

August 31, 2004

Mr. Stephen M. Lazorchak  
20 Dorchester Drive  
Toms River, NJ 08753

Dear Mr. Lazorchak:

I am responding on behalf of the Nuclear Regulatory Commission (NRC) to your e-mail of August 8, 2004, addressed to Dr. Nils Diaz, Chairman of the Nuclear Regulatory Commission (NRC). The principal concern expressed by your e-mail is regarding perceived vulnerability of the Oyster Creek Nuclear Generating Station (OCNGS) spent fuel pool to a terrorist attack using an aircraft as a missile. You urged the NRC to apply a questioning attitude to the concerns identified in your e-mail and attachment, and to support immediate shutdown of OCNGS if the spent fuel pool cannot be protected.

By a separate e-mail of August 13, 2004, addressed to Mr. Peter Tam, the NRC Project Manager, you indicated that you are aware of a petition filed by the Nuclear Security Coalition on August 10, 2004, with similar concerns. We are now reviewing that petition and believe our future issuances in response to that petition will provide information to address your concern. We will add you to the mailing list of all our future issuances concerning that petition.

You listed a number of issues, all apparently related to plant aging, but provided no specifics. Then you stated that all items require "additional discussion/investigation prior to the plants [sic] license renewal." In that regard, please note that AmerGen has not yet submitted a license renewal application for NRC review. Should the NRC receive an application in the future, the NRC staff will review both the safety and environmental issues associated with this license renewal. Specifically, the licensee must provide the NRC with an evaluation that addresses the technical aspects of plant aging. The licensee must also describe the aging management programs and activities that will be relied on to manage aging. In addition, to support plant operation for the additional 20 years, the licensee must prepare an evaluation of the potential impact on the environment. The NRC reviews the application, documents its evaluations in a safety evaluation report and supplemental environmental impact statement, and performs verification inspections at the licensee's facilities. If a renewed license is approved, the licensee must continue to comply with all existing regulations and commitments associated with the original license, as well as those additional activities required as a result of license renewal. Licensee activities continue to be subject to NRC oversight in the period of extended operation. License renewal is a process open to public participation in a number of ways, including public meetings and the opportunity for adjudicatory hearings. See the NRC website at <http://www.nrc.gov/reactors/operating/licensing/renewal.html> for more information.

We appreciate you taking the time to share your opinions and concerns in this matter with the NRC. If you have any further questions regarding these issues, please call the Project Manager for OCNGS, Mr. Peter Tam, at 301-415-1451.

Sincerely,

**IRA\**

Cornelius F. Holden, Director  
Project Directorate I  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

We appreciate you taking the time to share your opinions and concerns in this matter with the NRC. If you have any further questions regarding these issues, please call the Project Manager for OCNBS, Mr. Peter Tam, at 301-415-1451.

Sincerely,

**WRA\**

Cornelius F. Holden, Director  
Project Directorate I  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

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\*Concurred via e-mail

\*\*By e-mail, S. Hoffman of RLEP informed that RLEP does not need to be on concurrence since the paragraph on license renewal had been used in many previous letters.

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