's participation would result in a potential conflict of interest and, perhaps even inadvertent, breach of her professional duty of confidentiality.

While this intervenor does not know Ms. Nordlinger, and has no reason to assert that her work on the safeguard issues would be biased by her past experience with the ACRS consultant witnesses, we believe that the caution she expressed on February 7, 1979, (Transcript pp. 8821-8822) was appropriate rather than excessive, particularly given the separate statutory identity enjoyed by the ACRS.

Because of the delicate and highly sensitive nature of the security issues involved in this matter, the appearance of any possible impropriety as well as the actual possibility of any impropriety, perhaps even inadvertent, on the Commission's part should be avoided.

Thank you for your attention and consideration.

Very truly yours,

DS03  
S,lp

*YI Jones*

Yale I. Jones

YIJ:vm

cc: See page 2.

800624-0313

G



cc: James R. Tourtellotte, Esq.  
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cc: Bruce Norton, Esq.  
3216 North 3rd Street, Suite 202  
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cc: W. Andrew Baldwin, Esq.  
124 Spear Street  
San Francisco, California 94105

cc: Paul C. Valentine, Esq.  
321 Lytton Avenue  
Palo Alto, California 94302

cc: Mrs. Edie Clark  
San Luis Obispo Mothers for Peace  
613 Stanford Drive  
San Luis Obispo, California 93401



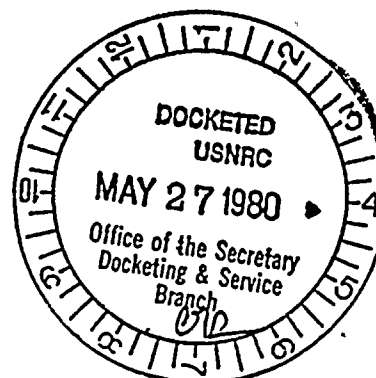
DAVID S. FLEISCHAKER

ATTORNEY AT LAW

1735 EYE STREET N.W.  
WASHINGTON, D. C. 20006  
SUITE 709

May 21, 1980

Robert L. Tedesco  
Assistant Director for Licensing  
Division of Licensing  
Nuclear Regulatory Commission  
1717 H Street, N.W.  
Washington, D.C. 20555



Re: Diablo Canyon, Units  
1 & 2, Docket Nos:  
50-275; 50-323 O.L.  
Testing To Obtain Base-  
line Hydraulic Data

Dear Mr. Tedesco:

By letter dated May 2, 1980 (attached), the NRC Staff ("Staff") requested Pacific Gas and Electric Co. ("Applicant") to determine the differential pressure across the elbow pressure taps in each reactor coolant loop for various pump combinations. This hydraulic data is to provide a baseline for comparison with measurements taken during an accident involving core damage, should one occur, and will enable reactor operators to estimate the extent of core damage. The Applicant is permitted to obtain the data from the results of tests performed at similar plants, like the Salem Nuclear Generating Station, Unit 2, or from testing at Diablo Canyon, Unit 1. If the Applicant chooses testing, then "(T)hese tests should be conducted with core installed, but all control rod assemblies inserted."

Because the testing program outlined in your letter entails some risk of accidental criticality, it is our position that issuance of a low power testing license must precede any such tests. The May 2 correspondence appeared to leave open the possibility that the Applicant could





Robert L. Tedesco  
May 21, 1980  
Page Two

conduct such tests without having first received a low power testing license. I expressed this concern by telephone to Mr. Bart Buckley, Project Manager, on both May 13, 1980 and again on May 19, 1980. On both occasions, Mr. Buckley stated that, should the Applicant choose the testing alternative, issuance of a low power testing license must precede initiation of the testing program outlined in the May 2 correspondence. If my understanding of the Staff's position is incorrect, please advise me immediately so that I may take steps to protect the Joint Intervenors' interests.

On a related matter, the May 2 correspondence requests the Applicant to reply by May 5, 1980. We, however, did not receive the correspondence until May 8, 1980. Had the Staff authorized the Applicant to conduct a test program without a low power testing license, it could possibly have been underway before the Joint Intervenors could take any action. In the future, we would appreciate your taking into consideration the Intervenors' need to be apprised of Staff directives in a timely manner.

Very truly yours,



David S. Fleischaker, Esq.  
Attorney For Joint Intervenors

DSF:sb

cc: All members of the  
Certificate of Service  
in the Diablo Canyon  
licensing proceeding





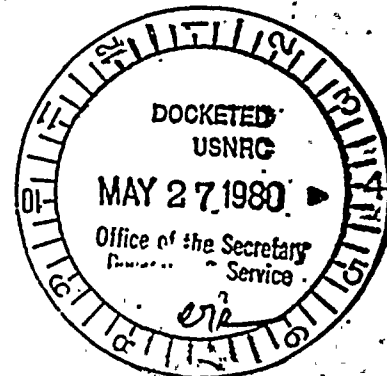
UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

MAY 12 1980

RECEIVED MAY 8 1980

Docket Nos.: 50-275  
50-323

Mr. Malcolm H. Furbush  
Vice President and General Counsel  
Pacific Gas and Electric Company  
77 Beale Street  
San Francisco, California 94106



Dear Mr. Furbush:

SUBJECT: BASELINE HYDRAULIC DATA - DIABLO CANYON, UNIT 1

The staff believes that it would be very desirable to obtain the specific baseline hydraulic data described below with the core installed in the Diablo Canyon, Unit 1 plant. If there is an accident involving core damage at some future time, similar data could be obtained and compared to the baseline data to infer the extent of core damage. Alternatively, instead of conducting the tests described below you may wish to obtain the results of tests that will be performed at other similar plants, such as the Salem Nuclear Generating Station, Unit 2, and determine their applicability to Diablo Canyon, Units 1 and 2. Should you elect to take this alternate approach, we require that your operating personnel and other appropriate technical staff be thoroughly familiar with the test data and that this data be available in the on-site technical support center at all times for immediate use.

The tests that we require to be performed are relatively simple. They involve experimentally determining the differential pressure across the elbow pressure taps in each reactor coolant loop for various pump combinations.

These tests should be conducted with the core installed, but all control rod assemblies inserted. The reactor coolant system should be at about normal operating temperature and pressure. The tests should be performed with one pump, two pumps, and three pumps operating. The differential pressure data should be obtained in all four loops; that is, the loops with flow in the normal direction and the loops having flow in the reverse direction. Pump data, such as motor current and revolutions per minute (if possible to obtain), should also be recorded.



Mr. Malcolm H. Furbish

- 2 -

MAY 2 1980

The tests may be performed either as a portion of the proposed low power test program, or as an extension of the pump trip tests performed as a part of your commitment to Regulatory Guide 1.68. If the tests are performed in conjunction with the pump trip tests, the data requested above should be taken after the tripped pump has completely stopped.

Please provide your commitment to perform the tests required or your commitment to obtain the applicable test data by May 5, 1980.

Sincerely,

  
Robert L. Tedesco  
Assistant Director for Licensing  
Division of Licensing

cc: See next page

