

ATTACHMENT TO LICENSE AMENDMENT NO. 213

FACILITY OPERATING LICENSE NO DPR-16

DOCKET NO. 50-219

Replace the following pages of the operating license with the attached revised pages. The revised pages contain marginal lines indicating the areas of change.

<u>Remove</u>	<u>Insert</u>
1	1
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3	3
6	6
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Replace the following pages of Appendix A with the attached revised pages. The revised pages contain marginal lines indicating the areas of change.

<u>Remove</u>	<u>Insert</u>
Appendix A Cover Page	Appendix A Cover Page
1.0-6	1.0-6
1.0-7	1.0-7
6-1	6-1
6-3	6-3
6-4	6-4
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6-6	6-6
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6-8	6-8
6-9	6-9
6-10	6-10
6-18	6-18
6-20	6-20

Replace the following pages of Appendix B with the attached revised pages. The revised pages contain marginal lines indicating the areas of change:

<u>Remove</u>	<u>Insert</u>
Appendix B Cover Page	Appendix B Cover Page
3-1	3-1
3-2	3-2

AMERGEN ENERGY COMPANY, LLC

DOCKET NO. 50-219

OYSTER CREEK NUCLEAR GENERATING STATION

FACILITY OPERATING LICENSE

License No. DPR-16

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for a license filed by the applicant complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter 1, and all required notifications to other agencies or bodies have been duly made;
 - B. Construction of the Oyster Creek Nuclear Generating Station (the facility) has been completed in conformity with Provisional Construction Permit No. CPPR-15; the application, as amended; the provisions of the Act; and the rules and regulations of the Commission, and has been operating under a provisional license since April 9, 1969;
 - C. The facility will operate in conformity with the application, as amended; the provisions of the Act; and the rules and regulations of the Commission (except as exempted from compliance in Section 2.D. below);
 - D. There is reasonable assurance (i) that the activities authorized by this operating license can be conducted without endangering the health and safety of the public and (ii) that such activities will be conducted in compliance with the Commission's rules and regulations set forth in 10 CFR Chapter 1 (except as exempted from compliance in Section 2.D. below);

- E. AmerGen Energy Company, LLC is technically qualified to engage in the activities authorized by this license in accordance with the rules and regulations of the Commission;
 - F. AmerGen Energy Company, LLC has satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements," of the Commission's regulations;
 - G. The issuance of this license will not be inimical to the common defense and security or to the health and safety of the public;
 - H. The receipt, possession and use of source, byproduct, and special nuclear materials as authorized by this license will be in accordance with the Commission's regulations in 10 CFR Parts 30, 40, and 70; and
 - I. The issuance of this license is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Provisional Operating License No. DPR-16, dated April 9, 1969, as amended, is superseded in its entirety by Facility Operating License No. DPR-16, hereby issued to AmerGen Energy Company, LLC to read as follows:
- A. This license applies to the Oyster Creek Nuclear Generating Station, a boiling-water reactor and associated equipment (the facility). The facility is located in Ocean County, New Jersey, and is described in the licensee's Updated Final Safety Analysis Report, as supplemented and amended, and in the licensee's Environmental Report, as supplemented and amended.
 - B. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses AmerGen Energy Company, LLC:
 - (1) Pursuant to Section 104b of the Act and 10 CFR Part 50, to possess, use, and operate Oyster Creek Nuclear Generation Station at the designated location on the Oyster Creek site in Ocean County, New Jersey, in accordance with the procedures and limitations set forth in this license;
 - (2) Pursuant to the Act and 10 CFR Part 70, to receive, possess, and use at any time special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, as described in the Updated Final Safety Analysis Report, as supplemented and amended;

- (3) Pursuant to the Act and 10 CFR Parts 30, 40, and 70, to receive, possess, and use at any time any byproduct, source, or special nuclear materials as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required;
- (4) Pursuant to the Act and 10 CFR Parts 30, 40, and 70, to receive, possess, and use in amounts as required any byproduct, source, or special nuclear materials without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components; and
- (5) Pursuant to the Act and 10 CFR Parts 30, 40, and 70, to possess, but not separate such byproduct, source, or special nuclear materials as may be produced by the operation of the facility.

C. This license shall be deemed to contain and is subject to the conditions specified in the Commission's regulations set forth in 10 CFR Chapter 1 and is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect and is subject to the additional conditions specified or incorporated below:

(1) Maximum Power Level

AmerGen Energy Company, LLC is authorized to operate the facility at steady-state power levels not in excess of 1930 megawatts (thermal) (100 percent rated power) in accordance with the conditions specified herein.

(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 213, are hereby incorporated in the license. AmerGen Energy Company, LLC shall operate the facility in accordance with the Technical Specifications.

