



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION IV
1600 EAST LAMAR BOULEVARD
ARLINGTON, TEXAS 76011-4511

March 25, 2024

EA-24-033

Paula A. Gerfen, Senior Vice President,
Generation and Chief Nuclear Officer
Pacific Gas and Electric Company
P.O. Box 56
Mail Code 104/6
Avila Beach, CA 93424

SUBJECT: NOTICE OF ENFORCEMENT DISCRETION FOR DIABLO CANYON POWER PLANT, UNIT 2 (EPID: L-2024-LLD-0002)

Dear Paula A. Gerfen:

By letter (Agencywide Documents Access and Management System (ADAMS) Accession No. ML24082A155) dated March 21, 2024, Pacific Gas and Electric Company (the licensee) requested that the U.S. Nuclear Regulatory Commission (NRC) exercise discretion to not enforce compliance with the actions required by Diablo Canyon Power Plant (DCPP) Unit 2 Technical Specification (TS) Limiting Condition for Operation (LCO) 3.0.3, as directed by TS 3.8.1 "AC Sources – Operating," and TS 3.7.12 "Auxiliary Building Ventilation System (ABVS)."

As described in the NRC Enforcement Policy and as part of the NRC's oversight process, the NRC may choose to exercise discretion and not enforce the applicable TS LCO or other license conditions in circumstances where compliance would involve an unnecessary plant transient without a corresponding health and safety benefit.

This NRC letter documents information previously discussed with the NRC in a telephone conference on March 19, 2024, at 4:00 a.m. Pacific Daylight Time (PDT). The principal NRC staff members who participated in the telephone conference are listed in the Enclosure. The NRC staff determined that the information contained in your letter requesting the Notice of Enforcement Discretion (NOED) was consistent with your oral request. The NRC first became aware of the potential for this NOED request on March 19, 2024, at approximately 1:00 a.m. PDT through communication with the NRC Senior Resident Inspector stationed at DCPP.

Without enforcement discretion, TS LCO 3.0.3 would have required that DCPP Unit 2 enter Mode 3 by 6:43 a.m. PDT on March 19, 2024, with subsequent entries into Modes 4 and 5. The licensee requested that a NOED be granted pursuant to the NRC's policy regarding exercise of discretion for an operating power reactor, set out in the NRC Enforcement Manual, Appendix F, "Notices of Enforcement Discretion," and that the NOED be effective for an additional 24 hours (until 6:43 a.m. PDT on March 20, 2024) for entering Mode 3, with subsequent entries into Mode 4 and Mode 5 extended by 24 hours as well. This letter documents the plant issue and our telephone conversation on March 19, 2024, when we orally granted this NOED request. We

understand that the condition causing the need for this NOED was corrected, allowing DCP Unit 2 to exit from TS LCO 3.0.3 and from this NOED at 5:30 p.m. PDT on March 19, 2024.

Summary

On March 18, 2024, at 7:43 p.m. PDT, during a planned maintenance outage of emergency diesel generator (DG) 2-2, ABVS fan E-1 tripped off on thermal overload and was declared inoperable. The redundant ABVS fan E-2 is supported by DG 2-2, which was inoperable due to the planned maintenance outage. TS 3.8.1, Condition B, Required Action B.2 requires declaring equipment supported by the inoperable DG inoperable when the redundant equipment on the other train is inoperable, within 4 hours of discovery of the condition. Condition B, Required Action B.2 was applicable at 7:43 p.m. PDT on March 18, 2024, and expired at 11:43 p.m. PDT on March 18, 2024, at which time operators declared ABVS fan E-2 inoperable. TS 3.7.12 for ABVS does not describe a Required Action for two inoperable ABVS trains. Therefore, TS LCO 3.0.3 was entered at 11:43 p.m. PDT on March 18, 2024. The licensee determined that the repairs to correct the condition with ABVS fan E-1 would exceed the TS LCO completion time and initiated the NOED process with the NRC.

The licensee stated that after ABVS fan E-1 failed, their troubleshooting investigation identified slight discoloration of the C phase contactor between the breaker and the contactor on the load side downstream of the breaker. Voltage, current, and thermography measurements indicated the cause of the condition was most likely local to the connections between the breaker and the contactor. The licensee stated their course of action was to repair the contactor through refurbishment of the copper bar connecting the breaker to the contactor, replacement of the copper bar bolting, inspection and repair of the contactor components, and post-maintenance testing. The licensee stated the proposed course of action was likely to result in a successful resolution of the problem and could be successfully completed in the requested period of enforcement discretion.

