August 30, 2005

Mr. Christopher M. Crane President and CEO AmerGen Energy Company, LLC 200 Exelon Way, KSA 3-E Kennett Square, PA 19348

SUBJECT: MID-CYCLE PERFORMANCE REVIEW AND INSPECTION PLAN - OYSTER CREEK NUCLEAR POWER PLANT

Dear Mr. Crane:

On August 2, 2005, the NRC staff completed its performance review of Oyster Creek Nuclear Power Plant (Oyster Creek) for the first half of the calendar year 2005 assessment cycle. Our technical staff reviewed performance indicators (PIs) for the most recent quarter and inspection results over the previous twelve months. The purpose of this letter is to inform you of our assessment of your safety performance during this period and our plans for future inspections at your facility.

This performance review and enclosed inspection plan do not include physical protection information. A separate letter designated and marked as "Exempt from Public Disclosure in Accordance with 10 CFR 2.390" will include the physical protection review and resultant inspection plan.

Plant performance for the most recent quarter at Oyster Creek was within the Regulatory Response column of the NRC's Action Matrix based on one inspection finding in the Emergency Planning (EP) Cornerstone being classified as having low to moderate safety significance (White) and all PIs indicating performance at a level requiring no additional NRC oversight (Green). This White finding, which involved an inadequate EP event classification procedure, was finalized in a letter dated March 1, 2005, and closed in an inspection report issued July 15, 2005.

In our annual assessment letter, dated March 2, 2005, we advised you of a substantive crosscutting issue in the area of problem identification and resolution. During this assessment period there were four inspection findings (three Green and one White) that were attributable, at least in part, to weaknesses in corrective actions. Although we recognize that AmerGen implemented a new corrective action program in mid-June 2005, it is too early to adequately assess the effectiveness of this new program. Consistent performance of your organization's implementation of timely and effective corrective actions will support removal of this crosscutting issue.

The enclosed inspection plan details the inspections, less those related to physical protection, scheduled through March 31, 2007. The plan includes an inspection of your aging management program related to license renewal. The inspection plan is provided to allow for scheduling conflicts and personnel availability to be resolved in advance of inspector arrival onsite. Routine

Mr. Christopher M. Crane

resident inspections are not listed due to their ongoing and continuous nature. The inspections in the last nine months of the inspection plan are tentative and may be revised at the end-of-cycle review.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be made available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <u>http://www.nrc.gov/reading-rm/adams.html</u> (the Public Electronic Reading Room).

If circumstances arise which cause us to change the inspection plan, we will contact you to discuss the change as soon as possible. Please contact Dr. Ronald R. Bellamy at 610-337-5200 with any questions you may have regarding this letter or the inspection plan.

Sincerely,

/RA/

Brian E. Holian, Director Division of Reactor Projects

Docket Nos. 50-219 License Nos. DPR-16

Enclosure: Oyster Creek Nuclear Generating Station Inspection/ Activity Plan

cc w/encl:

Chief Operating Officer, AmerGen Site Vice President, Oyster Creek Nuclear Generating Station, AmerGen Plant Manager, Oyster Creek Generating Station, AmerGen Regulatory Assurance Manager Oyster Creek, AmerGen Senior Vice President - Nuclear Services, AmerGen Vice President - Mid-Atlantic Operations, AmerGen Vice President - Operations Support, AmerGen Vice President - Licensing and Regulatory Affairs, AmerGen Director Licensing, AmerGen Manager Licensing - Oyster Creek, AmerGen Vice President, General Counsel and Secretary, AmerGen T. O'Neill, Associate General Counsel, Exelon Generation Company J. Fewell, Assistant General Counsel, Exelon Nuclear Correspondence Control Desk, AmerGen J. Matthews, Esquire, Morgan, Lewis & Bockius LLP Mayor of Lacey Township J. Lipoti, Ph.D., Assistant Director of Radiation Programs, State of New Jersey K. Tosch - Chief, Bureau of Nuclear Engineering, NJ Dept. of Environmental Protection R. Shadis, New England Coalition Staff N. Cohen, Coordinator - Unplug Salem Campaign W. Costanzo, Technical Advisor - Jersey Shore Nuclear Watch

- E. Gbur, Chairwoman Jersey Shore Nuclear Watch
- E. Zobian, Coordinator Jersey Shore Anti Nuclear Alliance

Distribution w/encl: VIA E-MAIL S. Collins, RA M. Dapas, DRA R. Bellamy, DRP R. Summers, DRP, Senior Resident Inspector S. Kennedy, DRP, Acting Senior Resident Inspector J. Herrera, DRP, Resident Inspector J. DeVries, DRP, Resident OA S. Lee, RI OEDO R. Laufer, NRR P. Tam, PM, NRR T. Colburn, NRR ROPreports@nrc.gov DRS Director and Deputy Director DRS Branch Chiefs (5) C. O'Daniell, DRP Region I Docket Room (with concurrences) RidsNrrDipmlipb@nrc.gov Institute of Nuclear Power Operations (INPO)

