

September 10, 1980

DISTRIBUTION W/ATTACHMENTS:

Docket File (50-275/323) B. Buckley  
LB #3 File  
J. Lee

BCC: NRC PDR  
Local PDR

MEMORANDUM FOR: H. R. Denton, Director, Office of Nuclear Reactor Regulation  
THRU: D. G. Eisenhut, Director, Division of Licensing  
FROM: A. Schwencer, Acting Chief, Licensing Branch No. 3,  
Division of Licensing  
SUBJECT: DIABLO CANYON EMERGENCY PLAN ALLEGED INACCURACIES IN TEXT

On September 9, 1980, Mr. Carl Neiburger of the Telegram Tribune (Phone: 805-543-1901) called regarding my August 30, 1980 letter to PG&E (copy attached). He asked if the fact that PG&E did not have an agreement to cross the Field Ranch would affect licensing of Diablo Canyon and also asked if I were aware of statements by Mr. Robert Griffin of the Sierra Club (Phone: 805-546-1132) to the effect that PG&E's emergency plan contains "present tense" statements on actions described in that plan whereas, allegedly, the actions had not yet been completed and should have been described in a future tense.

I stated that, prior to issuance of a full power license, the matter addressed in my letter to PG&E must be resolved. With respect to the allegations he attributed to Mr. Griffin, I stated I would have the project manager for Diablo Canyon look into this.

Also attached, for background, is your September 5, 1980 letter to Mr. Bruno on the Field Ranch matter.

*12*  
A. Schwencer, Acting Chief  
Licensing Branch No. 3  
Division of Licensing

Attachments:  
As stated

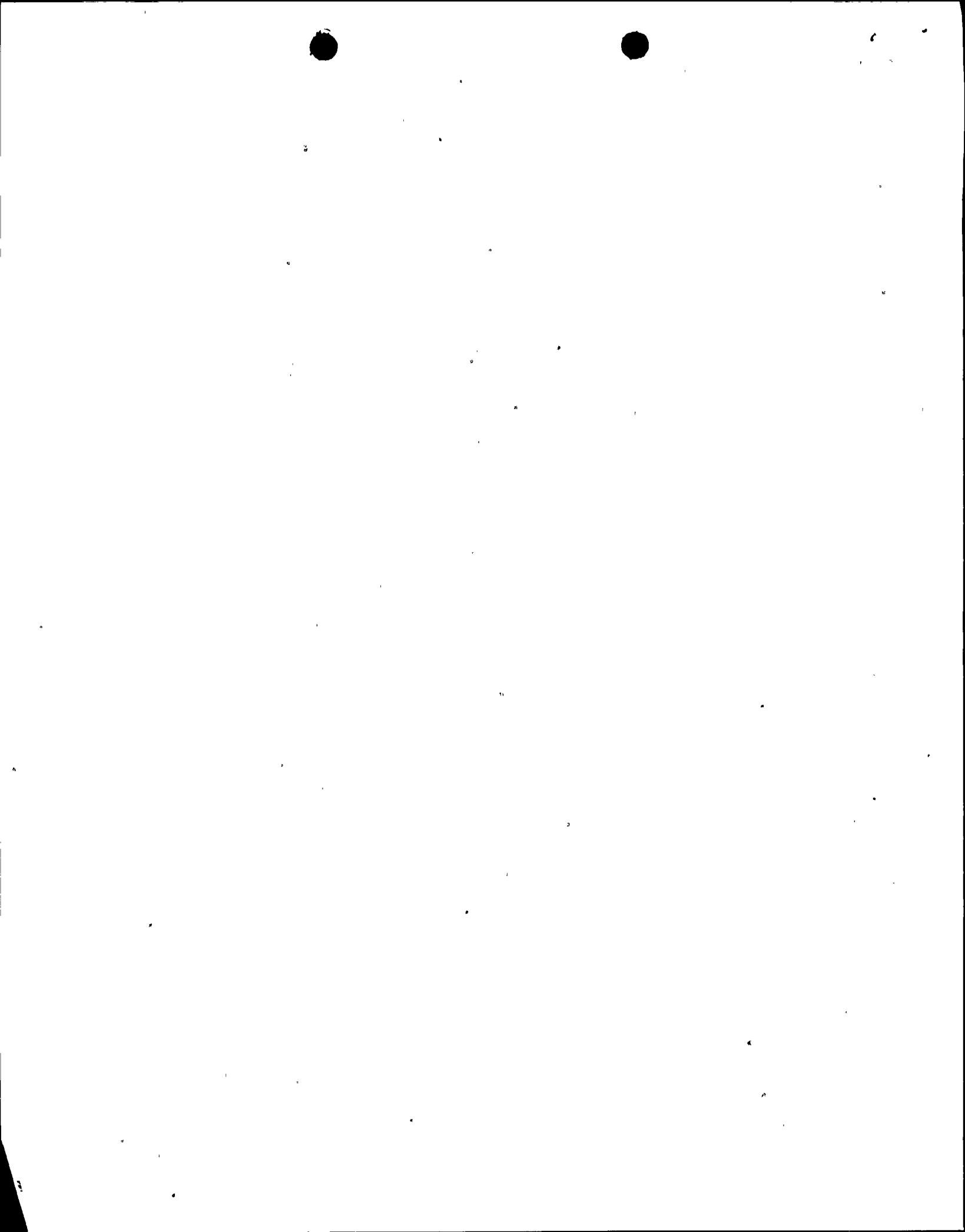
cc w/attachments:  
D. Eisenhut  
R. Tedesco  
OELD

