

Mr. Michael B. Roche  
Vice President and Director  
GPU Nuclear, Inc.  
Oyster Creek Nuclear Generating Station  
P.O. Box 388  
Forked River, NJ 08731

May 18, 1999

SUBJECT: OYSTER CREEK NUCLEAR GENERATING STATION - ISSUANCE OF  
AMENDMENT RE: REVISED ENVIRONMENTAL TECHNICAL SPECIFICATIONS  
(TAC NO. MA4942)

Dear Mr. Roche:

The Commission has issued the enclosed Amendment No.207 to Facility Operating License No. DPR-16 for the Oyster Creek Nuclear Generating Station, in response to your application dated February 12, 1999.

The amendment deletes the organizational chart and related references from the Appendix B Environmental Technical Specifications (ETS). In addition, the appearance and format of the ETS have been extensively revised.

A copy of the related Safety Evaluation is also enclosed. Notice of Issuance will be included in the Commission's biweekly Federal Register notice.

Sincerely,

ORIGINAL SIGNED BY:  
Ronald B. Eaton, Senior Project Manager, Section 2  
Project Directorate I  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket No. 50-219

Enclosures: 1. Amendment No.207 to DPR-16  
2. Safety Evaluation

cc w/encls: See next page

DISTRIBUTION

~~XXXXXXXXXX~~  
PUBLIC  
PDI-2 R/F  
JZwolinski/SBlack  
REaton  
TClark  
OGC  
GHill(2)  
TTjader  
ACRS  
RNorsworthy (e-mail SE)

**NRC FILE CENTER COPY**

250105

V/I  
DF01

OFFICE	PDI-2/PM	PDI-2/LA	TSB <i>wdb</i>	OGC <i>M</i>	PDI-2/SC
NAME	REaton:rb	TClark <i>TC</i>	<i>WDBeckner</i> TTjader	<i>MZolinski</i>	JClifford
DATE	4/12/99	4/13/99	4/14/99	4/14/99	5/11/99

OFFICIAL RECORD COPY  
DOCUMENT NAME: AMDA4912.WPD

9905260061 990518  
PDR ADOCK 05000219  
P PDR

↓  
Subject to  
NOTED changes



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

May 18, 1999

Mr. Michael B. Roche  
Vice President and Director  
GPU Nuclear, Inc.  
Oyster Creek Nuclear Generating Station  
P.O. Box 388  
Forked River, NJ 08731

SUBJECT: OYSTER CREEK NUCLEAR GENERATING STATION - ISSUANCE OF  
AMENDMENT RE: REVISED ENVIRONMENTAL TECHNICAL SPECIFICATIONS  
(TAC NO. MA4942)

Dear Mr. Roche:

The Commission has issued the enclosed Amendment No.207 to Facility Operating License No. DPR-16 for the Oyster Creek Nuclear Generating Station, in response to your application dated February 12, 1999.

The amendment deletes the organizational chart and related references from the Appendix B Environmental Technical Specifications (ETS). In addition, the appearance and format of the ETS have been extensively revised.

A copy of the related Safety Evaluation is also enclosed. Notice of Issuance will be included in the Commission's biweekly Federal Register notice.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald B. Eaton".

Ronald B. Eaton, Senior Project Manager, Section 2  
Project Directorate I  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket No. 50-219

Enclosures: 1. Amendment No.207to DPR-16  
2. Safety Evaluation

cc w/encls: See next page

**M. Roche**  
GPU Nuclear, Inc.

**cc:**

**Mr. David Lewis**  
Shaw, Pittman, Potts & Trowbridge  
2300 N Street, NW  
Washington, DC 20037

**Manager Licensing & Vendor Audits**  
GPU Nuclear, Inc.  
1 Upper Pond Road  
Parsippany, NJ 07054

**Manager Nuclear Safety & Licensing**  
Oyster Creek Nuclear Generating Station  
Mail Stop OCAB2  
P. O. Box 388  
Forked River, NJ 08731

**Regional Administrator, Region I**  
U.S. Nuclear Regulatory Commission  
475 Allendale Road  
King of Prussia, PA 19406-1415

**Mayor**  
Lacey Township  
818 West Lacey Road  
Forked River, NJ 08731

**Resident Inspector**  
c/o U.S. Nuclear Regulatory Commission  
P.O. Box 445  
Forked River, NJ 08731

**Kent Tosch, Chief**  
New Jersey Department of  
Environmental Protection  
Bureau of Nuclear Engineering  
CN 415  
Trenton, NJ 08625



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

GPU NUCLEAR, INC.