(3) Fire Protection

AmerGen Energy Company, LLC shall implement and maintain in effect all provisions of the approved fire protection program as described in the Updated Final Safety Analysis Report for the facility and as approved in the Safety Evaluation Report dated March 3, 1978, and supplements thereto, subject to the following provision:

- F. The licensee shall have and maintain financial protection of such type and in such amounts as the Commission shall require in accordance with Section 170 of the Atomic Energy Act of 1954, as amended, to cover public liability claims.

3. Sale and License Transfer Conditions:

- A. The AmerGen Limited Liability Company Agreement dated August 18, 1997, and any subsequent amendments thereto as of the date of the Order, approving the transfer of the license to AmerGen, may not be modified in any material respect concerning decision-making authority over "safety issues" as defined therein without the prior written consent of the Director, Office of Nuclear Reactor Regulation.
- B. At least half of the members of Amergen's Management Committee shall be appointed by a nonforeign member group, all of whose appointees shall be U.S. citizens.
- C. The Chief Executive Officer (CEO), Chief Nuclear Officer (CNO) (if someone other than the CEO), and the Chairman of AmerGen's Management Committee shall be U. S. citizens. They shall have the responsibility and exclusive authority to ensure, and shall ensure, that the business and activities of AmerGen with respect to the Oyster Creek operating license are at all times conducted in a manner consistent with the protection of the public health and safety and common defense and security of the United States.
- D. AmerGen shall cause to be transmitted to the Director, Office of Nuclear Reactor Regulation, within 30 days of filing with the U.S. Securities and Exchange Commission, any Schedules 13D or 13G filed pursuant to the Securities Exchange Act of 1934 that disclose beneficial ownership of any registered class of stock of PECO Energy Company or any affiliate, successor, or assignee of PECO Energy Company to which PECO Energy Company's ownership interest in AmerGen may be subsequently assigned with the prior written consent of the NRC.
- E. AmerGen shall provide decommissioning funding assurance of no less than \$400 million, after payment of any taxes, deposited in the decommissioning trust fund for Oyster Creek when Oyster Creek is transferred to AmerGen.
- F. The decommissioning trust agreement for Oyster Creek must be in a form acceptable to the NRC.
- G. With respect to the decommissioning trust fund, investments in the securities or other obligations of PECO Energy Company, British Energy, Inc., AmerGen, or their affiliates, successors, or assigns shall be prohibited. Except for investments tied to market indexes or other nonnuclear sector mutual funds, investments in any entity owning one or more nuclear power plants are prohibited.
- H. The decommissioning trust agreement for Oyster Creek must provide that no disbursements or payments from the trust shall be made by the trustee unless the trustee has first given the NRC 30-days prior written notice of payment. The decommissioning trust agreement shall further contain a provision that no disbursements or payments from the trust shall be made if the trustee receives prior written notice of objection from the Director, Office of Nuclear Reactor Regulation.

- I. The decommissioning trust agreement must provide that the agreement cannot be amended in any material respect without 30-days prior written notification to the Director, Office of Nuclear Reactor Regulation.
 - J. The appropriate section of the decommissioning trust agreement shall state that the trustee, investment advisor, or anyone else directing the investments made in the trust shall adhere to a "prudent investor" standard, as specified in 18 CFR 35.32(a)(3) of the Federal Energy Regulatory Commission's regulations.
 - K. AmerGen shall take all necessary steps to ensure that the decommissioning trust is maintained in accordance with the application for approval of the transfer of the Oyster Creek license and the requirements of the Order approving the transfer, and consistent with the safety evaluation supporting such Order.
 - L. AmerGen shall take no action to cause PECO Energy Company, or British Energy, Inc. or their affiliates, successors, or assigns, to void, cancel, or diminish their \$200 million contingency commitment to AmerGen, the existence of which is represented in the initial November 5, 1999 transfer application and in the AmerGen letter to the NRC dated April 6, 2000, or cause them to fail to perform or impair their performance under the commitment, or remove or interfere with AmerGen's ability to draw upon the commitment. Also, AmerGen shall inform the NRC in writing whenever it draws upon the \$200 million commitment.
4. This license is effective as of the date of issuance and shall expire at midnight on April 9, 2009.

FOR THE NUCLEAR REGULATORY COMMISSION

Original Signed
by

Thomas E. Murley, Director
Office of Nuclear Reactor Regulation

Attachment:
Appendices A and B -
Technical Specifications

Date of Issuance: July 2, 1991

Amendment No. 213

APPENDIX A
TO PROVISIONAL OPERATING LICENSE DPR-16*
TECHNICAL SPECIFICATIONS

AND BASES

FOR

OYSTER CREEK NUCLEAR POWER PLANT

UNIT NO. 1

OCEAN COUNTY, NEW JERSEY

AMERGEN ENERGY COMPANY, LLC

*Per Errata Sheet dated 4-6-69

1.28 FRACTION OF RATED POWER (FRP)

The FRACTION OF RATED POWER is the ratio of core thermal power to rated thermal power.

