



*Pacific Gas and
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November 30, 2000

PG&E Letter DCL-00-145

U.S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555-0001

Docket No. 50-275, OL-DPR-80
Docket No. 50-323, OL-DPR-82
Diablo Canyon Units 1 and 2
License Amendment Request 00-08
Revision to TS 5.5.14, "Technical Specification Bases Control Program"

Dear Commissioners and Staff:

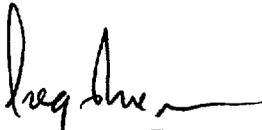
Enclosed is an application for amendment to Facility Operating License Nos. DPR-80 and DPR-82 pursuant to 10 CFR 50.90. The enclosed license amendment request (LAR) proposes to revise Administrative Controls Technical Specifications (TS) 5.5.14b and 5.5.14b.2 to incorporate the changes made to 10 CFR 50.59. The proposed changes would replace the word "involve" with "require" in TS 5.5.14b and revise TS 5.5.14b.2 to state: "a change to the updated FSAR or Bases that requires NRC approval pursuant to 10 CFR 50.59." The changes are consistent with NRC approved Industry/Technical Specification Task Force (TSTF) Standard Technical Specification Change Traveler, TSTF-364, Revision 0, as amended by Westinghouse Owners Group (WOG) editorial change WOG-ED-24.

PG&E is submitting this license amendment application in conjunction with the industry consortium of five plants as a result of a mutual agreement known as Strategic Teaming and Resource Sharing (STARS). The STARS group consists of the five plants operated by TXU Electric, AmerenUE, Wolf Creek Nuclear Operating Corporation, PG&E, and STP Nuclear Operating Company. AmerenUE is the lead utility for the LAR, and the other members of the STARS group can also be expected to submit plant-specific LARs similar to this one. These additional LARs will be submitted in parallel with AmerenUE's application, in order to reduce the amount of NRC resources required to evaluate and approve the applications.

A001

PG&E requests approval of the proposed license amendment by February 28, 2001, with the amendment being implemented within [60] days of issuance of the license amendment. The requested approval date coincides with the expected implementation date for the final rule associated with 10 CFR 50.59.

Sincerely,



Gregory M. Rueger
Senior Vice President – Generation and Chief Nuclear Officer

cc: Edgar Bailey, DHS
Ellis W. Merschoff
David L. Proulx
Girija S. Shukla
Diablo Distribution

Enclosures

1. Description and Assessment
2. Mark-up of TS 5.5.14
3. Revised TS 5.5.14
4. STARS Comparison Table
5. Affected FSAR pages

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of PACIFIC GAS AND ELECTRIC COMPANY Diablo Canyon Power Plant Units 1 and 2) Docket No. 50-275) Facility Operating License) No. DPR-80)) Docket No. 50-323) Facility Operating License) No. DPR-82
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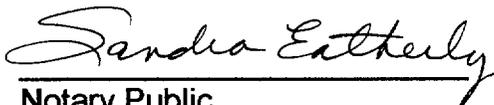
AFFIDAVIT

Gregory M. Rueger, of lawful age, first being duly sworn upon oath says that he is Senior Vice President - Generation and Chief Nuclear Officer of Pacific Gas and Electric Company; that he has executed LAR 00-08 on behalf of said company with full power and authority to do so; that he is familiar with the content thereof; and that the facts stated therein are true and correct to the best of his knowledge, information, and belief.

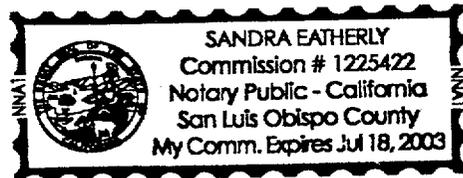


 Gregory M. Rueger
 Senior Vice President – Generation and Chief Nuclear Officer

Subscribed and sworn to before me this 30th day of November, 2000



 Notary Public
 County of San Luis Obispo
 State of California



DESCRIPTION AND ASSESSMENT

1.0 INTRODUCTION

- 1.1 This proposed License Amendment Request (LAR) is a request pursuant to 10 CFR 50.90 to revise Technical Specification (TS) 5.5.14b and TS 5.5.14b.2, "Technical Specifications (TS) Bases Control Program," for Diablo Canyon Power Plant Units 1 & 2.

1.2 Final Safety Analysis Report (FSAR) Section

Changes to Diablo Canyon's FSAR will be processed upon approval of this LAR. Affected pages are enclosed as a reference (Enclosure 5).