AND

JERSEY CENTRAL POWER & LIGHT COMPANY

DOCKET NO. 50-219

OYSTER CREEK NUCLEAR GENERATING STATION

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 207  
License No. DPR-16

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by GPU Nuclear, Inc. et al., (the licensee), dated February 12, 1999, 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;
  - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
  - C. There is reasonable assurance: (i) that the activities authorized by this amendment 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 regulations;
  - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
  - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

9905260068 990518  
PDR ADOCK 05000219  
P PDR

2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. DPR-16 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No.207, are hereby incorporated in the license. GPU Nuclear, Inc. shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of the date of issuance, to be implemented within 30 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



James W. Clifford, Chief, Section 2  
Project Directorate I  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical  
Specifications

Date of Issuance: May 18, 1999

ATTACHMENT TO LICENSE AMENDMENT NO. 207

FACILITY OPERATING LICENSE NO. DPR-16

DOCKET NO. 50-219

Replace the following pages of the Appendix A, Technical Specifications, with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Remove  
Title Page

i  
ii  
1-1  
1-2  
2-1  
-----  
3-1  
3-2  
3-3  
3-4  
3-5  
3-6  
3-7  
3-8  
3-9

Insert  
Title Page

i  
ii  
1-1  
1-2  
2-1  
2-2  
3-1  
3-2  
3-3  
3-4  
3-5  
----  
----  
----  
----

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  
JERSEY CENTRAL POWER & LIGHT COMPANY d/b/a  
GPU ENERGY  
GPU NUCLEAR, INC.  
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

Table Of Contents

Introduction	ii
1.0 <u>Environmental Monitoring</u>	1-1
1.1 Non-Radiological Monitoring	1-1
1.1.1 Biotic - Aquatic	1-1
A. Fish Kill Monitoring Program	1-1
2.0 Special Monitoring And Study Activities	2-1
2.1 Unusual Or Important Environmental Events	2-1
3.0 Administrative Controls	3-1
3.1 Responsibility	3-1
3.2 Organization	3-1
3.3 Review And Audit	3-1
3.4 Procedures	3-2
3.5 Plant Reporting Requirements	3-3
3.5.1 Routine Reports	3-3
3.5.2 Non-Routine Reports	3-4
3.5.3 Changes	3-4
3.6 Records Retention	3-5

Figure

Figure 3-1 DELETED



## INTRODUCTION

The bases, which provide technical support for the OCETS, are included for informational purposes in order to clarify the intent of the specification. These bases are not part of the OCETS nor do they constitute limitations or requirements on the licensee.

1.0 Environmental Monitoring

1.1 Non-Radiological Monitoring

1.1.1 Biotic - Aquatic

A. Fish Kill Monitoring Program

Objective

The objective of this program is to determine the species composition, abundance and distribution of station-induced fish kills due to winter shutdowns.

Specifications

After each Station shutdown, when the intake water temperature is below 8.5 degrees C (47.3 degrees F), visual inspections for fish shall be made along the shores of the discharge canal and the lower reaches of Oyster Creek within 24 hours of the initiation of the shutdown in accordance with the procedures prepared by the licensee per Section 3.4. A continuous temperature record shall be maintained through the 24-hour period after reaching cold shutdown.

Reporting Requirements

For planned shutdowns with the temperature of the intake water below 8.5 degrees C (47.3 degrees F), the NRC Region I office will be notified at least 24 hours in advance of such shutdown. This notification shall not be given for unplanned, automatic, or manual station trips.

If the shutdown results in greater than 100 fish killed and/or stressed, this event shall be reported to the NRC in accordance with Section 3.5.2.

The results of this program shall be included with the Annual Environmental Operating Report submitted in accordance with section 3.5.1.

