

October 12, 2005

Patricia A. Kurkul, Regional Administrator
NOAA's National Marine Fisheries Service
Northeast Regional Office
One Blackburn Drive
Gloucester, MA 09130-2298

SUBJECT: REQUEST FOR LIST OF PROTECTED SPECIES AND ESSENTIAL FISH
HABITAT WITHIN THE AREA UNDER EVALUATION FOR OYSTER CREEK
NUCLEAR GENERATING STATION LICENSE RENEWAL

Dear Ms. Kurkul:

The U.S. Nuclear Regulatory Commission (NRC) is reviewing an application submitted by AmerGen Energy Company, LLC (AmerGen) for the renewal of the operating license for the Oyster Creek Nuclear Generating Station (OCNGS). OCNGS is a single-unit nuclear plant located in Lacey Township in Ocean County, New Jersey. As part of the review of the license renewal application, the NRC is preparing a Supplemental Environmental Impact Statement (SEIS) under the provisions of the National Environmental Policy Act (NEPA) of 1969, as amended. The SEIS includes an analysis of pertinent environmental issues, including endangered or threatened species and impacts to marine resources and habitat. This letter is being submitted under the provisions of the Endangered Species Act of 1973, as amended, the Fish and Wildlife Coordination Act of 1934, as amended, and the Sustainable Fisheries Act of 1996.

AmerGen stated that it has no plans to alter current operations over the license renewal period and that OCNGS operating under a renewed license would use existing plant facilities and transmission lines and would not require additional construction or disturbance of new areas. Any maintenance activities would be limited to previously disturbed areas.

OCNGS is situated on approximately 800 acres of land in the coastal pine barrens of New Jersey approximately 9 miles south of Toms River, New Jersey. The property is on the western shore of Barnegat Bay. East of U.S. Highway 9 the northern site boundary is the South Branch of Forked River, and the southern site boundary is Oyster Creek. West of U.S. Highway 9 the site boundary is defined by the manmade intake and discharge canals (See Enclosed Maps).

OCNGS employs a once-through heat dissipation system designed to remove waste heat from the condensers. The circulating water system includes the intake canal, an intake structure divided into two bays, circulating water pumps, condensers, dilution pumps, discharge pipes, and discharge canal. The purpose of the dilution pumps is to decrease the attractiveness of the heated discharge to migratory marine species during the spring and fall, and to reduce thermal stress on organisms in the discharge canal during the summer. An angled boom in the intake canal immediately in front of the intake prevents large mats of eelgrass and algae from clogging the intake system. Barnegat Bay is the plant's cooling water source and heat sink. Cooling water is drawn from Barnegat Bay through the South Branch of Forked River and into a

150-foot-wide intake canal dredged to a depth of 10 feet. The circulating water is returned to the 150-foot-wide discharge canal and from there flows to Oyster Creek and back to Barnegat Bay. Depths in the South Branch of the Forked River, canals, and lower reaches of Oyster Creek are maintained by periodic dredging.

The transmission lines in the scope of NRC's environmental review for license renewal are those that were originally constructed for the specific purpose of connecting the plant to the transmission system. A single 230-kilovolt transmission line was built to connect OCNGS to the electric grid. It is a double circuit line hung on a single set of towers that runs 11.1 miles from the OCNGS 230 kilovolt Substation to the Manitou Substation near Toms River. Beyond the OCNGS substation transformer-side disconnects, the line is owned and operated, and corridor easements held, by FirstEnergy, an Ohio utility. The transmission line corridor is 240 feet wide and approximately parallels the New Jersey State Parkway, occupying about 320 acres. The corridor passes through land that is primarily pine forest and swamp forest. Approximately 1 mile of the line passes through Double Trouble State Park. The line is in Ocean County and crosses numerous county roads and the New Jersey State Parkway. FirstEnergy plans to maintain this transmission line, which is integral to the larger transmission system, indefinitely. The transmission line will remain a permanent part of the transmission system after OCNGS is decommissioned. The transmission line and site boundary are identified in the enclosed maps.

To support the SEIS preparation process and to ensure compliance with Section 7 of the Endangered Species Act, the NRC requests a list of endangered, threatened, candidate, and proposed species, and designated and proposed critical habitat under the jurisdiction of the National Marine Fisheries Service that may be in the vicinity of the OCNGS site and its transmission line corridors. The most recent formal consultation for the continued operation of OCNGS was completed on September 22, 2005. However, this letter requesting consultation relates specifically to the NRC's review of AmerGen's license renewal application for OCNGS.

In addition, please provide any information you consider appropriate under the provisions of the Fish and Wildlife Coordination Act. Also in support of the SEIS preparation and to ensure compliance with Section 305 of the Magnuson-Stevens Fishery Conservation and Management Act, the NRC requests a list of essential fish habitat that has been designated in the vicinity of the OCNGS site and its associated transmission line corridors.

The NRC staff plans to hold two public NEPA scoping meetings on November 1, 2005, at the Quality Inn located at 815 Route 37 in Toms River, New Jersey. You and your staff are invited to attend the public meetings. The first session will convene at 1:30 p.m. and will continue until 4:30 p.m., as necessary. The second session will convene at 7:00 p.m., with a repeat of the overview portions of the meeting, and will continue until 10:00 p.m., as necessary. Your office will also receive a copy of the draft SEIS along with a request for comments. The anticipated publication date for the draft SEIS is June 2006.

P. Kurkul

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If you have any questions concerning OCNGS, the license renewal application, or other aspects of this project, please contact the NRC's Senior Environmental Project Manager, Dr. Michael Masnik, at 301-415-1191 or by e-mail at MTM2@nrc.gov.

Sincerely,

/RA/

Pao-Tsin Kuo, Program Director
License Renewal and Environmental Impacts Program
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation

Docket No.: 50-219

Enclosures: As stated

cc w/encls.: See next page

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DATE	10/4/05	10/4/05	10/4/05	10/5/05	10/5/05	10/12/05

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