

November 9, 2006

Richard Webster, Esq.  
Rutgers Environmental Law Clinic  
123 Washington Street  
Newark, NJ 07102-3094

Dear Mr. Webster:

This letter provides a response to the concerns raised in your letter to Mr. Luis Reyes, Executive Director for Operations at the Nuclear Regulatory Commission (NRC), dated November 7, 2006. These concerns involved the material condition of the containment drywell shell at the Oyster Creek Nuclear Generating Station (Oyster Creek) and the potential for corrosion of the containment drywell shell to compromise its ability to perform its design function. The NRC staff has reviewed the concerns presented in your letter.

The NRC staff has been actively inspecting the condition of the containment drywell shell and reviewing the AmerGen Energy Company, LLC evaluation of the condition of the containment drywell shell. The NRC staff has determined that there is reasonable assurance that the containment drywell shell will be able to perform its design function through the next operational cycle at Oyster Creek<sup>1</sup>.

Though not expressly stated, it appears that your letter requests the NRC to take action with respect to a licensed activity pursuant to Title 10 of the *Code of Federal Regulations*, Section 2.206. If this was your intent, please communicate this via e-mail to Ms. Tanya M. Mensah (tme@nrc.gov) and we will ensure your request is entered into the appropriate process for review and action.

Thank you for bringing these issues to the attention of the NRC. I trust this letter has been responsive to your request.

Sincerely,

**/RA J Lubinski for/**

Catherine Haney, Director  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-219

Enclosure: PNO-I-06-012

cc w/encl: See next page

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<sup>1</sup>The NRC staff's determination is documented in preliminary notification PNO-I-06-012. For your reference a copy of this document, which is available in the Agencywide Documents Access and Management System via accession number ML063130424, has been enclosed with this letter.

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Division of Operating Reactor Licensing  
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Docket No. 50-219  
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Oyster Creek Nuclear Generating Station

Site Vice President - Oyster Creek  
Nuclear Generating Station  
AmerGen Energy Company, LLC  
P.O. Box 388  
Forked River, NJ 08731

Senior Vice President of  
Operations  
AmerGen Energy Company, LLC  
200 Exelon Way, KSA 3-N  
Kennett Square, PA 19348

Kathryn M. Sutton, Esquire  
Morgan, Lewis, & Bockius LLP  
1111 Pennsylvania Avenue, NW  
Washington, DC 20004

Kent Tosch, Chief  
New Jersey Department of  
Environmental Protection  
Bureau of Nuclear Engineering  
CN 415  
Trenton, NJ 08625

Vice President - Licensing and  
Regulatory Affairs  
AmerGen Energy Company, LLC  
4300 Winfield Road  
Warrenville, IL 60555

Regional Administrator, Region I  
U.S. Nuclear Regulatory Commission  
475 Allendale Road  
King of Prussia, PA 19406-1415

Mayor of Lacey Township  
818 West Lacey Road  
Forked River, NJ 08731

Senior Resident Inspector  
U.S. Nuclear Regulatory Commission  
P.O. Box 445  
Forked River, NJ 08731

Director - Licensing and Regulatory Affairs  
AmerGen Energy Company, LLC  
Correspondence Control  
P.O. Box 160  
Kennett Square, PA 19348

Manager Licensing - Oyster Creek  
Exelon Generation Company, LLC  
Correspondence Control  
P.O. Box 160  
Kennett Square, PA 19348

Regulatory Assurance Manager  
Oyster Creek  
AmerGen Energy Company, LLC  
P.O. Box 388  
Forked River, NJ 08731

Assistant General Counsel  
AmerGen Energy Company, LLC  
200 Exelon Way  
Kennett Square, PA 19348

Ron Bellamy, Region I  
U.S. Nuclear Regulatory Commission  
475 Allendale Road  
King of Prussia, PA 19406-1415

Correspondence Control Desk  
AmerGen Energy Company, LLC  
200 Exelon Way, KSA 1—1  
Kennett Square, PA 19348

Oyster Creek Nuclear Generating Station  
Plant Manager  
AmerGen Energy Company, LLC  
P.O. Box 388  
Forked River, NJ 08731