## 1.0 Environmental Monitoring

### Bases

The Final Environmental Statement for the Oyster Creek Nuclear Generating Station documents cold shock fish kills associated with rapid temperature decreases caused by plant shutdown during the winter.

Station shutdowns during winter months are, on occasion, unavoidable. Due to the physical configuration of the station and the discharge canal, some mortality to organisms may be experienced during winter shutdowns.

Mortality information associated with a winter shutdown will provide the empirical bases on which to judge the impact of these fishkills on Barnegat Bay, Oyster Creek, and Forked River.

2.0 Special Monitoring And Study Activities

2.1 Unusual or Important Environmental Events

Environmental Monitoring Requirement

Unusual or important events are those that cause potentially significant environmental impact or that could be of public interest concerning environmental impact from station operation. The following are examples: on-site plant or animal disease outbreaks; unusual mortality of any species protected by the Endangered Species Act of 1973; fish kills in the vicinity of the site; unusually high impingement mortality episodes.

Action

Should an unusual or important event occur, the licensee shall make a non-routine prompt report to the NRC in accordance with the provisions of Subsection 3.5.2.

2.0 Special Monitoring And Study Activities

Bases

Prompt reporting to the NRC of unusual or important events as described above is necessary for responsible and orderly regulation of the nation's system of nuclear power reactors. The information provided may be useful or necessary to others concerned with the same environmental resources. Prompt knowledge and action may serve to alleviate the magnitude of the environmental impact.

### 3.0 ADMINISTRATIVE CONTROLS

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 Office of the President to the Vice President and Director 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 Director responsible for environmental affairs, who reports to the Vice President and Director 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 Director 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 GPU personnel, outside contractors or consultants at the request of the environmental affairs personnel.

When individuals in the environmental affairs department of GPU Nuclear perform any function relating to the OCETS other than independent audit and review, the Vice President and Director of 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 and Director 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.

### 3.5 Plant Reporting Requirements

#### 3.5.1 Routine Reports

##### A. Annual Environmental Operating Report

A report on the non-radiological environmental surveillance programs for the previous 12 months of operation shall be submitted to the NRC Document Control Desk as a separate document within 90 days after January 1 of each year (except as otherwise specified in the OCETS). In the event that some results are not available within the 90-day period, the report will be submitted noting and explaining the reasons for the missing data. The missing data shall be submitted as soon as possible in a supplementary report.

The report shall include summaries, analyses, interpretations and statistical evaluation of the results of the environmental monitoring required by the non-radiological environmental monitoring activities (Section 1), and the special monitoring study activities (Section 2) for the report period, including a comparison with preoperational studies, operational controls (as appropriate) and previous environmental monitoring reports, and an assessment of the station operation on the environment. If harmful effects or evidence of irreversible damage are suggested by the monitoring or special programs, the licensee shall provide a more detailed analysis of the data and a proposed course of action to alleviate the problem.

The Annual Report shall also include a summary of:

- 1) All Non-Routine Environmental Operating Reports and the corrective action taken to remedy them.
- 2) Changes made to state and federal permits and certificates which pertain to the requirements of OCETS.
- 3) Changes in station design which could involve an environmental impact.
- 4) Changes in ETS.



### 3.5.2 Non-Routine Environmental Operating Reports

A prompt report shall be submitted in the event that an Unusual or Important Environmental Event occurs (as specified in Section 2.1). Such an occurrence will be reported within 24 hours by telephone, telegraph, or facsimile transmission to the NRC Document Control Desk and within 30 days by a written report in accordance with 10 CFR 50.4. The written report and, to the extent possible, the preliminary telephone, telegraph, or facsimile report shall (a) describe, analyze, and evaluate the occurrence, including the extent and magnitude of the impact, (b) describe the cause of the occurrence, and (c) indicate the corrective action, if necessary, taken (including any significant changes made in the procedures) to preclude repetition of the occurrence should the occurrence be station related.