1.29 TOP OF ACTIVE FUEL (TAF) - 353.3 inches above vessel zero.

1.30 REPORTABLE EVENT

A REPORTABLE EVENT shall be any of those conditions specified in Section 50.73 to 10 CFR Part 50.

1.31 IDENTIFIED LEAKAGE

IDENTIFIED LEAKAGE is that leakage which is collected in the primary containment equipment drain tank and eventually transferred to radwaste for processing.

1.32 UNIDENTIFIED LEAKAGE

UNIDENTIFIED LEAKAGE is all measured leakage that is other than identified leakage.

1.33 PROCESS CONTROL PLAN

The PROCESS CONTROL PLAN shall contain the current formulas, sampling, analyses, test, and determinations to be made to ensure that processing and packaging of solid radioactive wastes based on demonstrated processing of actual or simulated wet solid wastes will be accomplished in such a way as to assure compliance with 10 CFR Parts 20, 61 and 71, State regulations, burial ground requirements, and other requirements governing the disposal of solid radioactive waste.

1.34 AUGMENTED OFFGAS SYSTEM (AOG)

The AUGMENTED OFFGAS SYSTEM is a system designed and installed to holdup and/or process radioactive gases from the main condenser offgas system for the purpose of reducing the radioactive material content of the gases before release to the environs.

1.35 MEMBER OF THE PUBLIC

A MEMBER OF THE PUBLIC is a person who is not occupationally associated with AmerGen Energy Company, LLC and who does not normally frequent the Oyster Creek Nuclear Generating Station site. The category does not include contractors, contractor employees, vendors, or persons who enter the site to make deliveries, to service equipment, work on the site, or for other purposes associated with plant functions.

1.36 OFFSITE DOSE CALCULATION MANUAL (ODCM)

The OFFSITE DOSE CALCULATION MANUAL shall contain the methodology and

parameters used in the calculation of offsite doses resulting from radioactive gaseous and liquid effluent, in the calculation of gaseous and liquid effluent monitoring Alarm/trip Setpoints, and in the conduct of the Environmental Radiological Monitoring Program. The ODCM shall also contain (1) the Radioactive Effluent Controls and Radiological Environmental Monitoring Programs required by Section 6.8.4; and (2) descriptions of the information that should be included in the Annual Radioactive Effluent Release Report AND Annual Radiological Environmental Operating Report required by Specifications 6.9.1.d and 6.9.1.e, respectively.

1.37 PURGE

PURGE OR PURGING is the controlled process of discharging air or gas from a confinement and replacing it with air or gas.

1.38 SITE BOUNDARY

The SITE BOUNDARY is the perimeter line around the OCNGS beyond which the land is neither owned, leased nor otherwise subject to control by AmerGen Energy Company, LLC (ref. ODCM). The area outside the SITE BOUNDARY is termed OFFSITE or UNRESTRICTED AREA.

1.39 REACTOR VESSEL PRESSURE TESTING

System pressure testing required by ASME Code Section XI, Article IWA-5000, including system leakage and hydrostatic test, with reactor vessel completely water solid, core not critical and section 3.2.A satisfied.

1.40 SUBSTANTIVE CHANGES

SUBSTANTIVE CHANGES are those which affect the activities associated with a document or the document's meaning or intent. Example of non-substantive changes are: (1) correcting spelling, (2) adding (but not deleting) sign-off spaces, (3) blocking in notes, cautions, etc, (4) changes in corporate and personnel titles which do not reassign responsibilities and which are not referenced in the Appendix A Technical Specifications, and (5) changes in nomenclature or editorial changes which clearly do not change function, meaning or intent.

1.41 DOSE EQUIVALENT I-131

DOSE EQUIVALENT I- 131 shall be that concentration of I-131 microcuries per gram which alone would produce the same thyroid dose as the quantity and isotopic mixture of I131, I-132, I-133, I-134, and I-135 actually present. The thyroid dose conversion factors used for this calculation shall be those listed in Table E-7 or Regulatory Guide 1.109, "Calculation of Annual Doses to Man from Routine Releases of Reactor Effluences for the Purpose of Evaluating Compliance with 10 CFR Par 40 Appendix I."

ADMINISTRATIVE CONTROLS

6.1 RESPONSIBILITY

- 6.1.1 The Vice President - Oyster Creek shall be responsible for overall facility operation. Those responsibilities delegated to the Vice President as stated in the Oyster Creek Technical Specifications may also be fulfilled by the Director - Operations and Maintenance. The Vice President shall delegate in writing the succession to this responsibility during his and/or the Director - Operations and Maintenance absence.

