



**Pacific Gas and
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PG&E Letter HBL-06-008

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D.C. 20555

Docket No. 50-133 OL-DPR-7
Humboldt Bay Power Plant, Unit 3
License Amendment Request 06-02
Revision of Physical Security Plan, Sections 3.1.4 and 4.3, and Table 7-1

Dear Commissioners and Staff:

In accordance with 10 CFR 50.90, enclosed is an application for an amendment to Facility Operating License No. DPR-7 for Humboldt Bay Power Plant (HBPP), Unit 3. The enclosed License Amendment Request (LAR) proposes revision of the Physical Security Plan (PSP) to allow leaving certain security posts temporarily during emergency conditions requiring personnel to evacuate occupied plant areas for their safety. The enclosure to this letter provides the evaluation of the changes proposed in this LAR.

The information contained in this LAR is nonsafeguards information. Under separate cover, the proposed changed pages to the HBPP PSP will be sent to Mr. John Hickman, NRC, as safeguards information.

The changes proposed in this LAR are not required to address an immediate safety concern. Pacific Gas and Electric Company requests that the revised PSP be made effective upon NRC issuance of a license amendment, to be implemented within 60-days from the date of issuance of the license amendment.

Sincerely,


James R. Becker

dds/0801

Enclosure

cc: Edgar Bailey, DHS
John B. Hickman
Bruce S. Mallett
PG Fossil Gen HBPP Humboldt Distribution

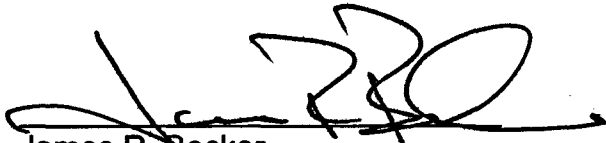
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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of PACIFIC GAS AND ELECTRIC COMPANY Humboldt Bay Power Plant, Unit 3)))))))	Docket No. 50-133 Facility Operating License No. DPR-7 License Amendment Request No. 06-02
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AFFIDAVIT

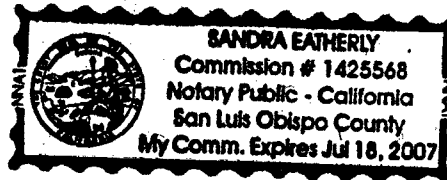
James R. Becker, of lawful age, first being duly sworn upon oath, states that he is Vice President – Diablo Canyon Operations and Station Director, Pacific Gas and Electric Company, that he has executed License Amendment Request 06-02 on behalf of said company with full power and authority to do so; that he is familiar with the contents thereof; and that the facts stated therein are true and correct to the best of his knowledge, information, and belief.



James R. Becker
Vice President – Diablo Canyon Operations and Station Director

Subscribed and sworn to before me this 17th day of May, 2006, by James R. Becker, personally known to me or proved to me on the basis of satisfactory evidence to be the person who appeared before me.

Sandra Eatherly
Notary
State of California
County of San Luis Obispo



EVALUATION

1.0 DESCRIPTION

This letter is a request to amend Operating License No. DPR-7 for Humboldt Bay Power Plant (HBPP) Unit 3.

The proposed change would modify the Physical Security Plan (PSP) to allow leaving certain security posts temporarily under emergency conditions requiring personnel to evacuate occupied plant areas for their health and safety.

2.0 PROPOSED CHANGES

This License Amendment Request proposes to revise PSP, Sections 3.1.4 and 4.3, and Table 7-1, as follows:

Modify PSP, Section 3.1.4 and Table 7-1, to allow the 24-hour continuous security posts to be temporarily unmanned in an emergency when personnel are required to evacuate occupied plant areas for their health and safety.

Modify PSP, Section 4.3, to allow the continuous monitoring function to not be implemented temporarily in an emergency when personnel are required to evacuate occupied plant areas for their health and safety.

The proposed changes to the PSP are noted in a marked-up copy of the applicable PSP sections and table that are being sent under separate cover to Mr. John Hickman, NRC, as safeguards information.

3.0 BACKGROUND

PSP, Section 3.1.4, requires a security post be maintained continuously; Section 4.3, requires security monitoring capability be maintained continuously; and Table 7-1, requires that a security post be maintained 24-hours. On June 14, 2005, a magnitude 7.4 earthquake occurred approximately 97 miles northwest of HBPP creating the potential for a tsunami to occur. Consequently, the National Weather Service, West Coast and Alaska Tsunami Warning Center issued a tsunami warning for an area that included the entire California coast. A tsunami warning indicates that a tsunami may be imminent and that coastal locations in the warned area should prepare for flooding.

As a result of the June 14, 2005, tsunami warning, HBPP implemented Emergency Operating Procedure EOP-6, "Tsunami," and Emergency Plan Implementing Procedure EPIP R-3, "Evacuation of Site Personnel." Procedures, EOP-6 and EPIP R-3, specify that immediately following a large local

earthquake, the 2-1 emergency signal should be sounded. The 2-1 emergency signal mandates all personnel onsite to evacuate occupied plant areas and proceed to a higher ground location onsite within the owner controlled area (OCA), in accordance with the evacuation instructions contained in EPIP R-3.

