

January 13, 2014

The Honorable Lois Capps
United States House of Representatives
Washington, DC 20515

Dear Congresswoman Capps:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I wanted to follow up on your request at the December 12, 2013 hearing before the House Energy and Commerce Subcommittee on Energy and Power and the Subcommittee on Environment and the Economy for a copy of a non-concurrence concerning Diablo Canyon Nuclear Power Plant's seismic design basis, which was filed in 2012 by the then-NRC senior resident inspector at the plant.

Before the conclusion of the hearing, NRC's Office of Congressional Affairs provided to your staff an electronic copy of the non-concurrence, as well as a document that provides an explanation of the technical details discussed in the non-concurrence.

Enclosed are paper copies of these two documents. We hope that the inclusion of the detailed comments responding to the non-concurrence will provide additional context and a better understanding of the agency's regulatory decision on this complex subject.

If you need any additional information, please contact me or Rebecca Schmidt, Director of the Office of Congressional Affairs, at (301) 415-1776.

Sincerely,

/RA/

Allison M. Macfarlane

Enclosure:
As stated

cc: Representative Fred Upton
Representative Henry Waxman