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An Exelon Company

EA-04-213

January 27, 2005

2130-05-20027

Richard J. Conte, Chief, Operational Safety Branch
U. S. Nuclear Regulatory Commission, Region I
475 Allendale Road
King of Prussia, PA 19406

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

Subject: Response to a Preliminary White Finding in Inspection Report 50-219/04-009

Reference: Oyster Creek NRC Emergency Preparedness Program Inspection Report 05000219/2004009; Preliminary White Finding, January 11, 2005

This letter provides the AmerGen Energy Company, LLC, (i.e., AmerGen) response to the Preliminary White Finding resulting from the referenced inspection, transmitted by letter dated January 11, 2005. This finding involved untimely actions to change an Emergency Action Level (EAL). As discussed with you on January 20, 2005, AmerGen does not contest the preliminary White Finding; however, we do want to take this opportunity to respectfully request clarification of several statements made in the report as indicated in the enclosure.

If any further information or assistance is needed, please contact David Fawcett at 609-971-4284.

Sincerely,

C. N. Swenson
Vice President, Oyster Creek Generating Station

CNS/DIF

Enclosure: Requested Clarifications to Inspection Report 50-219/04-009

cc: U.S. NRC Document Control Desk, Washington, D.C.
P. S. Tam, USNRC Senior Project Manager, Oyster Creek
Samuel J. Collins, Region 1 Administrator
R. J. Summers, USNRC Senior Resident Inspector, Oyster Creek
File No. 05012

EA-04-213

Enclosure

Oyster Creek Generating Station, AmerGen
Response to a Preliminary White Finding in Inspection Report 50-219/04-009

Requested Clarifications to Inspection Report (IR) 50-219/04-009

Oyster Creek self identified this problem and took aggressive and conservative corrective actions. The operators immediately lowered reactor power to restore fuel bundle power peaking consistent with the previously analyzed minimum steam cooling reactor water level of –30" top of active fuel (TAF). The procedure containing the emergency action levels (EALs) was revised to be consistent with the changed emergency operating procedure threshold. By taking these actions Oyster Creek minimized the time (7 days) the plant condition was inconsistent with the emergency action levels.

As described in the root cause report, our analysis indicated that reactor vessel water level at "0" TAF would trigger the operators to recognize the procedure threshold both as a potential loss of fuel cladding barrier and a loss of the reactor coolant system barrier. This would equate to a Site Area Emergency (SAE) declaration per the EALs. Therefore this issue would have had no impact on the Emergency Director's ability to make the proper classification at the SAE level. This is different than what is stated in the IR.

This reference to the Site Area Emergency appears in the cover letter, the summary of findings, and the detail section of the inspection report.