Enclosure
PG&E Letter DCL-95-222

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of PACIFIC GAS AND ELECTRIC COMPANY	)	Docket No. 50-275 Facility Operating License No. DPR-80
Diablo Canyon Power Plant Units 1 and 2	)	Docket No. 50-323 Facility Operating License No. DPR-82

License Amendment Request No. 95-07

Pursuant to 10 CFR 50.90, Pacific Gas and Electric Company hereby applies to amend its Diablo Canyon Power Plant Facility Operating License Nos. DPR-80 and DPR-82 (Licenses). The proposed changes to the Licenses would revise Technical Specifications (Appendix A of the Licenses) listed in Attachment A (Table 1), and the associated Bases.

Information on the proposed changes is provided in Attachments A, B, C and D. These changes have been reviewed and do not involve a significant hazards consideration as defined in 10 CFR 50.92 or an unreviewed environmental question. Further, there is reasonable assurance that the health and safety of the public will not be adversely affected by the proposed changes.

Sincerely,

Gregory M. Rueger

Subscribed and sworn to before me
this 4th day of October 1995
STATE OF CALIFORNIA
COUNTY OF SAN LUIS OBISPO

Sandra Eatherly
Notary Public

SANDRA EATHERLY
COMM. # 1062930
Notary Public — California
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RELOCATION OF SELECTED TECHNICAL SPECIFICATIONS IN ACCORDANCE WITH NRC FINAL POLICY STATEMENT AND NUREG-1431, REV. 1

A. DESCRIPTION OF AMENDMENT REQUEST

This license amendment request (LAR) proposes to revise selected Technical Specifications (TS) listed in Table 1 in accordance with the Commission's Final Policy Statement on TS Improvements for Nuclear Power Reactors and NUREG-1431, Rev. 1. Table 2 includes the results of the application of the Policy Statement to selected Diablo Canyon Power Plant (DCPP) TS for limiting conditions for operation (LCOs) that may be relocated. Table 2 also identifies specific relocation notes for selected TS. If no note exists, the TS will be relocated to a licensee controlled document and no additional requirements are required.

Changes to the TS and associated Bases are noted in the marked-up copy of the applicable TS in Attachment B. The proposed TS pages are included in Attachment C.

B. BACKGROUND

The NRC's Interim Policy Statement on TS Improvement (52 FR 3788), dated February 6, 1987, set out specific criteria for the content of TS. The Interim Policy Statement specifically recognized that:

> *"The purpose of Technical Specifications is to impose those conditions or limitations upon reactor operation necessary to obviate the possibility of an abnormal situation or event giving rise to an immediate threat to the public health and safety by establishing those conditions of operation which cannot be changed without prior Commission approval and by identifying those features which are of controlling importance to safety."*

The criteria contained in the Interim Policy Statement and the risk evaluation required by the Policy Statement, were applied to the Westinghouse Standard TS (NUREG-0452, Revision 4 and draft Revision 5) and submitted in WCAP-11618 to the NRC in Westinghouse Owners Group Letter OG-87-43, dated November 12, 1987. The NRC documented the results of their review of WCAP-11618 in an NRC letter dated May 9, 1988, to the industry owners

groups. The NRC determinations of Westinghouse Standard TS retention and relocation formed the basis for application of the criteria to the DCPP TS.

The Commission's Final Policy Statement was published on July 22, 1993 (58 FR 39132), with essentially the same criteria as the Interim Policy Statement, except that a probabilistic risk assessment screen appears as a fourth criteria. The NRC issued a revision to 10 CFR 50.36 (Reference 5) on July 19, 1995. This revision incorporates into 10 CFR 50.36 the criteria of the Final Policy Statement.

The Statement of Considerations for 10 CFR 50.36, "Technical Specification," discusses the scope of TS as including the following:

> *"In the revised system, emphasis is placed on two general classes of technical matters: (1) Those related to prevention of accidents, and (2) those related to mitigation of the consequences of accidents. By systematic analysis and evaluation of a particular facility, each applicant is required to identify at the construction permit stage, those items that are directly related to maintaining the integrity of the physical barriers designed to contain radioactivity. Such items are expected to be the subject of Technical Specifications in the operating License."*

The Final Policy Statement also cites the subjective statement of the purpose of TS expressed in Atomic Safety Licensing and Appeal Board, ASLAB-531, 9 NRC 263 (1979): TS are reserved for those conditions or limitations upon reactor operation necessary to obviate the possibility of an abnormal situation or event giving rise to an immediate threat to the public health and safety.

