

April 28, 1999

Mr. Gregory M. Rueger
Senior Vice President and General Manager
Pacific Gas and Electric Company
Diablo Canyon Nuclear Power Plant
P.O. Box 3
Avila Beach, California 93424

SUBJECT: ENVIRONMENTAL ASSESSMENT AND FINDING OF NO SIGNIFICANT IMPACT
FOR EXEMPTION FROM 10 CFR 50.60 AND 10 CFR PART 50, APPENDIX G
FOR DIABLO CANYON POWER PLANT, UNITS 1 AND 2 (TAC NOS. MA3573
AND MA3574)

Dear Mr. Rueger:

Enclosed is a copy of the Environmental Assessment and Finding of No Significant Impact related to your application of September 3, 1998, as supplemented by letters dated January 22, February 5, and March 17, 1999. These letters requested an exemption from 10 CFR 50.60 and 10 CFR Part 50, Appendix G, to allow use of American Society of Mechanical Engineers (ASME) Code Case N-514.

The assessment is being forwarded to the Office of the Federal Register for publication.

Sincerely,
Original Signed By
Steven D. Bloom, Project Manager, Section 2
Project Directorate IV & Decommissioning
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-275
and 50-323

Enclosure: Environmental Assessment

cc w/encl: See next page

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UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

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Sincerely,

A handwritten signature in black ink, appearing to read "Steven D. Bloom".

Steven D. Bloom, Project Manager, Section 2
Project Directorate IV & Decommissioning
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-275
and 50-323

Enclosure: Environmental Assessment

cc w/encl: See next page

Diablo Canyon Power Plant, Units 1 and 2

cc w/encl:

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UNITED STATES NUCLEAR REGULATORY COMMISSION**PACIFIC GAS AND ELECTRIC COMPANY****DOCKET NOS. 50-275 AND 50-323****DIABLO CANYON POWER PLANT, UNITS 1 AND 2****ENVIRONMENTAL ASSESSMENT AND FINDING OF****NO SIGNIFICANT IMPACT**

The U.S. Nuclear Regulatory Commission (the Commission) is considering the issuance of an exemption from certain requirements of its regulations for Facility Operating License Nos. DPR-80 and DPR-82 that were issued to Pacific Gas and Electric Company (the licensee) for operation of the Diablo Canyon Power Plant (DCPP) Units 1 and 2, located in San Luis Obispo County, California.

ENVIRONMENTAL ASSESSMENT**Identification of the Proposed Action:**

The proposed action would exempt Pacific Gas and Electric Company (PG&E) from the requirements of 10 CFR 50.60 and 10 CFR Part 50, Appendix G, to allow use of the American Society of Mechanical Engineers (ASME) Code Case N-514 as an alternate method for establishing the setpoints for the low temperature overpressure protection (LTOP) systems that have been installed for overpressure protection of the DCPP reactor coolant pressure boundary.

The proposed action is in accordance with the licensee's application for exemption dated September 3, 1998, as supplemented by letters dated January 22, February 5, and March 17, 1999.

The Need for the Proposed Action:

The provisions of 10 CFR 50.60 and 10 CFR Part 50, Appendix G, restrict the operating conditions for the DCPD reactor coolant systems from exceeding the pressure/temperature (P/T) limits established in compliance with Appendix G to Section XI of the ASME Boiler and Pressure Vessel Code. The requirements in 10 CFR Part 50 were established to protect the integrity of the reactor coolant pressure boundary in nuclear power plants. As part of these requirements, 10 CFR Part 50, Appendix G, requires that the P/T limits be established for reactor pressure vessels during normal and hydrostatic or leak rate testing conditions. Specifically, 10 CFR Part 50, Appendix G, states that "The appropriate requirements on ...the pressure-temperature limits and minimum permissible temperature must be met for all conditions." Pressurized water reactor licensees have installed cold overpressure mitigation systems (COMS)/low temperature overpressure protection systems (LTOP) in order to protect the reactor coolant pressure boundaries from being operated outside of the boundaries established by the P/T limit curves and to provide pressure relief of the reactor coolant pressure boundaries during low temperature overpressurization events. DCPD technical specifications require them to update and submit the changes to its LTOP setpoints whenever PG&E is requesting approval for amendments to the P/T limit curves. The use of Code Case N-514 would provide an acceptable level of safety against overpressurization events of the DCPD reactor pressure vessels. Based on the conservatism that is incorporated into the methods of Appendix G of the Section XI to the ASME Code for calculating P/T limit curves, it is concluded that permitting the LTOP setpoints to be established in accordance with the Code Case (e.g., at a level \leq 110 percent of the limit defined by the P/T limit curves) would provide an adequate margin of safety against brittle fracture failure of the reactor pressure vessels. Therefore, the requirements of 10 CFR Part 50, Appendix G and Appendix G to Section XI of the ASME Code,

are not necessary to prevent brittle fracture of the reactor pressure vessel from occurring during low temperature operation.

Environmental Impacts of the Proposed Action:

The Commission has completed its evaluation of the proposed action and concludes that the use of Code Case N-514 as an alternative method for establishing the setpoints for the LTOP systems at DCPD Units 1 and 2 would provide an adequate margin of safety against brittle fracture of the DCPD reactor vessels.

The proposed action will not increase the probability or consequences of accidents, no changes are being made in the types of any effluents that may be released off site, and there is no significant increase in occupational or public radiation exposure. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential non-radiological impacts, the proposed action does not involve any historic sites. It does not affect non-radiological plant effluents and has no other environmental impact. Therefore, there are no significant non-radiological environmental impacts associated with the proposed action.

Accordingly, the Commission concludes that there are no significant environmental impacts associated with the proposed action.

Alternatives to the Proposed Action:

As an alternative to the proposed action, the staff considered denial of the proposed action (i.e., the "no-action" alternative). Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are similar.

Alternative Use of Resources:

This action does not involve the use of any resources not previously considered in the Final Environmental Statement for Diablo Canyon Power Plant dated May 1973, and the Addendum dated May 1976.

Agencies and Persons Consulted:

In accordance with its stated policy, on April 22, 1999, the staff consulted with the California State official, Mr. Steve Hsu of the Radiologic Health Branch of the State Department of Health Services, regarding the environmental impact of the proposed amendments. The State official had no comments.

FINDING OF NO SIGNIFICANT IMPACT

On the basis of the environmental assessment, the Commission concludes that the proposed amendments will not have a significant effect on the quality of the human environment. Accordingly, the Commission has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee's application dated September 3, 1998, as supplemented dated January 22, February 5, and March 17, 1999, which are available for public inspection at the Commission's Public Document Room, The Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the California Polytechnic State University, Robert E. Kennedy Library, Government Documents and Maps Department, San Luis Obispo, California 93407.

Dated at Rockville, Maryland, this 28th day of April 1999.

FOR THE NUCLEAR REGULATORY COMMISSION



Steven D. Bloom, Project Manager, Section 2
Project Directorate IV & Decommissioning
Division of Licensing Project Management
Office of Nuclear Reactor Regulation