EDO Principal Correspondence Control

FROM: DUE: 05/18/06

EDO CONTROL: G20060447
DOC DT: 02/28/06
FINAL REPLY:

Maureen E. Flach
Bayville, New Jersey
(White House Referral)

TO:

McKelvin, SECY

FOR SIGNATURE OF : ** GRN ** CRC NO: 06-0208

Dyer, NRR

DESC:

Renewal of Oyster Creek

ROUTING:

Reyes
Virgilio
Kane
Silber
Dean
Cyr/Burns
Collins, RI
Zimmerman, NSIR

DATE: 04/27/06

ASSIGNED TO: CONTACT:

NRR Dyer

SPECIAL INSTRUCTIONS OR REMARKS:

The White House established as due date of 5/18/06.

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E-RIDS: SECY-01

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

Date Printed: Apr 27, 2006 13:16

PAPER NUMBER:	LTR-06-0208	**LOGGING DATE:**	04/27/2006
ACTION OFFICE:	EDO		
AUTHOR:	Miss Maureen Flach		
AFFILIATION:	NJ		
ADDRESSEE:	PRES George Bush		
SUBJECT:	Concerns the renewal of Oyster Creek		
ACTION:	Direct Reply		
DISTRIBUTION:	SECY to Ack...Encls. to EDO		
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DATE DUE:	05/18/2006	**DATE SIGNED:**	

EDO --G20060447

WH-527413-NRC

February 28, 2006

George W. Bush, President
United States of America
1600 Pennsylvania Avenue
Washington, D.C.

Dear President Bush:

I realize that you have a geat deal of concern at this time for our country. This is a problem concerning my home area - Ocean County, New Jersey.

We have the oldest nuclear plant in the nation and it is up for renewal. The people are worried. This would extend its' use for twenty years past its' original projection. Some residents have tried to appeal to the NRC but to no avail.

I would like to highlight just a few concerns. A main concern is how the spent fuel is stored. Another concern is should there be a need to evacuate - it would be impossible. This is a shore area and in the summer the traffic along route 9 and the Parkway is extemely congested. When anyone discusses evacuation plans - they laugh. Lastly but certainly not the least of our concerns is a terrorist attack. Anyone riding along Route 9 could shoot a rocket or missle into the facility causing - well I don't want to think about it.

I realize that the cost of power would increase in this area but I prefer that to the chance of radiation exposure.

I was hoping that you could help. I have enclosed several articles concerning the various concerns of the people. The company, of course, states that all is safe despite several incidents.

Thank you for your time and I wish you well.

