



*Pacific Gas and
Electric Company*

SAFEGUARDS INFORMATION

April 28, 2004

PG&E Letter DCL-04-054

U.S. Nuclear Regulatory Commission
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Diablo Canyon Units 1 and 2
Docket No. 50-275, OL-DPR-80
Docket No. 50-323, OL-DPR-82
Supplemental Response to the April 29, 2003, Orders to Pacific Gas & Electric
Company, Diablo Canyon Power Plant Units 1 and 2

Dear Commissioners and Staff:

The NRC issued an Order dated April 29, 2003, Requiring Compliance with Revised Design Basis Threat ("Order EA-03-086" or "Order") and other security related Orders (collectively "Orders") for the Diablo Canyon Power Plant Units 1 and 2 (DCPP). This Supplemental Response of Pacific Gas and Electric Company (PG&E) to Order EA-03-086 supplements the previous response, PG&E Letter DCL-03-064, dated June 2, 2003, that PG&E filed pursuant to 10 CFR § 50.4 and Section III, Conditions A.1, B.1 and B.2.

Order EA-03-086 imposes license conditions on nuclear power plants licensed pursuant to the Atomic Energy Act of 1954 and Title 10 of the Code of Federal Regulations. Section III.A of the Order requires licensees to revise their physical security plans and safeguards contingency plans to provide protection against the revised design basis threat (DBT) set forth in Attachment 2 to the Order. Section III.A also requires licensees to revise the security force training and qualification plan to implement the revised DBT. These revised plans, along with an implementation schedule, were required to be submitted to the Commission for review and approval no later than April 29, 2004.

In accordance with the Order and 10 CFR § 50.4, PG&E is submitting this Supplemental Response for the above-mentioned licensed facility. This submittal includes, as Attachment A, revisions to the DCPP Physical Security Plan, the Contingency Plan, and the Training and Qualification Plan as required by Order

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ATTACHMENTS, THIS LETTER IS "DECONTROLLED."**

EA-03-086. These plans contain the integrated commitments to comply with Order EA-03-086 and the other security related Orders issued on February 25, 2002, January 7, 2003, and April 29, 2003. As a result, these plans supersede previous submittals of PG&E in these areas, including those related to the February 25, 2002, January 7, 2003, and April 29, 2003, Orders. PG&E will continue to implement the provisions of those previous submittals except to the extent that they are superseded by these plans. All changes that have been or will be made have been evaluated to ensure that they do not compromise plant safety.

PG&E has developed these plans to be consistent with NEI-03-01 (Revision 1), *Nuclear Power Plant Access Authorization Program* (April 2004); NEI-03-09 (Revision 2), *Security Officer Training Program* (April 2004); and NEI-03-12 (Revision 2 (draft)), *Template for the Security Plan, Training and Qualification Plan, and Safeguards Contingency Plan*. The schedule for completing those actions, which includes the identification of major transitional activities, is provided in Attachment B to this submittal. To facilitate the NRC's review, any provisions that are different from NEI-03-12 are identified and the justification provided in Attachment C, *Deviations from NEI-03-12*, to this submittal. Attachment D, *Previous Exemptions to 10 CFR Part 73*, is a listing of any exemptions to 10 CFR Part 73 previously granted to PG&E and an explanation of their status under the plans hereby submitted. Attachment E, *Justification for Alternatives*, includes the justification for any of the alternatives provided in NEI-03-12 or in "NRC Guidance on Implementation of the April 2003 Revised Design Basis Threat" that PG&E has adopted.

When the final revision of NEI-03-12 is approved by the NRC, PG&E will supplement this response, if necessary, to conform with NEI-03-12 as finally approved. However, with the filing of these plans, PG&E will be implementing its revised protection strategy and completing plant modifications and security personnel training pursuant to these plans to ensure that implementation will be completed by October 29, 2004, as required by the Orders. Upon completion of the implementation of these plans, PG&E will be in compliance with all applicable security requirements. For the purpose of complying with the requirements of 10 CFR Part 73 to conduct an annual audit, the date of the letter that will be submitted to the NRC pursuant to Order EA-03-086 certifying that implementation of the plans is complete will be the effective date for determining commencement of the annual audit requirement period.

