



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION I**

475 ALLENDALE ROAD  
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

June 18, 2010

Mr. Robert Martin, Commissioner  
New Jersey State Department of Environmental Protection  
P.O. Box 402  
Trenton, NJ 08625-0402

Dear Commissioner Martin:

I am responding to your letter dated May 10, 2010, in which you provided an update on the actions you have taken with regard to tritium contamination at the Oyster Creek Nuclear Generating Station.

Thank you for informing the NRC of your recent actions as well as the basis for undertaking these actions. With respect to the subject tritium leak that was initially reported in April 2009, the NRC has been closely following Exelon's actions at Oyster Creek regarding the evaluation and characterization of ground water contamination and its potential impact on the public in accordance with our inspection program. Although Exelon's groundwater monitoring has not detected tritium in publicly accessible areas or drinking water wells, and no threat to public health and safety has been identified, this environmental condition poses challenges to public confidence. To date, none of the contamination resulting from leaks at Oyster Creek has exceeded stringent NRC dose-based limits governing liquid effluent releases offsite.

We recognize and appreciate your Department's extensive knowledge of the regional hydrogeologic characteristics. As you are aware, the NRC conducted an inspection of the April 2009 leak and determined that Exelon's actions to identify and terminate the leak were appropriate. While the NRC did identify performance deficiencies regarding past design changes associated with the leaking pipes, these deficiencies were determined to be of minor radiological and operational risk significance. Members of the DEP staff accompanied the NRC during these reviews. Following our inspection, Exelon took several additional actions to enhance their monitoring of groundwater contamination, as well as initiated a project to replace key buried piping and relocate it above ground or into monitored vaults.

The agency is interested in the underlying causes and frequency of these types of occurrences at Oyster Creek and other NRC licensed facilities. The NRC recently initiated a Task Force to further re-evaluate current NRC policies and our threshold for response to groundwater contamination incidents at commercial nuclear power plants. Lessons learned from Oyster Creek and other plants have been incorporated into this initiative and the Task Force's report was just issued; a copy of the report can be downloaded from the NRC website at: [www.nrc.gov/reactors/operating/ops-experience/grndwtr-contam-tritium.html](http://www.nrc.gov/reactors/operating/ops-experience/grndwtr-contam-tritium.html). An NRC senior management group to review the task force's findings and recommendations was established on June 17, 2010. We look forward to receiving any insights you provide as this effort continues.

R. Martin

2

As discussed with you during our phone conversation on June 9, the NRC and the DEP have been, and will continue to, work closely together in accordance with the established Letter of Agreement. The Agreement defines site roles and responsibilities, including the responsibility for DEP/Bureau of Nuclear Engineering (BNE) to communicate to the NRC any concern or question regarding plant conditions or events, and any State information about nuclear power plants.

The NRC will continue to monitor and hold Exelon accountable for its actions in response to the tritium leaks and groundwater contamination. Any actions being pursued by Exelon that are prompted by the State of New Jersey may require NRC consideration of their impact on NRC-licensed activities at Oyster Creek.

I look forward to future opportunities to discuss this matter with you.

Sincerely,

/RA/

Samuel J. Collins  
Regional Administrator

R. Martin

2

The NRC will continue to monitor and hold Exelon accountable for its actions in response to the tritium leaks and groundwater contamination. Any actions being pursued by Exelon that are prompted by the State of New Jersey may require NRC consideration of their impact on NRC-licensed activities at Oyster Creek.

I look forward to future opportunities to discuss this matter with you.

Sincerely,

/RA/

Samuel J. Collins  
Regional Administrator

DISTRIBUTION: G20100304/CRC-10-0223/EDATS: SECY-2010-0270

PUBLIC  
SECY  
OGC  
OCA  
OPA  
CFO  
R. Borchardt, OEDO  
M. Virgilio, DEDR  
N. Mamish, AO  
S. Burns, OGC  
E. Leeds, NRR  
R. Schmidt, OCA  
L. Trocine, OEDO

S. Collins, RI  
M. Dapas, RI  
R. Barkley, RI  
D. Lew, DRP, RI  
D. Roberts, DRS, RI  
R. Bellamy, DRP, RI  
RIDSSEMAILCENTER RESOURCE  
RIDSSECYMAILCENTER RESOURCE  
RIDSOGCMAILCENTER RESOURCE  
RIDSOCAMAILCENTER RESOURCE  
RIDSOCFOMAILCENTER RESOURCE  
RIDSNRROD RESOURCE  
RIDSRRGN1MAILCENTER RESOURCE

**SUNSI Review Complete: RSB (Reviewer's Initials)**

DOCUMENT NAME: G:\ORA\Barkley\Letter to Bob Martin-NJ-For Sam's Signature - Rev 6-18.doc  
Accession No.:ML101940196

After declaring this document "An Official Agency Record" it will be released to the Public. ADAMS Package  
Accession ML101440355

**To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy**

OFFICE	RI/ORA	R/DRS	RI/DRS	RI/RA	
NAME	RBarkley	RNimitz	DRoberts	SCollins	
DATE	05/24/10	05/24/10	05/24/10	06/18/10	

OFFICIAL RECORD COPY