



# Union of Concerned Scientists

Citizens and Scientists for Environmental Solutions

April 10, 2007

Luis A. Reyes  
Executive Director for Operations  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

## **SUBJECT: OYSTER CREEK'S FALSE STATEMENT ABOUT MATERIAL**

Dear Mr. Reyes:

By letter dated July 31, 2006, Mr. James J. Randich signed a letter for Mr. Timothy S. Rausch, Site Vice President at Oyster Creek Generating Station and sent in the groundwater protection data collection questionnaire to Mr. Stuart A. Richards on your NRC staff.<sup>1</sup> In the answer to survey question 5, the licensee stated:

***“There have been no station events requiring remediation efforts at Oyster Creek Station.”***

That statement seems directly and irrefutably contradicted by a letter dated November 23, 1982, from Peter B. Fiedler, Vice President and Director – Oyster Creek, to Mr. Ronald C. Haynes, Administrator of NRC Region I.<sup>2</sup> This letter transmitted licensee event report 50-219/82-51. According to the LER:

***“An abnormal degradation of the Waste Surge Tank located outside on the northwest side of the Old Radwaste Building caused an unmonitored release of radioactive liquid to the soil in the vicinity of the tank via tank, pump, and/or attached pipe leakage.”***

and

***“Contaminated soil above 10 CFR 30.70 limits has been removed.”***

What is particularly irksome about the licensee's inaccurate questionnaire response is that they knew or should have known it to be wrong. The July 31, 2006, answer to survey question 2 stated:

***“The Station has a groundwater monitoring network that was installed in 1983, for the purpose of detecting any radiological contaminants in the groundwater beneath the facility that could be attributable to leaks or spills from plant systems, structures or components.”***

This groundwater monitoring network was installed in 1983 as a direct response to the 1982 leakage event that resulted in the aforementioned remediation.

---

<sup>1</sup> This letter is publicly available in ADAMS under ML062280608.

<sup>2</sup> This letter is publicly available in the NRC's PDR and LPDRs under accession nos. 8212080240 and 8212080263.

April 10, 2007

Page 2 of 2

We understand that the July 31, 2006, submittal by the licensee was voluntary and not in response to any NRC requirement. Nevertheless, we understand that 10 CFR 50.9 requires information submitted to the NRC by its licensees to be complete and accurate. The July 31, 2006, submittal was neither complete nor accurate, thus violating the federal requirement in 10 CFR 50.9. Could you induce the licensee to voluntarily send in a check to pay for this violation?

Sincerely,

A handwritten signature in cursive script that reads "David O. Lochbaum". The signature is written in black ink and is positioned below the word "Sincerely,".

David Lochbaum  
Director, Nuclear Safety Project