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December 5, 2019

PG&E Letter DCL-19-094

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

10 CFR 50.90

Diablo Canyon Units 1 and 2
Docket No. 50-275, OL-DPR-80
Docket No. 50-323, OL-DPR-82

License Amendment Request 19-02

License Amendment Request to Relocate Technical Specification 5.3, "Unit Staff Qualifications," to the Updated Final Safety Analysis Report

Reference: 1. NRC Administrative Letter 95-06, "Relocation of Technical Specification Administrative Controls Related to Quality Assurance," dated December 12, 1995 [ML031110271]

Dear Commissioners and Staff:

Pursuant to 10 CFR 50.90, Pacific Gas and Electric Company (PG&E) hereby requests approval of the enclosed proposed amendment to Facility Operating Licenses DPR-80 and DPR-82 for Diablo Canyon Power Plant (DCPP) Units 1 and 2, respectively. The enclosed license amendment request (LAR) proposes to relocate Technical Specification 5.3, "Unit Staff Qualifications," to Chapter 17, "Quality Assurance," of the DCPP Updated Final Safety Analysis Report. The proposed change is consistent with guidance in NRC Administrative Letter 95-06 (Reference 1).

The Enclosure contains the evaluation of the proposed change and has the following attachments:

- Attachment 1: Technical Specification Page Markups
- Attachment 2: Retyped Technical Specification Pages
- Attachment 3: Updated Final Safety Analysis Report Page Markups

In accordance with site administrative procedures and the DCPP Quality Assurance Program, this LAR has been reviewed by the Plant Staff Review Committee.



Pursuant to 10 CFR 50.91, "Notice for Public Comment; State Consultation," PG&E is sending a copy of this LAR to the California Department of Public Health.

The change proposed in this LAR is not required to address an immediate safety concern. PG&E requests approval of this LAR by December 2020. PG&E requests the license amendments be made effective upon NRC issuance, and to be implemented within 120 days from the date of issuance.

PG&E makes no new or revised regulatory commitments (as defined by NEI 99-04) in this letter. If you have any questions or require additional information, please contact Mr. Hossein Hamzehee, Regulatory Services Manager, at (805) 545-4720.

I state under penalty of perjury that the foregoing is true and correct.

Executed on December 5, 2019.

Sincerely,

Paula Gerfen
Site Vice President

rnrt/4231/50987375

Enclosure

cc: Diablo Distribution
cc/enc: Scott A. Morris, NRC Region IV Administrator
Christopher W. Newport, NRC Senior Resident Inspector
Gonzalo L. Perez, Branch Chief, California Department of Public Health
Balwant K. Singal, NRC Senior Project Manager

Evaluation of Proposed Change

License Amendment Request 19-02 License Amendment Request to Relocate Technical Specification 5.3, "Unit Staff Qualifications," to the Updated Final Safety Analysis Report

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ATTACHMENTS:

1. Technical Specification Page Markups
2. Retyped Technical Specification Pages
3. Updated Final Safety Analysis Report Page Markups

1. SUMMARY DESCRIPTION

Pacific Gas and Electric Company (PG&E) requests to amend Diablo Canyon Power Plant (DCPP) Facility Operating Licenses DPR-80 and DPR-82 for Units 1 and 2, respectively. This license amendment request (LAR) proposes to relocate Technical Specification (TS) 5.3, "Unit Staff Qualifications," to Chapter 17, "Quality Assurance," of the DCPP Updated Final Safety Analysis Report (UFSAR). This change is consistent with guidance contained in NRC Administrative Letter (AL) 95-06, "Relocation of Technical Specification Administrative Controls Related to Quality Assurance" (Reference 6.1).

