

April 24, 2003

Mr. Michael Mulligan
5 Wood Lawn Lane
Hinsdale, NH 03451

Dear Mr. Mulligan:

I am responding to your e-mail dated March 26, 2003, addressed to Ms. Mindy Landau of the Nuclear Regulatory Commission (NRC). A copy of your e-mail is enclosed for completeness, and is also available in the U.S. Nuclear Regulatory Commission's (NRC's) Agencywide Document Access and Management System (ADAMS), under Accession Number ML030870004.

Your e-mail had the wording "Oyster Creek 2.206," presumably indicating your intent to invoke the provisions of 10 CFR 2.206 for a petition on the subject matter. The content of your e-mail makes it clear that you were addressing an amendment regarding refueling interlocks issued to Oyster Creek Nuclear Generating Station (OCNGS). However, it is not clear whether you were responding to OCNGS's application for amendment dated September 11, 2001, supplements to the application dated June 27 and September 19, 2002, or the resultant Amendment No. 234, dated October 10, 2002. The NRC published a notice on March 5, 2002 in the *Federal Register* (67 FR 10008) regarding the proposed amendment, requesting comments from members of the public and providing an opportunity for a hearing. Accordingly, your e-mail is being treated by the NRC staff as a late comment (i.e., beyond the 30-day comment period specified by 10 CFR 50.91).

The NRC staff had delineated its regulatory and technical findings in the safety evaluation (SE) associated with Amendment No. 234 (ADAMS Accession No. ML022830551). The NRC staff reviewed the comments that are within NRC jurisdiction contained in your e-mail, and determine that your comments provided no new information that would necessitate the NRC staff to make changes to Amendment No. 234 or its associated SE.

We take our responsibility to protect the public health and safety very seriously. We will continue to review your e-mail messages for issues that are within NRC jurisdiction and that

M. Mulligan

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warrant additional action on our part, in accordance with our processes and procedures. I trust that this response addresses your concerns. If you have any other questions, please contact the Project Manager, Mr. Peter Tam, at 301-415-1451.

Sincerely,

/RA/

Stuart A. Richards, Director
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Enclosure: As stated

cc w/encl: See next page

M. Mulligan

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Enclosure: As stated

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