

July 15, 1996

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

SUBJECT: ISSUANCE OF AMENDMENT RE: SURVEILLANCE REQUIREMENT APPLICABILITY
(TAC NO. M95335)

Dear Mr. Roche:

The Commission has issued the enclosed Amendment No. 185 to Facility Operating License No. DPR-16 for the Oyster Creek Nuclear Generating Station, in response to your application dated May 7, 1996.

The amendment adds Specification 4.0.1 and 4.0.2 and associated Bases to clarify surveillance requirement applicability and allow a maximum period of 24 hours to complete a surveillance requirement upon discovery that the surveillance has been missed.

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
Project Directorate I-2
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Docket No. 50-219

Enclosures: 1. Amendment No. 185 to DPR-16
2. Safety Evaluation

cc w/encls: See next page

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UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

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2. Safety Evaluation

cc w/encls: See next page

M. Roche
GPU Nuclear Corporation

Oyster Creek Nuclear
Generating Station

cc:

Ernest L. Blake, Jr., Esquire
Shaw, Pittman, Potts & Trowbridge
2300 N Street, NW.
Washington, DC 20037

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

BWR Licensing Manager
GPU Nuclear Corporation
1 Upper Pond Road
Parsippany, NJ 07054

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

Licensing Manager
Oyster Creek Nuclear Generating Station
Mail Stop: Site Emergency Bldg.
P.O. Box 388
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 CORPORATION

AND

JERSEY CENTRAL POWER & LIGHT COMPANY

DOCKET NO. 50-219

OYSTER CREEK NUCLEAR GENERATING STATION

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 185
License No. DPR-16

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by GPU Nuclear Corporation, et al. (the licensee) dated May 7, 1996, 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.

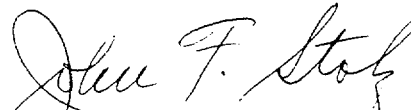
2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. DPR-16 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 185, are hereby incorporated in the license. GPU Nuclear Corporation 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



John F. Stolz, Director
Project Directorate I-2
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical
Specifications

Date of Issuance: July 15, 1996

ATTACHMENT TO LICENSE AMENDMENT NO. 185

FACILITY OPERATING LICENSE NO. DPR-16

DOCKET NO. 50-219

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

Remove

ii
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Insert

ii
4.0.1
4.0.2
4.0.3

Table of Contents (Cont'd.)

Section 3	Limiting Conditions for Operation	
3.0	Limiting Conditions for Operation (General)	3.0-1
3.1	Protective Instrumentation	3.1-1
3.2	Reactivity Control	3.2-1
3.3	Reactor Coolant	3.3-1
3.4	Emergency Cooling	3.4-1
3.5	Containment	3.5-1
3.6	Radioactive Effluents	3.6-1
3.7	Auxiliary Electrical Power	3.7-1
3.8	Isolation Condenser	3.8-1
3.9	Refueling	3.9-1
3.10	Core Limits	3.10-1
3.11	(Not Used)	3.11-1
3.12	Alternate Shutdown Monitoring Instrumentation	3.12-1
3.13	Accident Monitoring Instrumentation	3.13-1
3.14	DELETED	3.14-1
3.15	Explosive Gas Monitoring Instrumentation	3.15-1
3.16	(Not Used)	
3.17	Control Room Heating, Ventilating and Air Conditioning System	3.17-1
Section 4	Surveillance Requirements	
4.0	Surveillance Requirement Applicability	4.0-1
4.1	Protective Instrumentation	4.1-1
4.2	Reactivity Control	4.2-1
4.3	Reactor Coolant	4.3-1
4.4	Emergency Cooling	4.4-1
4.5	Containment	4.5-1
4.6	Radioactive Effluents	4.6-1
4.7	Auxiliary Electrical Power	4.7-1
4.8	Isolation Condenser	4.8-1
4.9	Refueling	4.9-1
4.10	ECCs Related Core Limits	4.10-1
4.11	Sealed Source Contamination	4.11-1
4.12	Alternate Shutdown Monitoring Instrumentation	4.12-1
4.13	Accident Monitoring Instrumentation	4.13-1
4.14	DELETED	4.14-1
4.15	Explosive Gas Monitoring Instrumentation	4.15-1
4.16	Radiological Environmental Surveillance (Deleted)	4.16-1
4.17	Control Room Heating, Ventilating and Air Conditioning System	4.17-1

