



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

June 2, 2009

Mr. Thomas Joyce  
President and Chief Nuclear Officer  
PSEG Nuclear  
P.O. Box 236, N09  
Hancocks Bridge, NJ 08038

SUBJECT: HOPE CREEK GENERATING STATION AND SALEM NUCLEAR GENERATING  
STATION, UNIT NOS. 1 AND 2 - ISSUANCE OF AMENDMENTS  
RE: ELIMINATION OF UNNECESSARY REPORTING REQUIREMENTS  
(TAC NOS. ME0337, ME0338 AND ME0339)

Dear Mr. Joyce:

The Commission has issued the enclosed Amendment No. 178 to Facility Operating License (FOL) No. NPF-57 for the Hope Creek Generating Station (Hope Creek) and Amendment Nos. 291 and 275 to FOL Nos. DPR-70 and DPR-75 for the Salem Nuclear Generating Station (Salem), Unit Nos. 1 and 2. The amendments eliminate unnecessary reporting requirements in the FOLs and Technical Specifications (TSs) in response to your application dated January 5, 2009. Specifically, the amendments delete: (1) Section 2.F of the FOL for Hope Creek; (2) Section 2.I of the FOL for Salem Unit No. 2; and (3) Technical Specification (TS) 6.9.3 for all three units. A notice of availability for this FOL and TS improvement using the consolidated line item improvement process was published by the Nuclear Regulatory Commission in the *Federal Register* on November 4, 2005 (70 FR 67202).

A copy of our safety evaluation is also enclosed. Notice of Issuance will be included in the Commission's biweekly *Federal Register* notice.

Sincerely,

A handwritten signature in black ink, appearing to read "R B Ennis".

Richard B. Ennis, Senior Project Manager  
Plant Licensing Branch I-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-354, 50-272 and 50-311

Enclosures:

1. Amendment No. 178 to License No. NPF-57
2. Amendment No. 291 to License No. DPR-70
3. Amendment No. 275 to License No. DPR-75
4. Safety Evaluation

cc w/encs: Distribution via ListServ



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

PSEG NUCLEAR LLC

DOCKET NO. 50-354

HOPE CREEK GENERATING STATION

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 178  
License No. NPF-57

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment filed by PSEG Nuclear LLC dated January 5, 2009, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
  - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
  - C. There is reasonable assurance: (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations set forth in 10 CFR Chapter I;
  - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
  - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. NPF-57 is hereby amended to read as follows:

(2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, as revised through Amendment No. 178, and the Environmental Protection Plan contained in Appendix B, are hereby incorporated into the license. PSEG Nuclear LLC shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. In addition, the license is amended by deletion of paragraph 2.F of Facility Operating License No. NPF-57.
4. The license amendment is effective as of its date of issuance and shall be implemented within 60 days.

FOR THE NUCLEAR REGULATORY COMMISSION



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

Attachment: Changes to the License  
and Technical Specifications

Date of Issuance: June 2, 2009

ATTACHMENT TO LICENSE AMENDMENT NO. 178

FACILITY OPERATING LICENSE NO. NPF-57

DOCKET NO. 50-354

Replace the following pages of the Facility Operating License with the revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Remove  
Page 3  
Page 14

Insert  
Page 3  
Page 14

Replace the following page of the Appendix A Technical Specifications with the attached revised page. The revised page is identified by amendment number and contains marginal lines indicating the areas of change.

Remove  
6-21

Insert  
6-21

- (4) PSEG Nuclear LLC, pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess, and use at any time any byproduct, source and special nuclear material as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required;
- (5) PSEG Nuclear LLC, pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess, and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components; and
- (6) PSEG Nuclear LLC, pursuant to the Act and 10 CFR Parts 30, 40 and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the facility.

C. This license shall be deemed to contain and is subject to the conditions specified in the Commission's regulations set forth in 10 CFR Chapter I and is subject to all applicable provisions of the Act and to the rules, regulations and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

(1) Maximum Power Level

PSEG Nuclear LLC is authorized to operate the facility at reactor core power levels not in excess of 3840 megawatts thermal (100 percent rated power) in accordance with the conditions specified herein.

(2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, as revised through Amendment No. 178, and the Environmental Protection Plan contained in Appendix B, are hereby incorporated into the license. PSEG Nuclear LLC shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

(3) Inservice Testing of Pumps and Valves (Section 3.9.6, SSER No. 4)\*

This License Condition was satisfied as documented in the letter from W. R. Butler (NRC) to C. A. McNeill, Jr. (PSE&G) dated December 7, 1987. Accordingly, this condition has been deleted.