SISP Review Complete: _____ AAR ____ (Reviewer's Initials)

DOCUMENT NAME: S:\ROP-6 Mid-Cycle Review\2005 Mid-Cycle Letters\OC2005midletterrev3.wpd

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OFFICE	RI/DRP	RI/DRP	RI/DRP	
NAME	Rfuhrmeister/RLF	Rbellamy/RRB	Bholian/BEH	
DATE	8/5/2005	8/8/2005	8/25/2005	

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Oyster Creek Inspection / Activity Plan 08/01/2005 - 03/31/2007

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		MODS - MODS AND 50.59		3			
1 IP 711117B Permanent Plant Modifications 04/10/2006 04/14/2006 Baseline Inspections	1	IP 7111102	Evaluation of Changes, Tests, or Experiments		04/10/2006	04/14/2006	Baseline Inspections
	1	IP 7111117B	Permanent Plant Modifications		04/10/2006	04/14/2006	Baseline Inspections

This report does not include INPO and OUTAGE activities. This report shows only on-site and announced inspection procedures. Page 2 of 2

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Oyster Creek Inspection / Activity Plan 08/01/2005 - 03/31/2007

Unit			No. of Staff	Planne	d Dates	Inspection
Number	Inspection Activity	Title	on Site	Start	End	Туре
	71152B - PI&R		4			
1	IP 71152B	Identification and Resolution of Problems		04/24/2006	04/28/2006	Baseline Inspections
1	IP 71152B	Identification and Resolution of Problems		05/15/2006	05/19/2006	Baseline Inspections
	71122 - PUBLIC	C RAD SAFETY	1			
1	IP 7112203	Radiological Environmental Monitoring Program (REMP) And Radioactive Material Control Pro		05/22/2006	05/26/2006	Baseline Inspections
	71114 - EP PR	GM INSP & PI VERIFICATION	1			
1	IP 7111402	Alert and Notification System Testing		08/07/2006	08/11/2006	Baseline Inspections
1	IP 7111403	Emergency Response Organization Augmentation Testing		08/07/2006	08/11/2006	Baseline Inspections
1	IP 7111404	Emergency Action Level and Emergency Plan Changes		08/07/2006	08/11/2006	Baseline Inspections
1	IP 7111405	Correction of Emergency Preparedness Weaknesses and Deficiencies		08/07/2006	08/11/2006	Baseline Inspections
1	IP 71151	Performance Indicator Verification		08/07/2006	08/11/2006	Baseline Inspections
	9/18+EXM - OPERA	ATOR LICENSING INITIAL EXAMS	3			
1	U01537	OYSTER CREEK INITIAL EXAM (3/1-5/05)		08/21/2006	08/25/2006	Not Applicable
1	U01537	OYSTER CREEK INITIAL EXAM (3/1-5/05)		09/18/2006	09/29/2006	Not Applicable
	71121 - OCC R	AD SAFETY PRE-OUTAGE	1			
1	IP 7112101	Access Control to Radiologically Significant Areas		09/11/2006	09/15/2006	Baseline Inspections
1	IP 7112102	ALARA Planning and Controls		09/11/2006	09/15/2006	Baseline Inspections
	71121 - OCC R	AD SAF	1			
1	IP 7112101	Access Control to Radiologically Significant Areas		10/16/2006	10/20/2006	Baseline Inspections
1	IP 7112102	ALARA Planning and Controls		10/16/2006	10/20/2006	Baseline Inspections
1	IP 7112103	Radiation Monitoring Instrumentation and Protective Equipment		10/16/2006	10/20/2006	Baseline Inspections
	7111108G - INSER	VICE INSPECTION	1			
1	IP 7111108G	Inservice Inspection Activities - BWR		10/23/2006	10/27/2006	Baseline Inspections
	71121 - OCC R	AD SAF POST OUTAGE	1			
1	IP 7112101	Access Control to Radiologically Significant Areas		12/04/2006	12/08/2006	Baseline Inspections
1	IP 7112102	ALARA Planning and Controls		12/04/2006	12/08/2006	Baseline Inspections
1	IP 7112103	Radiation Monitoring Instrumentation and Protective Equipment		12/04/2006	12/08/2006	Baseline Inspections
1	IP 71151	Performance Indicator Verification		12/04/2006	12/08/2006	Baseline Inspections
	71111.12 - MAINT	ENANCE RULE	1			
1	IP 7111112B	Maintenance Effectiveness		01/15/2007	01/19/2007	Baseline Inspections
	71121 - OCC R	AD SAFETY	1			
1	IP 7112101	Access Control to Radiologically Significant Areas		03/19/2007	03/23/2007	Baseline Inspections
1	IP 7112102	ALARA Planning and Controls		03/19/2007	03/23/2007	Baseline Inspections
1	IP 7112103	Radiation Monitoring Instrumentation and Protective Equipment		03/19/2007	03/23/2007	Baseline Inspections

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