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August 7, 2006
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U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

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

Subject: Deviation from BWR Vessel and Internals Project (BWRVIP) Guideline

- References:**
- 1) Letter from Robin Dyle/Tom Mulford (BWR Vessel and Internals Project (BWRVIP)) to "All BWRVIP Committee Members," dated April 27, 2006
 - 2) "BWRVIP-75-A: BWR Vessel and Internals Project Technical Basis for Revisions to Generic Letter 88-01 Inspection Schedules," Final Report, October 2005
 - 3) "BWR Vessel and Internals Project Technical Basis for Inspection Relief for BWR Internal Components with Hydrogen Injection (BWRVIP-62)," EPRI Report TR-108705, Final Report, December 1998.
 - 4) "BWRVIP-94, Revision 1: BWR Vessel and Internals Project Program Implementation Guide," Final Report, December 2005
 - 5) "Safety Evaluation of the "BWRVIP Vessel and Internals Project, Technical Basis for Revisions to Generic Letter 88-01 Inspection Schedules (BWRVIP-75)," EPRI Report TR-113932, October 1999 (TAC NO. MA5012)," dated September 15, 2000

The BWR Vessel and Internals Project (BWRVIP) notified all BWRVIP utilities (Reference 1) that relief from weld inspections discussed in BWRVIP-75-A (Reference 2) should not be taken until such time as the NRC issues a Safety Evaluation Report for BWRVIP-62 (Reference 3), and the BWRVIP provides additional guidance on implementing inspection relief for Hydrogen Water Chemistry (HWC) or Noble Metal Chemicals Addition (NMCA). The reference to an NRC-approved Safety Evaluation Report for BWRVIP-62, and the criteria necessary to demonstrate an effective HWC and NMCA program for Oyster Creek Generating Station (OCGS), is provided in Section 3.6 of BWRVIP-75-A.

Specifically, as discussed in Section 3.6 ("Effective HWC") of BWRVIP-75-A:

"Therefore, for the purposes of this report, effective HWC (including NMCA) can be demonstrated by verifying and validating that an effective HWC program in accordance with the NRC-approved BWRVIP-62 guideline has been achieved for welds in every piping system for which HWC credit is taken or demonstrated by means of a plant-specific evaluation approved by NRC."

Therefore, OCGS has developed this Deviation Disposition in accordance with BWRVIP-94, Revision 1 (Reference 4), Appendix B ("Guidelines for Deviation Disposition"). This Deviation Disposition justifies a deviation from the requirement to have an NRC-approved Safety Evaluation Report for BWRVIP-62 as discussed above.

This Deviation Disposition is justified through a review of the HWC and NMCA requirements at OCGS since 2000 for demonstrating an effective program as provided in Open Item 3.7 and 3.8 of the BWRVIP-75-A NRC Safety Evaluation Report (Reference 5). OCGS has reviewed the Open Item 3.7 and 3.8 requirements provided in the BWRVIP-75-A Safety Evaluation Report, and has demonstrated that OCGS meets the intent of these requirements. Therefore, this deviation from the requirement of BWRVIP-75-A to have an NRC-approved BWRVIP-62 SER is justified.

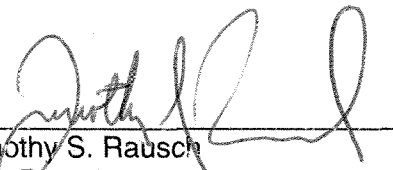
As discussed in BWRVIP-94, Revision 1, Section 3.5 ("Reporting"):

"If at any time a utility does not implement any portion of an applicable 'mandatory' or 'needed' BWRVIP guideline that has been approved by the Executive Committee and transmitted to the NRC, the utility shall notify the NRC and the BWRVIP within 45 days of the utility executive concurrence with the deviation disposition... The licensee shall clearly state what they are deviating from, i.e., inspection requirements, inspection schedules, etc., of the BWRVIP guidelines and what is being done in lieu of the requirements, as necessary. In addition, the letter should be very clear to indicate that the letter is being transmitted for information only and that the licensee is not requesting any action from the NRC staff."

The Deviation Disposition has been approved by the Senior Vice President of Engineering and Technical Services, and the Vice President – Oyster Creek Generating Station. The above discussion provides the statement from BWRVIP-75-A from which Oyster Creek Generating Station is deviating. No additional requirements are being imposed. This letter is being transmitted to the NRC for information only and is not requesting any action from the NRC staff.

If any additional information is needed, please contact Tom Loomis at (610) 765-5510.

Respectfully,



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Vice President
Oyster Creek Generating Station

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cc: S. J. Collins, Administrator, USNRC Region I
G. E. Miller, USNRC Project Manager, Oyster Creek
M. S. Ferdas, USNRC Senior Resident Inspector, Oyster Creek
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