UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

E. Roy Hawkens, Chairman
Dr. Paul B. Abramson
Dr. Anthony J. Baratta

In the Matter of	Docket No. 50-0219-LR
AMERGEN ENERGY COMPANY, LLC	ASLBP No. 06-844-01-LR
(License Renewal for Oyster Creek Nuclear Generating Station)	October 29, 2007

ORDER
(Adopting Transcript Corrections)

Before the Licensing Board in the above captioned proceeding are motions submitted by

Citizens,[1] AmerGen Energy Company, LLC, and the NRC Staff requesting that certain

corrections be made to the transcripts of the September 24 and September 25, 2007 evidentiary

hearing sessions conducted in this proceeding in Toms River, New Jersey.

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[1]   Citizens are comprised of six organizations: Nuclear Information and Resource Service, Jersey Shore Nuclear Watch, Grandmother, Mothers and More for Energy Safety, New Jersey Public Interest Research Group, New Jersey Sierra Club, and New Jersey Environmental Federation.

Being that none of the parties object to the proposed corrections, the Board hereby

adopts those corrections,[2] and the transcript of the evidentiary hearing held on September 24

and September 25, 2007, is <u>revised</u> per Appendix A to this Order.[3] Upon issuance of this Order,

and barring any motions for reconsideration or any subsequent order reopening the record, the

evidentiary record in this proceeding is closed. <u>See</u> Tr. at 878.

It is so ORDERED.

FOR THE ATOMIC SAFETY
 AND LICENSING BOARD[4]
 /RA/

_____
E. Roy Hawkens, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
October 29, 2007

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[2]   The Licensing Board declined to adopt those changes it determined to be unnecessary for clarifying the record. <u>See</u> Tr. at 842.

[3]   After conclusion of the hearing and receipt of all parties' proposed findings of fact and conclusions of law, and motions to correct the transcript, it came to the Board's attention that the transcript was incorrectly paginated. The transcript has been corrected and the corrections set forth in Appendix A correspond to the pages of the corrected transcript. The parties need not resubmit their proposed findings of fact and conclusions of law based upon the corrected pagination. Nor does the Board believe it necessary for any party to submit amended proposed findings, given that all substantive corrections to the transcript are hereby adopted.

[4]   Copies of this Order were sent this date by Internet e-mail to counsel for: (1) AmerGen; (2) Citizens; (3) the NRC Staff; and (4) New Jersey.

<u>**APPENDIX A**</u>

Corrections to September 24, September 25, 2007 Transcript for <u>AmerGen Energy Company,</u> <u>LLC</u> (License Renewal for Oyster Creek Nuclear Generating Station), Docket No. 50-0219-LR

<u>**Monday, September 24, 2007**</u>

<u>Page No.</u>	<u>Line No.</u>	<u>Correction</u>
279	7	Change "his" to "its"
280	8	Change "Jay" to "Roy"
281	24	Change "Subpart (l)" to "Subpart L"
281	25	Change "Subpart (l)" to "Subpart L"
286	7	Change "mics" to "mikes"
286	23	Delete "Gary Harlow" and change "John" to "Jon"
287	10	Change "Saloman" to "Salomon"
287	17	Insert "our" after "We have"
288	12	Insert "that" between "identified" and "Exhibit"
294	1	Change "crated" to "cratered"
295	18	Change "63D" to "62D"
296	24	Change "MR. WEBSTER:" to "CHAIRMAN HAWKENS:"
298	2	Insert "are" between "there" and "a"
298	21	Change "Honor" to "your Honor"
299	14	Change "occurrence" to "recurrence"
300	18	Change "it is" to "its"
303	11	Delete "corrosion during"
304	21	Change "margin" to "margins"
305	10	Change "odd number" to "odd-numbered"
306	3	Change "queer" to "clear"

306	9	Change "manipulates" to "manipulate"
306	14	Change "make inference" to "make an inference"
310	7-9	Change "if the primary (phonetic) license starts on day one, the primary license," to "of any license starting on day one,"
312	4	Change "ha" to "has"
312	24	Change "Dr. Hausman's" to "Dr. Hartzman's"
317	11	Change "dangerous bar" to "data sparse"
318	2	Change "errors" to "areas"
318	3	Change "cultured" to "coated"
319	22	Change "insure" to "ensure"
321	25	Change "Asher" to "Ashar"
322	1	Change "MR. POLONSKY:" to "MR. WEBSTER:"
328	4	Change "if yo usee" to "if you see"
334	6	Change "insure" to "ensure"
334	7	Change "insure" to "ensure"
336	5	Change "agreed" to "agree" and "bag" to "bundle"
336	22	Delete the word "except"
337	23	Change "refueling the wood" to "refueling mode"
341	16	Change "is" to "it"
342	9	Change "and" to "for"
344	18	Change "1,154" to "1.154"
346	5	Change "imbedded" to "embedded"
346	6	Change "pour" to "pore"
348	22	Change "age" to "page"
349	11	Change "basing" to "ranging"