NOTE: We are also alerting I&E to this potential problem, asking their assistance in determining whether the Emergency Plan, as submitted to the NRC, contains inaccuracies as alleged.

*memo 4*

*8009290054*

OFFICE	LB #3/DSE	A/D:L:DL	D:DL			
SURNAME	ASchwencer/LM	RLTedesco	DGEisenhut			
DATE	9/10/80	9/10/80	9/10/80			





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

September 5, 1980

Mr. Alan Bruno  
Post Office Box 6289  
Los Osos, California 93402

Dear Mr. Bruno:

Thank you for your letter dated July 21, 1980, concerning the Pacific Gas and Electric (PG&E) Company's emergency plan for Diablo Canyon, Units 1 and 2. A statement in the plan declares that an agreement exists between the Field Ranch and PG&E which allows PG&E access over the Field Ranch as an emergency evacuation route in the unlikely event that normal access to the site (which is from the south) cannot be used. Your letter states that such an agreement does not exist and requests our comments in the very near future in view of the fact that PG&E is currently seeking a Fuel Load and Low Power Test License.

Based upon our review of our docket files we have been unable to find such an agreement. We therefore have requested PG&E to provide a copy of the agreement if it exists or clarify this matter to explain the basis for its statement referring to such an agreement.

We thank you for bringing this matter to our attention and will keep you informed of the progress regarding its resolution.

You also asked if other PG&E documents or procedures contain misstatements or misrepresentations. We are not aware of others.

