



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

(2)

22

November 14, 1983

OFFICE OF THE  
COMMISSIONER

MEMORANDUM FOR: Herzl H.E. Plaine, OGC  
Guy H. Cunningham, ELD

FROM: James K. Asselstine *[Signature]*

SUBJECT: DIABLO CANYON - SECY 83-377

In Secy 83-377, OGC stated that OGC and ELD were going to work out informally the issue of what the Commission should do to deal with "complicating effects of earthquakes on emergency planning." I agreed with that approach but asked for a status report from OGC and ELD. I would like to know by November 30, 1983 what you intend to recommend.

cc: Chairman Palladino  
Commissioner Gilinsky  
Commissioner Roberts  
Commissioner Bernthal  
SECY  
-OPE

8502090507 840717  
PDR FOIA  
BELL84-378 PDR

NOTATION VOTE

② 21

RESPONSE SHEET

TO: SAMUEL J. CHILK, SECRETARY OF THE COMMISSION

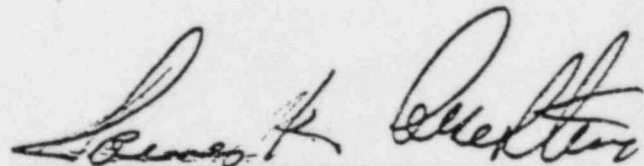
FROM: COMMISSIONER ASSELSTINE

SUBJECT: SECY-83-377 - REVIEW OF ALAB-728 (PACIFIC GAS AND ELECTRIC COMPANY, DOCKET NOS. 50-275, 50-323 OL)

APPROVED XXXXX DISAPPROVED \_\_\_\_\_ ABSTAIN \_\_\_\_\_  
NOT PARTICIPATING \_\_\_\_\_ REQUEST DISCUSSION \_\_\_\_\_

COMMENTS:

I would like a report from OGC and ELD by September 15 on what approach the Commission should take to deal with the issue of "complicating effects of earthquakes on emergency planning."



SIGNATURE

10-7-83

DATE

SECRETARIAT NOTE: PLEASE ALSO RESPOND TO AND/OR COMMENT ON OGC/OPE MEMORANDUM IF ONE HAS BEEN ISSUED ON THIS PAPER.

NOTATION VOTE

AMENDED

RESPONSE SHEET

(3) 23

TO: SAMUEL J. CHILK, SECRETARY OF THE COMMISSION

FROM: COMMISSIONER ASSELSTINE

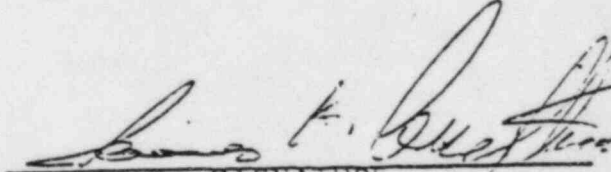
SUBJECT: SECY 83-377 - REVIEW OF ALAB-728 (PACIFIC GAS AND ELECTRIC COMPANY, DOCKET NOS. 50-275, 50-323 OL)

APPROVED SEE BELOW DISAPPROVED SEE BELOW ABSTAIN \_\_\_\_\_  
NOT PARTICIPATING \_\_\_\_\_ REQUEST DISCUSSION \_\_\_\_\_

COMMENTS: Approved in part, disapproved in part.

I AGREE WITH COMMISSIONER GILINSKY'S SEPARATE VIEWS ON THE CLASS 9 ACCIDENTS ISSUE. THE LICENSING BOARD HAS DEFINED "SPECIAL CIRCUMSTANCES" OUT OF EXISTENCE, AND THE COMMISSION SHOULD HAVE CORRECTED THIS MISTAKEN INTERPRETATION OF COMMISSION POLICY.

I ALSO AGREE THAT WE MUST DO SOMETHING ABOUT THE "COMPLICATING EFFECTS OF EARTHQUAKES ON EMERGENCY PREPAREDNESS." I AM STILL AWAITING OGC & ELD'S RECOMMENDATION ON THIS ISSUE.



SIGNATURE

11-29-83

DATE

SECRETARIAT NOTE: PLEASE ALSO RESPOND TO AND/OR COMMENT ON OGC/OPE MEMORANDUM IF ONE HAS BEEN ISSUED ON THIS PAPER.



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



1-30P  
24

November 30, 1983

MEMORANDUM FOR: Commissioner Asselstine  
FROM: Guy H. Cunningham, III  
Executive Legal Director  
THRU: William J. Dircks  
Executive Director for Operations  
SUBJECT: CONSIDERATION OF COMPLICATING EFFECTS OF  
EARTHQUAKES ON EMERGENCY PLANNING

In your Memorandum of November 14, 1983, you inquired about the ongoing efforts concerning consideration of the complicating effects of earthquakes on emergency planning.

The Staff is presently developing a Memorandum for the Commission which will provide an analysis of the matter supplemental to the Memorandum from Mr. Dircks to the Commissioners, dated June 22, 1982. Completion of this paper is anticipated within the next few weeks. It is expected that the Staff will continue to recommend that consideration of the potentially complicating effects of earthquakes in the context of emergency planning is not necessary given the level of planning already required by the Commission's regulations and, thus, no change to the regulations is warranted.

Guy H. Cunningham, III  
Executive Legal Director

cc: Chairman Palladino  
Commissioner Gilinsky  
Commissioner Roberts  
Commissioner Bernthal  
OGC  
SECY  
OPE

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IP  
~~8312050106~~

AFFIRMATION

6 26

RESPONSE SHEET

TO: SAMUEL J. CHILK, SECRETARY OF THE COMMISSION

FROM: COMMISSIONER ASSELSTINE

SUBJECT: SECY-84-70 -- CONSIDERATION OF THE COMPLICATING EFFECTS OF EARTHQUAKES ON EMERGENCY PLANNING AT DIABLO CANYON

APPROVED  AS MODIFIED DISAPPROVED \_\_\_\_\_ ABSTAIN \_\_\_\_\_  
NOT PARTICIPATING \_\_\_\_\_ REQUEST DISCUSSION \_\_\_\_\_

COMMENTS:

*Samuel J. Chilk*

SIGNATURE

2-28-84

DATE

SECRETARIAT NOTE: PLEASE ALSO RESPOND TO AND/OR COMMENT ON OGC/OPE MEMORANDUM IF ONE HAS BEEN ISSUED ON THIS PAPER.

3. if the answer to (1) or (2) is yes, then the following issues would also be relevant for this case:
- (a) the substantive review criteria that should be employed; and
  - (b) the necessity for public participation in the review of this matter, including the scope of formal hearings, if any, that should be held.

The Commission notes that <sup>it is not now pending whether</sup> any requirement for further hearings would ~~not necessarily~~ require that interim operation of the plant be stayed. The stay determination, if and when it is presented, will be a matter for the equitable discretion of the Commission or Appeal Board. See e.g., Public Service Company of New Hampshire (Seabrook Station, Units 1 and 2), CLI-77-8, 5 NRC 503 (1977). Parties need not address the stay question at this time.

All parties must respond to the questions outlined above within 15 days of the date of this Order to ensure consideration by the Commission.

It is so ORDERED.

For the Commission

\_\_\_\_\_  
 SAMUEL J. CHILK  
 Secretary of the Commission

Dated at Washington, D.C.

this            day of February, 1984.