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February 4, 2021

PG&E Letter DCL-21-011

10 CFR 55.11

10 CFR 55.59

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

Docket No. 50-275, OL-DPR-80
Docket No. 50-323, OL-DPR-82
Diablo Canyon Power Plant, Units 1 and 2
Request for One-Time Exemption from Select 10 CFR 55.59 Requirements

Dear Commissioners and Staff:

In accordance with 10 CFR 55.11, Pacific Gas and Electric Company (PG&E) is requesting a one-time scheduled exemption to 10 CFR 55.59(a)(1) and (c)(1) at the Diablo Canyon Power Plant (DCPP) such that the current licensed operator requalification program period for DCPP could be extended, on a one-time basis, from 24 to 25 months, ending June 30, 2021. PG&E is also requesting a one-time scheduled exemption to “the annual operating test” required in paragraph 10 CFR 55.59 (a)(2) from the 12-month interval to an interval of 13 months; and an exemption to “the comprehensive requalification written examination” required in paragraph (a)(2) from the 24-month interval to an interval of 25 months, ending June 30, 2021.

The current annual 12-month operating test period goes from June 1, 2020 through May 31, 2021. The comprehensive biennial written examination period encompasses the 24-month requalification cycle from June 1, 2019 through May 31, 2021. This request would allow the current 12-month operating test period to be extended to 13 months (ending June 30, 2021) and would extend the 24-month requalification period to 25 months (ending June 30, 2021). The next annual 12 month operating test period would begin on July 1, 2021, and continue for 12 months to June 30, 2022. The next requalification program period would begin on July 1, 2021, and continue for 24 months to June 30, 2023.

The overriding reason to pursue this extension is due to the change of the upcoming DCPP Unit 2 refueling outage schedule and reasonable probability that the plant startup from the Unit 2 refueling outage will coincide with licensed operator biennial

exams. Regardless of the actual Unit 2 reactor startup date, the licensed operator annual and biennial exams will be completed prior to July 1, 2021.

This exemption is being requested based on the successful completion of the recent licensed operator continuing training examinations and the strong level of knowledge and skills demonstrated by DCPD licensed operators.

Details on the basis for this exemption request are contained in the Enclosure to this letter.

PG&E requests written approval of this exemption request by April 5, 2021, to support orderly plans to implement the one-time 25-month biennial requalification examination schedule without impacting licensed operator staffing during the DCPD Unit 2 refueling outage. Additionally, this approval date will allow PG&E the appropriate time to ensure proper focus and operator resource allocation is managed throughout the DCPD Unit 2 refueling outage.

The requested exemption will prevent distractions, maximize the available licensed individuals to focus on startup activities, and assist in managing any fatigue related concerns. As such, approval of this exemption will not endanger life or property and is consistent with public interest.

PG&E makes no new or revised regulatory commitments (as defined by NEI 99-04) in this letter.

If you have any questions regarding this request, please contact Mr. Jared Smith, Manager, Nuclear Operations Training, at (805) 545-3596.

Sincerely,



Paula Gerfen
Site Vice President

kjse/51104444

Enclosure

cc: Jeffery E. Josey, NRC Branch Chief
Donald R. Krause, NRC Senior Resident Inspector
Samson S. Lee, NRC Project Manager
Scott A. Morris, NRC Region IV Administrator

**Request for One-Time Exemption from
Select 10 CFR 55.59 Requirements**

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1.0 SUMMARY DESCRIPTION

In accordance with 10 CFR 55.11, "Specific exemptions," Pacific Gas and Electric Company (PG&E) requests NRC approval of a one-time exemption from the requirements of 10 CFR 55.59, "Requalification," paragraphs (a)(1) and (c)(1) for the requalification program schedule at the Diablo Canyon Power Plant (DCPP). The requested exemption would allow for a one-time extension of "the annual operating test" required in paragraph (a)(2) from the 12-month interval to an interval of 13 months; and "the comprehensive requalification written examination" required in paragraph (a)(2) from the 24-month interval to an interval of 25 months, ending June 30, 2021. The proposed action would also grant an exemption from the schedule requirements of 10 CFR 55.59(c)(1) that require "the requalification program must be conducted for a continuous period not to exceed two years".

This exemption is being requested based on the successful completion of the most recent two-year requalification cycle. A strong level of knowledge and skills in the recent licensed operator continuing training examinations was demonstrated by DCPP licensed operators.

