



SECRETARY

UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

February 27, 2006

DOCKETED  
USNRC

March 1, 2006 (9:28am)

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

**SERVED March 1, 2006**

**Docket No. 50-219-LR**

The Honorable Michael J. Panter  
Assemblyman, 12<sup>th</sup> District  
167 Avenue of the Common  
Suite 7  
Shrewsbury, NJ 07702

Dear Assemblyman Panter:

I am responding to your letter to Chairman Nils J. Diaz, dated February 15, 2006, in which you urge the Commission to hold a public hearing on the license renewal application for the Oyster Creek Nuclear Generating Station. You express your strong support for the petition filed by the coalition of public interest groups and indicate an awareness of the hearing request filed by the New Jersey Department of Environmental Protection.

Under Nuclear Regulatory Commission procedural rules for adjudications, the Commission has an appellate role in proceedings commenced before its Atomic Safety and Licensing Boards. Because of that role, I trust that you will understand that all members of the Commission must remain impartial during the pendency of a case, whether it is before a Licensing Board or on appeal to the Commission, and that it would be inappropriate for any of them to discuss or comment on issues involved in this matter.

A copy of your letter and this response will be placed on the Oyster Creek hearing docket and served on the parties to the proceeding.

Sincerely,

A handwritten signature in cursive script, appearing to read "Annette L. Vietti-Cook".

Annette L. Vietti-Cook

cc: Service List



NEW JERSEY GENERAL ASSEMBLY

LEGISLATIVE OFFICE  
167 AVENUE OF THE COMMON  
SUITE 7  
SHREWSBURY, NJ 07702  
PHONE: (732)544-2116  
PHONE: (609)443-1190  
FAX: (732)544-4016  
AsmPanter@njleg.org

MICHAEL J. PANTER  
ASSEMBLYMAN

8436/344

COMMITTEES:  
ENVIRONMENT AND  
SOLID WASTE  
FINANCIAL/INSURANCE  
VICE CHAIR  
TRANSPORTATION

February 15, 2006

Chairman Nils J. Diaz, Ph.D.  
U.S. Nuclear Regulatory Commission  
11555 Rockville Pike  
Rockville, MD 20852

Re: Proposed Renewal of the Operating License for Oyster Creek Nuclear Generating Station

VIA FAX AND MAIL

Dear Chairman Diaz:

I am writing to urge you to hold a public hearing on the license renewal for the Oyster Creek Nuclear Generating Station in Lacey Township. I strongly support the petition filed by a coalition of public interest groups on the issue of corrosion in a safety critical reactor component. In addition, I understand that the New Jersey Department of Environmental Protection has requested a hearing on three other safety issues.

I realize that the NRC has contended that a public hearing is not required, but in light of the concerns of the State and of its citizens, I believe a hearing is essential. We must assure the public that the critical safety protections at this reactor are currently effective and will remain so for another 20 years before renewing its license.

The state and its citizens are expressing a single message: the only way to provide the assurance we need is through a public hearing on all of the important issues that have been raised. This would allow all those who are concerned about the potential relicensing to present their arguments in an open forum. I urge you to see that this request is granted.

Please contact Kerri Danskin in my office with any questions you might have or new information which may be useful for us. Thank you in advance for your attention to this matter.

Sincerely,

Michael J. Panter  
Assemblyman, 12<sup>th</sup> District

05 FEB 15 PM 3:26  
MICHAEL J. PANTER

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
AMERGEN ENERGY COMPANY, LLC	)	Docket No. 50-219-LR
	)	
	)	
(Oyster Creek Nuclear Generating Station)	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LETTER FROM ANNETTE L. VIETTI-COOK TO ASSEMBLYMAN PANTER RESPONDING TO HIS 02/15/06 LETTER (ALSO ENCLOSED) REGARDING THE OYSTER CREEK PROCEEDING have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

Office of Commission Appellate  
Adjudication  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
E. Roy Hawkens, Chair  
Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
Paul B. Abramson  
Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
Anthony J. Baratta  
Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Ann P. Hodgdon, Esq.  
Daniel Hugo Fruchter, Esq.  
Office of the General Counsel  
Mail Stop - O-15 D21  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Richard Webster, Esq.  
Rutgers Environmental Law Clinic  
123 Washington Street  
Newark, NJ 07102-5695

Docket No. 50-219-LR  
 LETTER FROM ANNETTE L. VIETTI-COOK TO  
 ASSEMBLYMAN PANTER RESPONDING TO  
 HIS 02/15/06 LETTER (ALSO ENCLOSED) REGARDING  
 THE OYSTER CREEK PROCEEDING

Paul Gunter, Director  
 Reactor Watchdog Project  
 Nuclear Information  
 and Resource Service  
 1424 16<sup>th</sup> Street, NW, Suite 404  
 Washington, DC 20036

Bradley M. Campbell, Commissioner  
 New Jersey Department of  
 Environmental Protection  
 P.O. Box 402  
 Trenton, NJ 08625-0402

Ron Zak  
 New Jersey Department of  
 Environmental Protection  
 Nuclear Engineering  
 P.O. Box 415  
 Trenton, NJ 08625-0415

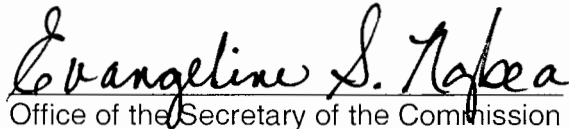
Suzanne Leta  
 NJPIRG  
 11 N. Willow St.  
 Trenton, NJ 08608

Donald J. Silverman, Esq.  
 Kathryn M. Sutton, Esq.  
 Alex S. Polonsky, Esq.  
 Morgan, Lewis, & Bockius LLP  
 1111 Pennsylvania Ave., NW  
 Washington, DC 20004

Jill Lipoti, Director  
 New Jersey Department of  
 Environmental Protection  
 Division of Environmental Safety and Health  
 P.O. Box 424  
 Trenton, NJ 08625-0424

J. Bradley Fewell, Esq.  
 Exelon Corporation  
 200 Exelon Way, Suite 200  
 Kennett Square, PA 19348

John A. Covino, Esq.  
 Deputy Attorney General  
 Environmental Permitting &  
 Counseling Section  
 Division of Law  
 Hughes Justice Complex  
 P.O. Box 093  
 Trenton, NJ 08625

  
 Office of the Secretary of the Commission

Dated at Rockville, Maryland  
 this 1<sup>st</sup> day of March 2006