

January 3, 2006

Mr. David H. Oatley
Vice President and Acting CNO
Pacific Gas and Electric Company
Diablo Canyon Power Plant
P.O. Box 56
Avila Beach, CA 93424

SUBJECT: DIABLO CANYON POWER PLANT, UNIT NOS. 1 AND 2 - ISSUANCE OF AMENDMENTS RE: REVISION TO TECHNICAL SPECIFICATION REQUIREMENTS FOR HANDLING IRRADIATED FUEL IN THE PRIMARY CONTAINMENT AND FUEL HANDLING BUILDING (TAC NOS. MC5140 AND MC5141)

Dear Mr. Oatley:

The U.S. Nuclear Regulatory Commission (the Commission) has issued the enclosed Amendment No. 184 to Facility Operating License No. DPR-80 and Amendment No. 186 to Facility Operating License No. DPR-82 for the Diablo Canyon Power Plant (DCPP), Unit Nos. 1 and 2, respectively. The amendments consist of changes to the Technical Specifications (TS) in response to your application dated October 29, 2004, as supplemented by letters dated May 6 and October 31, 2005.

The amendments revise the TS requirements for the handling of irradiated fuel in the containment and fuel building, and certain specifications related to performing core alterations. These changes are based on analysis of the postulated fuel handling and core alteration accidents and transients for DCPP, Units 1 and 2. The amendments are consistent with the NRC-approved Industry/Technical Specification Task Force (TSTF) Standard Technical Specifications Change Traveler TSTF-51, Revision 2, "Revise containment requirements during handling irradiated fuel and core alterations." In addition, the amendments made editorial corrections to TS 3.1.7, "Rod Position Indication," TS 3.3.1, "Reactor Trip System (RTS) Instrumentation," TS 3.4.16, "RCS Specific Activity," TS 3.7.3, "Main Feedwater Isolation Valve (MFIVs), Main Feedwater Regulating Valves (MFRVs), MFRV Bypass Valves, and Main Feedwater Pump (MFWP) Turbine Stop Valves," and TS 3.7.13, "Fuel Handling Building Ventilation System (FHBVS)."

D. Oatley

-2-

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,

/RA/

Alan Wang, Project Manager
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-275
and 50-323

Enclosures: 1. Amendment No. 184 to DPR-80
2. Amendment No. 186 to DPR-82
3. Safety Evaluation

cc w/encls: See next page

D. Oatley

-2-

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PACIFIC GAS AND ELECTRIC COMPANY

DOCKET NO. 50-275

DIABLO CANYON NUCLEAR POWER PLANT, UNIT NO. 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No.184
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 October 29, 2004, as supplemented by letters dated May 6 and October 31, 2005, 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:

(2) Technical Specifications

The Technical Specifications contained in Appendix A and the Environmental Protection Plan contained in Appendix B, as revised through Amendment No. 184, 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 and shall be implemented within 90 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

David Terao, Chief
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical
Specifications

Date of Issuance: January 3, 2006

PACIFIC GAS AND ELECTRIC COMPANY

DOCKET NO. 50-323

DIABLO CANYON NUCLEAR POWER PLANT, UNIT NO. 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 186
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 October 29, 2004, supplemented by letters dated May 6 and October 31, 2005, 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. 186, 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 and shall be implemented within 90 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

David Terao, Chief
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical
Specifications

Date of Issuance: January 3, 2006

ATTACHMENT TO LICENSE AMENDMENT NO. 184

TO FACILITY OPERATING LICENSE NO. DPR-80

AND AMENDMENT NO. 186 TO FACILITY OPERATING LICENSE NO. DPR-82

DOCKET NOS. 50-275 AND 50-323

Replace the following pages of the Appendix A Technical Specifications with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

REMOVE

INSERT

3.1-13

3.1-13

3.3-9

3.3-9

3.3-44

3.3-44

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3.4-37

3.4-37

3.7-8

3.7-7a

3.7-18

3.7-18

3.7-18a

3.7-18a

3.7-19

3.7-19

3.7-23

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3.8-11

3.8-11

3.8-12

3.8-12

3.8-21

3.8-21

3.8-27

3.8-27

3.8-31

3.8-31

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 184 TO FACILITY OPERATING LICENSE NO. DPR-80
AND AMENDMENT NO. 186 TO FACILITY OPERATING LICENSE NO. DPR-82
PACIFIC GAS AND ELECTRIC COMPANY
DIABLO CANYON POWER PLANT, UNITS 1 AND 2
DOCKET NOS. 50-275 AND 50-323

1.0 INTRODUCTION

By application dated October 29, 2004, as supplemented by letters dated May 6 and October 31, 2005 (Agencywide Documents Access Management System (ADAMS) Accession Nos. ML043090047, ML051330202, and ML053130269, respectively), Pacific Gas and Electric Company (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 Power Plant (DCPP), Units 1 and 2.