Various requirements have been incorporated into TS even though they do not satisfy the criteria for inclusion in TS stated in the above documents. To remedy this situation, the Final Policy Statement encourages licensees to implement a program to upgrade TS by screening existing requirements using four criteria intended to refocus the TS consistent with the Atomic Energy Act, 10 CFR 50.36, and previous interpretations of the regulations governing TS. The Final Policy Statement says that LCOs that do not meet any of the four criteria may be proposed for removal from the TS and relocation to licensee-controlled documents.

The Final Policy Statement further endorses the premise that removal of TS that do not meet one or more of the retention criteria would constitute an enhancement to safe plant operation by focusing greater attention on the significant operational conditions that would remain in the TS.

C. JUSTIFICATION

The Commission's Final Policy Statement states that TS that do not meet any of the screening criteria contained in 10 CFR 50.36 for retention, may be proposed for removal from the TS and relocated to licensee-controlled documents, such as the Final Safety Analysis Report (FSAR).

DCPP TS are typical of Westinghouse four-loop plants and are based on NUREG-0452. As such, WCAP-11618 applies to the DCPP TS, except for those DCPP LCOs that are not evaluated in WCAP-11618. Table 2 summarizes the results of the application of the TS screening criteria to selected DCPP TS. The results are based on the application of the criteria and the NRC review of WCAP-11618. The TS to be relocated have been previously reviewed by the NRC in Reference 4. Attachment D contains the Criteria Application Screening Forms for each relocated TS.

The Commission's Final Policy Statement allows for partial implementation of the TS improvement project process, rather than full implementation as required by the Interim Policy Statement. The purpose of this LAR is to remove the TS that do not meet any of the four Final Policy Statement criteria and that would be impacted by a 24 month fuel cycle. Also, the Final Policy Statement requires the addition of LCOs contained in NUREG-1431, Rev. 1, if not contained in the plant specific TS. For the purpose of this LAR, which contains selected relocated TS per the Final Policy Statement, it was determined that no additional requirements are needed to the TS. The appropriate additional requirements to the DCPP TS will be addressed and implemented in future LARs during the conversion phase of the new standard TS program.

The Commission's Final Policy Statement states that licensees may submit LARs based on the Final Policy Statement and that licensees should identify the location and administrative controls of the relocated requirements. Table 2 lists the relocated TS and also identifies any specific relocation notes. If no note exists, then the TS will be relocated to the DCPP Equipment Control Guidelines (ECGs) and no other requirements are required. ECGs are controlled by DCPP Department-Level Administrative Procedure (DLAP) OP1.DC16, "Control of Plant Equipment Not Required by the Technical Specifications." The content of the relocated TS will not be changed at the time of relocation. Future changes to the relocated TS will be made under the provisions of 10 CFR 50.59, as required in DCPP procedure OP1.DC16.

The proposed changes to the TS are consistent with the guidance and intent of the Westinghouse Standard TS located in NUREG-1431, Rev. 1 (Reference 2), and the new 10 CFR 50.36 (Reference 5).

The selected TS listed in Table 1 for relocation will also reduce the NRC review resources needed on the 24 month fuel cycle LARs since the scope of TS involved will be reduced. In addition, the relocation of TS to a licensee-controlled document will potentially reduce the need for enforcement discretion from the NRC.

D. SAFETY EVALUATION

The NRC's Final Policy Statement recommends that TS that do not meet the screening criteria for retention as a TS, may be relocated to another licensee-controlled document. Those TS that are proposed to be relocated do not constitute performance requirements necessary to ensure safe operation of the facility and, therefore, do not warrant being in the TS.

The details of the current TS that are proposed to be relocated, consisting of the LCO, applicability, remedial actions, surveillance requirements, and the Bases section of the TS for these requirements, will be relocated and formatted in a manner that assures these details are incorporated into appropriate controls, in accordance with the guidance provided by the Commission's Final Policy Statement, the new 10 CFR 50.36, and the Westinghouse Standard TS (NUREG-1431, Rev. 1). The proposed TS changes to the TS result from direct application of the four screening criteria in the Final Policy Statement (and subsequent revision of 10 CFR 50.36) and the guidance provided by previous NRC staff evaluations of NUREG-1431. Therefore, the relocation of the selected TS involves provisions that are neither of controlling importance to operational safety of the plant, nor derived from the safety analysis report or probabilistic safety assessment information. The relocated TS will be summarized in the appropriate chapters of the FSAR Update, and the relocated requirements will be contained in the DCPP ECGs. ECGs are controlled by DCPP procedure OP1.DC16, which requires a 10 CFR 50.59 safety evaluation for changes to an ECG. Thus, any changes to information in the licensee-controlled document (i.e., ECG) must undergo a review to assure that the changes do not involve an unreviewed safety question prior to implementation of the changes. These proposed changes are administrative in nature since the requirements of the relocated TS would not be changed at the time of relocation. Table 1 lists the TS proposed for relocation.

