

September 30, 2005

Mr. Peter J. Mustardo, Council President  
Township of Berkeley  
627 Pinewald-Keswick Road  
P.O. Box B  
Bayville, NJ 08721

Dear Mr. Mustardo:

I am responding on behalf of the Nuclear Regulatory Commission (NRC) to Berkeley Township Council's Resolution No. 05-300-R, dated August 23, 2005. The resolution communicated concerns by the Township Council about the emergency evacuation plan for Oyster Creek Nuclear Generating Station (OCNGS), stating that "the Berkeley Township Council rejects the current evacuation plan and calls for the Immediate Shutdown and decommissioning of Oyster Creek Nuclear Generating Station as the Safest Workable Evacuation Plan."

In a letter dated December 31, 2003 (Agencywide Document Access and Management System Accession No. ML033650167), the NRC responded to Berkeley Township Council's Resolution No. 03-398-R. In that letter, the NRC provided a detailed response regarding the issues of emergency preparedness, with specific emphasis on evacuation planning. The Council's Resolution No. 05-300-R did not provide any new information for the NRC to act on. Additionally, in a letter dated September 22, 2005, the NRC responded to the Council's Resolution No. 05-245-R, also on emergency evacuation.

The NRC continues to follow emergency planning issues at OCNGS and in the surrounding area. For example, on March 1, 2005, the NRC issued a finding to the licensee for failure to update procedures for evaluating plant conditions during declared emergencies; and the NRC continues to evaluate issues regarding an August 6, 2005, event that led to declaration of an Alert at OCNGS. By letter dated September 1, 2005, the NRC requested the Radiological Emergency Preparedness Branch of the Federal Emergency Management Agency (FEMA) to evaluate the evacuation plans for the 10-mile emergency planning zone for OCNGS with regard to population increase, limited major highways, construction on alternate routes, increased senior citizen population, and assertions of inadequacies in the plans for school children and the number of buses available. The NRC requested FEMA to complete its evaluation by October 31, 2005.

If you have any further questions regarding this matter, please call the NRC Project Manager for OCNGS, Mr. Peter Tam, at 301-415-1451.

Sincerely,

/RA/

Cornelius F. Holden, Jr., Director  
Project Directorate I  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

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**Incoming:** ML052440254 **Accession Number:** ML052640042 **Package:** ML052640127

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