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\*The parenthetical notation following the title of many license conditions denotes the section of the Safety Evaluation Report and/or its supplements wherein the license condition is discussed.

F. DELETED

G. The licensees shall have and maintain financial protection of such type and in such amounts as the Commission shall require in accordance with Section 170 of the Atomic Energy Act of 1954, as amended, to cover public liability claims.

H. This license is effective as of the date of issuance and shall expire at midnight on April 11, 2026.

FOR THE NUCLEAR REGULATORY COMMISSION  
- original signed by H.R. Denton -  
Harold R. Denton, Director  
Office of Nuclear Reactor Regulation

Enclosures:

1. Appendix A - Technical Specifications (NUREG-1202)
2. Appendix B - Environmental Protection Plan

Date of Issuance: July 25, 1986

## ADMINISTRATIVE CONTROLS

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### SPECIAL REPORTS

6.9.2 Special reports shall be submitted to the U.S. Nuclear Regulatory Commission, Document Control Desk, Washington, DC 20555, with a copy to the USNRC Administrator, Region 1, within the time period specified for each report.

6.9.3 DELETED

### 6.10 RECORD RETENTION

6.10.1 In addition to the applicable record retention requirements of Title 10, Code of Federal Regulations, the following records shall be retained for at least the minimum period indicated.

### SPECIAL REPORTS

6.10.2 The following records shall be retained for at least 5 years:

- a. Records and logs of unit operation covering time interval at each power level.
- b. Records and logs of principal maintenance activities, inspections, repair, and replacement of principal items of equipment related to nuclear safety.
- c. All REPORTABLE EVENTS submitted to the Commission.
- d. Records of surveillance activities, inspections, and calibrations required by these Technical Specifications.
- e. Records of changes made to the procedures required by Specification 6.8.1.
- f. Records of radioactive shipments.
- g. Records of sealed source and fission detector leak tests and results.
- h. Records of annual physical inventory of all sealed source material of record.



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

PSEG NUCLEAR LLC

EXELON GENERATION COMPANY, LLC

DOCKET NO. 50-272

SALEM NUCLEAR GENERATING STATION, UNIT NO. 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 291  
License No. DPR-70

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment filed by PSEG Nuclear LLC, acting on behalf of itself and Exelon Generation Company, LLC (the licensees) dated January 5, 2009, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in Title 10 of the *Code of Federal Regulations* (10 CFR), Chapter I;
  - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
  - C. There is reasonable assurance: (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations set forth in 10 CFR Chapter I;
  - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
  - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. DPR-70 is hereby amended to read as follows:



(2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 291, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of its date of issuance and shall be implemented within 60 days.

FOR THE NUCLEAR REGULATORY COMMISSION



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

Attachment:  
Changes to the Facility Operating License  
and the Technical Specifications

Date of Issuance: June 2, 2009

ATTACHMENT TO LICENSE AMENDMENT NO. 291

FACILITY OPERATING LICENSE NO. DPR-70

DOCKET NO. 50-272

Replace the following page of Facility Operating License No. DPR-70 with the attached revised page as indicated. The revised page is identified by amendment number and contains marginal lines indicating the areas of change.

Remove  
Page 4

Insert  
Page 4

Replace the following page of the Appendix A, Technical Specifications, with the attached revised page as indicated. The revised page is identified by amendment number and contains marginal lines indicating the areas of change.

Remove  
6-24b

Insert  
6-24b

(1) Maximum Power Level

PSEG Nuclear LLC is authorized to operate the facility at a steady state reactor core power level not in excess of 3459 megawatts (one hundred percent of rated core power).

(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 291, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

(3) Deleted Per Amendment 22, 11-20-79

(4) Less than Four Loop Operation

PSEG Nuclear LLC shall not operate the reactor at power levels above P-7 (as defined in Table 3.3-1 of Specification 3.3.1.1 of Appendix A to this license) with less than four (4) reactor coolant loops in operation until safety analyses for less than four loop operation have been submitted by the licensees and approval for less than four loop operation at power levels above P-7 has been granted by the Commission by Amendment of this license.

(5) PSEG Nuclear LLC shall implement and maintain in effect all provisions of the approved fire protection program as described in the Updated Final Safety Analysis Report, and as approved in the NRC Safety Evaluation Report dated November 20, 1979, and in its supplements, subject to the following provision:

PSEG Nuclear LLC may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

## ADMINISTRATIVE CONTROLS

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- h. The following reporting requirements are applicable only for Refueling Outage 18 and the subsequent operating cycle:  
The number of indications detected in the upper 17 inches of the tubesheet thickness along with their location, measured size, orientation, and whether the indication initiated on the primary or secondary side.
  
