



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 55 TO FACILITY OPERATING LICENSE NO. DPR-80
AND AMENDMENT NO. 54 TO FACILITY OPERATING LICENSE NO. DPR-82

PACIFIC GAS AND ELECTRIC COMPANY

DIABLO CANYON NUCLEAR POWER PLANT, UNIT NOS. 1 AND 2

DOCKET NO. 50-275 AND 50-323

1.0 INTRODUCTION

By letter dated April 18, 1988, as supplemented by letter dated December 21, 1989 (Reference LAR 88-05), Pacific Gas and Electric Company (PG&E or the licensee) requested amendments to the combined Technical Specifications (TS) appended to Facility Operating License Nos. DPR-80 and DPR-82 for the Diablo Canyon Power Plant (DCPP), Unit Nos. 1 and 2, respectively. The amendments revise TS Sections 3.0.4, 4.0.3, and 4.0.4, and the associated TS Bases sections, which define the applicability of limiting conditions for operation and surveillance requirements. The amendments also delete the exceptions to TS 3.0.4 in a number of TS.

The TS changes are in accordance with the recommendations of Generic Letter (GL) 87-09 to provide greater operational flexibility and preclude unnecessary plant shutdowns and to allow passage through or to operational modes as required to comply with Action Requirements. Specifically, the licensee proposed the following revisions to TS 3.0.4, 4.0.3 and 4.0.4:

- A. Specification 3.0.4 is revised to define when its provisions apply; i.e., when the affected action statements permit continued operation for an unlimited period of time, instead of defining when the provisions of Specification 3.0.4 do not apply.
- B. Specification 4.0.3 is revised to incorporate a 24-hour delay in implementing Action Requirements due to a missed surveillance when the Action Requirements provide a restoration time that is less than 24 hours.
- C. Specification 4.0.4 is revised to clarify that "This provision shall not prevent passage through or to OPERATIONAL CONDITIONS as required to comply with Action Requirements."

The staff evaluation of these changes is given below and is based on the licensee's letters of April 18, 1988 and December 21, 1989. The licensee's letter of December 21, 1989 certified that the action

statement for each TS affected by the revised TS 3.0.4 provided an adequate level of protection for a change in operational mode or specified condition. Thus, the December 21, 1989 letter did not change the action noticed in, or alter the staff's proposed determination of no significant hazards consideration published in the Federal Register on May 3, 1989 at 54 FR 18948.

2.0 EVALUATION

The NRC staff has evaluated the proposed changes, taking into consideration the limitations set forth in GL 87-09 for TS 3.0.4, 4.0.3 and 4.0.4, and finds them acceptable, based on the analyses and evaluations provided by the licensee. A discussion of the specific TS changes made by these amendments and the basis for their acceptability is given below.

A. Technical Specification 3.0.4

GL 87-09 recognizes, in part, that Specification 3.0.4 unduly restricts facility operation when conformance to the Action Requirements provides an acceptable level of safety for continued operation in any mode. For an LCO that has Action Requirements permitting continued operation for an unlimited period of time, entry into an operational mode or other specified condition of operation should be permitted in accordance with those Action Requirements. The restriction on change in operational modes or other specified conditions should apply only where the Action Requirements establish a specified time interval in which the LCO must be met or a shutdown of the facility would be required or where entry into that operational mode would result in entry into an Action Statement with such time constraints. However, nothing in the staff position stated in GL 87-09 should be interpreted as endorsing or encouraging plant startup with inoperable equipment. The GL 87-09 itself states that startup with inoperable equipment should be the exception rather than the rule.

The licensee provided confirmation that the remedial measures prescribed by the ACTION STATEMENT for each change involving Specification 3.0.4 is consistent with the updated Final Safety Analysis Report and its supporting safety analyses. Further, by letter dated December 21, 1989, the licensee has provided confirmation and certification that appropriate administrative controls and procedures are in place for limiting the use of Specification 3.0.4 exceptions in conjunction with its proposed TS change submitted in response to GL 87-09. Additionally, no changes are proposed that affect plant configuration, setpoints, operating parameters, or the operator/equipment interface.

Based on review of the licensee's proposal, and confirmations related above, we conclude in granting the exceptions proposed in

response to GL 87-09 that: 1) the remedial measures prescribed by the ACTION STATEMENT for each change involving the applicability of the Specification 3.0.4 exception should provide a sufficient level of protection to permit operational mode changes and safe long-term operation consistent with the plant's Updated Safety Analysis Report; and 2) the licensee has in place adequate administrative controls and procedures which will ensure that it will be the exception rather than the rule that startup of the plant with important safety features inoperable will occur. We, therefore, find the following wording of Specification 3.0.4 proposed by the licensee to be acceptable:

"Entry into an OPERATIONAL MODE or other specified condition shall not be made when the conditions for the Limiting Conditions for Operation are not met and the associated ACTION requires a shutdown if they are not met within a specified time interval. Entry into an OPERATIONAL MODE or specified condition may be made in accordance with ACTION requirements when conformance to them permits continued operation of the facility for an unlimited period of time. This provision shall not prevent passage through or to OPERATIONAL MODES as required to comply with ACTION statements. Exceptions to these requirements are stated in the individual specifications".

