



**Pacific Gas and  
Electric Company**

**Gregory M. Rueger**  
Senior Vice President—  
Generation and  
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February 27, 2002

PG&E Letter DCL-02-022

U.S. Nuclear Regulatory Commission  
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Docket No. 50-275, OL-DPR-80  
Docket No. 50-323, OL-DPR-82  
Diablo Canyon Units 1 and 2  
Response to NRC Request for Additional Information Regarding License  
Amendment Request 01-02, "Credit For Soluble Boron In The Spent Fuel Pool  
Criticality Analysis"

Dear Commissioners and Staff:

The NRC staff has identified additional information required in order to complete their evaluation associated with License Amendment Request 01-02, which would allow the use of credit for soluble boron in the spent fuel pool criticality analysis. PG&E's response to the request for additional information is included in Enclosure 1. U.S. Department of Energy Topical Report DOE/RW-0472, Revision 1, "Topical Report on Actinide-Only Burnup Credit for PWR Spent Fuel Packages," dated May 1, 1997, which the NRC requested to be submitted for review, is contained in Enclosure 2. Proprietary and non-proprietary versions of Westinghouse Electric Company LLC (Westinghouse) Report A-GEN-FE-0118, Revision 0, "Isotopic Number Densities for Discharged Westinghouse 17x17 Fuel Assemblies," dated November 15, 2000, which the NRC also requested to be submitted for review, are contained in Enclosure 3.

The proprietary version of Westinghouse Report A-GEN-FE-0118, Revision 0, contains information proprietary to Westinghouse. Accordingly, Enclosure 4 includes a Westinghouse Proprietary Affidavit Pursuant To 10 CFR 2.790 and accompanying Copyright Notice. The affidavit is signed by Westinghouse, the owner of the information. The affidavit sets forth the basis on which the Westinghouse proprietary information contained in Westinghouse Report A-GEN-FE-0118, Revision 0, may be withheld from public disclosure by the Commission, and it addresses with specificity the considerations listed in paragraph (b)(4) of 10 CFR 2.790 of the Commission's regulations.

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Correspondence with respect to the copyright or proprietary aspects of the application for withholding related to the Westinghouse proprietary information or the Westinghouse affidavit provided in Enclosure 4 should reference Westinghouse Letter LTR-ESI-02-16, dated January 29, 2002 and be addressed to Norton L. Shapiro, Advisory Engineer, CE Engineering Technology, Westinghouse Electric Company LLC, P.O. Box 500, Windsor, Connecticut 06095.

This additional information does not affect the results of the safety evaluation and no significant hazards determination previously transmitted in PG&E Letter DCL-01-096, "License Amendment Request 01-02, Credit For Soluble Boron In The Spent Fuel Pool Criticality Analysis," dated September 13, 2001.

If you have any questions regarding this response, please contact Patrick Nugent at (805) 545-4720.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gregg M. Rueger'.

Gregg M. Rueger  
Senior Vice President - Generation and Chief Nuclear Officer

kjs/4328

Enclosures


cc/enc: Girija S. Shukla  
cc/enc 1: Edgar Bailey, DHS  
Ellis W. Merschoff  
David L. Proulx  
Diablo Distribution

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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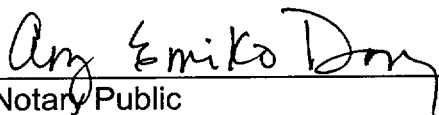
AFFIDAVIT

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 this response to the request for additional information on License Amendment Request 01-02 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.



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

Subscribed and sworn to before me this 27<sup>th</sup> day of February 2002.  
County of San Francisco  
State of California

  
\_\_\_\_\_  
Notary Public

