



**Pacific Gas and
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PG&E Letter DCL-04-001

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
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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 03-13, "Application for Technical Specification Change
Regarding Mode Change Limitations Using the Consolidated Line Item Improvement
Process"

Dear Commissioners and Staff:

Pacific Gas and Electric (PG&E) Letter DCL-03-118, dated September 26, 2003, submitted License Amendment Request (LAR) 03-13, "Application for Technical Specification Change Regarding Mode Change Limitations Using the Consolidated Line Item Improvement Process," which would modify Technical Specification (TS) requirements for mode change limitations in Limiting Condition for Operation 3.0.4 and Surveillance Requirement 3.0.4.

On November 6, 2003, the NRC staff requested additional information required to complete their review of LAR 03-13. PG&E's responses to the staff's questions are provided in Enclosure 1. Enclosure 2 contains a revised TS Bases Insert and is included for information only.

This additional information does not affect the results of the technical evaluation and no significant hazards consideration determination previously transmitted in PG&E Letter DCL-03-118.

If you have any questions or require additional information, please contact Stan Ketelsen at (805) 545-4720.

Sincerely,

David H. Oatley

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Enclosure

cc: Edgar Bailey, DHS
Bruce S. Mallett
David L. Proulx
Diablo Distribution
cc/enc: Girija S. Shukla

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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

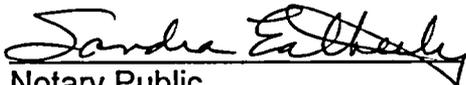
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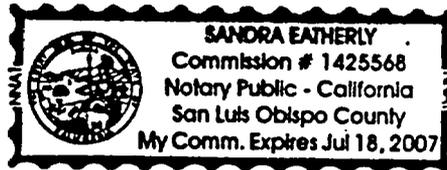
David H. Oatley, of lawful age, first being duly sworn upon oath states that he is Vice President and General Manager - Diablo Canyon of Pacific Gas and Electric Company; that he has executed this response to the request for additional information on License Amendment Request 03-13 on behalf of said 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.



David H. Oatley
Vice President and General Manager - Diablo Canyon

Subscribed and sworn to before me this 7th day of January 2004.


Notary Public
County of San Luis Obispo
State of California



PG&E Response to NRC Request for Additional Information Regarding License Amendment Request 03-13, "Application for Technical Specification Change Regarding Mode Change Limitations Using the Consolidated Line Item Improvement Process"

NRC Question 1

TSTF-359 revises LCO 3.0.4 so that it now applies to all specifications except those that are specifically excluded. Previously LCO 3.0.4 applied to only those specifications that explicitly stated its applicability. Thus, in adopting TSTF-359 the note invoking LCO 3.0.4 can be removed. It does not follow that notes that explicitly excluded transitioning into conditions of applicability should be removed (in specific cases such as into the modes to which LCO 3.0.4 previously did not apply and the licensee determined should be excluded). In particular, TSTF-359 is not a justification for removing the notes in the following specifications and these exclusions should remain:

- *TS 3.1.1, Shutdown Margin; "While this LCO is not met, entry into MODE 5 from MODE 6 is not permitted."*
- *TS 3.3.1, RTS Instrumentation; "While this LCO is not met for Function 19, 20, or 21 in MODE 5, making the Rod Control System capable of rod withdrawal is not permitted."*
- *TS 3.4.8, RCS – Loops – MODE 5, Loops Not Filled; "While this LCO is not met, entry into MODE 5, Loops Not Filled, from MODE 5, Loops Filled, is not permitted."*
- *TS 3.9.1, Boron Concentration; "While this LCO is not met, entry into MODE 6 from MODE 5 is not permitted."*
- *TS 3.9.6, RHR and Coolant Circulation – Low Water Level; "While this LCO is not met, entry into a MODE or other specified condition in the Applicability is not permitted."*

The associated Bases discussions should also be retained.

