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10 CFR 50.90
10 CFR 50.36

March 16, 2021

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
Docket No. 50-219 and 72-15

Subject: License Amendment Request to Revise Oyster Creek Nuclear Generating Station Permanently Defueled Technical Specifications to Reflect Permanent Removal of Spent Fuel from Spent Fuel Pool

References:

1. Letter from Exelon Generation Company to US NRC, "Certification of Permanent Removal of Fuel from the Reactor Vessel for Oyster Creek Nuclear Generating Station," September 25, 2018 (ML1826A258)

2. Letter from Holtec Decommissioning International, LLS to US NRC, "Report on Status of Decommissioning Funding for Reactors and Independent Spent Fuel Storage Installations," March 31, 2020 (ML20091M858)

Pursuant to the provisions of 10 CFR Part 50.90, the Holtec Decommissioning International, LLC (HDI) hereby requests approval of the proposed amendment to the Renewed Facility Operating License DPR-16 for Oyster Creek Nuclear Generating Station (OCNGS). The proposed amendment would revise the 10 CFR Part 50 License and associated Technical Specifications (TS) to reflect removal of all spent nuclear fuel from the spent fuel pool (SFP) and its transfer to dry cask storage within a site controlled Independent Spent Fuel Storage Installation (ISFSI).

By letter on September 25, 2018 (Reference 1), Exelon Generation Company, LLC, provided certification of the permanent removal of fuel from the Reactor Vessel to the NRC in accordance with 10 CFR Part 50.82(a)(1)(i) and (ii). Therefore, as specified in 10CFR 50.82(a)(2), the 10 CFR Part 50 license for OCNGS no longer authorizes operation of the reactor or emplacement or retention of fuel in the reactor vessel. By letter dated March 31, 2020 (Reference 2), HDI provided notification that off-load of the spent fuel pool (SFP) and transfer of the spent fuel to the ISFSI is expected to be completed by November 3, 2021. More recently, HDI has revised the schedule for transferring all spent fuel to dry cask storage by end of June 2021. In support of this condition, a revision to the OCNGS facility license and associated TS is proposed to comport with the requirements for a facility configuration with all spent nuclear fuel in dry storage within an ISFSI.

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Enclosure 1 to this letter provides a description and evaluation of the proposed facility license and TS changes. The evaluation includes the regulatory evaluation, the no significant hazards consideration determination, and the environmental considerations.

Attachment 1 to the Enclosure contains a markup of the Facility License and TS pages.

Attachment 2 to the Enclosure contains the retyped Facility License and ISFSI Only Technical Specification (IOTS) pages.

Attachment 3 to the Enclosure provides the TS administrative controls that are proposed to be relocated from the TS to the Defueling Safety Analysis Report (DSAR).

Based on HDI efforts to accelerate transfer of all spent fuel to dry cask storage, NRC approval of ISFSI Only Technical Specifications is requested by August 1, 2021. Once approved, the amendment will be implemented within 60 days following HDI notification to the NRC that all spent nuclear fuel assemblies have been transferred out of the SFP and placed in dry storage within a site controlled ISFSI.

Pursuant to 10 CFR Part 50.91, “Notice for public comment; State consultation”, paragraph (b), a copy of this submittal with attachments, is being provided to the designated State of New Jersey official.

A new regulatory commitment is described in Attachment 4 to this letter Enclosure 1.

If you have any questions or require additional information, please contact me at (856) 797-0900, ext. 3813 or a.sterdis@holtec.com.

I declare under penalty of perjury that the foregoing is true and correct. Executed on March 16, 2021.

Sincerely,

Andrea Sterdis

Digitally signed by Andrea Sterdis
DN: cn=Andrea Sterdis, c=US, o=Holtec Decommissioning International, ou=HDI, email=a.sterdis@holtec.com
Date: 2021.03.16 16:07:14 -04'00'

Andrea L. Sterdis
HDI Vice President, Regulatory and Environmental Affairs
Holtec Decommissioning International, LLC

Enclosure 1: Description and Evaluation of Proposed Changes - License Amendment and Technical Specification Revision Request for Permanent Removal of Spent Fuel from the Spent Fuel Pool

- Attachment 1 Markup of the Facility License and TS pages
- Attachment 2 Retyped Facility License and IOTS pages
- Attachment 3 PDTS Administrative Controls to be Relocated to the DSAR
- Attachment 4 Regulatory Commitment

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HDI-OC-21-021

Enclosure 1

Description and Evaluation of Proposed Changes

License Amendment and Technical Specification Request for Permanent Removal of Spent Fuel from the Spent Fuel Pool

(36 pages to follow)

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Enclosure to HDI-OC-21-021

Description and Evaluation of Proposed Changes

License Amendment and Technical Specification Request for Permanent Removal of Spent Fuel from the Spent Fuel Pool

1.0 Summary Description
2.0 Proposed Change
3.0 Technical Evaluation
4.0 Regulatory Evaluation
- 4.1 Applicable Regulatory Requirements and Criteria
- 4.2 No significant Hazard Consideration
- 4.3 Precedents
- 4.4 Conclusions

5.0 Environmental Consideration
6.0 References

Attachments

1.0 Markup of the Existing License and Defueled Technical Specification Pages
2.0 Retyped License and ISFSI Only Technical Specifications Pages
3.0 Technical Specifications Administrative Controls relocated to the DSAR
4.0 List of Regulatory Commitments

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License Amendment and Technical Specification Request for Permanent Removal of Spent Fuel from the Spent Fuel Pool

1.0 SUMMARY DESCRIPTION

In accordance with 10 CFR 50.90, Holtec Decommissioning International, LLC (HDI) is proposing an amendment to Renewed Facility License DPR-16 for Oyster Creek Nuclear Generating Station (OCNGS). The proposed amendment would revise the Facility License (FL) and the Technical Specifications (TS) to reflect removal of all spent nuclear fuel from the spent fuel pool (SFP) and completion of the transfer of spent fuel to dry cask storage in an Independent Spent Fuel Storage Installation (ISFSI). The proposed changes include recognition of the approved HDI Decommissioning Quality Assurance Plan (DQAP) and relocation of specific existing TS Administrative Controls from Permanently Defueled Technical Specifications (PDTS) to the Defueled Safety Analysis Report (DSAR).

By letter dated September 25, 2018 (Reference 1), Exelon Generation, LLC. provided certification of the permanent removal of fuel from the reactor vessel pursuant to 10 CFR Part 50.82(a)(1). Therefore, as specified in 10CFR 50.82(a)(2), the 10 CFR Part 50 license for OCNGS no longer authorizes operation of the reactor or emplacement or retention of fuel in the reactor vessel.

By letter dated March 31, 2020 (Reference 2), HDI provided notification that off-load of the spent fuel pool (SFP) and transfer of the spent fuel to the ISFSI is expected to be completed by November 3, 2021. In support of this condition, a revision to the FL and associated TS is proposed to comport with the requirements for a facility configuration with all spent nuclear fuel in dry storage casks in an ISFSI.

The existing FL and PDTS contain Limiting Conditions for Operation (LCOs) that provide for appropriate functional capability of equipment required for safe storage and management of irradiated fuel with spent fuel stored in the SFP. As such, the existing FL and PDTS provide a level of control in excess of that needed for safe storage and management of irradiated fuel with all spent fuel stored in an ISFSI. The majority of the remaining PDTS are only applicable when irradiated fuel assemblies are stored in the SFP. Once all spent fuel assemblies have been transferred to the site controlled ISFSI, all remaining LCOs (and associated Surveillance Requirements (SRs) will no longer be applicable and are proposed for deletion. The proposed FL and TS revisions reflect the removal of all spent fuel from the SFP and will become applicable only after the last spent fuel assembly has been removed from the SFP and stored in the ISFSI. The revised TS will be referred to as the ISFSI Only Technical Specifications (IOTS).

Pending Licensing Actions under NRC Review

There are two pending licensing actions, currently under NRC review that relate to this License Amendment Request (LAR).

On December 8, 2020 (Reference 4), HDI requested NRC approval of a proposed revision to the Oyster Creek Physical Security Plan (PSP) to address the security requirements applicable to an ISFSI Only facility where all spent nuclear fuel has been located within the ISFSI. This LAR is referred to as the ISFSI Only Security Plan (IOSP). Approval of the IOSP affects License Condition 2.C.(4), which provides conditions for an approved physical security plan. The IOTS LAR is not requesting a change to this license condition.

On February 22, 2021 (Reference 5) HDI requested NRC approval of a proposed revision to the Permanently Defueled Emergency Plan (DPEP) to accommodate transition to an ISFSI Only Emergency Plan (IOEP).

2.0 PROPOSED CHANGES

The proposed amendment would modify the FL and PDTS to comport to the condition of all irradiated fuel in approved dry casks within either of the site controlled ISFSI storage locations. The proposed amendment would revise the PDTS to eliminate operational requirements and certain design requirements that involve storage and protection of spent fuel in the SFP. The proposed FL and PDTS revisions include a new spent fuel pool design requirement which prevents storage of spent fuel in the SFP. The revised PDTS for Fuel in the ISFSI Only will be referred as ISFSI Only Technical Specifications (IOTS).

The proposed FL and PDTS revisions also request relocating certain administrative specifications from PDTS Section 6, “Administrative Controls,” to the DSAR, and subsequently controlling future changes the specification requirements in accordance with the 10 CFR 50.59 change review control process.

Proposed changes to the Facility License are as follows:

- Revise License Condition 2.C.(2), “Technical Specifications,” to incorporate editorial description changes to reflect the incorporation of the PDTS into the license condition and removal of Appendix B (Environmental Technical Specifications).
- Removed lined out paragraph from Amendment 298.
- Eliminate License Condition 2.C.(8), Mitigation Strategy License Condition, to remove mitigation strategies for large fires and explosions that no longer apply based on permanent removal of fuel from the reactor and the SFP.
- Eliminate License Condition 2.C.(9), to remove requirements to implement and maintain reactor vessel protective actions required by Attachment 2 to NRC Order EA-06-137, based on NRC rescission.
- Eliminate License Condition 2.C.(16), to remove License Renewal Commitments applicable to operation of the facility in the extended period of operation authorized by the license renewal amendment.
- Eliminate License Condition 2.C.(17), Biological Opinion, to recognize updated Biological Opinion.
- Eliminate License Condition 2.F. as redundant to financial protection required by regulation.

Proposed changes to Appendix A, Permanently Defueled Technical Specifications are as follows:

- Editorial revision to Cover Page, Appendix A to PDTS, to identify that TS bases are no longer included with TS.
- Remove Section 1 .0, "Definitions," to eliminate definitions based on proposed changes that eliminate Certified Fuel Handlers and Non-Certified Operators.
- Remove Sections 3.0/4.0, "Limiting Conditions of Operation and Surveillance Requirements" because the spent fuel pool surveillance requirement is proposed to be deleted.
- Remove Sections 3/4.1, "Spent Fuel Storage," LCO and Surveillance based on removal of permanent removal of spent fuel from the SFP.
- Removal Section 3/4.2, “Radioactive Liquid Storage”, based on no active storage tanks outside.
- Revise Specification 5.1, “Site”, to eliminate the reactor center line location information based on permanently defueled reactor status.
- Revise Section 5.2. “Spent Fuel Storage” to update status and add “spent fuel shall not be stored in Spent Fuel Pool”.
- Revise Section 6.0, "Administrative Controls," to either delete requirements that are no longer necessary based on defueled SFP status or relocate the specification to a licensee-controlled document.

Proposed change to Appendix B, Environmental Technical Specifications:

Delete Appendix B as there are no remaining terms and conditions from the Biological Opinion.

3.0 TECHNICAL EVALUATION

General Analysis Applicable to the Proposed Changes

The proposed amendment would modify the FL and PDTS by deleting requirements that are no longer applicable to a facility due to the revised plant configuration where no spent fuel is stored in the SFP, and all spent fuel is stored in approved dry casks in the site controlled ISFSI. The proposed changes also involve revision and relocation of PDTS administrative controls that are no longer required to be retained in IOTS. This proposed amendment will be implemented after NRC approval and within 60 days following HDI's notification to the NRC that all spent fuel assemblies have been transferred out of the SFP and placed in dry storage within an ISFSI.

OCNGS plans to use a decommissioning method in which most fluid systems are drained and the plant is left in a stable condition until final dismantlement. Outside radioactive liquid storage tanks without containments will no longer be used. Administrative controls that are required to be in place when decontamination or dismantling activities of radioactive systems, structures, and components are being performed, are designed to minimize the likelihood of an off-normal or accident event, and thereby the consequences of such an event. The proposed changes to the FL and PDTS do not have an adverse impact on these remaining decommissioning activities or any of their postulated

radiological consequences. Spent fuel will be stored in dry casks in an ISFSI, until it is shipped off site consistent with the schedules described in the "Report on Status of Decommissioning Funding for Reactors and Independent Spent Fuel Storage Installations" (Reference 2).

During decommissioning with all spent fuel in dry storage within an ISFSI, there are no plant installed systems relied upon for the safe storage of spent fuel. In this condition, there are no credible accidents whose prevention or mitigation would need to be addressed by IOTS. In addition, the NRC approved spent fuel storage casks and canisters to be used for spent fuel storage are subject to their own Certificate of Compliance and Cask Technical Specifications (CTS).

The DSAR describes the design basis accidents (DBAs) related to the SFP. Postulated accidents were predicated on spent fuel being stored in the SFP. With the removal of the spent fuel from the SFP, there are no remaining spent fuel assemblies to be monitored and there are no credible accidents that require the actions of a Certified Fuel Handler, Shift Manager, or a Non-Certified Operator to prevent occurrence or mitigate the consequences of an accident. 10 CFR 50.2 defines safety-related structures, systems, and components (SSCs) as those that are relied upon to remain functional during and following design basis events to assure:

(1) The integrity of the reactor coolant boundary,
(2) The capability to shut down the reactor and maintain it in a safe shutdown condition; or
(3) The capability to prevent or mitigate the consequences of accidents which could result in potential offsite exposures comparable to the applicable guideline exposures set forth in § 50.34(a)(1) or § 100.11 of this chapter, as applicable

The first two criteria (integrity of the reactor coolant pressure boundary and safe shutdown of the reactor) are not applicable to a plant in a permanently defueled condition.

The third criterion is related to preventing or mitigating the consequences of accidents that could result in potential offsite exposures exceeding limits. However, after all nuclear spent fuel assemblies have been transferred to dry cask storage within an ISFSI, there are no longer any SSCs at OCNGS that are required to be relied upon for accident prevention or mitigation, since the only design basis accident described in Section 6.0 to the DSAR involves a fuel handling accident (FHA) analyzed using Alternate Source Term methodology using the applicable guideline exposures specified in § 50.67(b)(2). Since the FHA is predicated on spent fuel stored in the SFP, it is no longer applicable as a design basis accident once all spent fuel is offloaded from the SFP and transferred to dry storage within the ISFSI. Therefore, there are no SSCs at OCNGS that meet the definition of a safety-related SSC as defined in § 50.2, and the proposed deletion of requirements in the PDTS does not involve any SSCs credited in any accident analysis at OCNGS after the complete offload of the SFP and transfer of spent fuel to the ISFSI.

10 CFR 50.36, "Technical Specifications," promulgates the regulatory requirements related to the content of Technical Specifications. As detailed in subsequent sections of this proposed amendment, this regulation lists four criteria to define the scope of equipment and parameters that

must be included in a plant's Technical Specifications. A discussion of the applicability of these four criteria in the permanently defueled condition with all fuel removed from the spent fuel pool is provided in Section 4.1 of this enclosure. In a permanently defueled condition with all spent fuel in dry storage within the ISFSI, the scope of equipment and parameters that need be included in the IOTS is limited to a description of the site design features and high radiation area administrative controls.

The proposed changes related to the relocation of certain TS administrative controls do not affect operating procedures or administrative controls that have the function of preventing or mitigating any accidents applicable to the safe management of irradiated fuel stored in approved dry casks or decommissioning of the permanently defueled facility.

Detailed Discussion

The following identifies each section in the FL and TS that are proposed to be changed, the proposed changes, and the basis for each change. Changes to the FL are listed first, followed by changes to PDTS. Changes to the FL and PDTS are identified in the markups shown in Attachment 1 to this Enclosure. Retyped pages showing the revised FL and IOTS are provided in Attachment 2 to this Enclosure.

Editorial changes are proposed to the Cover Page for Appendix A to Technical Specifications (TS) to delete reference to “and Bases." A TS change is proposed to remove the existing SFP LCO and Surveillances, and the associated BASES. Additionally, the TS Bases Control Program in PDTS section 6.21 is proposed to be deleted for this same reason.

Appendix B in its entirety is to be removed as there are no longer any Environmental Terms or Conditions associated with the Biological Opinion as discussed further below.

Changes to the PDTS Table of Contents are proposed to reflect the removal of sections that will be eliminated in this LAR, as well as proposed changes to revise or remove page numbering that is no longer needed. These proposed changes are considered acceptable editorial changes and require no further justification.

Proposed License Condition Changes

License Condition 2.C.(2).

(2) Technical Specifications

The Technical Specifications contained in Appendix A and B, as revised through Amendment No. 295 are hereby incorporated in the license. Holtec Decommissioning International shall possess, maintain, and decommission the facility in accordance with the Permanently Defueled Technical Specifications (PDTS).

