

70-235,332

United States Senate

WASHINGTON, D.C. 20510

November 6, 1981

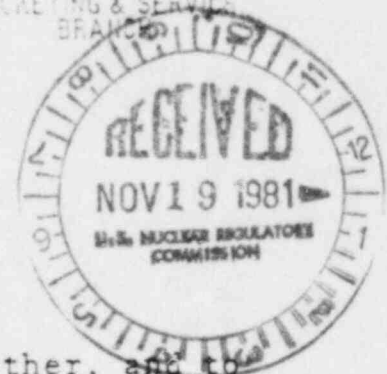
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ED

UNITED STATES SECRETARY
BOOKETING & SERVICE
BRANCH

IMMEDIATE ATTENTION

Honorable Nunzio J. Palladino
Chairman
United States Nuclear Regulatory Commission
Washington, D.C. 20555



Dear Nunzio,

The NRC has long had before it the issue of whether, and to what extent, to license operations of PG & E's Diablo Canyon nuclear power plant in California.

As the Commission knows, this controversy has generated intense feeling on both sides -- particularly among many thousands of Californians who, at the very least, are entitled to complete and sincere assurance from public officials that this facility will not, if permitted to operate, endanger their health or safety.

Throughout this debate -- and despite my personal reservations concerning many aspects of the wisdom and safety of additional investment in nuclear fission to generate electricity -- I have continuously refrained from prejudging the issue. I have urged that the NRC be permitted to complete its licensing procedures free of interference -- despite proposals from nuclear power advocates to shortcut this process without, in my view, due deference to the public health and safety risks involved; and despite proposals to interfere coming from those who believe that the NRC performs as a rubber stamp of the nuclear power industry.

Nevertheless, it is clear that if the eventual NRC decision on whether to license this facility is to command public confidence, it must be rendered under conditions which entitle it to credibility. Recent events -- particularly discovery that seismic supports have been incorrectly placed as a result of the use of an erroneous reactor design diagram -- shake the confidence of even the most neutral observer in the objectivity, carefulness and completeness of the staff work which culminated in the decision of the NRC to issue a low power testing license to this facility on September 21.

11/9...To OGC for Direct Reply..Suspense: Nov 23...Cpys to: Chm,Cmrs,PE,GC,SECY,EDO
OCA to Ack...81-2315

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PDR ADOCK 05000275
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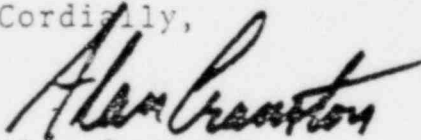
The Governor of California has -- in the face of these events -- proposed an independent audit program requiring physical reinspection and design review of Diablo Canyon's Quality Assurance/Quality Control (QA/QC) program. An essential component of this proposal is the use of an independent QA/QC consultant, chosen by the NRC after consultation with all parties to conduct the inspection and review.

My office is informed that the NRC staff has recommended this proposal be rejected.

I'm writing to indicate that I disagree strongly with the staff recommendation. This reasonable proposal -- or an equivalent procedure which will restore public confidence in these proceedings -- is an absolute necessity if the NRC is to retain public credibility.

I hope the Commission will decide to adopt a procedure which will assure the public that the data on which the NRC's licensing decisions are based in this case are objective, adequate and careful. In my view, Governor Brown has submitted such a proposal and I hope you will give it full consideration.

Cordially,


Alan Cranston

NORMAN Y. MINETA
MEMBER OF CONGRESS
17TH DISTRICT, CALIFORNIA

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TRANSPORTATION

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PERMANENT SELECT COMMITTEE
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DOCKET NUMBER 50-275,323
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Congress of the United States

House of Representatives

Washington, D.C. 20515

November 5, 1981

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Mr. Nunzio J. Palladino, Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Chairman Palladino:

Because of the recent disclosures of design, construction, and quality assurance errors at the Diablo Canyon Nuclear Power Plant, I want to urge the Commission to order an immediate independent audit of the earthquake protection and other safety-related features of the plant.

This matter is clearly critical to the welfare of the citizens of California. Recent disclosures have seriously undermined the credibility of the NRC. In order to restore public confidence in the safety of the Diablo Canyon facility, an audit by a team of independent experts is necessary.

I believe swift and decisive action by the NRC to order an immediate independent audit is necessary to protect the health and safety of California's residents. Pacific Gas and Electric and the NRC have made repeated assertions that the Diablo Canyon plant meets all requisite safety standards. Since these assurances have been proved erroneous, only an independent audit will restore public confidence in the plant and the NRC.