PG&E Response to Question 1

The Nuclear Energy Institute's industry implementation guidance document (NEI 03-10) for the Technical Specification Task Force traveler TSTF-359, states:

"Prior to approval of TSTF-359, LCO 3.0.4 and SR 3.0.4 contained a Reviewer's Note which required a plant-specific evaluation, and if necessary, application of specific restrictions on MODE changes or Required Actions in individual LCOs. The number,

location, and wording of these restrictions varied from plant to plant. However, any plant-specific restrictions added as a result of the evaluation described in the Reviewer's Note to LCO 3.0.4 are to be removed. The NRC's Safety Evaluation did not specifically address the elimination of the LCO 3.0.4 Reviewer's Note and any related plant-specific Notes. However, TSTF-359, in the Proposed Change section, states, 'The LCO 3.0.4 and SR 3.0.4 applicability restriction is deleted, as is the LCO 3.0.4 Reviewer's Note, by this change. Any plant-specific Notes restricting MODE changes added as a result of the evaluation required by the Reviewer's Note are also deleted. The provisions of LCO 3.0.4.b may be used to change MODES or other specified conditions in the Applicability while relying on ACTIONS in all MODES (unless otherwise explicitly restricted).'"

The justification for removing each of the aforementioned plant-specific Reviewer's Notes is addressed for each individual Technical Specification (TS) below.

- TS 3.1.1, Shutdown Margin (SDM)

The Note prohibiting entry into Mode 5 from Mode 6 while this Limiting Condition for Operation (LCO) is not met, was added as a result of a plant-specific evaluation required by a Reviewer's Note in LCO 3.0.4 and Surveillance Requirement (SR) 3.0.4 during Diablo Canyon Power Plant's (DCPP's) conversion to the Improved Technical Specifications (ITS). The basis for the TS 3.1.1 Note is that entering Mode 5 without SDM limits being met implies that boron concentration in Mode 6 is not met. Inadvertent boron dilution events are precluded in Mode 6 via administrative controls (and instrumentation which would promptly identify an event), whereas dilution events are not (subject to the same controls and monitoring) in Mode 5.

TSTF-359, Revision 9, and the NRC's model safety evaluation states that "LCO 3.0.4 allowances related to values and parameters of TS are not typically addressed by LCO 3.0.4(b) risk assessments, and are therefore addressed by a new LCO 3.0.4(c)." In addition, the industry implementation guidance document for TSTF-359, NEI 03-10, states:

"...unless a note is provided specifically exempting an individual value and parameter specification, the LCO 3.0.4.c guidance is not applicable."

NEI 03-10 further states that LCO 3.0.4.a and LCO 3.0.4.b may still be applicable for value or parameters used to demonstrate system/component operability. However, since SDM does not demonstrate system/component operability, LCO 3.0.4.a and LCO 3.0.4.b are not applicable.

Therefore, since PG&E does not propose to add an LCO 3.0.4.c Note to TS 3.1.1, and LCO 3.0.4.a and LCO 3.0.4.b are not applicable, the Note prohibiting entry into Mode 5 from Mode 6 while this LCO is not met is

superfluous and is deleted.

- TS 3.3.1, Reactor Trip System (RTS) Instrumentation

The Note prohibiting making the rod control system capable of rod withdrawal in Mode 5 for function 19, 20, or 21 while this LCO is not met was added as a result of a plant-specific evaluation required by a Reviewer's Note in LCO 3.0.4 and SR 3.0.4 during DCP's conversion to the ITS. The basis for the TS 3.3.1 Note is that the transition from Mode 5 to Mode 5^(b) (Mode 5 with rod control system capable of rod withdrawal or one or more rods not fully inserted) would occur while the RTS function is degraded.

Since this Note does not meet the deletion criteria of the CLIP, PG&E withdraws the request to remove the TS 3.3.1 Note.

- TS 3.4.8, Reactor Coolant System (RCS) – Loops – MODE 5, Loops Not Filled

The Note prohibiting entry into Mode 5, Loops Not Filled, from Mode 5, Loops Filled, while the LCO is not met, was added as a result of a plant-specific evaluation required by a Reviewer's Note in LCO 3.0.4 and SR 3.0.4 during DCP's conversion to the ITS. The basis for the TS 3.4.8 Note is that this transition would remove steam generators as a heat sink while the residual heat removal (RHR) system was degraded. In addition, a Note prohibiting transition from Mode 6 to Mode 5, Loops Not Filled, was determined not to be necessary based on the addition of a Note to TS 3.9.6, "RHR and Coolant Circulation – Low Water Level," prohibiting a reduction in cavity/pool level.

