

PACIFIC GAS AND ELECTRIC COMPANY  
DOCKET NO. 72-26  
DIABLO CANYON INDEPENDENT SPENT FUEL STORAGE INSTALLATION  
MATERIALS LICENSE NO. SNM-2511

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application filed by the Pacific Gas and Electric Company (the applicant) for a materials license to receive, store, and transfer spent fuel from the Diablo Canyon Power Plant into an independent spent fuel storage installation (ISFSI) located at its Diablo Canyon Power Plant site, meets standards and requirements of the Atomic Energy Act of 1954, as amended (Act), and the Commission's regulations set forth in 10 CFR Chapter I;
  - B. The Diablo Canyon ISFSI will operate in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission;
  - C. There is reasonable assurance that (i) the activities authorized by this license can be conducted without endangering public health and safety, and (ii) such activities will be conducted in compliance with the Commission's regulations;
  - D. The issuance of this license will not be inimical to the common defense and security or to public health and safety; and
  - E. The issuance of this license is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, based on the foregoing findings, Materials License SNM-2511 is hereby issued to the Pacific Gas and Electric Company to read as follows:

## LICENSE FOR INDEPENDENT STORAGE OF SPENT NUCLEAR FUEL AND HIGH-LEVEL RADIOACTIVE WASTE

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 (Public Law 93-438), and Title 10, Code of Federal Regulations, Chapter 1, Part 72, and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, acquire, and possess the power reactor spent fuel and other radioactive materials associated with spent fuel storage designated below; to use such material for the purpose(s) and at the place(s) designated below; and to deliver or transfer such material to persons authorized to receive it in accordance with the regulations of the applicable Part(s). This license shall be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended, and is subject to all applicable rules, regulations, and orders of the Nuclear Regulatory Commission now or hereafter in effect and to any conditions specified herein.

Licensee

1. Pacific Gas and Electric Company

3. License No. SNM-2511

Amendment No. 0

2. Diablo Canyon Power Plant  
P.O. Box 56  
Avila Beach, CA 93424

4. Expiration Date March 22, 2024

5. Docket or Reference No. 72-26

6. Byproduct, Source, and/or Special Nuclear Material

7. Chemical and/or Physical Form

8. Maximum Amount That Licensee May Possess at Any One Time Under This License

A. Spent nuclear fuel from the Diablo Canyon Power Plant, Units 1 & 2, and associated radioactive materials related to receipt, transfer and storage of the fuel assemblies.

A. Spent fuel assemblies as UO<sub>2</sub> clad with zirconium alloy. Damaged fuel assemblies or fuel debris as UO<sub>2</sub> contained in Damaged Fuel Containers.

A. 2100 MTU of intact spent fuel assemblies, damaged fuel assemblies and fuel debris.

9. Authorized Use: The material identified in 6.A. and 7.A. above is authorized for receipt, possession, storage and transfer using the HI-STORM 100 dry cask storage system design as described in the Diablo Canyon ISFSI Safety Analysis Report dated December 21, 2001, as revised or supplemented on October 15, 2002, and October 3, 2003, and as further supplemented and amended in accordance with 10 CFR 72.70 and 10 CFR 72.48.

10. Authorized Place of Use: The licensed material is to be received, possessed, transferred and stored at the Diablo Canyon ISFSI located on the Diablo Canyon Power Plant site in San Luis Obispo County, California, near Avila Beach, California.

11. The Technical Specifications contained in the Appendix attached hereto are incorporated into the license. The licensee shall operate the installation in accordance with the Technical Specifications in the Appendix. The Appendix contains Technical Specifications related to environmental protection to satisfy the requirements of 10 CFR 72.44(d)(2).

12. The licensee shall follow the physical protection plan entitled, "Diablo Canyon Power Plant Physical Security Plan", dated April 18, 2002, as revised January 31, 2003, and the Safeguards Contingency Plan and the Guard Training and Qualification Plan incorporated therein, and as they may be further amended under the provisions of 10 CFR 72.44(e) and 10 CFR 72.180.

**LICENSE FOR INDEPENDENT STORAGE OF SPENT NUCLEAR  
FUEL AND HIGH-LEVEL RADIOACTIVE WASTE  
SUPPLEMENTARY SHEET**

License No.

SNM-2511

Amendment No.

0

Docket or Reference No.

72-26

13. Fuel and cask movement and handling activities that are to be performed in the Diablo Canyon Power Plant Fuel Handling Building/Auxiliary Building will be governed by the requirements of the Diablo Canyon Power Plant, Units 1 & 2 Operating Licenses (DPR-80 and DPR-82) and associated Technical Specifications.
14. The Commission's finding that the Quality Assurance Program complies with the requirements of 10 CFR Part 72, Subpart G is based on the existence of a Quality Assurance Program accepted by the Commission as satisfying the requirements of 10 CFR 50, Appendix B. Prior to the termination of the Part 50 licenses for the Diablo Canyon Power Plant Units 1 & 2, the licensee must submit, for Commission approval, a Quality Assurance program for the ISFSI that satisfies each of the elements of Subpart G.
15. The Commission's finding that the Emergency Plan complies with the requirements of 10 CFR 72.32 is based on the existence of an Emergency Plan accepted by the Commission as satisfying the requirements of 10 CFR 50.47 and 10 CFR 50, Appendix E. Prior to the termination of the Part 50 licenses for the Diablo Canyon Power Plant Units 1 & 2, the licensee must submit, for Commission approval, an Emergency Plan for the ISFSI that satisfies each of the elements of 10 CFR 72.32.
16. Pursuant to 10 CFR 72.7 the licensee is hereby exempted from the provisions of 10 CFR 72.72(d), with respect to maintaining a duplicate set of spent fuel storage records. The licensee may maintain records of spent fuel and high level radioactive waste in storage either in duplicate, as required by 10 CFR 72.72(d), or, alternatively, a single set of records may be maintained at a records storage facility that satisfies the standards of ANSI N45.2.9-1974. All other requirements of 10 CFR 72.72(d) must be met.
17. This license is effective as of the date of issuance shown below.

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

/RA/

John D. Monninger, Chief  
Licensing Section  
Spent Fuel Project Office  
Office of Nuclear Material Safety  
and Safeguards  
Washington, DC 20555

Date of Issuance: March 22, 2004

Attachment: Appendix - Technical Specifications