Sincerely yours,

Norman Y. Mineta
NORMAN Y. MINETA
Member of Congress

NYM/sjd/w

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11/9...To OGC for Direct Reply...Suspense: Nov 23...RF, OCA to Ack, Docket
EDO....Chm,Cmrs...81-2306

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HARRY COMPTON
ADMINISTRATIVE ASSISTANT

Congress of the United States
House of Representatives

CLAIR W. BURGNER
430 DISTRICT, CALIFORNIA

'81 NOV 13 P5:24

November 12, 1981

Hon. Nunzio J. Palladino
Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Chairman:

I write to urge that you and your fellow Commissioners will continue to rely upon your own agency's technical expertise, and not succumb to delaying tactics currently being pursued by intervenors in the Diablo Canyon licensing case.

Governor Brown, in his letter to you of November 7th, apparently wants the Nuclear Regulatory Commission to overturn its own staff recommendations as to who should do the review of technical procedures that were in effect at PC&E at the time the recently disclosed errors took place. Such technical review, I'm told, is well under way by outside consultants.

I have interested myself in NRC licensing matters for several years, as part of my duties on the Water and Power Subcommittee of the House Appropriations Committee, in whose jurisdiction NRC funding resides. One of the clear findings of our Subcommittee has been that much of the licensing delay in recent years has been caused by strategies and tactics of intervenors, too often calculated solely to delay the licensing timetable. I do hope such delays of this nature can soon come to a halt. Delays due to needs for bona-fide safety enhancement are not, of course, what I'm addressing here.

In my view, the NRC, especially under its new leadership, is quite capable of assessing the independence and impartiality of consultants and quite capable of separating issues designed to delay from bona-fide intervention issues. Certainly, if the NRC were to go to outside independent audits every time an intervenor so petitioned, it would not only cause delay but would put into question the Commission's own integrity. Indeed, it would indicate a lack of ability of your agency to make the judgments assigned under the Atomic Energy Act.

All Members of Congress look to your leadership in shaping decisions at NRC which are fully protective of the public health and welfare; at the same time, it is also expected that NRC will "wear its own collar" in administrative matters and not be unduly influenced by press and political over-reaction to events.

The events at Diablo Canyon are just as disquieting to advocates of nuclear technology as they are to opponents. Yet the events at Diablo indicate it is no time for panic or exaggerated solutions.

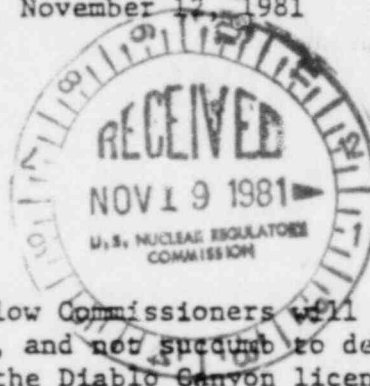
I trust you and your colleagues will be mindful of the above views and observations as you proceed toward the full licensing of the very important Diablo Canyon plant.

Sincerely,

CLAIR W. BURGNER
Member of Congress

CWB:Bb

SECRETARY
LETTERING & SERVICE
BRANCH



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S1/0

ROBERT J. LAGOMARSINO
19TH DISTRICT, CALIFORNIA

2332 RAYBURN BUILDING
WASHINGTON, D.C. 20515
202-225-3601

ASSISTANT REGIONAL WHIP, PLAINS AND
WESTERN STATES

DOCKET NUMBER 50-235,323
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COMMITTEE ON
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AFFAIRS
SUBCOMMITTEE:
INSULAR AFFAIRS
RANKING MINORITY MEMBER
PUBLIC LANDS AND NATIONAL PARKS
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Congress of the United States
House of Representatives
Washington, D.C. 20515

November 9, 1981

Nunzio Palladino, Chairman
Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Palladino:

In light of technical design discrepancies recently discovered at the Diablo Canyon nuclear power facility, I request that as the federal regulatory agency required by statute to oversee the development and conditions of nuclear facilities, the Nuclear Regulatory Commission recommend an independent team of qualified technical experts to review the Diablo Canyon plant. As you know, there is considerable concern within my district by my constituents who live near the plant with regard to the safety and earthquake resistance features of the plant.

Your immediate attention to this matter will be greatly appreciated.