The above referenced specification is proposed to be revised to indicate that IOTS description is used for the Technical Specification condition to be approved. This is an editorial description change that ensures the license condition accurately reflects that IOTS are incorporated into the license. Attachment 1 to this enclosure identifies the proposed markup.

Appendix B is the Environmental Technical Specifications and is proposed to be removed from the License because NOAA National Marine Fisheries Service issued an updated Biological Opinion for OCNGS on May 29, 2020 (Reference 6). The opinion was updated to account for the facility no longer utilizing the environment for Power Reactor canal flows and "therefore there are no reasonable and prudent measures or terms and conditions."

License Condition 2.C.(8)

(8) Mitigation Strategy License Condition

Develop and maintain strategies for addressing large fires and explosions and that include the following key areas:

(a) Fire fighting response strategy with the following elements:
1. Pre-defined coordinated fire response strategy and guidance
2. Assessment of mutual aid fire fighting assets
3. Designated staging areas for equipment and materials
4. Command and control
5. Training of response personnel

(b) Operations to mitigate fuel damage considering the following:
1. Protection and use of personnel assets
2. Communications
3. Minimizing fire spread
4. Procedures for implementing integrated fire response strategy
5. Identification of readily-available pre-staged equipment
6. Training on integrated fire response strategy
7. Spent fuel pool mitigation measures

(c) Actions to minimize release to include consideration of:
1. Water spray scrubbing
2. Dose to onsite responders

This license condition is proposed for deletion in its entirety.

The license condition was approved and was implemented in response to industry action to improve capabilities to address events related to the September 11, 2001 terrorist threats. The purpose of the mitigating strategies is to develop specific guidance and strategies to maintain or restore reactor core cooling, containment, and spent fuel pool cooling capabilities using existing and readily available resources under circumstances associated with large loss areas of the plant due to explosions or fire.

Based on permanent cessation of reactor operation, permanent removal of reactor fuel from the reactor, and future removal of fuel from the SFP, this license condition will no longer be needed when all fuel is permanently removed from the SFP and stored in an ISFSI.

Related to this license condition is NRC Order EA-02-026. This order was issued by letter dated February 25, 2002 (Reference 11), to ensure that required operating nuclear facilities implement security measures to protect nuclear fuel resulting from large fires and explosions. The order was the initial NRC response related to the September 11, 2001 terrorist attacks. Subsequently, industry guidance was further developed and used to establish a specific OCNGS license condition to address these mitigating strategies. License Condition 2.C.(8) addresses Section B.5.b of Order EA-02-026.

NRC letter dated November 28, 2011 (Reference 12) partially rescinded Order EA-02-026 but indicated that Interim Compensatory Measure (ICM) B.1.a remained in effect at OCNGS. This ICM action involved operator training for specific security-initiated events that were not covered by regulations or license amendments.

By letter dated March 6, 2019 (Reference 13) Exelon requested rescission of ICM B.1.a to EA-02-026 and EA-02-137. ICM B.1.a. was the remaining portion of EA-02-026 action applicable to OCNGS. NRC review of this request is documented in letter dated August 9, 2019 (Reference 14). NRC review was performed and the ICM B.1.a. action and EA-02-137 in its entirety were rescinded. However, the NRC rescission review credited the protective measures identified in License Condition 2.c.(8) as basis to support order rescission and continued protection for nuclear fuel located in the SFP.

By letter dated September 25, 2018 (Reference 1) Exelon certified cessation of power operation and fuel was permanently removed from the reactor. After fuel is removed from the SFP and stored in dry casks in an ISFSI, the mitigating strategies in License Condition 2.C.(8) will no longer perform a required fuel protection function, and therefore the license condition can be deleted.

License Condition 2.C.(9).

(9) The licensee shall implement and maintain all Actions required by Attachment 2 to NRC Order EA-06-137, issued June 20, 2006, except the last action that requires incorporation of the strategies into the site security plan, contingency plan, emergency plan and/or guard training and qualification plan, as appropriate.

This License condition is proposed for deletion in its entirety.

By letter dated June 20, 2006 (Reference 15), the NRC issued Oder EA-06-137, "Order Requiring Compliance with Key Radiological Protection Mitigation Strategies," to various operating nuclear power reactor licensees including OCNGS. The order required implementation of a certain key radiological protection strategy for the purpose of allaying the effects of a loss of coolant accident for the reactor vessel. OCNGS has certified permanent shutdown and defueled the reactor per 10 CFR 50.82(a)(1)(i) and (ii) (Reference 1). Therefore, the effects of a loss of coolant accident in the reactor vessel are precluded and Order EA-06-137 no longer provides a fuel protective function.

Exelon had previously requested rescission of NRC order EA-06-137 (Reference 13). NRC review of the request identified that the licensee had demonstrated good cause to rescind EA-06-137 in its entirety (Reference 14). License Condition 2.C.(9) no longer provides the nuclear fuel and vessel protection and therefore deletion of this license condition is warranted.

License Condition 2.C.(16)

(16) License Renewal commitments

The UFSAR supplement, as revised, describes certain future activities to be completed prior to April 9, 2009, and during the term of this renewed operating license No. DPR-16. Holtec Decommissioning International shall complete these activities in accordance with Appendix A of NUREG-1875, "Safety Evaluation Report Related to the License Renewal of Oyster Creek Generating Station," dated March 2007, as supplemented on September 19, 2008, and shall notify the NRC in writing when implementation of those activities required prior to April9, 2009 are complete and can be verified by NRC inspection.

This License condition is proposed for deletion in its entirety.

OCNGS documented on March 9, 2009 with Letter from Exelon to the US NRC (Reference 9) that Exelon had completed implementation of commitments that were required by April 2009 and entering the period of extended operation.

This license condition involves management of license renewal amendment (LRA) commitments. The purpose of these LRA commitments was to ensure that the aging effects of equipment important to the safe operation of the reactor are managed so that the functionality of SSCs is maintained during the facility's period of extended operation. For a permanently shutdown facility where all spent fuel has been located within the ISFSI, most of the equipment subject to aging management programs are no longer in use and functionality does not need to be maintained.

During decommissioning, some equipment functionality, such as for equipment related to the fire protection system to address fire events that could result in radiological hazards per the requirements of 10 CFR 50.48(f), may be required beyond the permanent cessation of operations and therefore may be subject to an aging management program.

Prior to cessation of operations, PNPS license renewal commitments for aging management were incorporated into Appendix A, "Defueled Safety Analysis Report Supplement (Aging Management)", of the Defueled Safety analysis Report (DSAR). The DSAR is updated in accordance with 10 CFR 50.71(e). Changes to these license renewal commitments continue to be evaluated and controlled pursuant to the change review requirement criteria identified 10 CFR 50.59 and 10 CFR 50.71(e). On this basis, the NRC staff has previously found that update and or removal of license renewal commitments identified in the DSAR acceptable per the established controls provided for maintaining the DSAR.

The spent fuel storage cask systems located in an ISFSI are subject to their own Certificate of Compliance and Cask Technical Specification requirements. These cask protection requirements are not referenced or identified by License Condition 2.C.(16). Based on the above, administrative controls for maintaining the DSAR will be used to address and control license renewal commitments and therefore, License Condition 2.C.(16) can be deleted.

License Condition 2.C.(17)

(17) Biological Opinion

Within 30 days from the issuance date of the renewed license, Hotec Decommissioning International shall comply with the terms and conditions of the Incidental Take Statement associated with certain sea turtles in the Biological Opinion in effect or as subsequently issued by the National Marine Fisheries Service regarding operation of the facility.

This License condition is proposed for deletion in its entirety.

NOAA National Marine Fisheries Service issued an updated Biological Opinion for OCNGS on May 29, 2020. The opinion was updated to account for the facility no longer utilizing the environment for Power Reactor canal flows and “therefore there are no reasonable and prudent measures or terms and conditions.” (Reference 6).

License Condition 2.F.

F. The licensee shall have and maintain financial protection of such type and in such amounts as the Commission shall require in accordance with Section 170 of the Atomic Energy Act of 1954, as amended, to cover public liability claims.

This License condition is proposed for deletion in its entirety.

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The requirement for the licensee to maintain public liability has been codified by 10 CFR 140 which applies to the owner of OCNGS as exempted to a reduced amount by the NRC (Reference 10). Therefore, the specific License Condition to follow Section 170 of the Atomic Energy Act of 1954 is not required.

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Post Defueled Technical Specification (APPENDIX A) Changes

Technical Specification Cover Page

The proposed change addresses an editorial change to add the ISFSI Only descriptor and remove "and BASES". The proposed change reflects a plant condition where the reactor is permanently defueled and shutdown, and all fuel has been removed from and permanently prevented from being stored in the spent fuel pool. The revision to the Appendix A cover page is consistent with the proposed changes described below to remove operational specifications and associated BASES.

Table of Contents

The table of contents will be updated based on the content changes.

PDTS Section 1 .0, "Definitions"

The following frequently used terms are defined to aid in the uniform interpretation of the specifications.

1.1 ACTIONS

ACTIONS shall be that part of a Specification that prescribes Required Actions to be taken under designated Conditions within specific Completion Times.

1.2 CERTIFIED FUEL HANDLER

A CERTIFIED FUEL HANDLER is an individual who complies with the provisions of the CERTIFIED FUEL HANDLER training program by Specification 6.3.2.

1.3 NON-CERTIFIED OPERATOR

A NON-CERTIFIED OPERATOR is a non-licensed operator who complies with the qualification requirements of Specification 5.3.1 but is not a CERTIFIED FUEL HANDLER.

Section 1.0 is proposed for deletion in its entirety.

As stated in the specification above, the purpose of the definitions is to provide uniform interpretation of frequently used terms in the PDTS. The proposed changes to other PDTS sections as reflected in this submittal, either eliminate or relocate the information that references these terms. Since these terms are no longer needed after spent fuel has been removed from the SFP and transferred to an ISFSI, it is acceptable to delete these definitions for the IOTS.

PDTS Sections 2 .0

Technical Specification 2.0 was previously deleted from PDTS.

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PDTS Section 3/4

3/4.0 LIMITING CONDITIONS FOR OPERATION AND SURVEILLANCE REQUIREMENTS APPLICABILITY

3/4.0 BASES FOR LIMITING CONDITIONS FOR OPERATION AND SURVEILLANCE REQUIRMENT APPLICABILITY

This section is proposed for deletion in its entirety.

This section provides applicability requirements for limiting condition for operation (LCO) and surveillance requirements and their bases for applicability. After the transfer of spent fuel from the SFP to the ISFSI is complete, there will no longer be any LCOs or Surveillance Requirements to perform. Therefore, there are no LCO applicability or surveillance requirements remaining to apply these surveillance controls. Deleting these sections in their entirety is acceptable and has no impact on continued safe storage and maintenance of spent fuel located dry casks in a site controlled ISFSI.

PDTS Section 3 /4.1, Spent Fuel Storage

Applicability: During movement of irradiated fuel assemblies in the spent fuel pool.

Objective: To assure safe storage of spent fuel.

LCO: 3.1 Spent Fuel Pool Water Level

Whenever irradiated fuel is stored in the spent fuel storage pool, water level shall be maintained at a level ≥ 117 feet 8 inches (elevation above sea level) with the exception of planned cask movements.

ACTIONS:

Condition	Required Action	Completion Time
Spent fuel pool water level is not within limit.	Suspend movement of irradiated fuel assemblies and movement of loads over the storage racks containing fuel.	Immediately

SURVEILLANCE REQUIREMENTS

	Surveillance	Frequency
4.1	Verify the spent fuel pool water level is ≥ 117 feet 8 inches.	24 hours

Basis:

As shown on Tech Spec page B3/4.1-1

Section 3/4.1 and its associated Basis is proposed for deletion in its entirety.

The requirements in this section are related to assuring the functional capability of equipment required for safe storage and maintenance of spent fuel stored in the SFP. PDTS 3./ 4.1 do not apply when there are no fuel assemblies stored in the SFP. Therefore, these specifications will no longer be needed following the transfer of all spent fuel assemblies from the SFP to the ISFSI. As such, these PDTS will be deleted in their entirety.

PDTS 3/4.2 Radioactive Liquid Storage

Applicability: Applies at all times to outdoor tanks used to store radioactive liquids.

Objective: To assure that radioactive effluents are not released to the environment in an uncontrolled manner and to assure that the radioactive concentrations of any material released is kept as low as is reasonably achievable and, in any event, within the limits of 10 CFR Part 20.1301 and 40 CFR Part 190.10(a).

LCO: 3.2 The quantity of radioactive material, excluding tritium, noble gases, and radionuclides having half-lives shorter than three days, contained in outdoor storage tanks shall not exceed 10.0 curies. Included in this specification are all outdoor storage tanks that contain radioactivity that are not surrounded by liners, dikes, or walls capable of holding the tank contents, or that do not have tank overflows and surrounding area drains connected to the liquid radwaste treatment system.

ACTIONS:

Condition	Required Action	Completion Time
In the event the quantity of radioactive material in any applicable storage tanks exceeds 10.0 curies.	Begin treatment and continue it until the total quantity of radioactive material in the tank is 10 curies or less, and describe the reason for exceeding the limit in the next Annual Effluent Release Report.	As soon as reasonably achievable

SURVEILLANCE REQUIREMENTS

	Surveillance	Frequency
4.2	Liquids contained in outdoor storage tanks included in this specification shall be sampled and analyzed for radioactivity.	Once per 7 days when radioactive liquid is being added to the tank.

Section 3/4.2 and its associated Basis is proposed for deletion in its entirety.

Outside tank LCO requirement to limit Curie content to less than 10 curies will be removed as there will be no outside tanks used to store radioactive liquids that can have 10 curies present. Upon fuel removal to dry storage, remaining liquids will be processed with licensee-controlled procedures that are in place imposing controls from regulations including 10 CFR 50.59, Appendix B to 10 CFR Part 50, and the requirements to assure radioactive effluents are maintained "as low as reasonably achievable" in accordance with Appendix I to 10 CFR Part 50, and within the dose limits to the public specified in 10 CFR Part 20. Procedure changes are subject to the change control process in 10 CFR 50.59 which provides adequate control and has no impact on continued safe storage of spent fuel in the ISFSI. Effluents that can be released to the environment are monitored and controlled in accordance with the Offsite Dose Control Manual (ODCM).

PDTS Section 5.0, "Design Features"

5.1 SITE

The reactor (center line) is located 1,358 feet west of the east boundary of New Jersey State Highway Route 9 which is the minimum exclusion distance as defined in 10 CFR 100.3. The licensee will at all times retain the complete authority to determine and maintain sufficient control of all activities through ownership, easement, contract and/or other legal instruments on property which is closer to the reactor (center line) than 1,358 feet. This includes the authority to exclude or remove personnel and property within the minimum exclusion distance.

The proposed IOTS section 5.1 is:

5.1 SITE

The Oyster Creek Nuclear Generating Station facility is located adjacent to State Highway Route 9 near the Atlantic Ocean within the State of New Jersey. The facility site, approximately 152 acres, is in Lacey Township, Ocean County.

IOTS wording basis:

PDTS Section 5.0 provides a description of the OCNGS site location. This section is proposed to be revised to reflect the permanently defueled condition of the facility with all fuel assemblies stored within the ISFSI.

A description regarding the minimum distance from the center line of the reactor containment to the site exclusion radius is being deleted. The minimum distance from the center line of the reactor containment to the site exclusion radius is based on requirements contained in § 100.3 regarding reactor accident dose analyses. Because by § 50.82(a)(2) the OCNGS 10 CFR Part 50 license no longer authorizes operation of the reactor or emplacement or retention of fuel in the reactor vessel, this design feature is no longer needed, and its description may be deleted.

The reference to the site exclusion area boundary is proposed to be deleted because the information is more detailed than required to describe the OCNGS site. In addition, the description of licensee authority on the property references the exclusion area defined in§ 100.3, which as stated above, is no longer needed, and does not describe a site location design feature with the reactor permanently defueled, and therefore may be deleted. Removal of these descriptions do not alter any regulatory requirements related to licensee authority over the site location, and thus do not have an impact on continued safe storage and maintenance of irradiated fuel in an ISFSI.

The proposed content of IOTS 5.1 describing the site location is consistent with the level of detail provided in the comparable design features site location descriptions in the TS for Kewaunee approved by the NRC on June 7, 2017 (Reference 15) and the TS for Vermont Yankee (Reference 16).

PDTS Specification 5.2, "Spent Fuel Storage"

5.2.1 Spent Fuel Storage

A. The spent fuel storage facilities are designed and shall be maintained with a K-effective equivalent to less than or equal to 0.95 including all calculational uncertainties.

B. The temperature of the water in the spent fuel storage pool, measured at or near the surface, shall not exceed 125°F.

C. The maximum amount of spent fuel assemblies stored in the spent fuel storage pool shall be 3035.

Proposed IOTS Section 5.2.

5.2 Spent fuel shall not be stored in the spent fuel pool.

IOTS wording bases:

PDTS Specification 5.2 describes design features associated with spent fuel storage in the SFP. The revised IOTS section requires modification to eliminate the existing SFP protection requirements and to replace them with a new requirement. After all spent fuel is removed from the SFP, the existing requirements of PDTS 5.1 are no longer applicable and may be replaced with "**Spent fuel shall not be stored in the Spent Fuel Pool**". This specification change will permanently preclude storage of fuel in the pool after the spent fuel is removed during the final off-load campaign.