2. DETAILED DESCRIPTION

2.1 Proposed Change

The proposed TS change is described below:

TS 5.3 currently states:

5.3 Unit Staff Qualifications

5.3.1 Each member of the plant staff shall meet or exceed the minimum qualifications of ANSI/ANS 3.1-1978 for comparable positions, with the following exceptions:

- a. The radiation protection manager shall meet or exceed the minimum qualifications of Regulatory Guide 1.8, Revision 2, April 1987 for radiation protection manager.
- b. The operations manager shall meet or exceed the minimum qualifications as specified in TS 5.2.2.e.
- c. The licensed Reactor Operators (ROs) and Senior Reactor Operators (SROs) shall meet or exceed the minimum qualifications of ANSI/ANS 3.1-1993 as endorsed by Regulatory Guide 1.8, Revision 3, May 2000 with the exceptions clarified in the current revision to the Operator Licensing Examination Standards for Power Reactors, NUREG-1021, ES-202.

5.3.2 For the purpose of 10 CFR 55.4, a licensed SRO and a licensed RO are those individuals who, in addition to meeting the requirements of TS 5.3.1, perform the functions described in 10 CFR 50.54(m).

TS 5.3 is being revised to state:

5.3 Unit Staff Qualifications

5.3.1 Each member of the plant staff shall meet or exceed the minimum qualifications referenced for comparable positions as specified in the updated FSAR, Chapter 17, Quality Assurance.

2.2 Reason for the Proposed Change

The existing TS requirements for unit staff qualifications are based on NRC endorsed industry standards to ensure that a licensee's staff is appropriately qualified for their respective positions. PG&E desires to relocate these TS requirements for unit staff qualifications to Chapter 17 of the DCPD UFSAR in order to provide flexibility in adopting updated NRC-endorsed standards, and to eliminate the need for future LARs for each specific position.

3. TECHNICAL EVALUATION

3.1 Technical Analysis

The proposed change will relocate the TS requirements for unit staff qualifications to Chapter 17 of the DCPD UFSAR. This LAR does not change any current staff qualification requirements at DCPD and is only an administrative TS change.

10 CFR 50.36(c)(5) requires TS to include administrative controls. These are provisions relating to organization and management, procedures, recordkeeping, review and audit, and reporting necessary to assure operation of the facility in a safe manner. In AL 95-06 (Reference 6.1), the NRC noted that many license amendments were being processed that involved relocating requirements that do not satisfy the criteria of 10 CFR 50.36 for inclusion as limiting conditions for operation and relocating requirements that are controlled directly by regulations and related licensee programs. The AL states:

"Increasingly, licensees are requesting amendments to technical specifications that are located in the "administrative controls" section and are related to quality assurance programs. Licensees have frequently requested amendments to these specifications because they contain detailed information that is affected by organizational and process changes. Many licensees have revised their technical specifications to remove excessive detail, thereby gaining flexibility in making organizational changes without the need for a license amendment. Recent amendment requests related to quality assurance have also followed the trend for other technical specifications and have included moving requirements to licensee controlled documents and programs. The quality assurance program is

a logical candidate for such relocations due to the controls imposed by such regulations as Appendix B to 10 CFR Part 50, the existence of U.S. Nuclear Regulatory Commission-approved quality assurance plans and commitments to industry quality assurance standards, and the established quality assurance program change control process in 10 CFR 50.54(a). The relocation of technical specification requirements in cases where adequate controls are provided by such other methods can reduce the resources spent by licensees and the U.S. Nuclear Regulatory Commission staff in preparing and reviewing license amendment requests.”

The proposed change is consistent with the guidance in AL 95-06 for relocating a licensee's TS administrative controls to a licensee-controlled document. The unit staff qualifications do not satisfy the criteria of 10 CFR 50.36 for inclusion in the TS as a limiting condition for operation and are adequately controlled by other regulations and DCPD training programs. DCPD meets the training requirements specified in 10 CFR Part 55, “Operators' Licenses,” 10 CFR 50.120, “Training and Qualification of Nuclear Power Plant Personnel,” and NUREG-1021, “Operator Licensing Examination Standards for Power Reactors,” Revision 11. In addition, on March 20, 1985, the NRC issued the “Commission Policy Statement on Training and Qualification of Nuclear Power Plant Personnel” (50 FR 11147), which endorsed the training accreditation program developed by the Institute of Nuclear Power Operations (INPO). The National Academy for Nuclear Training (NANT) operates under the auspices of INPO. The NRC has documented discussion, approval, and acceptance of NANT guidelines in Regulatory Issue Summary (RIS) 01-001, “Eligibility of Operator License Applicants,” dated January 18, 2001, and NUREG 1021. DCPD training programs employ the systems approach to training (SAT) required by 10 CFR 50.120 as embodied in the INPO NANT standards for plant staff personnel and their qualifications.