The NRC's model safety evaluation stated that addition of notes precluding entry into Modes 5 and 6 would be unnecessary based on Action Statements requiring immediate Completion Times:

"The notes limiting the applicability (to Modes 1, 2, 3, and 4 for PWRs, and to Modes 1, 2, and 3 for BWRs) of the current STS LCO 3.0.4 and STS SR 3.0.4 are holdovers from the existing Standard Technical Specifications (STS). The notes limiting the applicability of LCO 3.0.4 and SR 3.0.4 are no longer needed and are removed by TSTF-359, Revision 8. The industry owners group analyses would subsequently support adding notes to various TS, as defined by the tables of higher-risk systems, precluding entry into Modes 5 and 6 for PWRs, and Modes 4 and 5 for BWRs. However, the addition of notes in these cases is made unnecessary by action statements that require immediate completion times, which means that entry into the Mode or other specified condition in the Applicability is not allowed and the notes would be superfluous" (68 FR 16586, April 4, 2003).

The TS 3.4.8 Note is therefore superfluous since LCO 3.0.4.b is not applicable

based on Actions requiring immediate Completion Times and is therefore deleted.

- TS 3.9.1, Boron Concentration

The Note prohibiting entry into Mode 6 from Mode 5 while this LCO is not met, was added as a result of a plant-specific evaluation required by a Reviewer's Note in LCO 3.0.4 and SR 3.0.4 during DCP's conversion to the ITS. The basis for the TS 3.9.1 Note is that the transition from Mode 5 to Mode 6 could occur without adequate boration for Mode 6 requirements.

TSTF-359, Revision 9, and the NRC's model safety evaluation states that "LCO 3.0.4 allowances related to values and parameters of TS are not typically addressed by LCO 3.0.4(b) risk assessments, and are therefore addressed by a new LCO 3.0.4(c)." In addition, the industry implementation guidance document for TSTF-359, NEI 03-10, states:

"...unless a note is provided specifically exempting an individual value and parameter specification, the LCO 3.0.4.c guidance is not applicable."

NEI 03-10 further states that LCO 3.0.4.a and LCO 3.0.4.b may still be applicable for value or parameters used to demonstrate system/component operability. However, since boron concentration does not demonstrate system/component operability and the Required Actions have immediate completion times, LCO 3.0.4.a and LCO 3.0.4.b are not applicable.

Therefore, since PG&E does not propose to add an LCO 3.0.4.c Note to TS 3.9.1, and LCO 3.0.4.a and LCO 3.0.4.b are not applicable, the Note prohibiting entry into Mode 6 from Mode 5 while this LCO is not met is superfluous and is deleted.

- TS 3.9.6, Residual Heat Removal (RHR) and Coolant Circulation – Low Water Level

The Note prohibiting entry into a Mode or other specified condition in the applicability (MOSCA) while this LCO is not met, was added as a result of a plant-specific evaluation required by a Reviewer's Note in LCO 3.0.4 and SR 3.0.4 during DCP's conversion to ITS. The basis for the TS 3.9.6 Note is that the transition from Mode 6, greater than or equal to 23 ft, to Mode 6, less than 23 ft, or from Mode 5 to Mode 6, less than 23 ft, should not be undertaken with a degraded RHR system. Since these transitions would involve leaving a Mode or condition where the RHR requirements were not met and the Required Action was to immediately initiate action to restore RHR loop operability, the Note was added to explicitly prohibit such changes in MOSCA.

The NRC's model safety evaluation stated that addition of notes precluding entry into Modes 5 and 6 would be unnecessary based on Action Statements requiring immediate Completion Times:

"The notes limiting the applicability (to Modes 1, 2, 3, and 4 for PWRs, and to Modes 1, 2, and 3 for BWRs) of the current STS LCO 3.0.4 and STS SR 3.0.4 are holdovers from the existing Standard Technical Specifications (STS). The notes limiting the applicability of LCO 3.0.4 and SR 3.0.4 are no longer needed and are removed by TSTF-359, Revision 8. The industry owners group analyses would subsequently support adding notes to various TS, as defined by the tables of higher-risk systems, precluding entry into Modes 5 and 6 for PWRs, and Modes 4 and 5 for BWRs. However, the addition of notes in these cases is made unnecessary by action statements that require immediate completion times, which means that entry into the Mode or other specified condition in the Applicability is not allowed and the notes would be superfluous" (68 FR 16586, April 4, 2003).