Section 6.0, "Administrative Controls"

The Administrative Controls section of Technical Specifications will be deleted or relocated to licensee-controlled documents. Section 6.13, "High Radiation Area" will be retained to control on-going decommissioning activities.

PDTS Section 6.1 Responsibility

6.1.1 The Plant Manager shall be responsible for overall facility operation and shall delegate in writing the succession to this responsibility during the Plant Manager's absence.

The Plant Manager or the designee shall approve, prior to implementation, each proposed test, experiment, or modification to systems or equipment that affect safe storage and maintenance of spent nuclear fuel.

6.1.2 The Shift Manager shall be responsible for the shift command function.

Proposed IOTS Section 6.1 Deleted

PDTS Section 6.1.1 provides a description and requirements regarding certain key operational management responsibilities. The proposed change is to delete this section as it is redundant to details already approved in the HDI DQAP Section 1 Organization. Responsibilities are specified for the HDI Site Vice President in DQAP section 1.3.1:

1.3.1 The HDI Site Vice President for each decommissioning facility maintained by HDI is responsible for providing day-to-day on-site leadership and direction to the associated decommissioning facility to assure the safe decommissioning, maintenance, and regulatory compliance of the station including control over those onsite activities necessary for safe storage and maintenance of spent nuclear fuel, including maintaining the facility within the constraints of

applicable regulatory requirements, licenses, Technical Specifications dry storage system Certificate of Compliance and training. The HDI Site Vice President, or specified designee, shall approve, prior to implementation, all tests, experiments, and modifications to systems or equipment that affect the safe storage and maintenance of spent nuclear fuel.

PDTS Section 6.1.2 Specifies the Shift Manager shall be responsible for the shift command function. This function when in all fuel has been located to the ISFSI will be provided by the Security Operating Supervisor (SOS) whose responsibilities are described by both the IOSP and the ISFSI Only Emergency Plan (IOEP).

After these administrative controls are incorporated into the DQAP, any future changes are controlled in accordance with§ 50.54 (a). This will provide adequate control for the facility with all spent fuel located within the ISFSI. The relocation of administrative controls for responsibility requirements to the DQAP is consistent with NRC Administrative Letter 95-06 and 96-04 (References 7 and 8) guidance and will have no impact on safe storage and maintenance of spent fuel in the ISFSI.

Therefore, Section 6.1 is redundant to responsibilities specified in other licensing documents and this section can be eliminated.

PDTS Section 6.2, "Organization"

This section describes the Onsite and Offsite Organizations and the Facility Staff functions.

PDTS 6.2.1, "Onsite and Offsite Organizations"

Onsite and offsite organizations shall be established for facility staff and corporate management. The onsite and offsite organization shall include the positions for activities affecting the safe storage and handling of spent nuclear fuel.

a. Lines of authority, responsibility and communication shall be established and defined from the highest management levels through intermediate levels to and including facility organization positions. These relationships shall be documented and updated as appropriate, in the form of organizational descriptions. These organizational descriptions will be documented in the Updated FSAR and updated in accordance with 10 CFR 50.71e.

b. The Plant Manager shall be responsible for overall facility safe operation and shall have control over those onsite activities necessary for safe storage and maintenance of spent nuclear fuel.

c. A responsible officer shall have corporate responsibility for the safe storage and handling of spent nuclear fuel and shall take measures needed to ensure acceptable performance of the staff in operating, maintaining, and providing technical support to the facility to ensure safe management of spent nuclear fuel.

d. Individuals who train the CERTIFIED FUEL HANDLERs and those who carry out the health physics and quality assurance functions may report to the appropriate manager on site; however, these individuals shall have sufficient organizational freedom to ensure their ability to perform their assigned functions.

Proposed IOTS Section 6.2.1 Deleted

PDTS Section 6.2.1 administrative controls describe organizational lines of authority, responsibilities, and requirements for organizational freedom for certain personnel including those performing health physics or quality assurance functions are provided sufficient organizational freedom. These organizational functions are described in the approved fleet DQAP Section 1 Organization. PDTS Items 6.2.1 a, b, & c have specific descriptions in the DQAP. Item 6.2.1.d describes CERTIFIED FUEL HANDLER and is no longer a required position because all fuel has been removed from the reactor and spent fuel pool. Additionally, Chapter 5 of the DSAR provides additional descriptions of the site's Organization.

After these administrative controls are incorporated into the DQAP or DSAR, any future changes are controlled in accordance with§ 50.54 (a). This will provide adequate control for the facility with all spent fuel located within the ISFSI. The relocation of administrative controls for organizational requirements to the DQAP or DSAR is consistent with NRC Administrative Letter 95-06 and 96-04 (References 7 and 8) guidance and will have no impact on safe storage and maintenance of spent fuel in the ISFSI.

Therefore, eliminating PDTS Sec 6.2.1 as the required organizational functions are described in the DQAP and DSAR.

PDTS Section 6.2.2, "Facility Staff"

The facility organization shall meet the following:

a. Each on duty shift shall include at least the following shift staffing:

- One (1) Shift Manager (see f. below)
- One (1) NON-CERTIFIED OPERATOR (see g. below)

b. Shift crew composition may be one less than the minimum requirements of 6.2.2.a for a period of time not to exceed two hours, in order to accommodate unexpected absence of on-duty shift crew members. Immediate action must be

taken to restore the shift crew composition to within the requirements given above. During such absences, no fuel movement or movement of loads over the spent fuel shall be permitted. This provision does not permit any shift crew position to be unmanned upon shift change due to an incoming shift crew member being late or absent.

c. At all times when nuclear fuel is stored in the spent fuel pool, at least one person qualified to stand watch in the control room (NON-CERTIFIED OPERATOR or CERTIFIED FUEL HANDLER) shall be present in the control room.

d. Oversight of fuel handling operations shall be provided by a CERTIFIED FUEL HANDLER.

e. An individual qualified in radiation protection measures shall be on site during movement of fuel and during the movement of loads over the fuel.

f. The Shift Manager shall be a CERTIFIED FUEL HANDLER.

g. The position of NON-CERTIFIED OPERATOR may be filled by a CERTIFIED FUEL HANDLER.

Proposed IOTS Section 6.2.2 Deleted

PDTS 6.2.2 is proposed to be deleted in its entirety. These administrative controls pertain to the facility staff organization and requirements when spent fuel is stored or moved within the SFP. Once all spent fuel is located within the ISFSI and spent fuel storage in the SFP is prohibited, it is not necessary to retain these spent fuel handling administrative controls. Therefore, the deletion of TS 6.2.2 after the fuel has been moved from the spent fuel pool to the ISFSI will have no impact on safe storage and maintenance of spent fuel in the ISFSI and is acceptable.

PDTS Section 6.3, "Facility Staff Qualifications"

6.3.1 Each member of the facility staff shall meet or exceed the minimum qualifications of ANSI/ANS 3.1 of 1978 for comparable positions unless otherwise noted in the Technical Specifications. Technicians and maintenance personnel who do not meet ANSI/ANS 3.1 of 1978, Section 4.5, are permitted to perform work for which qualification has been demonstrated.

6.3.2 The management position responsible for radiological controls shall meet or exceed the qualifications of Regulatory Guide 1.8 (Rev. 1-R, 9/75). Each other member of the radiation protection organization for which there is a comparable position described in ANSI N18.1-1971 shall meet or exceed the minimum qualifications specified therein, or in the case of radiation protection technicians, they shall have at least one year's continuous experience in applied radiation protection work in a nuclear facility dealing with radiological problems similar to those encountered in nuclear power stations and

shall have been certified by the management position responsible for radiological controls as qualified to perform assigned functions. This certification must be based on an NRC approved, documented program consisting of classroom training with appropriate examinations and documented positive findings by responsible supervision that the individual has demonstrated his ability to perform each specified procedure and assigned function with an understanding of its basis and purpose.

6.3.3 The NRC approved training and retraining program for CERTIFIFED FUEL HANDLERS shall be maintained.

Proposed IOTS Section 6.3. Deleted

The proposed change is to delete PDTS 6.3.1 from the IOTS as the qualification requirements for required site staff are already described in the DSAR section 5.0. Qualification of Plant Personnel. DSAR section 5.1.3 specifies ANSI/ANS 3.1 of 1978 as follows:

5.1.3 Qualification of Plant Personnel

Each member of the facility staff shall meet or exceed the minimum qualifications of ANSI/ANS 3.1 of 1978 for comparable positions unless otherwise noted in the Technical Specifications. Technicians and maintenance personnel who do not meet ANSI/ANS 3.1 of 1978, Section 4.5, are permitted to perform work for which qualification has been demonstrated. The Decommissioning Quality Assurance Topical Report, NO-DC-10, as revised describes the essential managerial positions and applicable Human Resources procedures describe comparable ANSI/ANS 3.1-1978 positions for the individuals responsible for programs and systems that ensure the safe and successful operation of the facility. Changes to these documents are evaluated in accordance with the applicable change control process.

The proposed change is to delete PDTS 6.3.2 from the IOTS and add this qualification requirement to the DSAR section 5.1.3 as sub step b. Existing 5.1.3 to become sub step a. PDTS 6.3.2 is a unique qualification requirement at Oyster Creek and is proposed to be retained in the section 5.1.3 of the DSAR. The last sentence of 6.3.2 will not be retained as it pertains to training controls which are already specified by the DQAP section 2.7 “Personnel Training and Qualifications.”

After these administrative controls are incorporated into the DQAP or DSAR, any future changes are controlled in accordance with§ 50.59 or 50.54 (a). This will provide adequate control for the facility with all spent fuel located within the ISFSI. The relocation of administrative controls for facility staff qualifications requirements to the DQAP or DSAR is consistent with NRC Administrative Letter 95-06 and 96-04 (References 7 and 8) guidance and will have no impact on safe storage and maintenance of spent fuel in the ISFSI.

Existing PDTS 6.3.3 specifies that a Certified Fuel Handler training program shall be maintained. As described in the existing PDTS 6.2.2, the shift command function is focused on operations involving the storage or movement of spent nuclear fuel within the SFP. Following the transfer of all spent fuel to the ISFSI, storage of spent fuel in the SFP will be prohibited upon implementation of this amendment, thus there will no longer be a need for Certified Fuel Handlers or the associated

training programs. Therefore, this proposed deletion will have no impact on safe storage and maintenance of spent fuel in the ISFSI and is acceptable.

PDTS Section 6.8, "Procedures" addresses procedure requirements to ensure Quality Assurance requirements for operation of nuclear power plants, Quality Assurance for effluent and environmental monitoring, fire protection program implementation, and all programs referenced in technical specification 6.8. The administrative controls identified for procedures in section 6.8.1, will be relocated to the DSAR.

6.8.1 Written procedures shall be established, implemented, and maintained covering the items referenced below:

a. The procedures applicable to safe storage of nuclear fuel recommended in Appendix "A" of Regulatory Guide 1.33 as referenced in the Decommissioning Quality Assurance Program (DQAP).

b. Surveillance and test activities of equipment that affects nuclear safety and radioactive waste management equipment.

c. Fuel Handling Operations.

d. Security Plan Implementation.

e. Fire Protection Program Implementation.

f. Emergency Plan Implementation.

g. Process Control Plan Implementation.

h. Offsite Dose Calculation Manual Implementation.

i. Quality Assurance Program for effluent and environmental monitoring using the guidance in Regulatory Guide 4.15, Revision 1.

6.8.2 Each procedure required by 6.8.1 above, and substantive changes thereto, shall be reviewed and approved prior to implementation and shall be reviewed periodically as set forth in administrative procedures.

6.8.3 Temporary changes to procedures of 6.8.1, above, may be made provided:

a. The intent of the original procedure is not altered;

b. The change is approved by two members of the licensee's management staff knowledgeable in the area affected by the procedure. For changes which may affect the operational status of facility systems or equipment, at least one of these

individuals shall be a member of operations management or supervision who is a CERTIFIED FUEL HANDLER.

c. The change is documented, reviewed and approved within 14 days of implementation.

Proposed IOTS Sections 6.8.1., 6.8.2. & 6.8.3. Deleted

PDTS 6.8 requires written procedures to be established, implemented, and maintained for certain activities. The proposed change is to delete PDTS 6.8 from the IOTS in its entirety, and to relocate the requirements to the DSAR administrative controls section with the exception of:

1. PDTS 6.8.1.a. will be removed which involves fuel handling operations in the SPF. As discussed above, following the transfer of the spent fuel to the ISFSI, the proposed change to IOTS 5.2 will prohibit the storage of spent fuel in the SFP.

2. PDTS 6.8.3.b. which requires two members of licensee's management staff knowledgeable in the area affected by the procedure. The next sentence will be removed as there will no longer be reactor system operations nor a CERTIFIED FUEL HANDLER required.

After these administrative controls are incorporated into the DSAR, any future changes are controlled in accordance with§ 50.59. This will provide adequate control for the facility with all spent fuel located within the ISFSI. The relocation of administrative controls for procedure requirements to the DSAR is consistent with NRC Administrative Letter 95-06 and 96-04 (Reference 7 and 8) guidance and will have no impact on safe storage and maintenance of spent fuel in the ISFSI.

Administrative controls proposed to be relocated to the DSAR are as shown in Attachment 3 to this enclosure.

6.8.4 The following programs shall be established, implemented and maintained:

a. Radioactive Effluent Controls Program

A program shall be provided conforming with 10 CFR 50.36a for the control of radioactive effluent and for maintaining the doses to members of the public from radioactive effluent as low as reasonably achievable. The program (1) shall be contained in the ODCM, (2) shall be implemented by operating procedures, and (3) shall include remedial actions to be taken whenever the program limits are exceeded. The program shall include the following elements:

1. Limitations on the operability of radioactive liquid and gaseous monitoring instrumentation including the surveillance tests and setpoint determination in accordance with the methodology in the ODCM,

2. Limitations on the concentrations of radioactive material released in liquid effluent to the unrestricted area conforming to less than the concentration values in Appendix B, Table 2, Column 2 to 10 CFR 20.1001-20.2402.

3. Monitoring, sampling, and analysis of radioactive liquid and gaseous effluent in accordance with 10 CFR 20.1302 and with the methodology and parameters in the ODCM.

4. Limitations on the annual and quarterly doses and dose commitment to a member of the public from radioactive materials in liquid effluent released to the unrestricted area conforming to Appendix I of 10 CFR 50.

5. Determination of cumulative dose contributions from radioactive effluents for the current calendar quarter and current calendar year in accordance with the methodology and parameters in the ODCM at least every 31 days. Determination of projected dose contributions from radioactive effluents in accordance with the methodology in the ODCM at least every 31 days.

6. Limitations on the operability and use of the liquid and gaseous effluent treatment systems to ensure that the appropriate portions of these systems are used to reduce releases of radioactivity when the projected doses in the 31 day period would exceed 2 percent of the guidelines for the annual dose or dose commitment conforming to Appendix I to 10 CFR 50,

7. Limitations on the dose rate resulting from radioactive materials released in gaseous effluents from the site to the unrestricted area shall be limited to the following:

    a. For noble gases: Less than or equal to a dose rate of 500 mRems/yr to the total body and less than or equal to a dose rate of 3000 mRems/yr to the skin, and

    b. For iodine-131, iodine-133, tritium, and for all radionuclides in particulate form with half-lives greater than 8 days: Less than or equal to a dose rate of 1500 mRems/yr to any organ.

8. Limitations on the annual and quarterly air doses resulting from noble gases released in gaseous effluents to the unrestricted area conforming to Appendix I of 10 CFR 50.

9. Limitations on the annual and quarterly doses to a member of the public from I-131, I-133, tritium, and all radionuclides in particulate form with half-lives greater than 8 days in gaseous effluent released beyond the site boundary conforming to Appendix I of 10 CFR 50,

10. Limitations on the annual dose or dose commitment to any member of the public due to releases of radioactivity and to radiation from Uranium fuel cycle sources conforming to 40 CFR Part 190.

Proposed IOTS Section 6.8.4. Deleted

PDTS 6.8.4 specifies administrative requirements for the program to control radioactive effluents and for maintaining doses to the public to within the specified limits. The proposed change is to delete TS 6.8.4 from the PDTS and relocate the requirements to the DSAR with the following exceptions:

- References to 6.8.4.7.a will not be relocated to the DSAR since after all spent fuel is transferred to the ISFSI and contained within dry storage casks, there will no longer be a requirement to monitor for noble gases released from the facility.
- References to iodine-131 and iodine-133 in 6.8.4.7.b will not be relocated to the DSAR due to the radioactive decay and short half-lives (approximately 8 days and 20.83 hours, respectively) and time since permanent cessation of reactor operation. This is consistent with changes to the ODCM implemented under 10 CFR 50.59.
- References to "gaseous" effluents and monitoring will be revised to "airborne" effluents and monitoring will be incorporated based on conditions applicable to post fuel removal from spent fuel pool to dry casks located in the ISFSI. This editorial change does not alter monitoring requirements previously identified and is strictly an administrative change.