4.0 Surveillance Requirement Applicability

4.0.1 Surveillance requirements shall be met during the modes or other specified conditions in the applicability for individual LCOs, unless otherwise stated in the surveillance requirements. Failure to meet a surveillance, whether such failure is experienced during the performance of the surveillance or between performances of the surveillance, shall be failure to meet the LCO. Failure to perform a surveillance within the specified frequency shall be failure to meet the LCO except as provided in 4.0.2. Surveillances do not have to be performed on inoperable equipment or variables outside specified limits.

4.0.2 If it is discovered that a surveillance was not performed within its specified frequency, then compliance with the requirement to declare the LCO not met may be delayed, from the time of discovery, up to 24 hours or up to the limit of the specified frequency, whichever is less. This delay period is permitted to allow performance of the surveillance.

If the surveillance is not performed within the delay period, the LCO must immediately be declared not met, and the applicable condition(s) must be entered.

When the surveillance is performed within the delay period and the surveillance is not met, the LCO must immediately be declared not met, and the applicable condition(s) must be entered.

BASES: Surveillance Requirement 4.0.1 establishes the requirement that surveillance requirements must be met during the modes or other specified conditions in the applicability for which the requirements of the LCO apply, unless otherwise specified in the individual surveillance requirements. This specification is to ensure that surveillances are performed to verify the OPERABILITY of systems and components, and that variables are within specified limits. Failure to meet a surveillance within the specified frequency constitutes a failure to meet an LCO.

Systems and components are assumed to be OPERABLE when the associated surveillance requirements have been met. Nothing in this specification, however, is to be construed as implying that systems or components are OPERABLE when:

- a. The systems or components are known to be inoperable, although still meeting the surveillance requirements; or

- b. The requirements of the surveillance(s) are known to be not met between required surveillance performances.

Surveillances do not have to be performed when the unit is in a mode or other specified condition for which the requirements of the associated LCO are not applicable, unless otherwise specified.

Surveillances, including surveillances invoked by required actions, do not have to be performed on inoperable equipment because the actions define the remedial measures that apply. Surveillances have to be met and performed prior to returning equipment to OPERABLE status.

Upon completion of maintenance, appropriate post maintenance testing is required to declare equipment OPERABLE. This includes ensuring applicable surveillances are not failed. Post maintenance testing may not be possible in the current mode or other specified conditions in the applicability due to the necessary unit parameters not having been established. In these situations, the equipment may be considered OPERABLE provided testing has been satisfactorily completed to the extent possible and the equipment is not otherwise believed to be incapable of performing its function. This will allow operation to proceed to a mode or other specified condition where other necessary post maintenance tests can be completed.

Surveillance Requirement 4.0.2 establishes the flexibility to defer declaring affected equipment inoperable or an affected variable outside the specified limits when a surveillance has not been completed within the specified frequency. A delay period of up to 24 hours or up to the limit of the specified frequency, whichever is less, applies from the point in time that it is discovered that the surveillance has not been performed and not at the time that the specified frequency was not met.

This delay period provides adequate time to complete surveillances that have been missed. This delay period permits the completion of a surveillance before complying with required actions or other remedial measures that might preclude completion of the surveillance.

The basis for this delay period includes consideration of unit conditions, adequate planning, availability of personnel, the time required to perform the

surveillance, the safety significance of the delay in completing the required surveillance, and the recognition that the most probable result of any particular surveillance being performed is the verification of conformance with the requirements.

When a surveillance with a frequency based not on time intervals, but upon specified unit conditions or operational situations, is discovered not to have been performed when specified, Surveillance Requirement 4.0.2 allows the full delay period of 24 hours to perform the surveillance.

