

September 23, 1994

Mr. Gregory M. Rueger
Nuclear Power Generation, B14A
Pacific Gas and Electric Company
77 Beale Street, Room 1451
P.O. Box 770000
San Francisco, California 94177

SUBJECT: ISSUANCE OF AMENDMENTS FOR DIABLO CANYON NUCLEAR POWER PLANT,
UNIT NO. 1 (TAC NO. M90256) AND UNIT NO. 2 (TAC NO. M90257)

Dear Mr. Rueger:

The Commission has issued the enclosed Amendment No. 95 to Facility Operating License No. DPR-80 and Amendment No. 94 to Facility Operating License No. DPR-82 for the Diablo Canyon Nuclear Power Plant, Unit Nos. 1 and 2, respectively. The amendments consist of changes to the Technical Specifications (TS) in response to your application dated August 29, 1994.

These amendments specify an alternate method of determining water and sediment content for new diesel fuel oil as specified in TS 3/4.8.1.1, "A.C. Sources - Operating."

This license amendment has been handled on an exigent basis in accordance with 10 CFR 50.91(a)(6). A copy of the related Safety Evaluation is enclosed. A notice of issuance will be included in the Commission's next regular biweekly Federal Register notice.

Sincerely,
Original signed by:
Sheri R. Peterson, Project Manager
Project Directorate IV-2
Division of Reactor Projects III/IV
Office of Nuclear Reactor Regulation

Docket Nos. 50-275 and 50-323

- Enclosures:
1. Amendment No. 95 to DPR-80
 2. Amendment No. 94 to DPR-82
 3. Safety Evaluation

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GHill (4), T5C3
OC/LFDCB, T9E10
PDIV-2 Reading
OGC, O15B18
ACRS (10), TWFN
SPeterson

DOCUMENT NAME: DC90256.AMD

OFC	LA/DRPW <i>dc</i>	PM/PDIV-2 <i>SP</i>	OTSB #94-K3	OGC <i>both</i>	D/PDIV-2
NAME	DFoster-Curseen	SPeterson:pk	CGrimes <i>CG</i>		TQuay <i>TQW</i>
DATE	9/14/94	9/14/94	9/15/94	9/15/94	9/23/94

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DOCUMENT NAME: DC90256.AMD

OFC	LA/DRPW <i>DF</i>	PM/PDIV-2 <i>SP</i>	OTSB #94-R3	OGC <i>OGC</i>	D/PDIV-2
NAME	DFoster-Curseen	SPeterson:pk	CGrimes <i>CG</i>		TQuay <i>TQ</i>
DATE	9/14/94	9/14/94	9/15/94	9/15/94	9/12/94

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UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

September 23, 1994

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Pacific Gas and Electric Company
77 Beale Street, Room 1451
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This license amendment has been handled on an exigent basis in accordance with 10 CFR 50.91(a)(6). A copy of the related Safety Evaluation is enclosed. A notice of issuance will be included in the Commission's next regular biweekly Federal Register notice.

Sincerely,

A handwritten signature in cursive script that reads "Sheri R. Peterson".

Sheri R. Peterson, Project Manager
Project Directorate IV-2
Division of Reactor Projects III/IV
Office of Nuclear Reactor Regulation

Docket Nos. 50-275 and 50-323

Enclosures: 1. Amendment No. 95 to DPR-80
2. Amendment No. 94 to DPR-82
3. Safety Evaluation

cc w/enclosures:
See next page

Mr. Gregory M. Rueger
Pacific Gas and Electric Company

Diablo Canyon

cc:
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c/o U.S. Nuclear Regulatory Commission
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State Department of Health Services
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Diablo Canyon Independent Safety
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ATTN: Robert R. Wellington, Esq.
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California Public Utilities Commission
505 Van Ness, Room 4102
San Francisco, California 94102



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

PACIFIC GAS AND ELECTRIC COMPANY

DOCKET NO. 50-275

DIABLO CANYON NUCLEAR POWER PLANT, UNIT NO. 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 95
License No. DPR-80

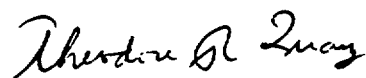
1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Pacific Gas & Electric Company (the licensee) dated August 29, 1994, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. DPR-80 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A and the Environmental Protection Plan contained in Appendix B, as revised through Amendment No. 95, are hereby incorporated in the license. Pacific Gas & Electric Company shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan, except where otherwise stated in specific license conditions.

