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SUBJECT: Forwards application for amends to Licenses DPR-80 & DPR-82, consisting of LAR 90-11 re fire protection Tech Specs.

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November 15, 1990

PG&E Letter No. DCL-90-271



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 90-11  
Revision of Fire Protection License Conditions, Relocation of Fire  
Protection Technical Specifications, and Clarification of AFW  
Water Sources

Gentlemen:

Enclosed is an application for amendment to Facility Operating License Nos. DPR-80 and DPR-82. In accordance with Generic Letters 86-10 and 88-12, the enclosed license amendment request (LAR) proposes to revise and relocate Fire Protection License Conditions 2.C.(5) for Unit 1 and 2.C.(4) for Unit 2, relocate Fire Protection Technical Specifications 3/4.3.3.8, 3/4.7.9.1 through 3/4.7.9.5, 3/4.7.10 and 6.2.2.e and the associated Bases, and augment Administrative Technical Specifications 6.5.2.6, 6.5.2.7, and 6.8.1.

This LAR also proposes to revise Technical Specification (TS) 3.7.1.3, "Condensate Storage Tank," and associated Bases to clarify the requirement for water sources used by the Auxiliary Feedwater System.

Since the changes proposed in this LAR are not required to address an immediate safety concern, PG&E believes that the NRC review and approval of this LAR should be of medium priority. PG&E requests that the NRC make the TS changes effective immediately upon issuance of the license amendments.

Sincerely,

A handwritten signature in cursive script, appearing to read 'J. D. Shiffer'. The signature is written in dark ink and is positioned above the typed name 'J. D. Shiffer'.

J. D. Shiffer  
cc: A. P. Hodgdon  
J. B. Martin  
P. J. Morrill  
P. P. Narbut  
H. Rood  
CPUC  
Diablo Distribution

Enclosure

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Attachment A

REVISION OF FIRE PROTECTION LICENSE CONDITIONS AND  
RELOCATION OF TECHNICAL SPECIFICATIONS IN ACCORDANCE WITH  
GENERIC LETTERS 86-10 AND 88-12

A. DESCRIPTION OF AMENDMENT REQUEST

This part of license amendment request (LAR) 90-11 proposes to revise the Fire Protection License Conditions and Technical Specifications (TS) in accordance with the recommendations of Generic Letters 86-10 and 88-12. As required by the Generic Letters, operational conditions, remedial actions, and test requirements associated with relocated TS will be included in the FSAR Update.

