

TOWNSHIP OF BERKELEY
Pinewald-Keswick Road
P.O. Box B
Bayville, NJ 08721

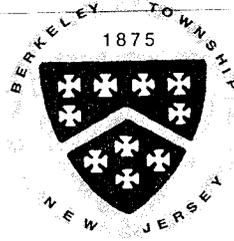
OFFICE OF THE TOWNSHIP CLERK

Phone: (732) 244-7400,

Fax: (732) 505-0145

E-mail townshipclerk@twp.berkeley.nj.us

BERKELEY



TOWNSHIP

DOCKETED MARCH 26, 2009

SERVED MARCH 27, 2009

March 11, 2009

*U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001*

I, *Beverly M. Carle*, Township Clerk, of the Township of Berkeley, in the County of Ocean, State of New Jersey, do hereby certify that the attached is a true copy of:

Resol. #09-111-R re:

*Urge the Nuclear Regulatory Commission to Deny
Oyster Creek Nuclear Power Plant Re-licensing*

Passed by the Township Council of Township of Berkeley on the 10th day of March, 2009 as now filed in the Clerk's Office and compared with the original.

In Testimony Whereof, I have hereunto set my hand and seal of the Township of Berkeley, at Bayville, New Jersey this 11th day March, 2009.

A handwritten signature in cursive script that reads "Beverly M. Carle". The signature is written in black ink and is positioned above a horizontal line.

Beverly M. Carle, RMC
Township Clerk
Berkeley Township

A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BERKELEY REGARDING THE OYSTER CREEK NUCLEAR POWER PLANT.

March 10, 2009

WHEREAS, recent inspections and testing have determined that the Oyster Creek Nuclear Power Plant is deficient in certain safety features; and

WHEREAS, the safety features include radiation monitors which are non-functional and an alarm siren back-up system which is also non-functional in the event of a blackout; and

WHEREAS, the Oyster Creek Nuclear Power Plant is in the process of requesting relicensing for an additional 20 years when the plant is presently 40 years old; and

WHEREAS, the Township Council of the Township of Berkeley strongly feels that JCP&L and its parent company First Energy, have failed to adequately address important safety features at the Oyster Creek Nuclear Power Plant which could have a significant impact on the local population,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BERKELEY, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY, to urge the Nuclear Regulatory Commission to deny relicensing for the Oyster Creek Nuclear Power Plant; and be it further

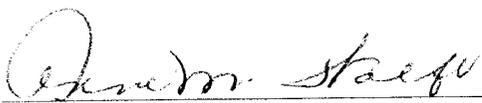
RESOLVED that First Energy, the Nuclear Regulatory Commission, and the New Jersey Department of Environmental Protection work cooperatively to ensure that all radiation monitors and siren back-up systems are completely functional; and be it further

RESOLVED that a certified copy of the within Resolution be forwarded by the Township Clerk to the following:

1. Mayor and Council Members
2. Business Administrator
3. Township Attorney
4. National Regulatory Commission
5. Township Engineer
6. Ocean County Board of Freeholders
7. 9th & 10th District Legislators
8. Governor Jon S. Corzine
9. First Energy
10. New Jersey Department of Environmental Protection

CERTIFICATION

I HEREBY CERTIFY THAT THE WITHIN Resolution WAS FINALLY PASSED BY THE GOVERNING BODY OF THE TOWNSHIP OF BERKELEY, IN THE COUNTY OF OCEAN, ON THE 10th DAY OF March, 2009. IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND THE OFFICIAL CORPORATE SEAL OF SAID TOWNSHIP THIS 11th DAY OF March, 2009.


ANNE M. WOLFF, Council President


Beverly M. Carle
Township Clerk

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)

AMERGEN ENERGY COMPANY, LLC)

(Oyster Creek Nuclear Generating Station))

Docket No. 50-219-LR

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LETTER FROM BEVERLY M. CARLE, TOWNSHIP CLERK, TOWNSHIP OF BERKELEY, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY AND RESOLUTION OF THE TOWNSHIP COUNCIL REGARDING THE OYSTER CREEK NUCLEAR POWER PLANT has been served upon the following persons by electronic mail this date, followed by deposit of paper copies in the U.S. mail, first class, and NRC internal mail.

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

U.S. Nuclear Regulatory Commission
Office of the Secretary of the Commission
Rulemakings & Adjudications Staff
Mail Stop O-16C1
Washington, DC 20555-0001

U.S. Nuclear Regulatory Commission
Atomic Safety and Licensing Board Panel
Mail Stop T-3 F23
Washington, DC 20555-0001

U.S. Nuclear Regulatory Commission
Office of the General Counsel
Mail Stop - O-15 D21
Washington, DC 20555-0001
Mary C. Baty, Esq.
Brian G. Harris, Esq.
Brian Newell, Paralegal

Administrative Judge
E. Roy Hawkens, Chair

Administrative Judge
Paul B. Abramson

Administrative Judge
Anthony J. Baratta

Emily Krause, Law Clerk

Docket No. 50-219-LR
LETTER FROM BEVERLY M. CARLE, TOWNSHIP CLERK, TOWNSHIP OF BERKELEY, IN
THE COUNTY OF OCEAN, STATE OF NEW JERSEY AND RESOLUTION OF THE TOWNSHIP
COUNCIL REGARDING THE OYSTER CREEK NUCLEAR POWER PLANT

Donald J. Silverman, Esq.
Kathryn M. Sutton, Esq.
Alex S. Polonsky, Esq.
Raphael P. Kuyler, Esq.
Morgan, Lewis & Bockius LLP
1111 Pennsylvania Ave., NW
Washington, DC 20004

Jill Lipoti, Director
New Jersey Department of
Environmental Protection
Division of Environmental Safety and Health
P.O. Box 424
Trenton, NJ 08625-0424

Paul Gunter, Reactor Oversight
Kevin Kamps
Beyond Nuclear
Nuclear Policy Research Institute
6930 Carroll Avenue, Suite 400
Takoma Park, MD 20912

Richard Webster, Esq.
Julia LeMense, Esq.
Eastern Environmental Law Center
744 Broad Street, Suite 1525
Newark, NJ 07102

Bradley M. Campbell, Commissioner
New Jersey Department of
Environmental Protection
P.O. Box 402
Trenton, NJ 08625-0402

J. Bradley Fewell, Esq.
Exelon Corporation
4300 Warrenville Road
Warrenville, IL 60555

Ron Zak
New Jersey Department of
Environmental Protection
Nuclear Engineering
P.O. Box 415
Trenton, NJ 08625-0415

Docket No. 50-219-LR
LETTER FROM BEVERLY M. CARLE, TOWNSHIP CLERK, TOWNSHIP OF BERKELEY, IN
THE COUNTY OF OCEAN, STATE OF NEW JERSEY AND RESOLUTION OF THE TOWNSHIP
COUNCIL REGARDING THE OYSTER CREEK NUCLEAR POWER PLANT

Suzanne Leta
NJPIRG
11 N. Willow St.
Trenton, NJ 08608

John A. Covino, Esq.
Ellen Barney Balint, Esq.
Valerie Anne Gray, Esq.
Caroline Stahl, Esq.
Deputy Attorneys General
New Jersey Office of the Attorney General
Environmental Permitting &
Counseling Section, Division of Law
Hughes Justice Complex
P.O. Box 093
Trenton, NJ 08625



Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 27th day of March 2009