



September 8, 2010
ND-2010-0102

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

Subject: **PSEG POWER, LLC**
DOCUMENT IN SUPPORT OF APPLICATION
EARLY SITE PERMIT FOR THE PSEG SITE
NRC Docket No. 52-043

Reference: PSEG Power, LLC letter No. ND-2010-0073, to USNRC, Application for Early Site Permit for the PSEG Site, dated May 25, 2010

On May 25, 2010, PSEG Power, LLC and PSEG Nuclear, LLC (PSEG) submitted an Application for an Early Site Permit (ESP) for a site near Salem, New Jersey (the PSEG Site).

The Application contains an Environmental Report (Part 3) that describes the suitability of the PSEG Site to support construction and operation of up to two additional nuclear units relative to the impact on the environment.

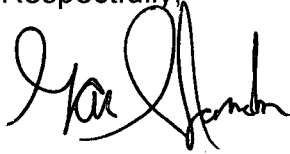
As part of the environmental review process for the new site and in accordance with Section 307 of the federal Coastal Zone Management Act as amended (16 U.S.C. §§1451 et. seq.), PSEG requested a Federal Consistency Determination from the New Jersey Department of Environmental Protection – Division of Land Use Regulation ("NJDEP"). Enclosed is a copy (Enclosure 1) of the July 13, 2010 federal consistency determination issued by NJDEP, finding that the project is consistent with New Jersey's federally approved Coastal Management Program and NJDEP's Coastal Zone Management Rules at N.J.A.C. 7:7E-1.1 et. seq.

If additional information is needed, please contact me at (856) 339-7912.

D079
MPO

I declare under penalty of perjury that the foregoing is true and correct. Executed on the 8th day of September, 2010.

Respectfully,



Gary S. Janosko
Nuclear Development Regulatory Director
PSEG Power, LLC

Enclosure 1: State of New Jersey Department of Environmental Protection Federal Consistency Determination, dated July 13, 2010

- C USNRC, Director, Office of New Reactors/DNRL (w/enclosure)
- USNRC, Project Manager, Division of New Reactor Licensing, PSEG Site (w/enclosure)
- USNRC, Environmental Project Manager, Division of Site and Environmental Reviews (w/enclosure)
- USNRC, Region I, Regional Administrator (w/enclosure)

Enclosure 1

PSEG Early Site Permit Application

State of New Jersey
Department of Environmental Protection
Federal Consistency Determination

July 13, 2010



**Nuclear Development
Received**

JUL 27 2010

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

CHRIS CHRISTIE
Governor

BOB MARTIN
Commissioner

KIM GUADAGNO
Lt. Governor

JUL 13 2010

Jeffrey J. Pantazes
PSEG Power LLC
P.O. Box 236
Hancocks Bridge, NJ 08038

RE: Federal Consistency Determination
Division of Land Use Regulation File No. 1704-02-0001.8 CDT100001
PSEG Site, Artificial Island
Lower Alloways Creek Township, Salem County, New Jersey

Dear Mr. Pantazes:

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 May 25, 2010 and accompanying information and 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 January 20, 2009 provided that the conditions discussed below are met to the satisfaction of the Department of Environmental Protection.

Project Description

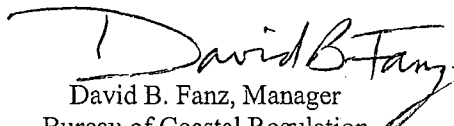
PSEG Power, LLC and PSEG Nuclear, LLC have submitted an application to the U.S. Nuclear Regulatory Commission (NRC) for an Early Site Permit (ESP) for the development of up to two additional nuclear units on the PSEG site, which already contains the Salem and Hope Creek Generating Stations. Elements of the project under consideration include a new nuclear plant with a new intake structure and barge mooring area; a new access causeway; and new transmission lines. Approval of the ESP represents acceptance of a proposed site and does not allow PSEG to begin construction. Construction permits are required separately and independently of the ESP and must be obtained from all Federal, State and local authorities, including the Department.

This consistency determination is issued subject to compliance with the following condition:

1. As proposed, the project will require a CAFRA Individual Permit, Coastal Wetlands Permit, Waterfront Development Permit and Freshwater Wetlands Individual Permit from the Division. These permits must be obtained prior to any construction activities on the site related to the project described above.

Thank you for your attention to, and cooperation with, New Jersey's Coastal Zone Management Program. If you have any questions regarding this letter, please do not hesitate to contact Ryan J. Anderson of our staff at (609) 777-0454.

Sincerely,


David B. Fanz, Manager
Bureau of Coastal Regulation

cc: Ruth Foster, NDEP, Office of Permit Coordination and Environmental Review
Kim Springer, NJDEP, Office of Coastal Planning & Program Coordination
Karen Tucillo, NJDEP, Bureau of Nuclear Engineering