The proposed amendments will revise the Technical Specification (TS) requirements for the handling of irradiated fuel in the containment and fuel building, and certain specifications related to performing core alterations. These changes are based on analysis of the postulated fuel handling and core alteration accidents and transients for DCPP, Units 1 and 2. The proposed amendments are consistent with the NRC-approved Industry/Technical Specification Task Force (TSTF) Standard Technical Specifications Change Traveler, TSTF-51, Revision 2, "Revise containment requirements during handling irradiated fuel and core alterations." In addition, this license amendment request (LAR) proposes to make editorial corrections to TS 3.1.7, "Rod Position Indication," TS 3.3.1, "Reactor Trip System (RTS) Instrumentation," TS 3.4.16, "RCS Specific Activity," TS 3.7.3, "Main Feedwater Isolation Valve (MFIVs), Main Feedwater Regulating Valves (MFRVs), MFRV Bypass Valves, and Main Feedwater Pump (MFWP) Turbine Stop Valves," and TS 3.7.13, "Fuel Handling Building Ventilation System (FHBVS)."

The additional information provided in the supplemental letters dated May 6 and October 31, 2005, did not expand the scope of the application as noticed and did not change the Nuclear Regulatory Commission (NRC) staff's original proposed no significant hazards consideration determination published in the *Federal Register* on January 4, 2005 (70 FR 403).

2.0 REGULATORY EVALUATION

The licensee in Enclosure 1, Section 5.2 of its October 29, 2004, submittal identified the following as the applicable regulatory requirements for this LAR:

- Title 10 of the *Code of Federal Regulations* (10 CFR), Part 100, "Reactor Site Criteria"
- 10 CFR 50, Appendix A, General Design Criterion (GDC) 16, "Containment design"
- 10 CFR 50, Appendix A, GDC 19, "Control room"
- 10 CFR 50, Appendix A, GDC 54, "Piping systems penetrating containment"
- 10 CFR 50, Appendix A, GDC 56, "Primary containment isolation"
- 10 CFR 50, Appendix A, GDC 61, "Fuel storage and handling and radioactivity control"

The NRC staff considered the above in its review of the licensee's submittal, as well as the following:

10 CFR 50, Appendix A, GDC 17 "Electric Power Systems," requires, in part, that nuclear power plants have onsite and offsite electric power systems to permit the functioning of structures, systems, and components that are important to safety. The onsite system is required to have sufficient independence, redundancy, and testability to perform its safety function, assuming a single failure. The offsite power system is required to be supplied by two physically independent circuits that are designed and located so as to minimize, to the extent practical, the likelihood of their simultaneous failure under operating and postulated accident and environmental conditions.

10 CFR 50.65, "Requirements for monitoring the effectiveness of maintenance at nuclear power plants," requires, in part, that before performing maintenance activities (including but not limited to surveillance, post-maintenance testing, and corrective and preventive maintenance), the licensee shall assess and manage the increase in risk that may result from the proposed maintenance activities.

NUREG-0800, "Standard Review Plan [SRP] for the Review of Safety Analysis Reports for Nuclear Power Plants," Section 15.7.4, provides guidance to the NRC staff for the review and evaluation of system design features and plant procedures provided for the mitigation of the radiological consequences of postulated fuel handling accidents (FHAs).

NRC Regulatory Guide (RG) 1.183, "Alternative Radiological Source Terms for Evaluating Design Basis Accidents at Nuclear Power Reactors," issued in July 2000, provides guidance on acceptable applications of alternative source terms.

NUREG-0800, SRP, Section 15.0.1, "Radiological Consequence Analyses Using Alternate Source Terms," issued in July 2000, also provides guidance on acceptable applications of alternative source terms.

Technical Specification Task Force Traveler, TSTF-51, Revision 2, approved by the NRC on October 13, 1999, provides instructions for the certain relaxation of TS requirements during refueling after a sufficient decay period has occurred.

