

CITY OF PISMO BEACH, CALIFORNIA



CITY HALL
1000 BELLO ST. • P.O. BOX 3
PISMO BEACH, CALIFORNIA, 93449
TELEPHONE 805/773/4657

July 1, 1983



Thomas Moore, Chairman
Atomic Safety and Licensing Appeal Board
U.S. Nuclear Regulatory Commission
Office of Public Affairs
Washington, D.C. 20555

Re: Hearing on Diablo Canyon Nuclear Power Plant, July 19, 1983

Dear Chairman Moore:

I am writing to you on behalf of the City of Pismo Beach. The City wishes to express their concern regarding licensing of the Diablo Canyon Nuclear Power Plant.

While you are evaluating the evidence related to the design and construction deficiencies, we would ask that you also consider the deficiencies in the County Emergency Response Plan.

The City of Pismo Beach feels that there are significant inadequacies in the plan as follows:

1. The public entities and hospitals expected to respond to a nuclear accident at Diablo Canyon lack adequate numbers of trained personnel or sufficient equipment and supplies necessary to respond quickly and effectively to a serious release of nuclear radiation.
2. Endangered citizens could not be evacuated in a timely manner. Notification will be very difficult and many people do not or will not have readily available transportation. Evacuation roadway networks are limited in number and small in size. Frequent circumstances such as heavy fog, darkness, and rain could greatly hamper evacuation. An earthquake could make evacuation almost impossible should it affect roadway systems or communication systems. Nothing in the S.O.P. or the Emergency Response Plan resolves this issue except sheltering. However, shelters are not being provided and the typical Pismo Beach homes will provide no more than 10 percent protection since most are wood framed without basements.

Thomas Moore, Chairman
July 1, 1983
Page 2

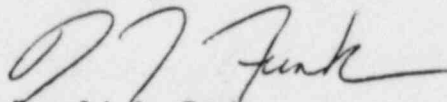
The City of Pismo Beach has been placed in an uncommonly hazardous situation due to our proximity to Diablo Canyon Nuclear Power Plant. The attached Resolutions, state but just a few of the extreme problems associated with the current Emergency Response Plan for San Luis Obispo County.

Please read the attached resolutions carefully. We hope that after you understand our concerns, you will assist us in ensuring that no licensing or other permits for operation of the Diablo Canyon Nuclear Power Plant will be granted until after our concerns for our health, safety and welfare have been addressed to our satisfaction.

We appreciate your consideration of this matter.

Thank you.

Sincerely,



Donald J. Funk
Community Development Director
City of Pismo Beach

DJF/af

Enclosures

CC: Senator Alan Cranston
Congressman Leon Panetta
Senator Pete Wilson
City Council
City Administrator

RESOLUTION NO. 1745

WHEREAS, the Diablo Canyon power plant has been the subject of a reverification analysis of its seismic safety as required by the U.S. Nuclear Regulatory Commission (NRC); and

WHEREAS, the NRC recently adopted a licensing schedule which permits restoration of the plant's license and fuel loading before the reverification program is completed, before the results are analyzed, and before any corrective action called for in that program, if any, can be implemented; and

WHEREAS, the licensing schedule for the plant also has no provision for the completion of studies of three plant safety systems ordered by the NRC, nor for the analysis of those studies, nor for the implementation of their recommendations;

THEREFORE, BE IT RESOLVED that the City Council of the City of Pismo Beach urges, in the interest of the public's health and safety, that licensing, fuel loading or operation of the Diablo Canyon power plant be deferred until the reverification program and safety studies commissioned by the NRC are finished; the plant is proven to be safe; and all plant modifications to safety related structures, systems, and components are completed.

On motion of Councilperson Mellow, seconded by Councilperson Richardson, and on the following roll call vote, to wit:

AYES: Mellow, Hubbard, Richardson

NOES: Carter

ABSTAIN: Eldwayen

the foregoing resolution is passed and adopted this 28th day of February, 1983.

Bill Richardson
Bill Richardson, Mayor

ATTEST:

Marion L. Houston
Marion L. Houston, CMC
City Clerk

APPROVED AS TO FORM:

A.J. Shaw, Jr.
City Attorney

CITY OF PISMO BEACH, CALIFORNIA

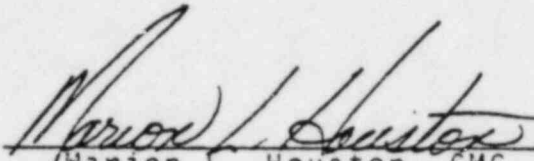


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C E R T I F I C A T I O N

I, Marion L. Houston, duly appointed and City Clerk of the City of Pismo Beach, County of San Luis Obispo, State of California, do hereby certify that the attached Resolution #1745 is a true and correct copy of the Resolution passed and adopted by the City Council of the City of Pismo Beach on February 28, 1983.

