



Exelon Generation

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10 CFR 50.90
10 CFR 73.55(r)
10 CFR 50.4

RA-14-009

January 31, 2014

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: Supplemental Response for License Amendment Request Related to Oyster Creek Nuclear Generating Station Reactor Building Vital Area Access Control

Reference: Letter from James Barstow (Exelon Generation Company, LLC) to U.S. Nuclear Regulatory Commission - License Amendment Request Related to Oyster Creek Nuclear Generating Station Reactor Building Vital Area Access Control, dated December 19, 2013

By letter dated December 19, 2013 (Reference), Exelon Generation Company, LLC (Exelon) submitted a License Amendment Request (LAR) for Oyster Creek Nuclear Generating Station (OCNGS) in accordance with 10 CFR 50.90, "*Application for amendment of license, construction permit, or early site permit*," requesting an amendment to Renewed Facility Operating License DPR-16 for OCNGS. The LAR requested U.S. Nuclear Regulatory Commission (NRC) approval pursuant to 10 CFR 73.55(r) to implement an "*alternative measure*" for satisfying applicable requirements of 10 CFR 73.55 related to controlling vital area access for certain portions of the Reactor Building at OCNGS.

The Reference letter contained *Safeguards Information* (SGI), which was protected pursuant to 10 CFR 73.21. However, in order to support the NRC's review process, Exelon is providing in the attachment to this letter non-SGI documentation supporting the no significant hazards consideration and environmental consideration. The information contained in the attachment supplements the information submitted in the Referenced letter and is considered suitable for any necessary publication in the *Federal Register* and public dissemination.

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License Amendment Request Supplement
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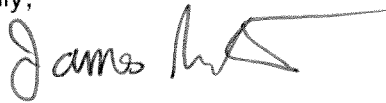
Exelon reviewed the information provided in this submittal and determined that it does not affect the bases for concluding that the proposed license amendment does not involve a significant hazards consideration pursuant to 10 CFR 50.92. In addition, the information does not affect the bases for concluding that neither an environmental impact statement nor an environmental assessment needs to be prepared pursuant to 10 CFR 51.22(b).

There are no regulatory commitments contained in this submittal.

Should you have any questions regarding this submittal, please contact Richard Gropp at (610) 765-5557.

I declare under penalty of perjury that the foregoing is true and correct. Executed on the 31st day of January 2014.

Respectfully,

A handwritten signature in black ink, appearing to read "James Barstow", with a long horizontal flourish extending to the right.

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

Attachment: No Significant Hazards and Environmental Consideration Supporting
Information Supplement

cc: Regional Administrator - NRC Region I
NRC Senior Resident Inspector - Oyster Creek Nuclear Generating Station
Project Manager, NRR - Oyster Creek Nuclear Generating Station
Director, Bureau of Nuclear Engineering, New Jersey Department of Environmental
Protection
Mayor of Lacey Township, Forked River, NJ

ATTACHMENT

Oyster Creek Nuclear Generating Station
License Amendment Request Related to Reactor Building Vital Area Access Control

No Significant Hazards and Environmental Consideration
Supporting Information Supplement

Oyster Creek Nuclear Generating Station
License Amendment Request Related to Reactor Building Vital Area Access Control

In order to support the NRC's review process, Exelon is providing the following information supporting the no significant hazards consideration and environmental consideration. This information is being submitted to supplement the December 19, 2013, submittal. There is no *Safeguards Information* (SGI) included. This information is considered suitable for any necessary publication in the *Federal Register* and public dissemination.

NO SIGNIFICANT HAZARDS CONSIDERATION

In accordance with 10 CFR 50.90, "*Application for amendment of license, construction permit, or early site permit*," Exelon Generation Company, LLC (Exelon) requests an amendment to Renewed Facility Operating License (FOL) No. DPR-16 for Oyster Creek Nuclear Generating Station (OCNGS).

Specifically, the proposed changes involve instituting additional protective measures strategies at OCNGS related to vitalization of certain portions of the Reactor Building (RB).

The proposed changes have been reviewed considering the applicable requirements of 10 CFR 73.55, 10 CFR 73 Appendix B, and other applicable NRC requirements. The review determined that the proposed changes to implement the use of an "*alternative measure*" requires prior NRC review and approval pursuant to 10 CFR 73.55(r).

Exelon has evaluated the proposed changes that would modify aspects of the OCNGS Security Plan and determined that the changes do not involve a Significant Hazards Consideration. In support of this determination, an evaluation of each of the three (3) standards, set forth in 10 CFR 50.92, "*Issuance of amendment*," is provided below.

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

Response: No.

The proposed changes do not increase the probability or consequences of an accident. The proposed changes do not involve the modification of any plant equipment or affect plant operation. The proposed changes will have no impact on any safety-related Structures, Systems, and Components (SSC).

