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CITY OF PISMO BEACH, CALIFORNIA



CITY HALL
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PISMO BEACH, CALIFORNIA, 93449
TELEPHONE 805/773/4657

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April 2, 1984

50-275
50-323

Dr. Nunzio J. Palladino, Chairman
Nuclear Regulatory Commission
1717 "H" Street Northwest
Washington, D.C. 20555

Re: Liability responsibility for Diablo Canyon Nuclear Power Plant Emergency Response Plan

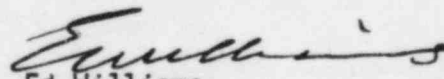
Dear Chairman Palladino:

The City Council of the City of Pismo Beach has requested that I inform you that Pismo Beach assumes no responsibility for liabilities associated with the San Luis Obispo County Nuclear Power Plant Emergency Response Plan. The City has determined that all liability for the Emergency Response Plan shall rest with the County of San Luis Obispo.

The attached Council Resolution No. 1865 states the many concerns regarding the plan, indicating that the City considers the plan inadequate to cope properly for an accident at the Diablo Canyon Nuclear Power Plant.

If you should have any questions regarding the City's concerns, please call.

Sincerely,


Ed Williams
Acting City Administrator
Director of Public Safety

EW/af

CC: County Counsel
City Attorney

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PDR ADOCK 05000275
G PDR

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CERTIFICATION

I, Cindy L. Eddy, duly appointed and Deputy City Clerk of the City of Pismo Beach, County of San Luis Obispo, State of California, do hereby certify that the attached Resolution is a true and correct copy of Resolution No. 1865, passed and approved by the City Council of the City of Pismo Beach on the 26th day of March, 1984.

Cindy L. Eddy
Cindy L. Eddy
Deputy City Clerk

Date: March 29, 1984

RESOLUTION NO. 1865

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PISMO BEACH INFORMING THE COUNTY OF SAN LUIS OBISPO AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY OF THE CITY'S CONCERNS ON THE DIABLO CANYON NUCLEAR POWER PLANT EMERGENCY RESPONSE PLAN AND INFORMING THE COUNTY OF ITS OBLIGATIONS TO ACCEPT ALL LIABILITY OF THE EMERGENCY RESPONSE PLAN.

WHEREAS, the City Council of the City of Pismo Beach has reviewed the San Luis Obispo County Diablo Canyon Emergency Response Plan; and

WHEREAS, the Plan and Emergency Operating Procedures that have been developed are supposed to insure that the public is protected in the event that an accident occurs at or related to the Diablo Nuclear Power Plant; and

WHEREAS, the Council finds that the Emergency Response Plan inadequately provides for the protection of the health, safety and welfare of the citizens of and visitors to the City of Pismo Beach; and

WHEREAS, the County Emergency Response Plan states that evacuation of the City of Pismo Beach may be infeasible due to the short warning time from the Nuclear Power Plant and length of time necessary to warn all citizens of an emergency at Diablo Canyon Nuclear Power Plant; and

WHEREAS, the Diablo Canyon Nuclear Power Plant is located less than 10 miles up-wind from Pismo Beach, and it is located in the center of a high geologic activity area between two major faults, the Hosgri and the San Andreas Faults, and it has been shown to have numerous design and construction errors, and it is located in an area which may be susceptible to tsunami damage; and

WHEREAS, the City believes that the proximity of the Diablo Nuclear Power Plant to the City and to an active earthquake fault poses an unusual hazard to the City of Pismo Beach; and

WHEREAS, even at full strength, utilizing all full and part-time employees of the City, the City Council finds that there would be inadequate personnel to handle the responsibilities of proper notification and evacuation as outlined in the proposed Emergency Operating Procedures; and

WHEREAS, it is realistic to assume that the City will have only a small portion of its employee force available at any given time to respond to an emergency incident, thus compromising the viability of the emergency operating response procedures even further; and

WHEREAS, considering the relatively small number of City Employees to assist with the process of notification and evacuation of residents and tourists, a great potential exist for inadequate communication and traffic control, resulting in potential mass hysteria and traffic accidents among those who attempt to hastily flee an impending plume cloud; and

WHEREAS, City employees have not been issued the necessary protective gear to perform their responsibilities as emergency workers; and

WHEREAS, the Emergency Response Plan fallaciously assumes that employees who are untrained, by profession, in nuclear response techniques will calmly read their dosimeters and monitor, through the appropriate channels, their level of radiation exposure as they perform emergency responsibilities; and

