



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555

July 2, 1991

Docket No. 50-219

Mr. John J. Barton, Director
Oyster Creek Nuclear Generating Station
Post Office Box 388
Forked River, New Jersey 08731

Dear Mr. Barton:

SUBJECT: ISSUANCE OF FULL-TERM OPERATING LICENSE DPR-16 -
OYSTER CREEK NUCLEAR GENERATING STATION (TAC NO. 11268)

In response to your application dated March 6, 1972, for conversion of your provisional operating license to a full-term operating license, the Commission has issued the enclosed Facility Operating License No. DPR-16 to operate the Oyster Creek Nuclear Generating Station (OCNGS), at steady-state reactor core power levels not in excess of 1930 megawatts (thermal), in accordance with the provisions of the license and the Technical Specifications.

Oyster Creek Nuclear Generating Station has operated since April 9, 1969, under Provisional Operating License No. DPR-16. Facility Operating License No. DPR-16 supersedes Provisional Operating License No. DPR-16 in its entirety. All orders issued under the Provisional Operating License remain in effect under Facility Operating License No. DPR-16.

We are reformatting the license, as necessary, to achieve consistency with the language used in contemporary licenses. Certain requirements have been deleted from the license itself because they are already in the Technical Specifications or they are no longer applicable. The license changes have been agreed to by your staff.

There were certain exemptions granted under the provisional license and those remain in effect. Those exemptions have been included in Section 2.D. of the enclosed license.

The Technical Specifications contained in Appendices A and B are not being reissued. The numbering system for future amendments to the new Facility Operating License No. DPR-16 will continue from where the Provisional Operating License left off when it was in effect.

On April 9, 1969, the licensee entered into Indemnity Agreement No. B-37, which remains in effect.

The staff's Safety Evaluation Report supporting issuance of the full-term operating license has been issued as NUREG-1382 (January 1991). In an Environmental Assessment dated April 10, 1986, as noticed in the Federal Register on April 15, 1986 (51 FR 12754), the staff concluded that a supplement to the Final Environmental Statement (FES), issued in December 1974, was not necessary. Since the environmental assessment for the Full-Term Operating License was issued over 5 years ago, April 10, 1986, the staff reexamined

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the 1986 assessment and we have concluded that issuance of a supplement to the Final Environmental Statement (FES) is not required under NEPA and the conclusion of the FES is still valid in that the benefits derived from the continued operation of the OCNCS exceed the actual or expected environmental costs of continued operation of Oyster Creek. The staff recommends that Oyster Creek be issued a Full-Term Operating License. In a letter dated June 19, 1991, the supplemental Environmental Assessment was transmitted to GPU Nuclear Corporation.

Also enclosed is a copy of the notice of issuance, which has been forwarded to the Office of the Federal Register for publication.

Sincerely,

/s/

Steven A. Varga, Director
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Enclosures:

- 1. Facility Operating License No. DPR-16
- 2. Notice of Issuance

cc w/enclosures:
See next page

*SEE PREVIOUS CONCURRENCE

OFC	:PDI-4:LA	:PDI-4:PM	:ADM:RPB*	:PDI-4:D	:OGC
NAME	:SNorris	:ADromerick	:bah:Tech Editor	:JFStoltz	:Bms
DATE	6/26/91	6/26/91	4/22/91	6/26/91	6/26/91
OFC	:AD:DRPE	:D:DRPE	:ADP	:DIR:DR	:
NAME	:JCalvo	:SAVarga	:JPartlow	:Turley	:
DATE	6/27/91	6/28/91	6/28/91	7/2/91	:

ETT
6/28/91

Mr. John J. Barton
Oyster Creek Nuclear Generating Station

Oyster Creek Nuclear
Generating Station

cc:

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Shaw, Pittman, Potts and Trowbridge
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Licensing Manager
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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

GPU NUCLEAR CORPORATION

AND

JERSEY CENTRAL POWER & LIGHT COMPANY

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 Jersey Central Power & Light Company 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 I, 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 I (except as exempted from compliance in Section 2.D. below);

*/ Subsequent to the filing of this application, on December 29, 1981, the NRC issued Amendment No. 59 to POL DPR-16 for this facility, pursuant to which GPU Nuclear Corporation was added as a licensee, authorized to possess, use and operate the facility, and Jersey Central Power & Light Company remained as a licensee, authorized to possess the facility. All subsequent applications for amendments to the license were filed jointly by the two licensees.