The licensee indicated that the calculated increase in DCP Unit 2 incremental conditional core damage probability (ICCDP), using the zero-maintenance probabilistic risk assessment model, for the requested 24-hour enforcement discretion period was $2.39E-07$. The licensee also indicated that the increase in DCP Unit 2 incremental conditional large early release probability (ICLERP) was $5.59E-09$. These values were less than the $5E-7$ ICCDP and $5E-8$ ICLERP guidance thresholds specified in the NRC Enforcement Manual, Appendix F. NRC risk analysts independently validated the licensee's risk assessment.

During the requested period of enforcement discretion, the licensee stated they would continue implementation of the existing risk management actions for the DG 2-2 planned maintenance outage. These actions included protecting DG 2-1 and DG 2-3, related electrical buses and equipment, the startup transformers, and the Unit 2 auxiliary feedwater pumps. In addition to those actions, the licensee proposed to implement additional compensatory risk management measures to reduce the likelihood of risk significant initiating events and protect risk significant equipment and actions. These measures included, but were not limited to, the following:

- Protecting the ABVS train E-2
- After briefing operators, periodically monitor the auxiliary building temperatures at 6-hour frequency (1-hour if alarm PK-10 is in alarm) in the following locations:
 - Emergency core cooling system (ECCS) residual heat removal pump rooms
 - Component cooling water pump rooms
 - ECCS centrifugal charging pump rooms

- Safety injection pump rooms
- Containment spray pump rooms
- Based on as-found temperatures, open doors and implement temporary ventilation as required
- Restrict combustible materials and hot work in the following locations:
 - 4 kV bus F switchgear room
 - 480 V bus F switchgear room

The licensee also stated they would perform an extent of condition visual and thermography inspection of the Unit 2 fan E-2 Feeder Breaker Cubicle.

The licensee's Plant Safety Review Committee approved submission of the NOED request on March 19, 2024, prior to the verbal request for a NOED.

Based on the NRC staff's evaluation of the licensee's request, the staff determined that granting this NOED was consistent with the NRC's Enforcement Policy and staff guidance. The NOED request met the criteria specified in NRC's Enforcement Manual, Appendix F, "Notices of Enforcement Discretion," Sections 2.2 and 2.5. Therefore, as communicated orally to the licensee at 5:36 a.m. PDT on March 19, 2024, the NRC exercised discretion to not enforce compliance with TS LCO 3.0.3 requirements that DCCP Unit 2 be in Mode 3 by 6:43 a.m. PDT on March 19, 2024. Unit 2 Mode 3 entry was extended by 24 hours, as were subsequent mode changes required by TS 3.0.3.

As stated in the NRC Enforcement Policy, the NRC may take enforcement action to the extent that violations were involved for the root cause that led to the noncompliance for which this NOED was necessary.

This letter, its enclosure, and its enclosures will be made available for public inspection and copying at <http://www.nrc.gov/reading-rm/adams.html> and at the NRC Public Document Room in accordance with 10 CFR 2.390, "Public Inspections, Exemptions, Requests for Withholding."

Sincerely,



Signed by Monninger, John
on 03/25/24

John Monninger
Regional Administrator

Docket No. 05000323
License No. DPR-82

Enclosure:
List of Key NRC Personnel

cc w/ encl: Distribution via LISTSERV

NOTICE OF ENFORCEMENT DISCRETION FOR DIABLO CANYON POWER PLANT, UNIT 2
(EPID: L-2024-LLD-0002)

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OFFICE	SPE:RIV/DORSA	BC:RIV/DORS/A	D:RIV/DORS	NRR:DORL	DRA:RIV
NAME	RBywater RLB	PVossmar	GMiller	BPham	JMonninger
DATE	3/25/24	3/25/24	3/25/24	3/25/24	3/25/24

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LIST OF KEY NRC PERSONNEL

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Michelle Kichline, Senior Reliability and Risk Analyst, Division of Risk Assessment
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Ed Miller, Senior Project Manager, DORL NOED Process Owner