Date: March 2, 1983



Marion L. Houston, CMC
City Clerk
City of Pismo Beach, CA

Response Plan

RESOLUTION NO. 1632



A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PISMO BEACH ADDRESSING OF NEED FOR EARTHQUAKE PLANNING AS AN ESSENTIAL PART OF NUCLEAR RESPONSE PREPAREDNESS.

WHEREAS, the Diablo Canyon Nuclear Powerplant is located within 2.5 miles of a major active earthquake fault; and

WHEREAS, seismic safety is recognized as a critical safety issue in the licensing proceedings for the plant; and

WHEREAS, adequate emergency preparedness is essential to protect the health and safety of persons residing, working, and attending school in and around the City of Pismo Beach.

NOW, THEREFORE, BE IT RESOLVED, that the City of Pismo Beach urgently petitions the Board of Supervisors of the County of San Luis Obispo to require that the complications resulting from a major earthquake be fully addressed in the San Luis Obispo County Nuclear Response Plan, and in each of its major components, before such plan is approved, and

BE IT FURTHER RESOLVED, that the City Council has no present intention of approving such Response Plan absent thorough consideration in the plan of the complications resulting from a major earthquake causing, or occurring simultaneously with, a radiological emergency at the plant; and

BE IT FURTHER RESOLVED, that this Resolution shall be promptly forwarded to the San Luis Obispo County Board of Supervisors the California Office of Emergency Services, the Federal Emergency Management Agency, and the United States Nuclear Regulatory Commission.

Upon motion of Councilperson Richardson and second of Councilperson Mellow and on the following roll call vote; to wit:

AYES: Richardson, Mellow, Eldwayen

NOES: Carter, Dillon

ABSENT: None

the foregoing resolution was adopted this 11th day of January, 1982.

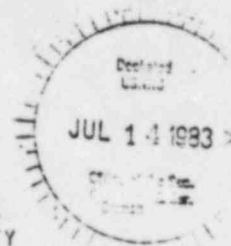
ATTEST:

Marion L. Houston, City Clerk

Nebo Eldwayen, Mayor
APPROVE AS TO FORM:

A. J. Shaw, Jr., City Attorney

ORDINANCE NO. 269



AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF PISMO BEACH CONCERNING TRANSPORTING
OF RADIOACTIVE MATERIALS IN THE CITY
OF PISMO BEACH.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PISMO BEACH:

Section 1. No person shall transport into or through the City of Pismo Beach any quantity of radioactive material specified as follows:

- (1) Plutonium isotopes in any quantity and form exceeding two grams or 20 curies, whichever is less;
- (2) Uranium enriched in the isotope U235 exceeding 25 atomic percent of the total uranium content in quantities where U235 content exceeds one kilogram;
- (3) Any of the actinides (i.e., elements with atomic number 89 or greater) the activity of which exceeds 20 curies;
- (4) Spent reactor fuel elements or mixed fission products associated with such spent fuel elements the activity of which exceeds 20 curies;
- (5) Any quantity of radioactive material specified as a "Large Quantity" by the Nuclear Regulatory Commission in 10 CFR, Part 71, entitled "Packaging of Radioactive Material for Transport"; or
- (6) Any radioactive material or substance which spontaneously emits ionizing radiation but not to include unconcentrated or unprocessed materials as they occur in nature which emit radiation. This is not intended to apply to small quantities of specified radioactive materials intended for therapeutic radiology and biomedical research or educational purposes.

Section 2. This ordinance shall not apply to radioactive materials shipped by or for the United States Government for military or national security purposes or which are related to national defense. Nothing herein shall be construed as requiring the disclosure of any defense information or restricted data as defined in the Atomic Energy

Act of 1954 and the Energy Reorganization Act of 1974, as amended.

Section 3. Any person who violates any provision of this ordinance shall be fined not more than five hundred (\$500.00) dollars for each violation.

Section 4. If any part of this ordinance is held unconstitutional or invalid, all remaining portions shall remain in full force and effect, except remaining portions which are essential and inseparably connected with and dependent upon the unconstitutional or invalid portion of which, standing alone, are incomplete and incapable of being executed in accordance with legislative intent.

Section 5. The City Clerk shall certify to the adoption of this ordinance. The City Council hereby finds and determines that there are no newspapers of general circulation both published and circulated within the City, and in compliance with Section 36933 of the Government Code, directs the City Clerk to cause said ordinance within fifteen days after its passage to be posted in at least three public places in the City of Pismo Beach, to wit: This ordinance shall take effect thirty days after its adoption.

