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SUBJECT: Forwards application for amends to Licenses DPR-80 & DPR-82, consisting of License Amend Request 88-05. Fee paid.

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James D. Shiffer
Vice President
Nuclear Power Generation

April 18, 1988

PG&E Letter No. DCL-88-091



U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D.C. 20555

Re: Docket No. 50-275, OL-DPR-80
Docket No. 50-323, OL-DPR-82
Diablo Canyon Units 1 and 2
License Amendment Request 88-05
Revision of Technical Specification Sections 3.0 and 4.0
"Applicability" and Associated Bases (Generic Letter 87-09)

Gentlemen:

Enclosed is an application for amendment to Facility Operating License Nos. DPR-80 and DPR-82. In accordance with Generic Letter 87-09, the enclosed license amendment request (LAR) proposes to revise Technical Specification Sections 3.0 and 4.0 and associated bases on the applicability of limiting conditions for operation and surveillance requirements. This LAR also proposes to delete the exceptions to Specification 3.0.4 in the applicable Technical Specifications. As discussed in a March 10, 1988, telephone conversation between Messrs. H. Rood and T. Dunning of the NRC Staff and PG&E representatives, PG&E requests that deletion of the exceptions to 3.0.4 in the applicable Technical Specifications be made effective 120 days after the revisions to Sections 3.0 and 4.0 and associated Bases are made effective. The DCPD operating staff relies heavily on the exceptions in the Technical Specifications for mode transition review. This delay in effective date allows additional time for the operating staff to be trained on the revisions to Sections 3.0 and 4.0 during their normal training schedule.

Pursuant to 10 CFR 170.12(c), an application fee of \$150 is enclosed.

Kindly acknowledge receipt of this material on the enclosed copy of this letter and return it in the enclosed addressed envelope.

