

50-275/323

SEP 17 1980

The Honorable Norman Y. Mineta  
United States House of Representatives  
Washington, D. C. 20515

Dear Congressman Mineta:

Your letter of August 8, 1980 to Commissioner Hendrie regarding the licensing of the Diablo Canyon nuclear plants has been referred to me for reply.

Your letter urged that the NRC do all it can to expedite the final licensing of these plants. A brief discussion of our efforts is provided below.

As you no doubt are aware, since docketing of this case in late 1973 major plant improvements were required as the result of a seismic re-evaluation of the facility and more recently, as the result of applying the lessons learned from the Three Mile Island (TMI) accident that occurred last year.

In a June 5, 1980, memorandum from S. Chilk, the Nuclear Regulatory Commission provided guidance to the NRC staff for applicants seeking authorization to load fuel and conduct low power testing. This guidance is stated in NUREG-0694 entitled "TMI Related Requirements for New Operating Licenses". A copy of this document is enclosed (Enclosure 1).

In addition, this is a contested licensing action. The hearing record was closed on March 12, 1979 and in September 1979 the Atomic Safety and Licensing Board (ASLB) issued a favorable partial initial decision on, among other things, the seismic safety issue and on the plant's physical security plan. That decision was appealed by the joint intervenors and during the course of that review, on June 23, 1980 the Atomic Safety and Licensing Appeal Board assigned to review this matter issued a decision to reopen the hearing record to obtain testimony related to a major earthquake which occurred in California's Imperial Valley in October 1979 (shortly after the ASLB decision in September 1979). The NRC staff testimony on that issue was submitted to the Appeal Board in August 1980 and by Order dated August 28, 1980 the Appeal Board set hearings on the seismic and security matters for October 20, 1980 and on or about November 10, 1980, respectively.

To further complete the picture on the hearing process, on July 14, 1980 the applicant filed a motion with the ASLB for a license to load fuel and begin low power testing asserting, among other things, that proposed limited operation (for up to five percent of rated power for test purposes) may be conducted during pendency of the appeals from the ASLB's September 1979 Partial Initial Decision. On August 6, 1980 the NRC staff responded to the ASLB on this motion and issued a supplemental safety evaluation dealing with TMI accident related safety issues as they apply to fuel loading and low power testing. The Licensing Board will no doubt hear these issues in an expeditious fashion also, probably in the Fall of 1980.

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The Honorable Norman Y. Mineta

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From the above, while it can be seen that further actions will be required by the Licensing Board, the Appeal Board and the Commission itself, we believe the NRC is working toward the timely resolution of the many safety issues in this extremely complicated case.

I trust that this information is responsive to your request.

Sincerely,

(Signed) William J. Dircks

William J. Dircks  
Acting Executive Director  
for Operations

Enclosure:  
As stated

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8/26/80	9/2/80	9/ /80

\*See previous yellow

OFFICE ▶	DL:LB #3	*DL:AD	DK:D	NRR	NRR	EDO
SURNAME ▶	BCBuckley	RLTedesco	DGEisenbut	EGCase	HRDenton	WJDircks
DATE ▶	9/ /80	8/22/80	9/ /80	9/ /80	9/ /80	9/ /80



