

May 26, 2006

Mr. John S. Keenan
Senior Vice President and Chief Nuclear Officer
Pacific Gas and Electric Company
Diablo Canyon Power Plant
P.O. Box 770000
San Francisco, CA 94177-0001

SUBJECT: DIABLO CANYON POWER PLANT, UNIT NOS. 1 AND 2 - ISSUANCE OF
AMENDMENTS RE: UNIT STAFF QUALIFICATION REQUIREMENTS
(MC8880 AND MC8881)

Dear Mr. Keenan:

The U.S. Nuclear Regulatory Commission (the Commission) has issued the enclosed Amendment No. 187 to Facility Operating License No. DPR-80 and Amendment No. 189 to Facility Operating License No. DPR-82 for the Diablo Canyon Power Plant, Unit Nos. 1 and 2, respectively. The amendments consist of changes to the Technical Specifications (TSs) in response to your application dated October 19, 2005, as supplemented by letter dated December 23, 2005.

The amendments revise requirements that have been superseded. The revised requirements are based on licensed operator training programs being accredited by the National Academy for Nuclear Training and promulgation of the revised Part 55 of Title 10 of the *Code of Federal Regulations* (10 CFR), "Operators' Licenses," which became effective on May 26, 1987. In addition, the proposed changes remove the non-licensed staff retraining and replacement training program requirements which have been superseded by requirements contained in 10 CFR 50.120.

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. 187 to DPR-80
2. Amendment No. 189 to DPR-82
3. Safety Evaluation

cc w/encls: See next page

May 26, 2006

Mr. John S. Keenan
Senior Vice President and Chief Nuclear Officer
Pacific Gas and Electric Company
Diablo Canyon Power Plant
P.O. Box 770000
San Francisco, CA 94177-0001

SUBJECT: DIABLO CANYON POWER PLANT, UNIT NOS. 1 AND 2 - ISSUANCE OF
AMENDMENTS RE: UNIT STAFF QUALIFICATION REQUIREMENTS
(MC8880 AND MC8881)

Dear Mr. Keenan:

The U.S. Nuclear Regulatory Commission (the Commission) has issued the enclosed Amendment No. 187 to Facility Operating License No. DPR-80 and Amendment No. 189 to Facility Operating License No. DPR-82 for the Diablo Canyon Power Plant, Unit Nos. 1 and 2, respectively. The amendments consist of changes to the Technical Specifications (TSs) in response to your application dated October 19, 2005, as supplemented by letter dated December 23, 2005.

The amendments revise requirements that have been superseded. The revised requirements are based on licensed operator training programs being accredited by the National Academy for Nuclear Training and promulgation of the revised Part 55 of Title 10 of the *Code of Federal Regulations* (10 CFR), "Operators' Licenses," which became effective on May 26, 1987. In addition, the proposed changes remove the non-licensed staff retraining and replacement training program requirements which have been superseded by requirements contained in 10 CFR 50.120.

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. 187 to DPR-80
2. Amendment No. 189 to DPR-82
3. Safety Evaluation

cc w/encls: See next page

DISTRIBUTION:

PUBLIC

RidsNrrDorl (CHaney/CHolden)

RidsNrrDorlLpl4 (DTerao)

RidsNrrPMAWang

LPLIV Reading

RidsNrrLALFeizollahi

RidsOgcRp

RidsAcrsAcnwMailCenter

RidsRegion4MailCenter (BJones)

RidsNrrDorlDpr

GHill (4)

KMartin, NRR/ADRO

RPelton, NRR/ADRO

ACCESSION NO.: ML061280564

Pkg No: ML061280555

TS No: ML061500174

OFFICE	NRR/LPL4/PM	NRR/LPL4/LA	NRR/IOLB/BC	OGC	NRR/LPL4/BC
NAME	AWang;mxr4	LFeizollahi	NKeefe	AHodgdon	DTerao
DATE	5/25/06	5/25/06	5/1/06	5/22/06	5/25/06

OFFICIAL RECORD COPY

PACIFIC GAS AND ELECTRIC COMPANY

DOCKET NO. 50-275

DIABLO CANYON NUCLEAR POWER PLANT, UNIT NO. 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 187
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 19, 2005, as supplemented by letter dated December 23, 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. 187 , 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: May 26, 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. 189
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 19, 2005, as supplemented by letter dated December 23, 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. 189, 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: May 26, 2006

ATTACHMENT TO LICENSE AMENDMENT NO. 187

TO FACILITY OPERATING LICENSE NO. DPR-80

AND AMENDMENT NO. 189 TO FACILITY OPERATING LICENSE NO. DPR-82

DOCKET NOS. 50-275 AND 50-323

Replace the following page of the Appendix A Technical Specifications with the attached revised page. The revised page is identified by an amendment number and contains a marginal line indicating the area of change.

