

**Sarah Rich**

**From:** Mary Baty, OGC  
**Sent:** Friday, January 16, 2009 4:04 PM  
**To:** Richard Conte; John Richmond; Darrell Roberts  
**Cc:** Diane Bearde; David Pelton; Karl Farrar; Ronald Bellamy  
**Subject:** RE: Game Plan to Issue OC Report 2008-07

(b)(5)

**From:** Richard Conte  
**Sent:** Friday, January 16, 2009 3:15 PM  
**To:** John Richmond; Darrell Roberts  
**Cc:** Diane Bearde; David Pelton; Mary Baty; Karl Farrar; Ronald Bellamy  
**Subject:** RE: Game Plan to Issue OC Report 2008-07

(b)(5)

**From:** John Richmond  
**Sent:** Friday, January 16, 2009 2:29 PM  
**To:** Richard Conte; Darrell Roberts; Ronald Bellamy  
**Cc:** Diane Bearde; David Pelton; Mary Baty  
**Subject:** Game Plan to Issue OC Report 2008-07

Information in this record was deleted in  
accordance with the Freedom of Information Act.

Exemptions

FOIA/PA

2009-0070

N/145

Based on input from Diane Screnci, we should NOT sign the report out on Tuesday [Wash. D.C. Holiday] because we can't notify congressional affairs.

**Weekend >>** Darrell reviews report --> comments to Richmond  
Darrell concurs that Exit Notes will be PUBLIC [in ADAMS]  
Richmond resolves comments and finalizes report  
R. Conte & D. Roberts decide [based on comments] whether another round of reviews is needed!!

**Tues >>** Diane Bearde produces a paper concurrence copy  
All documents in ADAMS as "draft" or non-public  
John + Rich + Ron + Darrell initial the concurrence page  
Darrell sign cover letter

**Wed a.m. >>** Diane Bearde dates cover letter  
Diane Bearde finalizes ADAMS document status and issues report [electronic distribution + ADAMS]  
Execute Comm Plan and notify everyone

John Richmond

(b)(6)

I do have a fax at home, to receive hand written comments. Call first, I'll turn it on.

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**From:** John Richmond  
**Sent:** Friday, January 16, 2009 1:31 PM  
**To:** Diane Bearde  
**Cc:** Richard Conte; Darrell Roberts  
**Subject:** RE: REVISED OC Report 2008-07 (rev-12)

Diane - current plan is for me to work on comment resolution over the weekend, and produce a "final" report for you to pick up first thing Tuesday morning!

No weekend work, by you, is needed. Your flexibility and willingness has been, and continues to be, greatly appreciated.

Enjoy the weekend.  
John

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**From:** Diane Bearde  
**Sent:** Friday, January 16, 2009 12:10 PM  
**To:** John Richmond  
**Cc:** Richard Conte  
**Subject:** RE: REVISED OC Report 2008-07 (rev-12)  
**Importance:** High

John,

I am leaving in 30 seconds. Use version 12\_a in the g: drive. The page numbering is NOT done.

Everything else should be good.

As I mentioned before (and Rich knows this) - call me if you need anything. I'm sorry, I ran out of available time today. My cell phone number is [ (b)(6) ]

Thanks, stay in touch. I'll feel like the "Aunt" to this "baby".

Diane

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**From:** John Richmond

**Sent:** Friday, January 16, 2009 11:06 AM

**To:** David Pelton; Richard Conte; Diane Bearde; Darrell Roberts; Ronald Bellamy; Mary Baty; Karl Farrar; Neil Sheehan; Diane Screnci; Nancy McNamara

**Cc:** Doug Tifft; Michael Modes; Richard Barkley; Lisa Regner; Timothy OHara; Glenn Meyer; Marsha Gamberoni; Joseph Schoppy

**Subject:** REVISED OC Report 2008-07 (rev-12)

[resent because I forgot to attach Rev-12 Oops!]

REVISED Rev-12 is attached, with R. Conte comments incorporated  
I've highlighted the salient changes below [balance of comments didn't affect intent or any sensitive wording]

IF you already reviewed Rev-11, THEN please review these highlighted changes, and RESPOND back to me with any comments.

IF you have not yet reviewed last night's version (Rev-11), THEN please review the attached Rev-12, and RESPOND back to me with any comments.

Thanks for your help in this Time-Sensitive matter.  
John R.

### COVER LETTER

Dear Mr. Pardee

On December 23, 2008, the U. S. Nuclear Regulatory Commission (NRC) completed an inspection at your Oyster Creek Generating Station. The enclosed report documents the inspection results, which were discussed on December 23, 2008, with Mr. T. Rausch, Site Vice President, Mr. M. Gallagher, Vice President License Renewal, and other members of your staff.

First, the inspection examined activities conducted under your current license as they relate to safety and compliance with the Commission's rules and regulations. This portion of the inspection focused on the inservice inspection of the drywell containment. Based on the results of the NRC's inspection, the NRC determined there were no safety significant conditions affecting current operations. The inspectors reviewed selected procedures and records, observed activities, and interviewed personnel.

Second, this inspection was also conducted using the guidance of Inspection Procedure (IP) 71003 "Post-Approval Site Inspection for License Renewal" as a prudent measure to observe Oyster Creek license renewal activities during the last planned refueling outage prior to entering the period of extended operation. The license renewal application had a hearing associated with it and the matter is before the Commission in appeal. Because a renewed license has not been issued, the proposed license conditions and associated regulatory commitments, made as a part of the license renewal application, are not in effect. Accordingly, the enclosed report records the inspector's observations only.

