



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

December 3, 2001

OFFICE OF THE
SECRETARY

Barbara Iasillo
Township of Dover
P. O. Box 728
Toms River, NJ 08754-0728

Reference: Oyster Creek Nuclear Plant
Docket No(s) 50-219

Dear Ms. Iasillo:

Thank you for the Resolution of the Township of Dover sent to the Commission regarding the Oyster Creek Nuclear Plant. Your correspondence has been forwarded to the Nuclear Regulatory Commission Staff for appropriate consideration. A copy of your correspondence and this reply are also being placed in Agency records on the Oyster Creek Nuclear Plant.

Sincerely yours,

A handwritten signature in cursive script that reads "Emile L. Julian".

Emile L. Julian
Assistant for Rulemakings
and Adjudications

Template = SECY-040

SECY-02

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**RESOLUTION REQUESTING THE NUCLEAR REGULATORY COMMISSION
TO HOLD PUBLIC HEARINGS WITH RESPECT TO THE STORAGE OF
SPENT NUCLEAR FUEL AT THE OYSTER CREEK NUCLEAR PLANT**

WHEREAS, the Oyster Creek Nuclear Power Plant and other nuclear generating facilities throughout the country have no means to dispose of spent nuclear fuel; and

WHEREAS, efforts are underway to provide for storage of nuclear waste in dry cask storage casks which will ultimately become a perpetual storage site at Oyster Creek Nuclear Plant that was never approved by the public which raise serious risks to surrounding populations; and

WHEREAS, Exelon, owners of Oyster Creek Nuclear plant, in collaboration with the Nuclear Regulatory Commission (NRC) are working on a fast track basis to allow the storage of spent fuel outdoors in ten concrete bunkers close to Route 9, in the center of the Jersey Shore and drinking water aquifers that have been preserved as part of the Pinelands Protection area of New Jersey; and

WHEREAS, the recent terrorist attacks of September 11th have demonstrated an additional need for security to protect the public from potential terrorist activity directed towards Oyster Creek and other nuclear plants and where these issues were not adequately addressed at earlier hearings; and

WHEREAS, the Township Committee recognizes that there have been changes in Americans' perception of the community, country and world since September 11th and that the issue of storage of spent nuclear fuel should be revisited through new hearings in light of these changes; and

WHEREAS, the NRC is proposing to approve the NUHOMS dry cask storage system under a plant's general operating license without the safeguards for protecting the environment and the public participation required for the licensing of a nuclear facility; without site specific studies,

environmental impact statements, and without the public process of an adjudicatory public hearing; and

WHEREAS, the safety and reliability of storage system is largely unproven and have been associated with numerous problems including an explosion due to faulty sealing and leaks due to failure of management to follow protocol; and

WHEREAS, a full public adjudicatory hearing will provide a forum to address these important issues for the citizens of this community now and for generations to come, particularly in light of the changes mentioned above;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Dover, in the County of Ocean, and State of New Jersey, as follows:

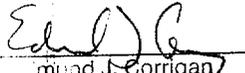
1. The New Jersey Congressional Delegation is called upon to demand that the NRC cease the fast track approval process that would allow the storage of nuclear waste as an amendment to a plant's operating license;
2. The NRC should immediately begin a full adjudicatory public hearing process on any rules that would allow the licensing of dry cask with full scientific review and environmental impact studies;
3. The appropriate committees of the New Jersey Legislature should hold an immediate public hearing on dry cask storage with the participation of the Pinelands Commission;
4. No approval should be given for the storage of nuclear waste unless and until it is demonstrated at public hearings that the proposal is safe for the residents of Ocean County and the Jersey Shore and that adequate security measures are taken to protect the public in light of the terrorist attacks of September 11th.

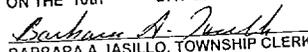
5. A certified copy of this resolution shall be provided by the Township Clerk to each of the following:

- a) Attorney
- b) Nuclear Regulatory Commission
Washington DC 20555
- c) Hon. H. James Saxton
339 Cannon House Office Building
Washington, DC 20515
- d) Hon. Christopher H. Smith
2370 Rayburn House Office Building
Washington, DC 20515
- e) Hon. Robert G. Torricelli
113 Dirksen Senate Office Building
Washington, DC 20510
- f) Hon. Jon S. Corzine
Dirksen Senate Office Building
B-40, Suite 2
Washington, DC 20510
- g) Jersey Shore Nuclear Watch
PO Box 4283
Brick, NJ 08723

L1181010

Approved as to
Legal Form


Edmund J. Corrigan
Township Attorney

I, BARBARA A. IASILLO, CLERK OF THE
TOWNSHIP OF DOVER, IN THE COUNTY OF OCEAN,
HEREBY CERTIFY THAT THE ABOVE IS A TRUE COPY
OF A RESOLUTION ADOPTED BY THE TOWNSHIP
COMMITTEE
ON THE 10th DAY OF October 2001

BARBARA A. IASILLO, TOWNSHIP CLERK