

10 CFR 50.90

2130-03-20250

December 2, 2003

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

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

Technical Specification Change Request No. 316 – Missed Surveillance
Criteria and Inclusion of a Bases Control Program based on TSTF-358

REFERENCES: Federal Register 66 FR 49714 dated September 28, 2001
Technical Specification Task Force (TSTF)-358, Revision 6

Pursuant to 10 CFR 50.90, AmerGen Energy Company, LLC hereby requests changes to the Technical Specifications included in Oyster Creek Operating License No. DPR-16. These changes revise the required actions and time restraints regarding missed surveillances as stated in Surveillance Requirement 4.0.2. Additionally, a new section 6.21 is added to provide for a Technical Specification Bases Control Program. These changes are consistent with the NRC approved Industry/Technical Specification Task Force (TSTF) Standard Technical Specification (STS) change TSTF-358, Revision 6.

The availability of this TS improvement was published in the Federal Register on September 28, 2001, as part of the Consolidated Line Item Improvement Process (CLIIP). AmerGen Energy Company, LLC requests approval of the proposed amendment by October 1, 2004. Once approved, the amendment will be implemented within 60 days.

This proposed change to the Technical Specifications has undergone a review in accordance with Section 6.5 of the Oyster Creek Technical Specifications.

We are notifying the State of New Jersey of this application for changes to the Technical Specifications by transmitting a copy of this letter and its attachments to the designated State Official.

A001

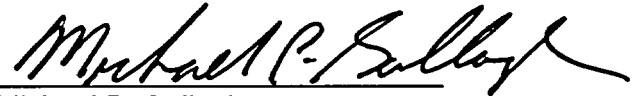
If any additional information is needed, please contact Dave Robillard at (610) 765-5952.

I declare under penalty of perjury that the foregoing is true and correct.

Sincerely,

12-02-03

Executed On



Michael P. Gallagher
Director, Licensing & Regulatory Affairs
AmerGen Energy Company, LLC

- Enclosures:
- (1) Oyster Creek Technical Specification Change Request No. 316, Evaluation of Proposed Changes
 - (2) Oyster Creek Technical Specification Change Request No. 316, Markup of Proposed Technical Specification Page Changes
 - (3) Oyster Creek Technical Specification Change Request No. 316, Proposed Technical Specification Pages
 - (4) Oyster Creek Technical Specification Change Request No. 316, List of Regulatory Commitments

cc: H. J. Miller, Administrator, USNRC Region 1
P. S. Tam, USNRC Senior Project Manager, Oyster Creek
R. J. Summers, USNRC Senior Resident Inspector, Oyster Creek
File No. 03084

ENCLOSURE 1

Oyster Creek Technical Specification Change Request No. 316

Evaluation of Proposed Changes

1.0 INTRODUCTION

In accordance with 10 CFR 50.90, "Application for amendment of license or construction permit", AmerGen Energy Company, LLC (AmerGen) proposes changes to the Technical Specifications (TS), included in Oyster Creek Generating Station Operating License DPR-16.

The current Technical Specifications allow a maximum of 24 hours to conduct a missed surveillance or the equipment to be tested is to be considered inoperable. The revised specification allows 24 hours or a time period of up to the required surveillance interval, whichever is longer, to conduct the missed surveillance provided for intervals greater than 24 hours a Risk assessment is conducted in accordance with 10CFR50.65(a)(4).

The change also includes the addition of a Technical Specification Bases Control Program consistent with the TS Bases Control Program described in NUREG-1433.

2.0 DESCRIPTION

The proposed amendment would modify the Oyster Creek Technical Specifications (TS) requirements for missed surveillances in specification 4.0.2 and adds a new specification 6.21 to include administrative controls for the TS Bases Control Program.