Respectfully,
Maureen E. Flach

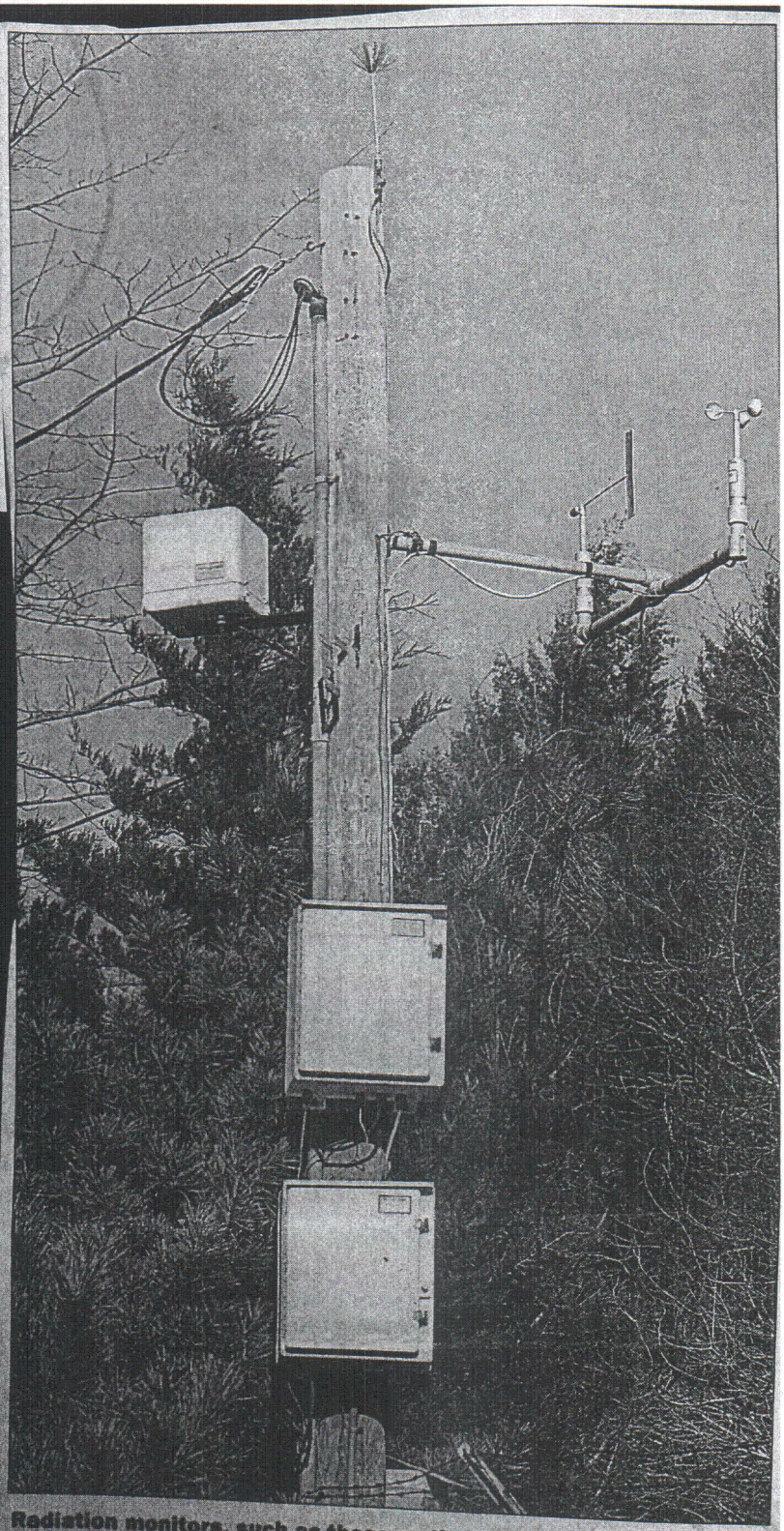
Maureen E. Flach
74 Cedar Run Road
Bayville, NJ 08721

Enc.

Escaping could take 9 1/2 hours

By TODD B. BATES
ENVIRONMENTAL WRITER

• It could take up to 9½ hours to evacuate the entire 10-mile ring around the Oyster Creek nuclear plant, depending on the season, time of day and the weather, according to the state's evacuation plan.



Radiation monitors, such as these on the east side of Route 9, just south of the Oyster Creek nuclear plant, would sound alarms in Trenton if readings around the plant climbed to unhealthy levels. A number of the monitors have failed in the past. (FILE PHOTO)

Nuke plant critics say they're stifled

By NICHOLAS CLUNN
STAFF WRITER

When state officials wanted to raise questions with the U.S. Nuclear Regulatory Commission about possible weaknesses and deficiencies at the Oyster Creek nuclear power plant, the NRC staff offered a pointed response: No.

In a separate petition to the NRC, an activist coalition against the relicensing of Oyster Creek received the same rejection from the agency's staff.

State officials and critics of the Lacey plant say they are flabbergasted by NRC rules that bar the asking of all but the most narrow of questions during hearings on proposed license renewals for nuclear power reactors.

Oyster Creek, the oldest commercial nuclear plant in the nation, wants to extend its 40-year operating license by 20 years. Without an extension, the plant will close in 2009.

"This is sort of a pole vaulter's nightmare," said Paul Gunter, a nuclear power industry watchdog with the Nuclear Information and Resource Service in Washington. "This high of a standard has been set to deter public interest intervention."

Regulators have yet to deny a license renewal request. Since 2000, the NRC has granted renewals for 39 reactors. An additional 12 are under review. And 27 more renewal applications are expected by 2012, according to an industry trade group. Those three figures taken together constitute nearly three-quarters of the nation's 103 reactors.

In their defense, regulators say their mission is to ensure that reactors run safely. Among federal agencies, they say the NRC is one of the most open; nearly all of its findings about the country's 103 commercial reactors are posted on its public Web site.

Critics of the license renewal process say NRC hearings give them the opportunity to work with regulators, but they've been challenged with finding issues the agency will consider when deciding whether to extend a plant's license.

