

50-219



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

April 2, 1997

Mr. Paul Gunter, Director  
Reactor Watchdog Project  
Oyster Creek Nuclear Watch  
Nuclear Information and Resource Service  
1424 16th Street, NW, Suite 601  
Washington, DC 20036

Mr. William deCamp, Jr.  
Founding Trustee  
Oyster Creek Nuclear Watch  
P.O. Box 243  
Island Heights, NJ 08732

Dear Messrs. Gunter and deCamp:

This letter responds to the Petition you filed pursuant to Section 2.206 of Title 10 of the Code of Federal Regulations (10 CFR 2.206) on September 19, 1994, as supplemented by your letter of December 13, 1994, on behalf of Oyster Creek Nuclear Watch, Reactor Watchdog Project, and Nuclear Information and Resource Service. In your Petition, you asked, among other things, that the U.S. Nuclear Regulatory Commission (NRC) immediately suspend the Oyster Creek Nuclear Generating Station (OCNGS) operating license held by the GPU Nuclear Corporation pending the licensee's completion of certain actions.

Specifically, the Petition requests that the NRC (1) immediately suspend the OCNGS operating license until the licensee inspects and repairs or replaces all safety-class reactor internal component parts subject to embrittlement and cracking, (2) immediately suspend the OCNGS license until the licensee submits an analysis regarding the synergistic effects of through-wall cracking of multiple safety-class components, (3) immediately suspend the OCNGS operating license until the licensee has analyzed and mitigated any areas of noncompliance with regard to irradiated fuel pool cooling as a single-unit boiling-water reactor (BWR), and (4) issue a generic letter requiring other licensees of single-unit BWRs to submit information regarding fuel pool boiling in order to verify compliance with regulatory requirements and to quickly take appropriate mitigative action if the unit is not in compliance.

In addition to providing more details on the original request, your supplementary letter of December 13, 1994, requested that the NRC (1) suspend the operating license of OCNGS until concerns regarding cracking are addressed, including inspection of all reactor vessel components and other safety-related systems susceptible to intergranular stress-corrosion cracking and completion of any and all necessary repairs and modifications; (2) explain discrepancies between the response of the NRC staff dated October 27, 1994, to the Petition of September 19, 1994, and time-to-boil calculations for the FitzPatrick Plant; (3) require GPU to produce documents for evaluation of the time-to-boil calculations for OCNGS irradiated fuel pool; (4) identify redundant components that may be powered from onsite power supplies to be used for spent fuel pool cooling as qualified Class 1E systems; (5) hold a public

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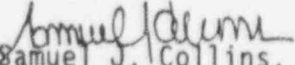
meeting in Toms River, New Jersey, to permit presentation of additional information related to the Petition, and (6) treat your letter of December 13, 1994, as a formal appeal of the denial of your request of September 19, 1994, to immediately suspend the OCNCS operating license.

On October 27, 1994, the Director of the Office of Nuclear Reactor Regulation informed you that he was denying your request for immediate suspension of the operating license, that your Petition was being evaluated under 10 CFR 2.206 of the Commission's regulations, and that action would be taken in a reasonable time. The Director's letter of April 10, 1995, responded to requests (5) and (6) of your supplemental Petition of December 13, 1994. His letter of August 4, 1995, issued the Partial Director's Decision (DD-95-18) responding to requests (1) and (2) of the Petition of September 19, 1994, and request (1) of the supplemental Petition of December 13, 1994 and informed you that a decision regarding requests (3) and (4) of the September 19, 1994, and requests (2), (3), and (4) of the supplemental Petition of December 13, 1994, would be issued under separate cover upon completion of our review.

The NRC staff has taken a number of actions to address the concerns in the Petition. Therefore, for the reasons as described in the enclosed Final Director's Decision (DD-97-08), requests (3), with the exception of suspending OCNCS operating license which was previously denied, and (4) of the September 19, 1994, Petition are granted in part and requests (2), (3), and (4) of the December 13, 1994, supplemental Petition have been granted as described in the enclosed Final Director's Decision. A copy of the Decision will be filed with the Secretary of the Commission for the Commission's review in accordance with 10 CFR 2.206(c). As provided by that regulation, the Decision will constitute the final action of the Commission 25 days after the date of issuance of the Decision unless the Commission, on its own motion, institutes a review of the Decision within that time. The decision and the documents cited in the decision are available for public inspection and copying at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at Ocean County Library, Reference Department, 101 Washington Street, Toms River, NJ 08753.

I have also enclosed a copy of the notice of "Issuance of Final Director's Decision Under 10 CFR 2.206," which includes the complete text of DD-97-08 that is being filed with the Office of the Federal Register for publication.

Sincerely,

  
Samuel J. Collins, Director  
Office of Nuclear Reactor Regulation

Enclosures: 1. Final Director's Decision (DD-97-08)  
2. Federal Register Notice

April 2, 1997

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Sincerely,

Original signed by  
Samuel J. Collins

Samuel J. Collins, Director  
Office of Nuclear Reactor Regulation

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2. Federal Register Notice

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GPU Nuclear Corporation

Oyster Creek Nuclear  
Generating Station

cc:

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DATED: April 2, 1997

Docket File (50-219)

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