DCPP TS 6.5.2, "Plant Staff Review Committee (PSRC)," requires PSRC review of all proposed changes to the DCPP TS. The PSRC is composed of a minimum of eight senior management individuals, with a quorum being composed of a minimum of five individuals, in the functional areas of operations, maintenance, radiation protection, support services, technical services, and quality control. DCPP TS 6.5.3, "Nuclear Safety Oversight Committee (NSOC)," requires NSOC review of proposed changes to the DCPP TS. In addition to the reviews required

by TS, PG&E Inter-Departmental Administrative Procedure (IDAP) XI3.ID1, "Technical Specification Change Process," requires a review by any technical section potentially affected by the proposed TS changes.

In conclusion, PG&E believes there is reasonable assurance that the health and safety of the public will not be adversely affected by the proposed TS changes.

E. NO SIGNIFICANT HAZARDS EVALUATION

PG&E has evaluated the no significant hazard considerations involved with the proposed amendment, focusing on the three standards set forth in 10 CFR 50.92(c) as quoted below:

> *"The Commission may make final determination, pursuant to the procedures in §50.91, that a proposed amendment to an operating license for a facility licensed under §50.21(b) or §50.22 or for a testing facility involves no significant hazards consideration, if operation of the facility in accordance with the proposed amendment would not:*
>
> *(1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or*
>
> *(2) Create the possibility of a new or different kind of accident from any accident previously evaluated; or*
>
> *(3) Involve a significant reduction in a margin of safety."*

The following evaluation is provided for the three categories of the significant hazards consideration standards.

1. Do the changes involve a significant increase in the probability or consequences of an accident previously evaluated?

The proposed changes simplify the Technical Specifications (TS), meet regulatory requirements for relocated TS, and implement the recommendations of the Commission's Final Policy Statement on TS Improvements and revised 10 CFR 50.36. Future changes to these requirements will be controlled by 10 CFR 50.59. The proposed changes are administrative in nature and do not involve any modifications to any plant equipment or affect plant operation.

Therefore, the proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. *Do the changes create the possibility of a new or different kind of accident from any accident previously evaluated?*

The proposed changes are administrative in nature, do not involve any physical alterations to any plant equipment, and cause no change in the method by which any safety-related system performs its function. Also, no changes to the operation of the plant or equipment are involved.

Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. *Do the changes involve a significant reduction in a margin of safety?*

The proposed changes involve relocating TS requirements to a licensee-controlled document. The requirements to be relocated were identified by applying the criteria endorsed in the Commission's Final Policy Statement, which is included in the new revision of 10 CFR 50.36, and are consistent with NUREG-1431, Rev. 1 (Reference 2). Thus, the proposed changes do not alter the basic regulatory requirements and do not affect any safety analysis.

Therefore, the proposed changes do not involve a significant reduction in a margin of safety.

F. NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION

In conclusion, based on the above evaluation, PG&E concludes that the activities associated with this proposed LAR satisfy the no significant hazards consideration standards of 10 CFR 50.92(c); and accordingly, a no significant hazards consideration finding is justified.

G. ENVIRONMENTAL EVALUATION

PG&E has evaluated the proposed changes and determined that the changes relate to administrative requirements. Accordingly, the proposed changes meet the eligibility criterion for categorical exclusion set forth in 10 CFR 51.22(c)(10). Therefore, pursuant to 10 CFR 51.22(b), an environmental assessment of the proposed changes is not required.

H. REFERENCES

In this attachment and on the screening forms (Attachment D), the following references have been used:

1. DCPP Units 1 and 2 Technical Specifications and Bases (NUREG-1151) as amended.

2. Standard Technical Specifications, Westinghouse Plants, NUREG-1431, Rev. 1, dated April 1995.

3. J. D. Andrachek, et. al., Methodically Engineered, Restructured, and Improved Technical Specifications, MERITS Program - Phase II Task 5, Criteria Application, WCAP-11618, November 1987.

4. NRC letter to Westinghouse Owners Group (T. Murley to R. Newton), "NRC Staff Review of Nuclear Steam Supply System Vendor Owners Groups' Application of the Commission's Interim Policy Statement Criteria to Standard Technical Specifications," May 9, 1988.

5. 10CFR50.36, "Technical Specifications," dated July 19, 1995 (Federal Register Vol. 60, No. 138, Page 36959).

6. Final Policy Statement on Technical Specification Improvements for Nuclear Power Reactors, Nuclear Regulatory Commission, Federal Register, Page 39132, Vol. 58, No. 138.