Sincerely,

Handwritten signature of James D. Shiffer in cursive script.
J. D. Shiffer

cc: J. B. Martin
J. Hickman
M. M. Mendonca
P. P. Narbut
B. Norton

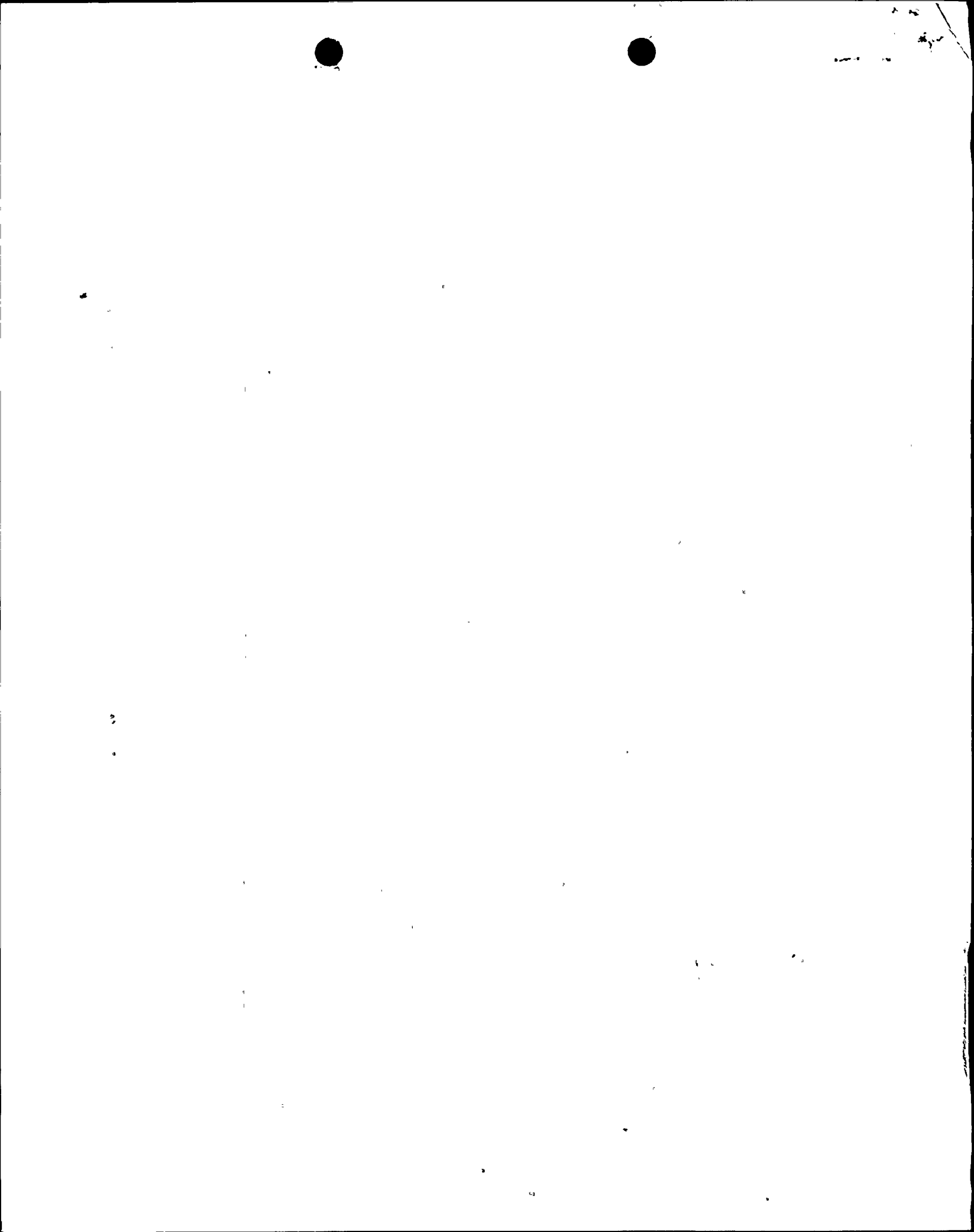
H. Rood
B. H. Vogler
CPUC
Diablo Distribution

Enclosure

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Attachment A

TECHNICAL SPECIFICATION SECTIONS 3.0 AND 4.0
"APPLICABILITY" AND ASSOCIATED BASES

A. DESCRIPTION OF AMENDMENT REQUEST

This license amendment request (LAR) proposes to revise Technical Specification Sections 3.0 and 4.0 and associated Bases on the applicability of limiting conditions for operation and surveillance requirements. This LAR also proposes to delete the exception to Specification 3.0.4 in the applicable Technical Specifications.

Changes to the Technical Specifications of Operating license Nos. DPR-80 and DPR-82 are noted in the marked-up copy of the applicable Technical Specifications (See Attachment B).

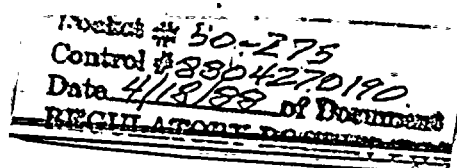
B. BACKGROUND

On May 4, 1987, the NRC issued Generic Letter 87-09, which addressed three specific problems that have been encountered with the general applicability requirements of the Limiting Conditions for Operation (LCOs) and Surveillance Requirements in Sections 3.0 and 4.0 of the Technical Specifications. To alleviate these problems, the NRC Staff suggested revisions to Specifications 3.0.4, 4.0.3, and 4.0.4. The NRC Staff also proposed improved bases for Sections 3.0 and 4.0.

C. JUSTIFICATION

Implementation of this LAR will alleviate three specific problems, as discussed below.

The first problem involves unnecessary restrictions on mode transition by Specification 3.0.4 and inconsistent application of exceptions to it. This specification is being revised to define the conditions under which its requirements apply. Presently, Specification 3.0.4 unduly restricts facility operation when conformance with Action Requirements provides an acceptable level of safety for continued operation. For an LCO that has Action Requirements permitting continued operation for an unlimited period of time, entry into an operation mode or other specified condition of operation should be permitted in accordance with the Action Requirements. The solution also resolves the problem of inconsistent application of exceptions to Specification 3.0.4: (a) which delays startup under conditions in which conformance to the Action Requirements establishes an acceptable level of safety for unlimited continued operation of the facility; and (b) which delays a return to power operation when the facility is required to be in a lower mode of operation as a consequence of other Action Requirements.

