



NRC NEWS

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NRC PLANS TO ISSUE LICENSE RENEWAL EXEMPTION FOR OYSTER CREEK NUCLEAR STATION

The Nuclear Regulatory Commission has completed its environmental assessment and plans to issue an exemption from its license renewal regulations for the Oyster Creek Nuclear Generating Station near Toms River, N.J.

Oyster Creek's operator, AmerGen, asked Aug. 10 for an exemption from the NRC's regulations regarding the federal government's "timely renewal" provision, which deals with the timing for submitting license renewal applications for commercial nuclear power plants. The provision stipulates that if a nuclear power plant licensee applies for license renewal at least five years before its current operating license expires, the existing license will not expire while the NRC decides whether to grant the requested renewal.

AmerGen did not file a renewal application for Oyster Creek by April 9, five years prior to its license expiration, and has therefore requested an exemption to retain the "timely renewal" status. The NRC reviewed the request based on existing law and the agency's regulations.

The NRC must publish environmental assessments before issuing exemptions. The Oyster Creek assessment, which will be published shortly in the *Federal Register*, finds that granting the proposed exemption will not have a significant impact on the quality of the environment. The agency expects to issue the exemption soon after the *Federal Register* notice.

"The NRC will continue its full program of licensing, inspection and oversight activities at Oyster Creek to protect public health and safety, whether it is operating under its original 40-year license or in a 'timely renewal status,'" said David Matthews, director of the Division of Regulatory Improvement Programs in the Office of Nuclear Reactor Regulation. "The issuance of the exemption will not affect NRC's authority to modify, suspend or revoke Oyster Creek's license if there is a serious safety concern. Furthermore, the public retains its usual opportunities to participate in the review of a license renewal request for Oyster Creek."

The NRC has notified the state of New Jersey concerning the environmental assessment. The state has already commented on the proposed exemption, and if the state chooses, it can offer additional comments on the environmental assessment.

The exemption requires AmerGen to submit a sufficient license renewal application by July 29, 2005, giving the NRC about 44 months to review the application. That period of time is longer than license renewal reviews have taken thus far. AmerGen must also provide required information to support completion of NRC's safety and environmental reviews.

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