

June 11, 1998

Mr. Gregory M. Rueger, Senior Vice President
and General Manager
Pacific Gas and Electric Company
Nuclear Power Generation N9B
P. O. Box 770000
San Francisco, California 94177

SUBJECT: ISSUANCE OF AMENDMENTS FOR DIABLO CANYON NUCLEAR POWER
PLANT, UNIT NO. 1 (TAC NO. MA1500) AND UNIT NO. 2 (TAC NO. MA1501)

Dear Mr. Rueger:

The Commission has issued the enclosed Amendment No. 128 to Facility Operating License No. DPR-80 and Amendment No. 126 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 April 10, 1998, as supplemented by letter dated May 1, 1998.

These amendments revise the combined Technical Specifications (TS) for the Diablo Canyon Power Plant (DCPP), Unit Nos. 1 and 2 to change the name of the Operations Manager to Operations Director, to add the position of Operations Middle Manager, and to change the requirement for the Operations Director to hold a senior reactor operator (SRO) license.

A copy of the related Safety Evaluation is enclosed. The Notice of Issuance will be included in the Commission's next regular biweekly Federal Register notice.

Sincerely,
ORIG. SIGNED BY C. Poslusny for
Steven D. Bloom, 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. 128 to DPR-80
2. Amendment No. 126 to DPR-82
3. Safety Evaluation

cc w/encls: See next page

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WBateman	PGwynn, RIV
KPerkins, WCFO	TLH3 (SE)
SBloom	EPeyton
REckenrode	JKilcrease, RIV

DOCUMENT NAME: DCA1500.AMD

OFC	LA/PDIV-2	PM/PDIV-2	OGC
NAME	EPeyton	SBloom	
DATE	06/10/98	06/10/98	06/10/98

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DATE	05/28/98	05/28/98	06/1/98

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Mr. Gregory M. Rueger

- 2 -

June 11, 1998

cc w/encls:

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

PACIFIC GAS AND ELECTRIC COMPANY

DOCKET NOS. 50-275

DIABLO CANYON NUCLEAR POWER PLANT, UNIT NO. 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 128
License No. DPR-80

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Pacific Gas and Electric Company (the licensee) dated April 10, 1998, as supplemented by letter dated May 1, 1998, 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:

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(2) Technical Specifications

The Technical Specifications contained in Appendix A and the Environmental Protection Plan contained in Appendix B, as revised through Amendment No. 128 , are hereby incorporated in the license. Pacific Gas and 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 its date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Steven D. Bloom

Steven D. Bloom, Project Manager
Project Directorate IV-2
Division of Reactor Projects III/IV
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical
Specifications

Date of Issuance: June 11, 1998



**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. 126
License No. DPR-82

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Pacific Gas and Electric Company (the licensee) dated April 10, 1998, as supplemented by letter dated May 1, 1998, 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. 126, are hereby incorporated in the license. Pacific Gas and 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 its date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Steven D. Bloom, Project Manager
Project Directorate IV-2
Division of Reactor Projects III/IV
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical
Specifications

Date of Issuance: June 11, 1998

ATTACHMENT TO LICENSE AMENDMENTS

AMENDMENT NO. 128 TO FACILITY OPERATING LICENSE NO. DPR-80

AND AMENDMENT NO. 126 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 Amendment number and contain marginal lines indicating the areas of change.

REMOVE

6-5
6-6

INSERT

6-5
6-6

ADMINISTRATIVE CONTROLS

PLANT STAFF (Continued)

- d. All CORE ALTERATIONS shall be observed and directly supervised by either a licensed Senior Operator or Senior Operator Limited to Fuel Handling who has no other concurrent responsibilities during this operation;
- e. Deleted.
- f. Administrative procedures shall be developed and implemented to limit the working hours of plant staff who perform safety-related functions; e.g., licensed Senior Operators, licensed Operators, Health Physicists, auxiliary operators, and key maintenance personnel.

Adequate shift coverage shall be maintained without routine heavy use of overtime. The objective shall be to have operating personnel work a nominal 40-hour week while the unit is operating. However, in the event that unforeseen problems require substantial amounts of overtime to be used, or during extended periods of shutdown for refueling, major maintenance or major plant modifications, on a temporary basis, the following guidelines shall be followed:

- 1) An individual should not be permitted to work more than 16 hours straight, excluding shift turnover time;
- 2) An individual should not be permitted to work more than 16 hours in any 24-hour period, nor more than 24 hours in any 48-hour period, nor more than 72 hours in any 7-day period, all excluding shift turnover time;
- 3) A break of at least 8 hours should be allowed between work periods, including shift turnover time; and
- 4) Except during extended shutdown periods, the use of overtime should be considered on an individual basis and not for the entire staff on a shift.