See **Regulators,** Page **A6**

RELICENSING OYSTER CREEK IS IT WORTH IT?

In the fourth part of a five-day series, the Asbury Park Press examines the U.S. Nuclear Regulatory Commission's role in relicensing Oyster Creek.

BANG DRAWS POLICE TO PLANT/STORY, A3

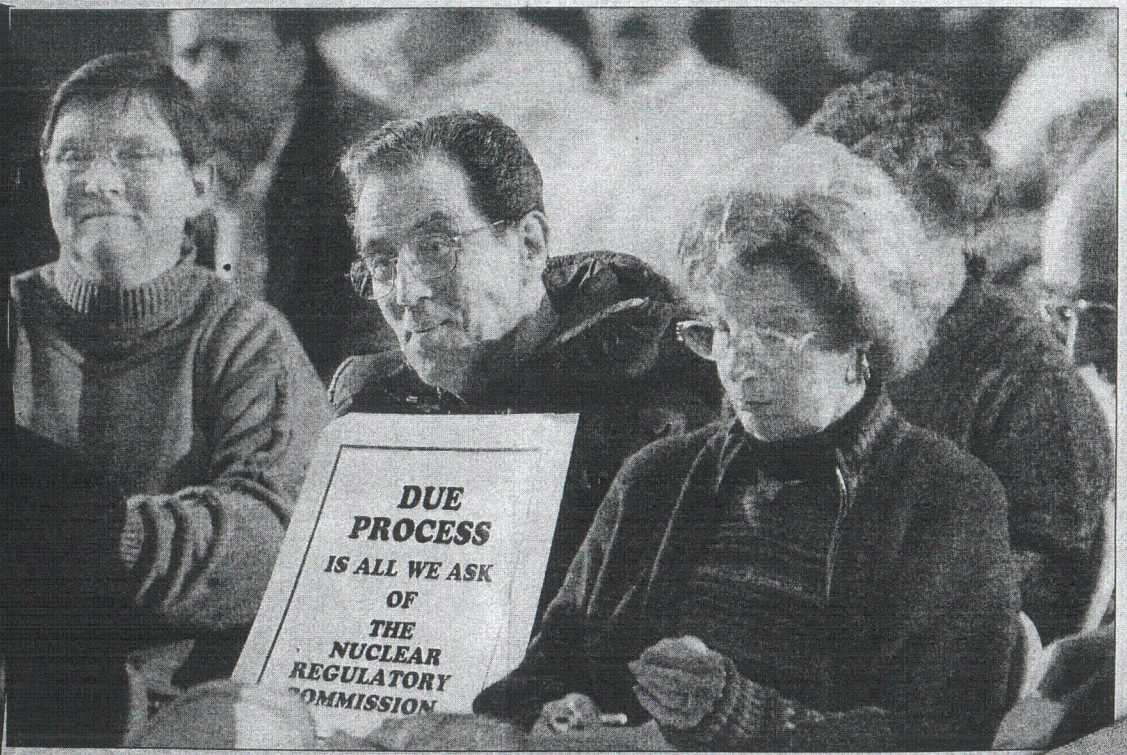
INSIDE

COOLING TOWERS: If they're required, plant might close. **PAGE A6**

THE FUTURE: Viewpoints differ on what's ahead for nuclear power. **PAGE A7**

VISIT OUR WEB SITE, www.app.com, for a link under Special Reports to: Relicensing Oyster Creek: Is It Worth It? for past stories in this series, an interactive graphic that shows how the plant works, and an online poll.

Regulators bar questions on terrorism, safety



Ed DiMarco of Dover Township sits with a sign criticizing the Nuclear Regulatory Commission's restrictions on di
topics during a 2002 commission meeting at Lacey Township Middle School on the future of the Oyster Creek
power plant. (STAFF PHOTO: MICHAEL SYPNIEWSKI)

Oyster Creek reports loud bang was harmless

By NICHOLAS CLUNN
MANAHAWKIN BUREAU

LACEY — The Oyster Creek Generating Station let out a loud bang Monday evening that drew police and plant security to the nuclear power plant, fearing the noise could have been an explosion.

The bang was the sound of hydrogen igniting after plant operators attempted to turn on a gas filtration system about 5 p.m., said Neil A. Sheehan, a spokesman with the U.S. Nuclear Regulatory Commission.