The changes are consistent with the Nuclear Regulatory Commission (NRC) approved Industry/Technical Specification Task Force (TSTF) Standard Technical Specifications (STS) change TSTF-358, Revision 6. The availability of TSTF-358, Revision 5 was published in the Federal Register (66 FR 49714) on September 28, 2001, as part of the Consolidated Line Item Improvement Process (CLIIP). Revision 6 of TSTF-358 incorporates changes made in response to a notice published in the Federal Register (66 FR 32400) on June 14, 2001 seeking public comment.

3.0 ASSESSMENT

3.1 Applicability of Published Safety Evaluation

AmerGen Energy Company, LLC has reviewed the safety evaluation dated September 28, 2001, as part of the CLIIP. This review included a review of the NRC staff's evaluation, as well as the supporting information provided to support TSTF-358. AmerGen has concluded that the justifications presented in the TSTF proposal and the safety evaluation prepared by the NRC staff are applicable to the Oyster Creek Generating Station and justify this amendment for the incorporation of the changes to the Oyster Creek TS.

The Oyster Creek TS are in a custom format that does not coincide with the industry STS. The STS include surveillance requirements with the Limiting Conditions of Operation while a separate section is provided in the Oyster Creek TS. Additionally, the Bases of the specifications are provided in a separate document in the STS but are included with the specification in the Oyster Creek TS. The results of the published safety evaluation are dependent on the requirements and Bases of the STS in sections 3.0.1 and 3.0.3. While the format and placement of the requirements in the Oyster Creek TS differ from the STS, the requirements are equivalent and the Bases are consistent with the STS. Therefore the published safety evaluation is applicable to Oyster Creek.

3.2 Optional Changes and Variations

AmerGen Energy Company, LLC is not proposing any variations or deviations from the intent of the TS changes described in the fully modified TSTF-358, Revision 5, (TSTF-358, Revision 6) or the NRC staff's model safety evaluation dated September 28, 2001, other than format and wording changes needed to reflect the existing format and wording in the Oyster Creek TS. Oyster Creek TS section 4.0.2 is comparable to the revised portion of the STS 3.0.3 that is impacted by the change. The proposed new section 6.21 incorporates a TS Bases Control Program using the same wording as presented in NUREG-1433, Revision 2, "Standard Technical Specifications General Electric Plants, BWR/4" Section 5.5.11.

4.0 REGULATORY ANALYSIS

4.1 No Significant Hazards Consideration Determination

AmerGen Energy Company, LLC has reviewed the proposed no significant hazards consideration determination (NSHCD) published in the Federal Register as part of the CLIIP. AmerGen Energy Company, LLC has concluded that the proposed NSHCD presented in the Federal Register notice (66 FR 32400) is applicable to the Oyster Creek Generating Station and is hereby incorporated by reference to satisfy the requirements of 10 CFR 50.91(a).

4.2 Verification and Commitments

As discussed in the notice of availability published in the Federal Register on September 28, 2001, for this TS improvement, plant specific verifications were performed as follows:

AmerGen Energy Company, LLC has established TS Bases for TS section 4.0.2 which state that the use of the delay period established by TS section 4.0.2 is a flexibility which

is not intended to be used as an operational convenience to extend surveillance intervals, but only for the performance of missed surveillances.

The modification will also include changes to the Bases for TS section 4.0.2 that provide details on how to implement the new requirements. The Bases changes provide guidance for surveillance frequencies that are not based on time intervals but are based on specified unit conditions, operating situations, or requirements of regulations. In addition, the Bases changes state that AmerGen Energy Company, LLC is expected to perform the missed surveillance at the first reasonable opportunity, taking into account appropriate considerations, such as the impact on plant risk and accident analysis assumptions, consideration of unit conditions, planning, availability of personnel, and the time required to perform the surveillance. The Bases also state that the risk should be managed through the program in place to implement 10 CFR 50.65 (a)(4) and its implementation guidance, NRC Regulatory Guide 1.182, 'Assessing and Managing Risk Before Maintenance Activities at Nuclear Power Plants,' and the missed surveillance should be treated as an emergent condition as discussed in the Regulatory Guide 1.182. In addition, the Bases state that the degree of depth and rigor of the evaluation should be commensurate with the importance of the component and that missed surveillances for important components should be analyzed quantitatively. The Bases also state that the results of the risk evaluation should determine the safest course of action. In addition, the Bases state that all missed surveillances will be placed in the Oyster Creek Corrective Action Program. Finally, AmerGen Energy Company, LLC is incorporating a Bases Control Program into the Technical Specifications consistent with section 5.5.11 of NUREG-1433.