Consistent with the guidance in AL 95-06, any future changes to the UFSAR staff qualification requirements will be evaluated under the 10 CFR 50.59 evaluation process.

3.2 Conclusions

The proposed change does not impact current staff qualification requirements. The unit staff qualification requirements in the TS and in the proposed marked-up UFSAR (Attachment 3) remain unchanged. Future changes to the UFSAR are controlled by the 10 CFR 50.59 evaluation process.

4. REGULATORY EVALUATION

4.1 Applicable Regulatory Requirements/Criteria

The proposed change has been evaluated to determine whether applicable regulations and requirements continue to be met. PG&E has determined that existing requirements continue to be met, and that the proposed change does not require any exemptions or relief from regulatory requirements. The following current applicable regulations and regulatory requirements were reviewed in making this determination:

10 CFR 50.36

10 CFR 50.36, "Technical Specifications," Paragraph (c)(5), "Administrative Controls," requires the provisions relating to organization and management, procedures, recordkeeping, review and audit, and reporting that are necessary to assure operation of the facility in a safe manner be included in the TS. The proposed change conforms to 10 CFR 50.36(c)(5) requirements.

10 CFR 50.120

10 CFR 50.120, "Training and Qualification of Nuclear Power Plant Personnel," requires that each nuclear power plant licensee or applicant for an operator license establish, implement, and maintain the training and qualification programs that are derived from a systems approach to training as defined in 10 CFR 55.4. The proposed change conforms to 10 CFR 50.120 requirements.

10 CFR Part 55

10 CFR Part 55, "Operators' Licenses," Subpart D, "Applications," requires that operator license applications include information concerning an individual's education, experience, and other related matters to provide evidence and certification that the applicant has successfully completed the facility licensee's training program that is based on a systems approach to training. The proposed change conforms to 10 CFR Part 55 requirements.

NUREG-1021, Revision 11

NUREG-1021, "Operator Licensing Examination Standards for Power Reactors," Revision 11, establishes the policies, procedures, and practices for examining licensees and applicants for reactor operator and senior reactor operator licenses at nuclear power reactor facilities under 10 CFR Part 55, "Operators' Licenses." The DCCP operator training program meets the current requirements of NUREG-1021, Revision 11. The proposed change conforms to NUREG-1021 requirements.

Regulatory Guide 1.8

Regulatory Guide (RG) 1.8, "Qualification and Training of Personnel for Nuclear Power Plants," describes a method that the NRC staff finds acceptable for complying with the NRC's regulations regarding training and qualification of nuclear power plant personnel. The proposed change is administrative in nature. The unit staff qualification requirements are being relocated from the TS to Chapter 17 of the UFSAR. The proposed change maintains the current commitments to and exceptions from RG 1.8, as identified in current TS 5.3, "Unit Staff Qualifications," requirements.

Administrative Letter 95-06

AL 95-06, "Relocation of Technical Specification Administrative Controls Related to Quality Assurance" (Reference 6.1), discusses relocation of administrative controls related to quality assurance from TS to licensee-controlled documents and programs. The proposed change to relocate TS unit staff qualifications is consistent with the guidance in AL 95-06, as discussed in Section 3.1 above.

PG&E has evaluated the proposed change against the applicable regulatory requirements and acceptance criteria. PG&E has determined that the applicable regulatory requirements continue to be met.

4.2 Precedent

On March 1, 2018, Exelon Generation Company (EGC) submitted a LAR (Reference 6.2) to relocate the licensee's staff qualification requirements to the EGC Quality Assurance Topical Report. The LAR from EGC was applicable to their fleet consisting of thirteen different facilities. On August 2, 2018, NRC approved the LAR from EGC (Reference 6.3).

