



# COUNTY OF OCEAN

BOARD OF CHOSEN FREEHOLDERS

**BETTY VASIL**  
CLERK OF THE BOARD

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

DOCKETED  
USNRC

April 19, 2007

May 9, 2007 (10:01am)

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 May 9, 2007**

On April 18, 2007, the Ocean County Board of Chosen Freeholders adopted a resolution strongly urging the Nuclear Regulatory Commission to re-consider its decision not to include the evaluation of the potential consequences of terrorist attack on the Oyster Creek Nuclear Generating Facility in Lacey Township, as part of the re-licensing 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**  
**April 18, 2007**

**WHEREAS**, the Ocean County Board of Chosen Freeholders has carefully followed all aspects of the operation and safety of the Oyster Creek Nuclear Generating Facility in Lacey Township, and

**WHEREAS**, the events of September 11, 2001 changed the way all of us need to evaluate threats to the public; and

**WHEREAS**, on March 7, 2007, the Ocean County Board of Chosen Freeholders joined with the State of New Jersey to request that the Nuclear Regulatory Commission (NRC) change its position on the re-licensing of the Oyster Creek Plant and include an evaluation of the potential terrorist threat to the plant; and

**WHEREAS**, the Board also asked the NRC to hold a public hearing regarding the potential terrorist threat to the plant and gather all information the public may have to offer in this respect for evaluation under the re-licensing process; and

**WHEREAS**, on April 5, 2007, the Board of Chosen Freeholders received a response from the NRC stating that it will not consider the environmental consequences of a potential threat on NRC licensed facilities, including Oyster Creek; and

**WHEREAS**, the Ocean County Board of Chosen Freeholders once again stresses its objection to the NRC for overlooking what the Board considers to be a serious potential impact to the public and the environment, and repeats its strong support for the inclusion of a terrorism component into the re-licensing process.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Chosen Freeholders of the County of Ocean, State of New Jersey requests as follows:

1. The Nuclear Regulatory Commission re-consider its decision not to include the evaluation of the potential consequences of terrorist attack on the Oyster Creek Nuclear Generating Facility in Lacey Township, as part of the re-licensing process.
2. The NRC hold a public hearing to gather any and all information that may be of assistance in evaluating potential impacts from terrorism on the workers, public and environment.
3. That in the event the NRC does not reconsider its position on this matter, the State of New Jersey follow through with its stated intention to appeal the NRC's decision to the 3<sup>rd</sup> District Court of Appeals.
4. Copies of this Resolution shall be made available to US Senators Frank Lautenberg; US Senator Robert Menendez; US Rep. Christopher H. Smith; US Rep. H. James Saxton; Governor Jon S. Corzine; NJ 9<sup>th</sup>, 10<sup>th</sup> and 30<sup>th</sup> District Legislators; Dale E. Klein, Nuclear Regulatory Commission; Lisa P. Jackson, Commissioner, NJ Department of Environmental Protection; Gail Marsh Saxer, League of Women Voters of Ocean County; Timothy Rausch, Site Vice President, Oyster Creek Generating Station; and Janet Tauro.

**ROLL CALL**

(Moved by Vicari, 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 *Copied*  
By the Board of Chosen Freeholders  
of the County of Ocean on the  
18th day of April, 2007  
*Betty Vasil*  
Betty Vasil  
Clerk of the Board

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
 )  
AMERGEN ENERGY COMPANY, LLC ) Docket No. 50-219-LR  
 )  
 )  
(Oyster Creek Nuclear Generating Station) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LETTER FROM BETTY VASIL TO CHAIRMAN KLEIN ENCLOSING THE OCEAN COUNTY BOARD OF CHOSEN FREEHOLDERS RESOLUTION RE OYSTER CREEK have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

Office of Commission Appellate  
Adjudication  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
E. Roy Hawkens, Chair  
Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
Paul B. Abramson  
Atomic Safety and Licensing Board Panel  
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Administrative Judge  
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Docket No. 50-219-LR  
LETTER FROM BETTY VASIL TO CHAIRMAN KLEIN  
ENCLOSING THE OCEAN COUNTY BOARD OF CHOSEN  
FREEHOLDERS RESOLUTION RE OYSTER CREEK

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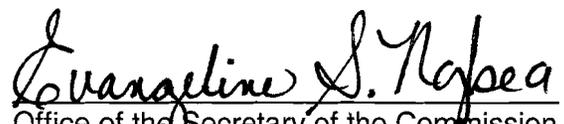
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Environmental Permitting &  
Counseling Section  
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Hughes Justice Complex  
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Trenton, NJ 08625

  
Office of the Secretary of the Commission

Dated at Rockville, Maryland  
this 9<sup>th</sup> day of May 2007