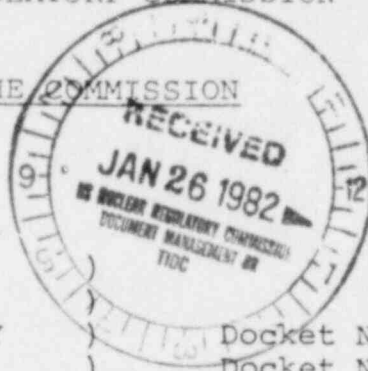


UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION



'82 JUN 25 P3:19

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In the Matter of

PACIFIC GAS AND ELECTRIC COMPANY

(Diablo Canyon Nuclear Power Plant,
Units 1 and 2)

Docket No. 50-275

Docket No. 50-323

(Full Power Hearing)

RESPONSE OF PACIFIC GAS AND ELECTRIC COMPANY
TO REQUEST OF GOVERNOR BROWN FOR DIRECTED
CERTIFICATION OF ASLB ORDER DISCLAIMING JURISDICTION
OVER EFFECTS OF EARTHQUAKES ON EMERGENCY PLANNING

On January 12, 1982 attorneys for Governor Brown filed a request for directed certification of the ASLB Order dated December 23, 1981 disclaiming jurisdiction over the impacts of earthquakes on emergency planning. PGandE submits the ASLB Order was correct and thus the request for directed certification should be denied.

The ASLB's Order was based upon its interpretation of the Commission's Memorandum and Order dated December 8, 1981 (CLI-81-33). Although the Commission itself is the ultimate authority on the meaning of its Order, it seems clear from a reading of the Commission's Order that the ASLB interpretation was correct. Two examples from the Order should suffice to indicate that the Commission has chosen to deal with the subject of the impact of earthquakes on emergency planning on a generic basis:

"Whether or not emergency planning requirements should be amended to include these considerations is a question to be addressed on a generic, as opposed to case-by-case basis." (Order 1, 2)

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"The Commission will consider on a generic basis whether regulations should be changed to address the potential impacts of a severe earthquake on emergency planning. For the interim, the proximate occurrence of an accidental radiological release and an earthquake that could disrupt normal emergency planning appears sufficiently unlikely that consideration in individual licensing proceedings pending generic consideration of the matter is not warranted." (Order 2, 3)

That the Commission intended its Order to operate generically is further confirmed by the additional views of Commissioner Ahearne and the separate views of Commissioners Bradford and Gilinsky.

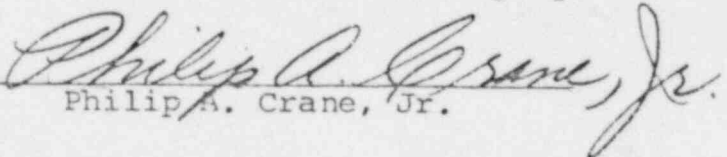
Respectfully submitted,

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By 
Philip A. Crane, Jr.

Dated: January 22, 1982

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
PACIFIC GAS AND ELECTRIC COMPANY)
)
Diablo Canyon Nuclear Power Plant,)
Units 1 and 2)
_____)

82 JAN 25 P3:22
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Docket No. 50-275
Docket No. 50-323
(Full Power Hearing)

CERTIFICATE OF SERVICE

The foregoing document(s) of Pacific Gas and Electric Company has (have) been served today on the following by deposit in the United States mail, properly stamped and addressed:

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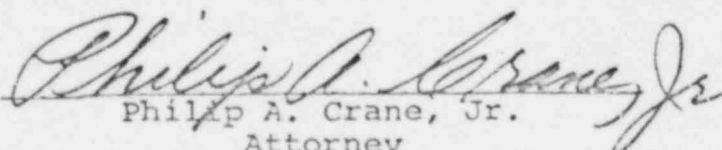
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