



RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

2017-0677

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RESPONSE TYPE INTERIM FINAL

REQUESTER:

Samuel Miranda

DATE:

10/30/2017

DESCRIPTION OF REQUESTED RECORDS:

Visitor logs from 02/01/17-8/31/17 showing Exelon or Westinghouse visitors to the NRC; and any records relating to the Byron and Braidwood plants from 04/12/17-8/31/17, in the offices of Chairman Svinicki and named staff members (including the records identified as responsive to FOIA-2017-0652, which was superseded by this request).

PART I. -- INFORMATION RELEASED

You have the right to seek assistance from the NRC's FOIA Public Liaison. Contact information for the NRC's FOIA Public Liaison is available at <https://www.nrc.gov/reading-rm/foia/contact-foia.html>

- Agency records subject to the request are already available on the Public NRC Website, in Public ADAMS or on microfiche in the NRC Public Document Room.
- Agency records subject to the request are enclosed.
- Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (see comments section) for a disclosure determination and direct response to you.
- We are continuing to process your request.
- See Comments.

PART I.A -- FEES

NO FEES

AMOUNT*

*See Comments for details

- You will be billed by NRC for the amount listed.
- You will receive a refund for the amount listed.
- Fees waived.

- Minimum fee threshold not met.
- Due to our delayed response, you will not be charged fees.

PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE

- We did not locate any agency records responsive to your request. *Note:* Agencies may treat three discrete categories of law enforcement and national security records as not subject to the FOIA ("exclusions"). 5 U.S.C. 552(c). This is a standard notification given to all requesters; it should not be taken to mean that any excluded records do, or do not, exist.
 - We have withheld certain information pursuant to the FOIA exemptions described, and for the reasons stated, in Part II.
 - Because this is an interim response to your request, you may not appeal at this time. We will notify you of your right to appeal any of the responses we have issued in response to your request when we issue our final determination.
- You may appeal this final determination within 90 calendar days of the date of this response by sending a letter or e-mail to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or FOIA.Resource@nrc.gov. Please be sure to include on your letter or email that it is a "FOIA Appeal." You have the right to seek dispute resolution services from the NRC's Public Liaison, or the Office of Government Information Services (OGIS). Contact information for OGIS is available at <https://ogis.archives.gov/about-ogis/contact-information.htm>

PART I.C COMMENTS (Use attached Comments continuation page if required)

Although you originally named Chairman Svinicki and six staff members whose offices were to be searched (Messrs. McCree, Holahan, Scarbrough, West, Case and Dean) you asked that we add one additional staff member, Joel Wiebe, which we agreed to do. We also agreed that, to the extent any of these individuals located email communications related to their participation in the processing of another of your requests, FOIA-2017-0292, such emails could be excluded.

Signature - Freedom of Information Act Officer or Designee

Stephanie A. Blaney

Digitally signed by Stephanie A. Blaney
DN: cn=US, o=U.S. Government, ou=U.S. Nuclear Regulatory Commission, ou=NRC-PIV, cn=Stephanie A. Blaney, 0.9.2342.19200300.100.1.1=200001997
Date: 2017.10.30 14:07:57 -0400



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PART II.A -- APPLICABLE EXEMPTIONS

Records subject to the request are being withheld in their entirety or in part under the FOIA exemption(s) as indicated below (5 U.S.C. 552(b)).

