



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

March 29, 2010

Mr. Charles G. Pardee
President and Chief Nuclear Officer
Exelon Generation Company, LLC
200 Exelon Way
Kennett Square, PA 19348

SUBJECT: OYSTER CREEK NUCLEAR GENERATING STATION – LICENSE
AMENDMENT REQUEST REGARDING RELOCATION OF SELECTED
TECHNICAL SPECIFICATION SURVEILLANCE FREQUENCIES TO A
LICENSEE CONTROLLED DOCUMENT (TAC NO. ME2494)

Dear Mr. Pardee:

By letter dated October 30, 2009 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML093060126), Exelon Generation Company (Exelon) requested an amendment to the technical specifications for the Oyster Creek Nuclear Generating Station. The proposed change would relocate selected Surveillance Requirement frequencies to a licensee-controlled document. The Nuclear Regulatory Commission (NRC) staff has reviewed the request and has identified that additional information is necessary to complete its review. The NRC staff requests that you address the questions in the enclosed request for additional information.

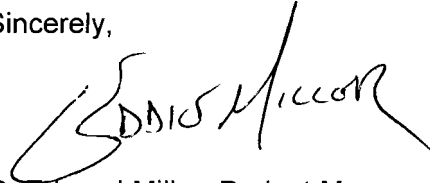
The draft questions were sent via facsimile on March 3, 2010 (ADAMS Accession No. ML100610012), to Mr. Glenn Stewart of your staff, to ensure that the questions were understandable, the regulatory basis for the questions was clear, and to determine if the information was previously docketed. During this discussion, it was identified that responses to draft questions 2 and 3 were not necessary; therefore, these questions have been removed from the enclosure. On March 19, 2009, Mr. Stewart indicated that Exelon would be able to respond by April 19, 2010. Please note that if you do not respond to this letter by the agreed-upon date or provide an acceptable alternate date in writing, we may reject your request for exemption under the provisions of 10 CFR 2.108.

C. Pardee

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If you have any questions please do not hesitate to contact me at (301) 415-2481.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Edward Miller". The signature is fluid and cursive, with a large initial "G" and "M".

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

Docket No. 50-219

Enclosure: Request for Additional
Information

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REQUEST FOR ADDITIONAL INFORMATION
OYSTER CREEK NUCLEAR GENERATING STATION
LICENSE AMENDMENT REQUEST
RELOCATION OF SURVEILLANCE REQUIREMENT FREQUENCIES
DOCKET NO. 50-219

By letter dated October 30, 2009 (Agencywide Document Access and Management System Accession No. ML093060126), Exelon Generation Company (Exelon or the licensee) requested an amendment to the technical specifications (TSs) for the Oyster Creek Nuclear Generating Station (Oyster Creek). Specifically, the requested amendment would relocate selected Surveillance Requirement frequencies to a licensee-controlled document. To complete its review, the Nuclear Regulatory Commission (NRC) staff requests responses to the following request for additional information.

1. The license amendment request (LAR) proposes to modify Surveillance Requirement (SR) 4.2.C.3 including the removal of the phrase "...for at least 20 control rods..." The modification or deletion of the number of control rods to be tested during performance of the SR was not considered as a part of the model TS change or in the model Safety Evaluation. Provide a justification for why allowing relocation, to the Surveillance Frequency Control Program (SFCP), of the number of control rods to be tested is acceptable. Alternatively, the proposed TS pages may be revised to retain the subject phrase.
2. Attachment 2 of the LAR, Table 2-1, Gap #1 justifies mission times exceeding 24 hours for loss of decay heat removal sequences as "current approach is judged to be reasonable for long term scenarios..." Given that, for assessing potential risk impact, assuming longer mission times generally increase conservatism by increasing the assumed failure probability of components, provide additional justification as to why this is an acceptable conclusion.
3. Attachment 2 of the LAR, Table 2-1, Gap #3 and Gap #4 justify the current component failure modes only by stating it is "...judged to include proper treatment..." Provide additional justification to support this conclusion.
4. Attachment 2 of the LAR, Table 2-1, Gap #8 identifies failure to consider the quality of the plant procedures, administrative controls, and human-machine interface for both pre- and post-initiator human actions. The current status discusses a "potential upgrade" for pre-initiator actions. There is no status provided for post-initiator actions, although this gap is identified as "OPEN," and not partially resolved. Provide the specific status of this item for both pre- and post-initiator human actions. Provide an assessment of the significance of the deficiency for this application.
5. Attachment 2 of the LAR, Table 2-1, Gap #9, Gap #10, Gap #11, and Gap #12 justify that estimating relevant plant data (i.e., demands and standby time) rather than

Enclosure

determining them from actual plant data is sufficient. Estimating data is consistent with Capability Category I only. Justify why estimating this data is an acceptable approach to resolving the gaps.

6. Attachment 2 of the LAR, Table 2-1, Gap #10 states that the system engineer estimate of demand data is adequate for the probabilistic risk assessment, however, Gap #13 states that system engineer experience level is inadequate to obtain insights on maintenance unavailability. Describe how, as described in the LAR, system engineer experience is adequate to resolve Gap #10 but not Gap #13. Alternately, provide another justification for the resolution of Gap #10 that does not utilize system engineer experience.
7. Attachment 2 of the LAR, Table 2-1, Gap #14 identifies a deficiency in the flood area definitions which, if corrected, might introduce new flood initiators, but further states that significant flood scenarios and propagation paths are already appropriately modeled. Provide the basis for this conclusion regarding significant flood scenarios. Further describe any conclusions regarding the impact of this deficiency documented by the August 2008 focused scope peer review for internal flooding.

C. Pardee

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If you have any questions please do not hesitate to contact me at (301) 415-2481.

Sincerely,

/ra/

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

Docket No. 50-219

Enclosure: Request for Additional
Information

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ADAMS Accession No.: ML100820158 *Concurrence via memorandum

OFFICE	LPL1-2/PM	LPL1-2/LA	APLA/BC	LPL1-2/BC
NAME	GEMiller	ABaxter	DHarrison*	HChernoff
DATE	3/29/10	3/29/10	2/16/10	3/29/10

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