

8 July 2004

Mr. Edward Frydendahl, Jr.
32 Ambassador Drive
Manchester, NJ 08759-6094

Dear Mr. Frydendahl:

I am responding to two questions you raised at the public meeting with the NRC on April 15, 2004, conducted following the meeting between AmerGen Energy Company and the NRC on the Annual Assessment of the performance of the Oyster Creek Nuclear Generating Station. During the public meeting, you had questions regarding the evacuation plans for school children in Lacey Township and the lack of restricted airspace over the Oyster Creek facility.

Regarding your question on the evacuation plans for Lacey Township schools, we have enclosed the relevant segment of the Ocean County, NJ, Emergency Response Plan, Revision 10, dated July 2003. Attachment five (5) of the plan details the busing needs to support evacuation of the school children in Lacey. As detailed in that attachment, with the buses immediately available to Lacey, supplemented by buses from six nearby districts, sufficient resources will be available to transport the entire school district population at one time in the event of a radiological emergency. According to the plan, the priority for moving school children would be from youngest to oldest; thus the elementary school students would go first, with the high school students transported last. There would be no need to bring buses back into the emergency planning zone (EPZ) to evacuate Lacey students unless there was an unexpected shortage in the number of buses and/or drivers available.

Regarding the restriction of the airspace over Oyster Creek, we note that previous studies have found it impractical to institute "no fly" zones above nuclear power plants due to the negative impact such restrictions would place on the aviation industry. Specifically, many nuclear power plants lie in or near established flight routes as well as local airports; for example, AmerGen's Three Mile Island Nuclear Plant is within four (4) miles of Harrisburg (PA) International Airport and on the approach pattern for the runway. Moreover, given the speed of commercial airliners (>450 miles per hour), insufficient time would be available to track and intercept a suspicious aircraft unless such "no fly" zones were prohibitively large in area. While you noted that the nearby Lakehurst Naval Air Station and McGuire Air Force Base have airspace restrictions over their facilities, our discussions with Air Force representatives at McGuire indicated that these long-standing, limited-area restrictions were established only for personnel safety reasons (i.e., to avoid collisions between civilian and military aircraft or prohibit air travel over live fire areas).

We note that the Federal Aviation Administration (FAA) did issue a Notice to Airmen (NOTAM) instructing pilots not to loiter in the airspace around and above nuclear power plants, as well as other industrial facilities. Violations of the NOTAM may subject the pilot to disciplinary actions by the FAA up to suspension of the pilot's license or possible criminal prosecution. Beyond this NOTAM, the NRC believes that the nation's efforts associated with protecting against terrorist

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attacks by air should continue to be directed toward enhancing security at airports and within airplanes. Further, we note that nuclear power plants have an inherent capability to protect public health and safety through such features as robust containment buildings, redundant safety systems, and highly trained operators. They are among the most hardened structures in the country and are designed to withstand extreme events, such as hurricanes, tornadoes and earthquakes. We urge you to visit the NRC website at <http://www.nrc.gov> for further information on this subject.

I trust this information is responsive to your concerns and apologize for the delay in gathering the information promised. If you have any further questions in this matter, please contact me at (610) 337-5234.

Sincerely,

/RA by Richard S. Barkley Acting For/

Peter W. Eselgroth, Chief
Division of Reactor Projects, Branch 7

Enclosure: Element C, "Ocean County Office of Education, Emergency Response Plan, Revision 10, dated July 2003"

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