



RS-15-135
RA-15-036

Order EA-13-109

May 21, 2015

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

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

Subject: Notification Pursuant to Condition C.3 of the June 6, 2013 Commission Order Modifying License with Regard to Reliable Hardened Containment Vents Capable of Operation Under Severe Accident Conditions (Order Number EA-13-109)

- References:
1. NRC Order Number EA-13-109, Order Modifying Licenses with Regard to Reliable Hardened Containment Vents Capable of Operation Under Severe Accident Conditions, dated June 6, 2013
 2. NRC Order Number EA-12-050, Order Modifying Licenses with Regard to Reliable Hardened Containment Vents, dated March 12, 2012
 3. Letter from Exelon Generation Company, LLC, Answer to Order EA-13-109 Modifying Licenses with regard to Reliable Hardened Containment Vents Capable of Operation Under Severe Accident Conditions, dated June 26, 2013
 4. Interim Staff Guidance, JLD-ISG-2015-01, Compliance with Phase 2 of Order EA-13-109, Order Modifying Licenses with Regard to Reliable Hardened Containment Vents Capable of Operation under Severe Accident Conditions, dated May 7, 2015 (FRN/Vol. 80, No. 88)
 5. Letter from Exelon Generation Company, LLC, Permanent Cessation of Operations at Oyster Creek Nuclear Generating Station, dated January 7, 2011
 6. NRC Order Number EA-12-049, Order Modifying Licenses with Regard to Requirements for Mitigation Strategies for Beyond-Design-Basis External Events, dated March 12, 2012
 7. Letter from Exelon Generation Company, LLC, Request for Extension to Comply with NRC Order EA-13-109, "Order Modifying Licenses With Regard to Reliable Hardened Containment Vents Capable of Operation Under Severe Accident Conditions," dated June 2, 2014 (RS-14-081)

8. Letter from Exelon Generation Company, LLC, Response to Request for Additional Information Regarding Request for Extension to Comply with NRC Order EA-13-109, "Order Modifying Licenses With Regard to Reliable Hardened Containment Vents Capable of Operation Under Severe Accident Conditions," dated September 26, 2014 (RS-14-243)
9. Letter from Exelon Generation Company, LLC, Supplemental Response to Request for Additional Information Regarding Request for Extension to Comply with NRC Order EA-13-109, "Order Modifying Licenses With Regard to Reliable Hardened Containment Vents Capable of Operation Under Severe Accident Conditions," dated November 25, 2014 (RS-14-318)

On June 6, 2013, the Nuclear Regulatory Commission (NRC) issued Order EA-13-109 (Reference 1) to all licensees that operate boiling-water reactors with Mark I and Mark II containment designs. The Order was effective immediately. It rescinds Order EA-12-050 issued by the NRC on March 12, 2012 (Reference 2). Order EA-13-109 is applicable to Oyster Creek Nuclear Generating Station (Oyster Creek). Reference 3 provided the Exelon Generation Company, LLC (EGC) answer to Order EA-13-109.

On May 7, 2015, the NRC issued Interim Staff Guidance, JLD-ISG-2015-01 (Reference 4). This letter provides EGC's 20-day notification for Oyster Creek pursuant to Condition C.3 of the EA-13-109 for implementation of Phase 2.

Condition C.3 of Order EA-13-109

Condition C.3 of Order EA-13-109 requires all Licensees to notify the Commission within 20 days of the issuance date of the final ISG for Phase 2:

- (1) If they are unable to comply with any of the Phase 2 requirements described in Attachment 2 of Order EA-13-109,
- (2) If compliance with any of the Phase 2 requirements is unnecessary in their specific circumstances, or
- (3) If implementation of any of the Phase 2 requirements would cause the Licensee to be in violation of the provisions of any Commission regulation or the facility license.

Response to Condition C.3 of Order EA-13-109

- (2) Necessity of Compliance with Phase 2 Requirements

In accordance with Condition C.3 (2) of Order EA-13-109, EGC has evaluated the complex modifications required to meet the Phase 2 venting capability requirements specified by the Order, and determined that compliance with the Phase 2 requirements of Order EA-13-109 is not necessary in the specific circumstances at Oyster Creek considering the limited remaining plant operating life at the time these modifications are required to be implemented. As previously identified in Reference 5, EGC plans to permanently shut down Oyster Creek and cease operation no later than December 31, 2019. As described in References 7, 8, and 9, EGC has requested an extension to comply with the requirements of NRC Order EA-13-109 until January 31, 2020. Additionally, EGC will request relief from NRC Order

EA-13-109 no later than January 31, 2020 based upon the permanent shutdown condition of the plant at that time. An extension to compliance with these Order requirements for Oyster Creek is reasonable considering the limited remaining plant operating life, the existing plant safety features currently installed along with the planned additional containment vent enhancements described in Reference 9, and the additional FLEX strategies being implemented in accordance with NRC Order EA-12-049 (Reference 6) at Oyster Creek.

There are no regulatory commitments contained in this letter.

If there are any questions regarding this submittal, then please contact David P. Helker at 610-765-5525.

I declare under penalty of perjury that the foregoing is true and correct. Executed on the 21st day of May 2015.

Respectfully submitted,



James Barstow
Director – Licensing and Regulatory Affairs
Exelon Generation Company, LLC

cc: Director, Office of Nuclear Reactor Regulation
Regional Administrator – NRC Region I
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