4.3 No Significant Hazards Considerations Determination

Pacific Gas and Electric Company (PG&E) has evaluated the proposed amendment against the criteria in 10 CFR 50.92 and has determined that the operation of the Diablo Canyon Power Plant (DCPP) in accordance with the proposed amendment presents no significant hazards. The PG&E evaluation against each of the criteria in 10 CFR 50.92 is discussed below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change is administrative in nature. It does not make any physical changes to the plant, and does not alter accident analysis assumptions, add any initiators or affect the function of plant systems, or the manner in which systems are operated, maintained, tested, or inspected. The proposed change does not require any plant modifications which affect the performance capability of the structures, systems, and components relied upon to mitigate the consequences of postulated accidents. The unit staff qualification requirements remain the same and are being relocated from the Technical Specifications (TS) to the Updated Final Safety Analysis Report (UFSAR).

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change is administrative in nature. It does not involve changes to unit staff selection, qualification and training programs. The proposed change does not impact the accident analysis. The proposed change does not involve a physical alteration of the plant (i.e., no new or different type of equipment will be installed), a change in the method of plant operation, or new operator actions. The proposed change does not introduce failure modes that could result in a new accident, and the change does not alter assumptions made in the safety analysis. The proposed change does not alter or prevent the ability of the operators to perform their intended functions to mitigate the consequences of an accident or event.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

Margin of safety is associated with confidence in the ability of the fission product barriers (i.e., fuel cladding, reactor coolant system pressure boundary, and containment structure) to limit the level of radiation dose to the public. The proposed change is administrative in nature. The proposed change does not impact operation of the

plant or its response to transients or accidents. The proposed change does not involve a change in the method of plant operation, and no accident analyses will be affected by the proposed change. Safety analysis acceptance criteria are not affected by this proposed change.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

Based on the above, PG&E concludes that the proposed amendment does not involve a significant hazards consideration under the standards set forth in 10 CFR 50.92, and, accordingly, a finding of "no significant hazards consideration" is justified.

4.4 Conclusion

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

5. ENVIRONMENTAL CONSIDERATION

PG&E has determined that the proposed change would not revise a requirement with respect to installation or use of a facility or component located within the restricted area, as defined in 10 CFR 20, nor would it change an inspection or surveillance requirement. The proposed amendment does not (i) involve a significant hazards consideration, or (ii) authorize a significant change in the types or a significant increase in the amounts of any effluent that may be released offsite, or (iii) result in a significant increase in individual or cumulative occupational radiation exposure. Accordingly, the proposed amendment meets the eligibility criterion for a categorical exclusion set forth in 10 CFR 51.22(c)(9). Therefore, PG&E concludes that pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need to be prepared in connection with the proposed amendment.

6. REFERENCES

- 6.1 NRC Administrative Letter 95-06: "Relocation of Technical Specification Administrative Controls Related to Quality Assurance," dated December 12, 1995 (ADAMS Accession No ML031110271)
- 6.2 Exelon Generation Letter RS-17-161, TMI-17-106, "Exelon Fleet License Amendment Request to Relocate Technical Specification Unit/Facility/Plant

Staff Qualification ANSI N18.1-1971 and ANSI/ANS-3.1-1978 Requirements to the Exelon Quality Assurance Topical Report (QATR)," dated March 1, 2018 (ADAMS Accession No. ML18060A266)

- 6.3 NRC Letter, "Braidwood Station, Units 1 and 2; Byron Station, Unit Nos. 1 and 2; Calvert Cliffs Nuclear Power Plant, Units 1 and 2; Clinton Power Station, Unit No. 1; Dresden Nuclear Power Station, Units 2 and 3; James A. Fitzpatrick Nuclear Power Plant; LaSalle County Station, Units 1 and 2; Limerick Generating Station, Units 1 and 2; Nine Mile Point Nuclear Station, Units 1 and 2; Peach Bottom Atomic Power Station, Units 2 and 3; Quad Cities Nuclear Power Station, Units 1 and 2; R. E. Ginna Nuclear Power Plant; and Three Mile Island Nuclear Station, Unit 1 - Issuance of Amendments to Relocate the Staff Qualification Requirements (EPID L-2018-LLA-0053)," dated August 2, 2018 (ADAMS Accession No. ML18206A282)