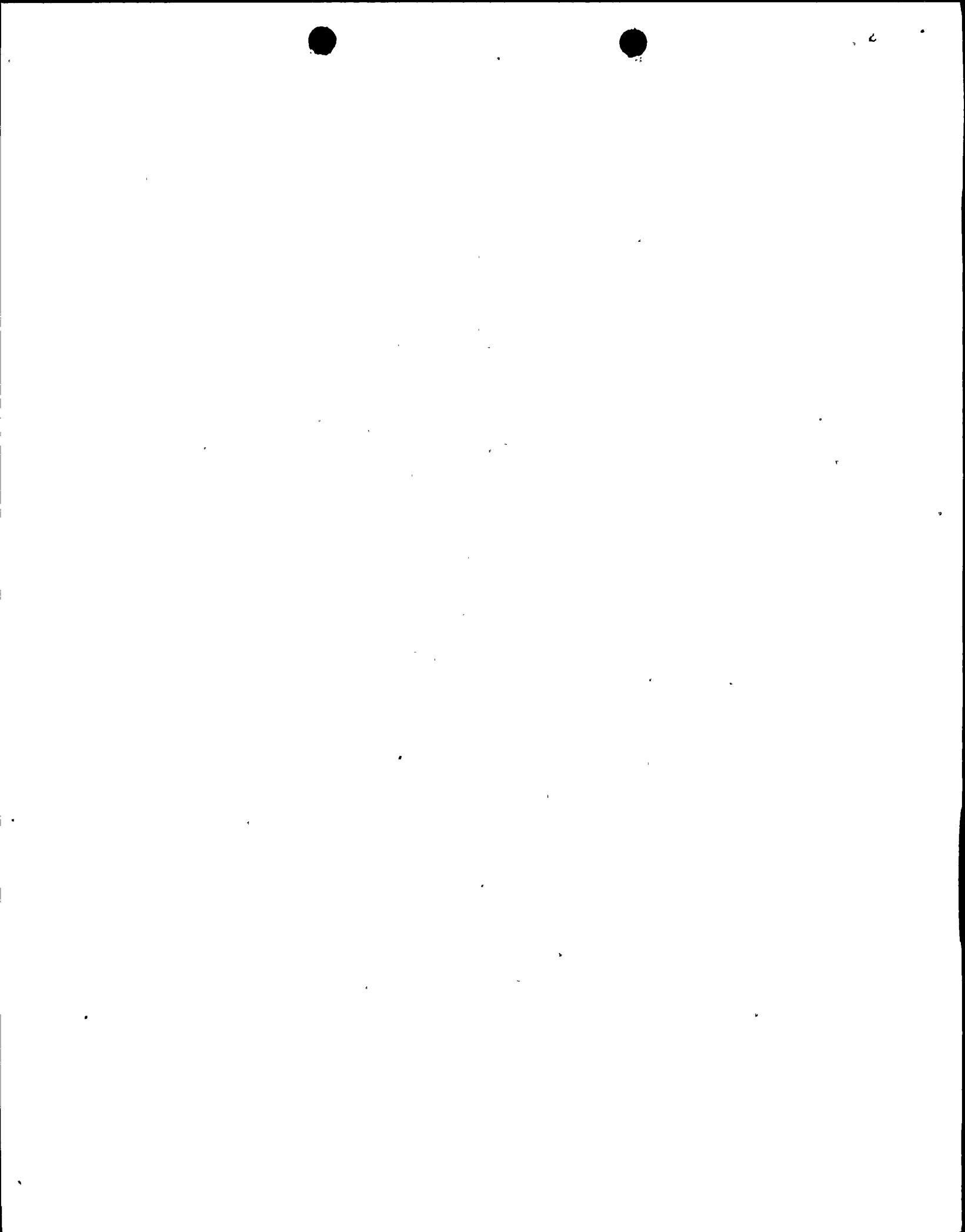
As you are no doubt aware, the Diablo Canyon low power testing and operating license applications are the subject of a contested adjudicatory proceeding. Since the Joint Intervenors have applied to the Atomic Safety and Licensing Board to reopen the hearing record on emergency planning and the Licensing Board has reserved ruling on emergency planning until it is known how the accident at Three Mile Island might impact the Diablo Canyon application, there may be further inquiry on emergency planning. In any event, under the Commission's Policy Statement of November 9, 1979, covering such proceedings, (44 Federal Register 65049) no license may be issued by the NRC staff until the Commission has reviewed the findings of the Commission's Licensing and Appeal Boards on such matters.

I trust that this information is responsive to your request.

Sincerely,

A handwritten signature in cursive script, appearing to read "Harold R. Denton".