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- E. GPU Nuclear Corporation is technically qualified to engage in the activities authorized by this license in accordance with the rules and regulations of the Commission;
 - F. Jersey Central Power & Light Company 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 GPU Nuclear Corporation and Jersey Central Power & Light Company 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 GPU Nuclear Corporation:
 - (1) Pursuant to Section 104b of the Act and 10 CFR Part 50, to possess, use, and operate Oyster Creek Nuclear Generating Station, and Jersey Central Power & Light Company to possess the Oyster Creek Nuclear Generating 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 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 I 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

GPU Nuclear Corporation 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. 152, are hereby incorporated in the license. GPU Nuclear Corporation shall operate the facility in accordance with the Technical Specifications.
 - (3) Fire Protection

GPU Nuclear Corporation 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:

The licensee may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

- (4) The licensee shall fully implement and maintain in effect all provisions of the Commission-approved physical security, guard training and qualification, and safeguards contingency plans, including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain Safeguards Information protected under 10 CFR 73.21, are entitled: "Oyster Creek Nuclear Generating Station Physical Security Plan," with revisions submitted through July 6, 1988; "Oyster Creek Nuclear Generating Station Training and Qualification Plan," with revisions submitted through June 24, 1986; and "Oyster Creek Nuclear Generating Station Safeguards Contingency Plan," with revisions submitted through June 24, 1986. Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein.
- (5) Inspections by a method acceptable to the NRC, of all accessible surfaces and welds of both core spray spargers and repair assemblies at least once per 24 months, will be performed so that meaningful comparisons of any indications with previous inspections can be made. Results of the inspections, along with an evaluation of the safety significance of any new or progressing indications, will be provided to the Commission's staff for review. Authorization will be obtained from the Commission's staff before the plant is restarted from each refueling outage. Should the staff determine that new cracks or further progression of existing cracks has occurred, resulting in unacceptable degradation of safety margins, the sparger will be replaced before restart.
- (6) Long Range Planning Program

The "Plan for the Long-Range Planning Program for the Oyster Creek Nuclear Generating Station" (the Plan) submitted by GPU Nuclear Corporation letter C 311-88-2030 dated March 16, 1988, is approved.

 - a. The Plan shall be followed by the licensee from and after May 27, 1988.

- b. The Category A schedule shall not be changed without prior approval from the NRC. The schedules for Categories B and C may be changed without prior approval by the NRC.
- D. The facility has been granted certain exemptions from the requirements of Section III.G of Appendix R to 10 CFR Part 50, "Fire Protection Program for Nuclear Power Facilities Operating Prior to January 1, 1979."

This section relates to fire protection features for ensuring the systems and associated circuits used to achieve and maintain safe shutdown are free of fire damage. These exemptions were granted and sent to the licensee in letters dated March 24, 1986 and June 25, 1990.

The facility has also been granted certain exemptions from the requirements of Section III.J of Appendix R to 10 CFR Part 50, "Fire Protection Program for Nuclear Power Facilities Operating Prior to January 1, 1979." This section relates to emergency lighting that shall be provided in all areas needed for operation of safe shutdown equipment and in access and egress routes thereto. This exemption was granted and sent to the licensee in a letter dated February 12, 1990.

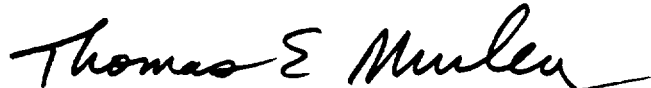
In addition, the facility has been granted certain exemptions from Section 55.45(b)(2)(iii) and (iv) of 10 CFR Part 55, "Operators' Licenses." These sections contain requirements related to site-specific simulator certification and require that operating tests will not be administered on other than a certified or an approved simulation facility after May 26, 1991. These exemptions were granted and sent to the licensee in a letter dated March 25, 1991.

These exemptions granted pursuant to 10 CFR 50.12 are authorized by law, will not present an undue risk to the public health and safety, and are consistent with the common defense and security. With these exemptions, the facility will operate, to the extent authorized herein, in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission.

- E. Except as otherwise provided in the Technical Specifications, the licensee shall report any violations of the requirements contained in Section 2.C of this license in the following manner: initial notification shall be made within 24 hours to the NRC Operations Center via the Emergency Notification System with written follow-up within 30 days in accordance with the procedures described in 10 CFR 50.73(b), (c), and (e).