2.0 BACKGROUND

During the DCPP Unit 2 Twenty-First Refueling Outage that ended on December 19, 2019, DCPP replaced the Unit 2 main generator stator. Along with the stator replacement, several modifications were made to the stator coil cooling water system. Emergent equipment issues with the Unit 2 main generator have resulted in three unplanned Unit 2 outages. Due to the emergent equipment issues with the Unit 2 main generator, the upcoming Unit 2 Twenty-Second Refueling Outage (2R22) schedule was conservatively and strategically adjusted to start early in order to conduct additional inspections, forensic analysis, repairs, and modifications and to support reliable Unit 2 operations during the summer months. Operations resources are required to support the early start of the 2R22.

At this time, the upcoming DCPP Unit 2 plant startup schedule from 2R22 will overlap with the current comprehensive biennial licensed operator examination period. An overlap of this nature will result in significant impact to DCPP organizations and the potential to adversely impact an event-free startup. The overriding reason to pursue this exemption request is based on scheduling difficulties associated with plant startup from the revised 2R22 outage schedule.

The current annual 12-month operating test period goes from June 1, 2020 through May 31, 2021. The comprehensive biennial written examination period encompasses the 24-month requalification cycle from June 1, 2019 through May 31,

2021. This exemption request would allow the current 12-month operating test period to be extended to 13 months (ending June 30, 2021) and would extend the 24-month requalification period to 25 months (ending June 30, 2021). The next annual 12-month operating test period would begin on July 1, 2021, and continue for 12 months to June 30, 2022. The next requalification program period would begin on July 1, 2021, and continue for 24 months to June 30, 2023.

Moving the licensed operator annual and biennial exams from the current scheduled April - May 2021 timeframe to a revised May - June 2021 timeframe would provide the following operational safety benefits:

- ensures distractions associated with requalification exams do not impact the station's operational focus on startup activities and maintain line of sight to the reactor core;
- eliminates the need to assign/divert critical licensed operator resources to training during startup activities; and
- assists in managing fatigue related concerns by maximizing the number of available licensed operators.

The criteria for granting specific exemptions from 10 CFR 55 regulations are stated in 10 CFR 55.11. In accordance with 10 CFR 55.11, the NRC is authorized to grant an exemption upon determining that the exemption is authorized by law and will not endanger life or property and is otherwise in the public interest.

The proposed action would grant an exemption from the schedule requirements of 10 CFR 55.59(a)(1) and (c)(1). The requested exemption would allow for a one-time extension of the annual operating test required in paragraph (a)(2) from the 12-month interval to an interval of 13 months, and the comprehensive requalification written examinations from the 24-month interval to an interval of 25 months.

3.0 JUSTIFICATION OF ACCEPTABILITY OF EXEMPTION

During the past two years and the recent DCCP Unit 2 outages, the requalification training cycles have continued in accordance with the Institute of Nuclear Power Operations (INPO) National Academy for Nuclear Training accredited training programs. All DCCP licensed personnel are actively enrolled in accredited training programs. The Reactor Operator, Senior Reactor Operator, and Shift Technical Advisor programs include both periodic written and operational exams. During these periodic exams, the program incumbents have continued to display a high degree of knowledge and skills.

Operations training conducts "as found" simulator and weekly written examinations. These exams are developed to meet the standards of the annual and biennial exams. The exams have continued throughout the pandemic and have

proven that operator knowledge and ability continue to be strong based on an average of a ninety-four percent score on written tests and one hundred percent pass rate for simulator scenarios.

10 CFR 55.11 specifically allows the NRC to grant exemptions from the requirements of 10 CFR Part 55.59 if the NRC determines it is authorized by law. PG&E believes the proposed one-time 10 CFR Part 55.59 exemption will not result in a violation of the Atomic Energy Act of 1954, as amended, or the Commission's regulations based on past NRC approved 10 CFR Part 55.59 exemptions. Therefore, PG&E believes the proposed 10 CFR Part 55.59 exemption is authorized by law.