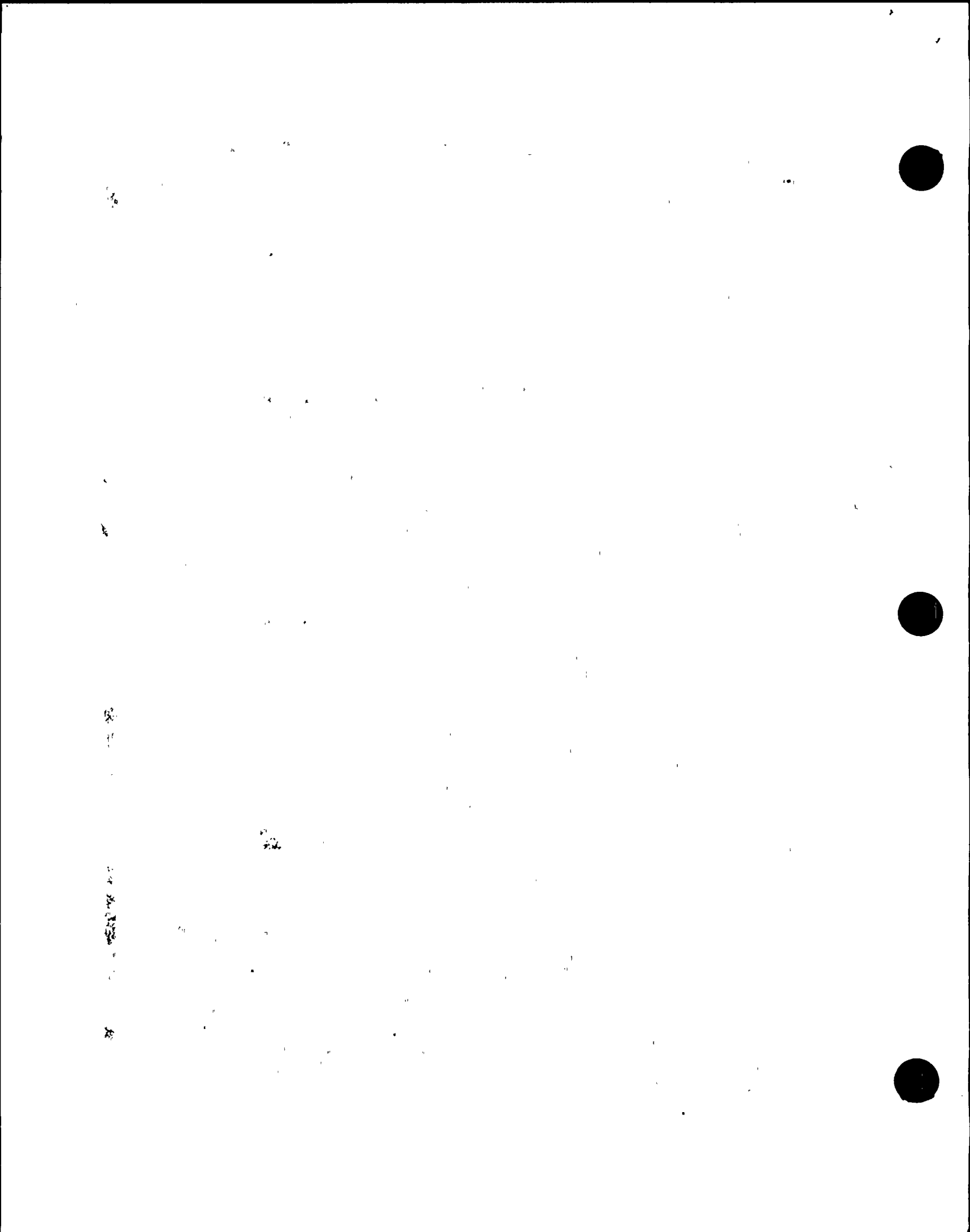




The second problem involves unnecessary shutdowns caused by Specification 4.0.3 when surveillance intervals are inadvertently exceeded. The applicability of the Action Requirements is being clarified to specify a specific acceptable time limit for completing a missed surveillance in certain circumstances, and to clarify when a missed surveillance constitutes a violation of the Operability Requirements of an LCO. It is overly conservative to assume that systems or components are inoperable when a surveillance has not been performed because the vast majority of surveillances do in fact demonstrate that systems or components are operable. When a surveillance is missed, it is primarily a question of operability that has not been verified by the performance of a Surveillance Requirement. Because the allowable outage time limits of some Action Requirements do not provide an appropriate time for performing a missed surveillance before shutdown requirements apply, the TS should include a time limit that allows a delay of required actions to permit the performance of the missed surveillance based on consideration of plant conditions, adequate planning, availability of personnel, the time required to perform the surveillance, and the safety significance of the delay in completing the surveillance. The NRC Staff has concluded that 24 hours is an acceptable time limit for completing a missed surveillance when the allowable outage times of the Action Requirements are less than this limit, or when time is needed to obtain a temporary waiver of the Surveillance Requirement.

The third problem involves two possible conflicts between Specifications 4.0.3 and 4.0.4. The first conflict arises because Specification 4.0.4 prohibits entry into an operational mode or other specified condition when Surveillance Requirements have not been performed within the specified surveillance interval. A conflict with this requirement exists when a mode transition is required as a consequence of Action Requirements and when the Surveillance Requirements that become applicable have not been performed within the specified surveillance interval. Specification 4.0.4 should not be used to prevent passage through or to operational modes as required to comply with Action Requirements because to do so: (a) would increase the potential for a plant upset; and (b) would challenge safety systems. Also, certain surveillances should be allowed to be performed during a shutdown to comply with Action Requirements. Along with the modification of Specification 4.0.3 to permit a delay of up to 24 hours in the applicability of Action Requirements, Specification 4.0.4 has been clarified to allow passage through or to operational modes as required to comply with Action Requirements.

A second conflict could arise because, when Surveillance Requirements can only be completed after entry into a mode or specified condition for which the Surveillance Requirements apply, an exception to the requirements of Specification 4.0.4 is allowed. However, upon entry into this mode or condition, the requirements of Specification 4.0.3 may not be met because the Surveillance Requirements may not have been performed within the allowed surveillance interval. Therefore, to avoid any conflict between Specifications 4.0.3 and 4.0.4, the NRC Staff has made clear: (a) that it is not the intent of Specification 4.0.3 that the Action Requirements preclude the performance of surveillances allowed under any exception to



Specification 4.0.4; and (b) that the delay of up to 24 hours in Specification 4.0.3 for the applicability of Action Requirements now provides an appropriate time limit for the completion of those Surveillance Requirements that become applicable as a consequence of allowance of any exception to Specification 4.0.4.

D. SAFETY EVALUATION

Currently, Specification 3.0.4 does not allow entry into an OPERATIONAL CONDITION unless the conditions of the LCOs are met without reliance on provisions contained in the ACTION statements. This unduly restricts facility operation when conformance to the ACTION requirements provides an acceptable level of safety for continued operation. The proposed revision to Specification 3.0.4 allows entry into an OPERATIONAL CONDITION in accordance with ACTION requirements when conformance to the ACTION requirements permits continued operation of the facility for an unlimited period of time. This is consistent with the guidance provided in Generic Letter 87-09. Individual exceptions to Specification 3.0.4 have been deleted where necessary. PG&E considers these deletions to be administrative in nature.

