



CASE NO: 2016-0558
DATE REC'D: 07/01/16
SPECIALIST:
RELATED CASE:

Beyond Nuclear

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June 30, 2016

Chief
Division of Freedom of Information and Publication Services
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, DC 20555
BY EMAIL: foia@nrc.gov

FOIA Request pertaining to communications and analyses of the Exelon's Oyster Creek atomic power station "Request for Extension to Comply with NRC Order EA-2013-109 Modifying Licenses with Regard to Reliable Hardened Containment Vent Capable of Operation Under Severe Accident Conditions" (June 2, 2014) and the NRC decision regarding "Relaxation of the Schedule Requirement for Order" (November 16, 2015)

To Whom It May Concern:

Pursuant to the Freedom of Information Act (FOIA); 5 U.S.C. 552(b), et seq., Beyond Nuclear hereby requests information for the subject matter described as follows. This request covers but is not limited to all draft and final reports, correspondence, memoranda, notes, records of telephone contacts, electronic communications including fax transmissions and Email, or other written records, whether in paper or computer files, preserved via the use of any medium (e.g., paper documents, final notes, or word processors or computer discs, diskettes, hard drives, or network systems.) In addition, this request includes studies, analyses, work papers, internal or external communications of any sort, testimony, press releases, reports, diagrams and drawings, memoranda of the like and photographs in print or digitally format concerning, recording or in any way related to:

- 1) All communications to and from U.S. Nuclear Regulatory Commission (NRC) Office of Nuclear Reactor Regulation (NRR) and the Japan Lessons Directorate (JLD) dated between June 2, 2014 to June 21, 2016 regarding Exelon Generation's June 2, 2014 "Request for Extension to Comply with NRC Order

EA-2013-109 Order Modifying Licenses with Regard to Reliable Hardened Containment Vent Capable of Operation Under Severe Accident Conditions” and the NRC decision regarding “Relaxation of the Schedule Requirement for Order EA-13-109” dated November 16, 2015 for the Oyster Creek nuclear generating station;

- 2) All communications to and from Brett Titus NRC/NRR between June 2, 2014 to date regarding Exelon Generation’s June 2, 2014 “Request for Extension to Comply with NRC Order EA-2013-109 Order Modifying Licenses with Regard to Reliable Hardened Containment Vent Capable of Operation Under Severe Accident Conditions” and the NRC decision regarding “Relaxation of the Schedule Requirement for Order EA-13-109” dated November 16, 2015 for the Oyster Creek nuclear generating station.

Pursuant to this request, please provide all documents and communications prepared or utilized by, in the possession of, or routed through the NRC related to items 1-2.

For any portion of the request that you deem appropriate to deny, Beyond Nuclear requests that you describe the information that is denied, identify the exception to the FOIA on which you rely, and explain how that exception applies to the withheld information.

Pursuant to federal regulations at 10 CFR 9.41, Beyond Nuclear requests that any searching and copying fees incurred as a result of this search be waived, and provides the following information in response to the eight criteria listed in Section 9.41(b):

1) Purpose of request:

The purpose of the request is to gather information on the NRC oversight and enforcement of regulation regarding the operation of nuclear power generating stations and public safety. The requested information is currently not publicly available through the agency’s public document room.

2) Extent to which Beyond Nuclear will extract and analyze the substantive content of the records:

Beyond Nuclear is qualified to make use of the requested information. Its staff has demonstrated the ability to interpret information and communicate that information in a form comprehensible to the general public. Beyond Nuclear is quoted in national and international media and has been cited as a reliable source of information on NRC oversight and enforcement of regulation regarding the operation of nuclear power generating stations and public safety in electronic and print media including the New York Times. Beyond Nuclear is recognized and utilized as a reliable source of information in the broadcast media of television and radio.

Beyond Nuclear has a working relationship with physicists, structural and nuclear engineers, federal policy analysts and other respected professionals who contribute to the full understanding of NRC oversight and enforcement of regulation regarding the operation of nuclear power generating stations and public safety.

3) Nature of the specific activity or research in which the records will be used and Beyond Nuclear qualifications to utilize the information for the intended use in such a way that it will contribute to public understanding:

Beyond Nuclear seeks the requested information solely to contribute to and help shape the public policy debate on NRC oversight and enforcement of public safety requirements at nuclear power stations. Beyond Nuclear intends to use the information in order to advance the concerns for public understanding of NRC oversight and enforcement of regulation regarding the operation of nuclear power generating stations and public safety.

4) Likely impact on the public understanding of the subject as compared to the level of understanding of the subject prior to disclosure:

The public understanding of the issues regarding NRC oversight and enforcement of requirements for the protection of public safety will be enhanced by the contribution of this information.

5) Size and nature of the public to whose understanding a contribution will be made:

Beyond Nuclear has a membership of 15,000 who periodically receive communications from Beyond Nuclear. Beyond Nuclear provides resource material to electronic and print media outlets with very broad outreach to a constituency and the interested public. Additionally, Beyond Nuclear maintains a web site at www.BeyondNuclear.org where postings on this issue will be made available.

6) Means of distribution of the requested information:

Beyond Nuclear will use its publications and media contacts in both electronic and print media outlets to provide very broad outreach to the public on this issue. Beyond Nuclear will also share information with other interested parties concerned about NRC oversight and enforcement of public safety requirements. Additionally, Beyond Nuclear will post information on its web site.

7) Whether free access to information will be provided:

Beyond Nuclear will provide the information without charge to all members of the public. Information from the FOIA requested will be prepared for printed material and electronically posted on the web site for downloading free of charge. Beyond Nuclear will provide a copy of information to all interested public without charge.

8) No commercial interest by Beyond Nuclear or any other party:

Beyond Nuclear has no commercial interest in obtaining the requested information. This information is provided to all public requests without charge. The sole interest of Beyond Nuclear is to promote an open policy debate on the NRC oversight and enforcement of requirements for the protection of public safety.

Sincerely,

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Paul Gunter, Director
Reactor Oversight Project
Beyond Nuclear