



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION

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April 17, 2008

Dr. Samson S. Lee
Acting Director Division of License Renewal
U. S. Nuclear Regulatory Agency
One White Flint North (Mail Stop 11-F1)
11555 Rockville Pike
Rockville, MD 20852

Subject: Oyster Creek Cumulative Usage Factor Analysis

Dear Dr. Lee:


This letter is in response to an April 2, 2008 e-mail notification from the NRC Region 1 - Regional State Liaison Officer, Marjorie McLaughlin, and subsequent telephone discussion with the NRC Project Manager for License Renewal, Donnie Ashley, on the recent notification to the Atomic Safety and Licensing Board (ASLB) relating to a metal fatigue analysis tool, *Fatigue-Pro*, that has been used to support several license renewal applications including that of Oyster Creek.

It is our understanding that as a result of the NRC's review of the Vermont Yankee fatigue analysis, it was determined that the use of *Fatigue-Pro* may result in non-conservative results. The NRC also identified other plants, including Oyster Creek, where this may likewise be the case. We have been informed that Oyster Creek intends to complete a re-analysis of any components where the use of *Fatigue-Pro* may result in similar non-conservative results. It is also our understanding that Oyster Creek will complete the necessary analysis and inform the NRC of the results in the mid-May timeframe.

While we support the actions being taken by the NRC and Oyster Creek to address this issue, we do, however, request that the results and eventual resolution of this concern be thoroughly documented and disclosed in a manner that will permit public review and understanding. The license renewal SER that the NRC issued for Vermont Yankee contains a lengthy and thorough presentation of similar fatigue issues and we strongly recommend that the Oyster Creek docket contain information of similar depth.

Should you have any questions or need additional information, please contact me directly at (609) 633-7964 or Mr. Patrick Mulligan, Manager of the Bureau of Nuclear Engineering, at (609) 984-7701.

Sincerely yours,



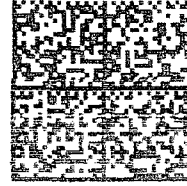
Jill Lipoti, Ph.D.

Director

c: Michael P. Gallagher, P.E., Vice President, License Renewal Projects,
AmerGen Energy Company, LLC

Timothy S. Rausch, Site Vice President, Oyster Creek Nuclear Generating Station
USNRC Executive Director for Operations

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