

From: [Samson Lee](#)
To: ["Richardson, Michael"](#)
Subject: Request for additional information: Diablo Canyon request to revise Technical Specification 5.5.16 for permanent extension of Type A and Type C leak rate test frequencies (EPID: L-2024-LLA-0106)
Date: Tuesday, January 14, 2025 1:51:00 PM

BACKGROUND

By letter dated July 31, 2024 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML24213A331), Pacific Gas and Electric Company (the licensee) submitted a license amendment request (LAR) to the U.S. Nuclear Regulatory Commission (NRC) for changes to the Diablo Canyon Nuclear Power Plant, Units 1 and 2 (Diablo Canyon) technical specifications (TS). The proposed license amendment would revise Diablo Canyon TS 5.5.16, "Containment Leakage Rate Testing Program."

Appendix J to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50 specifies containment leakage testing requirements. The proposed change would revise TS 5.5.16 by replacing the references to Regulatory Guide (RG) 1.163, "Performance-Based Containment Leak-Test Program" with a reference to Nuclear Energy Institute (NEI) 94-01, "Industry Guidelines for Implementing Performance-Based Option of 10 CFR 50, Appendix J," Revision 3-A, and the regulatory guidance specified in RG 1.163, Revision 1, dated June 2023. These documents will be used to implement the performance-based leakage testing program in accordance with Option B of 10 CFR 50, Appendix J, "Primary Reactor Containment Leakage Testing for Water-Cooled Power Reactors."

Based on its review of the LAR, the NRC staff determined that, to complete its review, it needs a response to its request for additional information (RAI) below. The NRC staff may have additional RAIs. The licensee staff and NRC staff held a draft RAI clarification call on January 14, 2025. The licensee staff requested, and NRC agreed, to an RAI response by February 14, 2025.

The NRC staff considers that timely responses to RAIs help ensure sufficient time is available for staff review and contribute toward the NRC's goal of efficient and effective use of staff resources. Please note that if the licensee does not respond to this request by the agreed upon date or provide an acceptable alternate date, the NRC staff may deny the licensee's application for amendment under the provisions of 10 CFR 2.108. If circumstances result in the need to revise the agreed upon response date, please contact Samson Lee, NRC Project Manager, at (301) 415-3168 or via email Samson.Lee@nrc.gov.

REGULATORY BASIS

Regulations in 10 CFR 50.36(c)(5), "Administrative controls," states:

Administrative controls are the provisions relating to organization and management, procedures, recordkeeping, review and audit, and reporting necessary to assure operation of the facility in a safe manner. Each licensee shall submit any reports to the Commission pursuant to approved technical specifications as specified in § 50.4.

RAI

Currently, Diablo Canyon TS 5.5.16 paragraph a, in part states:

A program shall be established to implement the leakage rate testing of the containment as required by 10 CFR 50.54(o) and 10 CFR 50, Appendix J, Option B, as modified by approved exemptions. This program shall be in accordance with the guidelines contained in RG 1.163, "Performance-Based Containment Leak-Test Program," dated September 1995 ...

The licensee proposed change to Diablo Canyon TS 5.5.16 paragraph a, would state (with recommended changes using strike-out for deleted text and **bold-type** for added text for clarification purposes):

A program shall be established to implement the leakage rate testing of the containment as required by 10 CFR 50.54(o) and 10 CFR 50, Appendix J, Option B, as modified by approved exemptions. This program shall be in accordance with the guidelines contained in RG 1.163, **Revision 1**, "Performance-Based Containment Leak-Test Program," dated ~~September 1995~~ **June 2023, and NEI 94-01, Revision 3-A, "Industry Guideline for Implementing Performance-Based Option of 10 CFR 50, Appendix J," dated July 2012** ...

As noted above, RG 1.163, Revision 1, was issued in June of 2023. This revision of the RG endorsed the guidance in NEI 94-01, Revision 3-A, issued July 2012, for implementing Option B of Appendix J to 10 CFR Part 50, subject to the regulatory positions listed in Section C of the RG. In the proposed change, the licensee includes the NEI document in the TS markup in addition to citing RG 1.163, Revision 1. The LAR does not appear to provide an explanation as to why the NEI guidance was explicitly included in the TS markup, given that the RG 1.163 endorses the NEI guidance. As such, the rationale for why the licensee cited the NEI document in Diablo Canyon TS 5.5.16 is not clear to the NRC staff. Providing information that clarifies why the NEI guidance is cited would help to ensure compliance with program requirements that are necessary to assure operation of the facility in a safe manner. Therefore, the NRC staff requests that the licensee provide information that explains the rationale for citing both the RG and NEI guidance in Diablo Canyon TS 5.5.16.

In addition, the LAR cover letter and LAR Section 4.3, "Significant Hazards Consideration," proposed change description appears to suggest that 10 CFR 50, Appendix J, Option B is being replaced with a reference to NEI 94-01, Revision 3-A. These descriptions appear to be an editorial error. The description for the proposed change provided in LAR Section 1, "Summary Description," appears to be consistent with the proposed TS markups, which retain reference to Appendix J. Therefore, the NRC staff requests that the licensee explain the apparent inconsistency in the proposed change descriptions contained in the LAR and make any changes, as appropriate.

Docket Nos. 50-275 and 50-323