

Original Due Date: 12/29/2003

Ticket Number: 020030196

Document Date:

NRR Received Date: 12/11/2003

From:
Anne Wolff

TACs: *mc 1509*
Dyer
Borchardt
Craig
Sheron
Case
NRR Mailroom

To:
NRC

*** YELLOW ***

For Signature of:

Routing:

Description:
Oyster Creek

Assigned To:
G100

Contact:
MARSH, LEDYARD (TAD) B

Special Instructions:

03-398-R

A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BERKELEY CALLING FOR THE DECOMMISSIONING OF THE NUCLEAR POWER PLANT WITH A CALL FOR CLEAR ENERGY SOLUTIONS AND A JUST TRANSITION FOR DISPLACED OYSTER CREEK NUCLEAR POWER PLANT WORKERS.

October 28, 2003

WHEREAS, the recent power outages in Ocean County including the shut down of the Oyster Creek Nuclear Power Plant constitute a deep and abiding concern that major changes should be made to our energy sources and transmission mechanisms; and

WHEREAS, the Oyster Creek Nuclear Power Plant produces less than 1% of the energy on the PJM Electric Grid and can be replaced by alternative sources of energy; and

WHEREAS, the Berkeley Township Council has in the past expressed opposition and concern to the activities of JCP&L and the subsequent owners of the Oyster Creek Nuclear Power Plant, specifically by:

(1) joining William DeCamp, Jr. in a Prerogative Writ Action in 1994 against JCP&L and the Lacey Township Zoning Board of Adjustment which permitted the storage of spent nuclear fuel rods at the Oyster Creek Nuclear Power Plant at a cost that was funded by the taxpayers of Berkeley Township.

(2) adopting a Resolution on April 12, 1994 urging the Lacey Township Zoning Board of Adjustment to reconsider the application of GPU/JCP&L's storage of nuclear waste at the Oyster Creek Nuclear Power Plant.

(3) adopting a Resolution on May 13, 2003 requesting an independent evacuation study and a plan for the Oyster Creek Nuclear Generating Station to protect Berkeley Township in the event of an emergency at the Oyster Creek Generating Station; and

WHEREAS, there is a lack of public confidence in the evacuation plan based on the consensus that the plan is insufficient to evacuate residents in the Ocean County area; and

WHEREAS, in the case of a major nuclear accident, it would take one to four hours for radioactive plumes to spread within a ten mile ring of the Oyster Creek Nuclear Power Plant depending on the weather and evacuation would take considerably longer than four hours for the approximately 244,000 people located within that radius; and

WHEREAS, radioactive releases could cause cancer in people as far as 500 miles away and make homes uninhabitable according to a 1990 Sandia National Laboratories Report; and

WHEREAS, the elevated fuel pool at the Oyster Creek Nuclear Power Plant containing highly radioactive waste does not offer adequate protection in the event of strong weather situations or terrorist attack; and

WHEREAS, the Oyster Creek Nuclear Power Plant is the oldest operating nuclear power plant in the country;

WHEREAS, in 1985 the Nuclear Regulatory Commission said the Mark I Nuclear Reactor Containment System is a faulty design and has a 90% projected failure rate in case of an accident therefore making it necessary to vent the pressure build up to avoid rupturing the containment system; and

WHEREAS, the Nuclear Regulatory Commission has not taken enforcement action against an 11 year old non-compliance identified in a January 24, 2003 Triennial Fire Protection Inspection Report involving the ability of the reactor to safely shut down in the event of a fire, exposing the public to undue risk; and

WHEREAS, nuclear power poses safety and environmental risks and is heavily dependant on taxpayer and ratepayer subsidies, and generates cancer causing Strontium 90,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BERKELEY, IN THE COUNTY OF OCEAN AND STATE OF NEW JERSEY, that the Nuclear Regulatory Commission is urged to decommission the Oyster Creek Nuclear Power Plant in April, 2004

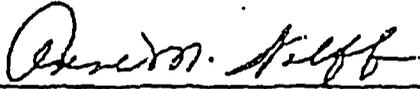
with a just transition period to insure that all affected workers are retrained and rehired; and be it further

RESOLVED that the Berkeley Township Council urge the implementation and use of clean energy solutions, including renewable energy such as solar and wind power for which state funds are available, and energy conservation; and be it further

RESOLVED that a copy of this Resolution shall be forwarded to the following:

1. Governor James E. McGreevey
2. Senator Jon S. Corzine, One Newark Center, 11th Floor, Newark, New Jersey, 07102
3. Senator Frank Lautenberg, One Gateway Center, 23rd Floor, Newark, New Jersey, 07102
4. Congressman Robert Menendez, 2238 Rayburn HOB, Washington, DC 20515-3013
5. Congressman Rush D. Holt, 1019 Longworth HOB, Washington, DC 20515-3012
6. Congressman Rodney P. Frelinghuysen, 2442 Rayburn HOB, Washington, DC 20515-3011
7. Congressman Donald M. Payne, 2209 Rayburn HOB, Washington, DC 20515-3010
8. Congressman Steven R. Rothman, 1607 Longworth HOB, Washington, DC 20515-3009
9. Congressman Bill Pascrell Jr., 1722 Longworth HOB, Washington, DC 20515-3008
10. Congressman Mike Ferguson, 214 Cannon HOB, Washington, DC 20515-3007
11. Congressman Frank Pallone Jr., 420 Cannon HOB, Washington, DC 20515-3006
12. Congressman Scott Garrett, 1641 Longworth HOB, Washington, DC 20515-3005
13. Congressman Christopher H. Smith, 2373 Rayburn HOB, Washington, DC 20515-3004
14. Congressman Jim Saxton, 339 Cannon HOB, Washington, DC 20515-3003
15. Congressman Frank A. LoBiondo, 225 Cannon HOB, Washington, DC 20515-3002
16. Congressman Robert E. Andrews, 2439 Rayburn HOB, Washington, DC 20515-3001
17. New Jersey Department of Environmental Protection, P. O. Box 402, Trenton, New Jersey, 08625
18. Nuclear Regulatory Commission, One White Flint North, 11555 Rockville Pike, Rockville, MD, 20852

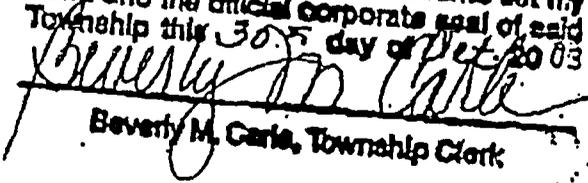
19. U.S. Environmental Protection Agency, 1200
Pennsylvania Avenue NW, Washington DC, 20460
20. Jersey Shore Nuclear Watch, 59 Berkshire Court, Toms
River, New Jersey, 08753
21. NJPIRG, 11 North Willow Street, Trenton, New Jersey,
08608
22. Mayor and Council Members
23. Township Attorney



ANNE M. WOLFF, Council President

CERTIFICATION

I hereby certify that the within resolution was finally passed by the governing body of the Township of Berkeley, in the County of Ocean on the 28th day of Oct. 20 03. In witness whereof I have hereunto set my hand and the official corporate seal of said Township this 30th day of Oct. 20 03.


Beverly M. Carls, Township Clerk