

**From:** Wang, Alan  
**Sent:** Thursday, April 28, 2011 10:21 AM  
**To:** Baldwin, Thomas (DCPP); Soenen, Philippe R  
**Cc:** Polickoski, James; Lent, Susan; Burkhardt, Janet  
**Subject:** Acceptance of Diablo Canyon Part 73 Exemption Request (ME6041 and ME6042)

Tom and Philippe,

By letter dated April 13, 2011 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML11112A018), Pacific Gas and Electric Company, (PG&E, the licensee) requested that the exemption requested by letter dated March 18, 2011 (ADAMS Accession No. ML110800127) for the DCPP be superseded in its entirety by this request. In accordance with 10 CFR Part 73.5, "Specific Exemptions," PG&E requests the U.S. Nuclear Regulatory Commission (NRC) to approve an exemption from specific requirements of 10 CFR Part 73, "Physical Protection of Plants and Materials," for the DCPP.

The purpose of this letter is to provide the results of the 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.

Consistent with Section 50.73.5 of Title 10 of the Code of Federal Regulations (10 CFR), an exemption must fully describe the requested requirements for which the exemption is requested and the basis for the proposed exemption. In an addition, the request should provide an environmental assessment.

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 or James Polickoski at (301) 415-5430.

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