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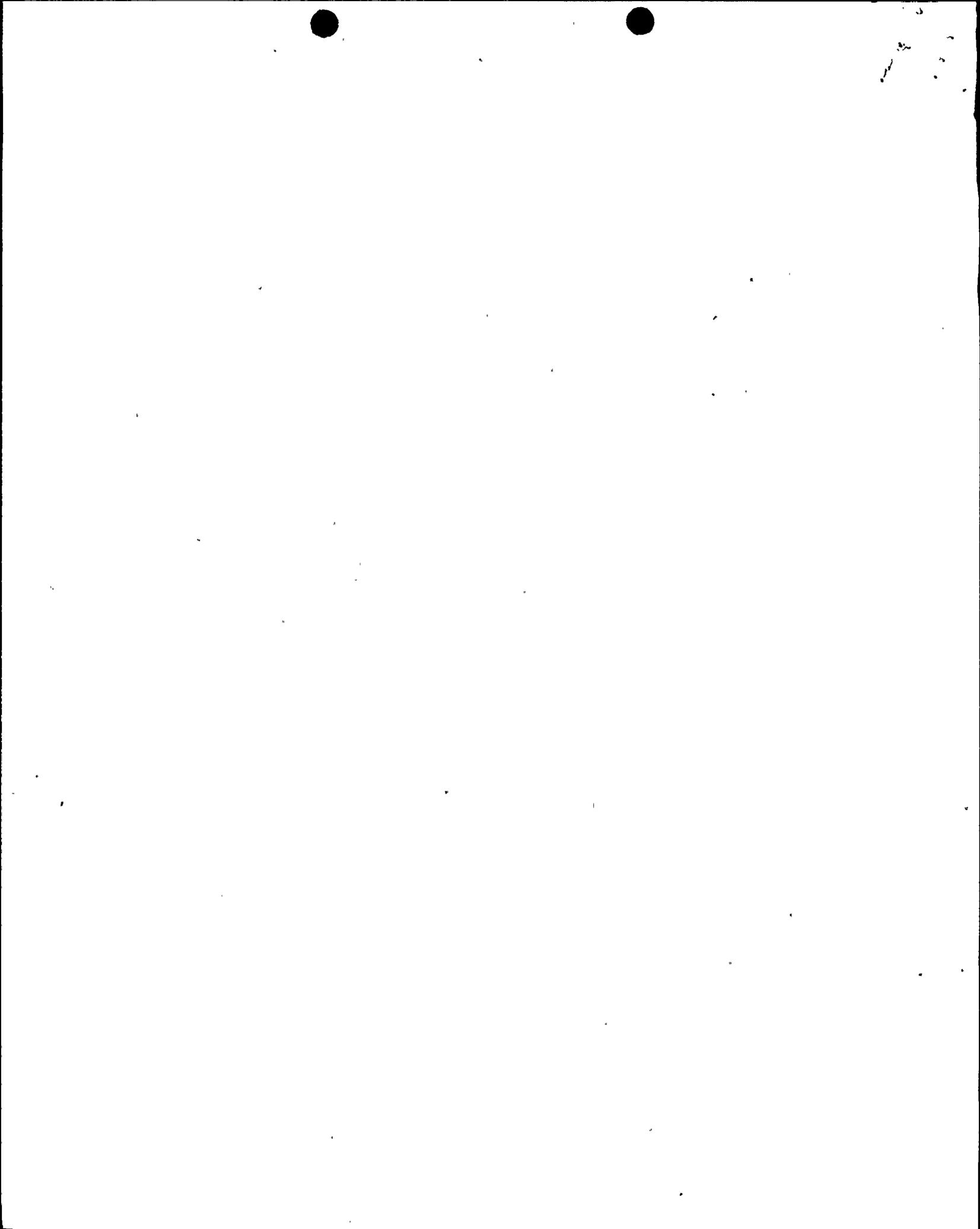
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FROM: Rep. Norman Y. Mineta	ACTION CONTROL	DATES	CONTROL NO.
	COMPL DEADLINE	8/27/80	09471
TO: Hendrie	ACKNOWLEDGMENT		DATE OF DOCUMENT
	INTERIM REPLY		8/8/80
	FINAL REPLY		PREPARE FOR SIGNATURE OF:
	FILE LOCATION		<input type="checkbox"/> CHAIRMAN <input checked="" type="checkbox"/> EXECUTIVE DIRECTOR
			OTHER:

DESCRIPTION	<input type="checkbox"/> LETTER <input type="checkbox"/> MEMO <input type="checkbox"/> REPORT <input type="checkbox"/> OTHER	SPECIAL INSTRUCTIONS OR REMARKS
Urges expedition of final licensing of Diablo Canyon		<i>Schwartz</i> <i>Buckley</i> 8/16

