

From: Wang, Alan
Sent: Wednesday, January 06, 2010 12:53 PM
To: Baldwin, Thomas (DCPP); Parker, Larry M; Stan Ketelsen
Cc: Lent, Susan; Burkhardt, Janet
Subject: Acceptance of Part 73 Exemption (ME2903 and ME2904)

Tom and Larry:

By letters dated December 4, 2009, Pacific Gas and Electric Company requested an exemption in accordance with 10 CFR 73.5, "Specific exemptions." The licensee provided public and non-public versions of the exemption request both dated December 4, 2009. The licensee has requested an exemption from the March 31, 2010, compliance date stating that the time needed to design, procure and construct the modifications to the current site security configuration before all requirements can be met. The purpose of this letter is to provide the results of the U.S. Nuclear Regulatory Commission (NRC) staff's acceptance review of this exemption request. The acceptance review was performed to determine if there is sufficient technical information in scope and depth to allow the NRC staff to complete its detailed technical review. The acceptance review is also intended to identify whether the application has any readily apparent information insufficiencies in its characterization of the regulatory requirements or the licensing basis of the plant.

Pursuant to 10 CFR 73.5, the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of 10 CFR Part 73 when the exemptions are authorized by law, and will not endanger life or property or the common defense and security, and are otherwise in the public interest.

The NRC staff has reviewed your application and concluded that it does provide technical information in sufficient detail to enable the staff to proceed with its detailed technical review and make an independent assessment regarding the acceptability of the proposed exemption in terms of regulatory requirements and the protection of public health and safety and the environment. If additional information is needed for the staff to complete its technical review, you will be advised by separate correspondence.

If you have any questions, please contact me at (301) 415-1445.

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