6.2 ORGANIZATION

6.2.1 Corporate

- 6.2.1.1 An onsite and offsite organization shall be established for unit operation and corporate management. The onsite and offsite organization shall include the positions for activities affecting the safety of the nuclear power plant.
- 6.2.1.2 Lines of authority, responsibility and communication shall be established and defined from the highest management levels through intermediate levels to and including operating organization positions. These relationships shall be documented and updated as appropriate, in the form of organizational charts. These organizational charts will be documented in the Updated FSAR and updated in accordance with 10 CFR 50.71e.
- 6.2.1.3 The Chief Nuclear Officer shall have corporate responsibility for overall plant nuclear safety and shall take measures needed to ensure acceptable performance of the staff in operating, maintaining, and providing technical support in the plant so that continued nuclear safety is assured.

6.2.2 FACILITY STAFF

- 6.2.2.1 The Vice President - Oyster Creek shall be responsible for overall unit safe operation and shall have control over those onsite activities necessary for safe operation and maintenance of the plant.
- 6.2.2.2 The facility organization shall meet the following:
- a. Each on duty shift shall include at least the following shift staffing:
- One (1) group shift supervisor
 - Two (2) control room operators
 - Three (3) equipment operators - one may be a Radwaste Operator
 - One (1) Shift Technical Adviser (see h. below)

Except for the group shift supervisor, shift crew composition may be one less than the minimum requirements, for a period of time not to exceed two hours, in order to accommodate unexpected absence of on-duty shift crew members. Immediate action must be taken to restore the shift crew composition to within requirements given above. This provision does not permit any shift crew position to be unmanned upon shift change due to an incoming shift crew member being late or absent.

- b. At all times when there is fuel in the vessel, at least one licensed senior reactor operator shall be on site and one licensed reactor operator should be at the controls.

6.4 TRAINING

6.4.1 A retraining program for operators shall be maintained under the direction of the Manager responsible for plant training and shall meet the requirements and recommendation of 10 CFR Part 55. Replacement training programs, the content of which shall meet the requirements of 10 CFR Part 55, shall be conducted under the direction of the Manager responsible for plant training for licensed operators and Senior Reactor Operators.

6.5 REVIEW AND AUDIT

6.5.1 TECHNICAL REVIEW AND CONTROL

The director of each department shall be responsible for ensuring the preparation, review, and approval of documents required by the activities described in 6.5.1.1 through 6.5.1.5 within his functional area of responsibility as assigned in the Review and Approval Matrix. Implementing approvals shall be performed at the cognizant manager level or above.

ACTIVITIES

6.5.1.1 Each procedure required by Technical Specification 6.8 and other procedures which affect nuclear safety, and substantive changes thereto, shall be prepared by a designated individual(s)/group knowledgeable in the area affected by the procedure. Each such procedure, and substantive change thereto, shall be reviewed for adequacy by an individual(s)/group other than the preparer, but who may be from the same division as the individual who prepared the procedure or change.

- 6.5.1.2 Proposed changes to the Appendix "A" Technical Specifications shall be reviewed by a knowledgeable individual(s)/group other than the individual(s)/group who prepared the change.
- 6.5.1.3 Proposed modifications, that affect nuclear safety, to facility structures, systems and components shall be designed by an individual/organization knowledgeable in the areas affected by the proposed modification. Each such modification shall be reviewed by an individual/group other than the individual/group which designed the modification but may be from the same division as the individual who designed the modification.
- 6.5.1.4 Proposed tests and experiments that affect nuclear safety shall be reviewed by a knowledgeable individual(s)/group other than the preparer but who may be from the same division as the individual who prepared the tests and experiments.
- 6.5.1.5 Investigation of all violations of the Technical Specifications including the preparation and forwarding of reports covering evaluation and recommendations to prevent recurrence, shall be reviewed by a knowledgeable individual(s)/group other than the individual/group which performed the investigation.
- 6.5.1.6 Events requiring 24-hour written notification to the Commission shall be reviewed by an individual/group other than the individual/group which prepared the report.
- 6.5.1.7 Special reviews, investigations or analyses and reports thereon as requested by the Vice President - Oyster Creek shall be performed by a knowledgeable individual(s)/group.
- 6.5.1.8 The Security Plan and implementing procedures shall be reviewed by a knowledgeable individual(s)/group other than the individual(s)/group which prepared them.
- 6.5.1.9 The Emergency Plan and implementing procedures shall be reviewed by a knowledgeable individual(s)/group other than the individual(s)/group which prepared them.
- 6.5.1.10 Review of every unplanned onsite release of radioactive material to the environs including the preparation and forwarding of reports covering evaluation shall be performed by a knowledgeable individual(s)/group. Recommendations and disposition of the corrective action to prevent recurrence shall be sent to the Vice President - Oyster Creek.
- 6.5.1.11 Major changes to radwaste systems shall be reviewed by a knowledgeable individual(s)/group other than the individual(s)/group which prepared them.
- 6.5.1.12 Individuals responsible for reviews performed in accordance with 6.5.1.1 through 6.5.1.4 shall include a determination of whether or not additional cross-disciplinary review is necessary. If deemed necessary, such review shall be performed by the appropriate personnel. Individuals responsible for reviews considered under 6.5.1.1, 6.5.1.3, and 6.5.1.4 shall render determinations in writing with regard to whether or not 6.5.1.1, 6.5.1.3, and 6.5.1.4 constitute an unreviewed safety question.

