

OCT 16 1980

Mr. Mark Elliot
314 Higuera Street
San Luis Obispo, California 93401

Dear Mr. Elliot:

Your September 23, 1980 letter to Mr. Denton regarding the Diablo Canyon nuclear plant has been referred to me for reply. I am pleased to make this response.

You expressed concern over operator errors and equipment malfunctions in view of the accident at Three Mile Island (TMI), and the potential for future accidents at nuclear plants. Let me assure you that the NRC has reacted positively to improve the safety of all nuclear power plants in operation and under construction based on the lessons learned from the TMI accident.

Based on the findings of the President's Commission on the accident (The Kemeny Commission), the recommendations of the Special Inquiry Group directed by Mitchell Rogovin, recommendations developed by internal NRC special task forces, and recommendations from other sources including the Advisory Committee on Reactor Safeguards, a comprehensive NRC Action Plan (NUREG-0660) developed as a result of the TMI-2 accident, was prepared and published in May 1980.

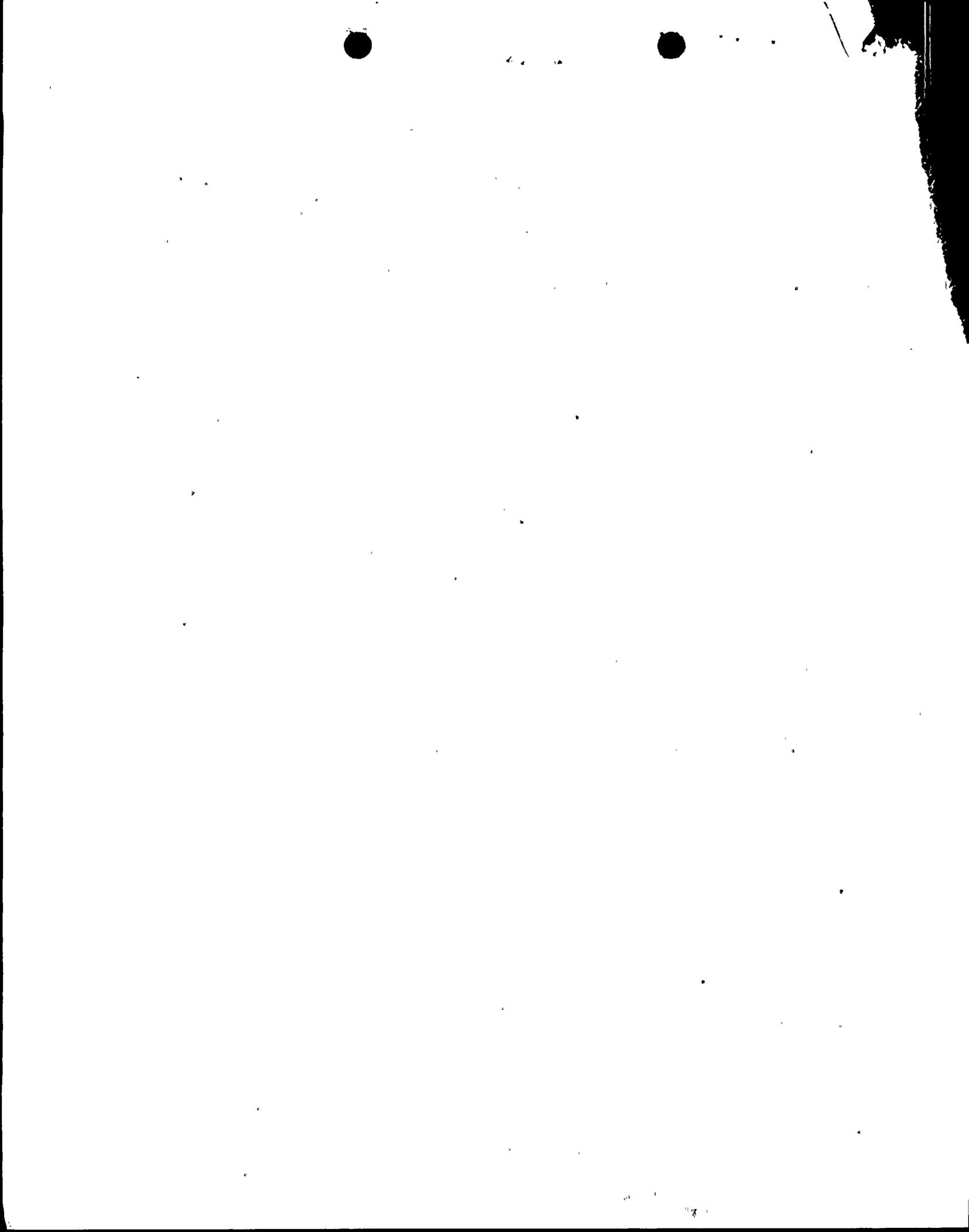
Consistent with the Nuclear Regulatory Commission guidance, the NRC staff is requiring all applicants for new operating licenses to modify the design and operation of their nuclear plants to conform to TMI-related requirements. NUREG-0694, published in June 1980, identified requirements applicable to Diablo Canyon and other plants and provided a schedule by which they must be implemented. Additional requirements and clarifications are being considered.

We have re-examined the Diablo Canyon facility for conformance to the NUREG-0694 requirements as they apply to fuel loading and low power testing and on August 6, 1980 issued our safety evaluation on these matters. Before the NRC staff can issue a license to load fuel and conduct low power (below 5 percent) tests, all of these requirements must be met, the Atomic Safety and Licensing Board for Diablo Canyon must rule favorably, and the Commission itself will review the record.