The proposed amendment incorporates the use of an "*alternative measure*" for implementing the applicable requirements in 10 CFR 73.55(b). Instituting the "*alternative measure*" does not involve any modifications to safety-related SSC. Rather, the "*alternative measure*" describes how the applicable requirements of 10 CFR 73.55(b) are to be implemented in order to ensure a comparable level of safety to provide high assurance that activities involving special nuclear material are not inimical to the common defense and security and do not constitute an unreasonable risk to the public health and safety. In addition, the "*alternative measure*" describes how the required physical protection program elements will be implemented to protect against the design basis threat of radiological sabotage and shall establish, maintain, and implement an effective insider mitigation program. Instituting the proposed "*alternate measure*" will not alter previously evaluated Updated Final Safety Analysis Report (UFSAR) design basis accident analysis assumptions,

add any accident initiators, or affect the function of the plant safety-related SSCs. The proposed changes do not alter accident analysis assumptions, add any initiators, or affect the function of plant systems or the manner in which systems are operated, maintained, modified, tested, or inspected. No plant modifications or changes are considered necessary at this time in support of implementation of the proposed "alternate measure" as described in this license amendment request. However, in the event that future modifications or changes are deemed appropriate to ensure effective protective strategies in maintaining vitalization of the RB, they would be evaluated per 10 CFR 50.59 to determine if a license amendment is required. Any changes would also be evaluated per 10 CFR 50.54(p) to determine if there is a decrease in the safeguards effectiveness in the site Security Plan. Prior NRC approval would be obtained if required by these evaluations.

Therefore, the proposed changes involving implementation of the described "*alternative measure*" do not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. *Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?*

Response: No.

The proposed changes have no impact on the design, function, or operation of any plant SSC. The proposed changes do not affect plant equipment or accident analyses.

The proposed changes to institute the use of an "*alternative measure*" for implementing the applicable requirements in 10 CFR 73.55(b) provide assurance that safety-related SSCs are adequately protected. Implementation of the proposed "*alternative measure*" and inclusion of the associated elements in the Security Plan and in other security-related documentation when approved do not result in the need for any new or different UFSAR design basis accident analysis. The proposed changes do not introduce new equipment that could create a new or different kind of accident, and no new equipment failure modes are created. As a result, no new accident scenarios, failure mechanisms, or limiting single failures are introduced as a result of the proposed changes to institute the "*alternative measure*."

Therefore, the proposed changes involving implementation of the described "*alternative measure*" do not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. *Does the proposed amendment involve a significant reduction in a margin of safety?*

Response: No.

The proposed changes do not adversely affect existing plant safety margins or the reliability of the equipment assumed to operate in the safety analyses. There is no change being made to safety analysis assumptions, safety limits, or limiting safety system settings that would adversely affect plant safety as a result of the proposed changes. Margins of safety are unaffected by the proposed changes involving implementation of the "*alternative measure*."

The margin of safety is associated with the confidence in the ability of the fission product barriers (i.e., fuel cladding, reactor coolant pressure boundary, and containment structure) to

limit the level of radiation to the public. The proposed changes would not alter the way any safety-related SSC functions and would not alter the way the plant is operated. The proposed changes continue to provide high assurance that activities involving special nuclear material are not inimical to the common defense and security and do not constitute an unreasonable risk to the public health and safety. In addition, instituting the elements that comprise the *"alternative measure"* will continue to ensure that the required physical protection program elements will be implemented to protect against the design basis threat of radiological sabotage and shall continue to establish, maintain, and implement an effective insider mitigation program. The proposed changes do not introduce any new uncertainties or change any existing uncertainties associated with any safety limit. The proposed changes have no impact on the structural integrity of the fuel cladding, reactor coolant pressure boundary, or containment structure. The proposed changes would not degrade the confidence in the ability of the fission product barriers to limit the level of radiation to the public.

Therefore, the proposed changes involving implementation of the described *"alternative measure"* do not involve a significant reduction in a margin of safety.

ENVIRONMENTAL CONSIDERATION

This submittal supplements and amends the Environmental Consideration previously submitted in the December 19, 2013, letter to include the following:

The proposed amendment is confined to (i) organizational and procedural matters; (ii) modifications to systems used for security and/or materials accountability; (iii) administrative changes; and (iv) review and approval of transportation routes pursuant to 10 CFR 73.37. Accordingly, the proposed amendments meet the eligibility criterion for categorical exclusion set forth in 10 CFR 51.22(c)(12). In addition, the proposed amendment does not involve (i) a significant hazards consideration, (ii) a significant change in the types or significant increase in the amounts of any effluent that may be released offsite, or (iii) a significant increase in the individual or cumulative occupational radiation exposure, and as a result meets the eligibility criterion for categorical exclusion set forth in 10 CFR 51.22(c)(9). Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the proposed amendment.