September 11, 2008

MEMORANDUM TO: Harold K. Chernoff, Chief
Plant Licensing Branch I-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

FROM: G. Edward Miller, Project Manager ***/ra/***
Plant Licensing Branch I-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

SUBJECT: OYSTER CREEK NUCLEAR GENERATING STATION,
DRAFT REQUEST FOR ADDITIONAL INFORMATION
(TAC NO. MD7261)

The attached draft request for information (RAI) was transmitted on September 11, 2008, to Mr. Richard Gropp of AmerGen Energy Company, LLC (AmerGen). This information was transmitted to facilitate an upcoming conference call in order to clarify the licensee's amendment request for the Oyster Creek Nuclear Generating Station (Oyster Creek), dated November 2, 2007.

The proposed amendment would revise the Oyster Creek Technical Specifications by allowing the movement of irradiated fuel assemblies with secondary containment inoperable.

The draft questions were sent to ensure that the questions were understandable, the regulatory basis for the questions was clear, and to determine if the information was previously docketed. Additionally, review of the draft RAI would allow AmerGen to determine and agree upon a schedule to respond to the RAI. This memorandum and the attachment do not convey or represent an NRC staff position regarding the licensee's request.

Docket No. 50-219

Enclosure: Draft RAI

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ACCESSION NO.: ML082560065

OFFICE	LPLI-2/PM
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DATE	9/11/2008

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DRAFT REQUEST FOR ADDITIONAL INFORMATION

REGARDING PROPOSED LICENSE AMENDMENT

SECONDARY CONATINMENT OPERABILITY REQUIREMENTS DURING REFUELING

OYSTER CREEK NUCLEAR GENERATING STATION

DOCKET NO. 50-219

By letter dated November 2, 2007, AmerGen Energy Company, LLC (Amergen) submitted an amendment request for the Oyster Creek Nuclear Generating Station (Oyster Creek). The proposed amendment would revise the Oyster Creek Technical Specifications by allowing the movement of irradiated fuel assemblies with secondary containment inoperable. Subsequently, the licensee supplemented the amendment request with letters dated May 5, 2008, and July 3, 2008.

The Nuclear Regulatory Commission staff has reviewed the information provided in support of the proposed amendment and finds that the following information is required to complete its review:

1) In the July 3, 2008 re-analysis of the OC alternate Source Term (AST) fuel handling accident (FHA), you determined that the original bounding dose consequence requirements of 10 CFR 50.67 and the intent of technical specification task force improved standard technical specifications change traveler (TSTF-51) could not be met. After correcting the calculation errors from the original submittal and revising its analysis of record, it was determined that four of the nine analyzed release points could no longer be opened during movement of irradiated fuel even after a 24-hour decay period, as proposed in the original license amendment request. Secondary containment operability meets Criterion 3 of 10 CFR 50.36, "Technical specifications," and therefore must be established and maintained in a manner consistent with the licensee's analysis of record. As such, the TSs proposed in the original LAR, which were not amended in the July 3, 2008 supplement, are insufficient for the staff to find that the licensee has provided reasonable assurance that in the unlikely event of a FHA when secondary containment is inoperable, the dose consequences will meet NRC regulatory requirements. Therefore, the NRC staff requests that the licensee submit additional information that provides sound technical, regulatory, and licensing bases for the proposed changes.

2) In the original submittal, dated November 2, 2007, on page 8 of 22 of Enclosure 1 Amergen stated that, "Except for the stack tunnel door (for which disassembly was planned and evaluated) and the flanged commodities penetrations (typically opened during outages and which are evaluated here), the secondary containment boundary cannot be breached in other locations without further evaluation." This statement appears to be contrary to the requested TS change(s) as described in Enclosure 2 of the November 2, 2007 submittal. Specifically, on page 3.5-12, the OC TS Bases state, "Due to radioactive decay, during fuel handling operations the secondary containment isolation valves are only required to be OPERABLE when handling, RECENTLY IRRADIATED FUEL, or during operations with the

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potential to drain the reactor vessel." In order to clarify this apparent discrepancy, the NRC staff requests that the licensee provide a list of all secondary containment penetrations that were not analyzed as part of this submittal. Additionally, the staff requests that the licensee either perform the appropriate analysis to demonstrate that they are bounded by the definition for RECENTLY IRRADIATED FUEL in support of FHA dose consequence or describe how each of these penetrations will be maintained OPERABLE during fuel handling conditions. The licensee must also either explain how existing TSs will ensure this is accomplished or, as necessary, propose TS changes that would capture these requirements.