Harold R. Denton, Director  
Office of Nuclear Reactor Regulation





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

AUG 30 1980

Docket Nos. 50-275  
and 50-323

Mr. Malcolm H. Furbush  
Vice President - General Counsel  
Pacific Gas and Electric Company  
77 Beale Street  
San Francisco, California 94106

Dear Mr. Furbush:

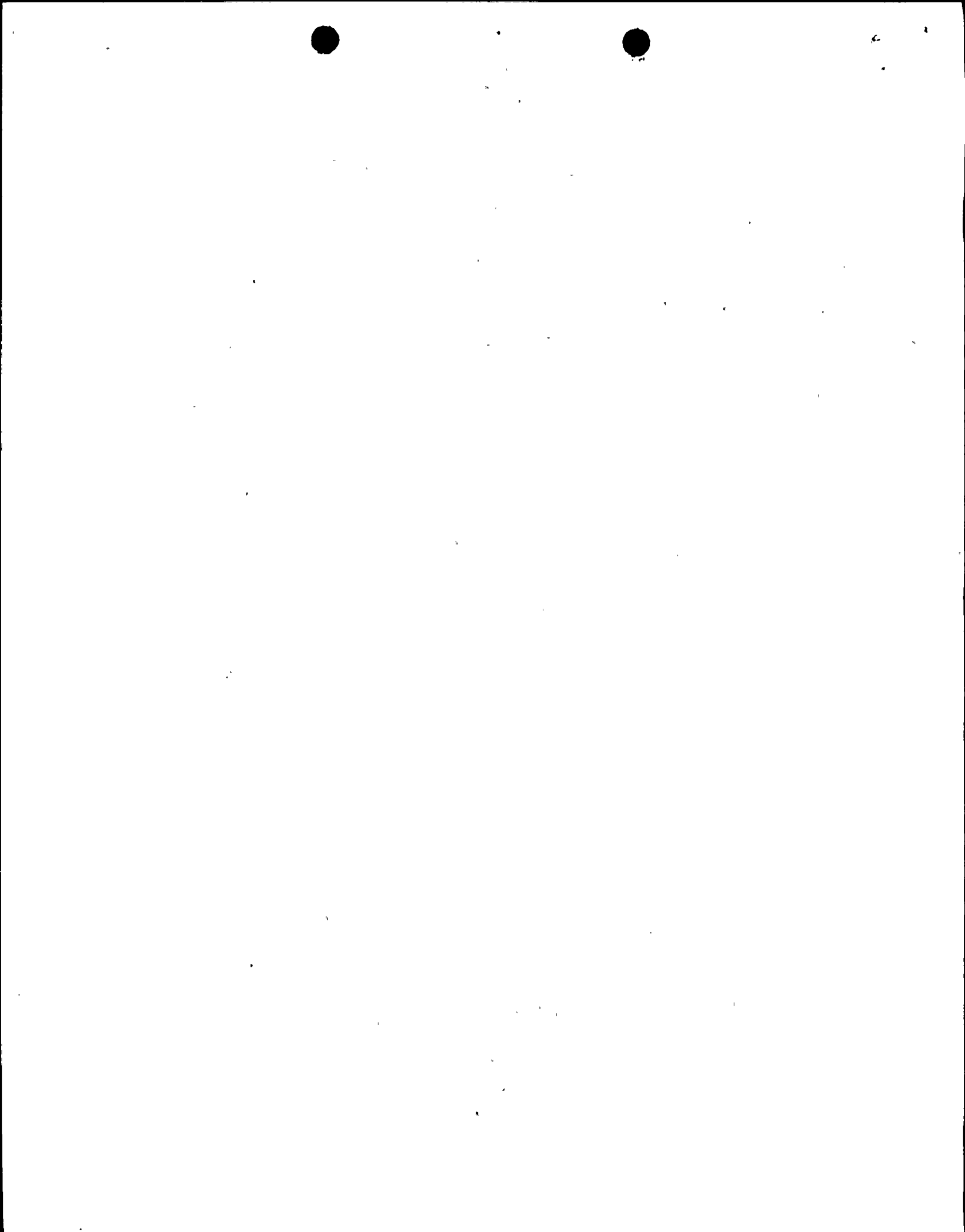
SUBJECT: EMERGENCY PLAN REVISION 2 - DIABLO CANYON UNITS 1 AND 2

Your Diablo Canyon Power Plant Units 1 and 2 Emergency Plan, Revision 2, dated February 1980 indicates on page 5-6 that a letter of agreement between PG&E and the Field Ranch is included in Appendix 7. Based upon our review of our docket copy of this document, we did not find such an agreement in Appendix 7. Please clarify as soon as possible this apparent omission. Either submit a copy of the agreement or otherwise explain the basis for the statement on page 5-6 of your February 1980 document.

