

RAS 13281

DOCKETED
USNRC

TO: Hearing Docket

March 22, 2007 (8:32am)

FROM: ASLBP
Judge E. R. Hawkens

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

DATE: March 21, 2007

RE: AmerGen Energy Co. LLC (License Renewal for Oyster Creek Nuclear
Generating Station), Docket No. 50-0219-LR, ASLBP No. 06-844-01-LR

Attached for your attention and retention is correspondence, dated March 8, 2007, from the County of Ocean Board of Chosen Freeholders, addressed to Dale Klein, Chairman, U.S. Nuclear Regulatory Commission. This correspondence relates to the above-referenced proceeding, and it should be treated as a written limited appearance statement (10 C.F.R. § 2.315(a)). As provided in section 2.315(a), a limited appearance statement "shall not be evidence in the proceeding" (*ibid.*).

Thank you for attention in this matter.

cc: Judge Abramson
Judge Baratta
Debra Wolf, Esq.

Template = secy-038

SECY-02

COUNTY OF OCEAN

BOARD OF CHOSEN FREEHOLDERS

BETTY VASIL
CLERK OF THE BOARD

732-929-2005
FAX: (732) 505-1918

DOCKETED
USNRC

March 8, 2007

March 21, 2007 (8:03am)

Dale E. Klein, Chairman
US Nuclear Regulatory Commission
Washington, DC 20555-0001

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Docket No. 50-219-LR

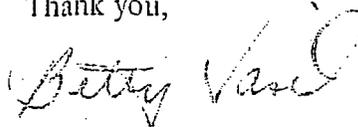
Dear Mr. Klein:

SERVED March 21, 2007

On March 7, 2007, the Ocean County Board of Chosen Freeholders adopted a resolution urging the Nuclear Regulatory Commission to reconsider its decision and approve New Jersey's request to hold a hearing on whether the consequences of a terrorist attack on the Oyster Creek Nuclear Power Plant be made part of the plant's relicensing review process.

Enclosed please find a certified copy of the resolution for your use and files.

Thank you,



Betty Vasil
Clerk of the Board

BV:pc
Enclosure



RESOLUTION

March 7, 2007

Whereas, the Ocean County Board of Chosen Freeholders, has consistently maintained its position that the Nuclear Regulatory Commission needs to be diligent in evaluating security issues as part of the relicensing process at the Oyster Creek Nuclear Generating Station in Lacey Township, and

Whereas, this Board has stated in no uncertain terms that the safety and security of a plant as it affects the workers and public needs to play a significant part in the relicensing review process, and

Whereas, the Oyster Creek Nuclear Generating Station is the oldest operating nuclear plant in the county and will approach its anticipated design life of 40-years at the end of the current licensing period in 2009, and

Whereas, the Nuclear Regulatory Commission, recently decided to deny the state of New Jersey's request for a hearing on whether the consequences of a terrorist attack on the Oyster Creek nuclear power plant should be made part of that relicensing review, and

Whereas, this decision by the NRC is in stark contrast to the agency's stance on the risk of a terrorist attack and the steps taken after Sept. 11, 2001, to bolster security at the nation's 103 reactors, and

Whereas, terrorism continues to be a very real concern for facilities such as Oyster Creek and must be taken into consideration by the NRC in its deliberations, and

Whereas, the NRC's failure to comply with the state's request for a hearing which was based on the National Environmental Policy Act shows a total disregard for the concerns raised by the public and for those agencies entrusted to provide for the public's safety, and

Whereas, this Board of Freeholders continues to maintain the importance of a staunch review of terrorism as it relates to security at Oyster Creek.

Now, therefore be it resolved, by the Board of Chosen Freeholders of the County of Ocean, State of New Jersey as follows:

1. That the Nuclear Regulatory Commission reconsider its decision and approve New Jersey's request to hold a hearing on whether the consequences of a terrorist attack on the Oyster Creek Nuclear Power Plant be made part of the plant's relicensing review process.

2. In the absence of this reconsideration, this Board of Freeholders urges the state of New Jersey to appeal the NRC's decision to the 3rd U.S. District Court of Appeals so that the question of terrorism can be treated equally across the country.

3. Certified copies of this Resolution shall be forward to United States Senator Robert Menendez; United States Senator Frank R. Lautenberg; U.S. Rep. Christopher H. Smith; U.S. Rep. H. James Saxton; Gov. Jon Corzine; 9th District Sen. Leonard T. Connors Jr., 9th District Assemblymen Christopher J. Connors and Brian E. Rumpf; Dale E. Klein, Chairman, Nuclear Regulatory Commission; Lisa P. Jackson, Commissioner, New Jersey Department of Environmental Protection; Ocean County Board of Chosen Freeholders; Timothy Rausch, Site Vice President, Oyster Creek Nuclear Generating Station; Gail Marsh Saxer, President, League of Women Voters of Ocean County; Cheryl Rundle-Borowski; Janet Tauro.

ROLL CALL

(Moved by Lacey, Seconded by Little)

AYES: Little, Lacey, Bartlett, Vicari, Kelly

NAYS: None

ABSENT: None

I certify the foregoing to be a
True copy of a Resolution *Adopted*
By the Board of Chosen Freeholders
of the County of Ocean on the
7th day of *March*, 20*07*
Betty Vasli
Betty Vasli
Clerk of the Board