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No. 80-1568

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TO: <input type="checkbox"/> Commissioner	Date _____
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<input type="checkbox"/>	<input type="checkbox"/> Inspector & Auditor
<input type="checkbox"/>	<input type="checkbox"/> Policy Evaluation

Incoming: Rep Norman Mineta

From: \_\_\_\_\_

To: Hendrie Date 8/8/80

Subject: urges the licensing of Diablo Canyon

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

For direct reply\* Suspend: Aug 22

For appropriate action

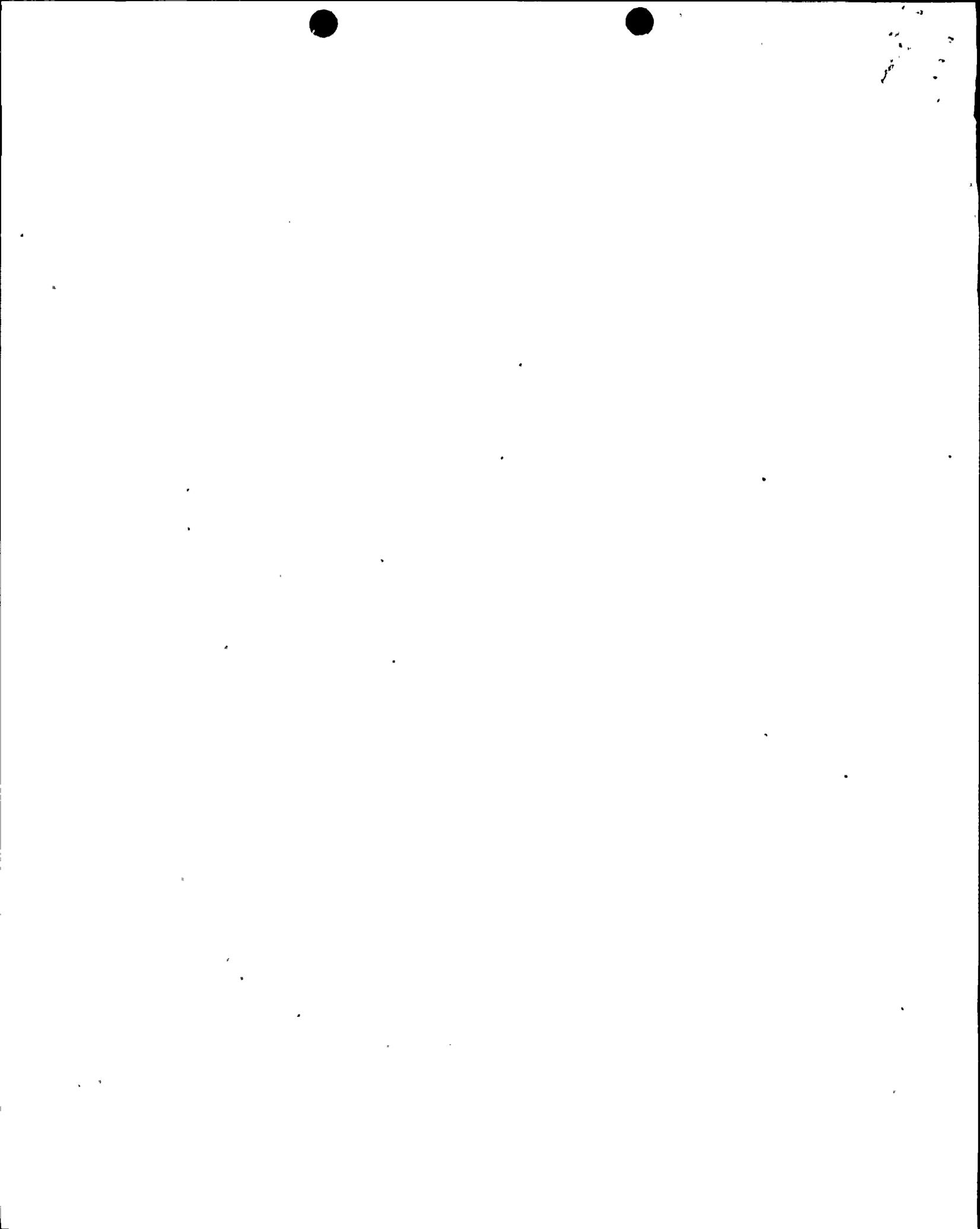
For information

Rec'd Off. EDO  
 Date: 8/14/80  
 Time: 11:20

Remarks: OCA to Ack, docket

For the Commission: billie

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



NORMAN Y. MINETA  
MEMBER OF CONGRESS  
15TH DISTRICT, CALIFORNIA

COMMITTEES:  
PUBLIC WORKS AND  
TRANSPORTATION  
BUDGET

Congress of the United States  
House of Representatives  
Washington, D.C. 20515

August 8, 1980

WASHINGTON OFFICE:  
313 CANNON HOUSE OFFICE BUILDING  
WASHINGTON, D.C. 20515  
TELEPHONE: (202) 225-2631

DISTRICT OFFICES:  
SUITE 310  
1245 SOUTH WINCHESTER BOULEVARD  
SAN JOSE, CALIFORNIA 95128  
TELEPHONE: (408) 984-6045

SUITE D  
7951 WREN AVENUE  
GILROY, CALIFORNIA 95020  
TELEPHONE: (408) 847-2664

Mr. Joseph M. Hendrie  
Chairman, Nuclear Regulatory Commission  
Washington, D.C. 20555

Dear Mr. Hendrie:

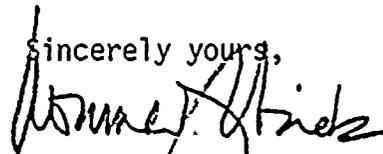
The well known productivity and vitality of the Santa Clara Valley's electronics and semiconductor industry is intimately linked to a consistent and uninterrupted supply of electrical power. The slightest fluctuation in the flow of electricity can have a crippling impact on the companies that constitute such an important part of California's, and the nation's, economy.

Although power levels appear to be adequate through this year, there is increasing apprehension among members of the Bay Area industrial community that there exists the strong possibility of power interruption in the near future. I share their concern. Fortunately, Mr. Chairman, a major, new source of electrical power is available and lacks only NRC approval before it can begin operation. I refer to the Diablo Canyon nuclear power plants.

I urge you to do all that you can to expedite the final licensing of Diablo Canyon. I believe that further delay is unwarranted and will serve no substantive purpose. This facility has undergone repeated safety reviews, passing all of the stringent demands made upon it.