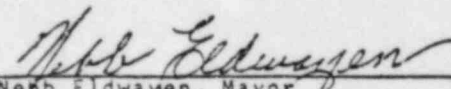
1. U. S. Post Office in Shell Beach
2. Corner of Pomeroy and Cypress Streets
3. Entrance to the City Pier

Introduced at a regular meeting of the City Council held this 23rd day of June, 1980, by the following roll call vote:

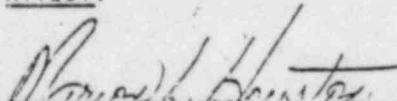
AYES: Mellow, Richardson, Eldwayen

NOES: Dillon

ABSENT: Carter


Nebo Eldwayen, Mayor

ATTEST:


Marlon L. Houston, CMC

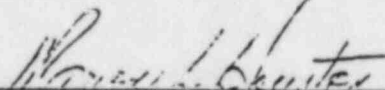
Passed and adopted by the City Council at a regular meeting of the
City Council of the City of Pismo Beach held this 14th day of
July, 1980, by the following roll call vote to wit:

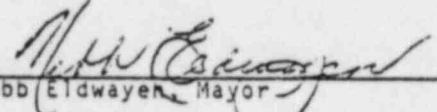
AYES: Mellow, Richardson, Eldwayen

NOES: Dillon

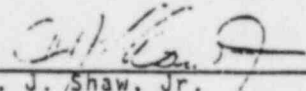
ABSENT: Carter

ATTEST:


Marion L. Houston, City Clerk


Webb Eldwayen, Mayor

APPROVED AS TO FORM:


A. J. Shaw, Jr.
City Attorney

RESOLUTION NO. 1692

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PISMO BEACH REQUESTING NUCLEAR REGULATORY COMMISSION FUNDS FOR FALLOUT SHELTERS AND DEMANDING THAT ALL LICENSES FOR OPERATION OF THE DIABLO CANYON NUCLEAR POWER PLANT BE WITHHELD UNTIL SHELTERS ARE COMPLETE.



WHEREAS, the County Emergency Response Plan states that evacuation of the City of Pismo Beach may be infeasible due to the short warning time and length of time necessary to warn all citizens of an emergency at Diablo Canyon Nuclear Power Plant; and

WHEREAS, there are inadequate numbers of school buses, bus drivers, and time to effectively evacuate any of the public or private schools located in Pismo Beach; and

WHEREAS, the City has determined that measures suggested in the Emergency Response Plan for simply closing all windows and doors and staying indoors until a nuclear plume passes over the City are totally inadequate; and

WHEREAS, the City believes that the proximity of the Diablo Nuclear Power Plant to the City and to an active earthquake fault poses an unusual hazard to the City of Pismo Beach; and

WHEREAS, fog, rain and other climatic conditions can easily further hamper efforts for evacuation of Pismo Beach; and

WHEREAS, up to half of the 10,000 persons located in Pismo Beach at any one time are likely to be visiting the area from somewhere else in the state or country and will be completely unaware of any evacuation plans or measures nor will they likely be aware of the purpose of the emergency warning sirens; and

WHEREAS, normal prevailing wind conditions place Pismo Beach in an uncommonly hazardous situation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pismo Beach as follows:

1. The City Council hereby requests that the Federal Government and the Nuclear Regulatory Commission grant monies for the construction, maintenance and manpower for operation of fallout shelters for the normal expected population of Pismo Beach, including visitors, of approximately 10,000 persons.
2. The City Council further requests that the Federal Government institute a program for expansion of those shelters as the population of the City increases.
3. The City Council lastly, and most importantly, requests that the Nuclear Regulatory Commission withhold any operations of licenses for power for Diablo Canyon Nuclear Power Plant until after adequate shelters have been completed.

On motion of Councilmember Mellow, seconded by Councilmember Hubbard, the foregoing Resolution is passed and adopted at a regular meeting of the City Council of the City of Pismo Beach, held this 13th day of September, 1982, on the following roll call vote, to wit:

AYES: Mellow, Hubbard, Eldwayen, Richardson
NOES: None
ABSENT: Carter
ABSTAIN: _____

Bill Richardson
Bill Richardson
Mayor
City of Pismo Beach

ATTEST:

Marion L. Houston
Marion L. Houston, CMC
City Clerk
City of Pismo Beach

APPROVED AS TO FORM:

A.J. Shaw, Jr.
A.J. Shaw, Jr.
City Attorney
City of Pismo Beach

RESOLUTION NO. 1695

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PISMO BEACH EXPRESSING STRONG CONCERN ABOUT THE SAN LUIS OBISPO COUNTY NUCLEAR POWER PLANT EMERGENCY RESPONSE PLAN AND THE EMERGENCY OPERATING PROCEDURES RELATED THERETO.

