



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-8064

~~SAFEGUARDS INFORMATION~~

May 1, 2002

EA No. 02-052

Dwight E. Nunn, Vice President
Southern California Edison Co.
San Onofre Nuclear Generating Station
P.O. Box 128
San Clemente, California 92674-0128

SUBJECT: RESPONSE TO LETTER DATED FEBRUARY 15, 2002, DENYING TWO
NONCITED VIOLATIONS IN NRC INSPECTION REPORT 50-361;-362/01-19

Dear Mr. Nunn:

This is in response to your letter dated February 15, 2002, in which you denied two violations of NRC requirements documented as noncited violations (NCVs) in NRC Inspection Report 50-361/01-19 and 50-362/01-19, dated December 20, 2001.

The first noncited violation involved decreasing the effectiveness of your safeguards contingency and training and qualifications plans in violation of 10 CFR 50.54(p). Specifically, in Revision 24 to the Safeguards Contingency Plan, dated August 29, 2000, and Revision 22 to the Training and Qualifications Plan, dated September 29, 2000, you removed the requirements to maintain batons (and provide baton training to security officers), without substituting equivalent equipment and training to support this functional requirement. In your February 15, 2002, response letter, following your assessment of this noncited violation, you concluded that changes made to your Safeguards Contingency and Training and Qualifications Plans had not reduced the effectiveness of your previously approved plans and satisfied the requirements of 10 CFR 50.54(p) and Generic Letter 95-08, "10 CFR 50.54(p) Process for Changes to Security Plans Without Prior NRC Approval." For these reasons, you determined that the violation did not occur. After careful review and consideration of your position, we reaffirmed that the elimination of batons from your plans reduced the effectiveness of these plans in violation of 10 CFR 50.54(p). The basis for our conclusion is discussed in Enclosure 1 to this letter.

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~~ENCLOSURES CONTAIN
SAFEGUARDS INFORMATION—
UPON SEPARATION THIS
PAGE IS DECONTROLLED—~~

The second noncited violation involved providing inaccurate information to the NRC in violation of the requirements of 10 CFR 50.9. Specifically, your October 17, 2000, "white paper" stated that the local law enforcement agency (LLEA) was better equipped/trained to handle public disturbances at your site. Based on a subsequent NRC inspection and investigation, the NRC determined that prior to October 17, 2000 (date of the "white paper"), you did not have a recent written agreement with your LLEA to this effect. After careful review and consideration of the information previously provided, we reaffirmed that this violation occurred as previously stated. The basis for our conclusion is documented in Enclosure 2.

The material enclosed herewith, contains Safeguards information as defined by 10 CFR 73.21 and its disclosure to unauthorized individuals is prohibited by Section 147 of the Atomic Energy Act of 1954, as amended. Therefore, the enclosures will not be placed in the Public Document Room.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Should you have any questions concerning this letter, we will be pleased to discuss them with you.

Sincerely,

/RA/

Arthur T. Howell III, Director
Division of Reactor Safety

Dockets: 50-361; 50-362
Licenses: NPF-10; NPF-15

Enclosures:

1. Noncited Violation No. 1 - Decrease in Effectiveness of Security Plans
2. Noncited Violation No. 2 - Inaccurate Information Provided to the NRC

cc **WITHOUT safeguards enclosures:**

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