5.0 ENVIRONMENTAL EVALUATION

AmerGen Energy Company, LLC has reviewed the environmental evaluation included in the model safety evaluation dated September 28, 2001, as part of the CLIIP. AmerGen Energy Company, LLC has concluded that the staff's findings presented in that evaluation are applicable to Oyster Creek and the evaluation is hereby incorporated by reference for this application.

6.0 REFERENCES

1. Industry/Technical Specifications Task Force Standard Technical Specification Change Traveler-358, "Missed Surveillance Requirements", Revision 6.
2. Federal Register Volume 66, Number 189, Pages 49714-49717, "Notice of Availability of Model Application Concerning Technical Specification Improvement To Modify Requirements Regarding Missed Surveillances Using the Consolidated Line Item Improvement Process," dated September 28, 2001.
3. NUREG-1433, "Standard Technical Specifications, General Electric Plants, BWR/4", Revision 2, dated June 2001.

ENCLOSURE 2

Oyster Creek Technical Specification Change Request No. 316

Proposed Technical Specification Changes (Mark-up)

This enclosure consists of the current Oyster Creek Technical Specification pages marked up to show the proposed changes. Deleted text is indicated with a strikeout and added text is underlined. The pages included in this enclosure are:

PAGES

iii
4.0-1
4.0-2
4.0-3
6.21

TABLE OF CONTENTS (cont'd)

Section 5	Design Features	Page
5.1	Site	5.1-1
5.2	Containment	5.2-1
5.3	Auxiliary Equipment	5.3-1
Section 6	Administrative Controls	
6.1	Responsibility	6-1
6.2	Organization	6-1
6.3	Facility Staff Qualifications	6-2a
6.4	DELETED	6-3
6.5	Review and Audit	6-3
6-6	Reportable Event Action	6-9
6-7	Safety Limit Violation	6-9
6-8	Procedures and Programs	6-10
6-9	Reporting Requirements	6-13
6-10	Record Retention	6-17
6-11	Radiation Protection Program	6-18
6-12	(Deleted)	6-18
6-13	High Radiation Area	6-18
6-14	Environmental Qualification	6-19*
6-15	Integrity of Systems Outside Containment	6-19
6-16	Iodine Monitoring	6-19
6-17	Post Accident Sampling	6-20
6-18	Process Control Plan	6-20
6-19	Offsite Dose Calculation Manual	6-20
6-20	DELETED	6-20
6-21	Technical Specification (TS) Bases Control Program	6-21

*Issued by NRC Order dated 10-24-80

Section 4 Surveillance Requirements

4.0 Surveillance Requirement Applicability

4.0.1 Surveillance requirements shall be met during the modes or other specified conditions in the applicability for individual LCOs, unless otherwise stated in the surveillance requirements. Failure to meet a surveillance, whether such failure is experienced during the performance of the surveillance or between performances of the surveillance, shall be failure to meet the LCO. Failure to perform a surveillance within the specified frequency shall be failure to meet the LCO except as provided in 4.0.2. Surveillances do not have to be performed on inoperable equipment or variables outside specified limits.

4.0.2 If it is discovered that a surveillance was not performed within its specified frequency, then compliance with the requirement to declare the LCO not met may be delayed, from the time of discovery, up to 24 hours or up to the limit of the specified frequency, whichever is ~~less~~greater. This delay period is permitted to allow performance of the surveillance. A risk evaluation shall be performed for any surveillance delayed greater than 24 hours and the risk impact shall be managed.

If the surveillance is not performed within the delay period, the LCO must immediately be declared not met, and the applicable condition(s) must be entered.

