

June 21, 2002

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555

Oyster Creek Nuclear Generation Station
Facility Operating License No. DPR-16
NRC Docket No. 50-219

Subject: Request for Exemption from 10CFR2.109(b) and 10CFR50.75(f)(2)

Reference: April 30, 2002 Letter from Jeffrey A. Benjamin (Exelon), to NRC
Document Control Desk Regarding Request for Exemption

Dear Sir or Madam:

The reference letter transmitted a request for exemption from 10CFR2.109(b) and 10CFR50.75(f)(2). The purpose of this letter is to provide additional information to support publication in the Federal Register of an Environmental Assessment for the requested exemptions.

In accordance with 10CFR50.12, AmerGen Energy Company, LLC (AmerGen) has requested an exemption from 10CFR2.109(b) which requires a sufficient application for renewal of an operating license to be filed at least 5 years prior to the expiration of the existing license for the existing license to not be deemed to have expired until the application has been finally determined. The expiration date of the operating license for Oyster Creek Nuclear Generating Station (Oyster Creek) is April 9, 2009. AmerGen has requested an exemption to extend the time in which it may submit a sufficient application for renewal, should it choose to do so, in order for the existing license not to be deemed to have expired until the application has been finally determined. Business uncertainties currently exist that prevent commitment of the necessary resources to develop a sufficient application for renewal to satisfy the date required by 10CFR2.109(b). Assuming AmerGen decides to do so, imminent initiation of application development would be required, which would result in an undue hardship.

Additionally, in accordance with 10CFR50.12, AmerGen has requested an exemption from 10CFR50.75(f)(2) which requires submittal of a preliminary decommissioning cost estimate at or about 5 years prior to the projected end of operations. AmerGen requests an exemption to extend the time to submit a preliminary decommissioning cost estimate for Oyster Creek as necessary. Without an extension of time, imminent initiation of a preliminary decommissioning cost estimate, which includes an up-to-date

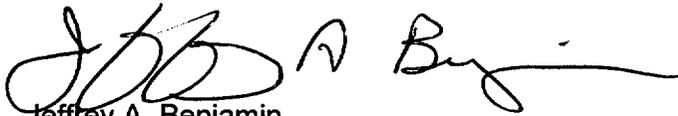
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assessment of the major factors that could affect the cost to decommission Oyster Creek, as required by 10CFR50.75(f)(2), would be necessary. Business uncertainties currently exist that prevent commitment of the necessary resources to this activity at this time. Accordingly, an extension of time to submit the preliminary decommissioning cost estimate has been requested.

Granting the exemptions from the schedular aspects of the two regulations will not result in any changes to the as-built plant design or existing procedures. Accordingly, the exemption requests will not endanger life or property or the common defense and security, will not have any significant environmental impacts, and are otherwise in the public interest.

If you have any questions or require additional information, please do not hesitate to contact us.

Very truly yours,

A handwritten signature in black ink, appearing to read 'J. A. Benjamin', written in a cursive style.

Jeffrey A. Benjamin
Vice President - Licensing and Regulatory Affairs

cc: H. J. Miller, Administrator, Region I, USNRC
R. J. Summers, USNRC Senior Resident Inspector, OCNGS
K. Tosch, Director, Bureau of Nuclear Engineering, State of New Jersey