



State of New Jersey

Department of Environmental Protection

P.O. Box 420

Trenton, New Jersey 08625

PHILIP D. MURPHY
Governor

CATHERINE R. McCABE
Commissioner

SHEILA Y. OLIVER
Lt. Governor

ADMINISTRATIVE ORDER NO. 2019-10

WHEREAS, the Oyster Creek Nuclear Generating Station (Oyster Creek) is a Federally-licensed nuclear generation facility located adjacent to the Oyster Creek in Lacey Township, Ocean County; and

WHEREAS, Oyster Creek ceased operation on September 17, 2018 and is in the process of decommissioning; and

WHEREAS, the decommissioning of Oyster Creek is overseen by the Department of Environmental Protection (Department) in accordance with N.J.S.A. 26:2D et seq., and in conjunction with the federal Nuclear Regulatory Commission (NRC); and

WHEREAS, staff from the Department's Bureau of Nuclear Engineering routinely accompany NRC employees during inspections of the facility; and

WHEREAS, on January 9, 2018, the Department entered into an Administrative Consent Order (ACO) with Oyster Creek's then-current operator, Exelon Generation Company, LLC (Exelon) which stipulates certain post-shutdown emergency planning requirements; and

WHEREAS, Holtec International (Holtec) acquired Oyster Creek from Exelon in July 2019; and

WHEREAS, as a condition of acquisition, Holtec accepted all remaining obligations and liabilities of the ACO; and

WHEREAS, a safety advisory panel will enhance existing Department oversight to ensure compliance with Department requirements, track progress of commitments under the ACO, and provide additional assurance to the public; and

WHEREAS, I have requested the assistance of other members of the State's executive branch to serve as members of said panel, and they have agreed; and

NOW, THEREFORE, I Catherine McCabe, Commissioner, pursuant to the authority vested in me by N.J.S.A. 13:1D-9 and N.J.S.A. 26:2D do hereby ORDER and DIRECT the following:

1. There is created an Oyster Creek Safety Advisory Panel (Panel) to assist the Department with the evaluation of the decommissioning operations at the Oyster Creek Generating Station. The Panel shall be purely advisory.
2. The Panel shall consist of the following four members (or their respective designees):

- a. The Commissioner of the Department of Environmental Protection, who shall serve as Chair;
 - b. The Director of the Office of Homeland Security and Preparedness;
 - c. The President of the Board of Public Utilities; and
 - d. The Superintendent of the State Police.
3. The Panel shall:
- a. Assess Holtec's compliance with the ACO and decommissioning operations and, where appropriate, provide recommendations for improvement to the Department;
 - b. Ensure Holtec provides a robust process to elicit public input into the decommissioning process;
 - c. Separately seek public input on concerns related to decommissioning; and
 - d. Meet as required to fulfill the requirements of this Order, but no less than twice a year until decommissioning is complete.
4. The Department shall provide sufficient staff to the Panel to assist in the completion of its duties under this Order.
5. The Department shall address concerns raised by the Panel pursuant to its statutory authority and shall request that the NRC inspect matters that are of interest to the Panel.
6. The Department shall report the results of any inspections it conducts and its participation in NRC inspections to the Panel.
7. This Order rescinds Administrative Order No. 2011-06, which shall no longer have any force or effect.

This Order shall take effect immediately and shall continue in effect until revoked or amended by me in writing.

Date: _____

10/1/19


Catherine McCabe, Commissioner