

RAS 11992

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I, *Beverly M. Carle*, Township Clerk, of the Township of Berkeley, in the County of Ocean, State of New Jersey, do hereby certify that the attached is a true copy of:

***Resol. #06-193-R re:
Support Of The New Jersey Department Of Environmental
Protection's Appeal For An Atomic Safety And Licensing
Board Hearing In Regard To Safety Issues, Including The
Necessity Of Cooling Towers And The Vulnerability Of The
Spent Fuel Storage Pool At The Oyster Creek Nuclear
Generation Station.***

Passed by the Township Council of Township of Berkeley the 15th day of June, 2006 as now filed in the Clerk's Office and compared with the original

In Testimony Whereof, I have hereunto set my hand and seal of the Township of Berkeley, at Bayville, New Jersey this 16th day June, 2006.

Beverly M Carle

Beverly M. Carle, RMC
Township Clerk
Berkeley Township

DOCKETED
USNRC

July 19, 2006 (3:37pm)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Docket No. 50-219-LR

06-193-R

A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BERKELEY IN SUPPORT OF THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION'S APPEAL FOR AN ATOMIC SAFETY AND LICENSING BOARD HEARING IN REGARD TO SAFETY ISSUES, INCLUDING THE NECESSITY OF COOLING TOWERS AND THE VULNERABILITY OF THE SPENT FUEL STORAGE POOL AT THE OYSTER CREEK NUCLEAR GENERATION STATION.

June 15, 2006

WHEREAS, the New Jersey Department of Environmental Protection (DEP) has been denied a hearing regarding its concern for three issues at the Oyster Creek Nuclear Generating Station (OC); and

WHEREAS, those three issues are the plant's vulnerability to aircraft attack, metal fatigue in nuclear reactor components, and backup power to shut down the plant safely during a blackout; and

WHEREAS, the DEP has further required the installation of cooling towers to prevent loss of aquatic life resulting from the present cooling system; and

WHEREAS, the DEP has relied upon a study by the National Academy of Sciences, commissioned by Congress, that nuclear plants with the same design as the Oyster Creek Nuclear Generation Station are vulnerable to terrorist attack; and

WHEREAS, OC has been publishing advertisements regarding the amount and cost of the electricity it supplies; and

WHEREAS, OC has been supplying less than one (1%) percent of electricity to the electricity grid that New Jersey is a part of; and

~~WHEREAS, BPU Commissioner Jeanne Fox has stated that she is confident the state's~~
energy needs can be met without Oyster Creek; and

WHEREAS, the Township Council believes that no amount of low level radiation, including the chronic low level radioactive releases emitted by OC are safe; and

WHEREAS, the Township Council believes it is possible that a fuel pool fire could result in the creation and transportation of radioactivity into the local environment in Ocean County; and

WHEREAS, OC generates tons of radioactive waste that will remain a threat to the environment for thousands of years during which time, the consumer will be paying to protect the public from a catastrophe, making it the most expensive source of energy on the planet; and

WHEREAS, Jersey Shore Nuclear Watch believes that the public involvement in the DEP's request for a hearing and appeal of the NRC's Atomic Safety and Licensing Board decision denying a hearing is crucial; and

WHEREAS, the Township Council supports the DEP's appeal of the denial of a hearing and urges the NRC to conduct a hearing regarding issues raised by the New Jersey Department of Environmental Protection;

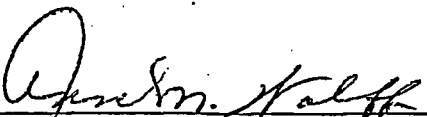
NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Council of the Township of Berkeley, in the County of Ocean, State of New Jersey, hereby supports the New Jersey Department of Environmental Protection in its appeal of the Atomic Safety and Licensing Board hearing on the safety issues, and urges the Nuclear Regulatory Commission to conduct the hearing as requested; and be it further

RESOLVED that a certified copy of the within Resolution be forwarded by the Township Clerk to the following:

1. Mayor and Council Members
2. Township Clerk
3. Township Attorney
4. Ocean County Board of Freeholders
5. Municipal Clerks of all of the adjacent Municipalities
6. Congressman H. James Saxton
7. Senator Robert Menendez
8. Senator Frank Lautenberg
9. President George W. Bush
10. Nuclear Regulatory Commission, Washington, DC
11. Amergen
Oyster Creek Generation Station
Route 9
Forked River, NJ 08731

CERTIFICATION

I HEREBY CERTIFY THAT THE WITHIN Resolution WAS FINALLY PASSED BY THE GOVERNING BODY OF THE TOWNSHIP OF BERKELEY, IN THE COUNTY OF OCEAN, ON THE 15th DAY OF June, 2006. IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND THE OFFICIAL CORPORATE SEAL OF SAID TOWNSHIP THIS 16th DAY OF June, 2006.


Anne M. Wolff, Council Vice President



Beverly M. Carle
Township Clerk