When the surveillance is performed within the delay period and the surveillance is not met, the LCO must immediately be declared not met, and the applicable condition(s) must be entered.

BASES: Surveillance Requirement 4.0.1 establishes the requirement that surveillance requirements must be met during the modes or other specified conditions in the applicability for which the requirements of the LCO apply, unless otherwise specified in the individual surveillance requirements. This specification is to ensure that surveillances are performed to verify the OPERABILITY of systems and components, and that variables are within specified limits. Failure to meet a surveillance within the specified frequency constitutes a failure to meet an LCO.

Systems and components are assumed to be OPERABLE when the associated surveillance requirements have been met. Nothing in this specification, however, is to be construed as implying that systems or components are OPERABLE when:

- a. The systems or components are known to be inoperable, although still meeting the surveillance requirements; or

- b. The requirements of the surveillance(s) are known to be not met between required surveillance performances.

Surveillances do not have to be performed when the unit is in a mode or other specified condition for which the requirements of the associated LCO are not applicable, unless otherwise specified.

Surveillances, including surveillances invoked by required actions, do not have to be performed on inoperable equipment because the actions define the remedial measures that apply. Surveillances have to be met and performed prior to returning equipment to OPERABLE status.

Upon completion of maintenance, appropriate post maintenance testing is required to declare equipment OPERABLE. This includes ensuring applicable surveillances are not failed. Post maintenance testing may not be possible in the current mode or other specified conditions in the applicability due to the necessary unit parameters not having been established. In these situations, the equipment may be considered OPERABLE provided testing has been satisfactorily completed to the extent possible and the equipment is not otherwise believed to be incapable of performing its function. This will allow operation to proceed to a mode or other specified condition where other necessary post maintenance tests can be completed.

Surveillance Requirement 4.0.2 establishes the flexibility to defer declaring affected equipment inoperable or an affected variable outside the specified limits when a surveillance has not been completed within the specified frequency. A delay period of up to 24 hours or up to the limit of the specified frequency, whichever is ~~less~~greater, applies from the point in time that it is discovered that the surveillance has not been performed in accordance with surveillance requirement 4.0.2 and not at the time that the specified frequency was not met.

This delay period provides adequate time to complete surveillances that have been missed. This delay period permits the completion of a surveillance before complying with required actions or other remedial measures that might preclude completion of the surveillance.

The basis for this delay period includes consideration of unit conditions, adequate planning, availability of personnel, the time required to perform the surveillance, the safety significance of the delay in completing the required surveillance, and the recognition that the most probable result of any particular surveillance being performed is the verification of conformance with the requirements.

When a surveillance with a frequency based not on time intervals, but upon specified unit conditions, ~~or operating~~operational situations, or requirements of regulations (e.g. prior to entering power operation after each fuel loading, or in accordance with 10 CFR 50, Appendix J, as modified by approved exemptions, etc.) is discovered ~~to not to have been~~ performed when specified, Surveillance Requirement 4.0.2 allows for the full delay period of up to the specified frequency~~24 hours~~ to perform the surveillance. However, since there is not a time interval specified, the missed surveillance should be performed at the first reasonable opportunity. Surveillance requirement 4.0.2 provides a time limit for, and allowances for the performance of, Surveillance Requirement 4.0.2 also provides a time limit for completion of surveillances that become applicable as a consequence of mode changes imposed by required actions.