Sincerely,

A handwritten signature in cursive script, appearing to read "A. Schwencer".

A. Schwencer, Acting Chief  
Licensing Branch #3  
Division of Licensing  
Office of Nuclear Reactor Regulation



cc: Philip A. Crane, Jr., Esq.  
Pacific Gas & Electric Company  
77 Beale Street  
San Francisco, California 94106

Janice E. Kerr, Esq.  
California Public Utilities Commission  
350 McAllister Street  
San Francisco, California 94102

Mr. Frederick Eissler, President  
Scenic Shoreline Preservation Conference, Inc.  
4623 More Mesa Drive  
Santa Barbara, California 93105

Ms. Elizabeth Apfelberg  
c/o Nancy Culver  
192 Luneta  
San Luis Obispo, California 93401

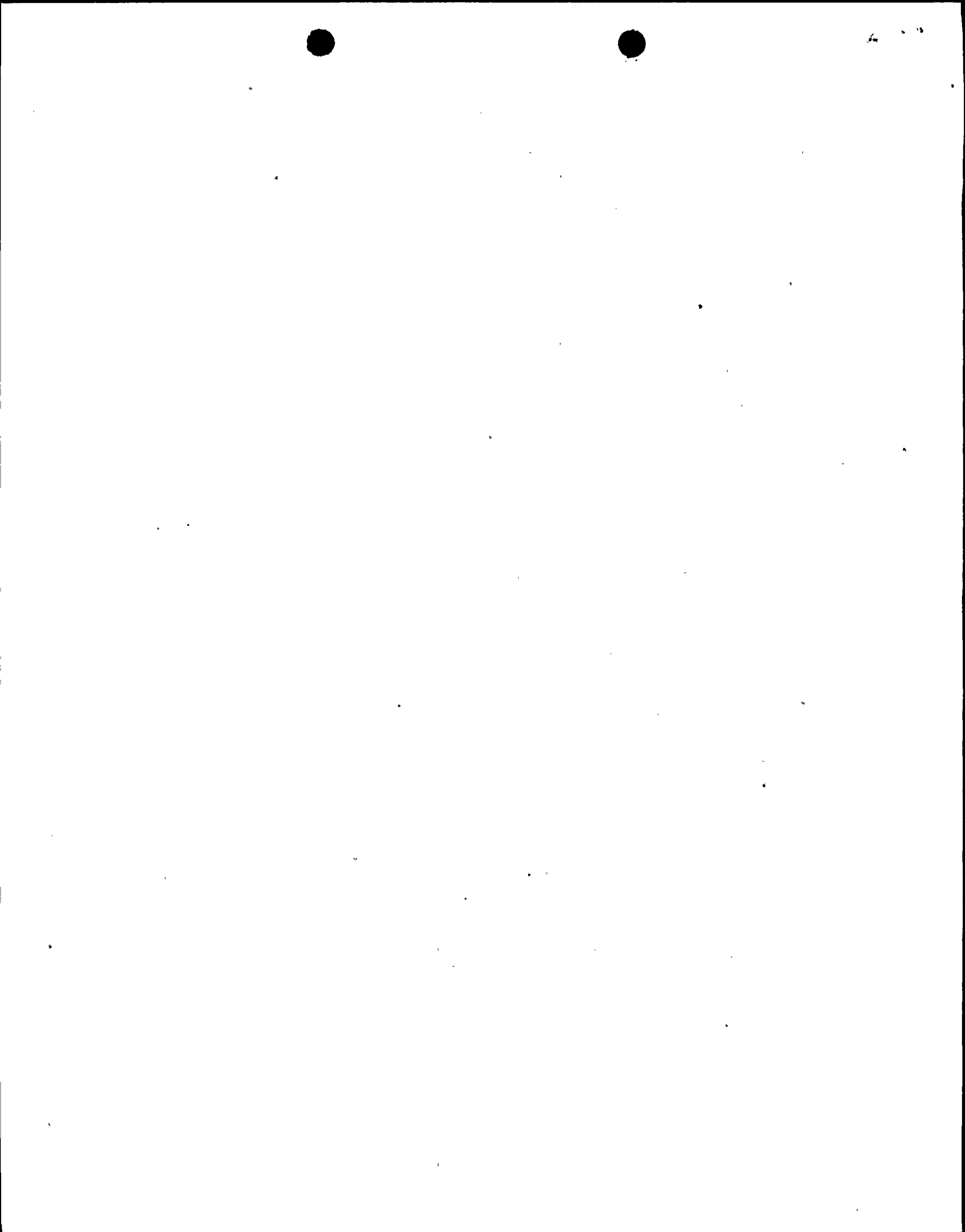
Ms. Sandra A. Silver  
1760 Alisal Street  
San Luis Obispo, California 93401

