

RA-10-091

December 1, 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.
3. Letter from P. B. Cowan, Exelon Generation Company, LLC, to U.S. Nuclear Regulatory Commission, "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," dated October 18, 2010.
4. 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 November 5, 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). Exelon responded to this request on October 18, 2010 (Reference 3). On November 5, 2010, NRC identified the need for additional information that was not related to the previous RAI (Reference 4). Attachment 1 to this letter provides a restatement of the RAI along with Exelon's response.

It should be noted that the revised No Significant Hazards Consideration (NSHC) paragraph provided in Attachment 1 to this letter is specific to the issues identified in this RAI response, and supersedes the corresponding NSHC paragraph provided in the original submittal (Reference 1). As a result, the revised NSHC paragraph provided is a subset of the total NSHC evaluation provided in the original submittal. Therefore, the NSHC paragraphs provided in the Reference 1 submittal that are not included in Attachment 1 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 1st day of December 2010.

Respectfully,



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

Attachment 1: Response to Draft Request for Additional Information

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.
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cc:	Regional Administrator - USNRC Region I	w/attachments
	USNRC Senior Resident Inspector - OCNGS	"
	USNRC 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

**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.**

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). Exelon responded to this request on October 18, 2010 (Reference 3). Subsequently, on November 5, 2010, the NRC identified the need for additional information that was not related to the previous RAI (Reference 4).

The question is restated below along with Exelon's response.

RAI Question 1

The second paragraph of the No Significant Hazards Consideration response to question one states, in part, "Additionally, the proposed changes do not involve any physical changes to plant systems, structures, or components (SSC), or the manner in which these SSC are operated, maintained, or controlled. Since the proposed change would affect the actions taken in response to an inoperable EDG, please provide additional justification for this statement or modify it accordingly.

RESPONSE

Exelon agrees that the proposed change would affect actions taken in response to an inoperable EDG, but does not normally consider surveillance testing frequency changes included within the generalized usage of the term "operated." The frequency of performing surveillance testing to validate operability of the remaining operable EDG is proposed to be changed from once per 24 hours per day of inoperability to once per period of inoperability if it cannot be determined within 24 hours that there is no common cause failure, or to no surveillance testing if it can be determined within 24 hours that there is no common cause failure. The frequency change in surveillance testing does not involve a significant increase in the probability or consequences of an accident previously evaluated.

Accordingly, the second paragraph of the No Significant Hazards Consideration question one response has been revised, with the complete response to this question revised to read as follows:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed changes are associated with the testing requirements of the two Emergency Diesel Generators (EDGs). The changes will eliminate unnecessary EDG testing requirements that contribute to potential mechanical degradation of the EDGs. The changes are based on the NRC guidance and recommendations provided in Generic Letter (GL) 93-05, "Line-Item Technical Specifications Improvement to Reduce Surveillance Requirements for Testing During Power Operation," and GL 94-01, "Removal of Accelerated Testing and Special Reporting Requirements for Emergency Diesel Generators," and are consistent with NUREG-1433, "Standard Technical Specifications, General Electric Plants, BWR/4." These proposed changes implement a recommendation promulgated in NUREG-1366, "Improvements To Technical Specifications Surveillance Requirements" to curtail daily testing of remaining operable diesel generator when one of the required diesel generators is inoperable except for when a valid concern (e.g., potential for common cause failure) is posed.

The probability of an accident is not increased by these changes because the EDGs are not initiators of any design basis event. Additionally, the proposed changes do not involve any physical changes to plant systems, structures, or components (SSC), or the manner in which these SSC are maintained or controlled. The surveillance testing required for the limiting condition for operation for one EDG inoperable will be eliminated for the operable EDG when the inoperability is not due to a common cause failure. The EDG reliability will thereby be potentially increased by reducing the stresses on the EDG caused by unnecessary testing while maintaining the requirement to perform a single test if a common cause failure potentially exists. The consequences of an accident will not be increased because the proposed changes to the EDG surveillance requirements will continue to provide a high degree of assurance that their operability is maintained.

Therefore, the proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

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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