- i. The following reporting requirement is applicable only for Refueling Outage 18 and the subsequent operating cycle:  
The operational primary to secondary leakage rate observed in each steam generator during the cycle preceding the inspection and the calculated accident leakage rate for each steam generator from the lowermost 4 inches of tubing (the tubesheet is nominally 21.03 inches thick) for the most limiting accident. If the calculated leak rate is less than 2 times the total observed operational leakage rate, the 180 day report should describe how the calculated leak rate is determined.

### SPECIAL REPORTS

6.9.2 Special reports shall be submitted to the U.S. Nuclear Regulatory Commission, Document Control Desk, Washington, D.C. 20555, with a copy to the Administrator, USNRC Region I within the time period specified for each report.

6.9.3 DELETED

6.9.4 When a report is required by ACTION 8 or 9 of Table 3.3-11 "Accident Monitoring Instrumentation", a report shall be submitted within the following 14 days. The report shall outline the preplanned alternate method of monitoring for inadequate core cooling, the cause of the inoperability, and the plans and schedule for restoring the instrument channels to OPERABLE status.



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

PSEG NUCLEAR LLC

EXELON GENERATION COMPANY, LLC

DOCKET NO. 50-311

SALEM NUCLEAR GENERATING STATION, UNIT NO. 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 275  
License No. DPR-75

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment filed by PSEG Nuclear LLC, acting on behalf of itself and Exelon Generation Company, LLC (the licensees) dated January 5, 2009, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in Title 10 of the *Code of Federal Regulations* (10 CFR), Chapter I;
  - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
  - C. There is reasonable assurance: (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations set forth in 10 CFR Chapter I;
  - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
  - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. DPR-75 is hereby amended to read as follows:

(2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 275, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. In addition, the license is amended by deletion of paragraph 2.1 of Facility Operating License No. DPR-75.
4. This license amendment is effective as of its date of issuance and shall be implemented within 60 days.

FOR THE NUCLEAR REGULATORY COMMISSION



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

Attachment:  
Changes to the Facility Operating License  
and the Technical Specifications

Date of Issuance: June 2, 2009

ATTACHMENT TO LICENSE AMENDMENT NO. 275

FACILITY OPERATING LICENSE NO. DPR-75

DOCKET NO. 50-311

Replace the following pages of Facility Operating License No. DPR-75 with the attached revised pages as indicated. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Remove  
Page 4  
Page 24

Insert  
Page 4  
Page 24

Replace the following page of the Appendix A, Technical Specifications, with the attached revised page as indicated. The revised page is identified by amendment number and contains marginal lines indicating the areas of change.

Remove  
6-24b

Insert  
6-24b

(2) Technical Specifications and Environmental Plan

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 275, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

(3) Special Low Power Test Program

PSE&G shall complete the training portion of the Special Low Power Test Program in accordance with PSE&G's letter dated September 5, 1980 and in accordance with the Commission's Safety Evaluation Report "Special Low Power Test Program", dated August 22, 1980 (See Amendment No. 2 to DPR-75 for the Salem Nuclear Generating Station, Unit No. 2) prior to operating the facility at a power level above five percent.

Within 31 days following completion of the power ascension testing program outlined in Chapter 13 of the Final Safety Analysis Report, PSE&G shall perform a boron mixing and cooldown test using decay heat and Natural Circulation. PSE&G shall submit the test procedure to the NRC for review and approval prior to performance of the test. The results of this test shall be submitted to the NRC prior to starting up following the first refueling outage.

(4) Initial Test Program

PSE&G shall conduct the post-fuel-loading initial test program (set forth in Chapter 13 of the Final Safety Analysis Report, as amended) without making any major modifications of this program unless modifications have been identified and have received prior NRC approval. Major modifications are defined as:

- (a) Elimination of any test identified in Chapter 13 of the Final Safety Analysis Report, as amended, as essential;
- (b) Modification of test objectives, methods or acceptance criteria for any test identified in Chapter 13 of the Final Safety Analysis Report, as amended, as essential;
- (c) Performance of any test at a power level different by more than five percent of rated power from there described; and