"At no time was the health and safety of the public at risk," said Rachelle Benson, a spokeswoman for plant operator AmerGen Energy Co.

But the noise caught the attention of some AmerGen employees in an office building near the reactor. It also drew a hurried response by plant security and township police.

Two police officers responded to Oyster Creek after the plant's private security force had reported "a loud unidentified noise." But when the officers arrived, they were told that they were no longer needed, Lacey Police Chief William A. Nally said.

"At no time was the health and safety of the public at risk."

— Rachelle Benson, AmerGen Energy Co.

No workers were hurt during the ignition. And the plant, which continued operating at 100 percent capacity, wasn't damaged.

The ignition happened inside the plant's augmented off-gas system, which removes radiation from gas that has left the reactor.

Nicholas Clunn: (609) 978-4597 or nclunn@app.com

ANT'S LICENSE BE EXTENDED?

NRC chief shuns plea for license hearing

Allow airing of issues, DEP asks

By NICHOLAS CLUNN and TODD B. BATES
STAFF WRITERS

It's often said that going right to the top is the most effective way to get results.

But Lisa Jackson, the state's top environmental protection official, found out that this age-old advice doesn't necessarily apply at the U.S. Nuclear Regulatory Commission.

Jackson wants a special judicial hearing on a 20-year license renewal for the Oyster Creek Generating Station in Lacey and asked the agency's chairman, Nils J. Diaz, if he could help.

A hearing, she wrote in a Feb. 1 letter to him, would force regulators to look at terrorism, the availability of backup power for plant safety systems during a blackout, and stress limits of key reactor components.

But the commission told Jackson last week that Diaz wouldn't even attempt to intervene. The chairman needs to remain impartial.

The call for a wider hearing on Oyster Creek's relicensing effort gained more voices last week as five New Jersey legislators and a member of Congress

See NRC, Page A5

KI pills protect thyroid from radiation

STAFF REPORT

Potassium iodide, or KI, is found in table salt, but it also comes in pill form to reduce the risk of thyroid cancer following a radiation release.

If taken when directed during a nuclear emergency, the KI pill can protect the thyroid by filling the gland with safe iodine, blocking the absorption of radioactive iodine.

People living or working within 10 miles of the Oyster Creek nuclear power plant in Lacey can pick up KI pills from the Ocean County Health Department. Health officials also can hand out new pills to those who have had doses longer than the five-year shelf life.

KI pills are most recommended for children, since developing thyroids are particularly vulnerable to radiation. Meanwhile, people allergic to shellfish and iodine should consult their physician before ingesting a dose.

The pills are distributed through the health department by appointment. To make an appointment and for more information, call (800) 342-9738, Ext. 7227.

County officials are preparing for a mass distribution of KI pills at several sites, possibly by the end of the year, said Daniel Regenye, a county public health planner. The last mass distribution was in 2002.

— *Nicholas Clunn*

Pill distribution zone

The county has handed out potassium iodide tablets within a 10-mile radius of the Oyster Creek nuclear power plant. Critics say that zone should be expanded to at least 50 miles.

Staff graphic

What if...?

Critics of the Oyster Creek Generating Station in Lacey, a nuclear plant, say there are a number of reasons the 36-year-old plant should not receive a 20-year license extension in 2009. Here are summaries of "what if" scenarios and what plant operators say about them:

1 Terrorists slam an airplane into the reactor building. Unlike newer plants that are covered by reinforced concrete domes, Oyster Creek has a metal roof over its reactor and spent fuel pool. Critics say an explosive-laden plane, or even a hijacked commercial airliner, could strike the building to release radioactive material over a wide area.

Plant officials say the roof has heavy steel girders under it that would stop small planes, and possibly a Boeing 767. The reactor is covered by a thick, reinforced concrete cap that can easily hold 100 tons. The spent fuel is covered by about 30 feet of water and surrounded by 4-foot-thick walls. In a worst-case scenario, several water sources, even a fire truck, could be used to keep the pool full if it were ruptured. In the event the spent fuel is uncovered, the uranium is unlikely to catch fire because its heat output is 5 kilowatts, or as hot as the air from three hair dryers, plant officials say. Radiation in the building would reach significant levels if the spent fuel is exposed, but not enough to go beyond the plant, they say.