In addition, you stated that you do not feel that the benefits of nuclear power are worth the inherent risks, and you questioned the potential need for energy and the alternatives available in lieu of a nuclear power plant. The National Environmental Policy Act (NEPA) of 1969 requires the Nuclear Regulatory Commission to prepare a detailed statement on each of the following environmental issues associated with the construction and operation of the Diablo Canyon facility:

- (i) The environmental impact of the proposed action,
- (ii) any adverse environmental effects which cannot be avoided should the proposal be implemented,

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- (iii) alternatives to the proposed action,
- (iv) the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and
- (v) any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented.

We did this. All of your concerns mentioned above were addressed in our Final Environmental Statement (FES) for Diablo Canyon. Chapter 13 of the FES addressed the benefits to be derived from this facility; Chapter 7 addressed the environmental impact of potential accidents; and, Chapters 11 and 12 addressed the matters of need for power and the alternatives available to meet that need. Furthermore, hearings were held on these environmental issues before construction permits were issued to construct this facility, and a favorable partial initial decision was issued on September 26, 1979 by the present Atomic Safety and Licensing Board. That Board considered all issues (including environmental issues) that were brought before it for operating licenses for the Diablo Canyon facility.

A copy of the FES as well as other licensing documents, correspondence and Board proceedings can be found in the Local Public Document Room (LPDR) maintained for Diablo Canyon. This LPDR is located at the California Polytechnic State University Library, Documents and Maps Department, San Luis Obispo, California 93407.

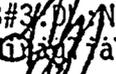
I trust that this information is responsive to your request.

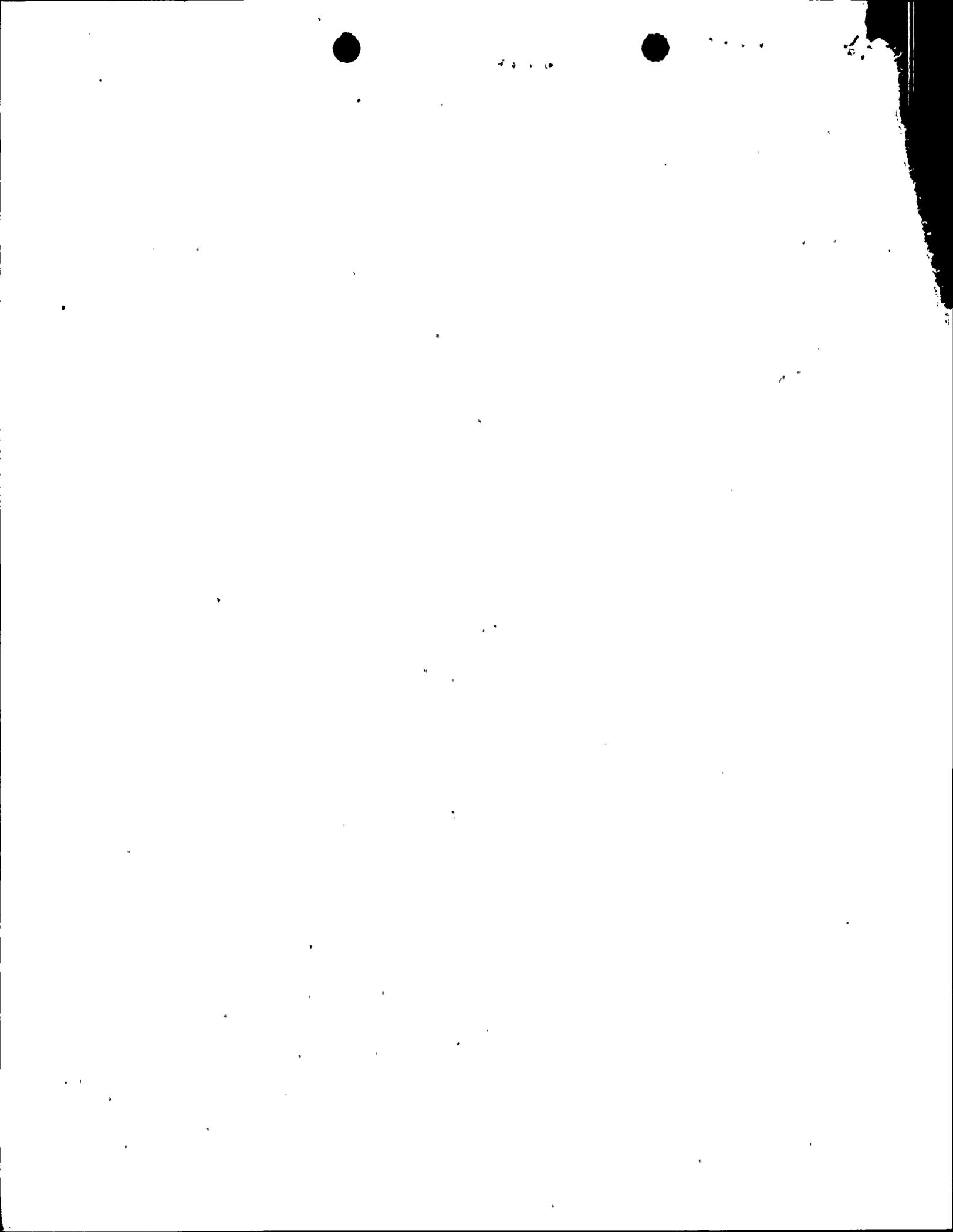
Sincerely,



Frank J. Miraglia, Acting Chief
 Licensing Branch No. 3
 Division of Licensing
 Office of Nuclear Reactor Regulation

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