- 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. This license is effective as of the date of issuance and shall expire at midnight on December 15, 2004.

FOR THE NUCLEAR REGULATORY COMMISSION



Thomas E. Murley, Director
Office of Nuclear Reactor Regulation

Attachment:
Appendices A and B -
Technical Specifications

Date of Issuance:

UNITED STATES NUCLEAR REGULATORY COMMISSIONGPU NUCLEAR CORPORATION ANDJERSEY CENTRAL POWER & LIGHT COMPANYDOCKET NO. 50-219NOTICE OF ISSUANCE OF FACILITY OPERATING LICENSE NO. DPR-16

The U.S. Nuclear Regulatory Commission (the Commission) has issued Facility Operating License No. DPR-16 to GPU Nuclear Corporation and Jersey Central Power & Light Company authorizing operation of the Oyster Creek Nuclear Generating Station at steady-state reactor core power levels not in excess of 1930 megawatts (thermal), in accordance with the provisions of the license and the Technical Specifications.

Oyster Creek is a boiling-water reactor located in Ocean County, New Jersey. The Oyster Creek reactor has operated since April 9, 1969, under Provisional Operating License No. DPR-16. Facility Operating License No. DPR-16 supersedes Provisional Operating License No. DPR-16 in its entirety.

Notice of Consideration of Conversion of Provisional Operating License to Full-Term Operating License and Opportunity for Hearing was published in the FEDERAL REGISTER on November 28, 1972 (37 FR 25190). The full-term operating license was not issued previously pending completion of the reviews under the Systematic Evaluation Program (NUREG-0822, January 1983, and Supplement 1 thereto, July 1988), and by the Advisory Committee on Reactor Safeguards. The Final Environmental Statement (FES) related to the conversion to a full-term operating license was issued in December 1974. A Notice of Availability of the FES was published in the FEDERAL REGISTER on December 24, 1974 (39 FR 44482). Because the FES was issued a number of years ago, the staff performed

an environmental assessment to determine if an FES supplement was necessary. This assessment, dated April 10, 1986, concluded that an FES supplement was not necessary. This conclusion was noticed in the FEDERAL REGISTER on April 15, 1986 (51 FR 12754).

The application for the full-term operating license complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations in 10 CFR Chapter I, as set forth in the license.

The Commission has determined that the issuance of this license will not result in any environmental impacts other than those evaluated in the Final Environmental Statement, since the activity authorized by the license is encompassed by the overall action evaluated in the Final Environmental Statement.

Facility Operating License No. DPR-16 is effective as of its date of issuance and shall expire at midnight on December 15, 2004.

For further information concerning this action see (1) the licensee's application for a full-term operating license dated March 6, 1972, (2) the Final Environmental Statement (December 1974), (3) the Commission's Environmental Assessment dated April 10, 1986, as supplemented June 19, 1991, (4) Facility Operating License No. DPR-16, and (5) the Safety Evaluation Report (NUREG-1382) dated January 1991, which are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, D.C. 20555, and at the Ocean County Library, Reference Department, 101 Washington Street, Toms River, New Jersey 08753.

A copy of Facility Operating License No. DPR-16 may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Projects - I/II. Copies of the Safety Evaluation Report (NUREG-1382) may be purchased through the U.S. Government Printing Office, Post Office Box 37082, Washington, D.C. 20013-7082. Copies may also be purchased from the National Technical Information Service, U.S. Department of Commerce, 5585 Port Royal Road, Room 303, Springfield, Virginia 22161. A copy is available for inspection and/or copying for a fee in the NRC Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, D.C. 20555.

Dated at Rockville, Maryland, this 2nd day of July 1991.

FOR THE NUCLEAR REGULATORY COMMISSION



Steven A. Varga, Director
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Issuance of Facility Operating License, DPR-16

Docket File

NRC & Local PDRs
PD I-4 Plant
TMurley/FMiraglia
JPartlow
SVarga
JCalvo
JStolz
SNorris
ADromerick
FOrr
DNash, PTSB
IDinitz, PTSB
OGC
JKopeck, PA
GPA/PA
OC/LFMB
GHill (4)
WLambe, PTSB
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DHagan
HSmith
Hearing Lawyer, OGC
JScinto, OGC
ACRS (10)
EJordan