2 Control room malfunction or attack. The weakest point in any nuclear plant is the control room, which could be hit in an air attack or sabotaged.

The control room is small and between tall buildings that make it unlikely to be hit from the air, plant officials say. Even if the control room were damaged, compromised, or rendered useless, the reactor could be manually shut down elsewhere in the plant.

3 Private security officers at nuclear plants are trained to stop no more than six invaders. Terrorists have shown that they can gather as many as 20 individuals to form a paramilitary suicide mission.

Security at nuclear plants has been one of the most hotly debated topics since the Sept. 11, 2001, terrorist attacks. In November 2005, Australian police arrested several terror suspects they believed were targeting a nuclear plant on that continent.

The NRC has required plants to upgrade security by adding watch towers and hiring more guards. Oyster Creek last year unveiled a $20 million security upgrade that included AR-15 assault rifles for guards, anti-truck barriers and elaborate razor-wire fencing. The NRC said that in simulations, the odds are against a successful ground attack against a nuclear plant because the invading force must knock out all five cooling systems to start a core meltdown. However, the plant security force needs to protect only one system to keep the plant safe. The guards can concentrate all their efforts at defending one cooling system until police and military reinforcements arrive.

4 The plant is so old that major equipment will malfunction, causing a Chernobyl-like meltdown of the nuclear fuel. A total release of radioactive material could render much of New Jersey uninhabitable.

If all safety systems fail, which is a 1-in-a-million chance, according to regulators, plant officials have the ability to kill the atom-splitting process with a "liquid poison" solution. Poised above the reactor, a vat of boron can be pumped quickly into a runaway reactor, where it will act like a sponge to absorb neutrons. Once free neutrons are captured, nuclear fi[illegible] stops and the reactor will cool. The reactor would eventually be salva[illegible] scrapped.

Sources: Oyster Creek officials; U.S. Nuclear Regulatory Commission [illegible]

FINDINGS AT A GLANCE

The Oyster Creek Generating Station has had one of the poorest safety performance ratings among nuclear power plants in the nation.

Its containment system, the final safety barrier between the reactor and the environment, will likely fail if there is a major reactor accident. Plant officials said the chance of a deadly accident is about 1 in 1.7 million a year.

Evacuation routes around the plant are untested. Many public workers who are supposed to respond to a nuclear emergency have not been trained.

Electrical costs in the state could rise if the plant is shut down in 2009.

■ State officials believe parts of the reactor vessel, which was designed to have a "useful life" of 40 years, will exceed the vessel's "metal fatigue" limits if the plant is allowed to operate until 2029.

■ If there were a radiation release, there is good reason to question whether the federally approved evacuation plan would work.

■ Key areas of the plant, which is the oldest commercial reactor in the country, can't be easily inspected for signs of cracks and corrosion.

■ Oyster Creek ranked among the worst nuclear plants in the nation last year in safety performance.

There are other reasons for concern: The fish kills. The failure of plant employees to report problems at the plant in a timely manner. The nuclear plant control room manager who lost his job last year after testing positive for cocaine. The casks of highly radioactive waste stored on the grounds of Oyster Creek, about 200 yards from Route 9, because there is no place else to dispose of them — and no likelihood of having them removed anytime soon.

Other reasons for our opposition to license renewal were cited in our eight-part editorial series in June 2004. The security, environmental and safety lapses at Oyster Creek have raised questions about the competence of its management. Oyster Creek was conceived when the population in Ocean County was about one-fourth of what it is today. The federal government and Oyster Creek have failed to take steps to protect the plant's vulnerable spent fuel pool from terrorist attack. And Oyster Creek is an aging facility whose design the government ordered changed just three years after it was built.

We also believe that if Oyster Creek is granted a license extension, it will help delay the development of cheaper and environmentally friendlier energy sources. It's sheer madness to continue propping up the nuclear industry in this country when we have yet to find a safe way to dispose of spent nuclear fuel. The billions of tax dollars being spent to subsidize the nuclear industry should be directed toward developing alternative sources of energy that don't require burying its byproducts in sealed containers for 1 million years.