Specification 4.0.3 states that performance of a Surveillance Requirement within the specified time interval shall constitute compliance with the OPERABILITY requirement for an LCO and associated ACTION statement. As such, if a Surveillance Requirement is not met as a result of failure to perform the scheduled surveillance, the LCO would not be met and the associated ACTION requirements must be entered. If the missed surveillance cannot be successfully performed during the outage time limits specified in the ACTION requirements, a plant shutdown would normally be required.

The above scenario is undesirable since it increases the risk to the plant and public safety for two reasons. First, the plant would be in a transient state involving changing plant conditions that offer the potential for an upset that could lead to a demand for the system or component being tested. This would occur when the system or component is either out of service to allow performance of the surveillance test or there is a lower level of confidence in its operability because the normal surveillance interval was exceeded. If the surveillance did demonstrate that the system or component was inoperable, it normally would be preferable to restore it to operable status before making a major change in plant operating conditions. Second, a shutdown would increase the pressure on the plant staff to expeditiously complete the required surveillance so that the plant could be returned to power operation. This would further increase the potential for a plant transient when both the shutdown and surveillance activities place a demand on the plant operators.

The proposed revision to Specification 4.0.3 provides a delay of up to 24 hours to permit the completion of a missed surveillance when the allowable outage time limit of the ACTION requirements is less than 24 hours. It is overly conservative to assume that a system or components is inoperable when a Surveillance Requirement has not been performed. The 24-hour time



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limit is consistent with the guidance provided in Generic Letter 87-09. This limit balances the risks associated with an allowance for completing the surveillance against the risks associated with the potential for a plant transient and challenge to safety systems when the alternative is a shutdown to comply with ACTION requirements.

Specification 4.0.4 prohibits entry into an OPERATIONAL CONDITION unless the Surveillance Requirements associated with the LCOs have been performed within the applicable surveillance interval. This creates a conflict when a mode transition is required as a consequence of shutdown ACTION Requirements and the associated Surveillance Requirements that become applicable have not been performed within the specified surveillance interval. The proposed revision clarifies Specification 4.0.4 by adding the phrase: "This provision shall not prevent passage through or to OPERATIONAL CONDITIONS as required to comply with ACTION requirements." The proposed revision to Specification 4.0.3, which permits a delay of up to 24 hours in the applicability of the ACTION requirements, allows sufficient time for the completion of those Surveillance Requirements that become applicable when an exception to Specification 4.0.4 is allowed.

PG&E proposes to incorporate a modified version of the revised Bases for Specification 3.0 provided in Generic Letter 87-09. The Bases for Specification 3.0.1 provided in Generic Letter 87-09 contains the following statement:

"It is not intended that the shutdown ACTION requirements be used as an operational convenience which permits (routine) voluntary removal of a system(s) or component(s) from service in lieu of other alternatives that would not result in redundant systems or components being inoperable."