3. This license amendment is effective as of the date of its issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Theodore R. Quay, Director
Project Directorate IV-2
Division of Reactor Projects III/IV
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Technical
Specifications

Date of Issuance: September 23, 1994



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

PACIFIC GAS AND ELECTRIC COMPANY

DOCKET NO. 50-323

DIABLO CANYON NUCLEAR POWER PLANT, UNIT NO. 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 94
License No. DPR-82

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Pacific Gas & Electric Company (the licensee) dated August 29, 1994, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. DPR-82 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A and the Environmental Protection Plan contained in Appendix B, as revised through Amendment No. 94, are hereby incorporated in the license. Pacific Gas & Electric Company shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan, except where otherwise stated in specific license conditions.

3. This license amendment is effective as of the date of its issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Theodore R. Quay, Director
Project Directorate IV-2
Division of Reactor Projects III/IV
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Technical
Specifications

Date of Issuance: September 23, 1994

ATTACHMENT TO LICENSE AMENDMENTS

AMENDMENT NO. 95 TO FACILITY OPERATING LICENSE NO. DPR-80

AND AMENDMENT NO. 94 TO FACILITY OPERATING LICENSE NO. DPR-82

DOCKET NOS. 50-275 AND 50-323

Revise Appendix A Technical Specifications by removing the pages identified below and inserting the enclosed pages. The revised pages are identified by the captioned amendment number and contain marginal lines indicating the area of change. Overleaf pages are also included, as appropriate.

REMOVE

3/4 8-7

INSERT

3/4 8-7

ELECTRICAL POWER SYSTEMS

SURVEILLANCE REQUIREMENTS (Continued)

- 1) By verifying in accordance with the tests specified in ASTM-D975-81 prior to addition to the storage tanks that the sample has:
 - a) An API Gravity of within 0.3 degrees at 60°F, or a specific gravity of within 0.0016 at 60/60°F, when compared to the supplier's certificate, or an absolute specific gravity at 60/60°F of greater than or equal to 0.83 but less than or equal to 0.89, or an API gravity of greater than or equal to 27 degrees but less than or equal to 39 degrees;
 - b) A kinematic viscosity at 40°C of greater than or equal to 1.9 centistokes, but less than or equal to 4.1 centistokes, if gravity was not determined by comparison with the supplier's certification;
 - c) A flash point equal to or greater than 125°F; and
 - d) A clear and bright appearance with proper color when tested in accordance with ASTM-D4176-82, or a water and sediment content of less than or equal to 0.05 volume percent when tested in accordance with ASTM D1796-83.
 - 2) By verifying within 30 days of obtaining the sample that the other properties specified in Table 1 of ASTM-D975-81 are met when tested in accordance with ASTM-D975-81 except that the analysis for sulfur may be performed in accordance with ASTM-D1552-79 or ASTM-D2622-82.
- d. At least once every 31 days by obtaining a sample of fuel oil in accordance with ASTM-D2276-78, and verifying that total particulate contamination is less than 10 mg/liter when checked in accordance with ASTM-D2276-78, Method A;
 - e. At least once per 10 years by:
 - 1) Draining each fuel oil storage tank, removing the accumulated sediment and cleaning the tank using a sodium hypochlorite or equivalent solution, and
 - 2) Performing a visual examination of accessible piping during an operating pressure leak test.

4.8.1.1.4 Reports - All diesel generator failures, valid or non-valid, shall be reported as a Special Report within 30 days to the Commission pursuant to Specification 6.9.2. Reports of diesel generator failures shall include the information recommended in Regulatory Position C.3.b of Regulatory Guide 1.108, Revision 1, August 1977. If the number of failures (on a per diesel generator basis) in the last 100 valid tests is greater than or equal to 7, the report shall be supplemented to include the additional information recommended in Regulatory Position C.3.b of Regulatory Guide 1.108, Revision 1, August 1977.