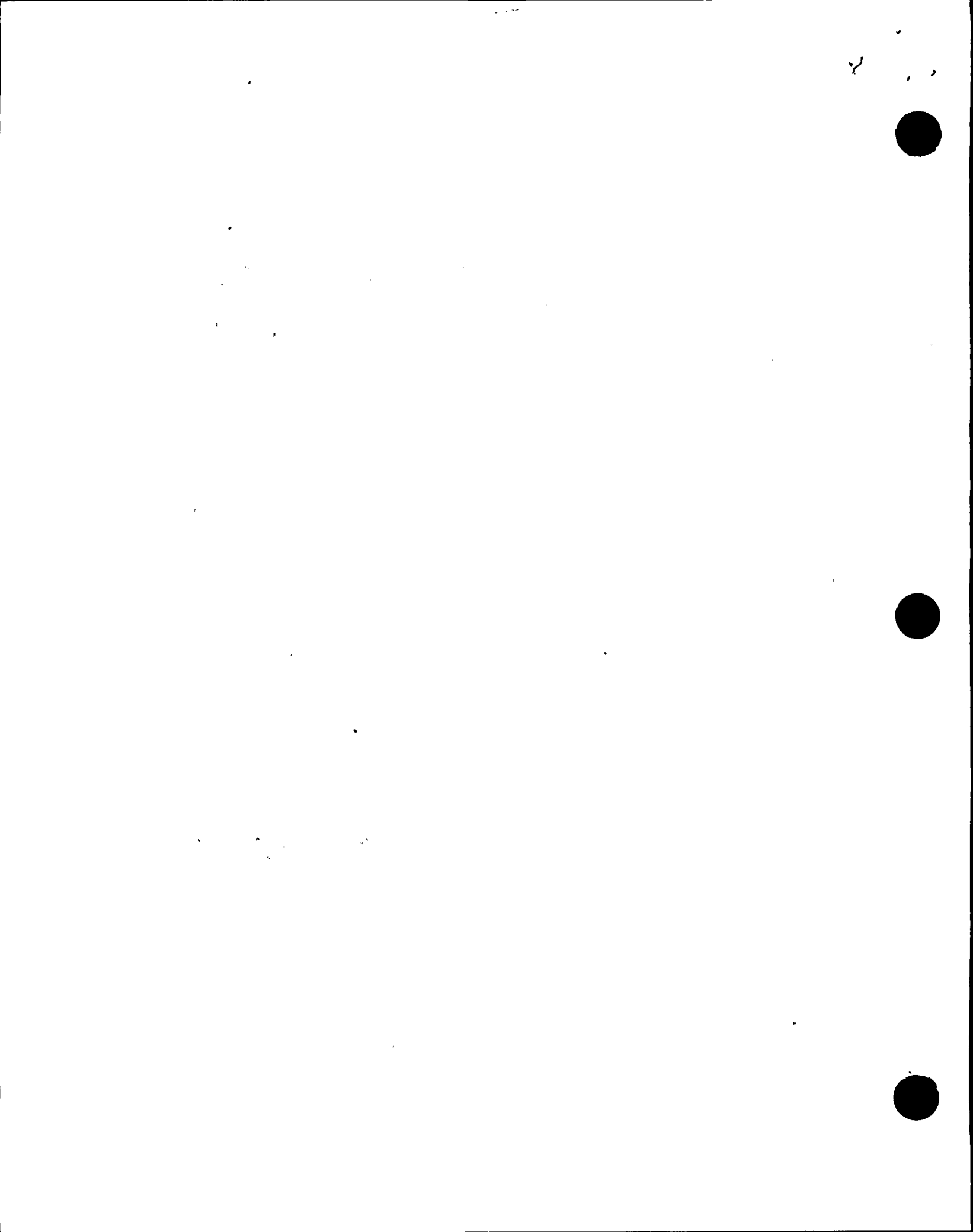
The proposed changes to the Fire Protection License Conditions are as follows:

1. License Conditions 2.C.(5) for Unit 1 and 2.C.(4) for Unit 2 would be revised to be consistent with the standard license condition proposed in Generic Letter 86-10. The Fire Protection License Conditions would also be relocated to exempt them from the 24 hour reporting requirement in License Condition 2.G. Notifications and written follow-up would still be made in accordance with the provisions of 10 CFR 50.72 and 10 CFR 50.73.

The proposed changes to the TS are as follows:

1. The requirements of TS 3/4.3.3.8 (Fire Detection Instrumentation), 3/4.7.9.1 (Fire Suppression Water System), 3/4.7.9.2 (Spray and/or Sprinkler Systems), 3/4.7.9.3 (CO2 System), 3/4.7.9.4 (Halon System), 3/4.7.9.5 (Fire Hose Stations), and 3/4.7.10 (Fire Barrier Penetrations) would be relocated to plant administrative procedure controls and to the FSAR Update.
2. The requirements of TS 6.2.2.e (Plant Staff Fire Brigade Composition) are currently in the FSAR Update and also would be relocated to plant procedures.
3. TS 6.5.2.6 and 6.5.2.7 (Plant Safety Review Committee (PSRC) Responsibilities) would be revised to require PSRC review of the plant Fire Protection Program and its revisions and recommend approval to the Plant Manager.
4. TS 6.8.1 (Written Procedure Requirements) would be revised to include the Fire Protection Program implementation.

Changes to the TS are noted in the marked-up copy of the applicable TS (Attachment B).