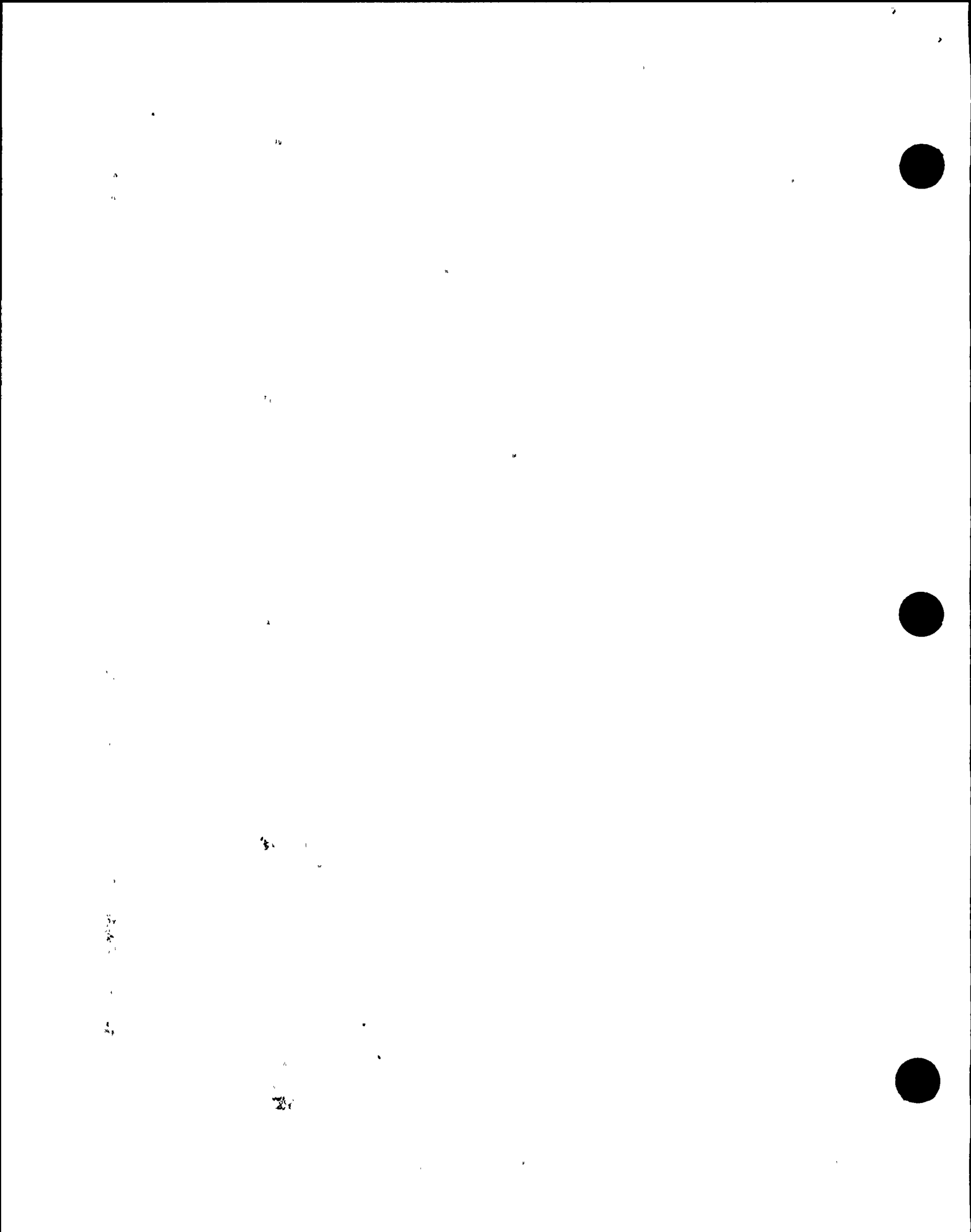
The wording of this statement is misleading and seems to imply that the removal of technical specification systems and components from service for surveillance testing or investigation of operational problems is unacceptable. In order to avoid operator confusion, PG&E proposes to revise this statement as follows:

It is not intended that the shutdown portion of the ACTION requirements be used as an operational convenience which permits removal of a redundant system(s) or component(s) from service.

The similar statement in the Bases for Specification 3.0.3 was modified as described above.

The statement on enforcement action and reporting requirements of missed surveillances in the Bases for specification 4.0.3 is deleted. This statement does not provide information on the application of Specification 4.0.3 and is addressed in NUREG-1022, "Licensee Event Report System."

The proposed revision to Specification 3.0.4 is administrative in nature. The proposed change to Specification 4.0.3 provides 24 hours to perform a missed surveillance. This may result in fewer plant transients. The



proposed revision to Specification 4.0.4 clarifies the intent of the specification and is considered administrative in nature. Thus, there is reasonable assurance that the health and safety of the public will not be adversely affected by the proposed changes.

E. NO SIGNIFICANT HAZARDS EVALUATION

PG&E has evaluated the 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 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 no significant hazards consideration standards.