Technical Specification Page Markups

5.0 ADMINISTRATIVE CONTROLS

5.3 Unit Staff Qualifications

5.3.1 Each member of the plant staff shall meet or exceed the minimum qualifications ~~of ANSI/ANS 3.1-1978 for comparable positions, with the following exceptions:~~ **referenced for comparable positions as specified in the updated FSAR, Chapter 17, Quality Assurance.**

- a. ~~The radiation protection manager shall meet or exceed the minimum qualifications of Regulatory Guide 1.8, Revision 2, April 1987 for radiation protection manager.~~
- b. ~~The operations manager shall meet or exceed the minimum qualifications as specified in TS 5.2.2.e.~~
- c. ~~The licensed Reactor Operators (ROs) and Senior Reactor Operators (SROs) shall meet or exceed the minimum qualifications of ANSI/ANS 3.1-1993 as endorsed by Regulatory Guide 1.8, Revision 3, May 2000 with the exceptions clarified in the current revision to the Operator Licensing Examination Standards for Power Reactors, NUREG-1021, ES-202.~~

5.3.2 ~~For the purpose of 10 CFR 55.4, a licensed SRO and a licensed RO are those individuals who, in addition to meeting the requirements of TS 5.3.1, perform the functions described in 10 CFR 50.54(m).~~

Retyped Technical Specification Pages

Remove Page

5.0-4

Insert Page

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5.0 ADMINISTRATIVE CONTROLS

5.3 Unit Staff Qualifications

- 5.3.1 Each member of the plant staff shall meet or exceed the minimum qualifications referenced for comparable positions as specified in the updated FSAR, Chapter 17, Quality Assurance.
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Enclosure
Attachment 3
PG&E Letter DCL-19-094

Updated Final Safety Analysis Report Page Markups

DCPP UNITS 1 & 2 FSAR UPDATE

Chapter 17

QUALITY ASSURANCE

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DCPP UNITS 1 & 2 FSAR UPDATE

Chapter 17

QUALITY ASSURANCE

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17.2.5 Selection and Training of Nuclear Power Plant Personnel

Staffing, training, and qualification is the single most important variable which can be controlled to achieve the nuclear generation goals of maximizing plant safety, efficiency, and reliability. Therefore, it is the policy of nuclear generation that personnel at all levels shall be qualified for the positions they fill and receive the necessary training and retraining to enable them to perform at the highest level of efficiency. Nuclear generation personnel shall meet or exceed the minimum qualifications of ANSI/ANS 3.1 1978, for comparable positions, with the following exceptions [Reference 2]:

- (a) The radiation protection manager shall meet or exceed the minimum qualifications of Regulatory Guide 1.8, Revision 2, April 1987, for radiation protection manager.
- (b) The operations manager shall meet or exceed the minimum qualifications as specified in Technical Specification 5.2.2.e.
- (c) The licensed Reactor Operators and Senior Reactor Operators shall meet or exceed the minimum qualifications of ANSI/ANS 3.1-1993 as endorsed by Regulatory Guide 1.8, Revision 3, May 2000 with the exceptions clarified in the current revision to the Operator Licensing Examination Standards for Power Reactors, NUREG-1021, Section ES-202 [Reference 1].
- (d) For the purpose of 10 CFR 55.4, a licensed SRO and a licensed RO are those individuals who, in addition to meeting the requirements specified in (c), perform the functions described in 10 CFR 50.54(m).

NOTE: These exceptions are also listed in Table 17.1-1, Current Regulatory Requirements and PG&E Commitments Pertaining to the Quality Assurance Program, where all pertinent commitments are captured.

17.19 REFERENCES

1. License Amendment 187/189, dated May 26, 2006
2. License Amendment aaa/bbb, dated , ccc nn, 2020 [Reference 2 to be updated after receiving NRC approval]