## B. BACKGROUND

In Generic Letters 86-10 and 88-12, the NRC Staff required that licensees incorporate their approved Fire Protection Program into their FSAR. The Fire Protection Program consists of Diablo Canyon's FSAR Update Volume 11, Appendices 9.5-A through 9.5-H, License Conditions, and administrative procedures (APs) A-13, "Plant Organization for Fire Loss Prevention" and A-58, "Control of Plant Equipment Not Required by the Technical Specifications." The Fire Protection Program includes the fire protection and post-fire safe shutdown systems necessary to satisfy NRC Staff guidelines and requirements, administrative and technical controls and procedures, the fire brigade and fire protection technical staff, and other plant features described in the FSAR Update and staff Safety Evaluation Reports. To ensure uniform enforcement of fire protection requirements, the NRC specified a standard license condition requiring compliance with the provisions of the fire protection program as described in the FSAR. The standard license condition also provided a means to make certain changes without prior commission approval.

## C. JUSTIFICATION

The changes proposed in this part of LAR 90-11 for Diablo Canyon Units 1 and 2 are consistent with the recommendations of Generic Letters 86-10 and 88-12. As indicated in the Generic Letters, putting the Fire Protection Program into the FSAR Update and incorporating the standard license condition will (a) reduce problems for PG&E and NRC inspectors in identifying the operative and enforceable fire protection requirements, and (b) allow PG&E to make changes to the approved Diablo Canyon Fire Protection Program without prior Commission approval if the changes do not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire. Removal of the fire protection requirements from the TS and relocation to the FSAR Update will further the Commission's goal of TS improvements, as delineated in NRC policy statements, without reducing the level of plant safety. Finally, augmentation of the TS Administrative Controls will ensure that control of the Fire Protection Program is equivalent to other programs implemented by license conditions, such as the Emergency Plan and Security Plan.

Since issuance of the NRC generic guidance regarding disposition of fire protection requirements, license amendments have been issued for a number of nuclear plants, including the lead plants Callaway and Wolf Creek as well as Perry, Hope Creek, Hatch, Palo Verde, Catawba, McGuire, Waterford, and Beaver Valley. Diablo Canyon's request is similar to those approved for these plants.

## D. SAFETY EVALUATION

Generic Letter 86-10 encouraged licensees, upon incorporation of their approved Fire Protection Program into the FSAR, to apply for an amendment to their operating licenses to (a) replace current license conditions regarding fire protection with a new standard condition and (b) remove unnecessary fire protection TS. Although a comprehensive Fire Protection Program is essential to plant safety, the basis for this





recommendation is that many details of the program that are currently addressed in TS can be modified without affecting plant safety. Such modifications can be made provided there are suitable administrative controls over changes.

These details, which are presently included in TS and which are proposed to be removed, do not constitute performance requirements necessary to ensure safe operation of the facility and, therefore, do not warrant being included in the TS. At the same time, suitable administrative controls are or will be in place at the Diablo Canyon Power Plant (DCPP) to ensure that there will be careful review and analysis by competent individuals of any changes in the Fire Protection Program, including those technical and administrative requirements removed from the TS, to ensure that plant safety is not adversely affected. These controls include: (a) proposed TS administrative controls that are applicable to the Fire Protection Program; (b) a proposed license condition on changes to the Fire Protection Program; and (c) 10 CFR 50.59 criteria for evaluating changes to the Fire Protection Program as described in the FSAR Update.

Previously, changes to the Fire Protection Program that decreased the level of fire protection in the plant could only be made with prior Commission approval utilizing the license amendment process (10 CFR 50.90). The new license condition applies the provisions of 10 CFR 50.59 to changes to the Fire Protection Program. In this context, the determination of the involvement of an unreviewed safety question defined in 10 CFR 50.59(a)(2) will be based on the "accident... previously evaluated" being the postulated fire in the fire hazards analysis for the fire area affected by the change. Hence, the new license condition establishes an adequate basis for defining the scope of changes to the Fire Protection Program which can be made without prior Commission approval, i.e., without introduction of an unreviewed safety question. The current license condition also requires that the licensee maintain an auditable record of all changes made to the Fire Protection Program that do not require prior Commission approval. Paragraph (b) of 10 CFR 50.59 contains the same recordkeeping requirement as the current license condition, and therefore the new license condition does not change the recordkeeping requirements.