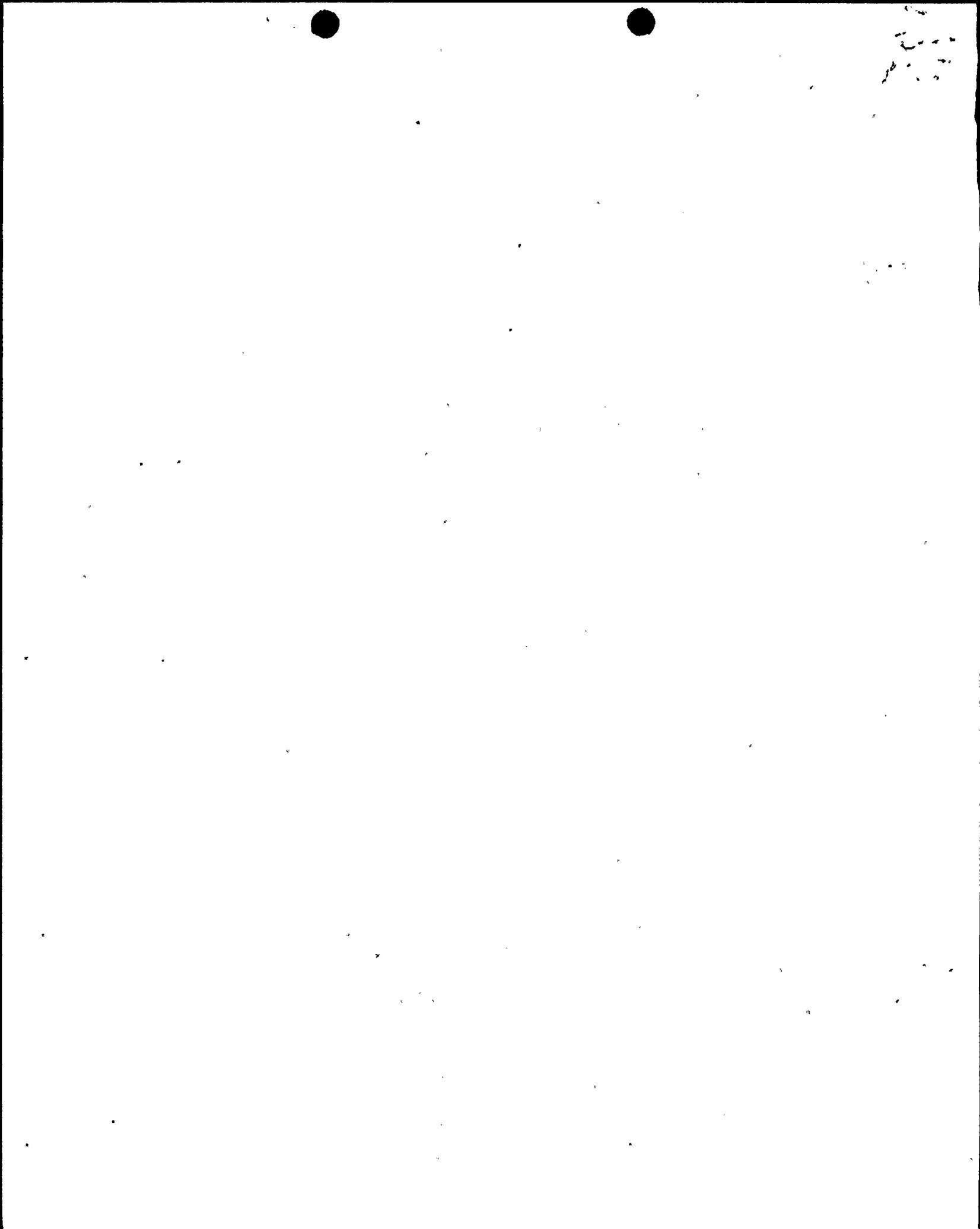
Allow me to thank you beforehand for giving your prompt attention to this matter. If you have any questions, or if I may be of assistance in any way, please do not hesitate to contact me.

Sincerely yours,



NORMAN Y. MINETA  
Member of Congress

NYM/jc



REGULATORY INFORMATION DISTRIBUTION SYSTEM (RIDS)

ACCESSION NBR: 8009220255 DOC. DATE: 80/09/17 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: DIRCKS, W.J. AUTHOR AFFILIATION: Office of the Executive Director for Operations  
 RECIP. NAME: MINETA, N.Y. RECIPIENT AFFILIATION: House of Rep.

SUBJECT: Provides status of NRC efforts re final licensing of facility. Further actions will be required by ASLAB, ASLB & Commission.