Any deviation from the above guidelines shall be authorized by the Plant Manager or his designee, or higher levels of management, in accordance with established procedures and with documentation of the basis for granting the deviation. Controls shall be included in the procedures such that individual overtime shall be reviewed monthly by the Plant Manager or his designee to assure that excessive hours have not been assigned. Routine deviation from the above guidelines is not authorized; and

- g. The Operations Director shall either hold a senior reactor operator license, have at one time held a senior reactor operator license for a pressurized water reactor, or be certified to a senior reactor operator equivalent level of knowledge. If the Operations Director does not hold a senior reactor operator license, the person assigned to the Operations middle manager position shall hold a senior reactor operator license.

ADMINISTRATIVE CONTROLS

6.2.3 DELETED

6.2.4 SHIFT TECHNICAL ADVISOR

6.2.4 The Shift Technical Advisor shall provide advisory technical support to the Shift Foreman in the areas of thermal hydraulics, reactor engineering, and plant analysis with regard to the safe operation of the plant.

6.3 PLANT STAFF QUALIFICATIONS

6.3 Each member of the plant staff shall meet or exceed the minimum qualifications of ANSI/ANS 3.1-1978 for comparable positions, except for the Radiation Protection Manager who shall meet or exceed the qualifications of Regulatory Guide 1.8, Revision 2, April 1987 for Radiation Protection Manager, and the Operations Director as specified in Specification 6.2.2g. The licensed Operators and Senior Operators shall also meet or exceed the minimum qualifications of 10 CFR Part 55 and the supplemental requirements specified in Section A of Enclosure 1 of the March 28, 1980 NRC letter to all licensees.



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 128 TO FACILITY OPERATING LICENSE NO. DPR-80
AND AMENDMENT NO. 126 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 application dated April 13, 1998, as supplemented by letter dated May 1, 1998, Pacific Gas and Electric Company (PG&E or the licensee) requested changes to the Technical Specifications (Appendix A to Facility Operating License Nos. DPR-80 and DPR-82) for the Diablo Canyon Nuclear Power Plant, Units 1 and 2. The proposed changes change the combined Technical Specifications (TS) for the Diablo Canyon Nuclear Power Plant (DCPP), Units 1 and 2 to revise TS 6.2.2, Plant Staff and TS 6.3, Plant Staff Qualification. The proposed change to TS 6.2.2g revises the title of the Operations Manager to Operations Director, amends the requirement for that position to hold a senior reactor operator (SRO) license, and adds the position of Operations Middle Manager. The submittal also proposed changes to TS 6.3, taking exception to ANSI/ANS 3.1 -1978 for the Operations Director.

The May 1, 1998, supplemental letter provided additional clarifying information and did not change the initial no significant hazards consideration determination or expand the scope of the original *Federal Register* notice, published on May 6, 1998 (63 FR 25116)

2.0 EVALUATION

The staff evaluated the licensee's submittal of April 10, 1998, the relevant criteria in NUREG-0800, "Standard Review Plan," Section 13.1.1, "Management and Technical Support Organization," and Section 13.1.2-13.1.3, "Operating Organization" and the applicable American National Standards Institute (ANSI) standards.

The licensee proposed to revise their commitment to the ANSI requirements contained in TS 6.3 by adding an exception for the position of Operations Director. PG&E's commitment to ANSI N18.1-1971 requires the Operations Manager (fulfilled by the position of Operations Director at DCPP) to hold an SRO license at the time of appointment to the active position. This exception would allow the Operations Director, in lieu of meeting the N18.1 requirement of holding an SRO license, to (1) hold an SRO license at the time of appointment, (2) have held a

license at a pressurized water reactor, or (3) be certified for equivalent SRO knowledge. This approach is supported by ANSI/ANS 3.1-1987 and 3.1-1993, "American National Standard for Selection, Qualification, and Training of Personnel for Nuclear Power Plants," which allow individuals to be appointed to the position of Operations Manager based on the options proposed by PG&E for TS 6.3. The 1987 and 1993 standards further state that if the Operations Manager does not hold an SRO license then the Operations Middle Manager shall hold an SRO license.