The proposed change is to delete PDTS 6.8.4 from the PDTS and to relocate the requirements to the DSAR. After these administrative controls are incorporated into the DSAR, any future changes are controlled in accordance with§ 50.59. This will provide adequate control for the facility with all spent fuel located within the ISFSI. The relocation of administrative controls for radioactive effluent control program requirements to the DSAR is consistent with NRC Administrative Letter 95-06 and 96-04 (Reference 7 and 8) guidance and will have no impact on safe storage and maintenance of spent fuel in the ISFSI.

Administrative controls proposed to be relocated to the DSAR are as shown in Attachment 3 to this enclosure.

b. Radiological Environmental Monitoring Program

A program shall be provided to monitor the radiation and radionuclides in the environs of the plant. The program shall provide (1) representative measurements of radioactivity in the highest potential exposure pathways, and (2) verification of the accuracy of the effluent monitoring program and modeling of environmental exposure pathways. The program shall (1) be contained in the ODCM, (2) conform to the guidance of Appendix I to 10 CFR Part 50, and (3) include the following:

1. Monitoring, sampling, analysis, and reporting of radiation and radionuclides in the environment in accordance with the methodology and parameters in the ODCM

PDTS Section 6.9, "Reporting Requirements"

PDTS Section 6.9.1, "Routine Reports"

In addition to the applicable reporting requirements of 10 CFR, the following identified reports shall be submitted to the Administrator of the NRC Region I office unless otherwise noted.

6.9.1 Routine Reports

a. Radioactive Effluent Release Report

The Radioactive Effluent Release Report covering the operation of the facility during the previous year shall be submitted prior to May 1 of each year in accordance with 10 CFR 50.36a. The report shall include a summary of the quantities of radioactive liquid and gaseous effluent and solid waste released from the facility. The material provided shall be consistent with the objectives outlined in the ODCM and Process Control Program and in conformance with 10 CFR 50.36a and 10 CFR Part 50, Appendix I, Section IV.B.1.

b. Annual Radiological Environmental Operating Report

The Annual Radiological Environmental Operating Report covering the operation of the facility during the previous calendar year shall be submitted prior to May 1 of each year.

The Report shall include summaries, interpretations, and an analysis of trends of the results of the Radiological Environmental Monitoring Program for the reporting period. The material provided shall be consistent with the objectives outlined in: (1) the ODCM; and (2) Sections IV.B.2, IV.B.3, and IV.C of Appendix I to 10 CFR Part 50.

Proposed IOTS Section 6.9. Deleted

PDTS 6.9 addresses radiological reporting requirements. The proposed change is to delete PDTS 6.9 from the IOTS in its entirety and relocate the requirements to the DSAR. The only change to this section is to replace the word “gaseous” with “airborne”. After these administrative controls are incorporated into the DSAR, any future changes are controlled in accordance with§ 50.59. This will provide adequate control for the facility with all spent fuel located within the ISFSI. The relocation of administrative controls for radioactive effluent reporting requirements to the DSAR is consistent with NRC Administrative Letter 95-06 and 96-04 (Reference 7 and 8) guidance and will have no impact on safe storage and maintenance of spent fuel in the ISFSI, and therefore is acceptable.

Administrative controls proposed to be relocated to the DSAR are as shown in Attachment 3 to this enclosure.

PDTS Section 6.10 “RECORD RETENTION”

6.10.1 Quality Assurance Records shall be retained as specified by the DQAP.

Proposed IOTS Section 6.10. Deleted

The proposed change is to delete PDTS 6.10 from the IOTS in its entirety as the DQAP Section 17 Quality Assurance Records and its Appendix B provides guidance for record retention.

PDTS Section 6.19 "Offsite Dose Calculation Manual"

a. Licensee initiated changes to the ODCM shall be submitted to the NRC in the Annual Radioactive Effluent Release Report for the period in which the changes were made. This submittal shall contain:
1. sufficiently detailed information to justify the changes without benefit of additional or supplemental information,

2. a determination that the changes did not reduce the accuracy or reliability of dose calculations or setpoint determination; and,

3. documentation that the changes have been reviewed and approved pursuant to Section 6.8.2.

b. Change(s) shall become effective upon review and approval by licensee management.

Proposed IOTS Section 6.19. Deleted

The proposed change is to delete PDTS 6.19 from the IOTS and to relocate the requirements to the DSAR. After these administrative controls are incorporated into the DSAR, any future changes are controlled in accordance with§ 50.59. This will provide adequate control for the facility with all spent fuel located within the ISFSI. The relocation of administrative controls for ODCM Controls Program requirements to the DSAR is consistent with NRC Administrative Letter 95-06 and 96-04 (Reference 7 and 8) guidance and will have no impact on safe storage and maintenance of spent fuel in the ISFSI.

Administrative controls proposed to be relocated to the DSAR are as shown in Attachment 3 to this enclosure.

PDTS Section 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).

Proposed IOTS Section 6.21. Deleted

PDTS 6.21 describes the TS Bases Control Program and is proposed to be deleted in its entirety from the IOTS. Based on the proposed deletion of all LCOs and Surveillances in other PDTS sections referenced in this LAR, there is no longer any IOTS Bases needed to provide surveillance guidance. As such, there is no need to maintain the TS Bases control program. Therefore, the proposed deletion of TS 6.21 is acceptable.

4.0 Regulatory Evaluation

4.1 Applicable Regulatory Requirements

10 CFR 50.2, Definitions. Safety-Related Structures. Systems and Components

10 CFR 50.2 defines safety-related structures, systems, and components (SSCs) as those structures, systems and components that are relied upon to remain functional during and following design basis events to assure:

(1) The integrity of the reactor coolant pressure boundary
(2) The capability to shut down the reactor and maintain it in a safe shutdown condition; or
(3) The capability to prevent or mitigate the consequences of accidents which could result in potential offsite exposures comparable to the applicable guideline exposures set forth in § 50.34(a)(1) or § 100.11 of 10 CFR, as applicable.

10 CFR 50.36. Technical Specifications

In 10 CFR 50.36, the Commission established its regulatory requirements related to the content of Technical Specifications (TS). In doing so, the Commission placed emphasis on those matters related to the prevention of accidents and mitigation of accident consequences; the Commission noted that applicants were expected to incorporate into their TS "those items that are directly related to maintaining the integrity of the physical barriers designed to contain radioactivity" (Statement of Consideration, "Technical Specification for FLs; Safety Analysis Reports," 33 FR 18610, December 17, 1968). Pursuant to§ 50.36, TS are required to include items in the following five categories: (1) safety limits, limiting safety system settings, and limiting control settings; (2) limiting conditions for operation (LCOs); (3) surveillance requirements (SRs); (4) design features; and (5) administrative controls. However, the rule does not specify the particular requirements to be included in a plant's TS.

The final Commission Policy Statement established four criteria to define the scope of equipment and parameters to be included in the improved Standard Technical Specifications. These criteria were developed for licenses authorizing operation (i.e., operating reactors) and focused on instrumentation to detect degradation of the reactor coolant system pressure boundary, process variables and equipment, design features, or operating restrictions that affect the integrity of fission product barriers during design bases accidents or transients. A fourth criterion refers to the use of operating experience and probabilistic risk assessment to identify and include in the Technical Specifications structures, systems, and components (SSCs) shown to be significant to public health and safety. These criteria, which were subsequently codified in changes to Section 36 of Part 50 of Title 10 of the Code of Federal Regulations (10 CFR 50.36) (60 FR 36953), also pertain to the Technical Specification requirements for safe storage of spent fuel. A general discussion of these considerations is provided below.

Criterion 1 of 10 CFR 50.36(c)(2)(ii)(A) states that Technical Specification limiting conditions for operation must be established for "installed instrumentation that is used to detect, and indicate in

the control room, a significant abnormal degradation of the reactor coolant pressure boundary." Since the certifications of § 50.82(a)(1) have been docketed for OCNGS, under § 50.82(a)(2) the OCNGS 10 CFR Part 50 license no longer authorizes operation of the reactor or emplacement or retention of fuel into the reactor vessel, therefore this criterion is not applicable. Criterion 2 of 10 CFR 50.36(c)(2)(ii)(B) states that Technical Specification limiting conditions for operation must be established for a "process variable, design feature, or operating restriction that is an initial condition of a design basis accident or transient analysis that either assumes the failure of or presents a challenge to the integrity of a fission product barrier." The purpose of this criterion is to capture those process variables, design features, or operating restrictions that involve an initial condition assumed in the design basis accident and transient analyses, and which are monitored and controlled during power operation. Since OCNGS is no longer licensed to operate, and the existing design basis accident is a fuel handling accident predicated on the storage of spent fuel in the SFP, with all spent fuel stored in the ISFSI, there are no remaining design basis accidents which are credible, and therefore this criterion is not applicable.

Criterion 3 of 10 CFR 50.36(c)(2)(ii)(C) states that Technical Specification limiting conditions for operation must be established for SSCs that are part of the primary success path and which function or actuate to mitigate a design basis accident or transient that either assumes the failure of or presents a challenge to the integrity of a fission product barrier. The intent of this criterion is to capture into Technical Specifications only those SSCs that are part of the primary success path of a safety sequence analysis. Also captured by this criterion are those support and actuation systems that are necessary for items in the primary success path to successfully function. The primary success path of a safety sequence analysis consists of the combination and sequences of equipment needed to operate (including consideration of the single failure criterion), so that the plant response to design basis accidents and transients limits the consequences of these events to within the appropriate acceptance criteria. Since fuel will have been removed from the SFP at the OCNGS facility prior to implementation of this amendment, this criterion is not applicable. Criterion 4 of 10 CFR 50.36(c)(2)(ii)(D) states that Technical Specification limiting conditions for operation must be established for SSCs that operating experience or probabilistic risk assessment has shown to be significant to public health and safety. The intent of this criterion is that risk insights and operating experience be factored into the establishment of Technical Specification limiting conditions for operation. Since fuel will have been removed from the spent fuel pool at the OCNGS facility prior to implementation of this amendment, this criterion is not applicable.

Addressing administrative controls, 10 CFR 50.36(c)(5) states that they " ... are the provisions relating to organization and management, procedures, recordkeeping, review and audit, and reporting necessary to assure operation of the facility in a safe manner." The particular administrative controls to be included in the TS, therefore, are the provisions that the Commission deems essential for the safe operation of the facility that are not already covered by other regulations. Accordingly, the NRC staff determined that administrative control requirements that are not specifically required under Section 50.36(c)(5), and which are not otherwise necessary to obviate the possibility of an abnormal situation or an event giving rise to an immediate threat to the public health and safety, may be relocated to more appropriate documents *(e.g.,* Quality Assurance

Program Manual, Technical Requirements Manual, Security Plan, or Emergency Plan), which are subject to regulatory controls. Similarly, while the required content of TS administrative controls is specified in 10 CFR 50.36(c)(5), particular details may be relocated to licensee-controlled documents, where other regulations including § 50.59 and Appendix B to 10 CFR Part 50 provide adequate regulatory control.

10 CFR 50.36(c)(6), "Decommissioning," applies only to nuclear power reactor facilities that have submitted the certifications required by § 50.82(a)(1). For such facilities, Technical Specifications involving safety limits, limiting safety system settings, and limiting control system settings; limiting conditions for operation; surveillance requirements; design features; and administrative controls will be developed on a case-by-case basis.

Administrative Letter (AL) 95-06 and 96-04

The Quality Assurance Program Manual is an appropriate candidate for relocations of administrative controls due to the controls imposed by such regulations as Appendix B to 10 CFR Part 50, the existing NRC plans and commitments to industry QA standards, and the established QA program change control process of 10 CFR 50.54(a) and 50.59, “Changes Tests and Experiments.”

The Defueled Safety Analysis Report (former FSAR) is also an appropriate candidate for relocation of administrative controls due to the controls imposed by 10 CFR 50.59 and requirements to review changes, tests, and experiments.

NRC Administrative Letter (AL) 95-06, "Relocation of Technical Specification Administrative Controls Related to Quality Assurance" (Reference 7) and NRC Administrative Letter (AL) 96-04, “Efficient Adoption of Improved Standard Technical Specifications” (Reference 8), provide guidance to licensees requesting amendments that relocated administrative controls to licenses controlled documents for which there are regulatory requirements for future change review (i.e., 50.54(a) for the Quality Assurance Program, and 50.59 for the Final Safety Hazards Analysis).

10 CFR 50.51. Continuation of License

10 CFR 50.51 (b) states "Each license for a facility that has permanently ceased operations, continues in effect beyond the expiration date to authorize ownership and possession of the production or utilization facility, until the Commission notifies the licensee in writing that the license is terminated. During such period of continued effectiveness, the licensee shall:

(1) "Take actions necessary to decommission and decontaminate the facility and continue to maintain the facility, including, where applicable, the storage, control and maintenance of the spent fuel, in a safe condition, and
(2) Conduct activities in accordance with all other restrictions applicable to the facility in accordance with the NRC regulations and the provisions of the specific 10 CFR part 50 license for the facility."

10 CFR 50.82. Termination of License

10 CFR 50.82(a)(2) states "Upon docketing of the certifications for permanent cessation of operations and permanent removal of fuel from the reactor vessel, or when a final legally effective order to permanently cease operations has come into effect, the 10 CFR part 50 license no longer authorizes operation of the reactor or emplacement or retention of fuel into the reactor vessel."

4.2 No Significant Hazards Consideration Determination

In accordance with 10 CFR 50.90, Holtec Decommissioning International LLC (HDI) is proposing an amendment to Renewed Facility License DPR-16 for Oyster Creek Nuclear Generating Station (OCNGS). The proposed amendment would revise the Facility License (FL) and revise the Permanently Defueled Technical Specifications (PDTS) to reflect removal of all spent nuclear fuel from the spent fuel pool (SFP) and its transfer to dry cask storage within an Independent Spent Fuel Storage Installation (ISFSI) and the relocation of various requirements to the OCNGS Defueled Safety Analysis Report (DSAR).

By letter dated September 25, 2018 (Reference 1), Exelon Generation Co. submitted certifications for permanent cessation of reactor operations and permanent removal of fuel from the reactor vessel pursuant to 10 CFR 50.82(a)(1). Therefore, as specified in 10 CFR 50.82(a)(2), the 10 CFR Part 50 license for OCNGS no longer authorizes operation of the reactor or emplacement or retention of fuel into the reactor vessel. By letter dated March 31, 2020 (Reference 2), HDI provided notification that off-load of the spent fuel pool (SFP) and transfer to the ISFSI is expected to be completed by November 2021, provided the criteria for transfer are met, including certain regulatory approvals. In support of this condition, a revision to the FL and associated PDTS is proposed to comport with the requirements for a facility configuration with all spent nuclear fuel in dry storage within an ISFSI.

The discussion below addresses each of these criteria and demonstrates that the proposed amendment does not constitute a significant hazard.

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

Response: No.

The proposed amendment would modify the OCNGS Renewed Facility License (FL) and Permanently Defueled Technical Specifications (PDTS), or Technical Specifications (TS), by deleting the portions of the FL and PDTS that are no longer applicable to a facility with no spent nuclear fuel stored in the SFP, while modifying the remaining portions to correspond to all nuclear fuel stored within an ISFSI. This amendment will be implemented within 60 days following HDI's notification to the NRC that all spent fuel assemblies have been transferred out of the SFP and placed in dry storage within the ISFSI.

The definition of safety-related structures, systems, and components (SSCs) in 10 CFR 50.2 states that safety-related SSCs are those relied on to remain function al during and following design basis events to assure:

(1) The integrity of the reactor coolant boundary;
(2) The capability to shutdown the reactor and maintain it in a safe shutdown condition; or
(3) The capability to prevent or mitigate the consequences of accidents which could result in potential offsite exposures comparable to the applicable guideline exposures set forth in 10 CFR 50.34(a)(1) or 100.11.

The first two criteria (integrity of the reactor coolant pressure boundary and safe shutdown of the reactor) are not applicable to a plant in a permanently defueled condition. The third criterion is related to preventing or mitigating the consequences of accidents that could result in potential offsite exposures exceeding limits. However, after all nuclear spent fuel assemblies have been transferred to dry cask storage within an ISFSI, none of the SSCs at OCNGS are required to be relied on for accident mitigation. Therefore, none of the SSCs at OCNGS meet the definition of a safety-related SSC stated in 10 CFR 50.2. The proposed deletion of requirements in the PDTS does not affect systems credited in any accident analysis at OCNGS.

Section 6 of the Defueled Safety Analysis Report (DSAR) described the design basis accidents (DBAs) related to the SFP. These postulated accidents are predicated on spent fuel being stored in the SFP. With the removal of the spent fuel from the SFP, there are no remaining spent fuel assemblies to be monitored and there are no credible accidents that require the actions of a Certified Fuel Handler, Shift Manager, or a Non-certified Operator to prevent occurrence or mitigate the consequences of an accident.

The proposed changes do not have an adverse impact on the remaining decommissioning activities or any of their postulated consequences. The proposed changes related to the relocation of certain administrative requirements do not affect operating procedures or administrative controls that have the function of preventing or mitigating any accidents applicable to the safe management of irradiated fuel or decommissioning of the facility. Therefore, the proposed amendment does 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 eliminate the operational requirements and certain design requirements associated with the storage of the spent fuel in the SFP and relocate certain administrative controls to the Quality Assurance Program Manual or other licensee-controlled process.