Failure to comply with specified surveillance frequencies is expected to be an infrequent occurrence. Use of the delay period established by Surveillance Requirement 4.0.2 is a flexibility which is not intended to be used as an operational convenience to extend surveillance intervals. While up to 24 hours or the limit of the specified frequency is provided to perform the missed surveillance, it is expected that the missed surveillance will be performed at the first reasonable opportunity. The determination of the first reasonable opportunity should include consideration of the impact on plant risk (from delaying the surveillance as well as any plant configuration changes required or shutting the plant down to perform the surveillance) and impact on any analysis assumptions, in addition to unit conditions, planning, availability of personnel, and the time required to perform the surveillance. This risk impact should be managed through the program in place to implement 10 CFR 50.65 (a)(4) and its implementation guidance, NRC Regulatory Guide 1.182, 'Assessing and Managing Risk Before Maintenance Activities at Nuclear Power Plants.' This Regulatory Guide addresses consideration of temporary and aggregate risk impacts, determination of risk management thresholds, and risk management action up to and including plant shutdown. The missed surveillance should be treated as an emergent condition as discussed in the Regulatory Guide. The risk evaluation may use quantitative, qualitative, or blended methods. The degree of depth and rigor of the evaluation should be commensurate with the importance of the component. Missed surveillances for important components should be analyzed quantitatively. If the results of the evaluation determine the risk increase is significant, this evaluation should be used to determine the safest course of action. All missed surveillances will be placed in the licensee's Corrective Action Program.

If a surveillance is not completed within the allowed delay period, then the equipment is considered inoperable or the variable is considered outside the specified limits and the completion times of the required actions for the applicable LCO conditions begin immediately upon expiration of the delay period. If a surveillance is failed within the delay period, then the equipment is inoperable, or the variable is outside the specified limits and the completion times of the required actions for the applicable LCO conditions begin immediately upon the failure of the surveillance.

Completion of the surveillance within the delay period allowed by this specification, or within the completion time of the actions, restores compliance with Surveillance Requirement 4.0.1.

6.20 MAJOR CHANGES TO RADIOACTIVE WASTE TREATMENT SYSTEMS

DELETED

6.21 Technical Specifications (TS) Bases Control Program

This program provides a means for processing changes to the Bases of these Technical Specifications.

- a. Changes to the Bases of the TS shall be made under appropriate administrative controls and reviews.
- b. Licensees may make changes to Bases without prior NRC approval provided the changes do not require either of the following:
 - 1. A change in the TS incorporated in the license or
 - 2. A change to the updated FSAR (UFSAR) or Bases that requires NRC approval pursuant to 10 CFR 50.59.
- c. The Bases Control Program shall contain provisions to ensure that the Bases are maintained consistent with the UFSAR.
- d. Proposed changes that meet the criteria of Specification 6.21.b.1 or 6.21.b.2 above shall be reviewed and approved by the NRC prior to implementation. Changes to the bases implemented without prior NRC approval shall be provided to the NRC on a frequency consistent with 10 CFR 50.71 (e).

ENCLOSURE 3

Oyster Creek Technical Specification Change Request No. 316

Proposed Technical Specification Pages

Revised TS Pages

iii
4.0-1
4.0-2
4.0-3
6.21

TABLE OF CONTENTS (cont'd)

Section 5	Design Features	Page
5.1	Site	5.1-1
5.2	Containment	5.2-1
5.3	Auxiliary Equipment	5.3-1
Section 6	Administrative Controls	
6.1	Responsibility	6-1
6.2	Organization	6-1
6.3	Facility Staff Qualifications	6-2a
6.4	DELETED	6-3
6.5	Review and Audit	6-3
6-6	Reportable Event Action	6-9
6-7	Safety Limit Violation	6-9
6-8	Procedures and Programs	6-10
6-9	Reporting Requirements	6-13
6-10	Record Retention	6-17
6-11	Radiation Protection Program	6-18
6-12	(Deleted)	6-18
6-13	High Radiation Area	6-18
6-14	Environmental Qualification	6-19*
6-15	Integrity of Systems Outside Containment	6-19
6-16	Iodine Monitoring	6-19
6-17	Post Accident Sampling	6-20
6-18	Process Control Plan	6-20
6-19	Offsite Dose Calculation Manual	6-20
6-20	DELETED	6-20
6-21	Technical Specification (TS) Bases Control Program	6-21

*Issued by NRC Order dated 10-24-80

OYSTER CREEK

iii

Amendment No.: ~~94, 97, 98, 108~~
~~115, 134, 166, 186~~
~~232,~~

Section 4 Surveillance Requirements

4.0 Surveillance Requirement Applicability

4.0.1 Surveillance requirements shall be met during the modes or other specified conditions in the applicability for individual LCOs, unless otherwise stated in the surveillance requirements. Failure to meet a surveillance, whether such failure is experienced during the performance of the surveillance or between performances of the surveillance, shall be failure to meet the LCO. Failure to perform a surveillance within the specified frequency shall be failure to meet the LCO except as provided in 4.0.2. Surveillances do not have to be performed on inoperable equipment or variables outside specified limits.