The licensee proposed a concurrent change to TS 6.2.2g to support the revision to TS 6.3. In their submittal, the licensee described a proposed change to the operating organization that establishes a position in the direct chain-of-command of the Operations organization. The licensee has described the position as "similar to the Operations Middle Manager position described in ANSI/ANS 3.1-1993, Section 4.3." The licensee further described the position as off-shift and requiring an SRO license. The April 10, 1998, submittal contained draft organizational charts showing the reporting relationships that will exist with the implementation of the proposed changes. The position of Operations Middle Manager will report directly to the Operations Director and will have the on-shift shift supervisors as direct reports.

Part 50.54(1) of 10 CFR requires that the individuals designated by a licensee to direct the licensed activities of licensed operators shall be licensed as a senior operator. The licensee stated in its submittal that the proposed change continues to meet this requirement by ensuring the Operations management personnel directing the activities of licensed operators maintain the appropriate qualification.

The staff concludes that TS 6.2.2g, requiring that either the Operations Director or the Operations Middle Manager hold a DCPD SRO license is consistent with the requirements of 10 CFR 50.54(1) and ensures that a licensed off-shift senior operator will direct the licensed activities of the licensed operators. Further, requiring an ANSI/ANS qualified and licensed Operations Middle Manager when the Operations Director does not hold a DCPD SRO license is consistent with the requirements of ANSI N18.1-1971 and ensures there is site-specific detailed relevant technical and systems knowledge in a senior operations management position.

In the May 1, 1998, letter, the licensee proposed amended wording for TS 6.2.2g to clearly establish that the Operations Middle Manager position will be filled by a single individual. Further, by using the term "Operations Middle Manager," a term used in the ANSI standard, to reference the position which must hold the license, the licensee provided an adequate description for identifying that position within the organization regardless of the title assigned by the licensee.

The staff concludes that the proposed modifications to the Diablo Canyon Power Plant TS 6.2.2g and TS 6.3 modifying the commitment to ANSI N18.1-1971 for the Operations Manager, is consistent with and meets the intent of the relevant review criteria and is, therefore, acceptable.

3.0 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.

4.0 ENVIRONMENTAL CONSIDERATION

These amendments relate to changes in recordkeeping, reporting, or administrative procedures or requirements. Accordingly, the amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). 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.

5.0 PUBLIC COMMENTS

In response to the initial notice of this proposed amendment published in the *Federal Register* on May 6, 1998, the Commission received a letter from a member of the public about this proposed change to the TSs. The individual requested that the NRC reject the proposed amendment for the following reasons: deleting the requirement to have the Operations Section Director be a holder of an SRO license would undermine credibility and competency of the position; assigning an individual to the job with an SRO license from a different pressurized water reactor (PWR) design does not meet NRC licensing criteria; having a middle manager with an SRO license reporting to the Operations Section Director insulates the Director's accountability; the amendment request is not in accordance with applicable American National Standards Institute (ANSI) standards; and the proposed structure is not in the interest of public health and safety. Although the comments were not directly related to the no significant hazards determination, the staff has decided to address the comments.

The credibility and competency of a particular position is based on the performance of the assigned individual which is addressed by inspections and other evaluations performed by the Commission and is beyond the scope of the evaluation of this license amendment. Having held an SRO applicable to another PWR design is an acceptable alternative for appointment to the position of the Operations Section Director (ANSI title Operations Manager) under ANSI 3.1, 1993, Section 4.2.2, "Special Requirements." The middle manager position and its organizational relationships to the Operations Section Director and the Shift Supervisors is consistent with ANSI standards and is consistent with the requirements of 10 CFR 50.54(l). Accountability of the operations middle manager position is a performance issue also outside the scope of the evaluation of this amendment. As discussed above in this safety evaluation, the staff has determined that the specific changes proposed by the licensee are indeed consistent with ANSI standards. The comment that the proposed structure is not in the interest of public health and safety is not supported by the staff review, as reflected in Section 2.0 above.

The staff has considered the comments received from this individual and finds that they do not change its no significant hazards determination, its safety finding, and its conclusion that the proposed TSs change is acceptable.

6.0 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 amendments will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: M. Biamonte, NRR

Date: June 11, 1998