After the removal of the spent fuel from the SFP and transfer to the ISFSI, there are no spent fuel assemblies that remain in the SFP. Coupled with a prohibition against storage of fuel in the SFP, the potential for fuel related accidents is removed. The proposed changes do not introduce any new failure modes. Therefore, the proposed amendment does not create the possibility of a new or different kind of accident from any previously evaluated.

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

Response: No.

The removal of all spent nuclear fuel from the SFP into storage in casks within an ISFSI, coupled with a prohibition against future storage of fuel within the SFP, removes the potential for fuel related accidents. The design basis and accident assumptions within the DSAR and the PDTS relating to safe management and safety of spent fuel in the SFP are no longer applicable. The proposed changes do not affect remaining plant operations, systems, or components supporting decommissioning activities.

The requirements for systems, structures, and components (SSCs) that have been removed from the OCNGS PDTS are not credited in the existing accident analysis for any applicable postulated accident; and as such, do not contribute to the margin of safety associated with the accident analysis. Therefore, the proposed amendment does not involve a significant reduction in a margin of safety.

Based on the above, HDI concludes that the proposed amendment presents no significant hazards consideration under the standards set forth in 10 CFR 50.92(c), and, accordingly, a finding of "no significant hazards consideration" is justified.

4.3 Precedents

This proposed amendment is consistent with recently approved Amendments issued for Kewaunee Power Station on June 7, 2017 (Reference 16), Vermont Yankee Power Station on August 15, 2018 (Reference 17), Crystal River Nuclear Plant on June 27, 2017 (Reference 18) and Fort Calhoun Station on December 11, 2019 (Reference 19)

4.4 Conclusion

Based on the considerations discussed above, (1) there is reasonable assurance that the health and safety of the public and will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

5.0 ENVIRONMENTAL CONSIDERATIONS

This proposed amendment is to the OCNGS license issued under 10 CFR Part 50 and includes changes to requirements involving the installation or use of a facility component located within the protected area and changes to recordkeeping, reporting, or administrative procedures or requirements. As such, HDI has evaluated this proposed amendment against the criteria for identification of licensing and regulatory actions requiring an environmental assessment in accordance with 10 CFR 51.21, and determined that it meets the eligibility criteria for categorical exclusions set forth in § 51 .22(c)(9) and § 51.22(c)(10)(ii). With respect to the criteria set forth in § 51.22(c)(9), this determination is made as follows:

(i) The amendment involves no significant hazards consideration.

As described in Section 3.2 above, the proposed change involves no significant hazards consideration.

(ii) There is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite.

The proposed amendment does not involve any physical alterations to the facility configuration that could lead to a change in the type or amount of effluent that may be released offsite.

(iii) There is no significant increase in individual or cumulative occupational radiation exposure.

The proposed amendment does not involve any physical alterations to the facility configuration and does not involve any changes to regulatory requirements or programs and procedures related to controls for limiting radiation exposure that could lead to a significant increase in individual or cumulative occupational radiation exposure.

Based on the above, HDI concludes that the proposed amendment involves changes that meets the eligibility criteria for categorical exclusion as set forth in § 51.22(c)(9) or § 51.22(c)(10)(ii). Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of this proposed amendment.

6.0 REFERENCES

(1) Letter from Exelon Generation Company to US NRC, “Certification of Permanent Removal of Fuel from the Reactor Vessel for Oyster Creek Nuclear Generating Station,” September 25, 2018 (ML1826A258)

(2) Letter from Holtec Decommissioning International, LLC to U.S. Nuclear Regulatory Commission – “Report on Status of Decommissioning Funding for Reactors and Independent Spent Fuel Storage Installations,” dated March 31, 2020 (ML20091M858)

(3) Deleted

(4) Letter from Holtec Decommissioning International, LLC to U.S. Nuclear Regulatory Commission, “Oyster Creek Nuclear Generating Station ISFSI Only Security Plan, Training Qualification Plan, Safeguards Contingency Plan” dated December 8, 2019 (ML20345A249)

(5) Letter from Holtec Decommission International, LLC to US Nuclear Regulatory Commission “License Amendment Request to Approve the Oyster Creek Nuclear Generating Station Independent Spent Fuel Storage Installation Only Emergency Plan” dated February 22, 2021 (ML21054A321)

(6) Letter from National Oceanic and Atmospheric Administration National Marine Fisheries Service to U.S. NRC. “Reinitiation of Formal Consultation for Oyster Creek Nuclear Generating Station” dated May 29, 2020. (ML20153A22)

(7) NRC Administrative Letter 95-06, "Relocation of Technical Specification Administrative Controls Related to Quality Assurance," dated December 12, 1995 (ML031110271)

(8) NRC Administrative Letter 96-04, “Efficient Adoption of Improved Standard Technical Specifications”, dated October 9, 1996. (ML 031110087)

(9) Letter, Exelon to US NRC, “Notification of Completion of Commitments Required Prior to Entry into Period of Extended Operation (PEO), Associated with License Renewal for Oyster Creek Nuclear Generating Station (TAC No, MC7624), dated March 6, 2009.

(10) Letter, USNRC to Exelon Generation Company, LLC, “Oyster Creek Nuclear Generation Station-Exemption from the Requirements of 10 CFR 140.11(a)(4), Concerning Offsite Primary and Secondary Liability Insurance (EPIC L-2018-LLE-0003) dated December 9, 2018 (ML 18229A006)

(11) Letter, USNRC to Holders of Licenses for Operating Power Reactors, “Order for Interim Safeguards and Security Compensatory Measures For – Oyster Creek Nuclear Generating Station” (Order EA-02-026), dated February 25, 2002 (ML020500556)

(12) Letter, USNRC to Holders of Licenses for Operating Power Reactors as Listed in the Enclosure, "Rescission or Partial Rescission of Certain Power Reactor Security Orders (EA-02-026) Applicable to Nuclear Power Plants," dated November 28, 2011 (ML 111220447)

(13) Letter from Exelon Generation to the USNRC “Request for Rescission of Security Orders for Oyster Creek Nuclear Generating Station” dated March 6, 2019 (ML19065A183)

(14) Letter, USNRC to Holtec Decommissioning International, LLC “Oyster Creek Nuclear Generating Station – Rescission of Interim Compensatory Measure B.1.A from Order EA-02-026 and Order EA-06-137 for the Decommissioning of Oyster Creek Nuclear Generating Station (EPID:L-2019-LLA-0047)” dated August 8, 2019 (ML 19183A343)

(15) Letter, USNRC to Operating Licensees, “Issuance of Order Requiring Compliance with Key Radiological Protection Mitigation Strategies” (Order EA-06-137), dated June 20, 2006 (ML061600076)”

(16) Letter, USNRC to Dominion Energy Kewaunee, Inc., "Kewaunee Power Station Issuance of Amendment for Proposed Changes to License and Technical Specifications to Reflect Permanent Removal of Spent Fuel from Spent Fuel Pool (CAC No. L53079)," dated June 7, 2017 (ML17123A031)

(17) Letter, USNRC to Entergy Nuclear Operations, Inc, "Vermont Yankee Nuclear Power Station - Issuance of Amendment to Change the Permanently Defueled Technical Specifications to Reflect Permanent Removal of Spent Fuel from the Spent Fuel Pool (EPID NO. L-2017-LLA-0125), dated August 15, 2018, 2003 (ML8156A179)

(18) Letter, USNRC to Crystal River Nuclear Plant, "Crystal River Unit 3 Nuclear Generating Plant - Issuance of Amendment 255 for the License and Permanently Defueled Technical Specifications to Reflect Permanent Removal of Spent Fuel from the Spent Fuel Pools (TAC No. L53146)," dated June 27, 2017 (ML17027A160)

(19) Letter, USNRC to Omaha Public Power District, "Fort Calhoun Station, Unit No. 1- Issuance of Amendment to Revise the Permanently Defueled Technical Specifications to Align the Requirements for Permanent Removal of Spent Fuel From the Spent Fuel Pool (EPID NO. L-2018-LLA-0274), dated December 11, 2019 (ML19297D677)

HOLTEC DECOMMISSIONING INTERNATIONAL

Krishna P. Singh Technology Campus, 1 Holtec Blvd., Camden, NJ 08104
Telephone (856) 797-0900
Fax (856) 797-0909

HDI-OC-21-021

Enclosure 1 Attachment 1

Markup of the Facility License and TS Pages

(31 pages to follow)

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

HOLTEC DECOMMISSIONING INTERNATIONAL, LLC

OYSTER CREEK ENVIRONMENTAL PROTECTION, LLC

DOCKET NO. 50-219

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. ~~298~~ ###
License No. DPR-16

1. The Nuclear Regulatory Commission (the Commission) has found that:

   A. The application for license amendment filed by Exelon Generating Company, LLC,1 dated November 12, 2018, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations set forth in Title 10 of the *Code of Federal Regulations* (10 CFR) Chapter I, and all required notifications to other agencies or bodies have been duly made;

   B. The facility will operate in conformity with the application, as supplemented, the provisions of the Act, and the rules and regulations of the Commission;

   C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations set forth in 10 CFR Chapter I;

   D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and

   E. The issuance of this amendment is in accordance with 10 CFR Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions," of the Commission's regulations, and all applicable requirements have been satisfied.

---

1 Effective July 1, 2019, Oyster Creek Renewed Facility Operating License No. DPR-16, and the general license for the Oyster Creek Independent Spent Fuel Storage Installation was transferred from Exelon Generation Company, LLC (Exelon) to Oyster Creek Environmental Protection, LLC (OCEP) as the licensed owner and to Holtec Decommissioning International, LLC (HDI) as the licensed operator for decommissioning. In a letter dated September 12, 2019, HDI requested the NRC to continue all ongoing regulatory actions and reviews currently underway for Oyster Creek. HDI and OCEP have assumed responsibility for the continuation of these regulatory actions and reviews (Agencywide Documents Access and Management System Accession No. ML19256B999).

2. Accordingly, Renewed Facility Operating License No. DPR-16 is amended by removing requirements for a cyber security plan by changing 2.C(4) to remove the second paragraph that reads:

> Holtec Decommissioning International shall fully implement and maintain in effect all provisions of the Commission-approved Exelon Generation Company cyber security plan (CSP), including changes made pursuant to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The Exelon Generation Company CSP was approved by License Amendment No. 280 and modified by License Amendment Nos. 288 and 292.

3. This license amendment is effective June 29, 2019 and shall be implemented within 30 days of the effective date. ~~This license amendment is effective as of the date the licensee notifies the Commission in writing that all spent nuclear fuel assemblies have been transferred out of the spent fuel pool and have been placed in dry storage within the independent spent fuel storage installation. This license amendment shall be implemented within 60 days of the effective date~~.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Bruce A. Watson, CHP, Chief
Reactor Decommissioning Branch
Division of Decommissioning, Uranium Recovery
and Waste Programs
Office of Nuclear Material Safety
and Safeguards

Attachment:
Change to Renewed Facility
Operating License No. DPR-16

Date of Issuance: September 18, 2019

ATTACHMENT TO LICENSE AMENDMENT NO. ~~298~~ ###

TO RENEWED FACILITY OPERATING LICENSE NO. DPR-16

DOCKET NO. 50-219

Replace the following pages of Renewed Facility Operating License No. DPR-16 and Appendices A and D, Technical Specifications, with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Renewed Facility Operating License No DPR-16

REMOVE	INSERT
first page	revised first page
- 2 -	- 2 -
- 3 -	- 3 -
- 4 -	- 4 -
- 5 -	- 5 -
- 6 -	- 6 -

OYSTER CREEK ENVIRONMENTAL PROTECTION, LLC

AND

HOLTEC DECOMMISSIONING INTERNATIONAL, LLC

DOCKET NO. 50-219

OYSTER CREEK NUCLEAR GENERATING STATION

RENEWED FACILITY OPERATING LICENSE

Renewed License No. DPR-16

1. The Nuclear Regulatory Commission (the Commission) having previously made the findings set forth in License No. DPR-16, has now found that:

   A. The application for a Renewed Facility Operating License No. DPR-16 filed by the applicant complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I and all required notifications to other agencies or bodies have been duly made;

   B. DELETED

   C. Actions have been identified and have been or will be taken with respect to (1) managing the effects of aging during the term of this Renewed Facility Operating License No. DPR-16 on the functionality of structures and components that have been identified to require review under 10 CFR 54.21(a)(1); and (2) time-limited aging analyses that have been identified to require review under 10 CFR 54.21(c), such that there is reasonable assurance that the activities authorized by the renewed operating license will continue to be conducted in accordance with the current licensing basis, as defined in 10 CFR 54.3, for the facility, and that any changes made to the facility's current licensing basis in order to comply with 10 CFR 54.29(a) are in accordance with the Act and the Commission's regulations;

   D. The facility will be maintained in conformity with the application, as amended; the provisions of the Act; and the rules and regulations of the Commission;

   E. There is reasonable assurance (i) that the activities authorized by this license can be conducted without endangering the health and safety of the public and (ii) that such activities will be conducted in compliance with the Commission's rules and regulations set forth in 10 CFR Chapter I;

   F. Oyster Creek Environmental Protection, LLC (Oyster Creek Environmental Protection) is financially qualified and Holtec Decommissioning International, LLC (Holtec Decommissioning International) is financially and technically qualified to engage in the activities authorized by this license in accordance with the rules and regulations of the Commission;

G. Oyster Creek Environmental Protection and Holtec Decommissioning International have satisfied the applicable provisions of 10 CFR Part 140, “Financial Protection Requirements and Indemnity Agreements,” of the Commission’s regulations;

H. The issuance of this license will not be inimical to the common defense and security or to the health and safety of the public;

I. The receipt, possession and use of source, byproduct, and special nuclear materials as authorized by this license will be in accordance with the Commission’s regulations in 10 CFR Parts 30, 40, and 70; and

J. The issuance of this license is in accordance with 10 CFR Part 51 of the Commission’s regulations and all applicable requirements have been satisfied.

2. Facility Operating License No. DPR-16, dated July 2, 1991, as amended, is superseded in its entirety by Renewed Facility Operating License No. DPR-16, hereby issued to Oyster Creek Environmental Protection and Holtec Decommissioning International, to read as follows:

A. This renewed license applies to the Oyster Creek Nuclear Generating Station, a boiling-water reactor and associated equipment (the facility), owned by Oyster Creek Environmental Protection and maintained and operated for decommissioning by Holtec Decommissioning International. The facility is located in Ocean County, New Jersey, and is described in the licensee’s Updated Final Safety Analysis Report, as supplemented and amended, and in the licensee’s Environmental Report, as supplemented and amended.

B. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses:

(1) Holtec Decommissioning International pursuant to Section 104b of the Act and 10 CFR Part 50, to possess, maintain, and decommission Oyster Creek Nuclear Generating Station at the designated location on the Oyster Creek site in Ocean County, New Jersey, in accordance with the procedures and limitations set forth in this renewed license;

(2) Oyster Creek Environmental Protection pursuant to Section 104b of the Act and 10 CFR Part 50, to possess Oyster Creek Nuclear Generating Station at the designated location on the Oyster Creek site in Ocean County, New Jersey, in accordance with the procedures and limitations set forth in this renewed license;

(3) Holtec Decommissioning International pursuant to the Act and 10 CFR Part 70, to possess at any time special nuclear material that was used as reactor fuel, in accordance with the limitations for storage, as described in the Updated Final Safety Analysis Report, as supplemented and amended;

(4) Holtec Decommissioning International pursuant to the Act and 10 CFR Parts 30, 40, and 70, to receive, possess, and use at any time any byproduct, source, or special nuclear materials as sealed neutron sources that were used for reactor startup, sealed sources that were used for calibration of reactor instrumentation and are used in radiation monitoring equipment, and as fission detectors in amounts as required;

(5) Holtec Decommissioning International pursuant to the Act and 10 CFR Parts 30, 40, and 70, to receive, possess and use in amounts as required any byproduct, source, or special nuclear materials without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components; and

(6) Holtec Decommissioning International pursuant to the Act and 10 CFR Parts 30, 40, and 70, to possess, but not separate such byproduct, source, or special nuclear materials that were produced by the operation of the facility.

C. This license shall be deemed to contain and is subject to the conditions specified in the Commission's regulations set forth in 10 CFR Chapter I and is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect and is subject to the additional conditions specified or incorporated below:

(1) DELETED

(2) Technical Specifications

###

The Technical Specifications contained in Appendices A ~~and B~~, as revised through Amendment No. ~~295,~~ are hereby incorporated in the license. Holtec Decommissioning International shall possess, maintain, and decommission the facility in accordance with the Permanently Defueled Technical Specifications (PDTS).

(3) DELETED

(4) Holtec Decommissioning International shall fully implement and maintain in effect all provisions of the Commission-approved physical security, training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822), and the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The combined set of plans[1], submitted by letter dated May 17, 2006, is entitled: "Oyster Creek Nuclear Generating Station Security Plan, Training and Qualification Plan, and Safeguards Contingency Plan, Revision 5." The set contains Safeguards Information protected under 10 CFR 73.21.

[1] The Training and Qualification Plan and Safeguards Contingency Plan are Appendices to the Security Plan.

