

May 11, 1979

The Honorable Joseph M. Hendrie,
Chairman
Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Chairman Hendrie:

This letter is written to offer my comments on the letter to you of May 4, 1979, from the Honorable Edmund G. Brown, Jr., Governor of the State of California.

There is nothing in Governor Brown's letter concerning the Three Mile Island accident to support his request for the extraordinary action of singling out the Diablo Canyon Nuclear Power Plant for suspension of licensing proceedings.

The major lessons learned from Three Mile Island which have any relevance to nuclear plants of different design are available now. There is no indication of need for any substantial or time-consuming changes in design or operating procedures for plants such as Diablo Canyon. However, if any such changes are found necessary by us or the NRC on the basis of further information, we will make them. Even as there has been no suspension or rescission of licenses for plants similar in design to Three Mile Island, such as Rancho Seco, there is less reason to take such action in the case of the differently designed Diablo Canyon plant. It is absolutely unnecessary, therefore, to delay issuance of a license for the urgently needed Diablo Canyon plant.

As for the other points in the Governor's letter:

Emergency preparedness measures developed for Diablo Canyon already have been thoroughly considered by the NRC Staff, as well as by state and local authorities, and they were reviewed during public hearings before the Atomic Safety and Licensing Board. These measures were recently successfully tested under simulated emergency conditions by state and local officials and Company personnel. It makes no sense to suggest delaying licensing while emergency plan requirements are reviewed on a generic basis.

The seismic review of Diablo Canyon has already been made. Indeed, the entire review of the safety of the Diablo Canyon Power Plant has been described by the NRC Staff as the most thorough and searching it has ever conducted. As a result of this review, the Staff has determined that the current plant design is adequate to permit the

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plant to withstand the maximum size of earthquake specified for the plant area by the United States Geological Survey. The Advisory Committee on Reactor Safeguards has independently reviewed the seismic safety of the plant and has determined that the plant can be operated without any undue risk to the health and safety of the public. After 33 days of hearings dealing principally with geology, seismology, and seismic design, the matter was submitted in February for decision to the Atomic Safety and Licensing Board. On April 10, 1979, the Staff recommended to the Licensing Board that an operating license be issued. We are now awaiting the Board's decision, which will include a determination as to the seismic adequacy of the plant based upon sworn testimony. Apparently Governor Brown was unaware of these facts when he called for a repetition of this already completed seismic safety review process.

Your Commission's report to Congress of April 12, 1979, "Plan for Research to Improve the Safety of Light Water Nuclear Power Plants", (cited by the Governor in his letter) suggests no basis for an operating license moratorium.

The Licensing Board should render a decision and issue a license in the near future. No licensing delay greater than that imposed on other licensed operators or license applicants for plants of similar design should be imposed on the Diablo Canyon Power Plant because of Governor Brown's letter.

Sincerely,

John F. Bonner

cc: The Honorable Edmund G. Brown, Jr.

REPLICA OF JOHN F. BONNER LETTER

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