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10 CFR 50.90

RA-10-078

October 18, 2010

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D.C. 20555-0001

Oyster Creek Nuclear Generating Station
Renewed Facility Operating License No. DPR-16
NRC Docket No. 50-219

Subject: Response to Draft Request for Additional Information
License Amendment Request Regarding Elimination of Daily Testing of an Operable Emergency Diesel Generator (EDG) when the other EDG is Declared Inoperable

References:

1) Letter from P. B. Cowan, Exelon Generation Company, LLC, to U.S. Nuclear Regulatory Commission, "Technical Specification Change Request no. 356, Elimination of Daily testing of an Operable Emergency Diesel generator (EDG) when the other EDG is Declared Inoperable," dated June 25, 2010.

2) Electronic transmission from G. Edward Miller, U.S. Nuclear Regulatory Commission, to Frank Mascitelli, Exelon Generation Company, LLC, "Oyster Creek Nuclear Generating Station - Electronic Transmission, Draft Request for Additional Information Regarding License Amendment Request to Modify Required Actions for Inoperability of an Emergency Diesel Generator (TAC No. ME4141)," dated September 10, 2010.

In Reference 1, Exelon Generation Company, LLC (Exelon) submitted a request for an amendment to the Technical Specifications (TS), Appendix A of Renewed Facility Operating License No. DPR-16 for Oyster Creek Nuclear Generating Station (OCNGS). The proposed amendment would modify OCNGS TS by eliminating the daily surveillance requirement to test the operable EDG when the other EDG is declared inoperable. The NRC reviewed the license amendment request and identified the need for additional information in order to complete their evaluation of the amendment request. A draft request for additional information (RAI) was electronically transmitted to Exelon on September 10, 2010 (Reference 2). Attachment 1 to this letter provides a restatement of the RAI along with Exelon's response. Attachment 2 provides the revised proposed TS markup in response to the RAI.

It should be noted that the revised proposed TS page provided in Attachment 2 to this letter is specific to the issues identified in this RAI response, and supersedes the corresponding TS page provided in the original submittal (Reference 1). As a result, the page provided is a subset of the total TS/Bases pages provided in the original submittal and is not meant to be a complete replacement set of proposed TS/Bases pages. Therefore, the TS/Bases pages provided in the Reference 1 submittal that are not included in Attachment 2 to this letter are still valid and remain part of the requested license amendment.

Exelon has concluded that the information provided in this response does not impact the conclusions of the: 1) Technical Evaluation, 2) No Significant Hazards Consideration under the standards set forth in 10 CFR 50.92(c), or 3) Environmental Consideration as provided in the original submittal (Reference 1).

This response to the request for additional information contains no regulatory commitments.

If you have any questions or require additional information, please contact Frank Mascitelli at (610) 765-5512.

I declare under penalty of perjury that the foregoing is true and correct. Executed on the 18th day of October 2010.

Respectfully,

Pamela B. Cowan
Director, Licensing and Regulatory Affairs
Exelon Generation Company, LLC

Attachments: 1) Response to Draft Request for Additional Information
2) Revised Proposed Technical Specifications Markup Page

cc: Regional Administrator - NRC Region I w/attachments
NRC Senior Resident Inspector - OCNGS "
NRC Project Manager, NRR - OCNGS "
Director, Bureau of Nuclear Engineering, New Jersey Department of Environmental Protection "
Mayor of Lacey Township, Forked River, New Jersey "

ATTACHMENT 1

License Amendment Request

Oyster Creek Nuclear Generating Station
Docket No. 50-219

License Amendment Request Regarding
Elimination of Daily Testing of an Operable Emergency Diesel Generator (EDG) when the other EDG is Declared Inoperable.

Response to Draft Request for Additional Information

In Reference 1, Exelon Generation Company, LLC (Exelon) submitted a request for an amendment to the Technical Specifications (TS), Appendix A of Renewed Facility Operating License No. DPR-16 for Oyster Creek Nuclear Generating Station (OCNGS). The proposed amendment would modify OCNGS TS by eliminating the daily surveillance requirement to test the operable EDG when the other EDG is declared inoperable. The NRC reviewed the license amendment request and identified the need for additional information in order to complete their evaluation of the amendment request. A draft request for additional information (RAI) was electronically transmitted to Exelon on September 10, 2010 (Reference 2). The questions are restated below along with Exelon's response.

RAI Question 1

The Oyster Creek TS Section 1.1, "Definitions" defines OPERABLE as follows, "A system, subsystem, train, component, or device shall be OPERABLE or have OPERABILITY when it is capable of performing its specified function(s). Implicit in this definition shall be the assumption that all necessary attendant instrumentation, controls, normal and emergency electrical power sources, cooling of seal water, lubrication or other auxiliary equipment that are required for the system, subsystem, train, component or device to perform its function(s) are also capable of performing their related support function(s)." Explain how it can be ensured that the inoperability of an EDG caused by an independently testable component does not affect the OPERABILITY of the opposite EDG if proposed TS 3.7.C.2.d.1 or TS 3.7.C.2.d.2 are not performed within 24 hours.