### 3.5.3 Change in Environmental Technical Specifications

- A. A report shall be made to the NRC prior to implementation of a change in plant design, in plant operation, or in procedures described in Section 3.4, only if the change would have a significant adverse effect on the environment or involves an environmental matter or question not previously reviewed and evaluated by the NRC. The report shall include a description and evaluation of the changes and a supporting benefit-cost analysis.
- B. Request for changes in environmental technical specifications shall be submitted to the Director of Nuclear Reactor Regulation for review and authorization. The Request shall include an evaluation of the environmental impact of the proposed change and a supporting benefit-cost analysis.
- C. Changes or additions to required Federal, and State permits and certificates for the protection of the environment that pertain to the requirements of OCETS shall be reported to the NRC within 30 days. In the event that the licensee initiates or becomes aware of a request for changes to any of the water quality requirements, limits or values stipulated in any certification or permit issued pursuant to Section 401 or 402 of the Federal Water Pollution Control Act (PL 92-500) which is also the subject of an OCETS reporting requirement, NRC shall be notified concurrently with the authorizing agency. The notification to the NRC shall include an evaluation of the environmental impact of the revised requirement, limit or value being sought.

If, during NRC's review of the proposed change, it is determined that a potentially severe environmental impact could result from the change, the NRC will consult with the authorizing agency to determine the appropriate action to be taken.

3.6 Records Retention

- 3.6.1 Eighty (80%) percent data recovery annually for each environmental monitoring requirement is considered satisfactory for the purposes of the OCETS. The variability and uncertainty of environmental conditions demand allowance for some missed data in order to preclude an excessive reporting burden. This provision for missed data does not permit deliberate omission of sample collection or analyses but rather is meant to cover data missed due to circumstances beyond the control of the licensee, its representative or subcontractor. Records of the reasons for all missed data shall be retained with the data reports.
- 3.6.2 Records and logs relative to the following areas will be retained for the life of the plant.
- A. Records and drawings detailing plant design changes made to systems and equipment as described in Section 3.5.3.
  - B. Records of all environmental surveillance data.
- 3.6.3 All other records and logs relating to the environmental technical specifications will be retained for five years following logging or recording.



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 207

TO FACILITY OPERATING LICENSE NO. DPR-16

GPU NUCLEAR, INC. AND

JERSEY CENTRAL POWER & LIGHT COMPANY

OYSTER CREEK NUCLEAR GENERATING STATION

DOCKET NO. 50-219

1.0 INTRODUCTION

By letter dated February 12, 1999, GPU Nuclear, Inc., (the licensee) submitted a request for changes to the Oyster Creek Nuclear Generating Station Technical Specifications (TSs). The requested changes would delete the organizational chart and related references from the Appendix B Environmental Technical Specifications (ETS). In addition, the appearance and format of the ETS have been extensively revised.

2.0 EVALUATION

Generic Letter (GL) 88-06, "Removal of Organization Charts from Technical Specification Administrative Control Requirements," permitted licensees to remove organization charts from their TSs as a line item improvement. The staff examined the regulatory requirements for administrative controls in TSs provided in 10 CFR 50.36. This regulation states that administrative controls are the provisions relating to organization and management necessary to ensure operation of the facility in a safe manner. It has been the staff's experience that organizational charts by themselves have been of little help in ensuring that the objectives of administrative control requirements are met. Specific operational requirements are required elsewhere in the TS that bear more directly on operational safety than organizational charts.

The organizational chart in the ETS is not required for safe operation of the facility and does not meet any of the five conditions listed in GL 88-06 for retention in the ETS. Although the information is no longer detailed in the ETS, the details are included in the updated final safety analysis report or in the pending file for subsequent updates. Therefore, the staff finds removal of the organizational chart from the ETS to be acceptable.

The licensee has made a complete format revision and has corrected inaccurate references to NRC organizational units and made some minor editorial changes. The staff finds these changes to be acceptable.

9905260069 990518  
PDR ADOCK 05000219  
P PDR

### **3.0 STATE CONSULTATION**

In accordance with the Commission's regulations, the New Jersey State official was notified of the proposed issuance of the amendment. The State official had no comments.

### **4.0 ENVIRONMENTAL CONSIDERATION**

This amendment changes recordkeeping, reporting, or administrative procedures or requirements. Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of this amendment.

### **5.0 CONCLUSION**

The Commission has concluded, based on the considerations discussed above, that: (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.

Principal Contributor: R. Eaton

Date: May 18, 1999