349	12	Change "at" to "to"
353	4	Change "Susan's counsel" to "Citizens' counsel"
354	7	Change "nota" to "not a"
355	18	Change "sine" to "since"
357	6	Change "Garrett" to "Gary"
357	7	Change "John" to "Jon"
357	8	Change "Harmetta" to "Har Mehta" and change "Wo" to "Ouaou"
359	15	Change "Hauser" to "Hausler"
361	4	Change "referred" to "referring"
361	13	Change "in" to "adds"
365	3	Insert "it" between "top" and "has"
366	25	Change "saving" to "saying"
367	1	Change "curve" to "curb"
367	19	Change "thank" to "Thank"
368	2	Change "Base" to "Bay"
368	20	Change "Mr. Tibler," to "MR. TAMBURRO:"
370	24	Change "curve" to "curb"
373	10	Delete "at 11 feet – "
374	19	Change "Ashray" to "ASHRAE"
376	19	Change "MR. POLONSKY:" to "JUDGE ABRAMSON:"
378	2	Delete "the are would be"
381	17	Change "out" to "output"
387	2	Change "sine" to "since"
387	15	Change "radway system" to "radwaste system"
390	24	Change "Soloman" to "Salomon"

391	12	Insert "no" between "have" and "objection"
393	7	Change "Baratta" to "Abramson"
394	13	Change "the third solution" to "the theoretical solution"
394	23	Change "Amergen" to AmerGen"
396	11	Change "eery" to "every"
399	7	Change "M284" to "N-284"
400	7	Change "so-call CALC" to "so-called Calc"
401	13	Change "transmitter" to "transmitted"
403	7	Change "thought" to "though"
404	4	Insert "you" between "Figure 1A," and "might"
405	21	Change "worse" to "worst"
406	5	Change "days" to "bays"
407	4	Change "wold" to "would"
407	8	Change "MR. WILLIAMS" to "MR. WEBSTER"
411	24	Change "were put" to "were to put"
412	8	Change "thought" to "though"
413	18	Change ".5376" to ".536" and change "conditioned" to "transitioned"
415	17	Change "the schedule" to "our review"
415	19	Change "20.424" to "Calculation-24, Rev. 2"
415	23	Insert "criteria" after "CLB"
416	9	Change "cap 24" to "Calc 24"
420	18	Change "no" to "yes"
421	7	Change ".09" to ".490"
421	8	Change "is" to "as"

421	20	Change "could" to "would"
422	23	Change "TDR1108" to "TDR 1108"
424	5	Delete "so not,"
425	1	Change "corrosions" to "corrosion"
425	20	Change "Dr." to "Mr."
427	6	Change "valuation" to "evaluation"
427	9	Insert "not" between "does" and "derive"
427	10	Change "the" to "these" and change "is" to "are"
427	11	Delete ", but are" and insert "." after "measurements"
427	12	Delete "devoid"
427	16	Insert "with the calculation" after "nothing to do"
427	17	Change "as" to "of"
428	21	Change "they" to "the"
429	2	Change "suggestion" to "suggesting"
430	3	Change "our" to "that"
432	18	Insert "a" between "with" and "well" and change "." to ","
432	19	Insert "and" and change "A" to "a"
433	4	Change "fact" to "factor"
433	6	Change "cast" to "case"
433	7	Change "determine" to "determined"
435	20	Change "understands" to "understand"
439	7	Change "third typically" to "theoretically"
439	8	Change "the use a capacity of" to "they use a capacity"
439	10	Change "in Factor 5" to "a factor of 5"
440	1	Change ".563" to ".536"