The June 14, 2005, plant evacuation resulted in violation of License Condition 2.C.1, which states in part that, "The licensee shall fully implement and maintain in effect all provisions of the physical security plan...". License Condition 2.C.1 was violated because the security posts and monitoring requirements of PSP, Sections 3.1.4 and 4.3, and Table 7-1, were not continuously maintained. Upon termination of the tsunami warning, plant security personnel re-entered the PSP, Section 3.1.4 and Table 7-1, security posts and resumed implementation of security post and monitoring requirements of PSP, Sections 3.1.4 and 4.3, and Table 7-1, in accordance with applicable plant documents. The tsunami warning event resulted in the submittal of Licensee Event Report 2005-002-00 to the NRC in Pacific Gas and Electric Company (PG&E) letter HBL-05-022, dated August 12, 2005.

4.0 TECHNICAL ANALYSIS

HBPP is located on the coast of northern California in a region that is seismically active and prone to tsunamis. In the event of an emergency situation such as a tsunami warning for a tsunami that may be imminent, plant procedures require onsite personnel to evacuate occupied plant areas and proceed to a higher ground location onsite within the OCA for their safety. The height of a tsunami wave that could affect the HBPP OCA is predicted to be between 28 to 43 feet above mean lower low water (MLLW). The plant areas for the PSP, Section 3.1.4 and Table 7-1, security posts are less than 28 feet MLLW, and would clearly be impacted by the predicted tsunami wave. The high ground location onsite within the OCA is 44 feet MLLW, and was selected as the evacuation location because it is above the level of the predicted tsunami wave. It is necessary to evacuate personnel from occupied plant areas to the high ground location onsite within the OCA to protect their health and safety.

During the June 14, 2005, tsunami warning, the local law enforcement agency required the evacuation of the nearby town of King Salmon for public health and safety. Similarly, it was essential that plant workers, including security personnel, evacuate occupied plant areas and move to the higher ground location onsite within the OCA for their own safety. By moving to the higher ground location, plant workers, including security personnel, will be protected from the projected tsunami, and they will, therefore, be available after the tsunami to perform any functions that may be necessary to recover from the event, and resume security posts and monitoring functions. If security

personnel remained at their posts, they may become injured by the tsunami and would, therefore, not be able to perform necessary recovery functions after the tsunami.

If security personnel evacuate PSP, Section 3.1.4 and Table 7-1, security posts during a tsunami, those security personnel will be able to return to the PSP, Section 3.1.4 and Table 7-1, security posts after the tsunami and assess damage or intrusion by observing alarms and/or physical conditions as well as resume implementation of security post and monitoring requirements of PSP, Sections 3.1.4 and 4.3, and Table 7-1. In addition, upon evacuation, security personnel notify offsite security backup personnel of the evacuation and the need for the offsite personnel to remotely monitor HBPP security system alarms. Conversely, if security personnel remain at the PSP, Section 3.1.4 and Table 7-1, security posts during a tsunami and become injured, those security personnel would be unable to assist in the resumption of implementation of security post and monitoring requirements of PSP, Sections 3.1.4 and 4.3, and Table 7-1. Therefore, not continually manning the PSP, Section 3.1.4 and Table 7-1, security posts during a tsunami does not increase the consequences of the tsunami.

Evacuation of occupied plant areas requires security personnel to leave the PSP, Section 3.1.4 and Table 7-1, security posts, thereby departing from the PSP and License Condition 2.C.1. Allowing the PSP, Section 3.1.4 and Table 7-1, security posts to be temporarily unmanned under emergency conditions will allow implementation of EPIP R-3 without violating the PSP and License Condition 2.C.1. This is desirable because emergency conditions could arise in the future that will necessitate evacuation of occupied plant areas to protect the health and safety of plant workers.

5.0 REGULATORY ANALYSIS

5.1 No Significant Hazards Consideration

PG&E has evaluated the no significant hazard considerations involved with the proposed amendment, focusing on the three standards set forth in 10 CFR 50.92(c) as quoted below:

"The Commission may make final determination, pursuant to the procedures in §50.91, that a proposed amendment to an operating license for a facility licensed under §50.21(b) or §50.22 or for a testing facility involves no significant hazards consideration, if operation of the facility in accordance with the proposed amendment would not:

- (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or
- (2) Create the possibility of a new or different kind of accident from any accident previously evaluated; or
- (3) Involve a significant reduction in a margin of safety.”

The following evaluation is provided for the no significant hazards consideration standards:

- (1) Does the change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

Allowing the security posts and monitoring requirements of PSP, Sections 3.1.4 and 4.3, and Table 7-1, to not be continuously maintained has no impact on the probability of an accident from occurring, especially acts of nature such as earthquakes and tsunamis.

