AmerGen Energy Company, LLC
200 Exelon Way
Suite 345
Kennett Square, PA 19348

www.exeloncorp.com

An Exelon/British Energy Company

May 10, 2002
2130-02-20125

U.S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555

Subject: Oyster Creek Generating Station (OCGS)
Docket No. 50-219
Facility License No. DPR-16
Withdrawal of License Amendment Application

References:
1. Correspondence No. 6730-96-2300 dated October 15, 1996, "Response to Generic Letter 96-04"
2. Correspondence No. 2130-00-20244 dated May 24, 2001, "License Change Request No. 282, Request for a Change to the Licensing Basis Regarding the Criticality Analysis for the High Density Fuel Racks with Boraflex Degradation"
3. NRC Letter dated January 23, 2002, "Request for Additional Information on High Density Fuel Racks with Boraflex Degradation (TAC No. MB2106)"

NRC Generic Letter 96-04 informed all licensees of the issues concerning the use of Boraflex in spent fuel storage racks. In the Oyster Creek response to the generic letter (Reference 1), it was stated that a reevaluation of the criticality analysis for the Oyster Creek fuel racks would be performed to consider Boraflex degradation including boron carbide loss. That reevaluation was performed and submitted to the NRC in Reference 2. The purpose of this letter is to withdraw the license amendment application submitted by Reference 2.

In the cover letter forwarding the Reference 2 spent fuel rack criticality analysis we indicated that a calculation, based on the current licensing basis analysis and using prior rack test data, had projected that k_{eff} for the Boraflex racks would remain acceptable until December 2002 using conservative assumptions regarding the loss of boron carbide. Recently, the spent fuel storage racks containing Boraflex were tested (BADGER) to determine the current degree of degradation. The results indicate that the Boraflex fuel rack management program is proving effective in minimizing the degradation of Boraflex neutron poison panels. Using the data obtained from the BADGER tests and conservatively assuming the peak thinning rate predicted by the RACKLIFE program, AmerGen Energy Company, LLC (AmerGen) has determined that

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the earliest date the k_{eff} limit in the Oyster Creek Technical Specifications might be exceeded is in the summer of the year 2008.

At the time the Reference 2 analysis was performed, the use of GE11 fuel was not considered. Subsequently, AmerGen is planning to employ GE11 in reloads beginning as early as the next operating cycle currently scheduled for October 2002. The Reference 2 analysis is not applicable to GE11 fuel and would have to be amended in order to place GE11 fuel assemblies in the Boraflex racks. The Boral racks installed in the fuel pool in the year 2000 were analyzed for GE11 fuel and will be utilized for the GE11 fuel until the licensing basis of the Boraflex racks is revised for GE11 storage. AmerGen intends to either submit a revised license amendment request for NRC staff review or proceed with a licensing basis change under 10 CFR 50.59 if a previously NRC-approved method of analysis can be employed at Oyster Creek. This approach will result in the most effective utilization of AmerGen and NRC staff resources. If AmerGen submits a license amendment application, the NRC staff request for additional information (Reference 3) will be considered.

Should you have any questions or require any additional information please contact Mr. Paul F. Czaya at 610-765-5952.

Sincerely,

Michael P. Gallagher
Director, Licensing
Mid-Atlantic Regional Operating Group

c: H. J. Miller, Administrator, USNRC Region I
R. J. Summers, USNRC Senior Resident Inspector, Oyster Creek
P. S. Tam, USNRC Senior Project Manager, Oyster Creek (Acting)
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