



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY

PHILADELPHIA DISTRICT CORPS OF ENGINEERS
WANAMAKER BUILDING, 100 PENN SQUARE EAST
PHILADELPHIA, PENNSYLVANIA 19107-3390

FEB 24 2014

Regulatory Branch
Applications Section I

SUBJECT: CENAP-OP-R 2009-157 (JD)
Project Name: PSEG Nuclear, LLC
Latitude and Longitude: 39.466509 N; 75.536759 W

Mr. Gary L. Bickle
AKRF, Inc.
307 Fellowship Road, Suite 214
Mount Laurel, New Jersey 08054

Dear Mr. Bickle:

This letter is written with regard to your request on behalf of PSEG Nuclear for verification of a jurisdictional delineation. The property associated with your request is located along the Delaware River at an area referred to as Artificial Island. This area includes an existing confined dredged material disposal facility currently owned and operated by the U.S. Army Corps of Engineers and the existing PSEG Salem and Hope Creek Generating Station. The properties are formally identified as Block 26, Lots 2, 4, 4.01, 5 and 5.01 in Lower Alloways Creek Township, Salem County, New Jersey. The boundaries of the study for this request are identified on the approved plan described below.

The plan identified on page 3 of this letter depicts the extent of Federal jurisdiction on the subject property. The basis of our determination of jurisdiction is also provided (Enclosure 1). Pursuant to Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act, a Department of the Army permit is required for work or structures in navigable waters of the United States and the discharge of dredged or fill material into waters of the United States including adjacent and isolated wetlands. Any proposal to perform the above activities within the area of Federal jurisdiction requires the prior approval of this office.

This delineation/determination has been conducted to identify the limits of the Corps Clean Water Act jurisdiction for the particular site identified in this request. This delineation/determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as amended. If you or your tenant are U.S. Department of Agriculture (USDA) program participants, or anticipate participating in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work.

This letter is valid for a period of five (5) years. This jurisdictional determination is issued in accordance with current Federal regulations and is based upon the existing site conditions and information provided by you in your application. This office reserves the right to reevaluate and modify the jurisdictional determination at any time should the existing site conditions or Federal regulations change, or should the information provided by you prove to be false, incomplete or inaccurate.

This letter contains an approved jurisdictional determination for your subject site. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR 331. Enclosed you will find a combined Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form (Enclosure 2). If you request to appeal this determination, you must submit a completed RFA form to the North Atlantic Division Office at the following address:

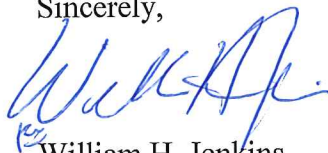
Mr. Michael G. Vissichelli
Administrative Appeals Review Officer
North Atlantic Division, Corps of Engineers Fort Hamilton Military
Community Bldg. 301, General Lee Avenue Brooklyn, NY 11252-6700
Telephone: (718) 765-7163
Email: Michael.G.Vissichelli@usace.army.mil

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by APR 24 2014

It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this letter.

If you have any questions regarding this matter, please contact Mr. Edward Bonner at (215) 656-5932 or write to the above address.

Sincerely,



William H. Jenkins
Chief, Application Section I

SUBJECT PROPERTY: The property associated with this request is located along the Delaware River at an area referred to as Artificial Island and encompasses an area totaling 819 acres of land and water. This area includes an existing confined dredged material disposal facility currently owned and operated by the U.S. Army Corps of Engineers and the existing PSEG Salem and Hope Creek Generating Station. The properties are formally identified as Block 26, Lots 2, 4, 4.01, 5 and 5.01 in Lower Alloways Creek Township, Salem County, New Jersey. The study area for this investigation identified on the approved plan below encompasses a slightly larger area of land and water totaling 896 acres. This plan was prepared by AKRF, Inc. on behalf of PSEG Nuclear LLC.

SURVEY DESCRIPTION: The approved plan is entitled: United States Army Corps of Engineers Jurisdictional Determination Block 26, Lots 2, 4, 4.01, 5 and 5.01 Lower Alloways Creek Township, sheet 1 of 1, dated 12/16/2013 and unrevised. The approved plan was prepared by AKRF, Inc. on behalf of PSEG Nuclear, LLC.

COMMENTS: The subject property was inspected by a representative of this office December 3, 2013. It is further noted that the wetland identified as "CDF3" on the approved plan is located within an active dredged material disposal facility which is subject to periodic disposal of dredged materials. The wetland boundary shown for this wetland reflects the site conditions as of December 2013.

Enclosures

Copies Furnished:
NJDEP, LURP (Trenton, NJ)
USNRC attn. Allen Fetter