Mr. Gordon A. Silver  
1760 Alisal Street  
San Luis Obispo, California 93401

Yale I. Jones, Esq.  
100 Van Ness Avenue - 19th Floor  
San Francisco, California 94102

Mr. Richard Hubbard  
MHB Technical Associates  
Suite K  
1723 Hamilton Avenue  
San Jose, California 95125

Mr. John Marrs, Managing Editor  
San Luis Obispo County Telegram-Tribune  
1321 Johnson Avenue  
P. O. Box 112  
San Luis Obispo, California 93406





Mr. Malcolm H. Furbush

- 2 -

cc: Tolbert Young  
P. O. Box 396  
Arroyo Grande, California 93420

Elizabeth S. Bowers, Esq., Chairman  
Atomic Safety & Licensing Board  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Mr. Glenn O. Bright  
Atomic Safety & Licensing Board  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Richard S. Salzman, Esq., Chairman  
Atomic Safety & Licensing Appeal Board  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Dr. W. Reed Johnson  
Atomic Safety & Licensing Appeal Board  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

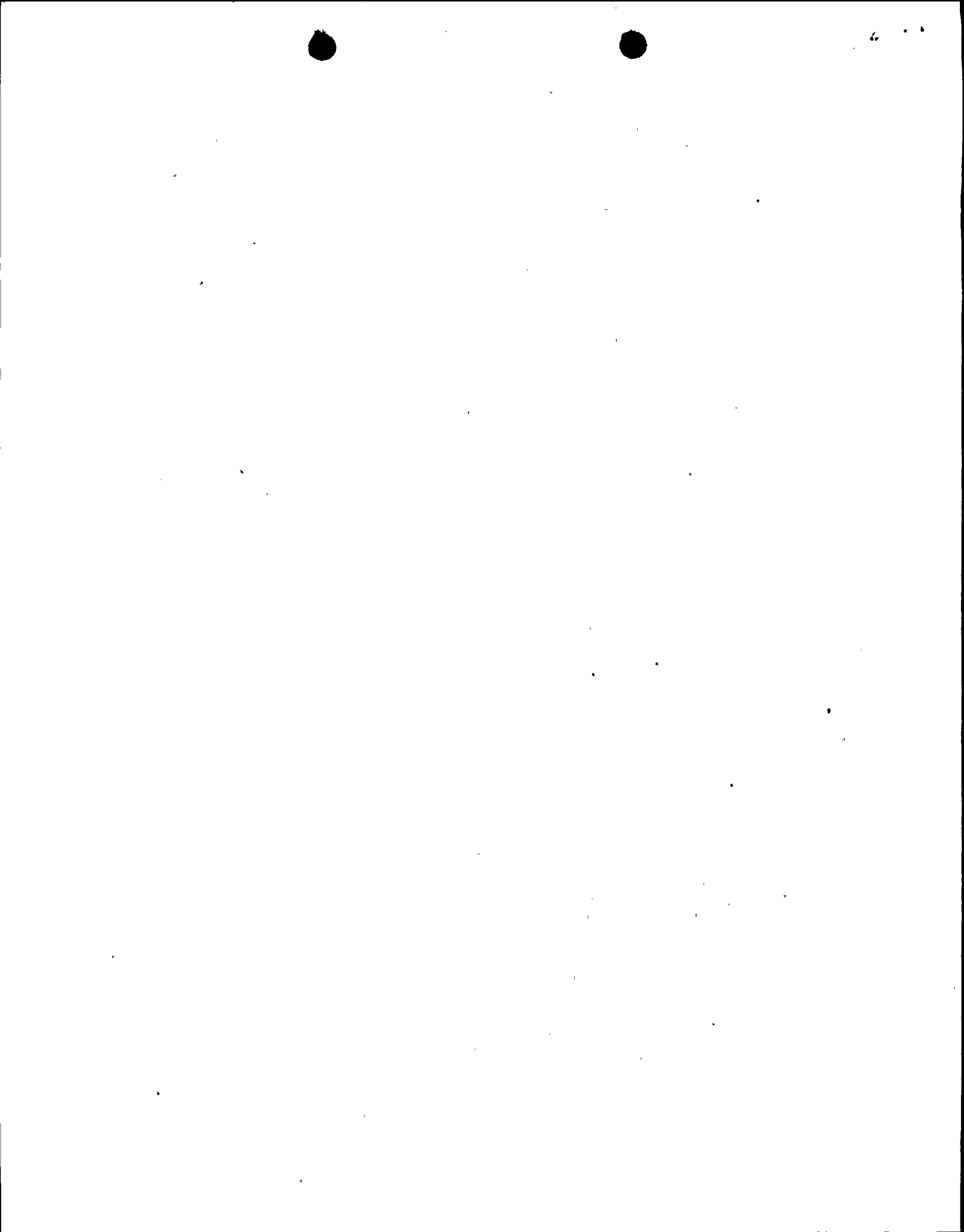
Alan S. Rosenthal, Esq.  
Atomic Safety & Licensing Appeal Board  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Ms. Raye Fleming  