REMOVE

5.0-4

INSERT

5.0-4

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 187 TO FACILITY OPERATING LICENSE NO. DPR-80
AND AMENDMENT NO. 189 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 19, 2005 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML053010152), as supplemented by letter dated December 23, 2005 (ADAMS Accession No. ML060050325), Pacific Gas and Electric Company (or the licensee) requested changes to the Technical Specifications (TSs, Appendix A to Facility Operating License Nos. DPR-80 and DPR-82) for the Diablo Canyon Power Plant, Units 1 and 2 (DCPP).

The proposed amendments would revise the DCPD TS Section 5.3, "Unit Staff Qualifications." Specifically, the proposed changes that are based on licensed operator training programs being accredited by the National Academy for Nuclear Training and promulgation of the revised Part 55 of Title 10 of the *Code of Federal Regulations* (10 CFR), "Operators' Licenses," which became effective on May 26, 1987, would revise the requirements that have been superseded. In addition, the proposed changes remove the non-licensed staff retraining and replacement training program requirements, which have been superseded by requirements contained in 10 CFR 50.120, "Training and qualification of nuclear power plant personnel."

The additional information provided in the supplemental letter dated December 23, 2005, did not expand the scope of the application as originally noticed in the *Federal Register* on December 20, 2005 (70 FR 75495).

2.0 REGULATORY EVALUATION

On March 20, 1985, the NRC issued the Commission Policy Statement on Training and Qualification of Nuclear Power Plant Personnel, which endorsed the National Academy for Nuclear Training (NANT) and the training accreditation process. In Generic Letter 87-07, "Information Transmittal of Final Rulemaking for Revisions to Operator Licensing - 10 CFR 55 and Conforming Amendments," dated March 19, 1987, and in NUREG-1262, "Answers to Questions at Public Meetings Regarding Implementation of Title 10, *Code of Federal Regulations*, Part 55 on Operators' Licenses," published November 1987, the NRC indicated it would accept a facility's licensed operator training program if the facility certified in writing that the program was accredited and based on a systems approach to training (SAT). This certification would supersede the requirements of American National Standards Institute

(ANSI) N18.1-1971, "Selection and Training of Nuclear Power Plant Personnel," and ANSI/American Nuclear Society (ANS) 3.1-1978, "Selection, Qualification and Training of Personnel for Nuclear Power Plants." Facility licensees were advised to submit a request to the NRC for an administrative change to their licensing documents to revise or delete, as appropriate, the requirements that had been superseded.

In 1992, the NRC published its proposed rule 10 CFR 50.120, "Training and qualification of nuclear power plant personnel." The proposed rule stated that, if adopted, the rule would supersede the Policy Statement on training and qualification of nuclear power plant personnel and would not result in any change to accredited programs. The Commission concluded that accredited programs, implemented consistent with industry objectives and criteria, would be in compliance with this regulation. In April 1993, the NRC published its final rule on training and qualification of nuclear power plant personnel. The rule requires nuclear power plant licensees to establish, implement, and maintain SAT-based training programs for nine non-licensed positions. Accreditation of these nine training programs is an acceptable means of meeting the requirements of 10 CFR 50.120.

On January 18, 2001, the NRC published NRC Regulatory Issue Summary (RIS) 2001-01, "Eligibility of Operator License Applicants," to familiarize licensees with the NRC's current guidelines for the qualification and training of reactor operator and senior operator license applicants. RIS 2001-01 acknowledged that 10 CFR 55.31(a)(4) allows the NRC to accept an application for an operator's license if the facility licensee certifies that the applicant has successfully completed a Commission-approved training program that is based on a systems approach to training. In addition, RIS 2001-01 stated that: (1) a training program would be considered approved by the NRC when it received or renewed accreditation from the National Nuclear Accrediting Board (NNAB); (2) accreditation of operator training programs suggests that facilities are implementing the education and experience guidelines endorsed by the NNAB; (3) NANT guidelines for education and experience (those in effect in 1987 or those issued in January 2000) outline acceptable methods for implementing the Commission's regulations; and (4) the staff encourages all facility licensees to review their requirements and commitments related to licensed operator and senior operator education and experience and to update their documentation (e.g., Final Safety Analysis Report, Technical Specifications, and training program descriptions) to "enhance consistency and minimize confusion."