Because of the requirement for these plans to be fully implemented by October 29, 2004; the need to integrate the requirement of the revised DBT Order with the Orders issued February 25, 2002, January 7, 2003, and April 29, 2003; and the

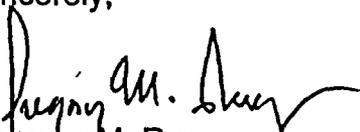
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Commission's determination that it would be appropriate to exercise enforcement discretion to accommodate any transitional issues which may arise as licensees, in good faith, take reasonable actions to implement the specific requirements of the Orders, PG&E requests that enforcement discretion be exercised during the transition period until full implementation of the plans is accomplished and the physical plant modifications and security force training are complete. At that time, the revised plans will be fully implemented and the exercise of enforcement discretion will no longer be necessary.

This response is hereby submitted to the Commission in accordance with 10 CFR 50.4 and 10 CFR 2.202. If you have any questions, please contact me at (415) 973-4684 or Ronald Todaro at (805) 545-4309.

Sincerely,


Gregory M. Rueger

swh/A0582378

Enclosure

Attachments

cc: Bruce S. Mallett, Region IV
David L. Proulx, Resident
Girija S. Shukla, NRR
Office of the Secretary of the Commission (NRC)
Diablo Distribution

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Compact Diskette

**Supplemental Response to the April 29, 2003, Orders to
Pacific Gas & Electric Company, Diablo Canyon Power Plant Units 1 and 2**

Compact Diskette Transmittal Form

Filename	Sensitivity	File Size	Description
PSP04272004.pdf	SGI	1 Mb	Security Plan, Contingency Plan, Training and Qualification Plan
DCL04-054 Attachments.pdf	SGI	190 kb	Attachments
Cover Letter.pdf	Non-SGI	89.6 kb	Cover Letter

Contact Name and Phone Number: Ronald Todaro
(805) 545-4309

Special Instructions: The CD-R media are read-only, 700MB compact diskettes.
All files are in word searchable, PDF format.

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Document: Access Authorization Order DCL-04-054
 Subject: Supplemental Response to the April 29, 2003, Orders to Pacific Gas & Electric Company, Diablo Canyon Power Plant Units 1 and 2
 File Location S:\RS\RA\SECURITY\Orders2003\Security Orders - supplemental response to orders 4-29-04 .doc
 Version: 04/26/2004

FSAR Update Review		
Utilizing the guidance in XI3.ID2, does the FSAR Update need to be revised? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
If "Yes", submit an FSAR Update Change Request in accordance with XI3.ID2 (or if this is an LAR, process in accordance with WG-9)		

Statement of Commitment: None

Clarification:

Tracking Document:	<small>AR or NCR</small> A0582378	<small>AE or ACT</small> AE 02
Assigned To:	<small>NAME</small> SWH2	<small>ORGANIZATION CODE</small> PTRB
Commitment Type:	<small>FIRM OR TARGET</small> F	<small>DUE DATE:</small> 04/29/2004
Outage Commitment?	<small>YES OR NO</small> N	<small>IF YES, WHICH? (E.G., 2R9, 1R10, ETC.)</small>
PCD Commitment?	<small>YES OR NO</small> N	<small>IF YES, LIST THE IMPLEMENTING DOCUMENTS (IF KNOWN)</small>
Duplicate of New NCR Commitment in PCD?	<small>YES OR NO</small> N	<small>IF YES, LIST PCD NUMBER (e.g., T35905, etc.)</small>
Old PCD Commitment being changed?	<small>YES OR NO</small> N	<small>IF YES, LIST PCD NUMBER, AND CLARIFY TO CLERICAL HOW COMMITMENT TO BE REVISED</small>

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