The HBPP Defueled Safety Analysis Report, Appendix A, and NRC Safety Evaluation Report (SER), Section 10, dated April 29, 1987, evaluate various accidents at HBPP. Because all fuel has been removed from the reactor vessel and stored in the spent fuel pool, the majority of accidents analyzed pertain to events that could only affect spent fuel or the spent fuel pool. All accidents affecting spent fuel or the spent fuel pool do not require security personnel action to protect the public health and safety, or to maintain offsite radiological doses well within regulatory limits. In addition, NRC SER, Section 10.7, "Impact of Tsunami Flooding," analyzes the impact of tsunami flooding. That analysis identifies a likely impact of the tsunami to be a release of the radwaste tank radionuclide contents to the bay and some damage to the reactor building. For both situations, no security personnel action is required to maintain offsite radiological doses well within regulatory limits.

Allowing the security posts and monitoring requirements of PSP, Sections 3.1.4 and 4.3, and Table 7-1, to not be continuously maintained temporarily, under emergency conditions, does not create problems that could increase the

consequences of an accident. The primary function of the manning and monitoring requirements of PSP, Sections 3.1.4 and 4.3, and Table 7-1, is to monitor, detect and assess unauthorized intrusion into the protected area, and has nothing to do with the probability or consequences of plant accidents.

If security personnel evacuate PSP, Section 3.1.4 and Table 7-1, security posts during a tsunami, those security personnel will be able to return to the PSP, Section 3.1.4 and Table 7-1, security posts after the tsunami and assess damage or intrusion by observing alarms and/or physical conditions as well as resume implementation of security post and monitoring requirements of PSP, Sections 3.1.4 and 4.3, and Table 7-1. In addition, upon evacuation, security personnel notify offsite security backup personnel of the evacuation and the need for the offsite personnel to remotely monitor HBPP security system alarms. Conversely, if security personnel remain at the PSP, Section 3.1.4 and Table 7-1, security posts during a tsunami and become injured, those security personnel would be unable to assist in the resumption of implementation of security post and monitoring requirements of PSP, Sections 3.1.4 and 4.3, and Table 7-1. Therefore, not continually manning the PSP, Section 3.1.4 and Table 7-1, security posts during a tsunami does not increase the consequences of the tsunami.

- (2) Does the change create the possibility of a new or different kind of accident from any accident evaluated?

Response: No.

As discussed in the response to Question 1 above, none of the analyzed accidents require security personnel action to keep offsite radiological doses well within regulatory limits. In addition, allowing security personnel to not continuously maintain security post and monitoring requirements of PSP, Sections 3.1.4 and 4.3, and Table 7-1, after an emergency situation has occurred has no impact on the possibility of a new or different kind of accident from occurring. The primary function of the manning and monitoring requirements of PSP, Sections 3.1.4 and 4.3, and Table 7-1, is to monitor, detect, and assess unauthorized intrusion into the protected area, and has nothing to do with the possibility of a different kind of plant accident occurring.

- (3) Does the change involve a significant reduction in a margin of safety?

Response: No.

NRC SER, Section 10.8, "Accident Analysis Conclusions," summarizes the consequences from accidents in terms of offsite radiological doses. SER, Section 10.8, includes the statement, "The (NRC) staff has determined that offsite radiological consequences due to a tsunami are within acceptable dose guideline values." As discussed in the response to Question 1 above, none of the analyzed accidents require security personnel action to keep offsite radiological doses well within regulatory limits. Therefore, allowing security personnel to not continuously maintain security post and monitoring requirements of PSP, Sections 3.1.4 and 4.3, and Table 7-1, after an emergency situation has occurred has no impact on the margin of safety.

5.2 Applicable Regulatory Requirements/Criteria

Regulation 10 CFR 50.54(x) allows licensees to take reasonable action that departs from a license condition or technical specifications to protect the public health and safety in an emergency. Other licensees have invoked 10 CFR 50.54(x) to protect the health and safety of site personnel from severe weather conditions and other emergency situations. In addition, Turkey Point's Physical Security Plan contains provisions for severe weather conditions and the need to protect employees from these conditions (refer to Turkey Point Licensee Event Report 1998-005-00, dated October 16, 1998).

6.0 ENVIRONMENTAL CONSIDERATION

PG&E has evaluated the proposed changes and determined that the changes do not involve: (1) a significant hazards consideration, (2) a significant change in the types or significant increase in the amounts of any effluents that may be released offsite, or (3) a significant increase in individual or cumulative occupational radiation exposure. The amendment changes requested are changes to administrative requirements. Accordingly, the proposed changes meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10)(ii). Therefore, pursuant to 10 CFR 51.22(b), an environmental impact statement or environmental assessment of the proposed changes is not required.

7.0 REFERENCES

- 7.1 HBPP Licensee Event Report 2005-002-00, "Tsunami Warning and Plant Evacuation," submitted to the NRC in letter dated August 12, 2005.
- 7.2 Turkey Point Licensee Event Report 1998-005-00, "Suspension of Safeguards During Severe Weather due to Personnel Safety," submitted to the NRC in letter dated October 16, 1998