

LEON E. PANETTA
18TH DISTRICT, CALIFORNIA

WASHINGTON OFFICE:
339 CANNON HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
(202) 225-2881

DISTRICT OFFICES:
380 ALVARADO STREET
MONTEREY, CALIFORNIA 93940
(408) 649-3555
HOLLISTER, CALIFORNIA
(408) 637-0500
MORRO BAY, CALIFORNIA
(805) 772-2035
SALINAS, CALIFORNIA
(408) 424-2229
SANTA CRUZ, CALIFORNIA
(408) 429-1976

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

February 8, 1984

COMMITTEES:
BUDGET
CHAIRMAN
TASK FORCE
ON BUDGET PROCESS
AGRICULTURE
CHAIRMAN
SUBCOMMITTEE ON DOMESTIC
MARKETING, CONSUMER RELATIONS,
AND NUTRITION
HOUSE ADMINISTRATION
(ON LEAVE)
MAJORITY REGIONAL WHIP

Mr. Nunzio J. Palladino, Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Chairman Palladino:

I am writing to thank the Commission for its contribution to a recent hearing considering issues relative to licensing of the Diablo Canyon nuclear power plant, and to express my continued interest in licensing and safety of the plant.

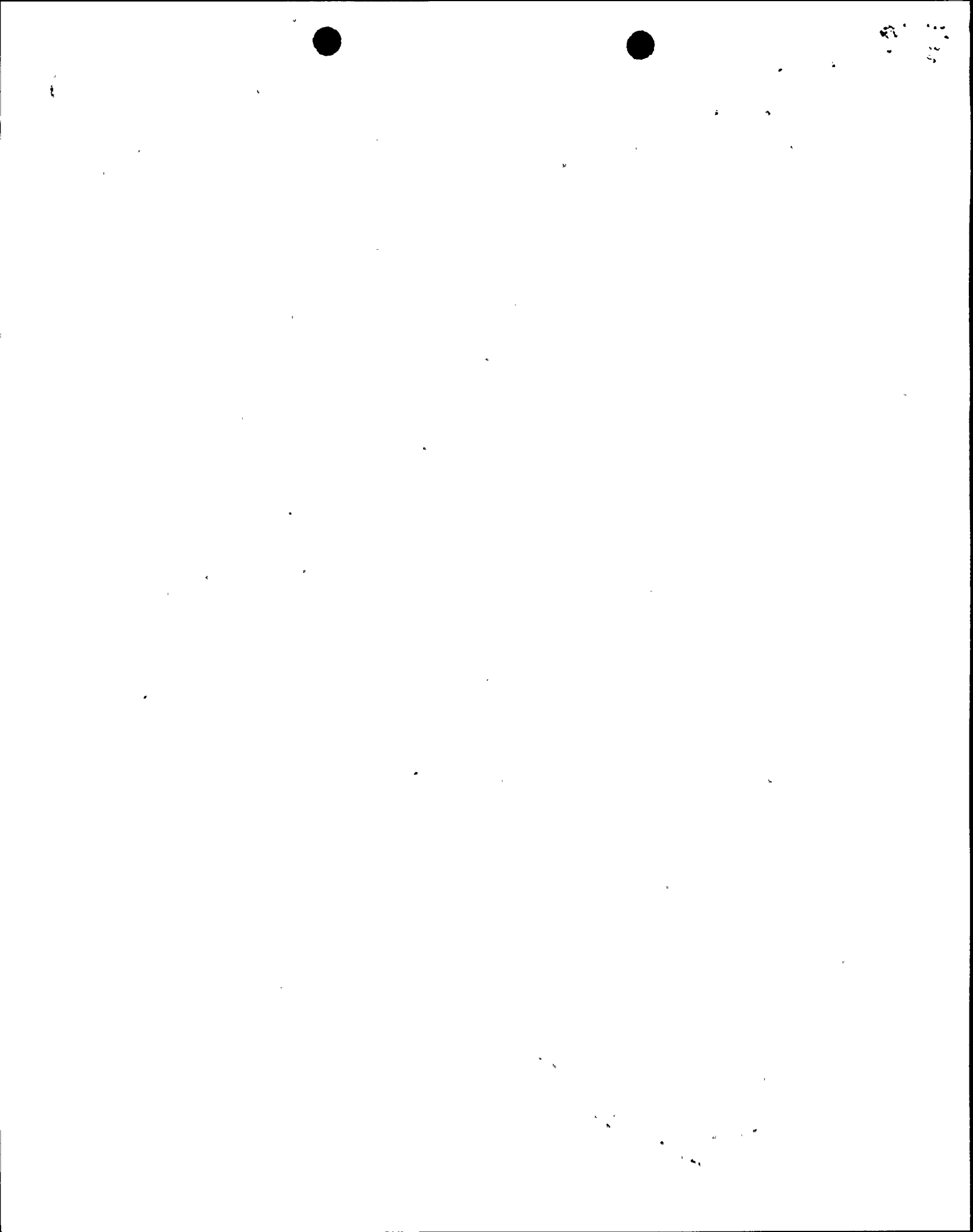
At the January 24 hearing, the Commission provided substantial reassurances to the Energy and the Environment Subcommittee in several respects. Chief among those reassurances to receive my support is the Commission's view that design quality assurance issues under review by the Atomic Safety Licensing Appeal Board may be fundamental to adequacy in the design verification process at the plant. Consistent with this view, I anticipate that consideration of a full-power license for the plant should occur after the Appeal Board has concluded its review of design QA issues under appeal, and after the Commission has had the opportunity to review the Board's decision in this regard.

In addition, I welcome the formation by Commission staff of a coordinated, systematic program to evaluate the numerous allegations which have been raised regarding the adequacy of quality assurance and construction efforts at the Diablo plant.

In general, the NRC's efforts to ensure the safety of Diablo are commendable. However, the January 24 hearing left unresolved several issues which I would like to bring to the Commission's attention.

In order to ensure that evaluation of allegations regarding construction quality assurance at the plant is both thorough and applicable to a licensing decision, I recommend that -- prior to a Commission decision regarding licensing of the plant for post-criticality testing and full-power testing -- the Commission provide guidelines governing

Dale
8402280356



Mr. Nunzio J. Palladino
Page Two
February 8, 1984

the evaluation of those allegations. I recommend that those guidelines ensure that staff: a.) provide particular attention to both prospective and historic implications of quality assurance deficiencies; b.) evaluate specific findings and patterns which develop from those specific findings, and; c.) ensure that determinations regarding both regulatory compliance and safety significance are made during resolution of claims.

In addition, I remain concerned over an apparent tendency of engineering and other staff in quality assurance programs at Diablo to assume that wide margins of safety established by Commission construction criteria need not be adhered to in systems which -- in the staff's view -- are not pivotal to safety. This practice was described in testimony given by Commission staff at the January 24 hearing. I remain concerned by the implications of such a practice, which supplants the Commission's established standards of regulatory compliance with a less precise, ad hoc standard of safety.

In establishing the NRC, Congress placed in the Commission's hands the responsibility to ensure the safe design and construction of nuclear facilities. Now, as then, I look to the Commission to ensure compliance with its procedures in an effort to ensure the safety of those who live and work near licensed nuclear power facilities. I commend the Commission's successful efforts to achieve these ends, but exhort it to employ the full range of its abilities to ensure the safety and compliance of the Diablo Canyon plant with current regulations.

Thank you for your consideration of this matter. I look forward to your response.

Sincerely,



LEON E. PANETTA
Member of Congress

LEP:mcd

11 28
1989