

RC CAPE MAY HOLDINGS, LLC

BL ENGLAND GENERATING STATION

March 5, 2007

**BY E-MAIL AND FEDERAL EXPRESS**

Kathy Modes  
Licensing Officer  
U.S. Nuclear Regulatory Commission  
Region I  
475 Allendale Road  
King of Prussia, Pennsylvania 19406-1415

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2007 MAR -9 AM 10:49

Re: **REVISED PER DISCUSSION** Licensee Name: Conectiv - Energy Generation License No.: 29-30855-01 Docket No.030-36452 Control No.: 139904

Dear Kathy:

In response to comments and questions raised by you during our telephone conference on February 7 in which myself (Bob Keyser, Plant Manager), the incoming Radiological Safety Officer (RSO), Thomas H. Smith, the outgoing RSO (Stephen J. Brown) and our environmental advisor (Kristin Larson) participated, we have now revised the original letter we sent to you on February 1 to reflect that discussion. As you know the transaction involving the Licensee -Transferor, Atlantic City Electric Company ("Atlantic Electric")<sup>1</sup> and the Transferee, RC Cape May Holdings, LLC ("Cape May"), closed on Thursday, February 8, 2007, and the plant is now owned and operated by Cape May. Please find our revisions below and please amend our license accordingly:

**a. Provide a complete description of the transaction (transfer of stocks or assets, or merger).**

Atlantic Electric and Cape May entered into a Purchase and Sale Agreement dated as of August 15, 2006, pursuant to which Atlantic Electric agreed to sell the B.L. England electrical generating station, located in Beesley's Point, New Jersey, to Cape May. The transaction was a sale of assets. The closing date was February 8, 2007, on which date, Cape May became the owner and operator of the B.L. England electrical generating station. (Note 1: Beesely's Point is in the possessive form with an apostrophe; Note 2: Please amend the license to show "RC Cape May Holdings, LLC" as the new licensee, and eliminate all references to "Atlantic City Electric" and "Conectiv").

<sup>1</sup> Atlantic Electric was formerly a subsidiary of Conectiv, which company merged into Pepco Holdings, Inc. The company has used the name Conectiv or Conectiv Energy at times in connection with certain permits or licenses for facilities operated by its subsidiaries or affiliates, including the B.L. England generating plant.

b. **Indicate whether the name has changed and include the new name. Include the name and telephone number of a licensee contact who NRC may contact if more information is needed.**

As described in part a. above, the facility owner changed but the name, function and operation of the NRC-licensed operation and facility (the B.L. England Generating Station) did not change. The name and address of the plant is and will be: B.L. England Generating Station, 900 North Shore Road, Beesley's Point, New Jersey 08223. I have been the Plant Manager for Atlantic Electric and remain Plant Manger for Cape May after the closing of the transaction. My address is the same as the plant and my telephone number is and will be: 609-390-5202.

c. **Describe any changes in personnel or duties that relate to the licensed program. Include training and experience for any new personnel.**

The facility RSO position changed from the current holder of that title, Stephen J. Brown, to Thomas H. Smith. Mr. Smith has completed the necessary RSO training to assume this position at the facility. We previously sent you the two certificates of training issued to Mr. Smith during January 2007 (4 hour course entitled *Fundamentals of Radiation Safety*, and 40 hour course entitled *Radiation Safety Officer*. If you require additional copies please notify me. In addition to the required training, Mr. Brown and Mr. Smith met at the B.L. England generating plant prior to the transaction closing, and Mr. Brown provided to Mr. Smith the copy of a copy of NUREG 1556, Volume 4, Appendix G. Mr. Smith's training and previous work consisted of "hands-on" experience over the past 15 years with nuclear sealed devices. He has performed "swab leak testing" in the past at this Station on sealed source gauges under the supervision of an RSO.

d. **Describe any changes in the organization, location, facilities, equipment or procedures that relate to the licensed program.**

There are no changes planned or anticipated in the organization, location, facilities, equipment or procedures that relate to the licensed program, however please note that there is one new condition that we discussed during our telephone conference on February 7th. Please amend item 8 of the license to include our maximum on-site activity, which will be up to 85 mCi with a maximum of 5 separate sources on site at any one time (at 14-16.mCi per source). Four sources are in the analyzer and one in the radioactive material type "A" package container in a secure area.

e. **Describe the status of the surveillance program (surveys, wipe tests, quality control) at the present time and the expected status at the time that control is to be transferred.**

At the time the facility was transferred to Cape May, Atlantic Electric was current with respect to all regulatory requirements of the license including all surveys, wipe tests and quality control as applicable under the license. Copies of the current and historical surveys,

wipe tests and quality control methods are available and were transferred to the Transferee upon the closing of the transaction.

**f. Confirm that all records concerning the safe and effective decommissioning of the facility will be transferred to the transferee or to NRC, as appropriate. These records include documentation of surveys of ambient radiation levels and fixed and/or removable contamination, including methods and sensitivity.**

As described in response a. and b. above, this transaction did not involve any type of decommissioning activity, and all operations at the NRC-licensed facility are expected to remain the same. All records concerning the safe and effective decommissioning of the facility have been transferred to the Transferee at the closing of the transaction. These records included documentation of surveys of ambient radiation levels and fixed and/or removable contamination, including methods and sensitivity.

**g. Confirm that the transferee will abide by all constraints, conditions, requirements and commitments of the transferor or that the transferee will submit a complete description of the proposed licensed program.**

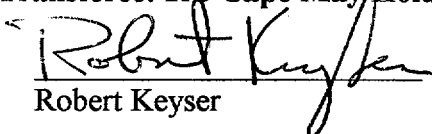
The Transferee confirms that it will abide by all constraints, conditions, requirements and commitments of the Transferor as required pursuant to License No. 29-30855-01.

Thank you for your assistance with this matter. If you have any questions regarding these responses to your questions, please contact me at 609-390-5202, or David Tang (832) 585-0036 ext 314.

Respectfully submitted,

**For Transferee: RC Cape May Holdings, LLC Cape May**

By:

  
Robert Keyser

Title: Plant Manager  
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900 North Shore Road  
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Telephone: 609-390-5202

Enc:

cc: Thomas Smith