October 12, 2005

Mr. Brice Obermeyer
NAGPRA Director, The Delaware Tribe
Department of Sociology and Anthropology
Emporia State University
Butcher Education Center, Rm 115D
1200 Commercial, Box 4022
Emporia, KS 66801

SUBJECT: REQUEST FOR COMMENTS CONCERNING THE OYSTER CREEK NUCLEAR GENERATING STATION APPLICATION FOR OPERATING LICENSE RENEWAL (TAC NO. MC7625)

Dear Mr. Obermeyer:

The U.S. Nuclear Regulatory Commission (NRC) is seeking input for its environmental review of an application from AmerGen Energy Company, LLC (AmerGen) for the renewal of the operating license for the Oyster Creek Nuclear Generating Station (OCNGS), located in Lacey Township in Ocean County, New Jersey. OCNGS is in close proximity to lands that may be of interest to The Delaware Tribe. As described below, the NRC process includes an opportunity for public and inter-governmental participation in the environmental review. We want to ensure that you are aware of our efforts and, pursuant to Title 10 of the *Code of Federal Regulations* Part 51.28(b) (10 CFR 51.28(b)), the NRC invites The Delaware Tribe to provide input to the scoping process relating to the NRC's environmental review of the application. In addition, as outlined in 36 CFR 800.8, the NRC plans to coordinate compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, with the requirements of the National Environmental Policy Act of 1969, as amended.

Under NRC regulations, the original operating license for a nuclear power plant has a term of up to 40 years. The license may be renewed for up to an additional 20 years if NRC requirements are met. The current operating license for OCNGS will expire on April 9, 2009. AmerGen submitted its application for renewal of the OCNGS operating license on July 22, 2005.

The NRC is gathering information for an OCNGS site-specific supplement to its "Generic Environmental Impact Statement for License Renewal of Nuclear Plants" (GEIS), NUREG-1437. The supplement will contain the results of the review of potential environmental impacts on the area surrounding the OCNGS site that are related to terrestrial ecology, aquatic ecology, hydrology, cultural resources, and socioeconomic issues, among others, and will contain a recommendation regarding the environmental acceptability of the license renewal action.

The NRC will hold two public scoping meetings for the preparation of the OCNGS Supplemental Environmental Impact Statement (SEIS) on November 1, 2005, at the Quality Inn located at 815 Route 37 in Toms River, New Jersey. There will be two sessions to accommodate interested parties. 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. Additionally, the NRC staff will host informal discussions one hour before the start of each session. To be considered, comments must be provided either at the transcribed public meetings or in writing. No formal comments on the proposed scope of the supplement to the GEIS will be accepted during informal discussions. The application is electronically available for inspection from the Publicly Available Records component of NRC's Agencywide Documents Access and Management System (ADAMS) under Accession Number ML052080172. ADAMS is accessible at www.nrc.gov/reading-rm/adams.html and provides access through the NRC's Public Electronic Reading Room link. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC's Public Document Room (PDR) Reference staff at 1-800-397-4209, 301-415-4737, or by e-mail at pdr@nrc.gov. In addition, the application can be viewed on the Internet at www.nrc.gov/reactors/operating/licensing/renewal/applications/oystercreek.html.

A paper copy of the application can be viewed at the NRC's PDR, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, 20852-2738 and at the Lacey Public Library located at 10 East Lacey Road, Forked River, NJ 08731. The GEIS, which assesses the scope and impact of environmental effects that would be associated with license renewal at any nuclear power plant site, can also be found on the NRC's website or at the NRC's PDR.

Please submit any written comments that The Delaware Tribe may have on the scope of the environmental review by November 25, 2005. Comments should be submitted by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington D.C. 20555-0001. At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and mail a copy to you.

The NRC will issue the draft SEIS for public comment (anticipated publication date June 2006), and will hold another set of public meetings in the site's vicinity to solicit comments on the draft. A copy of the draft SEIS will be sent to you for your review and comment. After consideration of public comments received on the draft, the NRC will prepare a final SEIS. The issuance of a final SEIS for OCNGS is planned for February 2007. If you need additional information regarding the environmental review process, please contact Dr. Michael Masnik, Senior Environmental Project Manager, 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

cc: See next page

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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

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DATE	09/30/05	10/3/05	10/3/05	10/5/05	10/12/05

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DISTRIBUTION: Mr. Brice Obermeyer, NAGPRA Director, The Delaware Tribe Re: OCNGS, Dated: October 12, 2005

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