440	22	Change "need for construction" to "construction"
440	25	Change ".04" to ".204"
442	10	Change "COB" to "CLB"
442	16	Change "COB" to "CLB"
443	2	Insert "input" between "appropriate" and "to"
445	9	Change "mature properties, although the mature" to "material properties, although the material"
446	4	Change "as built" to "as-built"
446	9	Change "hails from" to "came"
447	8	Change "." to ","
447	9	Delete "It is"
447	11	Change "into the analysis of the as built, of the as built" to "into the analysis of the as-built, of the as-built"
447	20	Change "call" to "recall"
447	22	Change "evaluations" to "evaluation"
451	6-7	Change "with a curve" to "would occur"
452	3	change "what were Citizens, were stating" to "what Citizens were stating"
452	16	Change "I" to "In"
453	18	Insert "," after "along"
453	19	Change "The" to "the"
453	20	Change "2.736" to "to 0.736"
455	10	Insert "," after "along" and change "The" to "the"
455	12	Change "2.736" to "to 0.736"
457	13	Change "was" to "is"
458	1	Change "from First" to "for"

466	21	Change "cap" to "Calc"
467	11	Change "depending of" to "depicting"
467	18	Change "then" to "thin"
471	22	Insert "only" between "mean," and "some of"
473	1	Change "B" to "19B"
473	3	Change ".10" to "Point 10"
473	17	Change "on one incentives" to "in one inspection"
474	15	Change "mls." to "mils."
474	16	Change "mls." to "mils."
483	11	Change "bag" to "bed"
489	6	Change "cleaner" to "thinner"
491	18	Change "that" to "of what"
494	8	Change "incentive" to "vicinity"
506	23	Delete "." and change "The" to "the" and insert "which" between "reality" and "is"
512	5	Change "2206" to "2.206"
512	8	Change "fitting" to "thinning"
523	1-2	Change "to derive – we have seen it earlier. To the left" to "the right as we have seen it earlier, or the left as"
524	2	Change "have," to "have to,"
524	3	Change "consider." to "consideration."
526	2-3	Change "extent, when you get a gully of three, four feet, because that probably" to "extent. When you get outside by three or four feet that probably"
528	4	Insert "we" between "than" and "have"
532	2	Change "this what" to "this is what"
532	18	Insert "average" between "we" and "this"

534	17	Change "from 30 to 48" to "from -30 to +48"
534	18	Change "from 30 to 48" to "from -30 to +48"
534	19	Change "from 30 to 50" to "from -30 to +50"
539	10	Change "Table –" to "Table 2"
541	5	Change "mil" to "mils"
543	13	Change "dry wall" to "drywell"
543	15	Change "bias" to "biased"
543	16	Change "bias" to "biased"
546	3	Change "coded" to "coated"
546	5	Change "removing the sand bed," to "removing the sand,"
546	24	Change "round" to "ground"
547	2	Change "bed" to "bay"
549	17	Insert "." after "model"
553	9	Change "ACR" to "ACRS"
562	7	Change "upper" to "EPRI"
562	10	Change "upper" to "EPRI"
564	15	Insert "where" between "corrosion," and "in"
564	16-18	Change "and were smaller than the error, the pure error unit was appropriate to follow – it was larger as well." to "the pure error unit was approximately correlated with thickness as well."
566	8	Delete "they"
566	21-22	Change "barely" to "individual" and "point three six - eight six – three eight six." to "0.0386."
566	25	Change "days" to "bays"
567	3	Insert "exhibit" between "that" and "," and change "in D" to "indeed"
567	8	Change "varied data field" to "variation of the field"

567	23	Change "MR. FP" to "MR. POLASKI"
569	9	Change "but" to "what"
569	23	Change "bay, 760," to "one may be 760"
572	24	Change "and" to "for"
573	1	Insert "alone" after "instrument"
573	11	Change "MR. ABRAMSON:" to "JUDGE ABRAMSON:"
574	21	Change "MR. ABRAMSON:" to "JUDGE ABRAMSON:"
574	25	Change "MR. ABRAMSON:" to "JUDGE ABRAMSON:"
575	5	Change "emulsion" to "monitoring"
575	8	Change "MR. ABRAMSON:" to "JUDGE ABRAMSON:"
576	3	Change "sensible" to "central"
576	6	Change "itself" to "themselves"
576	7	Change "MR. ABRAMSON:" to "JUDGE ABRAMSON:"
577	25	Insert "talk" after "could" and change "through" to "about"
578	1	Change "there's a" to "it's"
578	6	Change "Per" to "In"
578	12	Insert "Calc" after "to"
578	22	Delete "D"
579	5	Change "MR. ABRAMSON:" to "JUDGE ABRAMSON:"
579	16	Change "MR. ABRAMSON:" to "JUDGE ABRAMSON:"
579	22	Change "MR. ABRAMSON:" to "JUDGE ABRAMSON:"
580	4	Change "John" to "Jon"
580	5	Change "Hawkens" to "Hawkins"
580	8	Change "Hawkens" to "Hawkins"

