

DOCKET NUMBER 50-275-30
PROD. & UTIL. FAC.
Congress of the United States

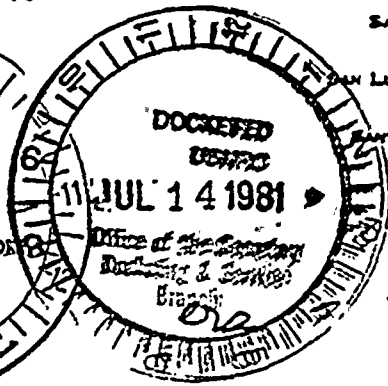
House of Representatives

Washington, D.C. 20515

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July 10 1981



Honorable Nunzio Palladino
Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Chairman Palladino:

I am writing to offer my congratulations on your appointment as Chairman of the Nuclear Regulatory Commission and to take this opportunity to share my views on the licensing process with respect to the Diablo Canyon facility.

As you may know, the status of the Diablo Canyon plant is a matter of great concern to the residents of the area, many of whom are my constituents. After the commencement of construction, a seismically active earthquake fault was discovered only two and a half miles from the plant. While the Atomic Safety Licensing and Appeal Board has recently ruled that the plant is capable of withstanding the impact of an earthquake on the Hosgri fault, the unique issues associated with Diablo and the high level of community concern warrant the most scrupulous application of Commission procedures.

I have carefully followed the proceedings with respect to Diablo for a number of years now. It has always been my position that since the licensing decision will be made by the NRC, its procedures must be carefully followed in order to insure the safety of the plant as well as insuring public confidence in the regulatory process. In recent weeks, the Commission has implemented an administrative rulemaking which eliminates the Appeal Board effectiveness review, allowing the decision of the Licensing Board to become immediately effective without comprehensive Commission review. This action was taken in an attempt to reduce the amount of time between completion of reactors and their actual licensing.

It is my firm belief that because of the Diablo Canyon facility's unique history, its proximity to an active earthquake fault and the high level of concern in the community, that it would be most appropriate for the Commission to utilize the procedures which it instituted after the accident at Three Mile Island and which have been in effect until the recent rulemaking.

I am sure you can appreciate how a change in procedure near the end of the licensing process is a cause for concern among many in the

7/13... To OGC To Prepare Reply for Commission review & Signature
Date due Comm: July 27... RF, Docket, EDO, Chm, OCA to Acknowledge

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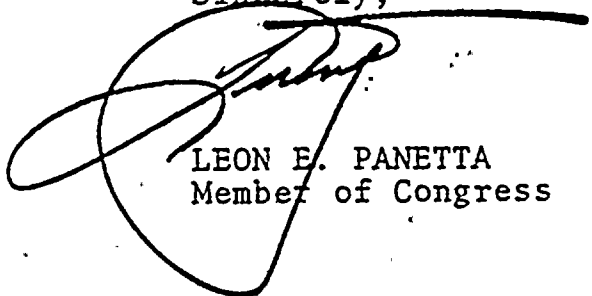
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community. Because of the unique characteristics of the Diablo facility, I believe it would be most appropriate for the Commission to conduct its customary, comprehensive review of the Licensing Board decision before a licensing decision is made. In my view, the Diablo case warrants the most careful review and deserves the benefit of the Commission's considerable expertise. Full Commission review of the licensing decision could be expedited with little negative impact on the time frame for a licensing decision. We are now at the point where a decision on low power is imminent after years of hearings and procedural review. It seems most appropriate at this time to do everything within the Commission's authority and customary practice to assure all the interested parties that the most rigorous examination of the issues has been accomplished. Thus, I would strongly urge that the Commission take this opportunity to fully review the Licensing Board decision.

Once again, I look forward to working with you in the future and hope that you will give this request your most careful consideration.

Sincerely,

A large, stylized handwritten signature in black ink, which appears to read "Leon E. Panetta". The signature is written over a horizontal line and extends significantly below it.

LEON E. PANETTA
Member of Congress

LEP:t0d





UNITED STATES
NUCLEAR REGULATORY COMMISSION
 ATOMIC SAFETY AND LICENSING BOARD PANEL
 WASHINGTON, D.C. 20555

REQUEST FOR REPORTING SERVICE
 Work Order No. ARC-LB- 85

Lot - 1

Proceeding: Diablo Canyon Docket No. (s) 50-275 01
50-323 01

Location of: Prehearing _____

Hearing Oral Argument

U.S NRC Hearing Room

Meeting 4350 E/W Highway, Room 550

PERSON TO CONTACT AT HEARING LOCATION Anita McNamara Phone: _____

Estimated Duration: Prehearing _____ Hearing _____ Meeting _____

Date ---- Prehearing _____ Hearing 12/16/81 Meeting _____

Time of: ---- Prehearing _____ Hearing 9:00 a.m. Meeting _____

TRANSCRIPT SERVICE REQUIRED: Prehearing 1 original, 3 for Board, 2 for Staff delivered

NOTE: Hearing to Anita McNamara, Room 432 E/W Towers, Bethesda
 Meeting next day.

Give exact number of copies for Board, Staff (ELD) or others & when & where to be delivered.

In all "In Camera" Hearings, 3 copies for Board, 2 copies ELD, and 1 original are required.

Board Chairman John F. Wolf Members Glenn O. Bright Dr. Jerry R. Kline

Type of Proceeding: Oral Argument

Copies of transcript may (may not) be sold. Begin pagination of transcript with 110

Date of oral request to Reporting Co. and person contacted. Date 12/11/81

Contact Anita McNamara

Date of written confirmation 12/11/81

By: Anita J. McNamara

bcc: J. Wolf J Fouchard
 ASLBP I. Jean Lee
 W/ASLAP ELD
 ✓ Reg Files M. Page

Atomic Safety & Licensing Board Panel
 Docket Unit

