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March 21, 2007

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Mr. Andrew Heyl
Land Use Regulation Program
Bureau of Coastal Management
New Jersey Department of Environmental Protection (NJDEP)
501 East State Street
Trenton, NJ 08625-0439
(609) 292-8115 (fax)

SENT VIA FAX AND MAIL

Re: Federal Consistency Certification for License Renewal Application of
Oyster Creek Generating Station, Docket No. 1500-02-0004.4

Dear Mr. Heyl:

On behalf of the New Jersey Business and Industry Association (NJBIA), I would like to express our support for AmerGen's application for the NJDEP's concurrence with its Federal Consistency Certification regarding the Oyster Creek Generating Station. NJBIA represents over 23,600 businesses throughout the State of New Jersey. As the largest state-level employer association in the nation, we appreciate this opportunity to share our thoughts with the Department.

Oyster Creek has operated safely for 38 years, and provides 9% of base-load power which is the backbone of the State's economic engine. Furthermore, as the State strives to be a leader in the generation of clean power, and the reduction of greenhouse gas emissions, Oyster Creek is a perfect example of clean power with no greenhouse gas emissions.

In their certification, Oyster Creek offers a donation to Lacey Township of 220 acres of land on Finninger Farm. This donation is contingent upon Coastal Zone Management Act consistency concurrence by the NJDEP, and the issuance of the 20-year renewed NRC operating license.

NJBIA supports this land donation because it represents AmerGen's commitment to lead by example. The benefits that accrue from the preservation of both farmland and open space, in many ways, cannot be quantified. However, given the State's dwindling resources for land preservation, a donation such as this should be lauded by the State and supported by its citizens.

Finally, on a separate but related note, NJBIA opposes the proposed changes to the Coastal Zone Management Rules which would require longstanding New Jersey companies to pay for either on-site or off-site access to tidal waterways. AmerGen's willingness to work with the Department demonstrates that an outright mandate is not necessary. Furthermore, I would hope that if the new CZM proposal is adopted, AmerGen's donation of land is taken into consideration when the new rule is triggered in the future. In short, a substantial donation of land such as this should be taken into account on any future requirements placed on AmerGen to provide on-site or off-site access to tidally flowed waterways.

In conclusion, AmerGen's proposal provides a benefit not only to the coastal community in which it is located, but to the State of New Jersey as well. NJBIA supports AmerGen's request for concurrence with the Coastal Zone Management Act consistency certification and we respectfully urge the NJDEP to grant an affirmative response.

Sincerely,

A handwritten signature in cursive script, appearing to read "David Brogan".

David Brogan
Vice President of Environmental Policy