

September 12, 1986

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Docket Nos. 50-275 and 50-323

MEMORANDUM FOR: H. Denton* R. W. Houston F. Rosa
R. Vollmer* D. Crutchfield V. Benaroya
J. Lyons* E. Rossi* B. Clayton
H. Thompson* G. Lainas L. Rubenstein*
F. Miraglia* T. Speis G. Lear
R. Bernero* W. Russell B. J. Youngblood
G. Holahan* J. Milhoan S. Varga
T. Novak R. Ballard V. Noonan
F. Schroeder C. Berlinger

THRU: Steven A. Varga, Director
Project Directorate #3
Division of PWR Licensing-A

FROM: Hans E. Schierling, Senior Project Manager
Project Directorate #3
Division of PWR Licensing-A

SUBJECT: DAILY HIGHLIGHT - DIABLO CANYON COURT ORDER
CONCERNING SPENT FUEL POOL EXPANSION

On September 11, 1986 the U.S. Court of Appeals for the Ninth Circuit issued an Order which concludes:

"The NRC failed to comply with its own regulations in denying petitioners a hearing prior to making the Diablo Canyon reracking license amendments effective. Accordingly, the existing stay of those amendments is continued. PG&E shall not deposit any spent fuel rods in the pool for Unit 1 and shall not rerack the pool for Unit 2 until hearings have been held in compliance with the requirements of the Atomic Energy Act."

The Court further stated that PG&E may elect to return the original racks to the pool in accordance with the existing operating licenses and may use the pools prior to completion of the hearing. PG&E is in the process of reinstalling the original racks into the Unit 1 pool. The first spent fuel element is expected to be unloaded into the Unit 1 pool on about September 20, 1986. The staff is currently reviewing the PG&E safety evaluation performed in accordance with 10 CFR 50.49. No changes have been made to the Unit 2 pool (i.e. original racks remain in place). Unit 2 is expected to enter its first refueling outage in March/April 1987. The ASLB hearing on the spent fuel pool expansion has been scheduled to commence in March 1987.

Hans E. Schierling, Senior Project Manager
Project Directorate #3
Division of PWR Licensing-A

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September 9, 1986

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Docket Nos. 50-275
50-323

MEMORANDUM FOR:

H. Denton*	R. W. Houston	F. Rosa
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THRU: Steven A. Varga, Director
Project Directorate #3
Division of PWR Licensing-A

FROM: Hans E. Schierling, Senior Project Manager
Project Directorate #3
Division of PWR Licensing-A

SUBJECT: DAILY HIGHLIGHT

Plant Name Diablo Canyon Reinstallation of Original Spent Fuel
Racks under 10 CFR 50.59

On September 5, 1986 Region V requested NRR to review the PG&E safety evaluation performed according to 10 CFR 50.59 for the reinstallation of the original fuel racks into the Unit 1 spent fuel pool. NRR staff will discuss with PG&E details of the installation in a meeting on Wednesday, September 10, 1986. Originally the racks had been bolted to the spent fuel pool floor using anchors. The bolts had been cut off and the liner surface prepared for the new, high density racks which would be freestanding. The original racks are being reinstalled by welding the feet to embed plates which are welded to the liner. PG&E started the welding process on September 5, 1986 and all original racks are expected to be fully reinstalled by September 19, 1986. As of September 8, 1986 the Ninth Circuit Court of Appeals had not issued a final decision regarding intervenors request for a stay of our license amendment authorizing use of the high density racks, pending a hearing on this matter.

Original signed by:

H. S.

Hans Schierling, Senior Project Manager
Project Directorate #3
Division of PWR Licensing-A

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