

January 19, 2005

Mr. Thomas J. Cervasio, Chairman
Enviro-Watch
252 Barbados Drive
Toms River, NJ 08757

Dear Mr. Cervasio:

On behalf of the Nuclear Regulatory Commission (NRC), I am writing in response to your letter of December 5, 2004, to the NRC Public Affairs Office in which you voiced objection to the possible license renewal of Oyster Creek Nuclear Generating Station (OCNGS), located in Ocean County, New Jersey. You also stated that an "independent study should be made subject to scientific peer review by those not currently in the industry or previously hired by the industry to rubber stamp the current project of the day."

While the licensee has stated its intent to apply for license renewal, it has not yet submitted such an application. Accordingly, the NRC staff has no basis to act on your objection to OCNGS's license renewal. The NRC encourages public participation in the NRC's license renewal process. Shortly after an application is received, the NRC issues a notice of the receipt of the application and its availability to the public. The NRC holds a public meeting near the nuclear power plant to give the public information about the license renewal process. Additional public meetings are held by the NRC during the review of the renewal application. NRC evaluations, findings, and recommendations are published when completed. In addition, the NRC provides the public the opportunity to request adjudicatory hearings on license renewal applications.

It is important to note that the NRC was established by Congress as an independent agency for the purpose of reviewing and overseeing nuclear plants. The NRC has established clear requirements, codified in Title 10 of the *Code of Federal Regulations* Parts 51 and 54, to assure safe plant operation for extended plant life. The NRC also follows an established license renewal application review process to guide the staff's evaluation of an applicant's compliance with license renewal requirements. The NRC staff conducts independent and thorough reviews of license renewal applications and prepares safety evaluation reports to document its review results. During these reviews, the NRC implements a license renewal inspection program to verify that licensees meet the requirements of applicable regulations, and have implemented license renewal programs and activities consistent with their applications for license renewal. In addition, the Advisory Committee on Reactor Safeguards (ACRS) conducts independent reviews of license renewal applications and the NRC staff's safety evaluation reports, before making recommendations to the Commission. The ACRS, established by Congress in 1957 to provide analysis of safety standards and facility license applications, is a body of experts representing many technical perspectives that is independent of the staff and reports directly to the Commission.

Finally, as an integral part of its reactor oversight process, the NRC performs inspections (e.g., baseline, supplemental, and event-follow-up inspections) of nuclear power plants based on

T. Cervasio

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safety performance. These inspections will continue during the period of extended operation if the OCNGS license is renewed. Both inspection results and performance indicator data are formally reviewed quarterly to determine if plant performance warrants a change in inspection effort or NRC regulatory oversight.

I hope this information is useful in addressing your concerns.

Sincerely,

/RA/

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

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/RA/

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Project Directorate I
Division of Licensing Project Management
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*By e-mail stated that since the substance of this letter is identical to that in a 11/17/04 letter, Chairman Diaz to Rep. Saxton, RLEP does not need to be on concurrence.