7. PG&E letter, DCL-92-087, "Response to Generic Letter 88-20, Individual Plant Examination," dated April 14, 1992.

TABLE 1 LIST OF SELECTED RELOCATED TECHNICAL SPECIFICATIONS	
TS NUMBER	TECHNICAL SPECIFICATION TITLE
3.1.2.2	Boration Systems Flow Path - Operating
3.1.3.3	Position Indication System - Shutdown
3.1.3.4	Rod Drop Time
3.3.3.3	Seismic Instrumentation
3.3.3.7	Chlorine Detection System
3.3.4.1	Turbine Overspeed Protection
3.6.1.2	Containment Leakage
3.6.1.6	Containment Structural Integrity
3.8.4.1	Electrical Equipment Protective Devices - Motor-Operated Valves Thermal Overload Protection and Bypass Devices
3.8.4.2	Containment Penetration Conductor Overcurrent Protective Devices

TABLE 2 SUMMARY OF CRITERIA APPLICATION RESULTS					
DCPP TS NUMBER	STS-REV. 5 NUMBER	TECHNICAL SPECIFICATION TITLE	NRC RESULTS	DCPP RESULTS	NOTES
3.1.2.2	3.1.2.2	Boration Systems Flow Path - Operating	Relocate	Relocate	
3.1.3.3	3.1.3.3	Position Indication System - Shutdown	Relocate	Relocate	1
3.1.3.4	3.1.3.4	Rod Drop Time	Relocate	Relocate	2
3.3.3.3	3.3.3.3	Seismic Instrumentation	Relocate	Relocate	
3.3.3.7	3.3.3.7	Chlorine Detection System	Relocate	Relocate	
3.3.4.1	3.3.4	Turbine Overspeed Protection	Relocate	Relocate	
3.6.1.2	3.6.1.2	Containment Leakage	Relocate	Relocate	3
3.6.1.6	3.6.1.7	Containment Structural Integrity	Relocate	Relocate	
3.8.4.1	3.8.4.3	Electrical Equipment Protective Devices - Motor-Operated Valves Thermal Overload Protection and Bypass Devices	Relocate	Relocate	
3.8.4.2	3.8.4.2	Containment Penetration Conductor Overcurrent Protective Devices	Relocate	Relocate	

TABLE 2 NOTES:

1. The NRC review concluded that LCO 3.1.3.3 could be relocated. However, if an associated surveillance requirement (SR) is necessary to meet the operability requirements for a retained limiting condition for operation (LCO), the SR should be relocated to the retained LCO. Thus, SR 4.1.3.3 should be retained in the TS (associated with LCO 3.1.3.1). This is consistent with Reference 2.

2. The NRC review of LCO 3.1.3.4 concluded that it could be relocated. However, if an associated SR is necessary to meet the operability requirements for a retained LCO, the SR should be relocated to the retained LCO. SR 4.1.3.4 is required to ensure the operability of control rods under LCO 3.1.3.1 and will be retained under that LCO. This is consistent with Reference 2.

3. Containment testing is a requirement imposed by 10 CFR 50, Appendix J. This LCO will be relocated; however, the values of parameters defining leakage limits from 3.6.1.2 will be retained under the Containment Integrity Bases. SR 4.6.1.1.c and SR 4.6.3.4 will be modified to eliminate reference to a TS that was relocated, and instead reference new SR 4.6.1.1.d. The new SR 4.6.1.1.d will be added that invokes 10 CFR 50, Appendix J.

MARKED-UP TECHNICAL SPECIFICATIONS

Remove Page	Insert Page
iv	iv
vi	vi
vii	vii
ix	ix
xi	xi
xiv	xiv
xvi	xvi
1-2	1-2
3/4 1-8	---
3/4 1-16	3/4 1-16
3/4 1-18	3/4 1-18
3/4 1-19	---
3/4 1-20	---
3/4 3-41	---
3/4 3-42	---
3/4 3-43	---
3/4 3-54	---
3/4 3-60	---
3/4 6-1	3/4 6-1
3/4 6-2	---
3/4 6-3	---
3/4 6-4	---
3/4 6-9	---
3/4 6-16	3/4 6-16
3/4 8-19	---
3/4 8-20	---
3/4 8-21	---
B 3/4 3-3	B 3/4 3-3
B 3/4 3-3d	B 3/4 3-3d
B 3/4 3-5	B 3/4 3-5
B 3/4 6-1	B 3/4 6-1
B 3/4 6-2	B 3/4 6-2
B 3/4 8-3a	B 3/4 8-3a
B 3/4 8-3b	---