

June 23, 2000

Ms. Patricia Borchmann
176 Walker Way
Vista, CA 92083

SUBJECT: REPLY TO JUNE 7, 2000, LETTER TO THE NRC'S OFFICE OF THE
SECRETARY

Dear Ms. Borchmann:

I am responding to your letter dated June 7, 2000, to the Nuclear Regulatory Commission's (NRC's) Office of the Secretary relating to San Onofre Nuclear Generating Station (SONGS). In the enclosure to your June 7, 2000 letter, you stated that the "NRC previously granted a nine (9) year extension [of their operating license] without public notice or public hearing" and you expressed your opposition to any future application for extending the operating license for SONGS. Specifically, you also stated that the "Commission be compelled to provide advance public notice, conduct public hearing(s), and solicit public comments."

The regulations at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 54 govern the issuance of renewed operating licenses for nuclear power plants. Specifically, 10 CFR 54.27, Hearings, specifies that:

A notice of an opportunity for a hearing will be published in the Federal Register in accordance with 10 CFR 2.105. In the absence of a request for a hearing filed within 30 days by a person whose interest may be affected, the Commission may issue a renewed operating license without a hearing upon 30-day notice and publication once in the Federal Register of its intent to do so.

Contrary to your statement that the "NRC previously granted a nine (9) year extension without public notice or public hearing," pursuant to 10 CFR 50.91, the staff published in the *Federal Register* its notice of the proposed no significant hazards determination (64 FR 73098) and provided the public 30 days for comments and an opportunity for hearing. The amendments were not issued until 70 days after the *Federal Register* notice (i.e., a total of 70 days for comments).

We hope that this has been responsive to your comments. Should you have any questions or comments regarding these matters, please call me toll-free at 1-800-368-5642.

Sincerely,

/RA/

Stephen Dembek, Chief, Section 2
Project Directorate IV & Decommissioning
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

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