

FEDERAL COASTAL ZONE MANAGEMENT ACT FACT SHEET

Federal Coastal Zone Management Act - Federal Consistency Determination

Coastal states have the authority over a broad range of activities that could affect coastal zone resources. In the U.S., coastal areas are managed through the Coastal Zone Management Act of 1972 (CZMA). Federal consistency is the CZMA requirement that federal actions that have reasonably foreseeable effects of any land or water use or natural resource of the coastal zone must be consistent with the enforceable policies of a coastal State's federally approved Coastal Management Program. Federal actions requiring a consistency review include activities not performed by a federal agency, but requiring federal permits, license or other forms of federal approvals, for example Nuclear Regulatory Commission (NRC) licenses (including license renewals or amendments) for nuclear power plants.

The NJDEP's Land Use Regulation Program conducts the Department's Federal Consistency Reviews. More information regarding Federal Consistency Determinations and the New Jersey Coastal Zone Management Program can be obtained through the following website address: <http://www.nj.gov/dep/cmp/>.

Status of PSEG's request for a Federal Consistency Determination for the Hope Creek Nuclear Generating Station Extended Power Uprate (EPU)

PSEG applied to the U.S. NRC for an amendment to its Operating License for the Hope Creek Nuclear Generating Station that would increase the licensed thermal power generated by 15 percent. PSEG's evaluation of the potential impacts of the Hope Creek EPU was that the EPU would not significantly affect the environment.

On April 23, 2007, PSEG submitted a request to the NJDEP for a Federal Consistency Review for the Hope Creek EPU. On July 3, 2007, the NJDEP agreed that the certification for the Hope Creek EPU is consistent with the approved New Jersey Coastal Management Program, while reserving the right to object and request remedial action if the proposal is conducted in a manner, or has an effect on, the proposed coastal zone that is substantially different than originally proposed.