2.0 DESCRIPTION

The proposed License Amendment would revise Administrative Controls TS 5.5.14b and 5.5.14b.2 to incorporate the changes made to 10 CFR 50.59 as published in the Federal Register (Reference 1). The proposed changes would replace the word "involve" with "require" in TS 5.5.14b and revise TS 5.5.14b.2 to state: "a change to the updated FSAR or Bases that requires NRC approval pursuant to 10 CFR 50.59."

3.0 BACKGROUND

10 CFR 50.59 establishes the conditions under which licensees may make changes to the facility or procedures and conduct tests or experiments without prior NRC approval.

In 1999, the NRC revised its regulation (Reference 1) controlling changes, tests and experiments performed by nuclear plant licensees. The changes were prompted by the need to resolve differences in interpretations of the rule's requirements by the industry and the NRC that came into clear focus in 1996. The rule change had two principal objectives, both aimed at restoring much needed regulatory stability to this regulation:

- Establish clear definitions to promote common understanding of the rule's requirements and
- Clarify the criteria for determining when changes, tests, and experiments require prior NRC approval.

The changes approved by the Commission in 1999 made 10 CFR 50.59 more focused and efficient by:

- Providing greater flexibility to licensees, primarily by allowing changes that have minimal safety impact to be made without NRC approval and
- Clarifying the threshold for "screening out" changes that do not require full evaluation under 10 CFR 50.59, primarily by adoption of key definitions, and codifying the rule process.

Proposed changes, tests, and experiments that satisfy the definitions and one or more of the criteria in the rule must be reviewed and approved by the NRC before implementation.

The current TS Bases Control Program required by TS 5.5.14 allows licensees to make a change to the Bases without NRC approval provided the change does not involve "a change to the updated FSAR or Bases that involves an unreviewed safety question as defined in 10 CFR 50.59." With the revisions to 10 CFR 50.59, the term "unreviewed safety question" was eliminated. Therefore, the TS should be revised to be consistent with the revision to 10 CFR 50.59. The proposed change is described below and is consistent with NRC approved Industry/Technical Specification Task Force (TSTF) Standard Technical Specification Change Traveler, TSTF-364, Revision 0 as amended by Westinghouse Owners Group (WOG) editorial change WOG-ED-24, (Reference 2).

4.0 TECHNICAL ANALYSIS

The proposed changes to TS 5.5.14 are made as a result of the NRC amending its regulation, 10 CFR 50.59, concerning the authority for licensees of production or utilization facilities, such as nuclear reactors, and independent spent fuel storage facilities, and for certificate holders for spent fuel storage casks, to make changes to the facility or procedures, or to conduct tests or experiments, without prior NRC approval. The final rule clarifies the specific types of changes, tests, and experiments conducted at a licensed facility or by a certificate holder that require evaluation, and revises the criteria that licensees and certificate holders must use to determine when NRC approval is needed before such changes, tests, or experiments can be implemented. The revised regulation eliminates the term "unreviewed safety question," adds definitions for terms that have been subject to differing interpretations, and reorganizes the language of the regulation for clarity.

The proposed changes to TS 5.5.14 to incorporate the NRC approved TSTF-364, Revision 0 as amended by WOG-ED-24 do not have any

impact on FSAR accident analyses. This change is administrative in nature based on the revision of 10 CFR 50.59.

5.0 REGULATORY ANALYSIS

5.1 No Significant Hazards Determination

PG&E has evaluated whether or not a significant hazards consideration is involved with the proposed changes by focusing on the three standards set forth in 10 CFR 50.92 as discussed below:

1. *Do the proposed changes involve a significant increase in the probability or consequences of an accident previously evaluated?*

Response: No

The proposed change replaces the word "involve" with "require" and deletes reference to the term "unreviewed safety question" consistent with 10 CFR 50.59. Deletion of the term "unreviewed safety question" was approved by the NRC with the revision to 10 CFR 50.59. Consequently, the probability of an accident previously evaluated is not significantly increased. Changes to the Technical Specification (TS) Bases are still evaluated in accordance with 10 CFR 50.59. As a result, the consequences of any accident previously evaluated are not significantly affected.

Therefore, the proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. *Do the proposed changes create the possibility of a new or different kind of accident from any accident previously evaluated?*

Response: No

The proposed changes do not involve a physical alteration of the plant (no new or different type of equipment will be installed) or a change in the methods governing plant operation. These changes are considered administrative changes and do not modify, add, delete, or relocate any technical requirements in the TS.

Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any previously evaluated.

3. *Do the proposed changes involve a significant reduction in a margin of safety?*

Response: No

The proposed changes will not reduce the margin of safety because they have no effect on any safety analyses assumptions. Changes to the TS Bases that result in meeting the criteria in paragraph (c)(2) of 10 CFR 50.59 will still require NRC approval. The proposed changes to TS 5.5.14 are considered administrative in nature based on the revision to 10 CFR 50.59.

Therefore, the proposed changes do not involve a reduction in a margin of safety.

Based on the above evaluations, PG&E concludes that the activities associated with the above described changes present no significant hazards consideration under the standards set forth in 10 CFR 50.92 and accordingly, a finding by the NRC of no significant hazards consideration is justified.

5.2 Regulatory Safety Analysis

Applicable Regulatory Requirements/Criteria

The regulatory basis for TS 5.5.14 is to ensure a program exists for processing changes to the TS Bases. These changes may or may not require NRC approval when evaluated in accordance with the requirements of 10 CFR 50.59.

10 CFR 50.36(a) requires that the TS have a summary statement of the bases or reasons for such specifications, but shall not become part of the TS. Thus, the Bases are required per this regulation, but are not a part of the TS.

10 CFR 50.36(c)(5) requires that the TS include a category called "Administrative Control," that contains the provisions relating to organization and management, procedures, record keeping, review and audit, and reporting necessary to assure operation of the facility in a safe manner.

Analysis

The regulatory requirements/criteria continue to be met. Changes to the TS Bases will still be regulated by 10 CFR 50.59.

Conclusion

The proposed LAR is in compliance with 10 CFR 50.36(a), 10 CFR 50.36(c)(5), and 10 CFR 50.59.

6.0 ENVIRONMENTAL EVALUATION

PG&E has evaluated the proposed changes and has determined that the changes do not involve (i) a significant hazards consideration, (ii) a significant change in the types or significant increase in the amount of effluent that may be released offsite, or (iii) a significant increase in the individual or cumulative occupational radiation exposure. Accordingly, the proposed change meets eligibility criterion for categorical exclusion set forth in 10 CFR 51.22(c)(9). Therefore, pursuant to 10 CFR 51.22(b), an environmental assessment of the proposed changes is not required.

7.0 REFERENCES

1. Federal Register, Vol. 64, No. 191, pg. 53582, "Changes, Tests, and Experiments."
2. Industry/TSTF Standard Technical Specification Change Traveler TSTF-364, "Revision to TS Bases Control Program to Incorporate Changes to 10 CFR 50.59," Rev 0 as amended by WOG ED-24.

MARKED-UP IMPROVED TECHNICAL SPECIFICATION

Remove Page

Page 5.0-23

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Page 5.0-23

5.5 Programs and Manuals (continued)

5.5.14 Technical Specifications (TS) Bases Control Program

This program provides a means for processing changes to the Bases of these Technical Specifications.

- a. Changes to the Bases of the TS shall be made under appropriate administrative controls and reviews.
- b. Licensees may make changes to Bases without prior NRC approval provided the changes do not ~~involve~~^{require} either of the following:
 - 1. a change in the TS incorporated in the license; or
 - 2. ~~a change to the updated FSAR or Bases that involves an unreviewed safety question as defined in~~ 10 CFR 50.59.
- c. The Bases Control Program shall contain provisions to ensure that the Bases are maintained consistent with the FSAR.
- d. Proposed changes that meet the criteria of Specification 5.5.14b above shall be reviewed and approved by the NRC prior to implementation. Changes to the Bases implemented without prior NRC approval shall be provided to the NRC on a frequency consistent with 10 CFR 50.71(e).

requires NRC approval pursuant to

5.5.15 Safety Function Determination Program (SFDP)

This program ensures loss of safety function is detected and appropriate actions taken. Upon entry into LCO 3.0.6, an evaluation shall be made to determine if loss of safety function exists. Additionally, other appropriate actions may be taken as a result of the support system inoperability and corresponding exception to entering supported system Condition and Required Actions. This program implements the requirements of LCO 3.0.6. The SFDP shall contain the following:

- a. Provisions for cross train checks to ensure a loss of the capability to perform the safety function assumed in the accident analysis does not go undetected;
- b. Provisions for ensuring the plant is maintained in a safe condition if a loss of function condition exists;
- c. Provisions to ensure that an inoperable supported system's Completion Time is not inappropriately extended as a result of multiple support system inoperabilities; and
- d. Other appropriate limitations and remedial or compensatory actions.