RECORDS

6.5.1.13 Written records of activities performed under specifications 6.5.1.1 through 6.5.1.11 shall be maintained.

QUALIFICATIONS

6.5.1.14 Responsible Technical Reviewers shall meet or exceed the qualifications of ANSI/ANS 3.1-1978 Section 4.6 or 4.4 for applicable disciplines or have 7 years of appropriate experience in the field of his specialty. Credit towards experience will be given for advanced degrees on a one-for-one basis up to a maximum of two years. These Reviewers shall be designated in writing.

6.5.2 INDEPENDENT SAFETY REVIEW

FUNCTION

6.5.2.1 The director of each department shall be responsible for ensuring the periodic independent safety review of the subjects described in 6.5.2.5 within his assigned area of safety review responsibility, as assigned in the Review and Approval Matrix.

6.5.2.2 Independent safety review shall be completed by an individual/group not having direct responsibility for the performance of the activities under review, but who may be from the same functionally cognizant organization as the individual/group performing the original work.

6.5.2.3 The licensee shall collectively have or have access to the experience and competence required to independently review subjects in the following areas:

- a. Nuclear power plant operations
- b. Nuclear engineering
- c. Chemistry and radiochemistry
- d. Metallurgy
- e. Nondestructive testing
- f. Instrumentation and control
- g. Radiological safety
- h. Mechanical engineering
- i. Electrical engineering
- j. Administrative controls and quality assurance practices
- k. Emergency plans and related organization, procedures and equipment
- l. Other appropriate fields associated with the unique characteristics of Oyster Creek

6.5.2.4 Consultants may be utilized as determined by the cognizant department director to provide expert advice.

RESPONSIBILITIES

6.5.2.5 The following subjects shall be independently reviewed by the functionally assigned divisions:

- a. Written safety evaluations of changes in the facility as described in the Safety Analysis Report, of changes in procedures as described in the Safety Analysis Report, and of tests or experiments not described in the Safety Analysis Report, which are completed without prior NRC approval under the provisions of 10 CFR 50.59(a)(1). This review is to verify that such changes, tests or experiments did not involve a change in the Technical Specifications or an unreviewed safety question as defined in 10 CFR 50.59(a)(2). Such reviews need not be performed prior to implementation.
- b. Proposed changes in procedures, proposed changes in the facility, or proposed tests or experiments, any of which involves a change in the Technical Specifications or an unreviewed safety question as defined in 10 CFR 50.59(c). Matters of this kind shall be reviewed prior to submittal to the NRC.
- c. Proposed changes to Technical Specifications or license amendments related to nuclear safety shall be reviewed prior to submittal to the NRC for approval.
- d. Violations, deviations, and reportable events which require reporting to the NRC in writing. Such reviews are performed after the fact. Review of events covered under this subsection shall include results of any investigations made and the recommendations resulting from such investigations to prevent or reduce the probability of recurrence of the event.
- e. Written summaries of audit reports in the areas specified in section 6.5.3 and involving safety related functions.
- f. Any other matters involving safe operations of the nuclear power plant which a reviewer deems appropriate for consideration, or which is referred to the independent reviewers.

QUALIFICATIONS

6.5.2.6 The independent reviewer(s) shall either have a Bachelor's Degree in Engineering or the Physical Sciences and five (5) years of professional level experience in the area being reviewed or have 9 years of appropriate experience in the field of his specialty. An individual performing reviews may possess competence in more than one specialty area. Credit toward experience will be given for advanced degrees on a one-for-one basis up to a maximum of two years.

RECORDS

6.5.2.7 Reports of reviews encompassed in Section 6.5.2.5 shall be prepared, maintained and transmitted to the cognizant department director and the Vice President - Oyster Creek.

6.5.3 AUDITS

6.5.3.1 Audits of facility activities shall be performed in accordance with the Oyster Creek Operational Quality Assurance Plan. These audits shall encompass:

- a. The conformance of facility operations to provisions contained within the Technical Specifications and applicable license conditions.
- b. The performance, training and qualifications of the facility staff.
- c. The results of actions taken to correct deficiencies occurring in facility equipment, structures, systems or method of operation that affect nuclear safety.
- d. The Facility Emergency Plan and implementing procedures.
- e. The Facility Security Plan and implementing procedures.
- f. The Fire Protection Program and implementing procedures.
- g. The performance of activities required by the Operational Quality Assurance Plan to meet the criteria of Appendix 'B', 10 CFR 50.
- h. The radiological environmental monitoring program and the results thereof.
- i. The OFFSITE DOSE CALCULATION MANUAL and implementing procedures.
- j. The PROCESS CONTROL PROGRAM and implementing procedures for radioactive wastes.
- k. Any other area of facility operation considered appropriate by the IOSRG or the Chief Nuclear Officer.