Text should have been removed in Amendment 298

~~DELETED~~
~~Holtec Decommissioning International shall fully implement and maintain in effect all provisions of the Commission-approved Exelon Generation Company cyber security plan (CSP), including changes made pursuant to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The Exelon Generation Company CSP was approved by License Amendment No. 280 and modified by License Amendment Nos. 288 and 292.~~

(5) DELETED

(6) DELETED

(7) DELETED

(8) ~~Mitigation Strategy License Condition~~ DELETED

~~Develop and maintain strategies for addressing large fires and explosions and that include the following key areas:~~

~~(a) Firefighting response strategy with the following elements:~~
~~1. Pre-defined coordinated fire response strategy and guidance~~
~~2. Assessment of mutual aid firefighting assets~~
~~3. Designated staging areas for equipment and materials~~
~~4. Command and control~~
~~5. Training of response personnel~~

~~(b) Operations to mitigate fuel damage considering the following:~~
~~1. Protection and use of personnel assets~~
~~2. Communications~~
~~3. Minimizing fire spread~~
~~4. Procedures for implementing integrated fire response strategy~~
~~5. Identification of readily-available pre-staged equipment~~
~~6. Training on integrated fire response strategy~~
~~7. Spent fuel pool mitigation measures~~

~~(c) Actions to minimize release to include consideration of:~~
~~1. Water spray scrubbing~~
~~2. Dose to onsite responders~~

(9) ~~The licensee shall implement and maintain all Actions required by Attachment 2 to NRC Order EA-06-137, issued June 20, 2006, except the last action that requires incorporation of the strategies into the site security plan, contingency plan, emergency plan and/or guard training and qualification plan, as appropriate.~~ DELETED

(10) DELETED

(11) DELETED

(12) DELETED

(13) DELETED

(14) DELETED

(15) DELETED

(16) ~~License Renewal Commitments~~ DELETED

~~The UFSAR supplement, as revised, describes certain future activities to be completed prior to April 9, 2009, and during the term of this renewed operating license No. DPR-16. Holtec Decommissioning International shall complete these activities in accordance with Appendix A of NUREG-1875, "Safety Evaluation Report Related to the License Renewal of Oyster Creek Generating Station," dated March 2007, as supplemented on September 19, 2008, and shall notify the NRC in writing when implementation of those activities required prior to April 9, 2009 are complete and can be verified by NRC inspection.~~

(17) ~~Biological Opinion~~ DELETED

~~Within 30 days from the issuance date of the renewed license, Holtec Decommissioning International shall comply with the terms and conditions of the Incidental Take Statement associated with certain sea turtles in the Biological Opinion in effect or as subsequently issued by the National Marine Fisheries Service regarding operation of the facility.~~

D. DELETED

E. DELETED

F. ~~The licensee shall have and maintain financial protection of such type and in such amounts as the Commission shall require in accordance with Section 170 of the Atomic Energy Act of 1954, as amended, to cover public liability claims.~~ DELETED

3. Sale and License Transfer Conditions:

A. DELETED

B. DELETED

C. DELETED

D. DELETED

E. DELETED

F. DELETED

G. DELETED

H. DELETED

I. DELETED

J. DELETED

K. DELETED

L. DELETED

M. DELETED

N. At the time of the closing of the transfer of Oyster Creek, and the respective license from Exelon Generation Company to Oyster Creek Environmental Protection and Holtec Decommissioning International, Exelon Generation Company shall transfer ownership and control of assets from the Oyster Creek Nuclear Generating Station Qualified Fund to the Oyster Creek Environmental Protection Qualified Nuclear Decommissioning Trust. Also, at the time of closing, decommissioning funding assurance provided by Oyster Creek Environmental Protection, using a method allowed under 10 CFR 50.75, must be equal to or greater than the minimum amount calculated on that date pursuant to, and required by 10 CFR 50.75 for Oyster Creek. Furthermore, funds dedicated for Oyster Creek prior to closing shall remain dedicated to Oyster Creek following the closing.

4. This license is effective as of the date of issuance and is effective until the Commission notifies the licensee in writing that the license is terminated.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Bruce S. Mallett
Deputy Executive Director for Reactor
and Preparedness Programs
Office of the Executive Director for Operations

Attachment:
Appendices A and B -
Technical Specifications

Date of Issuance: April 8, 2009

Docket No. 50-219 October 1, 1986

APPENDIX A
RENEWED FACILITY ~~TO PROVISIONAL OPERATING~~ LICENSE DPR-16~~*~~
ISFSI ONLY TECHNICAL SPECIFICATIONS

~~AND BASES~~

FOR

OYSTER CREEK NUCLEAR POWER PLANT

UNIT NO. 1

OCEAN COUNTY, NEW JERSEY

OYSTER CREEK ENVIRONMENTAL PROTECTION, LLC
AND
HOLTEC DECOMMISSIONING INTERNATIONAL, LLC

~~*Per Errata Sheet dated 4-6-69~~

Amendment No. ~~194, 210, 213~~, ~~296~~, ~~297,~~ ~~298~~

Renewed License No. DPR-16
Amendment No. ~~298~~ ###

APPENDIX B

TO OPERATING LICENSE NO. DPR- 16

ENVIRONMENTAL TECHNICAL SPECIFICATIONS

FOR

OYSTER CREEK NUCLEAR GENERATING STATION

DOCKET NO. 50-219

OCEAN COUNTY, NEW JERSEY

OYSTER CREEK ENVIRONMENTAL PROTECTION, LLC
AND
HOLTEC DECOMMISSIONING INTERNATIONAL, LLC

NOVEMBER 1978*

APPENDIX B

DELETED

*Issued to the ASLB on this date; issued by License Amendment No. 37, June 6, 1979.

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BEING RETAINED

SECTION I
DEFINITIONS

The following frequently used terms are defined to aid in the uniform interpretation of the specifications.

1.1 ACTIONS

ACTIONS shall be that part of a Specification that prescribes Required Actions to be taken under designated Conditions within specified Completion Times.

1.2 CERTIFIED FUEL HANDLER

A CERTIFIED FUEL HANDLER is an individual who complies with provisions of the CERTIFIED FUEL HANDLER training program required by Specification 6.3.2.

1.3 NON-CERTIFIED OPERATOR

A NON-CERTIFIED OPERATOR is a non-licensed operator who complies with the qualification requirements of Specification 6.3.1, but is not a CERTIFIED FUEL HANDLER.

LIMITING CONDITIONS FOR OPERATION AND SURVEILLANCE REQUIREMENTS

3/4.0 LIMITING CONDITIONS FOR OPERATION AND SURVEILLANCE REQUIREMENT APPLICABILITY

Applicability: Applies to all Limiting Conditions for Operation and Surveillance Requirements.

Objective: To preserve the single failure criterion for safety systems.

LCO Applicability

LCO 3.0.1 LCOs shall be met during the specified conditions in the TS, except as provided in LCO 3.0.2.

LCO 3.0.2 Upon discovery of a failure to meet an LCO, the Required Actions of the associated Conditions shall be met.

If the LCO is met or is no longer applicable prior to expiration of the specified Completion Time(s), completion of the Required Action(s) is not required, unless otherwise stated.

Surveillance Requirement Applicability

SR 4.0.1 Surveillance requirements shall be met during the 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 variables outside specified limits.

SR 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.

SR 4.0.3 Entry into a specified condition in the Applicability of an LCO shall only be made when the LCO's Surveillance has been met within its specified frequency, except as provided by 4.0.2.

This provision shall not prevent entry into other specified conditions in the Applicability that are required to comply with LCO requirements or that are part of a shutdown of the unit.

SR 4.0.4 The specified frequency for each SR is met if the surveillance is performed within 1.25 times the interval specified in the frequency, as measured from the previous performance.

B3/4.0 BASES FOR LIMITING CONDITIONS FOR OPERATION AND SURVEILLANCE REQUIRMENT APPLICIABILTY

LCO 3.0.1 through LCO 3.0.2 establish the general requirements applicable to all Specifications and apply at all times, unless otherwise stated.

LCO 3.0.1 establishes the applicability statement within each individual specification as the requirement for when the LCO is required to be met (i.e., when the facility is in the specified conditions of the applicability statement of each Specification).

LCO 3.0.2 establishes that upon discovery of a failure to meet an LCO, the associated ACTIONS shall be met. The completion time of each required action for an ACTIONS condition is applicable from the point in time that an ACTIONS condition is entered. The required actions establish those remedial measures that must be taken within specified completion times when the requirements of an LCO are not met. This specification establishes that:

a. Completion of the required actions within the specified completion times constitutes compliance with a specification; and

b. Completion of the required actions is not required when an LCO is met within the specified completion time, unless otherwise specified.

Completing the required actions is not required when an LCO is met or is no longer applicable, unless otherwise stated in the individual specifications.

SR 4.0.1 establishes the requirement that surveillance requirements must be met during the 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 that variables are within specified limits. Failure to meet a surveillance within the specified frequency constitutes a failure to meet an LCO.

SR 4.0.2 establishes the flexibility to defer declaring 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 SR 4.0.4, 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 facility 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.

Failure to comply with specified surveillance frequencies is expected to be an infrequent occurrence. Use of the delay period established by SR 4.0.4 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 to perform the surveillance) and impact on any analysis assumptions, in addition to facility conditions, planning, availability of personnel, and the time required to perform the surveillance. 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 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 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.

SR 4.0.3 establishes the requirement that all applicable SRs must be met before entry into a specified condition in the Applicability. This Specification ensures that system variable limits are met before entry into specified conditions in the Applicability for which these variable limits ensure safe operation of the facility.

SR 4.0.4 establishes the requirements for meeting the specified frequency for surveillances. SR 4.0.4 permits a 25% extension of the interval specified in the frequency. This extension facilitates surveillance scheduling and considers facility conditions that may not be suitable for conducting the surveillance (e.g., transient conditions or other ongoing surveillance or maintenance activities).

The 25% extension does not significantly degrade the reliability that results from performing the surveillance at its specified frequency. This is based on the recognition that the most probable result of any particular surveillance being performed is the verification of conformance with the SRs.

The provisions of SR 4.0.4 are not intended to be used repeatedly merely as an operational convenience to extend surveillance intervals (other than those consistent with refueling intervals).

3/4.1 SPENT FUEL STORAGE

Applicability: During movement of irradiated fuel assemblies in the spent fuel pool.

Objective: To assure safe storage of spent fuel.

LCO: 3.1 Spent Fuel Pool Water Level

Whenever irradiated fuel is stored in the spent fuel storage pool, water level shall be maintained at a level ≥ 117 feet 8 inches (elevation above sea level) with the exception of planned cask movements.

ACTIONS:

Condition	Required Action	Completion Time
Spent fuel pool water level is not within limit.	Suspend movement of irradiated fuel assemblies and movement of loads over the storage racks containing fuel.	Immediately

SURVEILLANCE REQUIREMENTS

Surveillance		Frequency
4.1	Verify the spent fuel pool water level is ≥ 117 feet 8 inches.	24 hours

Basis:

LCO 3.1, "Spent Fuel Pool Water Level," specifies requirements to ensure that the minimum water level in the spent fuel pool meets the assumptions of iodine decontamination factors following a fuel handling accident (FHA) in the spent fuel pool (SFP). The water also provides shielding during the movement of spent fuel.

The required minimum water level in the SFP meets the assumptions of the FHA described in calculation C-1302-226-E310-460 and Chapter 15.7.4 of the UFSAR. The resultant dose limits at the exclusion area boundary are within the critieria of RG1.183.

A general description of the spent fuel storage pool design is found in the UFSAR, Section 9.1.2. The assumptions of the fuel handling accident are found in the UFSAR, Section 15.7.4.

The FHA is evaluated for dropping an irradiated fuel assembly onto irradited fuel bundles stored in the SFP. The consequences of a FHA in the SFP are documented in FSAR Chapter 15. The water level in the SFP provides for absorption of water soluble fission product gases and transport delays of soluble and insoluble gases that must pass through the water before being released to the building atmosphere. This absorption and transport delay reduces the potential radioactivity of the release during a FHA.

The SFP water level is monitored in terms of elevation above mean sea level. Elevation 117 feet 8 inches corresponds to the SFP low level alarm in the Control Room. Since the pool has no installed drains, level cannot be lowered by the cooling system below the level of the weirs. At the normal 400 gpm flow rate, the pool level is about three inches above the weir level, and the overflow just equals the 400 gpm being supplied to the pool from the diffusers. At the SPF low level alarm level, the pool contains a depth of approximately 37 feet of water (approximately 23 feet above active fuel), providing adequate shielding for normal building occupancy by operating personnel.

LCO 3.1 requires that when the water level in the SFP is lower than the required level, the movement of irradiated fuel assemblies in the SFP is to be "immediately" suspended. "Immediately" as used in this completion time means the required action should be pursued without delay and in a controlled manner, such that the suspension of this activity shall not preclude completion of movement of an irradiated fuel assembly to a safe position. This effectively precludes a spent fuel handling accident from occurring in the SFP when the level is below the required elevation. This specification is not meant to affect spent fuel cask movements during planned SFP level adjustments. The FSAR Chapter 15 analysis states that a spent fuel cask drop accident is no longer credible since the reactor building crane has been upgraded to be single-failure proof.

Surveillance Requirement (SR) 4.1 verifies that sufficient SFP water is available in the event of a fuel handling accident. The water level in the SFP must be checked periodically. The frequency of every 24 hours is acceptable based on operating experience, considering that the water volume in the pool is normally stable and water level changes are controlled by unit procedures.

The fuel pool water level satisfies Criterion 2 of 10 CFR 50.36(c)(2)(ii).

3/4.2 RADIOACTIVE LIQUID STORAGE

Applicability: Applies at all times to outdoor tanks used to store radioactive liquids.

Objective: To assure that radioactive effluents are not released to the environment in an uncontrolled manner and to assure that the radioactive concentrations of any material released is kept as low as is reasonably achievable and, in any event, within the limits of 10 CFR Part 20.1301 and 40 CFR Part 190.10(a).

LCO: 3.2 The quantity of radioactive material, excluding tritium, noble gases, and radionuclides having half-lives shorter than three days, contained in outdoor storage tanks shall not exceed 10.0 curies. Included in this specification are all outdoor storage tanks that contain radioactivity that are not surrounded by liners, dikes, or walls capable of holding the tank contents, or that do not have tank overflows and surrounding area drains connected to the liquid radwaste treatment system.

ACTIONS:

Condition	Required Action	Completion Time
In the event the quantity of radioactive material in any applicable storage tank exceeds 10.0 curies.	Begin treatment and continue it until the total quantity of radioactive material in the tank is 10 curies or less, and describe the reason for exceeding the limit in the next Annual Effluent Release Report.	As soon as reasonably achievable

SURVEILLANCE REQUIREMENTS

Surveillance		Frequency
4.2	Liquids contained in outdoor storage tanks included in this specification shall be sampled and analyzed for radioactivity.	Once per 7 days when radioactive liquid is being added to the tank

Basis: LCO 3.2, "Radioactive Liquid Storage:"

Restricting the quantity of radioactive material contained in the defined outdoor storage tanks provides assurance that in the event of an uncontrolled release of the tanks' contents, the resulting concentrations would be less than the limits of 10 CFR Part 20.1001-20.2402, Appendix B, Table 2, Column 2 in the canal at the Route 9 bridge.

The specification satisfies Criterion 4 of 10 CFR 50.36(c)(2)(ii).

SECTION 5

DESIGN FEATURES

Insert: The Oyster Creek Nuclear Generating Station facility is located adjacent to State Highway Route 9 near the Atlantic Ocean within the State of New Jersey. The facility site, approximately 152 acres, is in Lacey Township, Ocean County.

5.1 SITE

A. ~~The reactor (center line) is located 1,358 feet west of the east boundary of New Jersey State Highway Route 9 which is the minimum exclusion distance as defined in 10 CFR 100.3. The licensee will at all times retain the complete authority to determine and maintain sufficient control of all activities through ownership, easement, contract and/or other legal instruments on property which is closer to the reactor (center line) than 1,358 feet. This includes the authority to exclude or remove personnel and property within the minimum exclusion distance.~~

5.2 SPENT FUEL STORAGE

Insert: "Spent Fuel shall not be stored in the Spent Fuel Pool."

5.2.1 Spent Fuel Storage

A. ~~The spent fuel storage facilities are designed and shall be maintained with a K-effective equivalent to less than or equal to 0.95 including all calculational uncertainties.~~

B. ~~The temperature of the water in the spent fuel storage pool, measured at or near the surface, shall not exceed 125°F.~~

C. ~~The maximum amount of spent fuel assemblies stored in the spent fuel storage pool shall be 3035.~~

B5 Bases

B5.1 - Site

Exclusion area means that area surrounding the reactor, in which the reactor licensee has the authority to determine all activities including exclusion or removal of personnel and property from the area. This area may be traversed by a highway, railroad, or waterway, provided these are not so close to the facility as to interfere with normal operations of the facility and provided appropriate and effective arrangements are made to control traffic on the highway, railroad, or waterway, in case of emergency, to protect the public health and safety. Residence within the exclusion area shall normally be prohibited. In any event, residents shall be subject to ready removal in case of necessity. Activities unrelated to operaiton of the reactor may be permitted in an exclusion area under appropriate limitations, provided that no significant hazard to the public health and safety will result.

Activities unrelated to plant operation within the exclusion area are acceptable provided:

(a) Such activities, including accidents associated with such activities, represent no hazard to the plant or have been shown to be accommodated as part of the plant design basis.

(b) The licensee is aware of such activities and has made appropriate arrangments to evacuate persons engaged in such activities, in the event of an accident, and

(c) There is reasonable assurance that persons engaged in such activities can be evacuated without receiving radiation doses in excess of the guideline values given in 10 CFR Part 100.