A loss of safety function exists when, assuming no concurrent single failure, a safety function assumed in the accident analysis cannot be performed. For the purpose of this program, a loss of safety function may exist when a support system is inoperable, and:

- a. A required system redundant to the system(s) supported by the inoperable support system is also inoperable; or

(continued)

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135

REVISED TECHNICAL SPECIFICATION PAGE

5.5 Programs and Manuals (continued)

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 1. a change in the TS incorporated in the license; or
 2. a change to the updated FSAR or Bases that requires NRC approval pursuant to 10 CFR 50.59.
- c. The Bases Control Program shall contain provisions to ensure that the Bases are maintained consistent with the FSAR.
- d. Proposed changes that meet the criteria of Specification 5.5.14b above shall be reviewed and approved by the NRC prior to implementation. Changes to the Bases implemented without prior NRC approval shall be provided to the NRC on a frequency consistent with 10 CFR 50.71(e).

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- a. A required system redundant to the system(s) supported by the inoperable support system is also inoperable; or

(continued)

STARS JOINT LAR COMPARISON TABLE

CHANGE DESCRIPTION	CALLAWAY ⁽¹⁾	COMANCHE PEAK	DIABLO CANYON	SOUTH TEXAS PROJECT	WOLF CREEK
INTRODUCTION		Includes proposed changes to TS 5.5.17.		STP will submit similar changes as part of a separate license amendment request to revise portions of Section 6.0 of the STP Technical Specifications.	
DESCRIPTION (add rows as necessary to describe TS changes)		Includes proposed changes to TS 5.5.17.			
BACKGROUND		Includes proposed changes to TS 5.5.17.			
TECHNICAL ANALYSIS		Includes proposed changes to TS 5.5.17.			
NO SIGNIFICANT HAZARDS DETERMINATION		Includes proposed changes to TS 5.5.17.			
REGULATORY SAFETY ANALYSIS		Includes proposed changes to TS 5.5.17.			
ENVIRONMENTAL EVALUATION					
REFERENCES					

⁽¹⁾ AmerenUE is the lead utility for this LAR. This table identifies differences from the lead utility application.

SCHEDULAR TABLE ⁽²⁾

PROPOSED DATE	CALLAWAY	COMANCHE PEAK	DIABLO CANYON	SOUTH TEXAS PROJECT	WOLF CREEK
EXPECTED SUBMITTAL DATE	11/22/00	12/08/00	12/06/00	SEE NOTE BELOW	12/07/00
REQUESTED APPROVAL DATE	02/28/01	02/28/01	02/28/01	SEE NOTE BELOW	02/28/01
IMPLEMENTATION PERIOD	60 DAYS	60 DAYS	60 DAYS	SEE NOTE BELOW	60 DAYS

⁽²⁾ This Table provides schedule only and is not considered a part of the LAR submittal.

NOTE: South Texas Project's submittal will be at a later date to be coordinated with their project manager.

Enclosure 5
PG&E Letter DCL-00-145

AFFECTED FINAL SAFETY ANALYSIS REPORT PAGES

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(8) Quality assurance practices

NSOC shall report to and advise the Senior Vice President and General Manager, NPG, on those areas of responsibility specified in the Review and Audits sections below.

Composition - NSOC shall be composed of a chairman and a minimum of four members. The NSOC Chairman and members shall be appointed in writing by the Senior Vice President and General Manager, NPG. The NSOC Chairman shall have a minimum of six years of professional level managerial experience in the power field, and NSOC members shall have a minimum of five years of professional level experience in the field of their specialty. The NSOC Chairman and all members shall have qualifications that meet or exceed the requirements and recommendations of Section 4.7 of ANSI/ANS 3.1-1978.

Consultants - Consultants shall be used as determined by the NSOC Chairman to provide expert advice to NSOC.

Meeting Frequency - NSOC shall meet at least once per 6 months.

Quorum - A quorum of NSOC is necessary for the performance of the NSOC functions of this FSAR Update section and shall be a majority (one-half or more) of the members, but no less than four. No more than a minority of the quorum shall have line responsibility for operation of the plant.

