



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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United States Nuclear Regulatory Commission
Document Control Desk
Washington, DC 20555-0001

Gentlemen:

Subject: Hope Creek Generating Station (HCGS), Docket No. 50-354
License Amendment Request (LAR) H08-06

PSEG Nuclear LLC (PSEG) submitted the subject amendment request to the Nuclear Regulatory Commission (NRC) on January 5, 2009. The proposed amendment would delete the Technical Specification (TS) requirements for operational condition change limitations in TS 3.0.4 and 4.0.4, using the NRC's Consolidated Line Item Improvement Process (CLIIP). The proposed changes would allow entry in an operating condition or other specified condition that has a specific required action and completion time after performance of an assessment that focuses on managing plant risk.

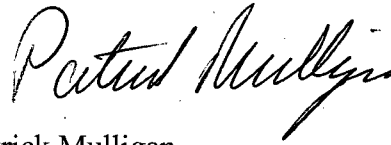
The New Jersey Department of Environmental Protection's Bureau of Nuclear Engineering (NJ BNE) reviewed the request in accordance with the requirements of 10 CFR 50.91(b). We have the following comment.

The proposed changes to the Bases pages (Attachment 4) state on the third page that "The LCO 3.0.4.b risk assessments do not have to be documented." The position of the NJ BNE is that documentation of these risk assessments is necessary in order to provide a method for verifying that these risk assessments address all risk concerns, are performed and reviewed correctly, are approved by the proper level of plant management, and will become a permanent record. Without documentation, any future inquiries as to a specific operational condition change that required a risk assessment would be severely hampered. Therefore, we suggest that the above quoted sentence be deleted from the proposed Bases pages.

If you have any questions, please contact Jerry Humphreys at (609) 984-7469.

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NRR

Sincerely,



Patrick Mulligan
Manager
Bureau of Nuclear Engineering

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- R. Ennis, NRC Hope Creek Project Manager
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