The TS 3.9.6 Note is therefore superfluous since LCO 3.0.4.b is not applicable based on Actions requiring immediate Completion Times and is therefore deleted.

NRC Question 2

LCO 3.0.4 Bases Insert 3 is missing a sentence at the end of the sixth paragraph that states, "The LCO 3.0.4.b risk assessments do not have to be documented." If the licensee has decided that LCO 3.0.4.b risk assessments should be documented, then this sentence does not have to be added.

PG&E Response

PG&E has determined that risk assessments performed under LCO 3.0.4.b should be documented, similar to the current plant practice of documenting risk assessments performed for non-routine work, as part of the overall process of risk management required by the Maintenance Rule, 10 CFR 50.65(a)(4).

NRC Question 3

SR 3.0.4 Bases Insert 4 is missing a line in the fourth paragraph that states, "...to be performed is removed. Therefore, failing to perform the Surveillance(s) within the specified frequency..." This line was inadvertently skipped by the typist and should be inserted.

PG&E Response

PG&E agrees. The SR 3.0.4 Bases Insert 4 will be revised to include the entire sentences: "When equipment is inoperable, SR 3.0.4 does not apply to the associated SR(s) since the requirement for the SR(s) to be performed is removed. Therefore, failing to perform the Surveillance(s) within the specified Frequency does not result in an SR 3.0.4 restriction to changing MODES or other specified conditions of the Applicability." Enclosure 2 contains the revised Bases Insert 4.

Insert 4

SR 3.0.4 establishes the requirement that all applicable SRs must be met before entry into a MODE or other specified condition in the Applicability.

This Specification ensures that system and component OPERABILITY requirements and variable limits are met before entry into MODES or other specified conditions in the Applicability for which these systems and components ensure safe operation of the unit. The provisions of this Specification should not be interpreted as endorsing the failure to exercise the good practice of restoring systems or components to OPERABLE status before entering an associated MODE or other specified condition in the Applicability.

A provision is included to allow entry into a MODE or other specified condition in the Applicability when an LCO is not met due to a Surveillance not being met in accordance with LCO 3.0.4.

However, in certain circumstances, failing to meet an SR will not result in SR 3.0.4 restricting a MODE change or other specified condition change. When a system, subsystem, division, component, device, or variable is inoperable or outside its specified limits, the associated SR(s) are not required to be performed, per SR 3.0.1, which states that surveillances do not have to be performed on inoperable equipment. When equipment is inoperable, SR 3.0.4 does not apply to the associated SR(s) since the requirement for the SR(s) to be performed is removed. Therefore, failing to perform the Surveillance(s) within the specified Frequency does not result in an SR 3.0.4 restriction to changing MODES or other specified conditions of the Applicability. However, since the LCO is not met in this instance, LCO 3.0.4 will govern any restrictions that may (or may not) apply to MODE or other specified condition changes. SR 3.0.4 does not restrict changing MODES or other specified conditions of the Applicability when a Surveillance has not been performed within the specified Frequency, provided that requirement to declare the LCO not met has been delayed in accordance with SR 3.0.3.

The provisions of SR 3.0.4 shall not prevent entry into MODES or other specified conditions in the Applicability that are required to comply with ACTIONS. In addition, the provisions of SR 3.0.4 shall not prevent changes in MODES or other specified conditions in the Applicability that result from any unit shutdown. In this context, a unit shutdown is defined as a change in MODE or other specified condition in the Applicability associated with transitioning from MODE 1 to MODE 2, MODE 2 to MODE 3, MODE 3 to MODE 4, and MODE 4 to MODE 5.

The precise requirements for performance of SRs are specified such that exceptions to SR 3.0.4 are not necessary. The specific time frames and conditions necessary for meeting the SRs are specified in the Frequency, in the Surveillance, or both. This allows performance of Surveillances when the prerequisite condition(s) specified in a Surveillance procedure require entry into the MODE or other specified condition in the

Applicability of the associated LCO prior to the performance or completion of a Surveillance. A Surveillance that could not be performed until after entering the LCO's Applicability, would have its Frequency specified such that it is not "due" until the specific conditions needed are met. Alternately, the Surveillance may be stated in the form of a Note, as not required (to be met or performed) until a particular event, condition, or time has been reached. Further discussion of the specific formats of SRs' annotation is found in Section 1.4, Frequency.