

**JIM SAXTON**  
THIRD DISTRICT, NEW JERSEY  
WWW.HOUSE.GOV/SAXTON  
**JOINT ECONOMIC COMMITTEE**  
CHAIRMAN  
**RESOURCES COMMITTEE**  
SUBCOMMITTEES:  
FISHERIES AND OCEANS  
NATIONAL PARKS



**ARMED SERVICES COMMITTEE**  
SUBCOMMITTEES:  
**TERRORISM, UNCONVENTIONAL  
THREATS AND CAPABILITIES**  
CHAIRMAN  
PROJECTION FORCES  
MILITARY PERSONNEL

## U.S. House of Representatives

Washington, DC 20515

August 9, 2006

Dr. Nils J. Diaz, Chairman  
Nuclear Regulatory Commission  
11555 Rockville Pike  
Rockville, MD 20852

Dear Dr. Diaz:

I send this letter as my official comment regarding the Draft Environmental Impact Statement (DEIS) issued as part of the operating license renewal process for the Oyster Creek Nuclear Generating Facility in Forked River, New Jersey.

The recent DEIS, issued by the Nuclear Regulatory Commission, states there are no environmental impacts that would preclude renewing the operating license extension of Oyster Creek. According to the report, the Commission has determined that the adverse environmental impacts of license renewal would not prevent energy planning decision makers from granting the operating extension.

As I understand it, the NRC conducted a thorough analysis to reach this determination. However, I am concerned the environmental impacts of a potential atmospheric release of radiation have not been adequately addressed in this report. In 2005, the National Academy of Sciences (NAS) released a report evaluating the potential risks of boiling water reactor (BWR) plants with above ground spent fuel pools. The report, entitled Safety and Security of Commercial Spent Fuel Storage, found the potential vulnerabilities of BWR pools are plant-design specific, and recommended that,

"The Nuclear Regulatory Commission should undertake additional best-estimate analyses to more fully understand the vulnerabilities and consequences of loss-of-pool coolant events that could lead to a zirconium cladding fire."

Although the DEIS contains a specific section regarding Severe Accident Mitigation, I inquire as to whether or not the NAS suggested analysis was incorporated into the statement? We must not underestimate the catastrophic impacts to our environment in the event a cooling pool is compromised.

I have long supported the involvement of an independent and unbiased third party, such as the NAS, in the license renewal process of Oyster Creek. Additionally, I support the inclusion of their suggested analysis in the Final Environmental Impact Statement (FEIS), and urge the NRC to make every effort to do so.

Thank you for your continued commitment to this important matter.

Sincerely,

Jim Saxton  
Member of Congress

TAC NO MD2820

**ACTION**

*Rami =*

*your action -  
please note the  
due date for Chairman  
signature.*

*PT*

EDO Principal Correspondence Control

FROM:

DUE: 08/24/06

EDO CONTROL: G20060714

DOC DT: 08/09/06

FINAL REPLY:

Rep. Jim Saxton

TO:

Former Chairman Diaz

FOR SIGNATURE OF :

\*\* PRI \*\*

CRC NO: 06-0401

Chairman Klein

DESC:

ROUTING:

Comments Regarding the Draft Environmental Impact Statement (DEIS) Issued as Part of the Operating License Renewal Process for Oyster Creek Generating Facility

Reyes  
Virgilio  
Kane  
Silber  
Dean  
Burns  
Cry, OGC  
Collins, RI  
Zimmerman, NSIR  
Sheron, RES

DATE: 08/15/06

ASSIGNED TO:

CONTACT:

NRR

Dyer

SPECIAL INSTRUCTIONS OR REMARKS:

Coordinate with OGC.

*Called DLR (arrived) on 8/15 at 8:13AM for pickup*