3.0 TECHNICAL EVALUATION

3.1 Radiological Consequence Analysis

On April 2, 2003, prior to this LAR, the licensee requested a license amendment (ADAMS Accession No. ML031050546) to revise DCPD TS operability and surveillance requirements for the control room ventilation system (CRVS), the auxiliary building ventilation system, and the FHBVS. The NRC approved the request and issued License Amendments 163/165 for DCPD, Units 1 and 2 on February 27, 2004 (ADAMS Accession No. ML040630557). License Amendments 163/165 analyzed the radiological consequences for the FHA in the fuel handling building. In these license amendments, the licensee voluntarily took the option of a selective implementation of the alternative source term pursuant to 10 CFR 50.67 and RG 1.183 for the FHA radiological consequence analysis. In these license amendments, the licensee also re-analyzed the FHA assuming no credit for the retention of fission products by the FHBVS or CRVS. The resulting radiological doses were 4.265 rem total effective dose equivalent (TEDE) at the exclusion area boundary (EAB), 0.112 rem TEDE at the low population zone (LPZ), and 0.689 rem TEDE in the control room (CR). These doses are within the dose guidelines provided in SRP 15.0.1 and RG 1.183.

In its May 6, 2005, response to the staff's request for additional information dated April 5, 2005, the licensee stated that the major parameters and assumptions used in the radiological consequence analyses for the FHA in the fuel handling building and its resulting radiological consequences at the EAB, LPZ, and CR in License Amendments 163/165 are still valid for and applicable to this LAR. The licensee further stated in this response that the radiological consequence analyses for the FHA in the fuel handling building in License Amendments 163/165 are also valid for and applicable to this LAR for the FHA in the primary containment since the major parameters and assumptions used are the same for both FHAs in the fuel handling building and in the primary containment.

The NRC staff independently verified and concluded in Amendments 163/165 that the major parameters and assumptions used are the same for both FHAs in the fuel handling building and in the primary containment, respectively. Based on these findings in License Amendments 163/165, the NRC staff had previously concluded that the radiological consequences due to the FHAs in the fuel handling building and in the primary containment meet the dose guidelines provided in SRP 15.0.1 and RG 1.183. The NRC staff determined that these radiological consequence analyses are also applicable to this LAR and, therefore, the NRC staff concludes that they are acceptable for this LAR.

3.2 Definition of "Recently Irradiated" Fuel Assemblies

In License Amendments 163/165, the licensee assumed a radioactive decay period of 100 hours before the movement of irradiated fuel. Given this decay period, the licensee is now proposing changes to redefine the TS requirements for handling of irradiated fuel in the containment and fuel handling building and certain specifications related to performing core alteration; and making those engineered safety feature (ESF) systems originally relied upon to mitigate an FHA applicable only for the movement of fuel that has been "recently irradiated."

The term "recently irradiated" represents the decay period for the reduction in radionuclide inventory available for release in the event of an FHA. Once the reactor has been shut down for a minimum of 100 hours, the licensee has demonstrated in License Amendments 163/165 and in this LAR that the radiological consequences of the postulated FHA will not exceed the dose guideline provided in SRP 15.0.1 and RG 1.183.

In order to implement the proposed changes, the limiting conditions for operations (LCO) and for the selected ESF systems need only apply when handling fuel that has recently been in the critical reactor core (i.e., "recently irradiated fuel"). The TS Bases will be revised to identify "recently irradiated" fuel as fuel that has occupied part of a critical reactor core within the previous 100 hours. The deletion of the core alterations term is justified since an FHA is the only event during core alterations that is postulated to result in fuel damage and radiological release, and, therefore, such FHAs will be fully enveloped by the proposed applicability statement. The deletion of this term from the Bases is consistent with the instructions in TSTF-51, Revision 2, for approval of this LAR.

3.3 Technical Specification Change Evaluations

The proposed changes to the TSs and the NRC staff's evaluations are provided below:

3.3.1 Specification 3.1.7, Rod Position Indication

Section header, "3.1 Reactivity Control Systems," is added to the TS page 3.1-13 for consistency with the TS format. The NRC staff concludes that this is an editorial change and, therefore, is acceptable.

3.3.2 Specification 3.3.1, Reactor Trip System Instrumentation

The notes in Surveillance Requirement 3.3.1.7 are renumbered to correct an error. The NRC staff concludes that this is an editorial change and, therefore, is acceptable.

3.3.3 Specification 3.3.6, Containment Ventilation Isolation Instrumentation

The applicability requirements for Table 3.3.6-1 are revised to reflect that the specified function is applicable during the movement of "recently irradiated" fuel assemblies within the containment. The applicability requirement during core alterations is deleted. Condition C is revised to be applicable during the movement of "recently irradiated" fuel assemblies within containment. The requirement of Condition C to be applicable during core alterations is deleted.