Contract provisions for property agreements in the exclusion area must ensure that the licensee retains sufficient control of all activities in the exclusion area including the authority to exclude or removal personnel and property, thereby, (1) maintaining compliance with 10 CFR Part 100 radiological limits for the exclusion area, including evacuation when necessary, and (2) ensuring that any activities, now or in the future, in the exclusion area would not negatively effect nuclear safety, safe plant operations or violate current plant design or licensing bases.

Any property transactions in the "exclusion area", as is the case for any activity which has the potential to adversely affect nuclear safety or safe plant operations, requires a specific safety evaluation and 50.59 review.

B5.2 – Fuel Storage

The specification of a K-effective less than or equal to 0.95 in fuel storage facilities assures an ample margin from criticality. This limit applies to unirradiated fuel in both the dry storage vault and the spent fuel racks as well as irradiated fuel in the spent fuel racks. Criticality analyses were performed on the poison racks to ensure that a K-effective of 0.95 would not be exceeded. The analyses took credit for burnable poisons in the fuel and included manufacturing tolerances and uncertainties as described in Section 9.1 of the FSAR. Calculational uncertainties described in 5.2.1.A are explicitly defined in FSAR Section 9.1.2.3.9. Any fuel stored in the fuel storage facilities shall be bounded by the analyses in these reference documents.

The effects of a dropped fuel bundle onto stored fuel in the spent fuel storage facility has been analyzed. This analysis shows that the fuel bundle drop would not cause doses resulting from ruptured fuel pins that exceed 10 CFR 100 limits.

Detailed structural analysis of the spent fuel pool was performed using loads resulting from the dead weight of the structural elements, the building loads, hydrostatic loads from the pool water, the weight of fuel and racks stored in the pool, seismic loads, and loads due to thermal gradients in the pool floor and the walls. Thermal gradients result in two loading conditions: normal operating and the accident conditions with the loss of spent fuel pool cooling. For the normal condition, the reactor building air temperature was assumed to vary between 65°F and 110°F while the pool water temperature varied between 85°F and 125°F. The most severe loading from the normal operating thermal gradient results with reactor building air temperatures at 65°F and the water temperature at 125°F. Air temperature measurements made during all phases of plant operation in the shutdown heat exchanger room, which is directly beneath part of the spent fuel pool floor slab, show that 65°F is the appropriate minimum air temperature. The spent fuel pool water temperature will alarm control room before the water temperature reaches 120°F.

Results of the structural analysis show that the pool structure is structurally adequate for the loadings associated with the normal operation and postulated accidents. The floor framing was also found to be capable of withstanding the steady state thermal gradient conditions with the pool water temperature at 150°F without exceeding ACI Code requirements. The walls are also capable of operation at a steady state condition with the pool water temperature at 140°F.

Since the cooled fuel pool water returns at the bottom of the pool and the heated water is removed from the surface, the average of the surface temperature and the fuel pool cooling return water is an appropriate estimate of the average bulk temperature; alternately the pool surface temperature could be conservatively used.

6.1 RESPONSIBILITY

6.1.1 The Plant Manager shall be responsible for overall facility operation and shall delegate in writing the succession to this responsibility during the Plant Manager's absence.

The Plant Manager or the designee shall approve, prior to implementation, each proposed test, experiment, or modification to systems or equipment that affect safe storage and maintenance of spent nuclear fuel.

6.1.2 The Shift Manager shall be responsible for the shift command function.

6.2 ORGANIZATION

6.2.1 Onsite and Offsite Organizations

Onsite and offsite organizations shall be established for facility staff and corporate management. The onsite and offsite organization shall include the positions for activities affecting the safe storage and handling of spent nuclear fuel.

a. Lines of authority, responsibility and communication shall be established and defined from the highest management levels through intermediate levels to and including facility organization positions. These relationships shall be documented and updated as appropriate, in the form of organizational descriptions. These organizational descriptions will be documented in the Updated FSAR and updated in accordance with 10 CFR 50.71e.

b. The Plant Manager shall be responsible for overall facility safe operation and shall have control over those onsite activities necessary for safe storage and maintenance of spent nuclear fuel.

c. A responsible officer shall have corporate responsibility for the safe storage and handling of spent nuclear fuel and shall take measures needed to ensure acceptable performance of the staff in operating, maintaining, and providing technical support to the facility to ensure safe management of spent nuclear fuel.

d. Individuals who train the CERTIFIED FUEL HANDLERs and those who carry out the health physics and quality assurance functions may report to the appropriate manager on site; however, these individuals shall have sufficient organizational freedom to ensure their ability to perform their assigned functions.

6.2.2 Facility Staff

The facility organization shall meet the following:

a. Each on duty shift shall include at least the following shift staffing:

- One (1) Shift Manager (see f. below)
- One (1) NON-CERTIFIED OPERATOR (see g. below)

b. Shift crew composition may be one less than the minimum requirements of 6.2.2.a for a period of time not to exceed two hours, in order to accommodate unexpected absence of on-duty shift crew members. Immediate action must be

taken to restore the shift crew composition to within the requirements given above. During such absences, no fuel movement or movement of loads over the spent fuel shall be permitted. This provision does not permit any shift crew position to be unmanned upon shift change due to an incoming shift crew member being late or absent.

c. At all times when nuclear fuel is stored in the spent fuel pool, at least one person qualified to stand watch in the control room (NON-CERTIFIED OPERATOR or CERTIFIED FUEL HANDLER) shall be present in the control room.

d. Oversight of fuel handling operations shall be provided by a CERTIFIED FUEL HANDLER.

e. An individual qualified in radiation protection measures shall be on site during movement of fuel and during the movement of loads over the fuel.

f. The Shift Manager shall be a CERTIFIED FUEL HANDLER.

g. The position of NON-CERTIFIED OPERATOR may be filled by a CERTIFIED FUEL HANDLER.

6.3 FACILITY STAFF QUALIFICATIONS

6.3.1 Each member of the facility staff shall meet or exceed the minimum qualifications of ANSI/ANS 3.1 of 1978 for comparable positions unless otherwise noted in the Technical Specifications. Technicians and maintenance personnel who do not meet ANSI/ANS 3.1 of 1978, Section 4.5, are permitted to perform work for which qualification has been demonstrated.

6.3.2 The management position responsible for radiological controls shall meet or exceed the qualifications of Regulatory Guide 1.8 (Rev. 1-R, 9/75). Each other member of the radiation protection organization for which there is a comparable position described in ANSI N18.1-1971 shall meet or exceed the minimum qualifications specified therein, or in the case of radiation protection technicians, they shall have at least one year's continuous experience in applied radiation protection work in a nuclear facility dealing with radiological problems similar to those encountered in nuclear power stations and shall have been certified by the management position responsible for radiological controls as qualified to perform assigned functions. This certification must be based on an NRC approved, documented program consisting of classroom training with appropriate examinations and documented positive findings by responsible supervision that the individual has demonstrated his ability to perform each specified procedure and assigned function with an understanding of its basis and purpose.

6.3.3 The NRC approved training and retraining program for CERTIFIED FUEL HANDLERs shall be maintained.

6.4 DELETED

6.5 DELETED

6.6 DELETED

6.7 DELETED

Note: Relocating 6.8 to DSAR

6.8 PROCEDURES AND PROGRAMS

6.8.1 Written procedures shall be established, implemented, and maintained covering the items referenced below:

a. The procedures applicable to safe storage of nuclear fuel recommended in Appendix "A" of Regulatory Guide 1.33 as referenced in the Decommissioning Quality Assurance Program (DQAP).

b. Surveillance and test activities of equipment that affects nuclear safety and radioactive waste management equipment.

c. Fuel Handling Operations.

d. Security Plan Implementation.

e. Fire Protection Program Implementation.

f. Emergency Plan Implementation.

g. Process Control Plan Implementation.

h. Offsite Dose Calculation Manual Implementation.

i. Quality Assurance Program for effluent and environmental monitoring using the guidance in Regulatory Guide 4.15, Revision 1.

6.8.2 Each procedure required by 6.8.1 above, and substantive changes thereto, shall be reviewed and approved prior to implementation and shall be reviewed periodically as set forth in administrative procedures.

6.8.3 Temporary changes to procedures of 6.8.1, above, may be made provided:

a. The intent of the original procedure is not altered;

b. The change is approved by two members of the licensee's management staff knowledgeable in the area affected by the procedure. For changes which may affect the operational status of facility systems or equipment, at least one of these individuals shall be a member of operations management or supervision who is a CERTIFIED FUEL HANDLER.

c. The change is documented, reviewed and approved within 14 days of implementation.

Relocating 6.8.4 to DSAR

6.8.4 The following programs shall be established, implemented and maintained:

a. Radioactive Effluent Controls Program

A program shall be provided conforming with 10 CFR 50.36a for the control of radioactive effluent and for maintaining the doses to members of the public from radioactive effluent as low as reasonably achievable. The program (1) shall be contained in the ODCM, (2) shall be implemented by operating procedures, and (3) shall include remedial actions to be taken whenever the program limits are exceeded. The program shall include the following elements:

1. Limitations on the operability of radioactive liquid and gaseous monitoring instrumentation including the surveillance tests and setpoint determination in accordance with the methodology in the ODCM,

2. Limitations on the concentrations of radioactive material released in liquid effluent to the unrestricted area conforming to less than the concentration values in Appendix B, Table 2, Column 2 to 10 CFR 20.1001-20.2402.

3. Monitoring, sampling, and analysis of radioactive liquid and gaseous effluent in accordance with 10 CFR 20.1302 and with the methodology and parameters in the ODCM.

4. Limitations on the annual and quarterly doses and dose commitment to a member of the public from radioactive materials in liquid effluent released to the unrestricted area conforming to Appendix I of 10 CFR 50,

5. Determination of cumulative dose contributions from radioactive effluents for the current calendar quarter and current calendar year in accordance with the methodology and parameters in the ODCM at least every 31 days. Determination of projected dose contributions from radioactive effluents in accordance with the methodology in the ODCM at least every 31 days.

6. Limitations on the operability and use of the liquid and gaseous effluent treatment systems to ensure that the appropriate portions of these systems are used to reduce releases of radioactivity when the projected doses in the 31 day period would exceed 2 percent of the guidelines for the annual dose or dose commitment conforming to Appendix I to 10 CFR 50,

7. Limitations on the dose rate resulting from radioactive materials released in gaseous effluents from the site to the unrestricted area shall be limited to the following:

   a. For noble gases: Less than or equal to a dose rate of 500 mRems/yr to the total body and less than or equal to a dose rate of 3000 mRems/yr to the skin, and

   b. For iodine-131, iodine-133, tritium, and for all radionuclides in particulate form with half-lives greater than 8 days: Less than or equal to a dose rate of 1500 mRems/yr to any organ.

8. Limitations on the annual and quarterly air doses resulting from noble gases released in gaseous effluents to the unrestricted area conforming to Appendix I of 10 CFR 50,

9. Limitations on the annual and quarterly doses to a member of the public from I-131, I-133, tritium, and all radionuclides in particulate form with half-lives greater than 8 days in gaseous effluent released beyond the site boundary conforming to Appendix I of 10 CFR 50,

10. Limitations on the annual dose or dose commitment to any member of the public due to releases of radioactivity and to radiation from Uranium fuel cycle sources conforming to 40 CFR Part 190.

b. Radiological Environmental Monitoring Program

A program shall be provided to monitor the radiation and radionuclides in the environs of the plant. The program shall provide (1) representative measurements of radioactivity in the highest potential exposure pathways, and (2) verification of the accuracy of the effluent monitoring program and modeling of environmental exposure pathways. The program shall (1) be contained in the ODCM, (2) conform to the guidance of Appendix I to 10 CFR Part 50, and (3) include the following:

1. Monitoring, sampling, analysis, and reporting of radiation and radionuclides in the environment in accordance with the methodology and parameters in the ODCM.

6.9 REPORTING REQUIREMENTS

Relocating 6.9 to DSAR

In addition to the applicable reporting requirements of 10 CFR, the following identified reports shall be submitted to the Administrator of the NRC Region I office unless otherwise noted.

6.9.1 Routine Reports

a. Radioactive Effluent Release Report

The Radioactive Effluent Release Report covering the operation of the facility during the previous year shall be submitted prior to May 1 of each year in accordance with 10 CFR 50.36a. The report shall include a summary of the quantities of radioactive liquid and gaseous effluent and solid waste released from the facility. The material provided shall be consistent with the objectives outlined in the ODCM and Process Control Program and in conformance with 10 CFR 50.36a and 10 CFR Part 50, Appendix I, Section IV.B.1.

b. Annual Radiological Environmental Operating Report

The Annual Radiological Environmental Operating Report covering the operation of the facility during the previous calendar year shall be submitted prior to May 1 of each year.

The Report shall include summaries, interpretations, and an analysis of trends of the results of the Radiological Environmental Monitoring Program for the reporting period. The material provided shall be consistent with the objectives outlined in: (1) the ODCM; and, (2) Sections IV.B.2, IV.B.3, and IV.C of Appendix I to 10 CFR Part 50.

6.10 RECORD RETENTION

6.10.1 Quality Assurance Records shall be retained as specified by the DQAP.

6.11 DELETED

6.12 DELETED

6.13 HIGH RADIATION AREA

6.13.1 In lieu of the "control device" or "alarm signal" required by Section 20.1601 of 10 CFR 20, each high radiation area in which the intensity of radiation at 30 cm (11.8 in.) is greater than deep dose equivalent of 100 mRem/hr but less than 1,000 mRem/hr shall be barricaded and conspicuously posted as a high radiation area and entrance thereto shall be controlled by requiring issuance of a Radiation Work Permit (RWP).

NOTE: Health Physics personnel shall be exempt from the RWP issuance requirement during the performance of their assigned radiation protection duties, provided they are following plant radiation protection procedures for entry into high radiation areas.

An individual or group of individuals permitted to enter such areas shall be provided with one or more of the following:

a. A radiation monitoring device which continuously indicates the radiation dose rate in the area.

b. A radiation monitoring device which continuously integrates the radiation dose rate in the area and alarms when a pre-set integrated dose is received. Entry into such areas with this monitoring device may be made after the dose rate levels in the area have been established and personnel have been made knowledgeable of them.

c. A health physics qualified individual (i.e., qualified in radiation protection procedures) with a radiation dose rate monitoring device who is responsible for providing positive exposure control over the activities within the area and who will perform periodic radiation surveillance at the frequency in the RWP. The surveillance frequency will be established by the management position responsible for radiological controls.

6.13.2 Specification 6.13.1 shall also apply to each high radiation area in which the intensity of radiation is greater than deep dose equivalent of 1,000 mRem/hr at 30 cm (11.8 in.) but less than 500 rads in 1 hour at 1 meter (3.28 ft.) from sources of radioactivity. In addition, locked doors shall be provided to prevent unauthorized entry into such areas and the keys shall be maintained under the administrative control of operations and/or radiation protection supervision on duty.

6.14 DELETED

6.15 DELETED

6.16 DELETED

6.17 DELETED

6.18 DELETED

6.19 OFFSITE DOSE CALCULATION MANUAL

Note: TS 6.19 Relocated to DSAR

a. Licensee initiated changes to the ODCM shall be submitted to the NRC in the Annual Radioactive Effluent Release Report for the period in which the changes were made. This submittal shall contain:

1. sufficiently detailed information to justify the changes without benefit of additional or supplemental information;

2. a determination that the changes did not reduce the accuracy or reliability of dose calculations or setpoint determination; and,

3. documentation that the changes have been reviewed and approved pursuant to Section 6.8.2.

b. Change(s) shall become effective upon review and approval by licensee management.

6.20 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).

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HDI-OC-21-021

Enclosure 1 Attachment 2

Retyped Facility License and IOTS Pages

(31 pages to follow)

OYSTER CREEK ENVIRONMENTAL PROTECTION, LLC

AND

HOLTEC DECOMMISSIONING INTERNATIONAL, LLC

DOCKET NO. 50-219

OYSTER CREEK NUCLEAR GENERATING STATION

RENEWED FACILITY OPERATING LICENSE

Renewed License No. DPR-16

1. The Nuclear Regulatory Commission (the Commission) having previously made the findings set forth in License No. DPR-16, has now found that:

   A. The application for a Renewed Facility Operating License No. DPR-16 filed by the applicant complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I and all required notifications to other agencies or bodies have been duly made;

   B. DELETED

   C. Actions have been identified and have been or will be taken with respect to (1) managing the effects of aging during the term of this Renewed Facility Operating License No. DPR-16 on the functionality of structures and components that have been identified to require review under 10 CFR 54.21(a)(1); and (2) time-limited aging analyses that have been identified to require review under 10 CFR 54.21(c), such that there is reasonable assurance that the activities authorized by the renewed operating license will continue to be conducted in accordance with the current licensing basis, as defined in 10 CFR 54.3, for the facility, and that any changes made to the facility's current licensing basis in order to comply with 10 CFR 54.29(a) are in accordance with the Act and the Commission's regulations;

   D. The facility will be maintained in conformity with the application, as amended; the provisions of the Act; and the rules and regulations of the Commission;

   E. There is reasonable assurance (i) that the activities authorized by this license can be conducted without endangering the health and safety of the public and (ii) that such activities will be conducted in compliance with the Commission's rules and regulations set forth in 10 CFR Chapter I;

   F. Oyster Creek Environmental Protection, LLC (Oyster Creek Environmental Protection) and Holtec Decommissioning International, LLC (Holtec Decomissioning Interantional) are technically qualified to engage in the activities authorized by this license in accordance with the rules and regulations of the Commission;

G. Oyster Creek Environmental Protection and Holtec Decommissioning International have satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements," of the Commission's regulations;

H. The issuance of this license will not be inimical to the common defense and security or to the health and safety of the public;

I. The receipt, possession and use of source, byproduct, and special nuclear materials as authorized by this license will be in accordance with the Commission's regulations in 10 CFR Parts 30, 40, and 70; and

J. The issuance of this license is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Facility Operating License No. DPR-16, dated July 2, 1991, as amended, is superseded in its entirety by Renewed Facility Operating License No. DPR-16, hereby issued to Oyster Creek Environmental Protection and Holtec Decommissioning International, to read as follows:

A. This renewed license applies to the Oyster Creek Nuclear Generating Station, a boiling-water reactor and associated equipment (the facility), owned by Oyster Creek Environmental Protection and maintained by Holtec Decommissioning International. The facility is located in Ocean County, New Jersey, and is described in the licensee's Updated Final Safety Analysis Report, as supplemented and amended, and in the licensee's Environmental Report, as supplemented and amended.

B. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses:

(1) Holtec Decommissioning International pursuant to Section 104b of the Act and 10 CFR Part 50, to possess and use Oyster Creek Nuclear Generating Station at the designated location on the Oyster Creek site in Ocean County, New Jersey, in accordance with the procedures and limitations set forth in this renewed license;

(2) Oyster Creek Environmental Protection pursuant to Section 104b of the Act and 10 CFR Part 50, to possess and use Oyster Creek Nuclear Generating Station at the designated location on the Oyster Creek site in Ocean County, New Jersey, in accordance with the procedures and limitations set forth in this renewed license;

(3) Holtec Decommissioning International pursuant to the Act and 10 CFR Part 70, to possess at any time special nuclear material that was used as reactor fuel, in accordance with the limitations for storage, as described in the Updated Final Safety Analysis Report, as supplemented and amended;

(4) Holtec Decommissioning International pursuant to the Act and 10 CFR Parts 30, 40, and 70, to receive, possess, and use at any time any byproduct, source, or special nuclear materials as sealed neutron sources that were used for reactor startup, sealed sources that were used for calibration of reactor instrumentation and are used in radiation monitoring equipment, and as fission detectors in amounts as required;

(5) Holtec Decommissioning International pursuant to the Act and 10 CFR Parts 30, 40, and 70, to receive, possess, and use in amounts as required any byproduct, source, or special nuclear materials without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components; and

(6) Holtec Decommissioning International pursuant to the Act and 10 CFR Parts 30, 40, and 70, to possess, but not separate such byproduct, source, or special nuclear materials that were produced by the operation of the facility.

C. This license shall be deemed to contain and is subject to the conditions specified in the Commission's regulations set forth in 10 CFR Chapter I and is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect and is subject to the additional conditions specified or incorporated below:

(1) DELETED

(2) Technical Specifications

The Permanently Defueled Technical Specifications contained in Appendix A, as revised through Amendment No. ### , are hereby incorporated in the license. Holtec Decommissioning International shall maintain the facility in accordance with ISFSI Only Technical Specifications (IOTS). (PDTS).

(3) DELETED

(4) Holtec Decommissioning International shall fully implement and maintain in effect all provisions of the Commission-approved physical security, training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822), and the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The combined set of plans[1], submitted by letter dated May 17, 2006, is entitled: "Oyster Creek Nuclear Generating Station Security Plan, Training and Qualification Plan, and Safeguards Contingency Plan, Revision 5." The set contains Safeguards Information protected under 10 CFR 73.21.

[1] The Training and Qualification Plan and Safeguards Contingency Plan are Appendices to the Security Plan.

(5) DELETED

(6) DELETED

(7) DELETED

(8) DELETED

(9) DELETED

(10) DELETED

(11) DELETED

(12) DELETED

(13) DELETED

(14) DELETED

(15) DELETED

(16) DELETED

(17) DELETED

D. DELETED

E. DELETED

F. DELETED

3. Sale and License Transfer Conditions:

A. DELETED

B. DELETED

C. DELETED

D. DELETED

E. DELETED

F. DELETED

G. DELETED

H. DELETED

I. DELETED

J. DELETED

K. DELETED

L. DELETED

M. DELETED

N. At the time of the closing of the transfer of Oyster Creek, and the respective license from Exelon Generation Company to Oyster Creek Environmental Protection and Holtec Decommissioning International, Exelon Generation Company shall transfer ownership and control of assets from the Oyster Creek Nuclear Generating Station Qualified Fund and the Oyster Creek Nuclear Generating Station Nonqualified Fund to the Oyster Creek Environmental Protection Qualified Nuclear Decommissioning Trust and the Oyster Creek Environmental Protection Nonqualified Nuclear Decommissioning Trust. Also at the time of the closing, decommissioning funding assurance provided by Oyster Creek Environmental Protection, using a method allowed under 10 CFR 50.75, must be equal to or greater than the minimum amount calculated on that date pursuant to, and required by 10 CFR 50.75 for Oyster Creek. Furthermore, funds dedicated for Oyster Creek prior to closing shall remain dedicated to Oyster Creek following the closing.

4. This license is effective as of the date of issuance and is effective until the Commission notifies the licensee in writing that the license is terminated.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Bruce S. Mallett
Deputy Executive Director for Reactor
and Preparedness Programs
Office of the Executive Director for Operations

Attachment:
Appendix A – ISFSI Only Technical Specifications

Date of Issuance:

ATTACHMENT TO LICENSE AMENDMENT NO. ###

TO RENEWED FACILITY OPERATING LICENSE NO. DPR-16

DOCKET NO. 50-219

Replace the following pages of Renewed Facility Operating License No. DPR-16 and Appendices A and D, Technical Specifications, with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Renewed Facility Operating License No. DPR-16

If going to use this page, fill in the table below

REMOVE	INSERT

Docket No. 50-219 October 1, 1986

APPENDIX A

RENEWED FACILITY LICENSE DPR-16
ISFSI ONLY TECHNICAL SPECIFICATIONS

FOR

OYSTER CREEK NUCLEAR POWER PLANT

UNIT NO. 1

OCEAN COUNTY, NEW JERSEY

OYSTER CREEK ENVIRONMENTAL PROTECTION, LLC
AND
HOLTEC DECOMMISSIONING INTERNATIONAL, LLC

Amendment No. ~~194, 210, 213~~, ~~296~~, ~~297,~~ ~~298,~~

APPENDIX B

DELETED

TABLE OF CONTENTS

Sections 1, 2, 3, & 4 Deleted

Section 5 DESIGN FEATURES
5.1 Site Page 5.1
5.2 Spent Fuel Storage Page 5.1

Section 6 ADMINISTRATIVE CONTROLS
6.13 High Radiation Area Page 6.1

SECTION 5

DESIGN FEATURES

5.1 SITE

The Oyster Creek Nuclear Generating Station facility is located adjacent to State Highway Route 9 near the Atlantic Ocean within the State of New Jersey. The facility site, approximately 152 acres, is in Lacey Township, Ocean County.

5.2 SPENT FUEL STORAGE

5.2.1 Spent Fuel Storage shall not be stored in the Spent Fuel Pool.

SECTION 6

ADMINISTRATIVE CONTROLS

6.13 HIGH RADIATION AREA

6.13.1 In lieu of the "control device" or "alarm signal' required by Section 20.1601 of 10 CFR 20, each high radiation area in which the intensity of radiation at 30 cm (11.8 in.) is greater than deep dose equivalent of 100 mRem/hr but less than 1,000 mRem/hr shall be barricaded and conspicuously posted as a high radiation area and entrance thereto shall be controlled by requiring issuance of a Radiation Work Permit (RWP).

NOTE: Health Physics personnel shall be exempt from the RWP issuance requirement during the performance of their assigned radiation protection duties, provided they are following plant radiation protection procedures for entry into high radiation areas.

An individual or group of individuals permitted to enter such areas shall be provided with one or more of the following:

a. A radiation monitoring device which continuously indicates the radiation dose rate in the area.

b. A radiation monitoring device which continuously integrates the radiation dose rate in the area and alarms when a pre-set integrated dose is received. Entry into such areas with this monitoring device may be made after the dose rate levels in the area have been established and personnel have been made knowledgeable of them.

c. A health physics qualified individual (i.e., qualified in radiation protection procedures) with a radiation dose rate monitoring device who is responsible for providing positive exposure control over the activities within the area and who will perform periodic radiation surveillance at the frequency in the RWP. The surveillance frequency will be established by the management position responsible for radiological controls.

6.13.2 Specification 6.13.1 shall also apply to each high radiation area in which the intensity of radiation is greater than deep dose equivalent of 1,000 mRem/hr at 30 cm (11.8 in.) but less than 500 rads in 1 hour at 1 meter (3.28 ft.) from sources of radioactivity. In addition, locked doors shall be provided to prevent unauthorized entry into such areas and the keys shall be maintained under the administrative control of operations and/or radiation protection supervision on duty.

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HDI-OC-21-021

Enclosure 1 Attachment 3

PDTS Administrative Controls to be Relocated to the DSAR

(6 pages to follow)

DSAR APPENDIX B

ADMINISTRATIVE CONTROLS RELOCATED FROM PERMANENTLY DEFUELED TECHNICAL SPECIFICATIONS

This attachment provides the administrative controls proposed to be relocated from the Oyster Creek Nuclear Generating Station (OCNGS) Permanently Defueled Technical Specifications (PDTS), Section 6.0, "Administrative Controls," to Appendix B of the Defueled Safety Analysis (DSAR), as described and evaluated HDI's submittal to the NRC requesting a License Amendment and Technical Specification changes to address permanent removal of fuel from the spent fuel pool and final storage in the site Independent Spent Fuel Storage Facility Installation (ISFSI).

On implementation of the approved amendment, the administrative controls and other requirements shown below will be incorporated into new Appendix B to the DSAR.

Capturing these specifications in the DSAR, ensures the specifications are identified in a licensee-controlled document. In addition, by relocating the following requirements in the DSAR, future changes will be evaluated to under the 10 CFR 50.59 change review process to ensure that adequate controls remain in-place to safely protect spent fuel located in dry casks located on site controlled ISFSI cask storage pads.

OYSTER CREEK DSAR

Appendix B

ADMINISTRATIVE CONTROLS

TABLE OF CONTENTS

B.1 Procedure and Programs

B.2 Reporting Requirements

B.3 Offsite Dose Calculation Manual

B.1 Procedures and Programs (formerly section 6.8.1, 6.8.2, 6.8.3 of the OC Techs Specs)

B.1.1 Written procedures shall be established, implemented, and maintained covering the items referenced below:

a. Deleted

b. Surveillance and test activities of equipment that affects nuclear safety and radioactive waste management equipment.

c. Fuel Handling Operations.

d. Security Plan Implementation

e. Fire Protection Program Implementation.

f. Emergency Plan Implementation

g. Process Control Plan Implementation

h. Offsite Dose Calculation Manual Implementation.

i. Quality Assurance Program for effluent and environmental monitoring using the guidance in Regulatory Guide 4.15, Revision 1

B.1.2 Each procedure requirement by B.1.1 above, and substantive changes thereto, shall be reviewed and approved prior to implementation and shall be reviewed periodically as set forth in administrative procedures.

B.1.3 Temporary changes to procedures of B.1.2, above, may be made provided:

a. The intent of the original procedure is not altered;

b. The change is approved by two members of the licensee's management staff knowledgeable in the area affected by the procedure

c. The change is documented, reviewed, and approved within 14 days of implementation.

B.1.4 The following programs shall be established, implemented and maintained:

a. Radioactive Effluent Controls Program (formerly section 6.8.4 of the OC Techs Specs

A program shall be provided conforming with 10 CFR 50.36a for the control of radioactive effluent and for maintaining the doses to members of the public from radioactive effluent as low as reasonably achievable. The program (1) shall be contained in the ODCM; 2) shall be implemented by operating procedures; and (3) shall

include remedial actions to be taken whenever the program limits are exceeded. The program shall include the following elements:

1. Limitations on the operability of radioactive liquid and airborne monitoring instrumentation including surveillance tests and setpoint determination in accordance with the methodology in the ODCM;

2. Limitations on the concentrations of radioactive material released in liquid effluents to the unrestricted area conforming to less than the concentration values in Appendix B, Table 2, Column 2 to 10 CFR 20.1001-20.2402.

3. Monitoring, sampling, and analysis of radioactive liquid and airborne effluents in accordance with 10 CFR 20.1302 and with the methodology and parameters in the ODCM;

4. Limitations on the annual and quarterly doses or dose commitment to a member of the public from radioactive materials in liquid effluents released to the unrestricted area conforming to Appendix I of 10 CFR 50.

5. Determination of cumulative dose contributions from radioactive effluents for the current calendar quarter and current calendar year in accordance with the methodology and parameters in the ODCM at least every 31 days. Determination of projected dose contributions from radioactive effluents in accordance with the methodology in the ODCM at least every 31 days.

6. Limitations on the operability and use of the liquid and airborne effluent treatment systems to ensure that the appropriate portions of these systems are used to reduce releases of radioactivity when the projected doses in the 31 day period would exceed 2 percent of the guidelines for the annual dose or dose commitment, conforming to Appendix I to10 CFR 50.

7. Limitations on the dose rate resulting from radioactive material released in airborne effluents from the site to the unrestricted area shall be limited to the following:

    a. For tritium, and for all radionuclides in particulate form with half-lives greater than 8 days: Less than or equal to a dose rate of 1500 mRems/hr to any organ.

8. Limitations on the annual and quarterly doses to a member of the public from tritium, and all radionuclides in particulate form with half lives greater than 8 days in airborne effluents released beyond the site boundary conforming to Appendix I of 10 CFR 50, Appendix I.

9. Limitations on the annual dose or dose commitment to any member of the public, beyond the site boundary, due to releases of radioactivity and to radiation from Uranium fuel cycle sources conforming to 40 CFR 190.

b. Radiological Environmental Monitoring Program

A program shall be provided to monitor the radiation and radionuclides in the environs of the plant. The program shall provide (1) representative measurements of radioactivity in the highest potential exposure pathways, and (2) verification of the accuracy of the effluent monitoring program and modeling of environmental exposure pathways. The program shall (1) be contained in the ODCM; (2) conform to the guidance of Appendix I to 10 CFR Part 50, and (3) include the following:

1. Monitoring, sampling, analysis, and reporting of radiation and radionuclides in the environment in accordance with the methodology and parameters in the ODCM.

B.2 Reporting Requirements (formerly section 6.9 of the OC Techs Specs)

In addition to the applicable reporting requirements of 10 CFR, the following identified reports shall be submitted to the Administrator of the NRC Region I office unless otherwise noted.

B.2.1 Routine Reports

a. Radioactive Effluent Release Report

The Radioactive Effluent Release Report covering the operation of the facility during the previous year shall be submitted by May 1 of each year in accordance with 10 CFR 50.36a. The report shall include a summary of the quantities of radioactive liquid and airborne effluents and solid waste released from the facility. The material provided shall be consistent with the objectives outlined in the ODCM and Process Control Program and in conformance with 10 CFR 50.36a and 10 CFR 50, Appendix I, Section IV.B.1.

b. **Annual Radiological Environmental Operating Report**

The Annual Radiological Environmental Operating Report covering the operation of the facility during the previous calendar year shall be submitted by May 1 of each year.

The Report shall include summaries, interpretations, and an analysis of trends of the results of the Radiological Environmental Monitoring Program for the reporting period. The material provided shall be consistent with the objectives outlined in: (1) the Offsite Dose Calculation Manual (ODCM); and (2) Sections IV.B.2, IV.B.3, and IV.C of 10 CFR 50.

B.3 OFFSITE DOSE CALCULATION MANUAL (formerly Section 6.19 of the OC Techs Specs)

a. Licensee initiated changes to the ODCM shall be submitted to the NRC in the Annual Radioactive Effluent Release Report for the period in which the changes were made. This submittal shall contain:

   1. sufficiently detailed information to justify the changes without benefit of additional or supplemental information;

   2. a determination that the changes did not reduce the accuracy or reliability of dose calculations or setpoint determination; and,

   3. documentation that the changes have been reviewed and approved pursuant to Section B.1.2

b. Change(s) shall become effective upon review and approval by licensee management.

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HDI-OC-21-021

Enclosure 1 Attachment 4

Regulatory Commitment

(1 page to follow)

Regulatory Commitment

This table identifies actions discussed in this letter for which HDI commits to perform. Any other actions discussed in this submittal are described for the NRC's information and are **not** commitments.

Commitment	TYPE (Check One)		Scheduled Completion Date (If Required)
	One-Time Action	Continuing Compliance	
The administrative controls relocated from PDTS will be incorporated into Appendix B to the PNPS DSAR as shown and described in Attachment 4 to this amendment request. -- and -- Administrative control for Facility Staff Qualification section 6.3.2 added to DSAR section 5.1.3.	**X**		On Implementation of the approved amendment