

January 4, 2006
EN 06-001

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: AmerGen Energy Company, LLC EA-05-199
Oyster Creek Generating Station
Docket No. 05000219

Subject: ISSUANCE OF FINAL SIGNIFICANCE DETERMINATION AND NOTICE OF VIOLATION

This is to inform the Commission that a Notice of Violation associated with a White Significance Determination Process (SDP) finding will be issued on or around January 9, 2006, to AmerGen Energy Company, LLC, as a result of inspections at Oyster Creek Generating Station. This White finding, an issue with low to moderate increased importance to safety which may require additional NRC inspections, involved the licensee's failure to properly utilize the Oyster Creek Emergency Plan emergency action level (EAL) matrix during an actual event on August 6, 2005. Specifically, while the unit was operating at about 40% power, a large amount of sea grass clogged the north side intake structure screens over a period of approximately 60 minutes. This caused intake structure water level to decrease and meet the values expected for UE and then Alert declarations. As a result of licensee's failure to properly utilize the EAL matrix, operators did not recognize that plant parameters met the EAL thresholds for declaring an Unusual Event and a subsequent Alert. Since an Alert was not declared, AmerGen personnel did not to activate their emergency response organization to assist operators in mitigating the event. Additionally, State and local agencies, who rely on information provided by the facility licensee, might not have been able to take initial offsite response measures in as timely a manner had the event degraded further. This finding was classified as White because based on the application of Emergency Preparedness SDP, Sheet 2, "Actual Event Implementation Problem."

Plant performance for Oyster Creek has been determined to be in the Degraded Cornerstone Column because this is the second White finding in the Emergency Preparedness Cornerstone during the past four quarters. Therefore, the NRC Action Matrix will be used to determine the most appropriate NRC response.

A Notice of Violation is included because this White finding was associated with a violation of 10 CFR 50.54(b)(4), 10 CFR 50.47, and the Oyster Creek Generating Station Emergency Plan.

It should be noted that the licensee has not been specifically informed of the enforcement action. The schedule of issuance and notification is:

Mailing of Final Significance Determination	January 9, 2006
Telephone Notification of Licensee	January 9, 2006

The State of New Jersey will be notified.

CONTACTS: L. Trocine, OE, 301-415-2319 C. Nolan, OE, 301-415-3360

**PRELIMINARY INFORMATION - NOT FOR PUBLIC DISCLOSURE UNTIL
VERIFICATION THAT LICENSEE HAS RECEIVED ACTION**

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