

March 25, 2002

Mr. Oliver D. Kingsley, President
and Chief Nuclear Officer
Exelon Nuclear
Exelon Generation Company, LLC
4300 Winfield Road
Warrenville, IL 60555

SUBJECT: OYSTER CREEK NUCLEAR GENERATING STATION - ISSUANCE OF
AMENDMENT RE: QUALIFICATION OF SENIOR MANAGER-OPERATIONS
(TAC NO. MB2242)

Dear Mr. Kingsley:

The Commission has issued the enclosed Amendment No. 226 to Facility Operating License No. DPR-16 for the Oyster Creek Nuclear Generating Station (Oyster Creek) in response to your application dated June 7, 2001.

The amendment revises the Oyster Creek Technical Specifications, Section 6.2.2.2.j, to allow either the Senior Manager-Operations or an Operations Manager to satisfy the Senior Reactor Operator-licensed requirement of this section.

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,

/RA/

Peter S. Tam, Senior Project Manager, Section 1
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-219

Enclosures: 1. Amendment No. 226 to DPR-16
2. Safety Evaluation

cc w/encls: See next page

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AMERGEN ENERGY COMPANY, LLC

DOCKET NO. 50-219

OYSTER CREEK NUCLEAR GENERATING STATION

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 226
License No. DPR-16

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by AmerGen Energy Company, LLC, et al., (the licensee), dated June 7, 2001, 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. 226, are hereby incorporated in the license. AmerGen Energy Company, LLC, shall operate the facility in accordance with the Technical Specifications.

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

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Joel T. Munday, Acting Chief, Section 1
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical
Specifications

Date of Issuance: March 25, 2002

ATTACHMENT TO LICENSE AMENDMENT NO. 226

FACILITY OPERATING LICENSE NO. DPR-16

DOCKET NO. 50-219

Replace the following page of Appendix A, Technical Specifications, with the attached revised page as indicated. The revised page is identified by amendment number and contains a marginal line indicating the area of change.

Remove

6-2a

Insert

6-2a

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 226

TO FACILITY OPERATING LICENSE NO. DPR-16

AMERGEN ENERGY COMPANY, LLC

OYSTER CREEK NUCLEAR GENERATING STATION

DOCKET NO. 50-219

1.0 INTRODUCTION

By letter dated June 7, 2001, AmerGen Energy Company, LLC (AmerGen) submitted Technical Specification Change Request No. 297 for Oyster Creek Nuclear Generating Station (Oyster Creek) Technical Specifications (TSs) for NRC approval. The purpose of this application is to revise Section 6.2.2.2.j of "Administrative Controls," regarding the requirement for the Senior Manager - Operations to hold a Senior Reactor Operator (SRO) license. The proposed revision would allow the Senior Manager - Operations, or one of two Operations Managers, to hold an SRO license.

2.0 EVALUATION

The licensee proposed to revise Section 6.2.2.2.j concerning the Operations management position. The current wording reads:

The Senior Manager - Operations and the Shift Manager require Senior Reactor Operators licenses.

As cited in the above paragraph, the Senior Manager - Operations is currently required to hold an SRO license. The proposed change would allow, as an alternative, any of the SRO-licensed Operations Managers, who also meet the qualification requirements of American National Standards Institute/American Nuclear Society (ANSI/ANS) 3.1 - 1978, "Selection and Training of Nuclear Power Plant Personnel" (per Section 6.3.1), to satisfy the SRO-licensed requirement of Section 6.2.2.2.j. Specifically, the wording would be changed to read:

The Senior Manager - Operations or an Operations Manager, and the Shift Manager require Senior Reactor Operators licenses.

This change will provide the licensee with flexibility in filling vacancies, and allow the appointment of a Senior Manager - Operations who may not hold an SRO license.

Title 10 of the *Code of Federal Regulations* (CFR), Section 50.54(l), requires the licensee to "designate individuals to be responsible for directing the licensed activities of licensed operators. These individuals shall be licensed as senior operators...." The licensee has committed to ANSI/ANS 3.1 - 1978, which requires an Operations Manager to hold, at time of appointment to the active position, an SRO license.

The licensee's current Operations management structure is comprised of the Senior Manager - Operations and two Operations Managers. In order to comply with the requirements of the proposed change, one of these three individuals will be required to hold an SRO license. The SRO-licensed individual will be qualified to ANSI/ANS 3.1 - 1978 standards, as required by Section 6.3.1, to fill the Senior Manager - Operations position and will have the same management authority over the licensed operators as the Senior Manager - Operations.

The licensee's proposed change (1) conforms with NRC's existing regulatory requirement; (2) is consistent with 10 CFR 50.54(l); (3) ensures that an SRO-licensed off-shift senior operator will direct the licensed activities of the licensed operators; and (4) ensures site-specific, detailed, and relevant technical and systems knowledge in a senior operations management position. Therefore, the proposed change 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 changes an administrative requirement. 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 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 Contributors: R. Pelton

Date: March 25, 2002

Oyster Creek Nuclear Generating Station

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