Surveillance Requirement 4.0.2 also provides a time limit for completion of surveillances that become applicable as a consequence of mode changes imposed by required actions.

Failure to comply with specified surveillance frequencies is expected to be an infrequent occurrence. Use of the delay period established by Surveillance Requirement 4.0.2 is a flexibility which is not intended to be used as an operational convenience to extend surveillance intervals.

If a surveillance is not completed within the allowed delay period, then the equipment is considered inoperable or the variable is considered outside the specified limits and the completion times of the required actions for the applicable LCO conditions begin immediately upon expiration of the delay period. If a surveillance is failed within the delay period, then the equipment is inoperable, or the variable is outside the specified limits and the completion times of the required actions for the applicable LCO conditions begin immediately upon the failure of the surveillance.

Completion of the surveillance within the delay period allowed by this specification, or within the completion time of the actions, restores compliance with Surveillance Requirement 4.0.1.



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 185 TO FACILITY OPERATION LICENSE NO. DPR-16

GPU NUCLEAR CORPORATION

OYSTER CREEK NUCLEAR GENERATING STATION

DOCKET NO. 50-219

1.0 INTRODUCTION

By letter dated May 7, 1996, GPU Nuclear Corporation, the licensee, requested an amendment to Facility Operating License No. DPR-16 for the Oyster Creek Nuclear Generating Station. The proposed amendment would change the plant Technical Specifications (TS) based on the recommendations provided by the NRC staff in Generic Letter (GL) 87-09, "Sections 3.0 and 4.0 of the Standard Technical Specifications (STS) on the Applicability of Limiting Conditions for Operation and Surveillance Requirements," related to the applicability of limiting conditions for operation (LCO) and the surveillance requirements of TS 4.0. Specifically, the licensee has requested to adopt the provisions of the STS that clarify surveillance requirement applicability and allow a maximum period of 24 hours to complete a surveillance requirement upon discovery that the surveillance has been missed.

2.0 EVALUATION

In GL 87-09 the staff stated that it is overly conservative to assume that systems or components are inoperable when a surveillance requirement has not been performed because the vast majority of surveillance demonstrate that systems or components in fact are operable. Because the allowable outage time limits of some action requirements do not provide an appropriate time limit for performing a missed surveillance before shutdown requirements apply, the TS should include a time limit that would allow a delay of the required actions to permit the performance of the missed surveillance. This time limit should be based on considerations of plant conditions, adequate planning, availability of personnel, and the time required to perform the surveillance, as well as the safety significance of the delay in completion of the surveillance. After reviewing possible limits, the staff concluded that, based on these considerations, 24 hours would be an acceptable time limit for completing a missed surveillance when the allowable outage times of the action requirements are less than this time limit or when shutdown action requirements apply. The 24-hour time limit would balance the risks associated with an allowance for completing the surveillance within this period against the risks associated with the potential for a plant upset and challenge to safety systems when the alternative is a shutdown to comply with action requirements before the surveillance can be completed.

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TS 4.0.1 adopts the provisions of the STS that establish the applicability of TS surveillance requirements for individual LCOs to ensure that surveillances are performed to verify system and component operability. This is consistent with the staff's position in GL 87-09 and NUREG 1433, Revision 1, dated April 1995 and is, therefore, acceptable.

TS 4.0.2 adopts the STS surveillance requirement provision to allow a maximum period of 24 hours to complete a surveillance requirement upon discovery that the surveillance has been missed. This is consistent with the staff's position in GL 87-09 and NUREG 1433, Revision 1, dated April 1995 and is, therefore, acceptable.

Based on the above, the addition of TSs 4.0.1 and 4.0.2 and the associated Bases is acceptable.

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

The amendment involves changes to surveillance requirements. The NRC staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluent that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendment involves no significant hazards consideration, and there has been no public comment on such finding (61 FR 28615). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the 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, NRR

Date: July 15, 1996