- H. If PSEG Nuclear LLC plans to remove or to make significant changes in the normal operation of equipment that controls the amount of radioactivity in effluents from the Salem Nuclear Generation Station, the NRC shall be notified in writing regardless of whether the change affects the amount of radioactivity in effluents.
- I. DELETED
- J. The licensees shall immediately notify the Commission of any accident at this facility which could result in an unplanned release of quantities of fission products in excess of allowable limits for normal operation established by the Commission.
- K. The licensees shall have and maintain financial protection of such type and in such amounts as the Commission shall require in accordance with Section 170 of the Atomic Energy Act of 1954, as amended to cover public liability claims.
- L. The licensee is authorized to defer certain eighteen-month surveillance items from the dates required by Technical Specifications 4.0.2(a) and 4.7.10.2(c). These surveillances shall be completed prior to startup following the first refueling outage. The provisions of Technical Specifications 4.0.2(b) and 4.7.10.2(c) are not changed. The affected items are identified in the Safety Evaluation accompanying Amendment No. 14 issued October 22, 1982 and this license change.
- M. This license is effective as of the date of the issuance and shall expire at midnight April 18, 2020.

## ADMINISTRATIVE CONTROLS

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- e. Number of tubes plugged during the inspection outage for each active degradation mechanism,
- f. Total number and percentage of tubes plugged to date,
- g. The results of condition monitoring, including the results of tube pulls and in-situ testing.
- h. Information regarding the application of W\* inspection methodology (applicable to tubes within the hot-leg region of the tubesheet); including the number of indications, the location of indications (relative to the BWT and TTS), the orientation (axial, circumferential, volumetric), the severity of each indication (e.g., near through-wall or not through wall), the tube side where the indication initiated (inside or outside diameter), the cumulative number of indications detected in the tubesheet region as a function of elevation within the tubesheet, the condition monitoring and operational assessment main steam line leak rate (including aggregate calculated main steam line break leak rate from all other sources), and an assessment of whether the results were consistent with expectations regarding the number of flaws and flaw severity (and if not consistent, a description of the proposed corrective action).

## SPECIAL REPORTS

6.9.2 Special reports shall be submitted to the U.S. Nuclear Regulatory Commission, Document Control Desk, Washington, D.C. 20555, with a copy to the Administrator, USNRC Region I within the time period specified for each report.

6.9.3 DELETED

6.9.4 When a report is required by ACTION 8 OR 9 of Table 3.3-11 "Accident Monitoring Instrumentation", a report shall be submitted within the following 14 days. The report shall outline the preplanned alternate method of monitoring for inadequate core cooling, the cause of the inoperability, and the plans and schedule for restoring the instrument channels to OPERABLE status.



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NOS. 178, 291 AND 275 TO FACILITY OPERATING

LICENSE NOS. NPF-57, DPR-70 AND DPR-75

PSEG NUCLEAR LLC

HOPE CREEK GENERATING STATION

AND SALEM NUCLEAR GENERATING STATION, UNIT NOS. 1 AND 2

DOCKET NOS. 50-354, 50-272 AND 50-311

1.0 INTRODUCTION

By application dated January 5, 2009, (Agencywide Documents Access and Management System (ADAMS) Accession No. ML090130385), PSEG Nuclear LLC (PSEG or the licensee) submitted license amendment requests for the Hope Creek Generating Station (Hope Creek) and Salem Nuclear Generating Station (Salem) Unit Nos. 1 and 2. The proposed amendments would eliminate unnecessary reporting requirements in the Facility Operating Licenses (FOLs) and Technical Specifications (TSs). Specifically, the amendments would delete: (1) Section 2.F of the FOL for Hope Creek; (2) Section 2.I of the FOL for Salem Unit No. 2; and (3) Technical Specification (TS) 6.9.3 for all three units.

The current requirements in Section 2.F of the FOL for Hope Creek are as follows:

Except as otherwise provided in the Technical Specifications or Environmental Protection Plan, PSEG Nuclear LLC shall report any violations of the requirements contained in Section 2.C of this license in the following manner: initial notification shall be made within 24 hours to the NRC Operations Center via the Emergency Notification System with written followup within thirty days in accordance with the procedures described in 10 CFR 50.73(b), (c), and (e).

The current requirements in Section 2.I of the FOL for Salem Unit No. 2 FOL are as follows:

PSEG Nuclear LLC shall report any violations of the requirements contained in Section 2, Items C. (3) through C. (25), E..F.. and G of this license within 24 hours by telephone and confirmed by telegram, mailgram, or facsimile transmission to the Director of the Regional Office, or his designee, no later than the first working day following the violation, with a written-followup report within 14 days.