B. Technical Specification 4.0.3

In GL 87-09 the staff stated that it is overly conservative to assume that systems or components are inoperable when a surveillance requirement has not been performed, because the vast majority of surveillances demonstrate that systems or components in fact are operable. Because the allowable outage time limits of some Action Requirements do not provide an appropriate time limit for performing a missed surveillance before shutdown requirements apply, the TS should include a time limit that would allow a delay of the required actions to permit the performance of the missed surveillance.

This time limit should be based on considerations of plant conditions, adequate planning, availability of personnel, the time required to perform the surveillance, as well as the safety significance of the delay in completion of the surveillance. After reviewing possible limits, the staff concluded that, based on these considerations, 24 hours would be an acceptable time limit for completing a missed surveillance when the allowable outage times of the Action Requirements are less than this time limit or when shutdown Action Requirements apply. The 24-hour time limit would balance the risks associated with an allowance for completing the surveillance within this period against the risks associated with the potential for a plant upset and challenge to safety systems when the alternative is a shutdown to comply with Action Requirements before the surveillance can be completed.

This limit does not waive compliance with Specification 4.0.3. Under Specification 4.0.3, the failure to perform a surveillance requirement will continue to constitute noncompliance with the operability requirements of an LCO and to bring into play the applicable Action Requirements. Based on the above, we find the following wording of Specification 4.0.3 proposed by the licensee to be acceptable:

"Failure to perform a Surveillance Requirement within the allowed surveillance interval defined by Specification 4.0.2 shall constitute noncompliance with the OPERABILITY requirements for a Limiting Condition for Operation. The time limits of the ACTION requirements are applicable at the time it is identified that a Surveillance Requirement has not been performed. The ACTION requirements may be delayed for up to 24 hours to permit the completion of the surveillance when the allowable outage time limits of the ACTION requirements are less than 24 hours. Exceptions to these requirements are stated in the individual specifications. Surveillance Requirements do not have to be performed on inoperable equipment".

C. Technical Specification 4.0.4

TS 4.0.4 prohibits entry into an OPERATIONAL CONDITION or other specified condition until all required surveillances have been performed. This could cause an interpretation problem when OPERATIONAL CONDITION changes are required in order to comply with ACTION statements. Specifically, two possible conflicts between TSs 4.0.3 and 4.0.4 could exist. The first conflict arises because TS 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. The proposed modification to resolve this conflict involves the revision to TS 4.0.3 to permit a delay of up to 24 hours in the application of the Action Requirements, as explained above, and a clarification of TS 4.0.4 to allow passage through or to operational modes as required to comply with Action Requirements. The second potential conflict between TSs 4.0.3 and 4.0.4 arises because an exception to the requirements of 4.0.4 is allowed when surveillance requirements can only be completed after entry into a mode or condition. However, after entry into this mode or condition, the requirements of TS 4.0.3 may not be met because the surveillance requirements may not have been performed within the allowable surveillance interval.

The licensee proposes to resolve these conflicts by providing the following clarifying statement to TS 4.0.4:

"This provision shall not prevent passage through or to OPERATIONAL MODES as required to comply with ACTION requirements."

The NRC staff has provided in GL 87-09 a clarification that: (a) it is not the intent of TS 4.0.3 that the ACTION requirements preclude the performance of surveillances allowed under any exception to TS 4.0.4, and (b) that the delay of up to 24 hours in TS 4.0.3 for the applicability of ACTION requirements provides an appropriate time limit for the completion of surveillance requirements that become applicable as a consequence of any exception to TS 4.0.4.

Consequently, the NRC staff finds the proposed changes to TS 4.0.4 to be acceptable.

In summary, the staff finds that the licensee's request for technical specification changes to be reasonable, justified and acceptable, based on the analyses and evaluations provided by the licensee.

3.0 ENVIRONMENTAL CONSIDERATION

These amendments involve changes to a requirement with respect to the installation or use of facility components located within the restricted area as defined in 10 CFR Part 20 and changes to the surveillance requirements. At Diablo Canyon, the restricted area coincides with the site boundary. We have determined that the amendments involve no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendments involve no significant hazards consideration and there has been no public comment on such finding. Accordingly, these amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of these amendments.

4.0 CONCLUSION

We have concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, and (2) such activities will be conducted in compliance with the Commission's regulations and (3) the issuance of these amendments will not be inimical to the common defense and security or the health and safety of the public.

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Dated: June 11, 1990