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## Oyster Creek Generating Station clears last major hurdle in bid for 20-year license renewal

By DAVID BENSON Staff Writer, 609-272-7206

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Oyster Creek Generating Station in Lacey Township

Press staff file photo

The Oyster Creek Generating Station cleared the last major hurdle in its quest for a 20-year license renewal this week when the state decided the facility is not a threat to New Jersey's water quality or coastline. Environmentalists, however, have said the state is looking at flawed data.

On Wednesday, the state Department of Environmental Protection said the nuclear facility meets federal requirements for a permit under the Coastal Zone Management Act of 1972. As part of the deal to secure the permit, AmerGen, owner of the plant, agreed to about \$11 million in mitigation projects, including wetlands restoration and land donated as open space, said Lisa P. Jackson, commissioner of the DEP.

"One look at the long list of mitigation - public access, walking trails, clam-bed and oyster-bed restoration - no one would deny it is a very good mitigation," Jackson said. "I think it is the right environmental decision."

Among the factors the DEP considers in the review of a coastal permit, Jackson said, are the protection and potential enhancement of natural resources, maintenance of plant facilities and the

protection of the welfare of coastal residents and visitors.

The coastal permit is crucial to AmerGen.

"You need a federal consistency determination from the state before the NRC can issue a new license," said Leslie Cifelli, a spokeswoman for AmerGen. "The approval means we meet the provisions of the CZMA."

The Oyster Creek facility is the nation's longest-operating nuclear plant. Its initial 40-year license expires in April 2009. The nuclear plant supplies about 7 percent of the state's energy needs - enough electricity to power 600,000 homes, the equivalent of all the homes in Ocean and Monmouth counties.

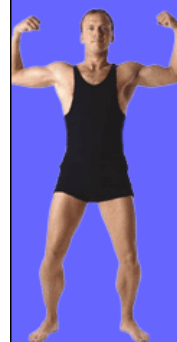
The DEP twice denied the nuclear facility's request for the federal permit - once in 2005 and again in 2007 - saying the plant had not provided enough information on future effects on Barnegat Bay fisheries.

At issue was that the NRC had relied on 30-year-old data pertaining to the bay to say the nuclear facility had little to no effect on marine life. Although researchers at the nuclear facility could provide current data on the kill-rate at the plant, that information could only be compared to data collected in the 1970s.

Cifelli said AmerGen had gathered more recent information during the past two years.

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"We gave the state the data they were looking for," she said. "We worked with the state, found out what they needed and provided that to them."

Jackson said that while federal biologists recommend at least three years worth of data, state biologists said the two years of data AmerGen provided was enough.

"We believe the data we have in hand is sufficient to justify this decision," Jackson said.

To sweeten the deal, AmerGen offered wetlands restoration at both the [Forked River](#) Game Farm and Finninger Farm, both in Lacey Township. The commitments also include eventually deeding 220 acres to Lacey Township, where the plant is located.

[Mike Kennish](#), research professor at [Rutgers University Institute of Marine and Coastal Sciences](#), said Thursday that nothing has changed since the initial denial of the permit by the DEP two years ago.

"Unless the power company is doing marine population studies in the bay at the same time they look at impingement and entrainment at the plant," Kennish said, "there's no way they can accurately determine what the impact is on the environment in Barnegat Bay."

Impingement refers to the trapping of sea life against screens protecting intake pipes at the plant. Entrainment is the sucking of small marine organisms through the cooling system.

"Impingement and entrainment are the two biggest problems," Kennish said. "Not fish kills."

Kennish said it is the DEP's responsibility to require AmerGen to do concurrent studies of marine populations in the bay, while studying the mortality of the animals at the plant.

"It's a serious fault of the entire assessment by the company," Kennish said. "You don't have any concurrent studies since 1977. In my way of looking at it, the data is flawed."

[Tim Dillingham](#), executive director of the [American Littoral Society](#), said the data is inadequate.

"We're going to look at how the state reached its determination," he said.

The mitigation commitments planned by the AmerGen aren't enough to offset the amount marine life killed by the plant, Dillingham said.

[Cindy Zipf](#), executive director of Clean Ocean Action, said the state has ignored the needs of Barnegat Bay.

"[Governor Corzine](#) gave Barnegat Bay the spent fuel rod shaft by granting Oyster Creek nuclear generating station a green light for 20 more years of marine life annihilation, including one of the most endangered turtles," Zipf said.

"Adding insult to injury, the state concedes that harm to marine life has and continues to occur from the plant," she said, "but makes a deal with the devil to allow Oyster Creek to continue this devastation with pathetic, unproven and absurd 'mitigation' measures."

[Neil Sheehan](#), a spokesman for the NRC, said the last remaining federal step is for the NRC commissioners to hear the appeal of the recent Atomic Safety and Licensing Board decision.

Last month, the ASLB, rejected the challenges of a citizens group and recommended a 20-year extension of the operating license for the Oyster Creek Generating Station. The board ruled that AmerGen's plan to manage any future corrosion of the carbon steel drywell liner surrounding the nuclear reactor in [Ocean County](#) was sufficient to get the plant safely through April 2029.


The citizens group - Stop the Relicensing of Oyster Creek - has until Jan. 14 to appeal the decision made by the ASLB, said [Diane Screnci](#), a spokeswoman for the NRC.

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