The proposed 10 CFR Part 55.59 exemption will prevent distractions, maximize the available licensed individuals to focus on plant operations related activities, and assist in managing fatigue related concerns which serve the public interest by facilitating safe plant operations. The requalification training cycles have been maintained in accordance with the INPO National Academy for Nuclear Training accredited training programs and all DCPD licensed personnel are actively enrolled in accredited training programs. The requested exemption is a one-time exemption. Therefore, approval of the proposed 10 CFR Part 55.59 exemption will not endanger life or property and is consistent with public interest.

Environmental Assessment

In accordance with 10 CFR 51.30, "Environmental assessment," and 10 CFR 51.32, "Finding of no significant impact," the following information is provided in support of an environmental assessment and finding of no significant impact for the proposed exemption.

(1) The proposed exemption is administrative in nature and is limited to changing the current licensed operator requalification program period for DCPD, on a one-time basis. The proposed exemption does not make any changes to the facility or operating procedures and does not alter the design, function or operation of any plant equipment. Therefore, issuance of this exemption does not increase the probability or consequences of an accident previously evaluated.

(2) The proposed exemption is administrative in nature and is limited to changing the current licensed operator requalification program period for DCPD, on a one-time basis. The proposed exemption does not make any changes to the facility or operating procedures and would not create any new accident initiators. The proposed exemption does not alter the design, function or operation of any plant equipment. Therefore, this exemption does not create the possibility of a new or different kind of accident from any accident previously evaluated.

(3) The proposed exemption is administrative in nature and is limited to changing the current licensed operator requalification program period for DCP, on a one-time basis. The proposed exemption does not alter the design, function or operation of any plant equipment. Therefore, this exemption does not involve a significant reduction in the margin of safety.

PG&E has also determined that the proposed exemption request does not involve:

- any change to the types, characteristics, or quantities of non-radiological effluents discharged to the environment.
- any changes to liquid radioactive effluents discharged to the environment.
- any changes to gaseous radioactive effluents discharged to the environment.
- any change in the type or quantity of solid radioactive waste generated.
- any change in occupational dose under normal or Design Basis Accident (DBA) conditions.
- any change in the public dose under normal or DBA accident conditions.
- any land disturbance.

There is no significant radiological environmental impact associated with the proposed exemption request and the request will not affect any historical sites nor will it affect non-radiological plant effluents. The proposed exemption request meets the eligibility criterion for categorical exclusion set forth in 10 CFR 51.22(c)(25). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment needs to be prepared in connection with the issuance of this proposed exemption request.

4.0 CONCLUSION

As demonstrated above, PG&E considers the proposed one-time exemption to paragraphs (a)(1), (a)(2), and (c)(1) of 10 CFR 55.59 to be in accordance with the criteria of 10 CFR 55.11 and 10 CFR 55.59. Specifically, the requested exemption is authorized by law, will not endanger life or property, and is consistent with public interest. In addition, the proposed exemption request meets the eligibility criterion for categorical exclusion set forth in 10 CFR 51.22(c)(25).

5.0 PRECEDENT

A similar exemption to 10 CFR 55.59 for operator examination intervals for an additional two-month period was requested for Crystal River Unit 3 in Reference 1 and approved by the NRC in Reference 2. A similar exemption to 10 CFR 55.59 for operator examination intervals for an additional three-month period due to COVID-19 was recently requested for Point Beach Nuclear Plant, Units 1 and 2 in Reference 3 and approved by the NRC in Reference 4.

6.0 REFERENCES

1. Florida Power Corporation letter to NRC, "Crystal River Unit 3 - Request for Exemption from Certain Requirements of 10 CFR 55.59 (TAC NO. ME5119)," dated December 13, 2010 (ADAMS Accession # ML103490340)
2. NRC letter to Florida Power Corporation Crystal River Nuclear Plant, "Crystal River Unit 3 Nuclear Generating Plant - Exemption from Certain Requirements of 10 CFR 55.59 (TAC NO. ME5119)," dated January 21, 2011 (ADAMS Accession # ML110060773)
3. NextEra Energy Point Beach, LLC electronic request to NRC, "Part 55 Nuclear Materials Relief Request," dated August 5, 2020 (ADAMS Accession # ML20218A702)
4. NRC Letter to NextEra Energy Point Beach, LLC, "Point Beach Nuclear Plant, Units 1 and 2 – Exemption from Select Requirements of 10 CFR PART 55, 'Operators' Licenses' (EPID L-2020-LLE-0127 [COVID-19])," dated August 27, 2020 (ADAMS Accession # ML20231A519)