



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

AUG 20 1981

Reverend Vincent A. Hill
Universal Life Church Inc.
512 W. Evergreen Street
Santa Maria, California 93454

Dear Reverend Hill:

Your April 8, 1981 letter to President Reagan, regarding the Diablo Canyon Nuclear Power Plants, has been referred to me for reply.

You expressed concern over the effects of low-level emissions, waste storage, inadequacy of emergency plans, and the proximity of an earthquake fault, presumably the Hosgri Fault, to the Diablo Canyon Nuclear Facility and damage sustained at the site during a storm.

Moreover, you alleged that the Pacific Gas and Electric Company attempted to cover up the radiation leakage from its Humbolt nuclear power plant.

Furthermore, you claim that you were not treated fairly at hearings conducted by the Nuclear Regulatory Commission, which I assume to be those hearings related to the Diablo Canyon plants. Our responses to your concerns are contained in Enclosures (1) through (7).

Sincerely,

Darrell G. Eisenhut
Darrell G. Eisenhut, Director
Division of Licensing
Office of Nuclear Reactor Regulation

Enclosures:
As stated

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~~DIABLO CANYON~~
~~ENCLOSURE~~

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ENCLOSURE 2

Concern: Storage of High Level Radioactive Waste MEANS BOMBS ONLY ?

Response: A principal source of high level radioactive waste is in spent fuel. The Pacific Gas & Electric Company may elect to submit, in the future, a proposal to increase the storage capacity of the spent fuel storage pool. Increased spent fuel storage capacity proposals have been previously reviewed and approved for other licensed operating reactors.

The generic problem of interim spent fuel storage has been addressed in a report titled "Final Generic Environmental Impact Statement on Handling & Storage of Spent LWR Fuel," NUREG-0575 issued by the NRC staff in August 1979. The staff found that commercial spent fuel generated through the year 2000 can be accommodated in a safe and environmentally sound manner either by modification of storage pools at the reactor sites or by providing independent spent fuel storage facilities located on the site of a parent facility such as a nuclear power station.

The Commission has licensing and regulatory authority with regard to the disposal of commercial spent fuel. While the Department of Energy has primary responsibility for developing, constructing and operating waste disposal facilities, the NRC has the responsibility to assure that these activities create no unreasonable risk to the health and safety of the public. On December 6, 1979 the NRC published proposed procedures for the disposal of high-level waste, including spent fuel, in geologic repositories. On May 13, 1980 the NRC published an advance notice of rulemaking on the technical criteria that would be applied in making the licensing findings prescribed in those procedures.

The NRC has established the Division of Waste Management to deal exclusively with nuclear waste issues. In addition, the NRC has taken part in the activities of such organizations as the Interagency Review Group on Nuclear Waste Management, the Radiation Policy Council, and the State Planning Council on Radioactive Waste Management.

Furthermore, the NRC is presently conducting a generic proceeding to reassess its degree of confidence that radioactive wastes produced by nuclear facilities will be safely disposed of, to determine when any such disposal will be available, and whether such wastes can be safely stored until they are safely disposed of. At this time, the NRC has received statements of position from the Department of Energy and other interested parties.

These activities are indicative of the attention being given to the nuclear waste disposal problem at the NRC.

ENCLOSURE 3

Concern: Emergency Preparedness and Evacuation of the area surrounding Diablo Canyon in view of the accident at Three Mile Island (TMI)

Response: Following the TMI-2 accident, the NRC has been re-examining the design and operation of all nuclear power plants including emergency evacuation plans needed to cope with potential accidents. The recommendations contained in the report by the President's Commission on the TMI-2 accident (the Kemeny Commission) as well as other actions recommended by various task forces within the NRC were considered and requirements have been established and published in NUREG-0694 for Near Term Operating Licenses. The Pacific Gas & Electric Company (PG&E) has met our emergency planning requirements for fuel loading and low power testing. For a full power license PG&E's plan must be upgraded to be in compliance with NRC criteria in NUREG-0694, NUREG-0654, "Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants", and Commission guidance in the form of the new Appendix E to the Commission's regulations. The NRC staff will verify that all the applicable requirements have been met by PG&E before a full power license is granted.

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NRC
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Advisory

ENCLOSURE 4

Concern: The proximity of the Hosgri Fault to the Diablo Canyon site and the ability of the plant to withstand a severe earthquake.

Response: The Hosgri fault, which is located 3 1/2 miles from the Diablo Canyon plants, was discovered in 1971 and has been the subject of intensive investigation by the Pacific Gas & Electric Company (PG&E), the U. S. Geological Survey (USGS) and the Nuclear Regulatory Commission. As a principal geologic advisor for the Commission, the USGS in 1975 suggested that a magnitude of 7.5 be assigned as a potential seismic value for the Hosgri Fault. It is important to note that the USGS did not say that the Hosgri would experience a 7.5M earthquake but from a conservative standpoint that magnitude could not be ruled out. Comprehensive public hearings on this matter were held by the Atomic Safety and Licensing Board (ASLB) over about a two-month period (from December 1978 to early 1979). Some of this nation's and the world's leading authorities testified and were subject to cross-examination. The experts from the NRC staff and PG&E went on to say that the plant has been designed to withstand the greater seismic event of 7.5. On September 26, 1979, the ASLB assigned to conduct the licensing hearings, issued its partial initial decision which found that a 7.5 magnitude earthquake is reasonable and meets regulatory requirements. On June 23, 1980 the Atomic Safety and Licensing Appeal Board for this matter issued a decision to reopen the hearing record to obtain testimony related to a major earthquake which occurred in California's Imperial Valley in October 1979 (shortly after the ASLB's favorable partial initial decision in September 1979). The NRC staff testimony on this issue was submitted to the Appeal Board in August 1980 and the hearing before the Appeal Board was concluded in October, 1980. The findings of the Appeal Board on this matter was issued in its Decision, dated June 16, 1981, which concluded that the Diablo Canyon Facility was adequately designed to withstand the effects of the postulated Hosgri earthquake.

ENCLOSURE 5

Concern: Damage sustained at the Diablo Canyon facility.

Response: In January, 1981 as a result of severe storms approximately 120 feet of the west breakwater structure was damaged. There are at present continuing communications between the NRC staff and the Pacific Gas & Electric Company and its consultants to resolve this matter prior to the issuance of a full power license.

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ENCLOSURE 6

Concern: Radiation Leakage at the Humbolt Bay Nuclear Facility

Response: There was airborne radioactive release from the Humbolt Bay Nuclear Facility that is normally expected during routine plant operation. However, the release was within regulatory requirements. Moreover, this facility was shut down because of concern over its capability to withstand a severe earthquake and not because of any radiation leakage. We are unaware of any hearing held on this matter in regard to the Humbolt facility.

P.G. & E. Asked you to
RAISE permissible levels
According to record

Sue NRC

Sue REAGAN

Sue P.G. & E.

Sue Sue BROWN

JOIN THE BLOCKADE

ENCLOSURE 7

Concern: Unfair Treatment at Hearings

Response: There have been various hearings held on the Diablo Canyon license application and of them all, except for the hearing on the plant physical security plan, were open to the general public. During the May, 1981 low power proceedings, the hearing location was changed to accommodate a larger number of the general public.

YOUR WORK Acted
A complete
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and
WATT

DUMP REAGAN
JOIN FFB BLOCKADE.



Mr. Darrell G. Eisenhut, Director
Div. of Licensing
NRC Atomic Regulatory Commission
Washington DC 20555