

PDR



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

June 19, 1984

CHAIRMAN

50-275

The Honorable Leon Panetta  
United States House of Representatives  
Washington, DC 20515

Dear Congressman Panetta:

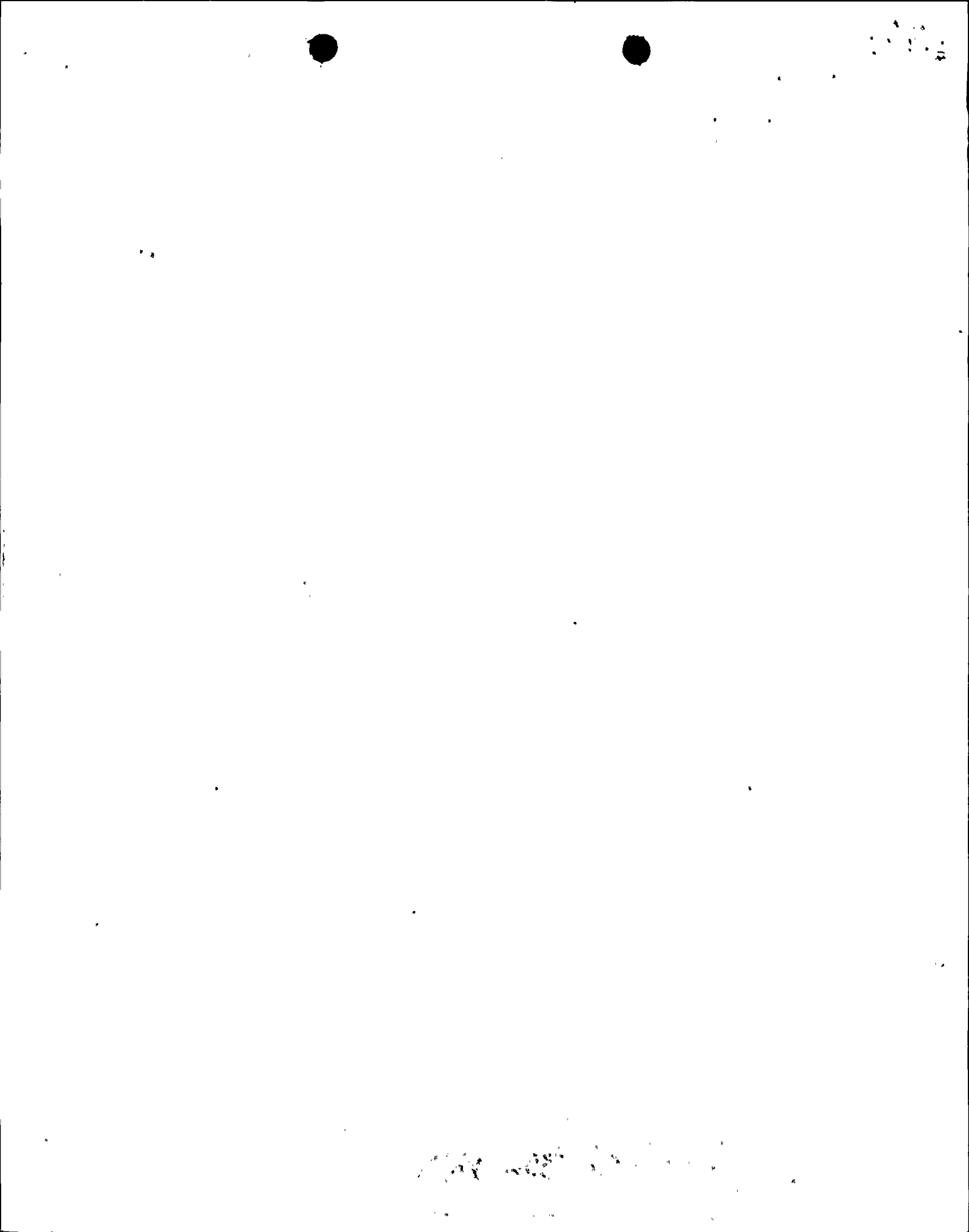
This responds to your letter of February 8, 1984 regarding the Diablo Canyon Nuclear Power Plant. We appreciate your interest in the licensing and safety of this plant. You have raised the following three issues in your letter: Commission consideration of the decision by the Atomic Safety and Licensing Appeal Board; NRC guidelines for resolving allegations on a priority basis; and NRC staff implementation of safety margins.

Regarding the first concern, on March 20, 1984 the Appeal Board issued its decision resolving the issues on design quality assurance regarding Diablo Canyon Unit 1 in favor of the Pacific Gas and Electric Company. The decision imposes a condition for the operation of the component cooling water system and also requires further analysis of the jet impingement effects inside containment. The Appeal Board decision is subject to review by the Commission, but the Commission has not yet decided whether or not to take review. The staff is continuing its evaluation of the jet impingement question and intends to resolve it prior to making a recommendation regarding operation above 5% power.

Your second concern regards the need for guidelines that will govern the evaluation of allegations. The staff provided these guidelines to the Commission in Supplement 22 to the Safety Evaluation Report (SSER 22, March 1984), a copy of which is enclosed. This report was used as part of the basis for reinstatement of the low-power license which the Commission made effective on April 19, 1984. The Commission understands that the staff intends to use these same guidelines in the evaluation of allegations related to full power authorization.

Finally, you express a concern over an apparent tendency of our staff to assume that the margins of safety established by our criteria need not be adhered to for systems which are not pivotal to safety, and that less precise, ad hoc standards of safety can be applied. This concern appears to be related to a substantive issue involved in the reopened hearing before the Appeal Board on design quality

8406200332 XA



The Honorable Leon Panetta 2

assurance. As mentioned above, the Appeal Board decision is subject to review by the Commission. It is more appropriate, therefore, for the staff to respond directly to your concern. We have directed the staff to provide you with a separate response on this matter.

We trust that this letter and the separate staff letter are responsive to your concerns.

Sincerely,

Original signed by  
Nunzio J. Palladino

Nunzio J. Palladino

Enclosure:  
NUREG-0675: Supplement 22 to  
Diablo Canyon Safety Evaluation  
Report, March 1984

Cleared with Cmrs' Offices by SECY  
Cmr. Gilinsky did not participate in the formulation of a response to this letter.  
Ref.-CR-84-43

Originating Office: EDO/NRR:Schierling

| OFFICE  | SECY     | SECY              | OCA        | OCM       | OCM      | OCM        |
|---------|----------|-------------------|------------|-----------|----------|------------|
| SURNAME | KBissell | TCombs <i>etc</i> | <i>gjk</i> | <i>sm</i> | <i>W</i> | <i>gjk</i> |
| DATE    | 6/18/84  | 6/18/84           | 6/18/84    | 6/18/84   | 6/18     | 6/18/84    |



Faint, illegible text or a scan artifact along the bottom edge of the page.