



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Land Use Regulation

P.O. Box 439

Trenton, New Jersey, 08625

www.state.nj.us/dep/landuse

JON S. CORZINE
Governor

MARK N. MAURIELLO
Acting Commissioner

OCT 08 2009

Robert Braun
PSEG Nuclear LLC
P.O. Box 236
Hancocks Bridge, NJ 08038

RE: Federal Consistency Determination and Section 401 Water Quality Certification
Division of Land Use Regulation File No. 1712-07-0002.4 CDT 090001
Salem Generating Station Unit 1 and Unit 2
Lower Alloways Creek Township, Salem County, New Jersey

Dear Mr. Braun:

The New Jersey Department of Environmental Protection, Division of Land Use Regulation, acting under Section 307 of the Federal Coastal Zone Management Act (P.L. 92-583) as amended, has reviewed your letter dated August 18, 2009 and accompanying information for the renewal of the Operating Licenses for Salem Generating Station Unit 1 and Salem Generating Station Unit 2 (Salem) from the U.S. Nuclear Regulatory Commission. The license renewal would allow Salem to continue operations through August 13, 2036 for Unit 1 and April 18, 2040 for Unit 2.

Based on the above, the Division has determined that the project is consistent with New Jersey's Rules on Coastal Zone Management N.J.A.C. 7:7E-1.1 et seq., as amended to April 7, 2008, and the applicable Rules guiding issuance of a Section 401 Water Quality Certificate.

If you have any questions regarding this letter, please do not hesitate to contact Christina Torok of our staff at (609) 777-0454.

Sincerely,

Christopher M. Dolphin, Section Chief
Bureau of Coastal Regulation

cc: Ruth Foster, Office of Permit Coordination and Environmental Review
Kim Springer, Office of Policy, Planning, & Science
Karen Tuccillo, Bureau of Nuclear Env. Engineering

ADJUDICATORY HEARING REQUEST CHECKLIST
AND TRACKING FORM

I. Permit Decision or Other Department Decision Being Appealed:

Issuance Date of Decision Document	Document Number (if any)
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II.

Name of Person Requesting Hearing	Name of Attorney (if applicable)
Address	Address
Telephone No.	Telephone No.

III. If you are the applicant or permittee, please include the following information with your hearing request:

- A. The date you received the permit decision or other decision which you are appealing;
- B. A copy of the decision document;
- C. The findings of fact and conclusions of law you are appealing;
- D. A statement as to whether or not you raised each legal and factual issue during the permit application process;
- E. Suggested revised or alternative permit conditions;
- F. An estimate of the time required for the hearing;
- G. A request, if necessary, for a barrier-free hearing location for physically disabled persons;
- H. A clear indication of any willingness to negotiate a settlement with the Department prior to the Department's processing of your hearing request to the Office of Administrative Law; and
- I. This form, completed, signed and dated with all of the information listed above, including attachment, to:

1. New Jersey Department of Environmental Protection
Office of Legal Affairs
Attention: Adjudicatory Hearing Requests
401 E. State Street
P.O. Box 402
Trenton, NJ 08625-0402;

with a copy to:

2. New Jersey Department of Environmental Protection
Land Use Regulation Program
Attention: Director
501 E. State Street
P.O. Box 439
Trenton, NJ 08625-0439

Signature: _____ Date: _____

IV. If you are a person other than the applicant or permittee, please include the following information with your hearing request:

- A. The date you or your agent received notice of the permit decision, and a copy of the permit decision;
- B. Evidence that a copy of your hearing request has been delivered to the applicant for the permit decision which is the subject of your hearing request (e.g., certified mail return receipt);
- C. A detailed statement of which findings of fact and/or conclusion of law you are challenging;
- D. A description of your participation in any public hearings held in connection with the permit application and copies of any written comments you submitted;
- E. Whether you claim a statutory or constitutional right to a hearing, and, if you claim such a right, a reference to the applicable statute or an explanation of how your interests are affected by the permit decision;
- F. Suggested revised or alternative permit conditions;
- G. An estimate of the time required for the hearing;
- H. A request, if necessary, for a barrier-free hearing location for physically disabled persons;
- I. A clear indication of any willingness to negotiate a settlement with the Department prior to the Department's processing of the hearing request to the Office of Administrative Law; and
- J. This form, completed, signed and dated with all the information listed above, including attachments to:

1. New Jersey Department of Environmental Protection
Office of Legal Affairs
Attention: Adjudicatory Hearing Requests
401 East State Street
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Trenton, NJ 08625-0402

with a copy to:

2. New Jersey Department of Environmental Protection
Land Use Regulation Program
Attention: Director
501 E. State Street
P.O. Box 439
Trenton, NJ 08625-0439

V. Signature: _____ Date: _____