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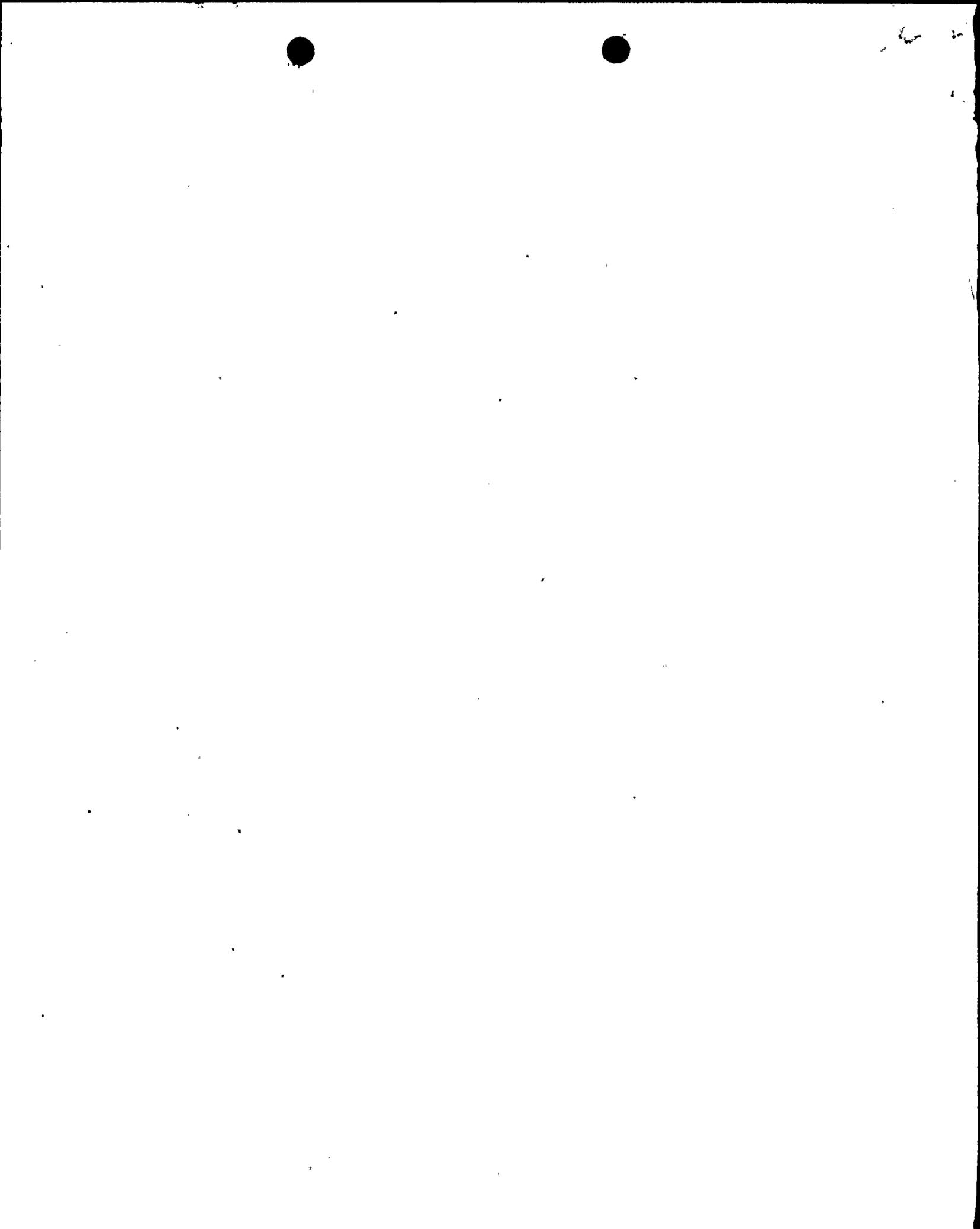
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SEP 23 1980

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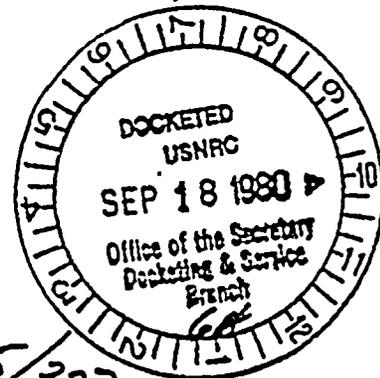




UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

Aug 80-1568

SEP 17 1980



The Honorable Norman Y. Mineta  
United States House of Representatives  
Washington, D.C. 20515