The NRC staff had previously approved the appropriate actions proposed by the licensee to isolate the containment in the event of a postulated FHA in License Amendment 155, dated October 21, 2002. As part of this approval, should an FHA occur, per TSTF-51 the licensee has established procedures in its Nuclear Management and Control 93-01 shutdown requirements which state that the licensee will take appropriate actions to isolate the containment (including isolation of any purge) and process the releases, if tornado or severe weather warnings are in effect, or in the event of an FHA inside containment. The deletion of the core alterations term is justified because an FHA is the only event during core alterations,

that is postulated to result in fuel damage and radiological release. The NRC staff has reviewed these changes and conclude that they are consistent with the instructions in TSTF-51, Revision 2, and, therefore, these proposed changes are acceptable.

3.3.4 Specification 3.3.7, CRVS Actuation System

The applicability requirements for Table 3.3.7-1 are revised to reflect that the specified function is applicable during the movement of "recently irradiated" fuel assemblies. Condition D is revised to be applicable during the movement of "recently irradiated" fuel assemblies and the required action is revised to suspend the movement of "recently irradiated" fuel assemblies. The required action of Condition D to suspend core alterations is deleted.

The deletion of the core alterations term is justified because an FHA is the only event during core alterations that is postulated to result in fuel damage and radiological release. The NRC staff has reviewed these changes and concluded that they are consistent with the instructions in TSTF-51, Revision 2, and, therefore, these proposed changes are acceptable. However, DCP, Units 1 and 2, share a common control room with a common CRVS actuation system and each unit has its own TS. Therefore, the TS requirements for an operating unit will override the TS requirement changes in this LAR for a unit in refueling operation (unless both units are in refueling operation), requiring the common CRVS actuation system to be operable.

3.3.5 Specification 3.3.8, Fuel Building Ventilation System (FBVS) Actuation Instrumentation

Condition B wording is changed from "in operable" to "inoperable." The NRC staff agrees that this is an editorial change and, therefore, is acceptable.

The applicability requirements for Table 3.3.8-1 are revised to reflect that the specified function is applicable during the movement of "recently irradiated" fuel assemblies in the fuel handling building. The required action for Condition B is revised to suspend the movement of "recently irradiated" fuel assemblies in the fuel handling building.

The NRC staff has reviewed these changes and finds they are consistent with the instructions in TSTF-51, Revision 2, and, therefore, these proposed changes are acceptable.

3.3.6 Specification 3.4.16, Reactor Coolant System Specific Activity

Figure number 3.4-1, Dose Equivalent I-131 Reactor Coolant Specific Activity Limit Versus Percent of Related Thermal Power with the Reactor Coolant Specific Activity greater than $\mu\text{Ci}/\text{Gram}$ Dose Equivalent I-131, is corrected to 3.4.16-1. The NRC staff concludes that this is an editorial change and therefore, is acceptable.

3.3.7 Specification 3.7.3, Main Feedwater Isolation Valve (MFIVs), Main Feedwater Regulating Valves (MFRVs), MFRV Bypass Valves, and Main Feedwater Pump (MFWP) Turbine Stop Valves

Page 3.7-8 is renumbered to 3.7-7a to eliminate a duplicate page number. The staff concludes that this is an editorial change and therefore, is acceptable.

3.3.8 Specification 3.7.10, Control Room Ventilation System (CRVS)

The applicability requirement is revised to reflect that the LCO is applicable during the movement of recently irradiated fuel assemblies. Conditions D and E are revised to be applicable during the movement of recently irradiated fuel assemblies. The required actions for Conditions D and E, which state to suspend the movement of irradiated fuel assemblies, are revised to suspend the movement of recently irradiated fuel assemblies. The required actions for Conditions D and E to suspend core alterations are deleted.

The deletion of the core alterations term is justified because an FHA is the only event during core alterations that is postulated to result in fuel damage and radiological release. The NRC staff has reviewed these changes and finds they are consistent with the instructions in TSTF-51, Revision 2, and, therefore, these proposed changes are acceptable. However, DCP, Units 1 and 2, share a common control room with a common CRVS actuation system and each unit has its own TS. Therefore, the TS requirements for an operating unit will override the TS requirement changes in this LAR for the unit in refueling operation (unless both units are in refueling operation), requiring the common CRVS to be operable.

