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License Renewal Application for Byron Station, Units 1 and 2; Exelon Generation Company, LLC

Comment On: NRC-2013-0178-0004

License Renewal Application for Byron Station Units 1 and 2; Request for Comment

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General Comment

On behalf of UCS, I submitted FOIA/PA-2015-0082 seeking Final Safety Analysis Report records received after October 1, 2001, by the NRC from all nuclear plant owners, including the Byron licensee. By letter dated January 7, 2015, the NRC administratively closed my request. By email dated December 30, 2014, the NRC staff notified me that the estimated page count for the requested records was 448,000 just from Region IV. That email estimated approximately 4,000 pages per FSAR per reactor with multiple updates per reactor since October 1, 2001 -- accounting for the hundreds of thousands of pages per region.

By withholding this vast quantity of FSAR material from the public, the NRC is significantly impairing our ability to review and comment on licensing request such as this one for Byron. The FSARs describe the safety-related structures, systems, and components at the plant and further describe their role in preventing or mitigating design basis transients and accidents.

NRC regulation 10 CFR 50.59 requires licensees to screen proposed modifications and changes to plant operating procedures to see whether the proposed changes might reduce safety margins approved by the NRC in a significant way. If so, the changes cannot be made until after the NRC reviews and formally approves them. The 10 CFR 50.59 screenings and evaluations rely heavily on information in the FSARs. The FSARs are also extensively used by NRC's reviewers when evaluating licensee requests for licensing actions.

As stated above, by withholding hundreds of thousands of pages of FSARs from the public, the NRC is significantly impairing our ability to participating in licensing proceedings in a meaningful away. The licensees

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and the NRC staff rely heavily on the FSAR information while preparing and reviewing requests for licensing actions, but the NRC's withholding prevents the public from reviewing this information.

The hundreds of thousands of pages of vital information being withheld by the NRC staff is being done so improperly. Entire FSARs, such as the recent updates for Beaver Valley Unit 2 and Watts Bar Unit 2, were made publicly available by the NRC in their entirety. This demonstrates that FSARs do not contain classified, safeguards, or sensitive information that must be withheld from public disclosure.

The NRC should not approve this licensing request at Byron until after the agency makes all the FSAR information for Byron publicly available and gives the public sufficient time to review this information. Failing to do so transforms this licensing process into a mockery of justice.