Review - NSOC shall review:

- (1) The safety evaluations for: (a) changes to procedures, equipment or systems, and (b) tests or experiments completed under the provision of 10 CFR 50.59, to verify that such actions did not ~~constitute an unreviewed safety question~~ *require prior NRC approval.*
- (2) Proposed changes to procedures, equipment or systems which ~~involve an unreviewed safety question~~ *as defined in 10 CFR 50.59*
- (3) Proposed tests or experiments that ~~involve an unreviewed safety question~~ as defined in 10 CFR 50.59
- (4) Proposed changes to Diablo Canyon Power Plant's Technical Specifications or Operating License
- (5) Violations of codes, regulations, orders, Technical Specifications, license requirements, or of internal procedures or instructions having nuclear safety significance
- (6) Significant operating abnormalities or deviations from normal and expected performance of plant equipment that affect nuclear safety

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have expertise in the same general area as the regular PSRC member they represent. No more than two alternates shall participate as voting members in PSRC activities at any one time.

Meeting Frequency - The PSRC shall meet at least once per calendar month and as convened by the PSRC Chairman or his designated alternate.

Quorum - The minimum quorum of the PSRC necessary for performance of the PSRC responsibility and authority provisions of this FSAR Update section shall be a majority (more than one-half) of the members of the PSRC. For purposes of the quorum, this majority shall include the Chairman or his designated alternate and no more than two alternate members.

The PSRC shall be responsible for:

- require prior
NRC approval* →
- (1) Reviewing the documents listed below to verify that proposed actions do not ~~constitute an unreviewed safety question~~ or require a change to the Technical Specifications and recommending approval or disapproval in writing to the appropriate approval authority
 - (a) Safety evaluations of proposed procedures and procedure changes completed under the provisions of 10 CFR 50.59
 - (b) Safety evaluations of proposed tests or experiments completed under the provisions of 10 CFR 50.59
 - (c) Safety evaluations of proposed changes or modifications to plant structures, systems, or equipment completed under the provisions of 10 CFR 50.59
 - (d) Safety evaluations of proposed changes to the following plans and programs completed under the provisions of 10 CFR 50.59:
 1. Security Plan
 2. Emergency Plan
 3. Process Control Program
 4. Offsite Dose Calculation Procedure
 5. Environmental Radiological Monitoring Program
 6. Fire Protection Program
 - (2) Reviewing all proposed changes to DCP's Technical Specifications and advising the Plant Manager on their acceptability
 - (3) Investigating all violations of the Technical Specifications including the preparation and forwarding of reports covering evaluation and recommendations to prevent recurrence to the Senior Vice President and General Manager, NPG,

DCPP UNITS 1 & 2 FSAR UPDATE

and to the Chairman of the NSOC; the assessment shall include an assessment of the safety significance of each violation

- (4) Reviewing all reportable events in order to advise the Plant Manager on the acceptability of proposed corrective actions, and forwarding of reports covering evaluation and recommendations to prevent recurrence to ~~the Chairman of NSOC~~ and the Senior Vice President and General Manager, Nuclear Power Generation.
- (5) Reviewing significant plant operating experience or events that may indicate the existence of a nuclear safety hazard, and advising the Plant Manager on an appropriate course of action
- (6) Reviewing the Security Plan and implementing procedures and submitting results and recommended changes to the Chairman of NSOC and the Plant Manager
- (7) Reviewing the Emergency Plan and implementing procedures and submitting results and recommended changes to the Chairman of NSOC and the Plant Manager
- (8) Reviewing any accidental, unplanned, or uncontrolled radioactive release including the preparation and forwarding of reports covering evaluation, recommendations, and disposition of the corrective action to prevent recurrence to the Senior Vice President and General Manager, NPG, and to the Chairman of NSOC
- (9) Recommending in writing to the appropriate approval authority, approval or disapproval of the items considered under paragraphs (1) and (2), above
- (10) Rendering determinations in writing with regard to whether each item considered under paragraphs (1) through (4), above, ~~constitutes an unreviewed safety question~~ *require prior NRC approval*
- (11) Providing written notification within 24 hours to the Senior Vice President and General Manager, NPG, of disagreement between the PSRC and the Plant Manager; however, the Plant Manager shall have responsibility for resolution of such disagreements
- (12) Reviewing, prior to approval, new procedures used to handle heavy loads in exclusion areas and changes directly related to methods and routes used to handle heavy loads in exclusion areas.

Records - The PSRC shall maintain written minutes of each PSRC meeting that, at a minimum, document the results of all PSRC activities performed under the responsibility and authority provisions of this FSAR Update section. Copies shall be provided to the Senior Vice President and General Manager, NPG, and to NSOC.

17.2.5 Independent Technical Review Program