3.3.9 Specification 3.7.13, FHBVS

Added the word "recently" to qualify the irradiated fuel in Condition B and C; and Required Action B.2 and C.1 to agree with the applicability of the TS approved in License Amendments 163/165. The NRC staff concurs that this is an editorial change that is acceptable.

3.3.10 Class 1E Power Sources

The licensee proposes to make the following changes to the electrical TS Sections 3.8.2, 3.8.5, 3.8.8, and 3.8.10 relating to the shutdown conditions (adding the word "recently"):

- AC Sources - Shutdown, TS 3.8.2

The applicability requirements are revised to reflect that the LCO is applicable during the movement of recently irradiated fuel assemblies. The required action of Conditions A and B are revised to include the suspension of the movement of recently irradiated fuel assemblies.

- DC Sources - Shutdown, TS 3.8.5

The applicability requirements are revised to reflect that the LCO is applicable during the movement of recently irradiated fuel assemblies. The required action of Condition A is revised to include the suspension of the movement of recently irradiated fuel assemblies.

- Inverters - Shutdown, TS 3.8.8

The applicability requirements are revised to reflect that the LCO is applicable during the movement of recently irradiated fuel assemblies. The required action of Condition A is revised to include the suspension of the movement of recently irradiated fuel assemblies.

- Distribution Systems - Shutdown, TS 3.8.10

The applicability requirements are revised to reflect that the LCO is applicable during the movement of recently irradiated fuel assemblies. The required action of Condition A is revised to include the suspension of the movement of recently irradiated fuel assemblies.

Following reactor shutdown, decay of the short-lived fission products greatly reduces the fission product inventory present in irradiated fuel. Following sufficient decay occurring, the primary success path for mitigating the FHA is the water level and the decay time. In the LAR, the licensee stated that both FHA inside containment and FHA in the fuel handling building analyses demonstrate that after 100 hours of sub-criticality, the applicable regulatory dose limits are satisfied without credit for building integrity and ESF system operation. In addition, the DCPD TS 3.9.7 allows the movement of irradiated fuel assemblies within containment only when the refueling cavity water level is \geq 23 feet. Therefore, adequate defense in depth is maintained by the TS requirements for spent fuel pool water level and radioactive decay.

The licensee amendment approved by NRC, dated October 21, 2002, included provisions (although not required per supporting analysis) for the administrative controls to be in place to immediately initiate and complete containment closure within approximately 30 minutes of an FHA. In its letter dated October 31, 2005, the licensee stated that the maintenance rule would be used to assess and manage the risk during movement of fuel or other activities in the fuel handling building while the unit is shutdown. This would include assessing the capability to filter and monitor any radioactivity releases in the event of an FHA, and the requirements for Class 1E electrical power. The plant procedures require portable monitor(s) in addition to permanently installed radiation monitors in the fuel handling building.

The change to TS 3.3.8, "Fuel Building Ventilation System Actuation Instrumentation," will require the permanently installed spent fuel pool (SFP) and new fuel storage vault radiation monitors to be operational during movement of recently irradiated fuel assemblies. In addition, Condition "A" of TS 3.3.8, requires that if one or more radiation channels are inoperable, an appropriate portable continuous monitor with the same alarm setpoint must be installed immediately or an individual qualified in radiation protection procedures with a dose rate monitoring device must be stationed in the SFP area immediately. The fuel building ventilation system instrumentation (permanently installed radiation monitors) is fed from Class 1E power sources and do not need to be operational after the reactor has been shutdown for a minimum 100 hours.

The term "recently irradiated" establishes a point at which operability of those systems typically used to mitigate the consequences of an FHA is no longer needed to meet the radiation exposure limits specified in 10 CFR 100.11 and GDC 19. Based on that premise that Class 1E power sources are not necessary 100 hours after sub-criticality, the NRC staff concludes that the proposed changes to the electrical TS Sections 3.8.2, 3.8.5, 3.8.8, and 3.8.10, i.e., revising the term "movement of irradiated fuel assemblies" to "movement of recently irradiated fuel assemblies" are acceptable.

4.0 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.

5.0 ENVIRONMENTAL CONSIDERATION

The amendments change a requirement with respect to the installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20. The NRC staff has determined that the amendments involve no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendments involve no significant hazards consideration and there has been no public comment on such finding (70 FR 403; published January 4, 2005). Accordingly, the amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). 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.

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 Contributors: E. Forest
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Date: January 3, 2006

Diablo Canyon Power Plant, Units 1 and 2

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