

10CFR50 Appendix E.IV.B

April 16, 2004  
2130-04-20090

U. S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, DC 20555-0001

Oyster Creek Generating Station  
Facility License No. DPR-16  
Docket No. 50-219

Subject: Oyster Creek Generating Station Implementation of Emergency Action Levels  
Developed from NUMARC/NESP-007 Methodology

References: (1) Letter from M. P. Gallagher (AmerGen Energy Company, LLC) to US NRC,  
dated March 10, 2003  
  
(2) Conference call between AmerGen and NRC staff on April 12, 2004

This letter is being sent to confirm actions discussed concerning the Oyster Creek Emergency Action Levels (EAL) and the EAL Technical Bases. In the Reference (1) letter, AmerGen Energy Company, LLC (AmerGen) submitted a proposed change to the EAL & EAL Technical Bases based on the methodology outlined in NUMARC/NESP-007, "Methodology for Development of Emergency Action Levels, Rev. 2. In Reference (2), AmerGen discussed the EAL submittal with the NRC and agreed to take three actions that will be documented in the NRC Safety Evaluation (SE).

The three actions involve EAL HU4 in the Oyster Creek EAL Technical Basis. The actions are summarized below.

1. Table H-1, Plant Vital Structures, is located below EAL Threshold Value #2. The table is referenced by Threshold Value #1 and in its current location may be misinterpreted to associate with EAL Threshold Value #2. Clarify Table H-1 applicability.
2. The Initiating Condition for HU-4 does not refer to EAL Threshold Value #2 (Report by plant personnel of an unanticipated explosion). Clarify the Initiating Condition.
3. The Basis discussion in HU4 does not provide basis information or guidance for EAL Threshold Value #2. Clarify the HU4 basis.

ADD

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AmerGen agrees to resolve these comments per the 10CFR50.54q process, subsequent to the issuance of the revised EALs.

If you have any questions or require additional information, please contact Doug Walker at (610) 765- 5726.

Handwritten signature of Michael P. Gallagher in cursive script, followed by the initials "FOR" in a larger, bold font.

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Michael P. Gallagher  
Director, Licensing and Regulatory Affairs  
AmerGen Energy Company, LLC

cc: H. J. Miller, Administrator, Region I, USNRC  
R. J. Summers, USNRC Senior Resident Inspector, Oyster Creek  
P. S. Tam, Senior Project Manager, USNRC (by FedEx)  
K. Tosch  
File No. 03005