6.5.3.2 Audits of the following shall be performed under the cognizance of the department director responsible for technical support.

- a. An independent fire protection and loss prevention program inspection and audit shall be performed utilizing either qualified licensee personnel or an outside fire protection firm.
- b. An inspection and audit of the fire protection and loss prevention program, by an outside qualified fire consultant.

RECORDS

6.5.3.3 Audit reports encompassed by sections 6.5.3.1 and 6.5.3.2 shall be forwarded for action to the management positions responsible for the areas audited within 30 days after completion of the audit. Upper management shall be informed per the Operation Quality Assurance Plan.

6.5.4 INDEPENDENT ONSITE SAFETY REVIEW GROUP (IOSRG)

STRUCTURE

6.5.4.1 The IOSRG shall be a full-time group of engineers experienced in nuclear power plant engineering, operation and/or technology, independent of the facility staff, and located onsite.

ORGANIZATION

- 6.5.4.2 a. The IOSRG shall consist of a Manager responsible for Nuclear Safety Assessment and staff members who meet the qualifications of 6.5.4.5. Group expertise shall be multidisciplined.
- b. The IOSRG shall report to the Director responsible for nuclear quality assurance.

FUNCTION

6.5.4.3 The periodic review functions of the IOSRG shall include the following on a selective and overview basis:

- 1) Evaluation for technical adequacy and clarity of procedures important to the safe operation of the facility.
- 2) Evaluation of facility operations from a safety perspective.
- 3) Assessment of facility nuclear safety programs.
- 4) Assessment of the facility performance regarding conformance to requirements related to safety.
- 5) Any other matter involving safe operation of the nuclear power plant that the manager deems appropriate for consideration.

AUTHORITY

6.5.4.4 The IOSRG shall have access to the facility and facility records as necessary to perform its evaluations and assessments. Based on its reviews, the IOSRG shall provide recommendations to the management positions responsible for the areas reviewed.

QUALIFICATIONS

6.5.4.5 IOSRG engineers shall have either (1) a Bachelor's Degree in Engineering or appropriate Physical Science and three years of professional level experience in the nuclear power field which may include technical supporting functions or (2) eight years of appropriate experience in nuclear power plant operations and/or technology. Credit toward experience will be given for advance degrees on a one-to-one basis up to a maximum of two years.

RECORDS

6.5.4.6 Reports of evaluations and assessments encompassed in Section 6.5.4.3 shall be prepared, approved, and transmitted to the director responsible for nuclear quality assurance, Vice President - Oyster Creek, the Chief Nuclear Officer and the management positions responsible for the areas reviewed.

6.6 REPORTABLE EVENT ACTION

6.6.1 The following actions shall be taken for REPORTABLE EVENTS:

- a. The Commission shall be notified and a report submitted pursuant to the requirements of Section 50.73 to 10 CFR Part 50; and
- b. Each REPORTABLE EVENT shall be reported to the cognizant manager and the cognizant department director and the Vice President - Oyster Creek. The functionally cognizant department staff shall prepare a Licensee Event Report (LER) in accordance with the guidance outlined in 10 CFR 50.73(b). Copies of all such reports shall be submitted to the functionally cognizant department director and the Vice President - Oyster Creek.

6.7 SAFETY LIMIT VIOLATION

6.7.1 The following actions shall be taken in the event a Safety Limit is violated:

- a. If any Safety Limit is exceeded, the reactor shall be shut down immediately until the Commission authorizes the resumption of operation.
- b. The Safety Limit violation shall be reported to the Commission and the Vice President - Oyster Creek.
- c. A Safety Limit Violation Report shall be prepared. The report shall be submitted to the Vice President - Oyster Creek. This report shall describe (1) applicable circumstances preceding the violation, (2) effects of the violation upon facility components systems or structures, (3) corrective action taken to prevent recurrence.
- d. The Safety Limit Violation Report shall be submitted to the Commission within ten days of the violation.