580	10	Change "MR. HAWKENS: My name is John Hawkens" to "MR. HAWKINS: My name is Jon Hawkins"
580	23	Change "MR. ABRAMSON:" to "JUDGE ABRAMSON:"
580	25	Change "MR. HAWKENS:" to "MR. HAWKINS:"
581	1	Change "MR. ABRAMSON:" to "JUDGE ABRAMSON:"
581	4	Change "MR. HAWKENS:" to "MR. HAWKINS:"
581	8	Change "stand" to "scan"
581	24	Change "Mr. Hawkens" to "Mr. Hawkins"
582	3	Change "MR. HAWKENS:" to "MR. HAWKINS:"
582	12	Change "MR. HAWKENS:" to "MR. HAWKINS:"
582	19	Change "Mr. Hawkens" to "Mr. Hawkins"
582	25	Change "Mr. Hawkens" to "Mr. Hawkins"
583	24-25	Change "is that" to "that is"
584	9	Delete "We're developing codes now. But I can think -"
584	20	Change "fitness" to "thickness"
585	4	Change "MR. ABRAMSON:" to "JUDGE ABRAMSON:"
586	7	Insert "add" between "perhaps" and "something"
586	17	Change "but" to "that"
587	17	Change "grades" to "grids"
587	18	Insert "the" between "of" and "reduced"
589	5	Change "has to be" to "as was"
589	7	Insert "perhaps in pockets" to "perhaps pockets"
590	14	Change "day" to "bay"
590	17-18	Change "that I don't contribute" to "I don't think contribute"
590	21	Change "on the record now being plotted" to "in the record as having been plotted"

591	8	Change "thee" to "there"
591	15	Change "need " to "meet" and insert "of" between "because" and "the"
591	18	Change "interim" to "internal"
592	2	Change "cut out" to "cut-out"
592	4	Change "bay" to "bed"
592	5	Change "the data set" to "a data set"
593	7	Change "UTED." to "UT'ed."
594	10	Change "MR. ABRAMSON:" to "JUDGE ABRAMSON:"
594	21	Change "MR. ABRAMSON:" to "JUDGE ABRAMSON:"
595	20	Change "shelf" to "shell"
595	23	Change "MR. ABRAMSON:" to "JUDGE ABRAMSON:"
595	25	Change "MR. ABRAMSON:" to "JUDGE ABRAMSON:"
596	9	Change "MR. ABRAMSON:" to "JUDGE ABRAMSON:" and change "worry" to "sorry"
596	17	Change "fills" to "fails"
597	5	Change "statement, we" to "statement and we"
597	6	Change "MR. ABRAMSON:" to "JUDGE ABRAMSON:"
597	19	Delete "MR. ABRAMSON:"
598	6	Change "MR. ABRAMSON:" to "JUDGE ABRAMSON:"
599	1	Change "MR. ABRAMSON:" to "JUDGE ABRAMSON:"
599	16	Change "MR. ABRAMSON:" to "JUDGE ABRAMSON:"
599	25	Change "MR. FP:" to "MR. POLASKI:"
601	9	Change "what" to "with"
601	16	Change "MR. FP:" to "MR. POLASKI:"

601	18	Delete "ring"
603	1	Change "take" to "took"
603	2	Change "drywall" to "drywell"
603	13	Insert "." after "recall" and change "having" to "Having"
603	16	Change "MR. FP:" to "MR. POLASKI:"
604	9	Change "MR. FP:" to "MR. POLASKI:"
604	12	Change "MR. FP:" to "MR. POLASKI:"
604	13	Change "MR. POLONSKY:" to "CHAIRMAN HAWKENS:"
604	15	Change "MR. FP:" to "MR. POLASKI:"
604	23	Change "636" to "736"
605	4	Change "MR. FP:" to "MR. POLASKI:"
605	17	Change "MR. ABRAMSON:" to "JUDGE ABRAMSON:"
606	4	Change "MR. ABRAMSON:" to "JUDGE ABRAMSON:"
606	6	Change "Ronnie" to "Rudy"
606	12	Change "MR. ABRAMSON:" to "JUDGE ABRAMSON:"
606	21	Change "MR. ABRAMSON:" to "JUDGE ABRAMSON:"
607	6	Change "MR. ABRAMSON:" to "JUDGE ABRAMSON:"
608	14	Change "MR. ABRAMSON:" to "JUDGE ABRAMSON:"