WHEREAS, the San Luis Obispo County Nuclear Power Plant Emergency Response Plan has been developed and will be considered soon by the County Board of Supervisors; and

WHEREAS, the Plan and Emergency Operating Procedures that have been developed are supposed to insure that the public is protected in the event that an accident occurs at or related to the Diablo Nuclear Power Plant; and

WHEREAS, the Plan and Emergency Operating Procedures have been carefully reviewed by the City Council members and key staff of the City of Pismo Beach and found to be grossly inadequate to insure public safety in the event of a nuclear incident; and

WHEREAS, large numbers of the residents of Pismo Beach and surrounding areas may have been given a false sense of security, that they would be safely evacuated or sheltered if and when a nuclear incident happens; and

WHEREAS, the City Council of the City of Pismo Beach maintains that the Plan and Emergency Operating Procedures are seriously deficient for at least the following reasons:

1. Even at full strength, utilizing all full and part-time employees of the City, there would be inadequate personnel to handle the responsibilities of proper notification and evacuation as outlined in the proposed Emergency Operating Procedures.
2. It is realistic to assume that the City will have only a small portion of its employee force available at any given time to respond to an emergency incident, thus compromising the viability of the emergency operating response procedures even further.
3. There are no fallout shelters or properly insulated buildings in the City of Pismo Beach which can provide safety to City residents and visitors from the effects of life-threatening radiation.

4. Considering the relatively small number of City employees to assist with the process of notification and evacuation of residents and tourists, a great potential exists for inadequate communication and traffic control, resulting in potential mass hysteria and traffic accidents among those who attempt to hastily flee an impending plume cloud.
5. City employees have not been issued the necessary protective gear to perform their responsibilities as emergency workers.
6. The Plan fallaciously assumes that employees who are untrained, by profession, in nuclear response techniques will calmly read their dosimeters and monitor, through the appropriate channels, their level of radiation exposure as they perform emergency responsibilities. Such a premise exemplifies the "drawing board" naivete which pervades the entire Emergency Response Plan, and especially the Emergency Operating Procedures the City is being expected to implement.
7. The public warning system proposed is inherently suspect, since the first notification of a possible life-threatening incident must emanate from officials at the Diablo Nuclear Power Plant who, it is logically assumed, realize the high potential of the Diablo Plant's permanent closure if even one incident happens.
8. No assurances exist that mutual aid agreements with other entities will be effectively implemented if a nuclear plant episode occurs.
9. If key personnel such as the Emergency Services Director and Emergency Services Coordinator are unavailable when an incident occurs, it may seriously affect the successful organization, continuity, and implementation of the Emergency Operating Procedures, at the potential risk of many lives.
10. The City simply does not have the financial, equipment, or personnel resources to properly protect its citizens if an episode occurs at the Diablo Nuclear Power Plant.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF PISMO BEACH strongly objects to the inadequate and life-threatening deficiencies in the Plan and Emergency Operating Procedures which have been developed, and

BE IT FURTHER RESOLVED THAT THE City of Pismo Beach resents the attitude of arrogance conveyed by those who would minimize the City's concerns for its residents and its ability to successfully influence the requirement of safe and workable emergency operating procedures,

AND BE IT FINALLY RESOLVED THAT THE CITY COUNCIL OF THE CITY OF PISMO BEACH FINDS THE PLAN AND STANDARD OPERATING PROCEDURES FOR PISMO BEACH INADEQUATE AND UNACCEPTABLE AND REQUESTS THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN LUIS OBISPO to withhold any approval of the County Nuclear Power Plant Emergency Response Plan until the City's concerns for public safety have been satisfactorily addressed, until every City and Agency involved has approved a Plan and adopted S.O.P.'s for their areas of responsibility.

On motion of Councilperson Mellow, and second of Councilperson Hubbard, and on the following roll call vote, to wit:

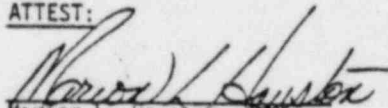
AYES: Mellow, Hubbard, Eldwayen, Richardson

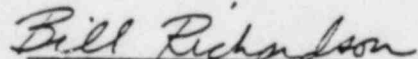
NOES: None

ABSENT: Carter

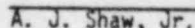
the foregoing resolution was passed and adopted on the 17th day of September, 1982.