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

The proposed revision to Specification 3.0.4 does not involve a significant increase in the probability or consequences of an accident previously evaluated. The revision allows entry into an OPERATIONAL CONDITION in accordance with ACTION requirements when conformance to the ACTION requirements permits continued operation of the facility for an unlimited period of time. This operational flexibility is consistent with that allowed by the existing individual LCOs and their associated ACTION requirements which provide an acceptable level of safety for continued operation.

The proposed revision to Specification 4.0.3 does not involve a significant increase in the probability or consequences of an accident previously evaluated. Providing a delay of up to 24 hours to permit the completion of a missed surveillance when the allowable outage time limit of the ACTION requirements is less than 24 hours reduces the probability of a transient occurring when the affected system or component is either out of service to allow performance of the surveillance test or there is a lower level of confidence in its operability because the normal surveillance interval was exceeded. As such, the probability and consequences of an accident previously evaluated are actually reduced as a result of the proposed revision.

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The proposed revision to Specification 4.0.4 does not involve a significant increase in the probability or consequences of an accident previously evaluated because it is a clarification to the specification and as such it is administrative in nature. The revision makes it clear that Specification 4.0.4 does not prevent passage through or to OPERATIONAL CONDITIONS as required to comply with ACTION requirements. This is consistent with the existing Specification 3.0.4.

The revisions to the Bases Section 3.0 and 4.0 and the elimination of specific exemptions to Specification 3.0.4 are administrative in nature and, therefore, do not involve a significant increase in the probability or consequences of any accident previously evaluated.

2. Does the change create the possibility of a new or different kind of accident from any accident previously evaluated?

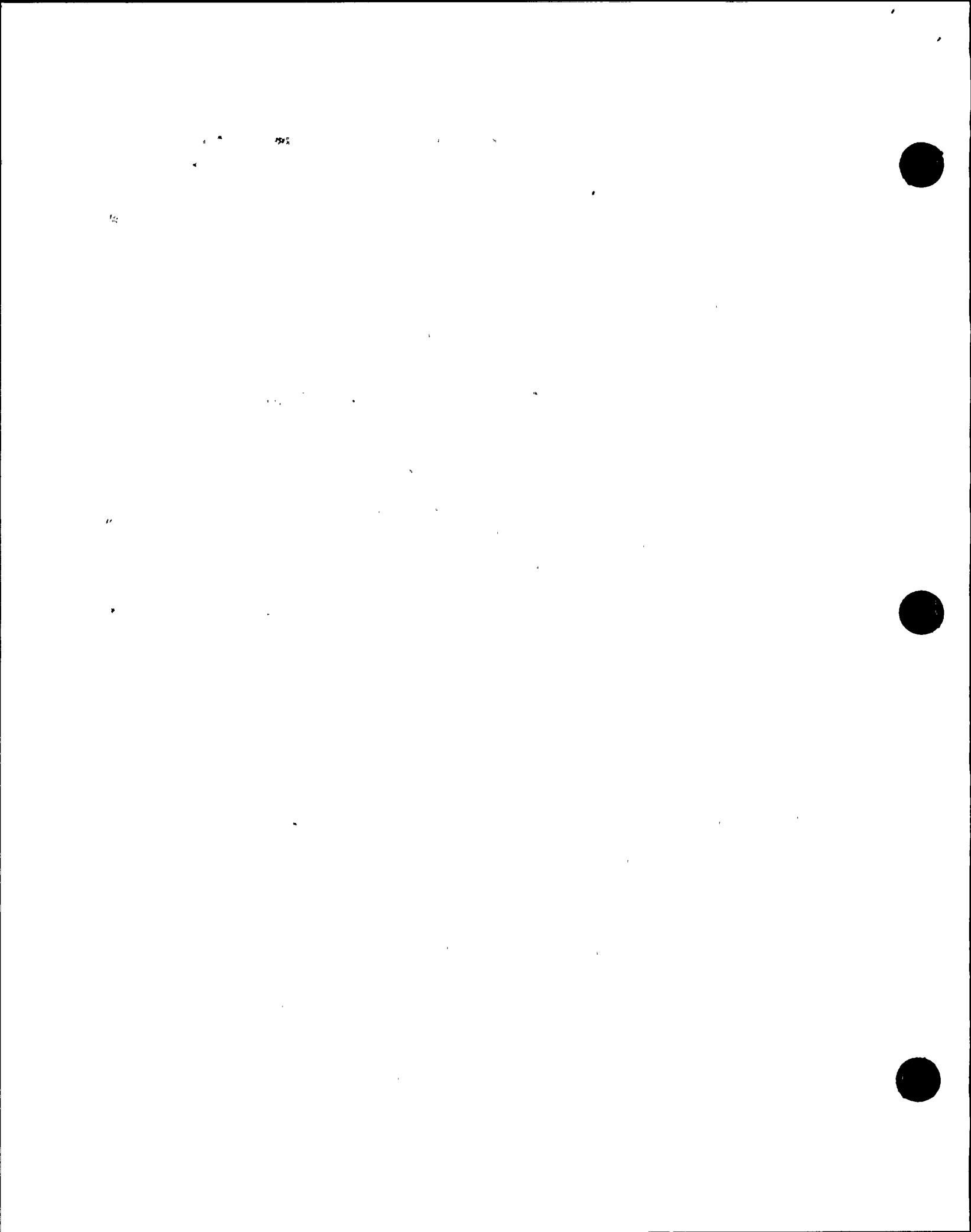
The proposed amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated because there is no physical alteration to any plant system, nor is there a change in the method in which any safety related system performs its function. The proposed revisions result in improved Technical Specifications by (1) removing unnecessary restrictions on mode changes and facility operation, (2) preventing unnecessary shutdowns caused by inadvertent exceedance of surveillance intervals, and (3) avoiding conflicts within the Technical Specifications.

