

SAFETY EVALUATION REPORT

**Docket No. 72-27
Pacific Gas and Electric Company
Humboldt Bay Independent Spent Fuel Storage Installation
License No. SNM-2514
Amendment No. 2**

SUMMARY

This Safety Evaluation Report (SER) documents the review and evaluation of an amendment to Special Nuclear Materials License No. 2514 (SNM-2514) for the Humboldt Bay Independent Spent Fuel Storage Installation (ISFSI). By application dated April 20, 2009, (Agencywide Documents Access and Management System Accession No. ML091190693), the Pacific Gas and Electric Company (PG&E) submitted a request to the U.S. Nuclear Regulatory Commission (NRC) in accordance with Title 10 of the Code of Federal Regulations (10 CFR) 72.56, "Application for amendment of license," to amend SNM-2514 to allow for the relocation of the Humboldt Bay ISFSI quality assurance (QA) requirements from the Diablo Canyon Power Plant Part 50 QA plan to the Humboldt Bay Power Plant Part 50 QA plan.

SNM-2514 currently states that, prior to the termination of the Part 50 license for the Diablo Canyon Power Plant, PG&E would be required to submit a 10 CFR Part 72, Subpart G, compliant QA plan, for the Humboldt Bay ISFSI, to the NRC for approval. The proposed amendment seeks to link this requirement to the termination of the Humboldt Bay (HB) Power Plant Part 50 license, rather than the termination of the Diablo Canyon Power Plant (DCPP) Part 50 license. The proposed amendment retains the requirement for PG&E to submit a Subpart G compliant QA plan to the NRC for approval, prior to terminating the controlling Part 50 license.

The NRC staff has reviewed the application, including the justifications for the proposed change. Based on the statements and representations in the application, and the conditions specified in the license and technical specification (TS), the staff concluded that the requested changes meet the requirements of 10 CFR Part 72.

1.0 QUALITY ASSURANCE EVALUATION

The staff reviewed the proposed revision to the license. Additionally, the staff reviewed: (1) the mark-up of the NRC-approved Part 50 DCPP QA Program, identifying the DCPP-specific requirements being deleted because they do not pertain to the HB ISFSI QA plan, and (2) the portion of the HB QA plan that specifies the QA requirements for the HB ISFSI. The HB ISFSI QA plan will be combined with the current NRC-approved QA Plan for Unit 3 of the HB Power Plant. The HB ISFSI portion of the combined QA Plan will continue to comply with the same QA requirements that previously existed in the Part 50 DCPP QA Program.

1.1 Areas Reviewed

- QA Organization
- QA Program
- Design Control
- Procurement Document Control

Implementing Documents (Instructions, Procedures, and Drawings)
Document Control
Control of Purchased Items and Services
Identification and Control of Materials, Parts, and Components
Control of Special Processes
Inspection
Test Control
Control of Measuring and Test Equipment
Handling, Storage, and Shipping Control
Inspection, Test, and Operating Status
Control of Nonconforming Materials, Parts, or Components
Corrective Action
Records
Audits

Based on the review of the QAP, the staff has determined that it meets the requirements of Subpart G of 10 CFR Part 72. While this evaluation has determined that the QAP is acceptable, continued proper implementation of the QAP will be assessed during future NRC inspections.

1.2 Evaluation Findings

The QAP describes requirements, procedures, and controls that, when properly implemented, comply with requirements of 10 CFR Part 72. The structure of the organization and assignment of responsibility for each activity ensure that designated parties will perform the work to achieve and maintain specified quality requirements.

Conformance to established requirements will be verified by qualified personnel and groups not directly responsible for the activity being performed. These personnel and groups report through a management hierarchy which grants the necessary authority and organizational freedom and provides sufficient independence from economic and scheduling influences.

The QAP describes requirements, procedures, and controls that, when properly implemented, comply with requirements of 10 CFR Part 72. The structure of the organization and assignment of responsibility for each activity ensure that designated parties will perform the work to achieve and maintain specified quality requirements. Conformance to established requirements will be verified by qualified personnel and groups not directly responsible for the activity being performed. These personnel and groups report through a management hierarchy which grants the necessary authority and organizational freedom and provides sufficient independence from economic and scheduling influences. The QAP is well-documented and provides adequate control over activities affecting quality, as well as structures, systems, and components important to safety, consistent with their relative importance to safety. Based on the staff's review, the staff has determined that the QAP meets the requirements of Subpart G of 10 CFR Part 72. While this evaluation has determined that the QAP is acceptable, continued proper implementation of the QAP will be assessed during future NRC inspections.

Specifically, the staff makes the following findings:

- F1.1 Based upon a review and evaluation of the QA program description contained in the applicant's submittal dated April 20, 2009, the staff concludes that:

- PG&E's description of the QA program indicates requirements, procedures, and controls that, when properly implemented, should comply with the requirements of 10 CFR 72, Subpart G.
- PG&E's description of the QA program covers activities affecting SSCs important to safety as identified in the Safety Analysis Report.
- PG&E's description of the QA program describes organizations and persons performing QA functions indicating that sufficient independence and authority should exist to perform their functions without undue influence from those directly responsible for costs and schedules.
- PG&E's description of the QA program is in compliance with applicable NRC regulations and industry standards, and the acceptance of the QA program description by NRC allows implementation of the associated QA program for all phases of the installation's life cycle.

REQUIREMENTS FOR NOTICING PROPOSED ACTION

In accordance with 10 CFR 72.16, a Notice of Docketing was published in the Federal Register, on May 14, 2009. The staff considered the amendment's potential impact on the health and safety of the public. The staff determined that the proposed amendment does not present a genuine issue as to whether public health and safety will be significantly affected. A Federal Register of the proposed amendment will give interested persons an opportunity to request that this licensing action be rescinded or modified.

ENVIRONMENTAL REVIEW

The staff finds that this license amendment does not involve any changes in the scope or type of operations presently authorized by the license. The staff has determined that the changes will not result in (1) a significant increase in the amounts of any effluents, (2) a significant increase in individual or cumulative occupational radiation exposure, (3) a significant construction impact, or (4) a significant increase in the potential for or consequences from radiological accidents.

Accordingly, pursuant to 10 CFR 51.22(c)(11), neither an environmental assessment nor an environmental impact statement is warranted for this action.

CONCLUSION

The NRC staff concludes that SNM-2514 can be revised to allow for the relocation of the Humboldt Bay ISFSI quality assurance (QA) requirements from the Diablo Canyon Power Plant Part 50 QA plan to the Humboldt Bay Power Plant Part 50 QA plan. This change to the License will not affect the ability of the Humboldt Bay ISFSI to safely store spent fuel consistent with the requirements of 10 CFR Part 72.

Issued with SNM-2514, Amendment 2, on August 28, 2009.