

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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

License Amendment Request No. 96-05

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 to revise the Technical Specification (TS) 4.0.5, "Surveillance Requirements," to revise the requirement for NRC written approval prior to implementation of relief from ASME Code requirements. This change incorporates recommendations contained in Generic Letter 89-04, Supplement 1, "Guidance on Developing Acceptable Inservice Testing Programs."

Information on the proposed TS change is provided in Attachments A, B, and C. The change has been reviewed and does 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 proposed change will not adversely affect the health and safety of the public.

Sincerely,



Lawrence F. Womack

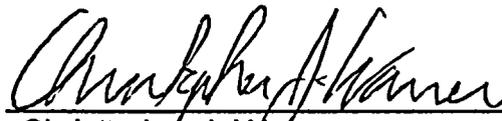
Subscribed and sworn to before me  
this 13th day of March 1996

Attorneys for Pacific Gas  
and Electric Company  
Bruce R. Worthington  
Christopher J. Warner

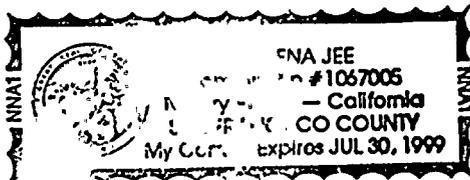
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Notary Public



Christopher J. Warner



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STATE OF  
MISSISSIPPI

**REVISION OF TECHNICAL SPECIFICATION 4.0.5  
"SURVEILLANCE REQUIREMENTS"**

**A. DESCRIPTION OF AMENDMENT REQUEST**

This License Amendment Request (LAR) would revise Technical Specification (TS) 4.0.5, "Surveillance Requirements," to:

1. Delete the requirement for NRC written approval prior to implementation of relief from ASME Code requirements by deleting "...(g), except where specific written relief has been granted by the Commission pursuant to 10 CFR 50.55a(g)(6)(i)," in TS 4.0.5a.
2. Add ASME Section XI definition of "Biennially or every 2 years - At least once per 731 days," in TS 4.0.5b.

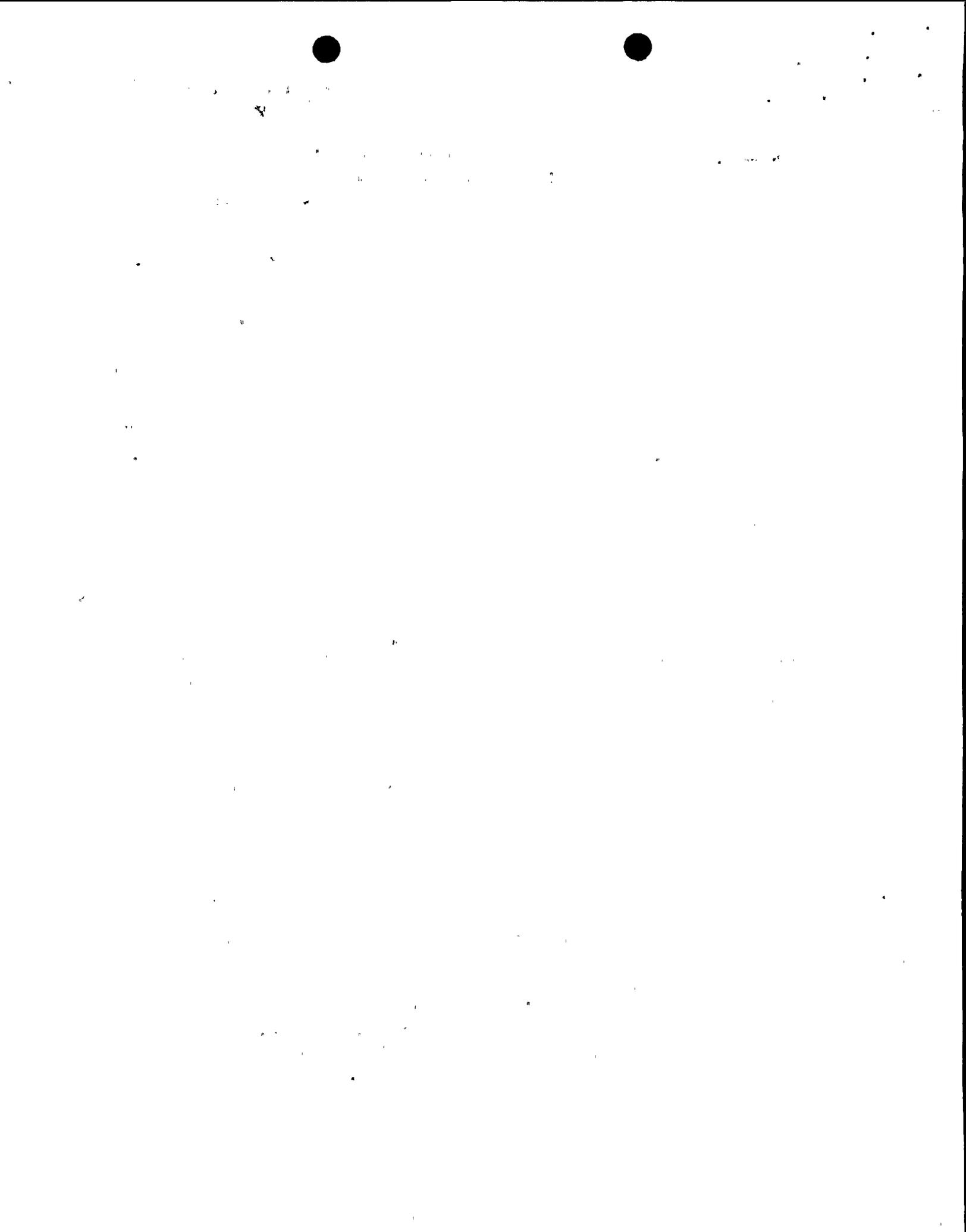
Changes to the TS and associated Bases are noted in the marked-up copy of the applicable TS pages provided in Attachment B. The proposed TS pages are provided in Attachment C.

