

June 22, 2006

Mr. Alan W. Avery, Jr.  
County Administrator  
Ocean County  
P.O. Box 2191  
Administration Building  
Toms River, NJ 08754-2191

Dear Mr. Avery:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of May 17, 2006, in which you asked the NRC to grant the New Jersey Department of Environmental Protection (NJDEP) intervention petition and hold additional public hearings regarding the license renewal application for Oyster Creek Nuclear Generating Station (Oyster Creek).

Please be advised that litigation concerning the renewal of the Oyster Creek license is being conducted under the Commission's "Rules of Practice for Domestic Licensing Procedures and Issuance of Orders" as described in 10 CFR Part 2. On February 27, 2006, the Atomic Safety and Licensing Board granted the hearing petition filed by six organizations (Nuclear Information and Resource Service; Jersey Shore Nuclear Watch, Inc.; Grandmothers, Mothers and More for Energy Safety; New Jersey Public Interest Research Group; New Jersey Sierra Club; and New Jersey Environmental Federation), but denied the petition filed by the NJDEP.

The appeal filed by the NJDEP is before the Commission. Under 10 CFR 2.328, NRC hearings, as a general matter, are public. Documents in the *Oyster Creek* license renewal proceedings are publicly available through the Agencywide Document Access Management System (ADAMS), which is accessible via the NRC's Electronic Reading Room at [www.nrc.gov/reading-rm/adams.html](http://www.nrc.gov/reading-rm/adams.html).

I trust this reply responds to your request.

Sincerely,

**/RA PTKuo for/**

Frank P. Gillespie, Director  
Division of License Renewal  
Office of Nuclear Reactor Regulation

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Frank P. Gillespie, Director  
Division of License Renewal  
Office of Nuclear Reactor Regulation

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