

December 28, 2000

Ronald DeGregorio
Vice President Oyster Creek
AmerGen Energy Company, LLC
P.O. Box 388
Forked River, NJ 08731

SUBJECT: SALE OF LAND THAT IS PART OF THE OYSTER CREEK NUCLEAR
GENERATING STATION SITE INCLUDING A PORTION OF THE EXCLUSION
AREA (TAC NOS. MA5644 AND MA6935)

Dear Mr. DeGregorio:

On September 2, 1999, we sent you a letter associated with the sale of land that is part of the Oyster Creek Nuclear Generating Station site including a portion of the exclusion area. The proposed sale included certain portions of your property which are contained within the site boundary of your Oyster Creek facility as defined in your operating license and 10 CFR 20.1003. The standard for release of licensed property is 10 CFR Part 20, Subpart E. In order for the NRC to determine whether it objects to the release of the property to be sold, we requested the following information:

1. The location of all areas within the property to be released where licensed radioactive material is or was present at any time.
2. The disposition of all licensed radioactive material, including accumulated wastes.
3. The basis for concluding that the property is suitable to be released in accordance with the criteria in 10 CFR Part 20, Subpart E. This should include the results of a radiation survey of the property where licensed material was present at any time. The staff would find acceptable a survey based on the guidance in the "Multi-Agency Radiation Survey and Site Investigation Manual" for preparing, implementing, and evaluating environmental radiological surveys to demonstrate compliance with the dose-based criteria contained in 10 CFR Part 20, Subpart E.

On the date of September 2, 1999 letter, GPU Nuclear, Inc. (GPUN) was the licensed operator for Oyster Creek. On August 8, 2000, GPUN's ownership interest in Oyster Creek was transferred to AmerGen Energy Company, LLC (AmerGen). By letter dated August 10, 2000, AmerGen requested that the Nuclear Regulatory Commission continue to review and act upon all requests before the Commission which had been submitted by GPUN. Accordingly, the staff has continued its review of this action.

On September 22, 1999, you responded with some of the information. On October 19, 1999, we requested additional information, and on November 23, 1999, you responded to our request for additional information.

On November 3, 1999, the staff sent another letter requesting information on the control and maintenance of the combustion turbines, the use of the combustion turbines as an alternate source of alternating power to satisfy the requirements of 10 CFR 50.63, "Loss of All Alternating Current Power," and of 10 CFR 50.65, "Requirements for Monitoring the Effectiveness of Maintenance at Nuclear Power Plants," and the U.S. Nuclear Regulatory Commission's unfettered access to inspect the combustion turbines and their supporting equipment. In a letter dated November 12, 1999, you responded to our request for information.

On November 15 - 18, 1999, we conducted a confirmatory survey on the Forked River Site in conjunction with an onsite inspection to independently verify GPU's findings. Our findings are noted in Inspection Report 50-219/99-13.

On October 24, 2000, we issued the NRC Regulatory Issue Summary 2000-19, "Partial Release of Reactor Site For Unrestricted Use Before NRC Approval of the License Termination Plan." We understand that the proposed sale is in abeyance. Therefore, we have concluded our review of this action. Should this status change, and you decide to proceed with the proposed sale, please follow the latest staff guidance.

Sincerely,

/RA/

Helen N. Pastis, Sr. Project Manager, Section 1
Project Directorate 1
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-219

cc: See next page

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Helen N. Pastis, Sr. Project Manager, Section 1
Project Directorate 1
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

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Accession Number: ML003727582

*See previous concurrence

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NAME	HPastis	SLittle	MGamberoni	EAdensam	JWhite	LCamper for JGreeves	SRichards	AHodgdon
DATE	12/7/00	12/7/00	12/21/00	12/21/00	12/21/00	7/12/00	11/28/00	11/29/00

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Oyster Creek Nuclear Generating Station

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