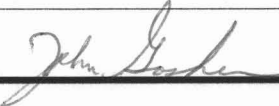


NRC FORM 699 (9-2003)		U.S. NUCLEAR REGULATORY COMMISSION		DATE 10/07/2009
CONVERSATION RECORD				TIME 3:30pm
NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU See below		TELEPHONE NO. 805-545-4162		TYPE OF CONVERSATION <input type="checkbox"/> VISIT <input type="checkbox"/> CONFERENCE <input checked="" type="checkbox"/> TELEPHONE <input type="checkbox"/> INCOMING <input checked="" type="checkbox"/> OUTGOING
ORGANIZATION PG&E, Holtec				
SUBJECT Clarification of Responses to Diablo Canyon site specific ISFSI LAR #1				
SUMMARY (Continue on Page 2)				
Pacific Gas and Electric (PG&E)- Rich Hagler, Greg Heggli, Larry ParkerT, Chris Pendleton, Earl Strickland Holtec - Adam Kabo, Kelly Kozink, Tammy Morin, Evan Rosenbaum				
Contacted PG&E to				
1. Clarify several RAI responses provided on September 1, 2009.				
2. Discuss the confusion regarding the Diablo Canyon (DC) references to the Holtec generically licensed HI-STORM 100 MPC 32, and DC's intent to utilize a 9" shortened version of the standard MPC 32.				
3. The time line of the change of the MPC 32 design in relation to LAR 1 and the June 2008 FSAR revision update.				
4. Have PG&E explain why the change in the MPC 32 design was not addressed / referenced in the LAR.				
5. Discuss editorial discrepancies on several pages. Proprietary stamps were provided on several pages on one attachment that was non-proprietary.				
6. PG&E's need to provide a separate Proprietary Affidavit for its specific proprietary documents. PG&E had provided only the Holtec Proprietary Affidavit for Holtec's proprietary portion of the RAI response.				
Discussion				
1. I asked DC to identify new information in the RAI responses that was not provided in the base LAR. I had reviewed the LAR along with the RAIs and RAI responses and was having difficulty determining what specific new information was provided versus what was just clarification. Most of the new information pertained discussed the effect of the reduction of the standard MPC 32 by 9" and the effect that had on the thermal, hydraulic and confinement evaluations. PG&E stated that it was their belief that they had mostly clarified information that had been previously provided in the original LAR. I asked PG&E to provide a table showing the RAIs along with the references to information provided in the original LAR. I also clarified the materials RAIs #12, 13, and 14. The NRC's RAI request of April 9, 2009, requested that PG&E revise the FSAR to clarify specific items. The intent of the RAIs was for PG&E to provide responses to specific situations, and then commit to revising the FSAR in the future to include these responses. Therefore, PG&E responses to RAIs 12, 13, and 14 will become regulatory commitments.				
Continue on Page 2				
ACTION REQUIRED				
PG&E to provide copy of 10 CFR 72.48 evaluations used in adopting a shortened version of MPC 32 PG&E to provide affidavit for their proprietary responses.				
NAME OF PERSON DOCUMENTING CONVERSATION John Goshen		SIGNATURE 		DATE 10/30/2009
ACTION TAKEN				
Reviewed 10 CFR 72.48 evaluations and forwarded to Thermal and Containment Branch PG&E provided affidavit on 10/28/09.				
TITLE OF PERSON TAKING ACTION Project Manager		SIGNATURE OF PERSON TAKING ACTION		DATE 10/30/2009

CONVERSATION RECORD (Continued)

SUMMARY (Continue on Page 3)

2. Holtec stated that during the original licensing process of the HI-STORM 100 system it was decided not to specify a design height of any of the proposed MPCs. This was to allow for different site specific requirements. The height used in the original analyses was 170 ". Holtec's intent was to allow users the flexibility to vary the height for their specific applications, and then either perform bounding analyses or have Holtec provide specific site specific calculations. Therefore PG&E's continued references to an MPC-32 as approved in HI-STORM 100 general license certificate 1014 amendment 1 is correct even though the height was reduced by 9" to meet DC's requirements. In its original license application DC intended to use the "target" MPC 32 which required DC to transport the MPC horizontally out the spent fuel building hatch. In 2007 DC made the decision to change to a shortened model that would allow it to transport the MPC vertically. This change was performed under 10 CFR 72.48 per DC's Licensing Basis Impact Evaluations (LBIEs) program. LBIE 2008-16 approved the 9" MPC-32 height reduction. During the process of preparing the LBIEs, Jearl Strickland and Terry Grebel (ISFSI Project Licensing Manager) discussed the modifications with Randy Hall, who was the NRC Project Manager at that time, and his staff. I requested that PG&E provide me the applicable HI-STORM 100 and ISFSI 10 CFR 72.48 evaluations.

3. As stated above PG&E decided in 2007 to change to a shorter MPC that would allow for vertical transportation through the spent fuel building hatch.

LBIE 2008-16 was prepared on 11/23/2007 and submitted for management approval. Holtec Report HI-2053376, Revision 5 "Thermal-Hydraulic Analyses for Diablo Canyon Site-Specific HI-STORM System Design" was provided as supporting documentation for this site specific evaluation. Other Holtec calculations and analyses were referenced in LBIE 2008-16. PG&E Letter DIL-08-003, dated March 20, 2008, contains the 10 CFR 72.48 Report of Changes, Tests, and Experiments for the Period of March 1, 2006, through February 29, 2008. The letter indicates that there were no 72.48s completed during that time period. PG&E requested and received a one-time exemption to delay its submittal of ISFSI FSAR Update, Revision 2, to allow time to incorporate significant changes identified in the attached LBIEs. PG&E did not request a one-time exemption to delay its 72.48 Report, which was due March 22, 2008.

PG&E submitted LAR #1 on April 6, 2008. The LAR made no mention of the change to the MPC height or other system changes since they were being performed under 10 CFR 72.48.

LBIE 2008-16 was approved on April 7, 2008.

FSAR Revision 2 update was provided in June 2008, and it included the reduced height MPC.

4. PG&E again stated this change was evaluated and approved per 10 CFR 72.48, and therefore did not require NRC pre-approval. I stated that may be true, but that the subsequent confusion that it created at the NRC expended needless hours and wasted critical time. PG&E stated that they had discussed these changes with the NRC project manager in 2008. I stated that although each specific change was approvable via 10 CFR 72.48, they did actually impact some of the TS changes requested in the LAR.

5. I identified several pages on non-proprietary material that had a proprietary notation on them. I told PG&E that I had corrected these and resent them to the document control desk.

6. I informed PG&E that a Proprietary Affidavit needed to be provided for their portion of the Proprietary RAI responses, and informed them I needed this as soon as possible.

I told PG&E that I would review the 10 CFR 72.48 evaluations and would call them back if I had any further questions.

Continue on Page 3