Response

In consideration of discussions held during the NRC/Exelon teleconference on September 16, 2010 regarding the use of the phrase "independently testable component," Exelon has decided to reword the action statement to be more consistent with the wording for the corresponding action statement in improved standard technical specification, NUREG 1433, LCO 3.8.1.B.3.1. LCO 3.8.1.B.3.1 does not contain the exception conditions of independently testable component, preplanned maintenance, or testing. The new proposed wording for OCNGS TS 3.7.C.2.d. is: "Verify the OPERABILITY of the remaining operable diesel generator within 24 hours by:" This rewording ensures that that there is no confusion over what constitutes an isolatable component and ensures OPERABILITY of the remaining EDG is verified for all potential common mode failures.

RAI Question 2

Identify all components of the EDG that are considered independently testable, which would be exceptions to the requirements of proposed TS 3.7.C.2.d.1 and TS 3.7.C.2.d.2.

Response

Since the revised proposed wording for TS 3.7.C.2.d (Attachment 2) no longer contains the phrase, "independently testable component," this question is no longer applicable.

RAI Question 3

The LAR states that "If a common cause failure is suspected, then the EDG will be verified to be operable by testing within 24 hours to confirm that a common cause failure does not exist." Describe the process or procedure differences, if any, between how a "suspected" common cause failure and the proposed TS 3.7.C.2.d.1, "Determining the remaining OPERABLE diesel generator is not inoperable due to common cause failure," are obtained.

Response

There is no procedural difference between how a "suspected common cause failure" and "Determining the remaining OPERABLE diesel generator is not inoperable due to a common cause failure," are obtained. The normal process for problem identification and resolution is described in procedure LS-AA-120, "Issue Identification and Screening Process." EDG equipment failures are identified, immediate action and organizational communications are made and the issue is documented in a condition report. Operations Shift Management performs an initial review for technical specification compliance, operability determination and reportability. If the failed equipment causes the EDG to become inoperable, TS 3.7.C.2 would be entered at which time a common cause evaluation would be initiated to ensure the remaining operable EDG is not inoperable due to a common cause failure with an action completion time of 24 hours.

References:

1. Letter from P. B. Cowan, Exelon Generation Company, LLC, to U.S. Nuclear Regulatory Commission, "Technical Specification Change Request no. 356, Elimination of Daily testing of an Operable Emergency Diesel generator (EDG) when the other EDG is Declared Inoperable," dated June 25, 2010.

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ATTACHMENT 2

License Amendment Request

Oyster Creek Nuclear Generating Station
Docket No. 50-219

Draft Request for Additional Information
License Amendment Request Regarding License Amendment Request Regarding Elimination of Daily Testing of an Operable Emergency Diesel Generator (EDG) when the other EDG is Declared Inoperable.

Revised Proposed Technical Specifications Markup Page

Page 3.7-2

4. Station batteries B and C and an associated battery charger are OPERABLE. Switchgear control power for 4160 volt bus 1D and 460 volt buses 1B2 and 1B3 is provided by 125 VDC Distribution Center DC-B. Switchgear control power for 4160 volt bus 1C and 460 volt buses 1A2 and 1A3 is provided by 125 VDC Distribution Center DC-C.

5. Bus tie breakers ED and EC are in the open position.

B. The reactor shall be PLACED IN the COLD SHUTDOWN CONDITION if the availability of power falls below that required by Specification A above, except that

1. The reactor may remain in operation for a period not to exceed 7 days if a startup transformer is out of service. None of the engineered safety feature equipment fed by the remaining transformer may be out of service.

2. The reactor may remain in operation for a period not to exceed 7 days if 125 VDC Motor Control Center DC-2 is out of service, provided the requirements of Specification 3.8 are met.

3. The reactor may remain in operation provided the requirements of Specification 3.7.D are met.

C. Standby Diesel Generators

1. The reactor shall not be made critical unless both diesel generators are operable and capable of feeding their designated 4160 volt buses.

2. If one diesel generator becomes inoperable during power operation, repairs shall be initiated immediately and the other diesel shall be operated at least one hour every 24 hours at greater than 80% rated load until repairs are completed. The reactor may remain in operation for a period not to exceed 7 days if a diesel generator is out of service. During the repair period none of the engineered safety features normally fed by the operational diesel generator may be out of service or the reactor shall be placed in the cold shutdown condition. If a diesel is made inoperable for biennial inspection, the testing and engineered safety feature requirements described above must be met.

INSERT A

3. If both diesel generators become inoperable during power operation, the reactor shall be placed in the cold shutdown condition.

4. For the diesel generators to be considered operable:

A) There shall be a minimum of 14,000 gallons of diesel fuel in the standby diesel generator fuel tank,

OR

B) To facilitate inspection, repair, or replacement of equipment which would require full or partial draining of the standby diesel generator fuel tank, the following conditions must be met:

1) There shall be a minimum of 14,000 gallons of fuel oil contained in temporary tanker trucks, connected and aligned to the diesel generator fill station.

Insert A:

If one diesel generator becomes inoperable during power operation:

a. Repairs shall be initiated immediately.

b. The reactor may remain in operation for a period not to exceed 7 days.

c. During the diesel generator out-of-service period none of the engineered safety features normally fed by the operational diesel generator may be out of service or the reactor shall be placed in the cold shutdown condition.

d. Verify the OPERABILITY of the remaining operable diesel generator within 24 hours by:

1. Determining the remaining OPERABLE diesel generator is not inoperable due to common cause failure,

OR

2. Operating the remaining OPERABLE diesel generator at least one hour at greater than 80% rated load.