The Oyster Creek nuclear reactor should be shut down. The site should be cleaned and primed for an alternative energy source that poses no threat to the environment, to the natural beauty of the Shore or to the health and safety of the 3.5 million residents who are one mistake or terrorist attack away from staring disas-

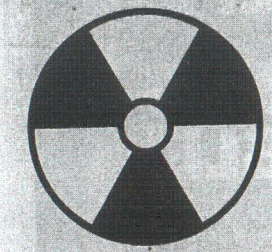
EDITORIAL

Why the reactor should be shut

Trying to spell out all of our reasons for wanting the Nuclear Regulatory Commission to reject the request for a 20-year license renewal for the Oyster Creek nuclear reactor in Lacey would require far more space than the physical limits of this page allow.

But it begins with the NRC's rigged renewal process, which is calculated to close off serious public discussion of legitimate safety concerns posed by nuclear reactors. Relicensing rules and regulations have been drawn to smooth an applicant's path to NRC approval. Regulators have yet to deny a license renewal request. Since 2000, the NRC has granted renewals for 39 reactors. All attempts to get fair, independent assessments of the many issues facing Oyster Creek that the NRC does not consider germane to the relicensing process have been thwarted.

RELICENSING OYSTER CREEK IS IT WORTH IT?



Editorial series Part 2: Mothball the reactor

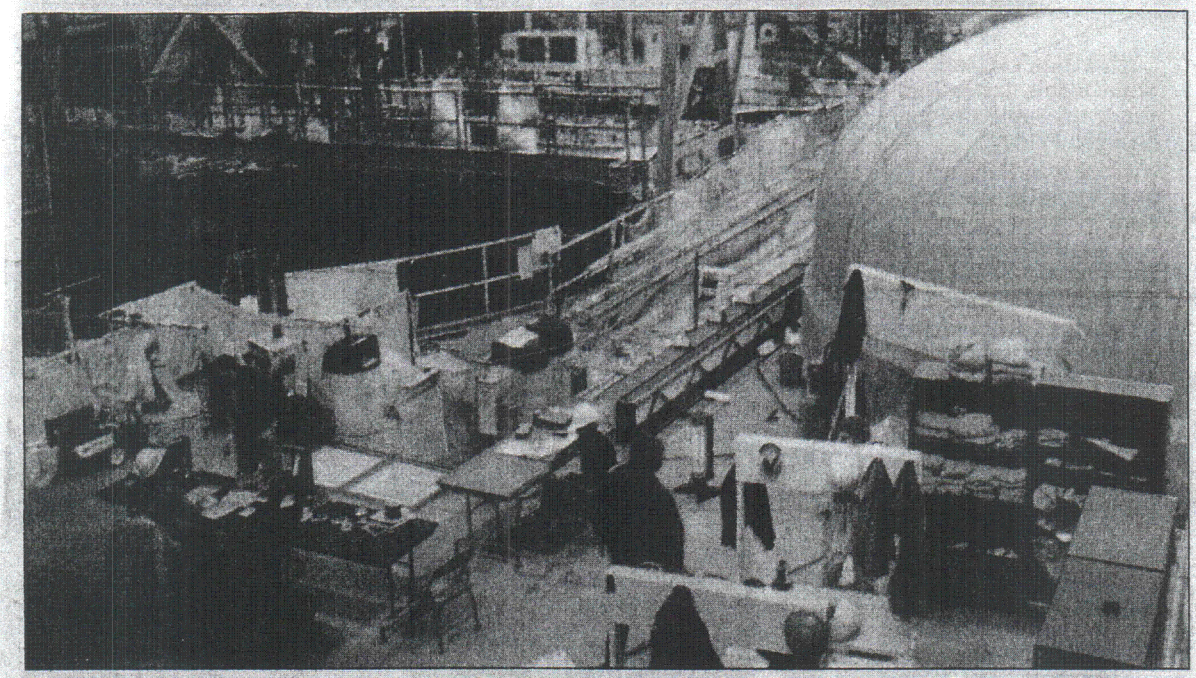
The Press' five-part news series examined many of these issues last week. Among the most worrisome:

■ If there were a nuclear core meltdown, the containment vessel designed to prevent the release of radioactive particles would likely fail.

■ The state's top nuclear engineer says New Jersey's chief concern is that a terrorist attack on the plant could rupture a water-filled pool used to cool

RELICENSING OYSTER CREEK IS IT WORTH IT?

In the second part of a five-day series, the Asbury Park Press examines vulnerabilities in the plant's radiation containment system.