The revisions to the Bases Sections 3.0 and 4.0 and the elimination of specific exemptions to Specification 3.0.4 are administrative in nature and, therefore, 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 the margin of safety?

The proposed amendment does not involve a significant reduction in a margin of safety. The revision to Specification 3.0.4 allows operations flexibility consistent with that allowed by the existing individual LCOs and their associated ACTION requirements. An acceptable level of safety for continued operation is provided.

The proposed revision to Specification 4.0.3 reduces risk by providing a delay of up to 24 hours to permit the completion of a missed surveillance when the allowable outage time limit of the ACTION requirements is less than 24 hours. This reduces the probability of a transient occurring when the affected system or component is either out of service to allow performance of the surveillance test or when there is a lower level of confidence in its operability because the normal surveillance interval was exceeded. The revision to Specification 4.0.4 is a clarification to the specification and as such is administrative in nature. The revision makes it clear that Specification 4.0.4 does not prevent passage



through or to OPERATIONAL CONDITIONS as required to comply with ACTION requirements. This is consistent with the existing Specification 3.0.4.

The revisions to the Bases Sections 3.0 and 4.0 and the elimination of specific exemptions to Specification 3.0.4 are administrative in nature and, therefore, do not involve a significant reduction in a margin of safety.

E. NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION

In conclusion, based on the above evaluation, PG&E submits that the activities associated with this license amendment request satisfy the no significant hazards consideration standards of 10 CFR 50.92(C) and, accordingly, a no significant hazards consideration finding is justified.

F. ENVIRONMENTAL EVALUATION

PG&E has evaluated the proposed changes and determined that 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 off site, or (iii) a significant increase in individual or cumulative occupational radiation exposure. Accordingly, the proposed changes meet the eligibility criterion 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.



Attachment B

MARKED-UP TECHNICAL SPECIFICATIONS and BASES

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Attachment B

MARKED-UP TECHNICAL SPECIFICATIONS and BASES

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B 3/4 0-2
B 3/4 0-3

Insert

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B 3/4 0-1
B 3/4 0-2
B 3/4 0-3