ATTEST:


Marion L. Houston, CMC
City Clerk


Bill Richardson, Mayor

APPROVED AS TO FORM:


A. J. Shaw, Jr.
City Attorney

CITY OF PISMO BEACH, CALIFORNIA

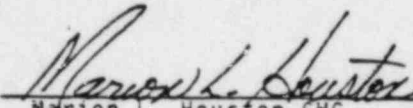


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C E R T I F I C A T I O N

I, Marion L. Houston, duly appointed and City Clerk of The City of Pismo Beach, County of San Luis Obispo, State of California, do hereby certify that the attached Resolution is a true and correct copy of Resolution #1695 passed and approved by the City Council of the City of Pismo Beach on the 17th day of September 1982.

Date: September 20, 1982


Marion L. Houston, CMC
City of Pismo Beach, CA

RESOLUTION NO. 1746



A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PISMO BEACH NOTIFYING THE COUNTY OF SAN LUIS OBISPO, THE GOVERNOR AND STATE LEGISLATURE OF THE STATE OF CALIFORNIA AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND NUCLEAR REGULATORY COMMISSION OF THE INADEQUACY OF THE DIABLO CANYON NUCLEAR POWER PLANT EMERGENCY RESPONSE PLAN.

WHEREAS, the City Council of the City of Pismo Beach has reviewed the San Luis Obispo County Emergency Response Plan; and

WHEREAS, the Council found that the Emergency Response Plan inadequately provides for the protection of the health, safety and welfare of the citizens of and visitors to the City of Pismo Beach; and

WHEREAS, the Diablo Canyon Nuclear Power Plant is located less than 10 miles up-wind from Pismo Beach, and it is located in the center of a high geologic activity area between two major faults, the Hosgri and the San Andreas Faults, and it has been shown to have numerous design and construction errors, and it is located in an area which may be susceptible to tsunami damage.

WHEREAS, the Council finds that provisions for sheltering contained in the Emergency Response Plan, requiring citizens to use their own personal residences, schools and offices as fallout shelters for protection from a potential radioactive plume created by the Diablo Canyon Nuclear Power Plant, is totally unacceptable since personal residences, schools and office buildings will provide only marginal protection from fallout from the radioactive plume, which could continue from an hour to over a month; and

WHEREAS, since the study prepared for the Emergency Response Plan for notification and evacuation of Pismo Beach in the event of an accident at Diablo Canyon admits that evacuation of Pismo Beach may be infeasible during even ideal conditions (i.e., daytime, no rain, no fog, no earthquake damage, etc.), adequate local public fallout shelters will be necessary for the protection of the 5,000 to over 10,000 people in Pismo Beach from a radioactive plume from Diablo Canyon Nuclear Power Plant; and

WHEREAS, the Emergency Response Plan for an accident at Diablo Canyon Nuclear Power Plant will not provide attainment of the Safety Goals recently adopted by the Nuclear Regulatory Commission and could result in the death and injuries to many hundreds or thousands of tourists and residents of Pismo Beach; and

WHEREAS, it will be to the detriment of the health, safety and welfare of the citizens of and visitors to the City of Pismo Beach if Diablo Canyon Nuclear Power Plant were to receive operative licenses prior to completion of adequate local protective public shelters.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pismo Beach, as follows:

Section I: We request that the State Legislature of the State of California not approve any Emergency Response Plan for the County of San Luis Obispo until after adequate sheltering is provided for the anticipated adult and child population of the City of Pismo Beach.

Section II: We request that no licensing or other permits for operation of the Diablo Canyon Nuclear Power Plant be granted until after the concerns for the health, safety and welfare of the citizens of and visitors to the City of Pismo Beach have been addressed to the satisfaction of the City Council of the City of Pismo Beach.

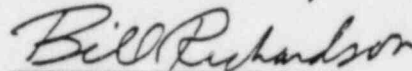
ON MOTION of Councilmember Mellow, seconded by Councilmember Hubbard, the foregoing Resolution is passed and adopted at a regular meeting of the City Council held this 28th day of February, 1983, on the following roll call vote, to wit:

AYES: Mellow, Hubbard, Eldwayen, Richardson

NOES: Carter

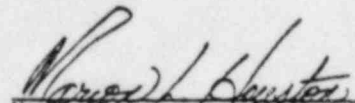
ABSTAIN: None

ABSENT: None



Bill Richardson, Mayor
City of Pismo Beach

ATTEST:


Marion L. Houston, CMC
City Clerk
City of Pismo Beach

APPROVED AS TO FORM:

A. J. Shaw, Jr.
City Attorney
City of Pismo Beach