4.0.2 If it is discovered that a surveillance was not performed within its specified frequency, then compliance with the requirement to declare the LCO not met may be delayed, from the time of discovery, up to 24 hours or up to the limit of the specified frequency, whichever is greater. This delay period is permitted to allow performance of the surveillance. A risk evaluation shall be performed for any surveillance delayed greater than 24 hours and the risk impact shall be managed.

If the surveillance is not performed within the delay period, the LCO must immediately be declared not met, and the applicable condition(s) must be entered.

When the surveillance is performed within the delay period and the surveillance is not met, the LCO must immediately be declared not met, and the applicable condition(s) must be entered.

BASES:

Surveillance Requirement 4.0.1 establishes the requirement that surveillance requirements must be met during the modes or other specified conditions in the applicability for which the requirements of the LCO apply, unless otherwise specified in the individual surveillance requirements. This specification is to ensure that surveillances are performed to verify the OPERABILITY of systems and components, and that variables are within specified limits. Failure to meet a surveillance within the specified frequency constitutes a failure to meet an LCO.

Systems and components are assumed to be OPERABLE when the associated surveillance requirements have been met. Nothing in this specification, however, is to be construed as implying that systems or components are OPERABLE when:

- a. The systems or components are known to be inoperable, although still meeting the surveillance requirements; or

- b. The requirements of the surveillance(s) are known to be not met between required surveillance performances.

Surveillances do not have to be performed when the unit is in a mode or other specified condition for which the requirements of the associated LCO are not applicable, unless otherwise specified.

Surveillances, including surveillances invoked by required actions, do not have to be performed on inoperable equipment because the actions define the remedial measures that apply. Surveillances have to be met and performed prior to returning equipment to OPERABLE status.

Upon completion of maintenance, appropriate post maintenance testing is required to declare equipment OPERABLE. This includes ensuring applicable surveillances are not failed. Post maintenance testing may not be possible in the current mode or other specified conditions in the applicability due to the necessary unit parameters not having been established. In these situations, the equipment may be considered OPERABLE provided testing has been satisfactorily completed to the extent possible and the equipment is not otherwise believed to be incapable of performing its function. This will allow operation to proceed to a mode or other specified condition where other necessary post maintenance tests can be completed.

Surveillance Requirement 4.0.2 establishes the flexibility to defer declaring affected equipment inoperable or an affected variable outside the specified limits when a surveillance has not been completed within the specified frequency. A delay period of up to 24 hours or up to the limit of the specified frequency, whichever is greater, applies from the point in time that it is discovered that the surveillance has not been performed in accordance with surveillance requirement 4.0.2 and not at the time that the specified frequency was not met.

This delay period provides adequate time to complete surveillances that have been missed. This delay period permits the completion of a surveillance before complying with required actions or other remedial measures that might preclude completion of the surveillance.

The basis for this delay period includes consideration of unit conditions, adequate planning, availability of personnel, the time required to perform the surveillance, the safety significance of the delay in completing the required surveillance, and the recognition that the most probable result of any particular surveillance being performed is the verification of conformance with the requirements.