TABLE 4.8-1

DIESEL GENERATOR TEST SCHEDULE

<u>Number of Failures in Last 20 Valid Tests*</u>	<u>Number of Failures in Last 100 Valid Tests*</u>	<u>Test Frequency</u>
≤ 1	≤ 5	At least once per 31 days
≥ 2**	≥ 6	At least once per 7 days

*Criteria for determining number of failures and number of valid tests shall be in accordance with Regulatory Position C.2.e of Regulatory Guide 1.108, Revision 1, August 1977, where the last 20 and 100 tests and failures are determined on a per diesel generator basis. For the purpose of this schedule, only valid tests conducted after the completion of the preoperational test requirements of Regulatory Guide 1.108, Revision 1, August 1977, shall be included in the computation of the "Last 20 Valid Tests" and the "Last 100 Valid Tests." For the purpose of determining the required test frequency, the previous test failure count may be reduced to zero if the specific cause for the diesel unreliability has been identified and resolved; appropriate post-maintenance operation and testing have been completed; and if acceptable reliability has been demonstrated. The reliability criterion shall be the successful completion of 14 consecutive tests in a single series. These tests shall be in accordance with Specification 4.8.1.1.2a.2).

**The associated test frequency shall be maintained until seven consecutive failure free demands have been performed and the number of failures in the last 20 valid demands has been reduced to one.



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 95 TO FACILITY OPERATING LICENSE NO. DPR-80
AND AMENDMENT NO. 94 TO FACILITY OPERATING LICENSE NO. DPR-82
PACIFIC GAS AND ELECTRIC COMPANY
DIABLO CANYON NUCLEAR POWER PLANT, UNITS 1 AND 2
DOCKET NOS. 50-275 AND 50-323

1.0 INTRODUCTION

By letter of August 29, 1994, Pacific Gas and Electric Company (PG&E or the licensee) submitted a request for changes to the Technical Specifications (TS) for Diablo Canyon Power Plant (DCPP), Unit Nos. 1 and 2. The proposed amendments would revise TS 3/4.8.1.1, "A.C. Sources - Operating," to specify an alternate method for testing new diesel fuel oil for water and sediment before it is added to the emergency diesel generator (EDG) main fuel oil storage tanks. TS 4.8.1.1.3c.1(d) would be revised to allow new fuel oil to be tested using a "clear and bright" test or a quantitative test that verifies a water and sediment content less than or equal to 0.05 volume percent when the oil is tested in accordance with ASTM D1796-83.

2.0 BACKGROUND

DCPP EDGs currently use undyed number 2 diesel fuel oil that contains intermediate levels of sulfur and aromatics. To ensure that the fuel oil will not degrade performance or damage the EDGs, all new fuel oil is required to be tested for designated parameters prior to being added to the EDG main fuel oil storage tanks. TS 4.8.1.1.3c.1(d) requires verification that the fuel oil has a "clear and bright appearance with proper color" when tested in accordance with ASTM D4176-82. The "clear and bright" test is a qualitative evaluation of water and sediment in the fuel oil.

3.0 EVALUATION

The purpose of the "clear and bright" test is to verify that new fuel oil does not contain visible water or sediment. The visual test is qualitative and does not quantify the amount of water or sediment in the fuel oil. If the criteria for performing the visual "clear and bright" test are not satisfied, ASTM 4176-82 allows a quantitative analysis of the diesel fuel oil to be performed. However, ASTM 4176-82 does not establish maximum water and sediment concentration limits. DCPP uses the water and sediment limits for number 2 fuel oil established in ASTM D975. ASTM D975 establishes the requirements, including water and sediment content, for number 2 diesel fuel oil.

The proposed alternate TS acceptance criteria are consistent with the guidance in ASTM D975. Additionally, the proposed TS change specifies that water and sediment content be tested in accordance with ASTM D1796-83. Consequently, the proposed alternate acceptance criteria and testing methodology provide the same level of assurance that fuel oil with excessive water and sediment will not be added to the EDG main fuel oil storage tanks.

The staff has reviewed the licensee's proposed TS change and supporting evaluations and finds the change acceptable.

4.0 EXIGENT CIRCUMSTANCES

The Commission's regulations in 10 CFR 50.91 contain provisions for issuance of amendments with less than a 30-day comment period if either emergency or exigent circumstances are determined to exist.

Emergency situations involve those cases in which failure to act in a timely way results in the derating or shutdown of a nuclear power plant or prevents either resumption of operation or increase in power output up to the plant's licensed power level. Under emergency circumstances, the Commission may issue a license amendment involving no significant hazards consideration without prior notice and opportunity for a hearing or for public comment. In such a situation, the Commission publishes a notice of issuance under 10 CFR 2.106, providing for opportunity for a hearing and for public comment after issuance.

