

August 29, 2005

Michele R. Donato, Esquire
106 Grand Central Avenue
P. O. Box 145
Lavallette, NJ 08735-0145

Dear Ms. Donato:

This letter is in reference to the petition for rulemaking dated July 20, 2005, that was submitted to the U. S. Nuclear Regulatory Commission (NRC) on behalf of Mayor Joseph Scarpelli of Brick Township, New Jersey. The petitioner requests that the NRC amend its regulations to provide that a renewed license will be issued only if the plant operator demonstrates that the plant meets all criteria and requirements that would be applicable if the plant was being proposed *de novo* for initial construction. Your letter has been docketed as a petition for rulemaking under 10 CFR 2.802 and assigned Docket Number PRM-54-03. We will inform you of the status of your petition as staff action on it progresses.

The enclosed notice acknowledging receipt of the petition and requesting public comment will be published in the Federal Register. Upon expiration of the comment period, we will provide you with copies of any comments that have been received in response to the notice of receipt for your petition for rulemaking.

Your petition, the NRC Federal Register notice of receipt, and any public comments received on your petition also will be made available on the NRC's rulemaking website at <http://ruleforum.llnl.gov>. Questions regarding this website may be directed to Carol Gallagher of my staff at 301-415-5905 or e-mail: cag@NRC.gov.

As staff review progresses on your petition, it may be necessary to request additional information. Please reference the assigned docket number on any correspondence you may have concerning the petition. You may direct any questions you may have concerning the petition process or the status of your petition to me on 301-415-7163, e-mail: mtl@nrc.gov or to Betty Golden on 301-415-6863, e-mail bkg2@nrc.gov.

Sincerely,

//RA//

Michael T. Lesar, Chief
Rules and Directives Branch
Division of Administrative Services
Office of Administration

Enclosure: As stated

cc: Joseph C. Scarpelli, Mayor, Township of Brick, New Jersey
Peggi Sturmfels, NJ Environmental Federation
Jeff Tittel, Sierra Club

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