

**Congress of the United States**  
**Washington, DC 20515**

July 19, 2010

The Honorable Gregory B. Jaczko  
Chairman  
U.S. Nuclear Regulatory Commission  
Mail Stop O-16G4  
Washington, DC 20555-0001

Dear Chairman Jaczko:

We are writing to make you aware of efforts underway in our state to gather and analyze the most current data on the seismic issues surrounding the Diablo Canyon Nuclear Power Plant (DCNPP). We are also concerned with the NRC's evaluation of a newly discovered earthquake fault offshore of DCNPP that is based on a preliminary report that uses information gathered in the past.

Our state regulatory agencies have a responsibility for maintaining both the reliability and economic viability of California's energy planning strategies, along with concerns for protection of health, safety and security. Moreover, the legislature has mandated that a new, updated seismic study using advanced methods be undertaken for the DCNPP area, and has made completion of these studies in a timely fashion a requirement for any state processes that affect relicensing of the DCNPP.

We specifically ask the NRC to collaborate with our state's regulatory agencies and create a joint panel to review—upon their completion—the seismic studies requested of the utility by our state regulators and legislature. In recent years, the California Energy Commission (CEC) has facilitated similar panels when deliberating on energy planning and nuclear policy issues, which also included participation of federal agencies such as the NRC and the U.S. Department of Energy. To assist with their most recent seismic vulnerability assessment, the CEC formed a Seismic Vulnerability Advisory Team made up of seismic safety experts from California's Seismic Safety Commission, California Geological Survey, and the California Coastal Commission. It is likely that a similar team could be assembled for the proposed joint review panel.

The CEC, the California Public Utilities Commission and the California Coastal Commission have all filed comments in the DCNPP license renewal proceedings, indicating that many seismic uncertainties remain unstudied and unresolved. The urgency of resolving the state's seismic concerns necessitates the formation of a joint

review panel made up of experts and we urge the NRC to take immediate steps to ensure it has the tools and resources it needs.

Thank you for your attention to this request.

Sincerely,



**LOIS CAPPS**  
Member of Congress



**BOB FILNER**  
Member of Congress