Finally, the present license condition required an annual report to the Commission on all changes to the Fire Protection Program made without prior approval. The same annual reporting requirement is imposed by 10 CFR 50.59(b) and 10 CFR 50.71(e).

These proposed changes and the safety evaluation are discussed below:

1. License Conditions 2.C.(5) for Unit 1 and 2.C.(4) for Unit 2 regarding the changes to the Fire Protection Program, are revised in accordance with the guidance provided in Section F of Generic Letter 86-10, and establish requirements for changing the Fire Protection Program. The Fire Protection License Conditions would also be relocated to exempt them from the 24 hour reporting requirement found in license condition 2.G. Notifications and



written follow-up would still be made in accordance with the provisions of 10 CFR 50.72 and 10 CFR 50.73.

2. TS 3/4.3.3.8 (Fire Detection Instrumentation), 3/4.7.9.1 (Fire Suppression Water System), 3/4.7.9.2 (Spray and/or Sprinkler Systems), 3/4.7.9.3 (CO2 System), 3/4.7.9.4 (Halon System), 3/4.7.9.5 (Fire Hose Stations), 3/4.7.10 (Fire Barrier Penetrations), and 6.2.2.e (Fire Brigade Staffing) are relocated. The requirements of these specifications have been relocated to plant administrative procedures and controls and are also included in the FSAR Update. These changes are administrative in nature in that no requirements are being altered. Provisions for review of future changes to the requirements are provided by the proposed changes to TS 6.5.2.6, 6.5.2.7, and 6.8.1.
3. TS 6.5.2.6 and 6.5.2.7 (PSRC Responsibilities) are being revised to include specific reference to the requirement for the PSRC to review the plant Fire Protection Program and its revisions and recommend approval to the Plant Manager. These changes ensure maintenance of the importance of the Fire Protection Program to plant safety and assure a multi-discipline review by the PSRC of proposed changes to those requirements following removal from the TS.
4. TS 6.8.1 (Written Procedure Requirements) is revised to include the Fire Protection Program implementation. This change ensures that the Fire Protection Program will be established, implemented and maintained for plant safety, and is consistent with the requirements established for similar programs, such as the Emergency Plan and Security plan.

In summary, based on the above considerations, the relocation of the Fire Protection TS and the revision and relocation of the Fire Protection License Conditions will not adversely affect the safe operation of DCPD Units 1 and 2. PG&E believes there is reasonable assurance that the proposed changes will not adversely impact the ability to achieve and maintain safe shutdown in the event of a fire, and therefore will not adversely affect the health and safety of the public.

#### 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 no significant hazards consideration standards.

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

License Conditions 2.C.(5) and 2.C.(4):

As before, changes to the Fire Protection Program that decrease the level of plant safety would only be made with prior Commission approval. The provisions of 10 CFR 50.59 will be used to evaluate proposed changes. 10 CFR 50.59 contains requirements that an auditable record be maintained of all changes made to the Fire Protection Program that do not require prior Commission approval and requires an annual report to the Commission which summarizes these changes. Exemption from the 24-hour reporting requirement is an administrative change.

The proposed change in License Conditions would not result in any loss of control of the change process.

