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An Exelon Company
10 CFR 50
10 CFR 51
10 CFR 54

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2130-06-20387
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(4)

Chief, Rules Review and Directives Branch
U. S. Nuclear Regulatory Commission
Mail Stop T6-D59
Washington, DC 20555-0001

Oyster Creek Generating Station
Facility Operating License No. DPR-16
NRC Docket No. 50-219

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Subject: AmerGen Comments on the Draft Generic Environmental Impact Statement (DEIS) for License Renewal of Nuclear Plants, Supplement 28 Regarding Oyster Creek Nuclear Generating Station, dated June 2006

The attached are AmerGen Energy Company, LLC's comments on the draft Environmental Impact Statement for License Renewal of Nuclear Plants, Supplement 28 regarding Oyster Creek Nuclear Generating Station.

If you have any questions, please contact Bill Maher at 610.765.5939.

Respectfully,

Executed on 08-28-2006


Michael P. Gallagher
Vice President - License Renewal
AmerGen Energy Company, LLC

Enclosure: AmerGen Comments on the Draft Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Supplement 28 Regarding Oyster Creek Nuclear Generating Station

cc: Regional Administrator, USNRC Region I, w/o Enclosure
USNRC Project Manager, NRR - License Renewal, Safety, w/Enclosure
USNRC Project Manager, NRR - License Renewal, Environmental, w/ Enclosure
USNRC Project Manager, NRR - Project Manager, OCGS, w/o Enclosure
USNRC Senior Resident Inspector, OCGS, w/o Enclosure
Bureau of Nuclear Engineering, NJDEP, w/Enclosure
File No. 05040

E-RTDS=ADM-03

Call = M. Mansnick (MTM2)

SENSE Review Complete

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**AmerGen Comments on the Draft Generic Environmental Impact Statement for License
Renewal of Nuclear Plants, Supplement 28 Regarding Oyster Creek Nuclear Generating
Station**

Page # / Line #	What is in DEIS	What it should be changed to	Why
2-8 / 13 - 14	The low-flow axial pump design allows for some impingement and entrainment survivability.	The low <u>head</u> axial pump design allows for some impingement and entrainment survivability	The dilution pumps are of a high flow design.
2-83 / 18 – 20	Revenues are used by each taxing entity to fund local and county emergency management programs, public safety, local public schools, local government operations, local road maintenance, and the local library system.	Revenues are used by each taxing entity to fund local and county emergency management programs, public safety, local public schools, local government operations, local road maintenance, and the local library system.	Funding for local and county emergency management programs is funded by a levy placed on AmerGen by NJ under the Radiation Protection Act, not through local taxing entities.

**AmerGen Comments on the Draft Generic Environmental Impact Statement for License
Renewal of Nuclear Plants, Supplement 28 Regarding Oyster Creek Nuclear Generating
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Page # / Line #	What is in DEIS	What it should be changed to	Why
4-25 / 35 – 37	This line is not considered within the scope of license renewal because it was not constructed for the specific purpose of connecting the station to the grid at the time of initial station licensing.	The Conectiv line should be included within the scope for analysis of impacts for this proposed action.	This line should be included in scope. It is Exelon's understanding that National Environmental Policy Act (NEPA) court cases and Council on Environmental Quality guidelines indicate that scope should include connected actions, which include actions that will not proceed unless other actions are taken [40 CFR 1508.25(a)(ii)]. Operation of the new line is as much connected to Oyster Creek Generating Station operation as operation of the line currently considered in the DEIS.

**AmerGen Comments on the Draft Generic Environmental Impact Statement for License
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Station**

Page # / Line #	What is in DEIS	What it should be changed to	Why
8-67 / 37 – 39	Consideration of a new nuclear generating plant to replace OCNGS was not included in the AmerGen ER (AmerGen 2005).	Recommend deletion of sentence.	Consideration of Advanced Nuclear Reactor as an alternative to the proposed project was considered in the AmerGen Environmental Report (See Section 7.2.1.4, Other Alternatives). The criterion for further consideration for impacts was the reasonableness of the alternative. In the case of Advanced Nuclear Reactor, it was judged to be extremely unlikely that this particular alternative would be licensed, constructed, and on-line in time for the expiration of the current operating license for Oyster Creek.