Sincerely,

ROBERT J. LAGOMARSINO
Member of Congress

RJL:law

11/13...To OGC For Direct Reply...Suspense: Nov. 23...Cpys to:
BF, Docket...81-2333.

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Congress of the United States
House of Representatives

Washington, D.C. 20515

HENRY A. WAXMAN
24TH DISTRICT, CALIFORNIA

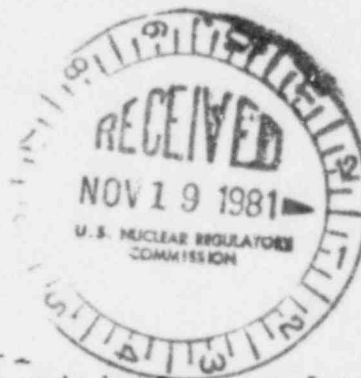
CHAIRMAN, SUBCOMMITTEE ON
HEALTH AND THE ENVIRONMENT
GOVERNMENT OPERATIONS
BUREAU
BURT MARGOLIN
ADMINISTRATIVE ASSISTANT

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OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

November 6, 1981

Mr. Nunzio J. Palladino
Chairman,
Nuclear Regulatory Commission
Washington, D.C. 20555



Dear Mr. Chairman:

I wish to endorse the request made by Governor Jerry Brown of California that the NRC conduct a new and independent audit of the earthquake hazard and design structure at the Diablo Canyon nuclear power plant.

In recent weeks, most serious questions regarding the plant's safety have been raised. The people of California, no less than the operators of the plant, have the right to know with certainty whether Diablo Canyon is safe and should continue to be licensed.

Accordingly, I very much hope the Commission will order an audit of Diablo Canyon. I respectfully request that this letter be made a part of the record of your proceedings.

With appreciation for your attention to my concern, I am

Sincerely,

Henry A. Waxman

HENRY A. WAXMAN
Member of Congress

HAW:bwd

DSO
S/H

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DOCKET NUMBER 50-275,323
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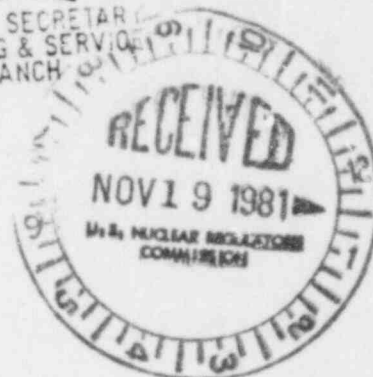
Congress of the United States
House of Representatives
Washington, D.C. 20515

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NORTH ATLANTIC ASSEMBLY

'81 NOV -9 P3:55

November 6, 1981

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH



Nunzio J. Palladino, Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Chairman Palladino:

I am writing in support of Governor Brown's October 2nd letter to you asking for an independent audit of the Diablo Canyon nuclear power plant. I fully agree with Governor Brown and urge that the NRC immediately order an independent audit as specified in his letter:-

The siting and construction of this power plant has been a matter of considerable interest and concern to me over the past several years. Recently discovered errors in the design and construction of the plant are compelling evidence of the need for an investigation which will be credible to the public.

I appreciate your immediate attention to this matter.

Sincerely,

PHILLIP BURTON
Member of Congress

PB:ed/r

11/9...To OGC for Direct Reply...Suspense: Nov 23...Cpys to: Chm,Cmrs,PE
EDO, RF...81-2314

DSOS
5/10

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Congress of the United States
House of Representatives

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November 5, 1981

Mr. Nunzio J. Palladino
Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Chairman Palladino:

I urge that the Nuclear Regulatory Commission order an independent audit of the earthquake protection and other safety-related features of the Diablo Canyon nuclear power plant, as recommended by Governor Brown.

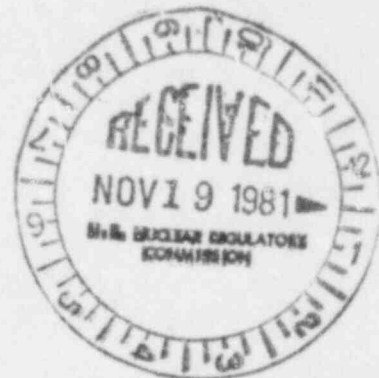
I feel that it is extremely important that the public has confidence in the safety of that plant, and that an independent audit, ordered by the NRC, would be vital in trying to establish that confidence.

Very truly yours,

George E. Danielson
Member of Congress

GED:rvv

cc: Honorable Edmund G. Brown, Jr.



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