TS 3/4.3.3.8, 3/4.7.9.1 through 3/4.7.9.5, 3/4.7.10, and 6.2.2.e:

No changes to the fire protection requirements presently contained in the TS would be made. The proposed changes would relocate TS 3/4.3.3.8 (Fire Detection Instrumentation), 3/4.7.9.1 (Fire Suppression Water System), 3/4.7.9.2 (Spray and/or Sprinkler Systems), 3/4.7.9.3 (CO<sub>2</sub> System), 3/4.7.9.4 (Halon Systems), 3/4.7.9.5 (Fire Hose Stations), 3/4.7.10 (Fire Barrier Penetrations), and 6.2.2.e (Fire Brigade Staffing) and incorporate them into plant administrative procedures and controls and the FSAR Update without altering them. As such, the changes are administrative in nature. The PSRC has always been responsible for reviewing proposed changes to the TS and applicable procedures and is now responsible for reviewing changes to the Fire Protection Program, which contains the former TS and other requirements.

In accordance with Generic Letter 86-10, the provisions of 10 CFR 50.59 would be used to evaluate any changes PG&E desires to make in the Fire Protection Program.



TS 6.5.2.6, 6.5.2.7, and 6.8.1:

The proposed changes for TS 6.5.2.6 and 6.5.2.7 (PSRC Responsibilities) and 6.8.1 (Written Procedure Requirements) would not involve a reduction in requirements. The PSRC has always been responsible for reviewing proposed changes to the TS and applicable procedures and is now responsible for reviewing changes to the Fire Protection Program, which contains the former TS and other requirements.

The addition of the Fire Protection Program to the list of required written procedures constitutes an additional administrative control that supports relocation and control of fire protection TS.

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?

License Conditions 2.C.(5) and 2.C.(4):

The change in License Conditions 2.C.(5) for Unit 1 and 2.C.(4) for Unit 2 would not result in any loss of control of the change process. Exemption from the 24-hour reporting requirement is an administrative changes.

TS 3/4.3.3.8, 3/4.7.9.1 through 3/4.7.9.5, 3/4.7.10, and 6.2.2.e:

The proposed changes would relocate the TS to the FSAR Update and are, therefore, administrative in nature. Plant procedures will establish, implement, and maintain the specific instructions for implementing the LCO, actions, and surveillance requirements. There would be no reduction in Fire Protection Program requirements.

In accordance with Generic Letter 86-10, the provisions of 10 CFR 50.59 would be used to evaluate any changes PG&E desires to make in the Fire Protection Program.

TS 6.5.2.6, 6.5.2.7, and 6.8.1:

There would be no reduction in requirements as a result of the revisions to TS 6.5.2.6, 6.5.2.7, and 6.8.1. The proposed changes are administrative in nature. The inclusion of these TS are additions to the previously identified PSRC responsibilities in that previously the PSRC did not have a specific TS requirement to review and approve changes to the Fire Protection Program.





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?

License Conditions 2.C.(5) and 2.C.(4):

The proposed License Conditions 2.C.(5) for Unit 1 and 2.C.(4) for Unit 2 would not involve any significant change in requirements and were recommended by the NRC in Generic Letter 86-10. Exemption from the 24-hour reporting requirement is an administrative change.

TS 3/4.3.3.8, 3/4.7.9.1 through 3/4.7.9.5, 3/4.7.10, and 6.2.2.e:

The proposed changes would relocate the TS to the FSAR Update, and therefore are administrative in nature. Plant procedures will establish, implement, and maintain the specific instructions necessary for implementing the LCO, action, and surveillance requirements, just as with the requirements in the TS. Any proposed reduction in requirements would require a 10 CFR 50.59 safety evaluation, which considers a reduction of safety margin.

TS 6.5.2.6, 6.5.2.7, and 6.8.1:

The change in responsibilities as delineated in TS 6.5.2.6 and 6.5.2.7 would involve an increase in requirements. The PSRC would be responsible for reviewing the entire Fire Protection Program, whereas formerly the PSRC responsibilities for review in this area included only the TS. Their responsibility for procedural review remains unchanged.

The addition of the Fire Protection Program to the list of required written procedures listed in TS 6.8.1 constitutes an additional control not presently included in the TS.

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 submits that the activities associated with this part of LAR 90-11 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 do not involve (i) a significant hazards consideration, (ii) a significant change in the types or significant increase in the amounts of any effluent that may be released offsite, 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.

