



**Pacific Gas and
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PG&E Letter DCL-09-031

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

Docket No. 50-275, OL-DPR-80
Docket No. 50-323, OL-DPR-82
Diablo Canyon Power Plant Units 1 and 2
2008 Annual Commitment Change Summary Report

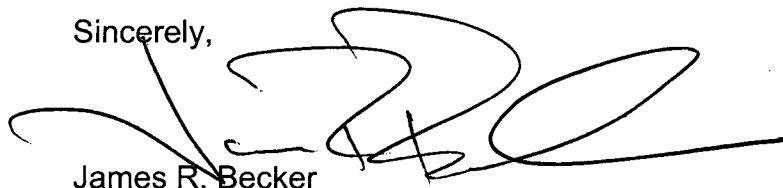
Dear Commissioners and Staff:

In accordance with NEI 99-04, "Guidelines for Managing NRC Commitment Changes," Revision 0, endorsed by the NRC in SECY-00-0045, Pacific Gas and Electric Company (PG&E) is submitting the enclosed Commitment Change Summary Report for Diablo Canyon Power Plant, Units 1 and 2. The report provides a summary of the regulatory commitment changes that occurred during the period January 1, 2008, through December 31, 2008. The summary for each change includes identification of the source document(s), a description of the original and revised commitments, and a justification for the change.

The regulatory commitment changes described in the report were processed in accordance with the NEI guideline, and were determined to not require prior NRC approval. The report does not include commitment changes that are contained in 10 CFR 50.59 evaluation summary reports, or in other submittals previously transmitted to the NRC.

PG&E makes no regulatory commitments (as defined by NEI 99-04) in this letter.

Sincerely,



James R. Becker

ssz1/64002710

Enclosure

cc: Elmo E. Collins, Regional Administrator, NRC Region IV
Michael S. Peck, NRC Senior Resident Inspector
Alan B. Wang, NRC Project Manager

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**SUMMARY OF REGULATORY COMMITMENT CHANGES
JANUARY 1, 2008, THROUGH DECEMBER 31, 2008**

CONTENTS

<u>Item</u>	<u>Commitment Subject</u>	<u>Page</u>
1.0	Plant Staff Review for TS 3.0.4 Mode Changes	1

1.0 Plant Staff Review for TS 3.0.4 Mode Changes

Source Document(s)

- License Amendment 55 and 54, dated June 11, 1990.
- Pacific Gas and Electric Company (PG&E) Letter DCL-89-320, "Diablo Canyon Units 1 and 2 Additional Information and Certification Regarding License Amendment Request 88-05, Revision of Technical Specification (TS) Sections 3.0 and 4.0 'Applicability' and Associated Bases (Generic Letter 87-09)" dated December 21, 1989.

Original Commitment

"1. Operating Procedure (OP) L-0, "Mode Transition Checklists," (has been) revised to require that reliance on the provisions contained in TS 3.0.4 must be reviewed by the Plant Staff Review Committee (PSRC) and approved by the plant manager (or designated alternate) prior to transition to a more restrictive operational mode or specified condition. ... As part of the mode transition review, the PSRC will review the priority and schedule for equipment repair or maintenance related to items affected by the proposed change to TS 3.0.4 (Attachment 9.9 to procedure) (DCL 89-320)

2. The licensee has provided confirmation and certification that appropriate administrative controls and procedures are in place for limiting the use of specification 3.0.4 exceptions in conjunction with its proposed TS."

Revised Commitment

"1. Operating Procedure (OP) L-0, "Mode Transition Checklists," (has been) revised to require that reliance on the provisions contained in TS 3.0.4b must be reviewed by the Plant Staff Review Committee (PSRC) and approved by the plant manager (or designated alternate) prior to transition to a more restrictive operational mode or specified condition. ... As part of the mode transition review, the PSRC will review the priority and schedule for equipment repair or maintenance related to items affected by the proposed change to TS 3.0.4b (Attachment 9.9 to procedure) (DCL 89-320)

2. The licensee has provided confirmation and certification that appropriate administrative controls and procedures are in place for limiting the use of specification 3.0.4 exceptions in conjunction with its proposed TS."

Justification for Change

The intent of TS 3.0.4a is to allow mode transition when the action statement allows operation in the mode for an unlimited period of time. The intent of TS 3.0.4c is to allow mode transition when there is a specific exception in the limiting condition for operation (LCO). This commitment, therefore, should only apply when employing TS 3.0.4b to justify a mode transition. The commitment was clarified to add this specificity.