Tuesday, September 25, 2007

Page No.	Line No.	Correction
615	10	Insert "the" after "at"
619	20	Change "it" to "there"
620	25	Change "ACR" to "ACRS"
622	1	Insert "a" between "establish" and "corrosion"
623	21	Change "statistical" to "statistically"

623	25	Change "the mil" to "one mil"
624	10	Change "area" to "error"
627	19	Change "forward that" to "forward at"
629	5	Change "NPY" to "MPY"
634	22	Delete "does it"
642	17	Change "a thin site" to "the thin side"
643	25	Change "Hawkens" to "Hawkins"
645	21	Change "Carbon" to "current"
645	23	Change "taking" to "taken"
650	2	Change "misapprehension is that some of" to "misapprehension. Some of"
650	24	Change "meaningness" to "meaning"
652	25	Change "DR. HARLOW:" to "DR. HAUSLER:"
653	20	Change "project" to "projection"
654	5	Insert "not" between "is" and "something"
655	18	Delete "feature" and insert "future analysis to be" after "the"
656	21	Change "fire" to "finite"
658	19	Change "computer" to "compute"
658	20	Change "inspeculative" to "speculative"
659	8	Change "they" to "there"
660	3	Change "asymmetry" to "any symmetry"
662	8	Change "13.7" to "13, Point 7"
664	4	Change "was" to "were"
667	14	Change "in" to "it"
668	11	Change "valued" to "value"

673	2	Change "variant" to "variate"
673	4	Change "reduce" to "reduced" and "variant" to "variate"
675	7	Change "are" to "of"
676	1	Change "is allowed a not exceed" to "is not allowed to exceed."
677	7	Change "When" to "What"
677	9	Change "SA212" to "SA-212"
677	10	Insert "." after "inclusions" and change "if" to "If"
677	11	Change "material." to "material," and change "You" to "you"
678	4	Change "minimally" to "minimum"
678	6	Change "delamiantions" to "delaminations"
681	24	Change "trend" to "trench"
682	14	Change "that" to "that's"
682	15	Change "with –" to "with concrete,"
682	24	Change "bonding" to "bounding"
683	2	Change "bonding" to "bounding"
683	12	Change "10.3 inches" to "10 feet, 3 inches"
683	16	Delete "11 feet – "
686	19	Delete "in"
687	2	Change "they" to "I"
695	8	Change "seal" to "sealed"
695	15	Change "yews" to "yes"
697	10	Change "and" to "in"
701	22	Change "uncoded, the upper drywell is uncoded" to "uncoated, the upper drywell is uncoated"
701	25	Change "activity" to "cavity"

703	19	Change "file" to "prefilled"
706	22-23	Change "that is now referred to damage in Exhibit 7" to "AmerGen Exhibit 7"
707	20	Delete "A)"
707	21	Change "is" to "Is"
708	10	Change "frequency.," to "frequency,"
708	11	Change "side" to "slide"
708	17	Change "MR. POLONSKY:" to "DR. HAUSLER:"
708	21	Change "MR. HAUSLER:" to "UNIDENTIFIED SPEAKER:"
709	7	Change "MR. POLONSKY:" to "UNIDENTIFIED SPEAKER:"
710	3	Change "created" to "credited"
711	15	Insert "of" between "buckling" and "the"
711	21	Change "when" to "whether"
716	9	Change "it coming." to "some corrosion."
719	13	Change "was" to "were"
722	16	Change "bet" to "be"
725	9	

867	14	Change "NRC staff" to "CHAIRMAN HAWKENS:"
868	3	Change "criterion" to "criteria"
868	6	Change "misunderstand" to "misunderstanding"
868	15	Change "LOCA" to "local"
868	17	Change "LOCA criterion, LOCA" to "local criterion, local"
868	20	Change "center 536 surrounded" to "center of 536 mils surrounded"
868	23	Change "LOCA" to "local"
869	1	Change "Amergen" to "AmerGen"
869	3	Change "LOCA" to "local"
869	6	Change "LOCA" to "local"
869	18	Change "present" to "prevent"
870	22	Change "from the" to "for the"
871	11	Change "contour of" to "contours have"
871	18	Change "behind" to "beyond"
872	13	Change "pressured" to "pressurized"
873	4	Change "profile" to "prefiled"
873	7	Change "goal and every" to "GALL and EPRI"
873	10	Change "Citizens" to "Citizens'"
873	20	Change "profile" to "prefiled"
873	23	Change "entire year. The" to "entire year, which"
873	24	Change "it's" to "as"
874	12	Change "LOCA" to "local"
874	15	Change "LOCA" to "local"
874	16	Change "seven" to "736"