3.0 TECHNICAL EVALUATION

The proposed revision will update the licensed operator qualification requirements that have been outdated. The updated licensed operator qualification requirements are based on licensed operator training programs being accredited by the NANT and by promulgation of the revised 10 CFR Part 55, "Operators' Licenses." The proposed changes conform to the current requirements of 10 CFR Part 55.

In the application, the licensee states that DCP uses the SAT methodology for non-licensed staff training programs. Non-licensed staff training programs are accredited by the NANT and, therefore, are in compliance with 10 CFR 50.120. Specifying requirements for non-licensed personnel training programs in 10 CFR 50.120 obviates the need to further specify requirements in the TSs. As a result, the NRC staff concludes that deleting the TS retraining

and replacement training requirements for non-licensed staff is acceptable, as the requirements governing the training and retraining of non-licensed personnel are contained in 10 CFR 50.120.

The NRC staff concludes that the revised licensed operator qualification requirements and the non-licensed staff training and retraining programs in TS Section 5.3 are adequate as they conform with licensed operator eligibility criteria, the training and qualification requirements of 10 CFR 50.120, and standards acceptable to the NRC.

Based on the above discussion, the NRC staff finds that the revised DCPD TS Section 5.3, "Unit Staff Qualifications," is consistent with 10 CFR Part 55 and 10 CFR 50.120, does not adversely affect nuclear safety or plant operations, and provides adequate requirements to assure an acceptable and competent operating staff. Each member of the DCPD staff is required to meet or exceed the minimum qualifications of specific Regulatory Guides or ANSI Standards acceptable to the NRC staff.

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 relate to changes in recordkeeping, reporting, or administrative procedures or requirements. Accordingly, the amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). 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: R. Pelton
K. Martin

Date: May 26, 2006

Diablo Canyon Power Plant, Units 1 and 2

cc:

NRC Resident Inspector
Diablo Canyon Power Plant
c/o U.S. Nuclear Regulatory Commission
P.O. Box 369
Avila Beach, CA 93424

Sierra Club San Lucia Chapter
ATTN: Andrew Christie
P.O. Box 15755
San Luis Obispo, CA 93406

Ms. Nancy Culver
San Luis Obispo
Mothers for Peace
P.O. Box 164
Pismo Beach, CA 93448

Chairman
San Luis Obispo County
Board of Supervisors
1055 Monterey Street, Suite D430
San Luis Obispo, CA 93408

Mr. Truman Burns
Mr. Robert Kinosian
California Public Utilities Commission
505 Van Ness, Room 4102
San Francisco, CA 94102

Diablo Canyon Independent Safety
Committee
ATTN: Robert R. Wellington, Esq.
Legal Counsel
857 Cass Street, Suite D
Monterey, CA 93940

Regional Administrator, Region IV
U.S. Nuclear Regulatory Commission
Harris Tower & Pavillion
611 Ryan Plaza Drive, Suite 400
Arlington, TX 76011-8064

Richard F. Locke, Esq.
Pacific Gas & Electric Company
P.O. Box 7442
San Francisco, CA 94120

City Editor
The Tribune
3825 South Higuera Street
P.O. Box 112
San Luis Obispo, CA 93406-0112

Director, Radiologic Health Branch
State Department of Health Services
P.O. Box 997414, MS 7610
Sacramento, CA 95899-7414

Mr. James D. Boyd, Commissioner
California Energy Commission
1516 Ninth Street (MS 31)
Sacramento, CA 95814

Mr. James R. Becker, Vice President
Diablo Canyon Operations
and Station Director
Diablo Canyon Power Plant
P.O. Box 56
Avila Beach, CA 93424

Jennifer Tang
Field Representative
United States Senator Barbara Boxer
1700 Montgomery Street, Suite 240
San Francisco, CA 94111

March 2006