

MAR 7 1973

Honorable Clifford P. Case
United States Senate

Dear Senator Case:

This is in response to your February 15, 1973 letter transmitting the resolution adopted by the Township Committee of the Township of Ocean on January 11, 1973, with regard to the fish kills of January 1972 and December 1972 in Oyster Creek. I would like to inform you that the United States Atomic Energy Commission (the staff) is making an evaluation of this impact in our detailed Environmental Statement for the Oyster Creek Nuclear Generating Station.

The Environmental Statement is being prepared in accordance with the Commission's regulations, 10 CFR Part 50, Appendix D, implementing the requirements of the National Environmental Policy Act of 1969 (NEPA) as part of the staff's evaluation of the application of Jersey Central Power and Light Company for a full term operating license for the Oyster Creek Nuclear Generating Station. The Draft Environmental Statement is presently scheduled for issuance in June 1973. A notice of an opportunity for a public hearing with respect to the issuance of the full term operating license for the Oyster Creek Nuclear Generating Station was published in the Federal Register on November 28, 1972 (37 F.R. 25190).

In addition, the AEC's Directorate of Regulatory Operations has prepared reports on the January 1972 and December 1972 fish kills in Oyster Creek. These reports are available in the Commission's Public Document Room, 1717 H Street, N.W., Washington, D. C. 20545. Copies of these reports are enclosed.

Present information from our staff marine biologist and from a biologist at the National Marine Fisheries Service at Sandy Hook, New Jersey indicates that complete data on the effect of thermal shock on Atlantic menhaden are not available at this time. Preliminary studies indicate that young menhaden can take a "cold shock" or a temperature decrease of at least 11°C. (19.8°F.) with little mortality if the lower temperature is above 6-7°C. (about 40°F.). At lower temperatures, the mortalities increase significantly at similar or slightly greater temperature changes.

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Based on available information, Jersey Central Power and Light Company is considering various solutions to solve the problem:

1. Encourage menhaden to leave Oyster Creek at the time of the year when it is reported that they normally migrate to warmer waters. Presently menhaden remain in the area beyond their normal season and become trapped in the cold climate due to the attraction of the warm discharge water from the nuclear plant.
2. Operate the Oyster Creek Nuclear Station in a manner that prevents rapid large temperature changes as a result of emergency shutdown.

The above methods, as well as combinations thereof, will be considered in our benefit-cost analysis which is part of our review of the environmental effects of plant operation. This analysis will be included in the Environmental Statement for the Oyster Creek Nuclear Generating Station.

In addition, it is anticipated that the environmental technical specifications, which are a part of the operating license of the Station and are the limits under which the Station will be required to operate, will identify actions to be taken by the licensee to alleviate or minimize this problem.

If there are further questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Original signed by
A. Giambusso

A. Giambusso, Deputy Director
for Reactor Projects
Directorate of Licensing

Enclosures:

1. Ltr dtd 1/22/73, to Hon. Clifford P. Case
2. CO Inquiry Report dtd 2/3/73
3. RO Inquiry Report dtd 1/24/73

For distribution, please see next page.

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