6.8 PROCEDURES AND PROGRAMS

6.8.1 Written procedures shall be established, implemented, and maintained covering the items referenced below:

- a. The applicable procedures recommended in Appendix "A" of Regulatory Guide 1.33 as referenced in the Oyster Creek Operational Quality Assurance Program.
- b. Surveillance and test activities of equipment that affects nuclear safety and radioactive waste management equipment.
- c. Refueling Operations.
- d. Security Plan Implementation.
- e. Fire Protection Program Implementation.
- f. Emergency Plan Implementation.
- g. Process Control Plan Implementation.
- h. Offsite Dose Calculation Manual Implementation.
- i. Quality Assurance Program for effluent and environmental monitoring using the guidance in Regulatory Guide 4.15, Revision 1.
- j. Plant Staff Overtime pursuant to Technical Specification 6.2.2.2(i), above.

6.8.2 Each procedure required by 6.8.1 above, and substantive changes thereto, shall be reviewed and approved as described in 6.5.1 prior to implementation and shall be reviewed periodically as set forth in administrative procedures.

6.8.3 Temporary changes to procedures of 6.8.1, above, may be made provided:

- a. The intent of the original procedure is not altered;
- b. The change is approved by two members of the licensee's management staff qualified in accordance with 6.5.1.14 and knowledgeable in the area affected by the procedure. For changes which may affect the operational status of unit systems or equipment, at least one of these individuals shall be a member of unit management or supervision holding a Senior Reactor Operator's License on the unit.
- c. The change is documented, reviewed and approved as described in 6.5.1 within 14 days of implementation.

- k. Records of Environmental Qualification which are covered under the provisions for paragraph 6.14.
- l. Records of the service lives of all snubbers, including the date which the service life commences, and associated installation and maintenance records.
- m. Records of results of analyses required by the Radiological Environmental Monitoring Program.
- n. Records of reviews performed for changes made to the OFFSITE DOSE CALCULATION MANUAL and the PROCESS CONTROL PLAN.
- o. Records of radioactive shipments

6.10.3 Quality Assurance Records shall be retained as specified by the Quality Assurance Plan.

6.11 RADIATION PROTECTION PROGRAM

Procedures for personnel radiation protection shall be prepared consistent with the requirements of 10 CFR 20 and shall be approved, maintained and adhered to for all operations involving personnel radiation exposure.

6.12 (Deleted)

6.13 HIGH RADIATION AREA

6.13.1 In lieu of the "control device" or "alarm signal" required by Section 20.1601 of 10 CFR 20, each high radiation area in which the intensity of radiation at 30 cm (11.8 in.) is greater than deep dose equivalent of 100 mRem/hr but less than 1,000 mRem/hr shall be barricaded and conspicuously posted as a high radiation area and entrance thereto shall be controlled by requiring issuance of a Radiation Work Permit (RWP).

NOTE: Health Physics personnel shall be exempt from the RWP issuance requirement during the performance of their assigned radiation protection duties, provided they are following plant radiation protection procedures for entry into high radiation areas.

An individual or group of individuals permitted to enter such areas shall be provided with one or more of the following:

- a. A radiation monitoring device which continuously indicates the radiation dose rate in the area.
- b. A radiation monitoring device which continuously integrates the radiation dose rate in the area and alarms when a pre-set integrated dose is received. Entry into such areas with this monitoring device may be made after the dose rate levels in the area have been established and personnel have been made knowledgeable of them.
- c. A health physics qualified individual (i.e., qualified in radiation protection procedures) with a radiation dose rate monitoring device who is responsible for providing positive exposure control over the activities within the area and who will perform periodic radiation surveillance at the frequency in the RWP. The surveillance frequency will be established by the management position responsible for radiological controls.

6.17 POST-ACCIDENT SAMPLING

The following program shall be established, implemented, and maintained.

A program has been established which will ensure the capability to obtain and analyze reactor coolant, radioactive iodines and particulates in plant gaseous effluents, and containment atmosphere samples under accident conditions. The program shall include the following:

- a. Training of personnel in sampling and analysis.
- b. Procedures for sampling and analysis.
- c. Provisions for verifying operability of the System.

6.18 PROCESS CONTROL PLAN

- a. Licensee initiated changes to the PCP:
 1. Shall be submitted to the NRC in the Annual Radioactive Effluent Release Report for the period in which the changes were made. This submittal shall contain:
 - a. sufficiently detailed information to justify the changes without benefit of additional or supplemental information;
 - b. a determination that the changes did not reduce the overall conformance of the solidified waste product to existing criteria for solid wastes; and
 - c. documentation that the changes have been reviewed and approved pursuant to Section 6.8.2.
 2. Shall become effective upon review and approval by licensee management.

6.19 OFFSITE DOSE CALCULATION MANUAL

- a. The ODCM shall be approved by the Commission prior to implementation.
- b. Licensee initiated changes to the ODCM shall be submitted to the NRC in the Annual Radioactive Effluent Release Report for the period in which the changes were made. This submittal shall contain:
 1. sufficiently detailed information to justify the changes without benefit of additional or supplemental information;
 2. a determination that the changes did not reduce the accuracy or reliability of dose calculations or setpoint determination; and,
 3. documentation that the changes have been reviewed and approved pursuant to Section 6.8.2.
- c. Change(s) shall become effective upon review and approval by licensee management.