- Exemption 1: The withheld information is properly classified pursuant to an Executive Order protecting national security information.
- Exemption 2: The withheld information relates solely to the internal personnel rules and practices of NRC.
- Exemption 3: The withheld information is specifically exempted from public disclosure by the statute indicated.
 - Sections 141-145 of the Atomic Energy Act, which prohibits the disclosure of Restricted Data or Formerly Restricted Data (42 U.S.C. 2161-2165).
 - Section 147 of the Atomic Energy Act, which prohibits the disclosure of Unclassified Safeguards Information (42 U.S.C. 2167).
 - 41 U.S.C. 4702(b), which prohibits the disclosure of contractor proposals, except when incorporated into the contract between the agency and the submitter of the proposal.
- Exemption 4: The withheld information is a trade secret or confidential commercial or financial information that is being withheld for the reason(s) indicated.
 - The information is considered to be proprietary because it concerns a licensee's or applicant's physical protection or material control and accounting program for special nuclear material pursuant to 10 CFR 2.390(d)(1).
 - The information is considered to be another type of confidential business (proprietary) information.
 - The information was submitted by a foreign source and received in confidence pursuant to 10 CFR 2.390(d)(2).
- Exemption 5: The withheld information consists of interagency or intraagency records that are normally privileged in civil litigation.
 - Deliberative process privilege.
 - Attorney work product privilege.
 - Attorney-client privilege.
- Exemption 6: The withheld information from a personnel, medical, or similar file, is exempted from public disclosure because its disclosure would result in a clearly unwarranted invasion of personal privacy.
- Exemption 7: The withheld information consists of records compiled for law enforcement purposes and is being withheld for the reason(s) indicated.
 - (A) Disclosure could reasonably be expected to interfere with an open enforcement proceeding.
 - (C) Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
 - (D) The information consists of names and other information the disclosure of which could reasonably be expected to reveal identities of confidential sources.
 - (E) Disclosure would reveal techniques and procedures for law enforcement investigations or prosecutions, or guidelines that could reasonably be expected to risk circumvention of the law.
 - (F) Disclosure could reasonably be expected to endanger the life or physical safety of an individual.
- Other

PART II.B -- DENYING OFFICIALS

In accordance with 10 CFR 9.25(g) and 9.25(h) of the U.S. Nuclear Regulatory Commission regulations, the official(s) listed below have made the determination to withhold certain information responsive to your request.

DENYING OFFICIAL	TITLE/OFFICE	RECORDS DENIED	APPELLATE OFFICIAL	
			EDO	SECY
Stephanie A. Blaney	FOIA Officer	third party PII; licensee info; internal	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		deliberations	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

Appeals must be made in writing within 90 calendar days of the date of this response by sending a letter or email to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or FOIA.Resource@nrc.gov. Please be sure to include on your letter or email that it is a "FOIA Appeal."

Records Publicly Available in ADAMS
FOIA-2017-0677

1. ML17074A256 – Summary of March 6, 2017 Closed Meeting with Exelon Generation Company, LLC, on a Future Exemption Request to Please Lead Test Assemblies in the Braidwood Reactor (CAC Nos. MF9276 and ML9277), dated 03/27/2017.
2. ML17137A302 – 05/25/2017 Notice of Meeting with Exelon Generation Company, LLC, dated 05/01/2017.
3. ML17066A050 – 02/01/2017 Summary of Meeting with Samuel Miranda to Discuss November 15, 2016 Petition, dated 03/13/2017.
4. ML17046A596 – 03/06/2017, Forthcoming Closed Meeting with Exelon Generation Company, LLC Re: Byron Station, Unit Nos. 1 and 2, and Braidwood Station, Units 1 and 2 (CAC Nos. MF9276, ML9277, MF9278, and MF9279), dated 02/21/2017.
5. ML17164A051 – Summary of May 25, 2017, Meeting with Exelon Generation Company, LCC, on a Future License Amendment Request to Add Mitigating Actions to Technical Specifications with Two Control Room Ventilation Temperature Control System Trains Operable, dated 06/15/2017.
6. ML17184A009 – Summary of June 29, 2017, Meeting with Exelon Generation Company, LLC, on Proposed Changes to Emergency Plans to Revise Emergency Action Levels (CAC Nos. MF9779-MF9801), dated 07/10/2017.
7. ML17073A067 – Exelon – Issuance of Amendments Revising the Technical Specification Requirements for the In-service Testing Program (CAC Nos. MF8238-MF8256), dated 05/26/2017.
8. ML17166A362 – Request for Voluntary Response to Petition from Barry Quigley Regarding Byron Station, Units Nos. 1 and 2, and Braidwood Station, Units 1 and 2, High Energy Line Break In Main Steam Isolation Valve Room, dated 07/26/2017.
9. ML17108A808 – OEDO-16-00783 – Closure Letter for Samuel Miranda, Citizen, Email Re; 2.206 – Enforcement Petition Regarding Exelon's Byron and Braidwood Stations, dated 06/23/2017.
10. ML17111A527 – Update to Correspondence Addressees and Service Lists, dated 04/20/2017.
11. ML17124A115 – The Northern Trust Company – Notice of Objection to Disbursement from Decommissioning Trusts for Exelon Generation Company, LLC Units (CAC Nos. MF9603-MF9620), dated 05/17/2017.
12. ML17170A013 – Exelon Generation Company, LLC – Proposed Alternative to Eliminate Examination of Threads in Reactor Pressure Vessel Flange (CAC Nos. MF8712-MF8729 and MF9548), dated 06/26/2017.
13. ML17180A530 – Braidwood and Byron – Response to Request for Additional Information Regarding Amendments to Remove Obsolete License and Technical Specification Items, dated 06/29/2017.

