

Appendix G

Clean Water Act §401 Water Quality Certification

Byron Station Environmental Report

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Michael P. Gallagher
Vice President, License Renewal
Exelon Nuclear
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610 765 5958 Office
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July 2, 2012
Byron Ltr 2012-0071

Mr. Dan Heacock, Facility Evaluation Unit Manager
Illinois Environmental Protection Agency, Bureau of Water
Post Office Box 19276
Springfield, IL 62794-9276

Subject: Application for Clean Water Act Section 401 Certification associated with
Renewal of Byron Generating Station Units 1 & 2 Operating Licenses

Dear Mr. Heacock:

In 2013, Exelon Generation Company (Exelon) plans to file an application with the U.S. Nuclear Regulatory Commission (NRC) for renewal of the Byron Generating Station, Units 1 and 2 operating licenses for 20 additional years beyond the currently licensed terms. No operational changes that would alter discharges or discharge pollutant loads from the Byron units during the extended operating terms would result from license renewal. Also, no construction is being proposed in connection with the license renewals.

In accordance with Section 401 of the federal Clean Water Act, the applicant for a federal license, such as renewed licenses for the Byron units, must provide the licensing agency with a certification by the state where the discharge would originate, indicating that applicable state water quality standards would not be violated as a result of discharges from the licensed facility. Thus, Exelon is filing the enclosed application requesting certification from the Illinois Environmental Protection Agency that renewal of the Byron operating licenses would not violate state water quality standards.

On March 14, 2012, Exelon attended a pre-submittal meeting with you and other IEPA staff. The enclosed application was prepared consistent with input received at the meeting, IEPA regulations in 35 Ill. Adm. Code Part 302, and corresponding IEPA guidance. As instructed, copies of the application are being submitted in parallel to the Illinois Department of Natural Resources (IDNR) and the U.S. Army Corps of Engineers.

If there are questions, please feel free to contact either John Petro at (630) 657-3209 or Nancy Ranek at (610) 765-5369.

Respectfully,

A handwritten signature in black ink that reads "Michael P. Gallagher".

Michael P. Gallagher
Vice President, License Renewal Projects
Exelon Generation Company, LLC

Illinois Environmental Protection Agency, Bureau of Water
July 2, 2012
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Enclosure

cc: Illinois Department of Natural Resources (IDNR) (enclosure w/ attachments)
U.S. Army Corps of Engineers (enclosure w/ attachments)
Illinois Emergency Management Agency - Division of Nuclear Safety (enclosure w/ attachments)
Illinois Emergency Management Agency (Byron Representative) (enclosure w/ attachments)



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, ROCK ISLAND DISTRICT
PO BOX 2004 CLOCK TOWER BUILDING
ROCK ISLAND, ILLINOIS 61204-2004

*Rec'd 10/8/2012
PR*

REPLY TO
ATTENTION OF

October 2, 2012

Operations Division

SUBJECT: Request for Letter of No Objection for Renewal of Section 401 Water Quality Certification for Byron Generating Station Units 1 and 2 Operating Licenses located in Byron, Ogle County, Illinois.

Nancy L. Ranek
License Renewal Environmental Lead
Exelon Generation, LLC
200 Exelon Way, KSA/2-E
Kennett Square, PA 19348

Dear Ms. Ranek:

This is in response to your July 3, 2012 request that the U.S. Army Corps of Engineers issue a letter of no objection to the above referenced activity.

Following a review of the information you furnished to this office and assuming your project is conducted only as set forth in the information provided, this office has determined that the subject project does not require a Department of the Army (DA) permit to complete the proposed renewal action. It is our understanding the Exelon is coordinating the renewal of their Section 401 Water Quality Certification for Byron Generating Station Units 1 and 2 Operating Licenses located in Byron, Ogle County, Illinois, and there is no actual project or proposed work associated with this request. Specifically, there is not work of activities in, over, or under a navigable waterway that affect the course, condition, capacity or location of navigation regulated pursuant to Section 10 of the Rivers and Harbors Act of 1899. In addition, there is no discharge of dredged or fill material into waters of the U.S., including wetlands, regulated pursuant to Section 404 of the Federal Water Pollution Control Act of 1972 (Clean Water Act). Please be aware that any unpermitted discharge into an area within the jurisdiction of this office may result in civil or criminal enforcement under the Clean Water Act, 33 U.S.C. Sec. 1319.

This determination is valid for a period of 5 years from the date of this letter and covers only your proposal to renew your Section 401 Water Quality Certification for Byron Generating Station Units 1 and 2 Operating Licenses located in Byron, Ogle county, Illinois.

Should you have any questions, please contact our Regulatory Branch by letter, or telephone me at 309/794-5369.

Sincerely,

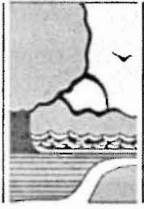
A handwritten signature in black ink that reads "Jeff Sniadach".

Jeffrey W. Sniadach
Project Manager
Enforcement Section

-2-

Copy Furnished:

Mr. Dan Heacock
Illinois Environmental Protection Agency
Watershed Management Section, Permit Sec. 15
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
Epa.401.bow@illinois.gov (email copy)



**Illinois Department of
Natural Resources**

One Natural Resources Way Springfield, Illinois 62702-1271
<http://dnr.state.il.us>

Pat Quinn, Governor
Marc Miller, Acting Director

July 10, 2012

SUBJECT: Application for Permit # 20125045
Byron Generating Station
Units 1 & 2 Operating Licenses
Rock River, Ogle County

Mr. Michael P. Gallagher
Vice President, License Renewal Projects
200 Exelon Way
Kennett Square, PA 19348

Dear Mr. Gallagher:

Thank you for the July 5, 2012 submittal of the subject application for an Illinois Department of Natural Resources/Office of Water Resources (IDNR/OWR) permit. The submittal informs us of your plans to file an application with the U.S. Nuclear Regulatory Commission for renewal of the operating license for the Byron Generating Station, Units 1 and 2.

Given that no construction will occur which requires review under our Part 3700 Floodway Construction nor our Part 3704 Public Water rules, we have determined that an IDNR/OWR permit is not required.

For your information, continued operation of the site is subject to all conditions of IDNR/OWR Permit No. 15001, issued April 7, 1977 to Commonwealth Edison, your predecessor at the generating site.

Please feel free to contact me at 217/524-1047 if you have any questions.

Sincerely,

Mark McCauley
Senior Permit Engineer

MLM:crw
cc: John R. Petro
Byron Generating Station