### PURPOSE OF INSPECTION

An appeal of a licensing board decision about the Oyster Creek (OC) application for a renewed license is pending before the Commission. The NRC conducted this inspection, in part, using the guidance of Inspection Procedure (IP) 71003 "Post-Approval Site Inspection for License Renewal." This inspection was considered a prudent measure in order to make observations of Oyster Creek license renewal activities during the last refueling outage prior to entering the period of extended operation.

Inspection observations were made of license renewal commitments and license conditions selected from NUREG-1875, "Safety Evaluation Report (SER) Related to the License Renewal of Oyster Creek Generating Station" (ML071290023 & ML071310246). The inspection included observations of a number of license renewal commitments which were enhancements to existing programs implemented under the current license. Performance of existing programs, absent of any associated license renewal enhancement, was evaluated using current licensing basis (CLB) criteria, based on ASME inservice inspection requirements.

For license renewal activities, within the context of 10 CFR 54, the report only documents the inspector observations, because the proposed license conditions and associated regulatory commitments are not in effect. These conditions and commitments are not in effect because the application for a renewed license remains under Commission review for final decision, and a renewed license has not been approved for Oyster Creek.

### ISSUES FOR FOLLOW-UP

As noted in the detailed observations of Sections 3.1, 3.2, 3.3, and 3.4 below, a number of CLB issues were observed for which Exelon has placed them into their corrective action program. The 10 CFR 50 CLB bases for any potential performance deficiencies was unclear to the inspectors, since the focus of the inspection preparation was on 10 CFR 54 activities and correspondence. The drywell corrosion issue dates back to the late 1980's and early 1990's. Because more information is required in order to determine whether the current issues are acceptable or are CLB performance deficiencies, an Unresolved Item (URI) is being opened for follow-up during the next inspection in this area (March 2009).

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**From:** John Richmond

**Sent:** Friday, January 16, 2009 9:37 AM

**To:** David Pelton; Richard Conte; Diane Bearde; Darrell Roberts; Ronald Bellamy; Mary Baty; Karl Farrar; Neil Sheehan; Diane Screnci; Nancy McNamara

**Cc:** Doug Tift; Michael Modes; Richard Barkley; Lisa Regner; Timothy OHara; Glenn Meyer; Marsha Gamberoni

**Subject:** RE: Resend OC Report 2008-07 (rev-11)

(b)(5)

(b)(5)

**From:** David Pelton

**Sent:** Friday, January 16, 2009 9:14 AM

**To:** John Richmond; Richard Conte; Diane Bearde; Darrell Roberts; Ronald Bellamy; Mary Baty; Karl Farrar; Neil Sheehan; Diane Screnci; Nancy McNamara

**Cc:** Doug Tifft; Michael Modes; Richard Barkley; Lisa Regner; Timothy OHara; Glenn Meyer; Marsha Gamberoni

**Subject:** RE: Resend OC Report 2008-07 (rev-11)

John,

Nice job.

(b)(5)

***"Thanks to you and all in Region I for your hard work on this report!"***

David Pelton

NRC/NRR/DLR

Chief, Projects Branch I

(301) 415-2307

**From:** John Richmond

**Sent:** Thursday, January 15, 2009 8:25 PM

**To:** Richard Conte; Diane Bearde; Darrell Roberts; Ronald Bellamy; David Pelton; Mary Baty; Karl Farrar; Neil Sheehan; Diane Screnci; Nancy McNamara

**Cc:** Doug Tifft; Michael Modes; Richard Barkley; Lisa Regner; Timothy OHara; Glenn Meyer; Marsha Gamberoni

**Subject:** Resend OC Report 2008-07 (rev-11)

**Importance:** High

RESENT this e-mail because I was getting Network Error messages the first time!

Time for the final review!

This electronic version (rev-11) will become the "concurrence copy" Friday morning (Jan 16)

Please review and provide comments to directly to me ASAP.

Your help in this matter is greatly appreciated.

Thanks

John R.

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**From:** Doug Tift

**Sent:** Thursday, January 15, 2009 7:01 PM

**To:** Doug Tift; Richard Conte; John Richmond; Diane Bearde; Darrell Roberts; Michael Modes; Richard Barkley; Ronald Bellamy; David Pelton; Mary Baty; Karl Farrar; Neil Sheehan; Diane Screnci

**Subject:** Project Plan Update

All,

Attached is the current version of the OC LR inspection report project plan. We are currently on track to issue the report on time, and possibly a little early. The final draft version will be sent out shortly. We are looking to receive comments from OGC and DLR by noon on Friday if possible.

Thanks,

-Doug

Received: from OWMS01.nrc.gov (148.184.100.43) by R1MS01.nrc.gov  
(148.184.99.10) with Microsoft SMTP Server (TLS) id 8.1.291.1; Fri, 16 Jan  
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From: Mary Baty <Mary.Baty@nrc.gov>  
To: Richard Conte <Richard.Conte@nrc.gov>, John Richmond  
<John.Richmond@nrc.gov>, Darrell Roberts <Darrell.Roberts@nrc.gov>  
CC: Diane Bearde <Diane.Bearde@nrc.gov>, David Pelton <David.Pelton@nrc.gov>,  
Karl Farrar <Karl.Farrar@nrc.gov>, Ronald Bellamy <Ronald.Bellamy@nrc.gov>  
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