

Date: October 24, 1996

OFFICE OF NUCLEAR REACTOR REGULATION

NOTIFICATION OF SIGNIFICANT LICENSING ACTION

**LICENSEE:** GPU Nuclear Corporation  
Oyster Creek Nuclear Generating Station  
Docket No. 50-219

**SUBJECT:** PROPOSED ISSUANCE OF A FINAL NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION AND LICENSE AMENDMENT FOR WHICH A HEARING HAS BEEN REQUESTED

This is to inform the Commission that a final no significant hazards consideration determination and license amendment will be issued on or about October 30, 1996, to GPU Nuclear Corporation. This action is being taken in response to the licensee's amendment application dated April 15, 1996, and will modify License No. DPR-16 for Oyster Creek Generating Station by revising Technical Specification 5.3.1.B. The current specification prohibits handling a load greater in weight than one fuel assembly over stored irradiated fuel in the spent fuel storage facility. Although the movement of the shield plug over irradiated fuel is restricted to the location of the dry shielded canister and no movement of the shield plug over the stored irradiated fuel in the storage racks in the spent fuel storage facility is involved, the licensee nonetheless decided to submit a clarifying change to the technical specifications, which is being challenged by a request for hearing. The proposed change will facilitate the offload of spent fuel to the Oyster Creek Independent Spent Fuel Storage Installation (ISFSI). Specifically, the shield plug for the dry shield canister (DSC) and the associated lifting hardware will be moved over irradiated fuel that is contained in the DSC within the transfer cask located in the Cask Drop Protection System.

The staff made a proposed determination of no significant hazards (NSH) in 61 FR 20849 (May 8, 1996). Both the proposed and the final NSH concluded that the proposed amendment does not involve a credible accident. The staff's deterministic evaluation is based upon design features and modifications to the 100-ton reactor building crane, the licensee's error-free plan and commitments, and the significant safety factors associated with the lifting equipment. Notwithstanding the staff's final NSH determination, the staff analyzed the consequences of a hypothetical drop of the shield plug to compare with the licensee's analyses and concluded that the consequences would not be significant.

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The status of the hearing request is as follows. On June 18, 1996, the Atomic Safety and Licensing Board designated to consider the petition to intervene and request for hearing issued an Initial Prehearing Order. On June 21, 1996, and June 26, 1996, the licensee and the NRC staff, respectively, filed responses opposing the petitioner's standing. On July 18, 1996, in response to an ASLB order dated July 3, 1996, petitioners filed a contention and a reply to the licensee's and staff's responses. This reply together with the licensee's and staff's responses to petitioners' contention, which were filed on July 29, 1996, and July 31, 1996, were considered by the ASLB at a prehearing conference held on August 7, 1996. The ASLB has not yet ruled on petitioner's standing or the admissibility of their contention. Thus, any hearing that might be held may not be completed prior to the issuance of the amendment.

The State of New Jersey has been notified on the pending issues of the amendment.

Distribution:

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Date amendment(s) issued: [November 7, 1996]  
 Date received by licensee: [November 7, 1996]

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\*See previous concurrence

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<sup>1</sup> The notification should be sent to the Document Management Branch and the PDR after the amendment has been received by the licensee.

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