APPENDIX B
TO OPERATING LICENSE NO. DPR-16
ENVIRONMENTAL TECHNICAL SPECIFICATIONS

FOR

OYSTER CREEK NUCLEAR GENERATING STATION

DOCKET NO. 50-219

OCEAN COUNTY, NEW JERSEY

AMERGEN ENERGY COMPANY, LLC

NOVEMBER 1978*

*Issued to the ASLB on this date; issued by License Amendment No. 37, June 6, 1979.

Amendment No. 59, 66, 107, 194, 207, 210, 213

3.0 ADMINISTRATIVE CONTROL

This section describes administrative and management controls established by the Applicant to provide continuing protection to the environment and to implement the environmental technical specifications.

3.1 Responsibility

Corporate responsibility for implementation of the Oyster Creek Environmental Technical Specifications and for assuring that plant operations are controlled in such a manner as to provide continuing protection of the environment has been assigned by the Chief Nuclear Officer to the Vice President - Oyster Creek.

The responsibility for conducting the studies as set forth in Section 1.1 (Non-Radiological Monitoring) and all of Section 2.0 (Special Monitoring and Study Activities) rests with the management position responsible for environmental affairs, who reports to the Vice President - Oyster Creek.

Administrative measures are defined in Section 3.3 which provide that the individual or group responsible for auditing or otherwise verifying that an activity has been correctly performed is independent of the individual or group responsible for performing the activity.

3.2 Organization

Lines of authority, responsibility and communication shall be established and defined from the highest management levels through intermediate levels to and including operating organization positions. Organizational charts will be documented in the Updated FSAR and updated in accordance with 10 CFR 50.71e.

3.3 Review and Audit

Independent audit and review functions for environmental matters are the responsibility of the management position responsible for environmental affairs. This department is independent of line responsibility for the operation of the plant. The independent reviews and audits of the OCETS will be carried out by personnel from environmental affairs or by other AmerGen personnel, outside contractors or consultants at the request of the environmental affairs Personnel.

When individuals in the environmental affairs department of AmerGen perform any function relating to the OCETS other than independent audit and review, the Vice President - Oyster Creek will ensure that an independent review and audit of that work is performed by another individual in the environmental affairs department or some other who is not directly responsible for the specific activity being reviewed and audited.

The audits and reviews will be performed as required or requested but in no case less than yearly. The results of all reviews and audits will be documented in report directly to the Vice President - Oyster Creek.

Independent audits and reviews will encompass:

- A. Coordination of the OCETS with the safety technical specifications to avoid conflicts and maintain consistency.
- B. Compliance of station activities and operations with the OCETS.
- C. Adequacy of the programs and station procedures which are involved in ensuring the plant is operated in accordance with the OCETS.
- D. The proper functioning in accordance with the responsibilities listed in Section 3.1 of the OCETS.
- E. Proposed changes to the OCETS and the evaluation of the impacts resulting from the changes.
- F. Proposed written procedures, as described in Section 3.4.1 and proposed changes thereto which affect the environmental impact of the plant.
- G. Proposed changes or modifications to plant systems or equipment and a determination of the environmental impact resulting from the changes.
- H. Adequacy of investigations of violations of the OCETS and adequacy of and implementation of the recommendations to prevent recurrence of the violations.

3.4 Procedures

- 3.4.1 Detailed written procedures, including applicable check lists and instructions, will be prepared and adhered to for all activities involved in carrying out OCETS.



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

Docket No. 50-219

AMENDMENT TO INDEMNITY AGREEMENT NO. B-37
AMENDMENT NO. 15

Effective August 8, 2000, Indemnity Agreement No. B-37, between Jersey Central Power & Light Company, and the Atomic Energy Commission, dated October 3, 1967, as amended, is hereby further amended as follows:

Delete the name "Jersey Central Power & Light Company"
and substitute the name "AmerGen Energy Company, LLC"

FOR THE UNITED STATES NUCLEAR REGULATORY COMMISSION



Cynthia A. Carpenter, Chief
Generic Issues, Environmental, Financial
and Rulemaking Branch
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation

Accepted _____, 2000

Accepted _____, 2000

By _____
Jersey Central Power & Light
Company

By _____
AmerGen Energy Company, LLC



UNITED STATES
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FOR THE UNITED STATES NUCLEAR REGULATORY COMMISSION

A handwritten signature in cursive script that reads "Cynthia A. Carpenter".

Cynthia A. Carpenter, Chief
Generic Issues, Environmental, Financial
and Rulemaking Branch
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation

Accepted _____, 2000

Accepted _____, 2000

By _____
Jersey Central Power & Light
Company

By _____
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Generic Issues, Environmental, Financial
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