

RA-09-090

December 16, 2009

**Nancy Wittenberg, Assistant Commissioner
New Jersey Department of Environmental Protection
Environmental Regulation
401 East State Street
PO Box 423
Trenton, NJ 08625-0423**

**Subject: Response to New Jersey Department of Environmental Protection
(NJDEP) Letter, dated November 19, 2009**

Dear Assistant Commissioner Wittenberg:

Thank you for your letter dated November 19, 2009, summarizing the September 24, 2009, meeting between Exelon Generation Company, LLC (EGC) and NJDEP where we discussed in detail the Oyster Creek tritium leaks and plans to prevent recurrence. We share your desire to ensure that leaks are prevented and we believe we are taking very aggressive actions to achieve this goal. As discussed in our September 24, 2009, meeting, EGC has already committed 3.2 million dollars in 2009 into these efforts to avoid tritium leaks to the environment and intends on investing an additional approximate 8.7 million dollars in 2010 to continue implementing engineered solutions, which include moving piping containing tritiated water above ground or into monitored trenches or vaults. We will continue to share the details of these plans with the NJDEP.

As you state in your letter, there has been no impact to public health and safety. We continue to monitor and evaluate the levels of tritium in the Cape May and Cohansey aquifers. We have completed and submitted a Site Investigation Report and Site Remediation Investigation Work Plan and as outlined therein, we plan to install additional monitoring wells to fully demonstrate the effectiveness of our corrective actions.

EGC has reviewed and considered NJDEP QA certification for on-site laboratory tritium analyses and has decided not to seek certification. EGC has added dedicated resources to expedite the shipping of split samples to your contracted laboratory in Alabama and the shipping schedule is up to date.

EGC agrees on the importance of the Barnegat Bay and has supported the continued ecological well-being of the estuary. In addition, EGC Director of Environmental Programs, Mr. Zigmund Karpa, has been in contact with Dr. Stan Hales of the Barnegat Bay National Estuary Program (BBNEP) and EGC is looking forward to the opportunity to meet with the BBNEP committee.

We are committed to maintaining an open dialogue with the NJDEP and are always willing to address any questions or concerns you may have.

Respectfully,

A handwritten signature in black ink, appearing to read 'J. Grimes', with a long horizontal flourish extending to the right.

Joseph Grimes,
Senior Vice President
Mid Atlantic Operations, Exelon Generation Company

cc:

Samuel Collins, Regional Administrator, Region I, U.S. Nuclear Regulatory Commission
Wolfgang Skacel, Assistant Commissioner, New Jersey Department of Environmental
Protection, Compliance and Enforcement