The processing of an amendment under exigent circumstances usually applies to those cases in which the licensee and Commission must act promptly, but failure to act promptly does not involve a plant shutdown, derating, or delay in startup. For both emergency and exigent circumstances, the licensee is required to explain the reason for the condition and why it could not be avoided. This requirement is intended to prevent the abuse of the special provisions of 10 CFR 50.91(a)(6). Under exigent circumstances, the Commission notifies the public in one of two ways: by issuing a Federal Register notice providing notice of an opportunity for hearing and allowing at least 2 weeks from the date of the notice for prior public comment; or by using local media to provide reasonable notice to the public in the area surrounding a licensee's facility and providing special instructions for providing comment. For this amendment request, the Commission employed the first approach with a Federal Register notice published on September 8, 1994 (59 FR 46453), which presented the staff's proposed no significant hazards consideration determination and requested public comment within 15 days of the date of publication of the notice.

Recently, the licensee's local fuel supplier unexpectedly discontinued production of the fuel oil currently used at DCP. This fuel may be available from other suppliers outside of the State of California; however, its availability cannot be assured. Based on current EDG testing schedules, it is expected that fuel oil will need to be added to the main fuel oil storage tanks by approximately October 1, 1994, to meet minimum storage requirements.

The Environmental Protection Agency and the Internal Revenue Service established requirements (40 CFR 80.29 and 26 CFR Parts 47 and 48, respectively) that all non-highway fuels be dyed for identification. Since the current supply of fuel used at DCPD cannot be assured, two alternate fuels could be used at DCPD: (1) dyed number 2 diesel fuel oil or (2) undyed California Air Resources Board (CARB) number 2 diesel fuel oil intended for use in motor vehicles. The licensee is still evaluating the acceptability of using CARB fuel. PG&E's evaluation of the dyed fuel concludes it is acceptable for use in the EDGs. Consequently, PG&E desires to have the option to use dyed fuel. TS 4.8.1.1.3c.1(d) is required to be changed to allow the use of dyed fuel. The staff has determined that the licensee cannot avoid the recent unavailability of the fuel oil currently used at DCPD and is issuing this amendment on an exigent basis following a 15-day comment period as permitted by 10 CFR 50.91(a)(6).

5.0 FINAL NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION

The Commission's regulations in 10 CFR 50.92 state that the Commission may make a final determination that a license amendment involves no significant hazards considerations if operation of the facility in accordance with the amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated, (2) create the possibility of a new or different kind of accident from any accident previously evaluated, or (3) involve a significant reduction in a margin of safety.

Operation of the facility in accordance with the proposed amendment will not involve a significant increase in the probability or consequences of an accident previously evaluated. The probability of occurrence and the consequences of an accident evaluated previously in the Final Safety Analysis Report Update (FSAR) are not increased due to the proposed TS change. The proposed alternate acceptance criteria and test methodology provide the same level of assurance that fuel oil with water or sediment in excess of the limits for number 2 diesel fuel oil will not be added to the EDG main fuel oil storage tanks. On this basis, it is concluded that the probability and consequences of the accidents previously evaluated in the FSAR are not increased.

Operation of the facility in accordance with the proposed amendment will not create the possibility of a new or different kind of accident from any accident previously evaluated. The proposed TS changes do not increase the probability of occurrence of a malfunction of equipment important to safety or increase the consequences of a malfunction of equipment evaluated in the FSAR. The proposed change is administrative in nature and does not involve any physical alteration to any plant system or change the method by which any safety-related system performs its function. For these reasons, the possibility of a new accident which is different from any already evaluated in the FSAR is not created.

Operation of the facility in accordance with the amendment will not involve a significant reduction in a margin of safety. The proposed alternate acceptance criteria and test methodology provide the same level of assurance

that fuel oil with water or sediment in excess of the limits for number 2 diesel fuel oil will not be added to the EDG main fuel oil storage tanks. Therefore, it is concluded that the proposed change does not involve a reduction in a margin of safety described in the bases to any TS.

Based upon the above considerations, the staff concludes that the amendment meets the three criteria of 10 CFR 50.92. Therefore, the staff has made a final determination that the proposed amendment does not involve a significant hazards consideration.

6.0 STATE CONSULTATION

In accordance with the Commission's regulations, the California State official was notified of the proposed issuance of the amendments. The State official had no comments.

7.0 ENVIRONMENTAL CONSIDERATION

These amendments change a requirement with respect to the installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20 and change surveillance requirements. The NRC staff has determined that the amendments involve no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendments involve no significant hazards consideration, and there has been no public comment on such finding (59 FR 46453). Accordingly, the amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendments.

8.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: Sheri Peterson

Date: September 23, 1994