WHEREAS, the City Council finds that the public warning system proposed is inherently suspect, since the first notification of a possible life-threatening incident must emanate from officials at the Diablo Nuclear Power Plant who, it is logically assumed, realize the high potential of the Diablo Plant's permanent closure if even one incident happens; and

WHEREAS, no assurances exist that mutual aid agreements with other entities will be effectively implemented if a nuclear plant episode occurs, since most agencies will be overtaxed within their own jurisdictions due to the potential for wide spread impacts over the entire county; and

WHEREAS, the City has determined that measures suggested in the Emergency Response Plan for simply closing all windows and doors and staying indoors until a nuclear plume passes over the City are totally inadequate; and

WHEREAS, the Council finds that provisions for sheltering contained in the Emergency Response Plan, requiring citizens to use their own personal residences, schools and offices as fallout shelters for protection from a potential radioactive plume created by the Diablo Canyon Nuclear Power Plant, is totally ludicrous since personal residences, schools and office buildings will provide only marginal protection from fallout from the radioactive plume, which could continue from an hour to over a month; and

WHEREAS, since the study prepared for the Emergency Response Plan for notification and evacuation of Pismo Beach in the event of an accident at Diablo Canyon admits that evacuation of Pismo Beach may be infeasible during even ideal conditions (i.e., daytime, no rain, no fog, no earthquake damage, etc.), adequate local public fallout shelters will be necessary for the protection of the 5,000 to over 10,000 people in Pismo Beach from a radioactive plume from Diablo Canyon Nuclear Power Plant; and

WHEREAS, normal prevailing wind conditions place Pismo Beach in an uncommonly hazardous situation; and

WHEREAS, fog, rain and other climatic conditions can easily further hamper efforts for evacuation of Pismo Beach; and

WHEREAS, up to half of the 10,000 persons located in Pismo Beach at any one time are likely to be visiting the area from somewhere else in the state or county and will be completely unaware of any evacuation plans or measures nor will they likely be aware of the purpose of the emergency warning sirens; and

WHEREAS, there are inadequate numbers of school buses, bus drivers, and time to effectively evacuate any of the public or private schools located in the Lucia Mar School District and San Luis Coastal School District; and

WHEREAS, THE City Council has previously requested that the Federal Government and the Nuclear Regulatory Commission grant monies for the construction, maintenance and manpower for operation of fallout shelters for the normal expected population of Pismo Beach, including visitors, or approximately 10,000 persons, and they have also requested that the Federal Government institute a program for expansion of those shelters as the population of the City increases, and the City has received denials of both requests; and

WHEREAS, it will be to the detriment of the health, safety and welfare of the citizens of and visitors to the City of Pismo Beach if Diablo Canyon Nuclear Power Plant were to receive operative licenses prior to completion of adequate local protective public shelters; and

WHEREAS, large numbers of the residents of Pismo Beach and surrounding areas would be given a false sense of security, either believing or assuming they would be safely evacuated or sheltered if and when a nuclear incident happens, if the City adopts the Emergency Response Plan or if the City cooperates with and participates in the training sessions or exercises.

WHEREAS, the County of San Luis Obispo, at their discretion, eliminated the signature pages for all responsible agencies, districts and cities within the Diablo Canyon Nuclear Response Plan, thus indicating the County's disregard for the concerns of any of the responsible agencies and indicating to the City that the County was taking full responsibility for liability for the Emergency Response Plan.

NOW, THEREFORE, BE IT FURTHER RESOLVED; that:

SECTION 1:

The City Council determines that the Diablo Canyon Emergency Response Plan is solely the County's plan and that the County shall assume all liability and responsibility for the plan since the County has ignored the City's input.

SECTION 2:

The City Council desires the record to show that the City considers the plan to be inadequate and further that the plan does not protect the City.

SECTION 3:

The City Council directs the City Administrator to notify the County of San Luis Obispo, the Federal Emergency Management Agency and the Nuclear Regulatory Commission of the City's concerns expressed in this resolution and that the City has determined that all liability for the Diablo Canyon Emergency Response Plan shall rest with the County of San Luis Obispo.

On motion of Councilperson Eldwayen, seconded by Councilperson Richardson, and on the following roll call vote, to wit:

AYES: Eldwayen, Mellow, Hubbard, Richardson.

NOES: Carter.

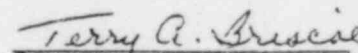
ABSENT: None.


the foregoing resolution is passed and adopted this 26th day of March, 1984.


Bill Richardson, Mayor

ATTEST:

APPROVED AS TO FORM:


Terry Briscoe
City Clerk


A. J. Shaw, Jr.
City Attorney