When a surveillance with a frequency based not on time intervals, but upon specified unit conditions, operating situations, or requirements of regulations (e.g. prior to entering power operation after each fuel loading, or in accordance with 10 CFR 50, Appendix J, as modified by approved exemptions, etc.) is discovered to not have been performed when specified, Surveillance Requirement 4.0.2 allows for the full delay period of up to the specified frequency to perform the surveillance. However, since there is not a time interval specified, the missed surveillance should be performed at the first reasonable opportunity. Surveillance requirement 4.0.2 provides a time limit for, and allowances for the performance of, surveillances that become applicable as a consequence of mode changes imposed by required actions.

Failure to comply with specified surveillance frequencies is expected to be an infrequent occurrence. Use of the delay period established by Surveillance Requirement 4.0.2 is a flexibility which is not intended to be used as an operational convenience to extend surveillance intervals. While up to 24 hours or the limit of the specified frequency is provided to perform the missed surveillance, it is expected that the missed surveillance will be performed at the first reasonable opportunity. The determination of the first reasonable opportunity should include consideration of the impact on plant risk (from delaying the surveillance as well as any plant configuration changes required or shutting the plant down to perform the surveillance) and impact on any analysis assumptions, in addition to unit conditions, planning, availability of personnel, and the time required to perform the surveillance. This risk impact should be managed through the program in place to implement 10 CFR 50.65 (a)(4) and its implementation guidance, NRC Regulatory Guide 1.182, 'Assessing and Managing Risk Before Maintenance Activities at Nuclear Power Plants.' This Regulatory Guide addresses consideration of temporary and aggregate risk impacts, determination of risk management thresholds, and risk management action up to and including plant shutdown. The missed surveillance should be treated as an emergent condition as discussed in the Regulatory Guide. The risk evaluation may use quantitative, qualitative, or blended methods. The degree of depth and rigor of the evaluation should be commensurate with the importance of the component. Missed surveillances for important components should be analyzed quantitatively. If the results of the evaluation determine the risk increase is significant, this evaluation should be used to determine the safest course of action. All missed surveillances will be placed in the licensee's Corrective Action Program.

If a surveillance is not completed within the allowed delay period, then the equipment is considered inoperable or the variable is considered outside the specified limits and the completion times of the required actions for the applicable LCO conditions begin immediately upon expiration of the delay period. If a surveillance is failed within the delay period, then the equipment is inoperable, or the variable is outside the specified limits and the completion times of the required actions for the applicable LCO conditions begin immediately upon the failure of the surveillance.

Completion of the surveillance within the delay period allowed by this specification, or within the completion time of the actions, restores compliance with Surveillance Requirement 4.0.1.

6.20 MAJOR CHANGES TO RADIOACTIVE WASTE TREATMENT SYSTEMS

DELETED

6.21 Technical Specifications (TS) Bases Control Program

This program provides a means for processing changes to the Bases of these Technical Specifications.

- a. Changes to the Bases of the TS shall be made under appropriate administrative controls and reviews.
- b. Licensees may make changes to Bases without prior NRC approval provided the changes do not require either of the following:
 1. A change in the TS incorporated in the license or
 2. A change to the updated FSAR (UFSAR) or Bases that requires NRC approval pursuant to 10 CFR 50.59.
- c. The Bases Control Program shall contain provisions to ensure that the Bases are maintained consistent with the UFSAR.
- d. Proposed changes that meet the criteria of Specification 6.21.b.1 or 6.21.b.2 above shall be reviewed and approved by the NRC prior to implementation. Changes to the bases implemented without prior NRC approval shall be provided to the NRC on a frequency consistent with 10 CFR 50.71 (e)

ENCLOSURE 4

Oyster Creek Technical Specification Change Request No. 316

List of Regulatory Commitments

List of Regulatory Commitments

The following table identifies those actions committed to by AmerGen Energy Company, LLC in this document. Any other statements in this submittal are provided for information purposes and are not considered to be regulatory commitments. Please direct questions regarding these commitments to Dave Robillard at (610) 765-5952.

Regulatory Commitments	Due Date / Event
AmerGen Energy Company, LLC will establish the Technical Specification Bases for TS surveillance requirement 4.0.2 as adopted with the applicable license amendment	Within 60 days of the issuance of the amendment by the NRC