**B. BACKGROUND**

Diablo Canyon Power Plant TS 4.0.5 currently requires written commission approval prior to implementation of any deviation from ASME Section XI requirements in the Inservice Inspection (ISI) or Inservice Testing (IST) Program unless "specific written relief" is obtained "as required by 10 CFR 50.55a(g)."

By rulemaking effective September 8, 1993 (Federal Register Vol. 57, 34666), the NRC established section (f) separating the IST requirements from the revised section (g), ISI requirements of 10 CFR 50.55a, "Codes and Standards."

NUREG-1482, "Guidelines for Inservice Testing Programs at Nuclear Power Plants," clarifies generic issues and streamlines the regulatory process. The NUREG specifically addresses the situation in which the TSs are in conflict with the regulations of 10 CFR 50.55a. As discussed in NUREG-1482, situations could arise which would put the licensee in a condition that is not in strict compliance with TS 4.0.5 requirements to comply with ASME Section XI, "except where specific written relief has been granted." This could require seeking immediate relief or initiating a plant shutdown to perform inspection or testing with minimum benefit to safety, and may subject plant systems to a plant transient condition adverse to overall plant safety.



As stated in NUREG-1482, the NRC recommends licensees revise TS 4.0.5 to include the recommendations from the revised TSs in NUREG-1431 for the IST Program. PG&E proposes to implement the above TS changes that will affect both the ISI and IST Programs.

NUREG-1431, "Standard Technical Specifications - Westinghouse Plants," reflects the NRC staff's position that a licensee may establish and implement the ISI and IST Programs in accordance with 10 CFR 50.55a, and does not require that relief requests be granted before they are implemented.

### C. JUSTIFICATION

PG&E proposes to delete reference to Paragraph "(g)" of 10 CFR 50.55a from TS 4.0.5a. and Bases due to rulemaking changes which separated the IST and ISI requirements into Sections (f) and (g), respectively. The proposed change also deletes the requirement for prior commission approval for relief requests from ASME Section XI requirements to avoid unnecessary plant shutdowns or requests for enforcement discretion.

PG&E further proposes to add the ASME Code Section XI definition of biennial in TS 4.0.5b to be consistent with NUREG-1482 recommendations.

These proposed changes are considered administrative in nature and are consistent with guidance contained in NUREG-1431, Revision 0, 10 CFR 50.55a, GL 89-04, Supplement 1, NUREG-1482, and current DCP program requirements.

The proposed changes are similar to license amendments previously approved for the Florida Power and Light, Turkey Point Units 3 and 4; the Pennsylvania Power & Light Company, Susquehanna Units 1 and 2; and Wolf Creek Nuclear Operating Corporation, Wolf Creek Station.

### D. SAFETY EVALUATION

As stated in NUREG-1482, the NRC recommends that licensees revise TS 4.0.5 to be consistent with 10 CFR 50.55a requirements and to adopt recommendations from the revised TS contained in NUREG-1431.

The PG&E ISI and IST Program Plans are controlled by administrative procedures that require (1) the acceptable performance of a 10 CFR 50.59 review; and (2) a plant staff review; and (3) Plant Staff Review Committee review for each relief request prior to implementation and submittal to the NRC consistent with 10 CFR 50.55a requirements.



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PG&E believes that this evaluation provides reasonable assurance that the proposed TS changes are administrative in nature and will not adversely affect the health and safety of the public.

E. NO SIGNIFICANT HAZARDS EVALUATION

PG&E has evaluated the no significant hazards 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. *Does the change involve a significant increase in the probability or consequences of an accident previously evaluated?*

The proposed changes implement the NRC's recommendation contained in NUREG-1482, "Guidelines for Inservice Testing Programs at Nuclear Power Plants," endorsed by Generic Letter 89-04, Supplement 1, "Guidance on Developing Acceptable Inservice Testing Programs." The changes are consistent with 10 CFR 50.55a, "Codes and Standards," which does not prohibit the implementation of relief from ASME Section XI requirements prior to specific written approval when those changes are found acceptable by change process specified in 10 CFR 50.59, "Changes, Tests and Experiments." The proposed changes are administrative in nature and do not involve any modifications to any plant equipment or affect plant operation.



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

2. *Does the change 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.

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

3. *Does the change involve a significant reduction in a margin of safety?*

The proposed changes do not alter the basic regulatory requirements and do not affect any safety analyses.

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

#### F. NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION

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 finding is justified.

#### G. ENVIRONMENTAL EVALUATION

PG&E has evaluated the proposed changes and determined the changes do not involve (i) a significant hazards consideration, (ii) a significant change in the types or significant increase in the amounts of any effluents that may be released offsite, or (iii) a significant increase in individual or cumulative occupational radiation exposure. Accordingly, the proposed changes meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Therefore, pursuant to 10 CFR 51.22(b), an environmental assessment of the proposed changes is not required.