Enclosure

The requirements currently shown in TS 6.9.3 for all three units requires a report to be submitted to the Nuclear Regulatory Commission (NRC or the Commission) for violations of the fire protection program described in the Final Safety Analysis Report (FSAR) which would have adversely affected the ability to achieve and maintain safe shutdown in the event of a fire. The report is required to be submitted to the NRC via the Licensee Event Report (LER) system within 30 days.

On November 4, 2005, the NRC staff issued a notice in the *Federal Register* (70 FR 67202) announcing that the availability of a model application that licensees may use to request license amendments using the consolidated line item improvement process (CLIIP). The specific CLIIP amendment described in the notice concerns elimination of the license condition involving reporting of violations of other requirements (typically in License Condition 2.C) in the operating license of some commercial nuclear power plants. The notice also announced that the associated model safety evaluation (SE) and model no significant hazards consideration determination published by the NRC in the *Federal Register* on August 25, 2005 (70 FR 51098), may be referenced in plant-specific applications to adopt the changes. In its letter dated January 5, 2009, the licensee stated that the application was being made in accordance with the CLIIP. The SE that follows is based on the model SE with minor changes as necessary to address the specific changes proposed for Hope Creek and Salem Unit Nos. 1 and 2.

## 2.0 REGULATORY EVALUATION

A section or condition was included in the facility operating licenses issued to some nuclear power plants requiring the licensee to make reports to the NRC regarding violations of other sections of the operating license (typically Section 2.C). A typical license condition reads as follows:

Except as otherwise provided in this license and its appendices, the Licensee shall report any violations of the requirements contained in Section 2.C of this license in the following manner: initial notification shall be made within 24 hours to the NRC Operations Center via the Emergency Notification System with written followup within thirty days in accordance with the procedures described in 10 CFR 50.73 (Licensee event report system).

In addition to the information provided to support licensing decisions, the NRC obtains information about plant operation, licensee programs, and other matters using a combination of inspections and reporting requirements. Routine or scheduled reports that are required to be submitted to the NRC are defined in the related regulations, specific license condition, technical specification, or an NRC-approved program document. The reporting of emergencies, unplanned events or conditions, and other special cases may also be addressed within such documents by the inclusion of reporting thresholds and are also the focus of the reporting requirements in Section 50.72 of Title 10 of the *Code of Federal Regulations* (10 CFR), "Immediate notification requirements for operating nuclear power reactors," and 10 CFR 50.73, "Licensee event report system." Changes to the reporting regulations in 10 CFR 50.72 and 50.73 became effective in January 2001 (see *Federal Register* notice issued on October 25, 2000 (65 FR 63769)), and included extending the allowable reporting times for LERs from 30 days to 60 days.

The Administrative Controls section of the TSs for some nuclear power plants include reporting requirements that duplicate the requirements in 10 CFR 50.72 and 10 CFR 50.73, but which do not reflect subsequent changes in those regulations such as requiring LERs within 60 days instead of 30 days.

### 3.0 TECHNICAL EVALUATION

Section 2.F of the FOL for Hope Creek requires the licensee to report any violations of the requirements of Section 2.C of the FOL and defines the method and allowable time periods for such reports. Similarly, Section 2.I of the FOL for Salem Unit No. 2 requires the licensee to report any violations of the requirements of Sections 2.C(3) through 2.C(25), Section 2.E, Section 2.F, and Section 2.G of the FOL and defines the method and allowable time periods for such reports. The reporting threshold (i.e., a violation) for some of the conditions subject to the requirements in Section 2.F of the FOL for Hope Creek and Section 2.I of the FOL for Salem Unit No. 2 duplicate those defined in 10 CFR 50.72 and 10 CFR 50.73. However, the requirements in the FOL may have different deadlines than those defined in the regulations (following a rule change in 2001). This difference in reporting requirements has led to variations in reporting since many FOLs do not contain the subject condition. For those licensees with reporting requirements in the FOL less than 60 days (as is the case for Hope Creek and Salem Unit No. 2), the condition has decreased the benefits of the rulemaking. For those cases where the current FOL requirement to report violations is also reportable in accordance with the regulations defined in 10 CFR 50.72 and 10 CFR 50.73, the NRC staff finds that the regulations adequately address this issue and the elimination of the duplicative requirement in the FOL is acceptable.