DOCKET NUMBER  
PROD: & UTIL FAC. 50-275/323

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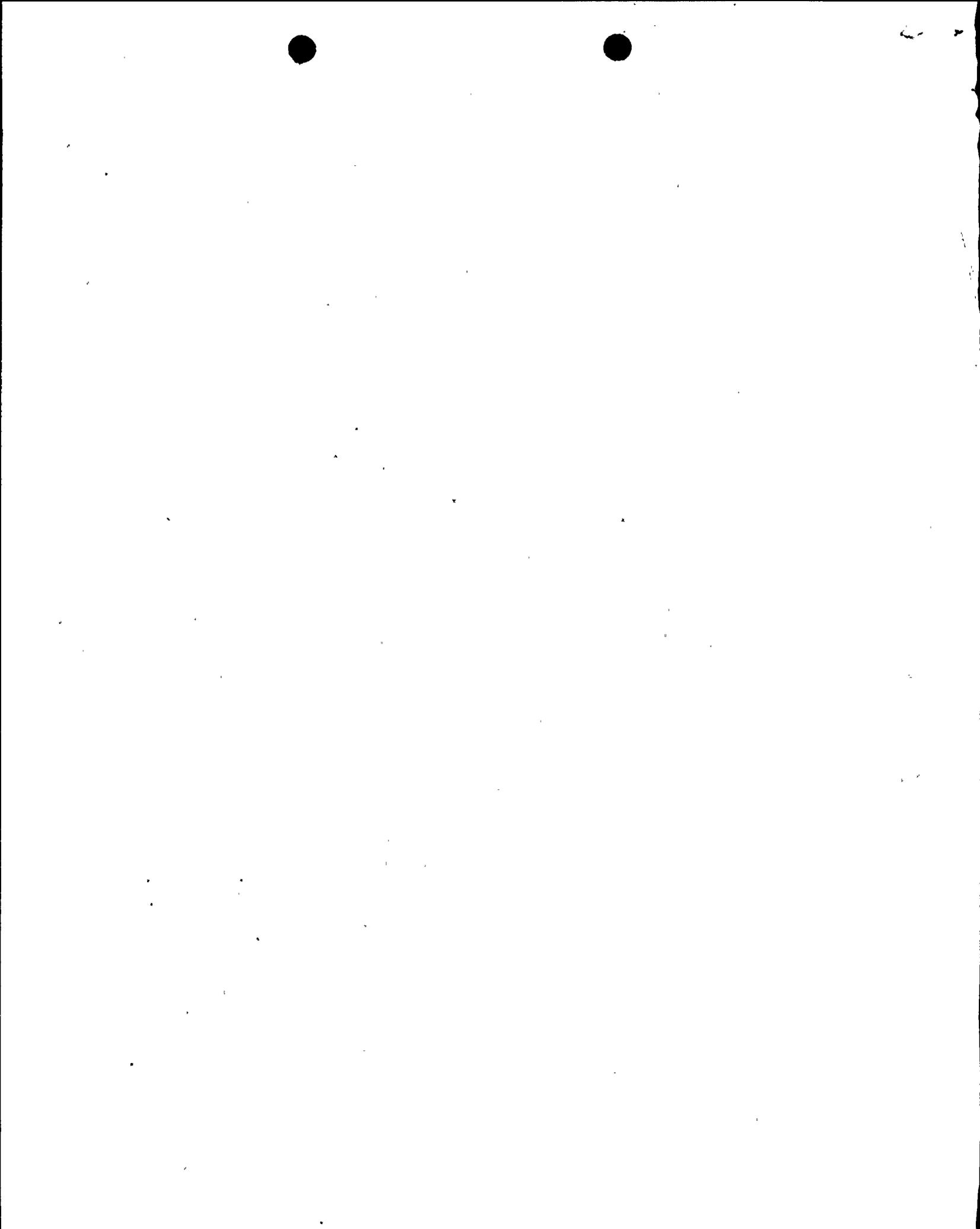
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Acting Executive Director  
for Operations

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