1920 Mattie Road  
Shell Beach, California 93440

Brent Rushforth, Esq.  
Center for Law in the Public Interest  
10203 Santa Monica Boulevard  
Los Angeles, California 90067

Arthur B. Gehr, Esq.  
Snell & Wilmer  
3100 Valley Center  
Phoenix, Arizona 85073

Mr. James O. Schuyler  
Nuclear Projects Engineer  
Pacific Gas & Electric Company  
77 Beale Street  
San Francisco, California 94106



cc: Bruce Norton, Esq.  
Suite 202  
3216 North 3rd Street  
Phoenix, Arizona 85012

Mr. W. C. Gangloff  
Westinghouse Electric Corporation  
P. O. Box 355  
Pittsburgh, Pennsylvania 15230

Michael R. Klein, Esq.  
Wilmer, Cutler & Pickering  
1666 K. Street, N. W.  
Washington, D. C. 20006

David F. Fleischaker, Esq.  
Suite 709  
1735 Eye Street, N. W.  
Washington, D. C. 20006

Dr. William E. Martin  
Senior Ecologist  
Battelle Memorial Institute  
Columbus, Ohio 43201

W. Andrew Baldwin, Esq.  
124 Spear Street  
San Francisco, California 94105

Resident Inspector/Diablo Canyon NPS  
c/o U. S. Nuclear Regulatory Commission  
P. O. Box 219  
Avila Beach, California 93424