Some of the conditions subject to the requirements in Section 2.F of the FOL for Hope Creek and Section 2.I of the FOL for Salem Unit No. 2 may address the maintenance of particular programs, administrative requirements, or other matters where a violation of the requirement would not result in a report to the NRC in accordance with 10 CFR 50.72 or 10 CFR 50.73. In most cases, there are requirements for reports to the NRC related to these conditions in other regulations, the specific license condition or TS, or an NRC-approved program document. In other cases, there are reports to other agencies or news releases that would prompt a report to the NRC (in accordance with 10 CFR 50.72(b)(2)(xi)). The NRC staff also assessed violations of administrative requirements that could be reportable under the current License Condition but that may not have a duplicative requirement in a regulation or other regulatory requirement. The NRC staff finds that the requirement to report such problems within 24 hours with written reports to follow using the LER process is not needed. The NRC staff has reasonable assurance that the information related to such violations that is actually important to the NRC's regulatory functions would come to light in a time frame sufficient to support the staff's regulatory responsibilities. The information would become available to the appropriate NRC staff through the inspection program, updates to program documents, resultant licensing actions, public announcements, or some other reliable mechanism.

The NRC staff finds that the elimination of Section 2.F of the FOL for Hope Creek and Section 2.I of the FOL for Salem Unit No. 2 will not result in a loss of information to the NRC that would adversely affect either its goal to protect public health and safety or its ability to carry out its various other regulatory responsibilities.

The Administrative Controls section of the TSs for Hope Creek, Salem Unit No. 1 and Salem Unit No.2 requires, as specified in TS 6.9.3, that a report be submitted to the NRC for violations of the fire protection program described in the FSAR which would have adversely affected the ability to achieve and maintain safe shutdown in the event of a fire. The report is required to be submitted to the NRC via the LER system within 30 days. In accordance with the requirements in 10 CFR 50.72(b)(3)(v)(A) and 10 CFR 50.73(a)(2)(v)(A), licensees are required to notify the NRC within eight hours (10 CFR 50.72) and submit an LER within 60 days (10 CFR 50.73), of any event or condition that could have prevented the fulfillment of the safety function of structures or systems that are needed to shut down the reactor and maintain it in a safe shutdown condition. The NRC staff finds that the elimination of TS 6.9.3 for all three units is acceptable since the necessary information will be provided to the NRC in accordance with the requirements specified in 10 CFR 50.72 and 10 CFR 50.73.

#### 4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the New Jersey State Official was notified of the proposed issuance of the amendments. The State official had no comments.

#### 5.0 ENVIRONMENTAL CONSIDERATION

The amendments change recordkeeping, reporting, or administrative procedures or requirements. Accordingly, the amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendments.

#### 6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: R. Ennis

Date: June 2, 2009

June 2, 2009

Mr. Thomas Joyce  
President and Chief Nuclear Officer  
PSEG Nuclear  
P.O. Box 236, N09  
Hancocks Bridge, NJ 08038

SUBJECT: HOPE CREEK GENERATING STATION AND SALEM NUCLEAR GENERATING STATION, UNIT NOS. 1 AND 2 - ISSUANCE OF AMENDMENTS  
RE: ELIMINATION OF UNNECESSARY REPORTING REQUIREMENTS (TAC NOS. ME0337, ME0338 AND ME0339)

Dear Mr. Joyce:

The Commission has issued the enclosed Amendment No. 178 to Facility Operating License (FOL) No. NPF-57 for the Hope Creek Generating Station (Hope Creek) and Amendment Nos. 291 and 275 to FOL Nos. DPR-70 and DPR-75 for the Salem Nuclear Generating Station (Salem), Unit Nos. 1 and 2. The amendments eliminate unnecessary reporting requirements in the FOLs and Technical Specifications (TSs) in response to your application dated January 5, 2009. Specifically, the amendments delete: (1) Section 2.F of the FOL for Hope Creek; (2) Section 2.1 of the FOL for Salem Unit No. 2; and (3) Technical Specification (TS) 6.9.3 for all three units. A notice of availability for this FOL and TS improvement using the consolidated line item improvement process was published by the Nuclear Regulatory Commission in the *Federal Register* on November 4, 2005 (70 FR 67202).

A copy of our safety evaluation is also enclosed. Notice of Issuance will be included in the Commission's biweekly *Federal Register* notice.

Sincerely,  
*/ra/*  
Richard B. Ennis, Senior Project Manager  
Plant Licensing Branch I-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-354, 50-272 and 50-311

Enclosures:

1. Amendment No. 178 to License No. NPF-57
2. Amendment No. 291 to License No. DPR-70
3. Amendment No. 275 to License No. DPR-75
4. Safety Evaluation

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