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January 22, 2010

PG&E Letter DIL-10-001

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

Materials License No. SNM-2511, Docket No. 72-26
Diablo Canyon Independent Spent Fuel Storage Installation

Response to NRC Request for Supplemental Information to Requests for Additional Information to Diablo Canyon Independent Spent Fuel Storage Installation Amendment Request No. 1 (TAC L24210) – Sections RSI 4-1(a), 4-1(b), 4-1(c), and 6-1

Reference: 1. NRC Letter, "Request for Supplemental Information to Request for Additional Information to Diablo Canyon Independent Spent Fuel Storage Installation Amendment Request No. 1 (TAC L24210)," dated December 18, 2009

Dear Commissioners and Staff:

Pacific Gas and Electric Company (PG&E), reference PG&E Letter DIL-08-002, dated April 7, 2008, submitted License Amendment Request (LAR) 08-001 for Materials License No. SNM-2511, Docket No. 72-26, to the Nuclear Regulatory Commission (NRC). This amendment request proposed to revise Technical Specification (TS) 3.1.1, "Multi-purpose Canister (MPC)," TS 3.1.4, "Spent Fuel Storage Cask (SFSC) Time Limitation in Cask Transfer Facility (CTF)," TS 3.2.1, "Dissolved Boron Concentration," TS 4.1, "Design Features Significant to Safety," TS 4.3, "Cask Handling/Cask Transfer Facility," and TS 5.1.3, "MPC and SFSC Loading, Unloading, and Preparation Program." On February 13, 2009, the NRC staff requested additional information (RAI) required to complete its review of LAR 08-001. PG&E responded to the RAI on September 1, 2009, by submitting DIL-09-006. On December 18, 2009, the NRC staff requested supplemental information for the information contained in the response to the RAI.

PG&E's proprietary response to the request for supplemental information (RSI) to the RAI, Sections RSI 4-1(a), 4-1(b), 4-1(c), and 6-1, is provided in Enclosure 1. PG&E's response to RSI section 1-1 was provided in PG&E Letter DIL-09-010, dated December 31, 2009.

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Enclosure 1 was prepared for use by the NRC staff in their review of the RAI responses. Enclosure 1 contains an affidavit signed by Holtec, the owner of the proprietary information. The affidavit sets forth the basis on which the Holtec information contained in the subject engineering documents may be withheld from public disclosure by the Commission, and it addresses with specificity the considerations listed in the Freedom of Information Action (FOIA), 5 USC Section 552(b)(4), Trade Secrets Act, 18 USC Sec. 1905, and NRC regulations 10 CFR 9.17(a)(4), 2.390(a)(4), and 2.790(b)(1). PG&E requests that the Holtec proprietary information be withheld from public disclosure in accordance with the cited regulations.

Correspondence with respect to the proprietary aspects of the application for withholding related to the Holtec proprietary information or the Holtec affidavit provided in Enclosure 1 should be addressed to Ms. Kelley Kozink, Holtec International, Holtec Center, 555 Lincoln Drive West, Marlton, New Jersey, 08053.

This information does not affect the results of the technical evaluation or the no significant hazards consideration determination previously transmitted for LAR 08-001 and related information requests.

If you have any questions regarding this response, please contact Mr. L. Jearl Strickland at (805) 545-6080.

Sincerely,

James R. Becker
Site Vice President

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Enclosure
cc: Diablo Distribution
cc/enc: John Goshen, NRC Project Manager, Division of Spent Fuel Storage and Transportation
Ray Keller, NRC Region IV
Michael S. Peck, NRC Senior Resident Inspector