Shown here is an upper level of Oyster Creek's main reactor building during a 1984 outage for refueling. The plant's radiation containment system has a 74 percent chance of failing in a major nuclear accident. (FILE PHOTO)

Radiation barrier failure is likely in major accident

By TODD B. BATES
and NICHOLAS CLUNN
STAFF WRITERS

If there were a major reactor accident at the Oyster Creek nuclear plant, chances are its most critical radiation barrier would fail.

That means radiation could spread into the environment, schools and thousands of homes.

This is not speculation from an anti-nuclear group or a disgruntled employee.

The chilling possibility comes from a detailed evaluation of Oyster Creek by its owner and operator.

Oyster Creek's steel and concrete radiation containment system has a 74 percent chance of failing if the reactor core melts or fuel is seriously damaged from an accident, according to a risk analysis by AmerGen Energy Co., which runs the plant. The details are in the plant's 2,400-page relicensing application.

Despite this known risk, Oyster Creek's owner wants to run the plant for 20 more years beyond the end of its current 40-year license in 2009.

Such a high probability of containment failure is common among the 103 nuclear reactors in the United States, according to documents and studies from the U.S. Nuclear Regulatory Commission. The possible failure rate ranged from 1 percent to 99 percent, according to a nuclear engineer who has seen an NRC database that is no longer publicly available.

Although getting to the point of core damage at Oyster Creek has astronomically low odds — about 1 chance in 95,000 per year — once that threshold is crossed, the final barrier will be little match for the heat, steam and radiation produced during a catastrophic accident.

"The good news is that a lot of effort is undertaken to reduce the likelihood of an accident," said David Lochbaum, director of the Nuclear Safety Project for the Union of Concerned Scientists, a nonprofit alliance of citizens and scientists.

"The bad news is that if that date arrives," the containment system, whose sole function is to protect the public, is "not likely to work," he said.

If you were to slice the plant from top to bottom, Oyster Creek's containment system would look like an enormous upside-down light bulb balanced on a doughnut.

The principle is similar to that of a thermos bottle: If the inside lining of the container

See **Barrier,** Page **A4**

Oyster Creek's containment system

More than 100 tons of uranium fuel in the core of the reactor vessel are used to superheat steam that drives the turbines that produce electricity at the Oyster Creek Generating Station in Lacey, a nuclear plant. Plant officials say monitors and backup systems reduce the risk of a deadly radiation release to about 1 in 1.7 million per year.

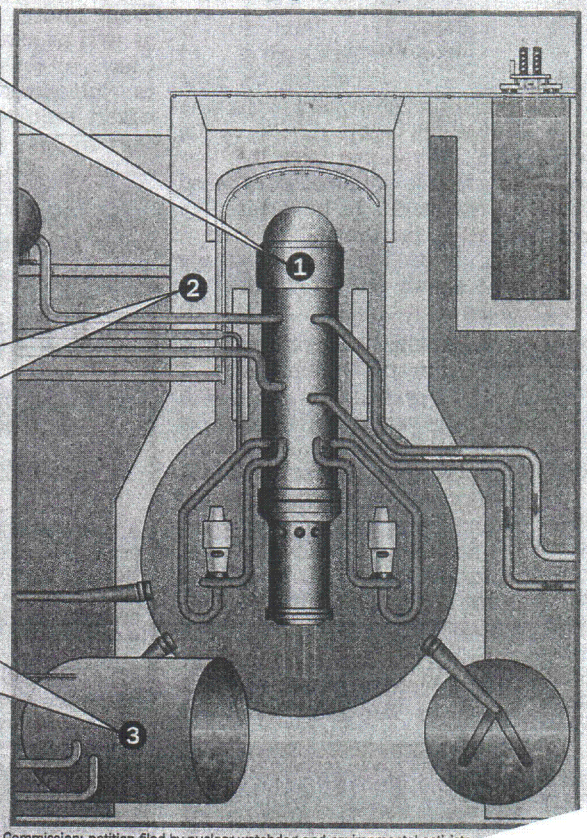
But if the core overheats and the fuel begins to melt, the plant's barrier to the outside world – its containment system – has a 74 percent chance of failure in an emergency, according to plant officials and the federal government. That means radiation would likely spread into the environment.

Below is a cross-section of the reactor vessel and surrounding structures:

1) REACTOR VESSEL.
It contains the nuclear fuel and control rods that regulate fission, the splitting of atoms to boil the water around the core.