14. ML17150A091 – NRC Letter, “Exelon Fleet – Proposed Alternative to use Encoded Phased Array Ultrasonic Examination Techniques (CAC Nos. MF763-MF8782 and MF9395),” dated 06/05/2017.
15. ML17135A029 – 2017/05/10 NRR E-mail Capture – Appointment of Michael Case as PRB Chairperson for Your 2.206 Petition on Byron/Braidwood, dated 05/10/2017.
16. ML17187A191 – Braidwood and Byron – License Amendment Request to Incorporate Changes Supported by TSTF-547, “Clarification of Rod Position Requirements,” dated 06/30/2017.
17. ML17159A629 – Braidwood, Byron, Clinton, Dresden, LaSalle, and Quad Cities – Information Request to Support the NRC Annual Baseline Emergency Action Level and Emergency Plan Changes Inspection (MXG), dated 06/07/2017.
18. ML17108A711 – Braidwood; Byron; Calvert Cliffs; Clinton; Dresden; Limerick; LaSalle; Nine Mile Point; Peach Bottom; Quad Cities; R.E. Ginna; Three Mile Island – Acceptance of Licensee Amendment Request to Adopt TSTF-429, “Clarify Use and Application Rules,” dated 04/19/2017.
19. ML17125A245 – OEDO-17-00104 – Acknowledgement Letter to Barry Quigley, Citizen, E-mail re: 2.206 Petition for Byron and Braidwood Units 1 & 2 High Energy Line Break, dated 07/17/2017.
20. ML17201Q130 – Request for Withholding Information from Public Disclosure for Braidwood Station, Unit 2, and Byron Station, Units 1 and 2 (CAC Nos. MF9018, MF9597, and MF9854), dated 08/07/2017.
21. ML17181A276 – Braidwood and Byron – License Amendment Request to Revise Control Room Ventilation Temperature Control System Technical Specification, dated 06/30/2017.
22. ML17179A285 – 2017/06/28 NRR E-mail Capture – Request for Additional Information Regarding Braidwood and Byron Amendments to Remove Obsolete License and Technical Specification Items, dated 06/28/2017.
23. ML17124A119 – Exelon Generation Co., LLC – Response to NRC Regulatory Issue Summary 2017-03, “Preparation and Scheduling of Operator Licensing Examinations,” dated 05/03/2017.
24. ML17132A177 – LAR for Control Room Cooling at Byron and Braidwood Stations, dated 05/25/2017.
25. ML17207A597 – 2017/07/26 NRR E-Mail Capture – Acceptance Review and Resource Estimate for Braidwood Units 1 and 2, and Byron, Units Nos. 1 and 2, License Amendment Request to Revise Control Room Ventilation Temperature Control System Technical Specifications, dated 07/26/2017.
26. ML17208A550 – 2017/07/27 NRR E-mail Capture – Acceptance Review and Resource Estimate for Braidwood Units 1 and 2, and Byron, Unit Nos 1 and 2,

