



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I**
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KING OF PRUSSIA, PA 19406-1415

October 28, 2009

Mr. Charles G. Pardee
Senior Vice President, Exelon Generation Company, LLC
President and Chief Nuclear Officer, Exelon Nuclear
4300 Winfield Rd.
Warrenville, IL 60555

**SUBJECT: ASSESSMENT FOLLOW-UP LETTER - OYSTER CREEK NUCLEAR
GENERATING STATION**

Dear Mr. Pardee:

On October 26, 2009, the NRC staff completed, as part of our quarterly review, an update of our assessment of Oyster Creek Nuclear Generating Station (Oyster Creek). The assessment evaluated performance indicators (PIs) and inspection results. The purpose of this letter is to inform you of your safety performance during this period and our plans for a future inspection at your facility. This letter supplements, but does not supersede, our mid-cycle assessment letter issued on September 1, 2009 (ML092440157).

Our review of Oyster Creek performance identified that you crossed the threshold from Green to White for the "Unplanned Scrams per 7000 Critical Hours" performance indicator. This threshold was crossed due to the most recent unplanned automatic reactor scram that occurred on July 12, 2009.

As a result, we have assessed Oyster Creek performance to be in the Regulatory Response Column of the NRC's Action Matrix. This indicates that all cornerstone objectives are met with minimal reduction in safety margin. Consistent with the graded approach in the NRC's Reactor Oversight Process, this change in performance from the Licensee Response column to the Regulatory Response column results in a corresponding increase in the NRC's inspection and assessment oversight at Oyster Creek. Therefore, we plan to schedule and perform a supplemental inspection using Inspection Procedure 95001, "Inspection for One or Two White Inputs in a Strategic Performance Area," when your staff has notified us of your readiness for this inspection. This inspection procedure is conducted to provide assurance that the root causes and contributing causes of risk significant performance issues are understood, the extent of condition is identified, and the corrective actions are sufficient to prevent recurrence.

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Please contact Dr. Ronald Bellamy at 610-337-5200 with any questions you may have regarding this letter.

Sincerely,

/RA/

James W. Clifford, Acting Director
Division of Reactor Projects
Region I

Docket Nos.: 50-219
License Nos: DPR-16

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James W. Clifford, Acting Director
Division of Reactor Projects

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ML093020034

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