2) DRYWELL.
The steel pressure vessel is designed to hold in escaping steam, water and radiation from a damaged reactor. Sections were found to be rusted in the 1980s, but the corrosion has been stopped, plant officials say. Although the drywell is rated to hold 44 pounds per square inch of pressure, it can withstand twice that amount, according to the U.S. Nuclear Regulatory Commision. Plant operators have the ability to vent excess pressure directly to the environment as a last resort.

3) TORUS.
Shaped like a doughnut, this emergency system contains about 1 million gallons of water that would help cool the reactor and convert excess steam to water. Once steam condenses, the pressure inside the drywell would decrease.



Sources: AmerGen; U.S. Nuclear Regulatory Commission; petition filed by nuclear watchdog and environmental activist

Spent fuel likely to stay indefinitely

By NICHOLAS CLUNN
STAFF WRITER

LACEY — About two football fields away from Route 9, highly radioactive waste from the Oyster Creek nuclear power plant slowly decays inside airtight casks.

The protective packaging and the prisonlike security at the plant's outdoor storage pad provide what the federal government says is a safe location for the most lethal product of industrial society.

But Oyster Creek, which has more radioactive waste than some government weapons facilities, wasn't designed to store such material forever. Neither were 102 other nuclear reactors from New Hampshire to Southern California.

Waste storage areas — Oyster Creek has two — are supposed to be temporary. The alloy casks at Oyster Creek, for instance, are designed to remain intact for at least 100 years, according to the manufacturer, TransNuclear.

See **Waste,** Page **A4**

INSIDE

IN NEVADA: Yucca Mountain nuclear waste site isn't a sure thing. **PAGE A5**

SOUTH JERSEY: Safety, maintenance issues raised at Salem and Hope Creek. **PAGE A6**

VISIT OUR WEB SITE, www.app.com, for a link under Special Reports to: Relicensing Oyster Creek: Is It Worth It? for past stories in this series, an interactive graphic that shows how the plant works, and an online poll.

cientist say

much is known: While off duty at his child's soccer game in 2002, Schwartz said he received a call from Stephen Bailey, his boss at Oyster Creek.

Bailey asked Schwartz whether he could shut off two cooling pumps so that workers could prepare for a maintenance project, according to Schwartz's lawsuit.

Schwartz said he told Bailey to check if doing so would violate a state environmental permit meant to protect sea life in the plant's cooling canal.

In its response to the lawsuit AmerGen said Schwartz changed his story. He first said he told Bailey the pumps could be shut down, and later, when the state launched a criminal probe, Schwartz said he told Bailey to review the permit first.

Flach
74 Cedar Run Road
Bayville, NJ 08721

27 FEB 2006

✓#129

MAR 08 2006

George W. Bush, President
United States of America
1600 Pennsylvania Avenue
Washington, DC

20500+0003-99

Executive Office of the President

Office of Agency Liaison

Phone: 202-456-7486 - Fax: 202-456-2992

To: ~~Evelyn Williams~~ Sheila McKelvin
Agency: NRC
Total Cases: 1

Date Sent: April 19, 2006
Date Due: May 4, 2006

Instructions for Presidential Mail Response Letters to Constituents

- ***Please fax back a signed, dated copy of this sheet verifying you have received the mailing in full.*** If it is incomplete, please contact Catalina Cabral at 202-456-5509.
- Direct response due to constituent within 15 days
- Email a copy of the response to Agency Liaison at WH_AGL_CASE@who.eop.gov or fax to (202-456-2992)
- Clearly note the White House control number on responses
- If mail is not your jurisdiction, forward to appropriate agency, and advise Agency Liaison in writing
- If there is prior correspondence on same case, acknowledge this referral and include past responses
- Do not use names of any White House staff in letters to the constituents

Constituent Name	White House Number	Attachments
Ms. Maureen E. Flach	WH 527413-	Y

Sheila L. McKelvin 04/27/06

THE WHITE HOUSE
WASHINGTON, DC 20502

NRC Courier Instructions:
HAND DELIVER TO US NUCLEAR
REGULATORY COMMISSION
11555 Rockville Pike
Rockville, MD 20852-2738

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0004385758 APR 19 2006
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Office of the Secretary

Evelyn Williams
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U.S. Nuclear Regulatory Commission
Washington, DC 20555