- License Amendment Request to Incorporate Changes Supported by TSTF-547, "Clarification of Rod Position Requirements," dated 07/27/2017.
27. ML17200C952 – Response to Request for Additional Information for Byron Station and Braidwood Station Post Peening Relief Requests, dated 07/14/2017.
 28. ML17088A703 – Byron Station, Unit Nos. 1 and 2, and Braidwood Station, Units 1 and 2 – Issuance of Amendments to Regarding Request to Delete Obsolete License Conditions and Make Administrative Changes to Technical Specifications (CAC Nos. MF9338-MF9341), dated 07/05/2017.
 29. ML17198C141 – "Tasking in Response to Committee to Review Generic Requirements [CRGR] Report on the U.S. Nuclear Regulatory Commission's Implementation of Backfitting and Issue Finality Requirements", dated 07/17/2017.
 30. ML17174A652 – "CRGR Response to Tasking Related to Implementation of Agency Backfitting and Issue Finality Requirements and Guidance", dated 06/27/2017.
 31. ML17174B161 – "Report of the CRGR on its Assessment of the U.S. Nuclear Regulatory Commission's Implementation of Backfitting and Issue Finality Requirements and Guidance", dated 06/27/2017.
 32. ML17132A177 – Exelon-prepared Slides, "License Amendment Request for Control Room Cooling at Byron and Braidwood Stations", for NRC/Exelon Meeting at NRC Headquarters on 05/25/2017.
 33. ML17200C952 - Exelon Response to Request for Additional Information (RAI) for Byron Station and Braidwood Station Post Peening Relief Requests, dated 07/14/2017, including Attachment 2 [Non-proprietary version of Attachment 1, RAI Response] and Attachment 3 (2.390 Affidavit)
 34. ML17158B419 - Exelon Generation Company, LLC – Advisement of Leadership Changes, dated 06/07/2017.
 35. ML17142A238 – OEDO-17-00280, Briefing Package for Drop-in Visit on June 9, 2017 by Senior Management of Exelon Generation Company, LLC with Chairman Svinicki, Commissioner Baran, and Commissioner Burns, dated 05/25/2017.
 36. ML17073A070 - Request for Publication in Biweekly FR Notice – Notice of Issuance of Amendments to Facility Operating Licenses (CAC Nos. MF8238-MF8256), dated 05/26/2017.
 37. ML17088A705 – Byron Station, Unit Nos. 1 and 2, and Braidwood Station, Units 1 and 2 – Biweekly FR Notice of Issuance of Amendments of Facility Operating Licenses (CAC Nos. MF9338, MF9339, MF9340, and MF9341), dated 07/05/2017.
 38. ML17108A384 – Notice of Consideration of Issuance of Amendments to Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing (CAC Nos. MF9470-MF9490), dated 04/19/2017.
 39. ML17137A388 – Safety Evaluation-Ultrasonic Examination Techniques in Lieu of Radiography-Braidwood Station, Units 1 and 2, Bryon Station, Units 1 and 2. Clinton Power Station, Unit 1, Dresden Nuclear Power Station, dated 05/09/2017.

40. ML17208A292 – Byron Station and Braidwood – Biweekly FR Notice of Consideration of Issuance of Amendments to Facility Operating Licenses Proposed No Sig Hazards Consideration Determination and Opportunity for Hearing (CAC Nos. MF9932, MF9933, MF9934, and MF9935), dated 08/07/2017.
41. ML17138A214 – Email, dated May 12, 2017, transmitting ML17121A049, undated draft of “Exelon UT v RT Safety Evaluation”.
42. ML17121A049 – Undated draft of “Exelon UT v RT Safety Evaluation”.