

April 3, 2005

Administrative Judge E. Roy Hawkens, Chair
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Mail Stop: T-3F23
Washington, DC 20555-0001

Administrative Judge Anthony J. Baratta
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Mail Stop: T-3F23
Washington, DC 20555-0001

Administrative Judge Paul B. Abramson
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Mail Stop: T-3F23
Washington, DC 20555-0001

In the Matter of
AMERGEN ENERGY COMPANY, LLC
(License Renewal for Oyster Creek Nuclear Generating Station)
Docket No. 50-219-LR

Dear Administrative Judges:

Pursuant to 10 C.F.R. § 2.1203(a), the staff of the Nuclear Regulatory Commission ("Staff") herein notifies the Licensing Board and the parties that a hearing file has been created for this proceeding. The hearing file includes materials required pursuant to 10 C.F.R. § 2.1203, as well as the Staff's mandatory disclosures produced pursuant to 10 C.F.R. § 2.336(b). Materials in the hearing file may be accessed through the Agencywide Documents Access and Management System ("ADAMS"). An index containing the ADAMS accession number, date, and title or description of each item in the hearing file is appended hereto as Attachment 1. In addition, on or about Monday, April 3, 2006, the hearing file will be made available via the Electronic Hearing Docket ("EHD"), which may be accessed at the following URL: <http://www.nrc.gov/reading-rm/ehd.html>. The hearing file will be contained in a sub-folder entitled, "Oyster Creek Hearing File" in the "Oyster Creek - 50-219" folder of the EHD.

In addition, as required by 10 C.F.R. § 2.336(b)(5), the Staff is producing privilege logs at this time, which are appended hereto as Attachments 2 and 3. The Staff will preserve and maintain all privileged documents during the pendency of this proceeding. Also attached, as required by 10 C.F.R. § 2.336(c), are the Affidavit of Donnie J. Ashley and the Declaration of Frank Gillespie.

The NRC Staff has made a good faith effort to identify and characterize all documents meeting the criteria of 10 C.F.R. § 2.336(b) and 10 C.F.R. § 2.1203 in this proceeding. However, as of today, due to the volume of documents examined by the Staff for possible inclusion in the hearing file, approximately 230 documents are still under review, either to determine whether they meet the regulatory criteria or to confirm that a privilege to withhold applies. The Staff intends to complete its review of these remaining documents promptly and produce any applicable documents as part of the first scheduled Supplemental filing on April 17, 2006.

Another approximately 30 documents are in the administrative process of being re-designated as "publicly available" in the Agencywide Documents Access and Management (ADAMS)

system. The Staff anticipates this process will be completed by the deadline for its first Supplemental filing, at which time these documents will be added to the hearing file as publicly available.

With the two aforementioned exceptions, all relevant materials required to be disclosed pursuant to 10 C.F.R. § 2.336 (b) and (c) in the captioned proceeding have been disclosed.

Finally, pursuant to 10 C.F.R. § 2.1202(b)(2), the Staff hereby notifies the Licensing Board and the parties of its intent to participate in this proceeding as a party. Specifically, the Staff intends to participate as a party with respect to the one admitted contention.

Sincerely,

Ann P. Hodgdon
Counsel for NRC Staff

Enclosures: Hearing File Index
Privilege Log - Deliberative Process
Declaration of Frank Gillespie
Privilege Log - Attorney-Client Communications
Affidavit of Donnie J. Ashley

cc: Service List