

October 3, 2006

Mr. Richard M. Rosenblum
Senior Vice President and Chief Nuclear Officer
Southern California Edison Company
San Onofre Nuclear Generating Station
P.O. Box 128
San Clemente, CA 92674-0128

SUBJECT: SAN ONOFRE NUCLEAR GENERATING STATION, UNITS 2 AND 3 -
ISSUANCE OF AMENDMENTS RE: ELIMINATION OF LICENSE
CONDITION 2.G REQUIRING REPORTING OF VIOLATIONS OF
SECTION 2.C OF OPERATING LICENSES (TAC NOS. MD1221 AND MD1222)

Dear Mr. Rosenblum:

The Commission has issued the enclosed Amendment No. 205 to Facility Operating License No. NPF-10 and Amendment No. 197 to Facility Operating License No. NPF-15 for San Onofre Nuclear Generating Station, Units 2 and 3, respectively. The amendments consist of changes to the Facility Operating Licenses in response to your application dated April 17, 2006.

The amendments eliminate License Condition 2.G requiring reporting of violations of the requirements listed in Sections 2.C(1), 2.C(3), and 2.F of the Facility Operating Licenses.

A copy of our related Safety Evaluation is also enclosed. The Notice of Issuance will be included in the Commission's next biweekly *Federal Register* notice.

Sincerely,

/RA/

N. Kalyanam, Project Manager
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-361 and 50-362

Enclosures: 1. Amendment No. 205 to NPF-10
2. Amendment No. 197 to NPF-15
3. Safety Evaluation

cc w/encls: See next page

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DATE	5/23/06	5/23/06	6/1/06	10/2/06

SOUTHERN CALIFORNIA EDISON COMPANY

SAN DIEGO GAS AND ELECTRIC COMPANY

THE CITY OF RIVERSIDE, CALIFORNIA

THE CITY OF ANAHEIM, CALIFORNIA

DOCKET NO. 50-361

SAN ONOFRE NUCLEAR GENERATING STATION, UNIT 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 205
License No. NPF-10

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Southern California Edison Company, et al. (SCE or the licensee) dated April 17, 2006, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the Facility Operating License is amended as indicated in the attachment to this amendment.
3. This license amendment is effective as of the date of its issuance and shall be implemented within 60 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

David Terao, Chief
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment: Change to the Facility
Operating License No. NPF-10

Date of Issuance: October 3, 2006

ATTACHMENT TO LICENSE AMENDMENT NO. 205

FACILITY OPERATING LICENSE NO. NPF-10

DOCKET NO. 50-361

Replace the following pages of the Facility Operating License with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

REMOVE

- 3 -
- 8 -

INSERT

- 3 -
- 8 -

SOUTHERN CALIFORNIA EDISON COMPANY

SAN DIEGO GAS AND ELECTRIC COMPANY

THE CITY OF RIVERSIDE, CALIFORNIA

THE CITY OF ANAHEIM, CALIFORNIA

DOCKET NO. 50-362

SAN ONOFRE NUCLEAR GENERATING STATION, UNIT 3

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 197
License No. NPF-15

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Southern California Edison Company, et al. (SCE or the licensee) dated April 17, 2006, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the Facility Operating License is amended as indicated in the attachment to this license amendment.
3. This license amendment is effective as of the date of its issuance and shall be implemented within 60 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

David Terao, Chief
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment: Changes to the Facility
Operating License No. NPF-15

Date of Issuance: October 3, 2006

ATTACHMENT TO LICENSE AMENDMENT NO. 197

FACILITY OPERATING LICENSE NO. NPF-15

DOCKET NO. 50-362

Replace the following pages of the Facility Operating License with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

REMOVE

- 3 -
- 7 -

INSERT

- 3 -
- 7 -

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 205 TO FACILITY OPERATING LICENSE NO. NPF-10
AND AMENDMENT NO. 197 TO FACILITY OPERATING LICENSE NO. NPF-15
SOUTHERN CALIFORNIA EDISON COMPANY
SAN DIEGO GAS AND ELECTRIC COMPANY
THE CITY OF RIVERSIDE, CALIFORNIA
THE CITY OF ANAHEIM, CALIFORNIA
SAN ONOFRE NUCLEAR GENERATING STATION, UNITS 2 AND 3
DOCKET NOS. 50-361 AND 50-362

1.0 INTRODUCTION

By application dated April 17, 2006 (Agencywide Documents Access and Management System Accession No. ML061100139), Southern California Edison Company (the licensee) requested changes to the Facility Operating Licenses for San Onofre Nuclear Generating Station, Units 2 and 3.

The proposed amendments would delete Section 2.G of the Facility Operating Licenses, which require reporting of violations of the requirements in Sections 2.C(1), 2.C(3), and 2.F of the Facility Operating Licenses.

2.0 REGULATORY EVALUATION

A section or condition was included in the facility operating licenses issued to some nuclear power plants requiring the licensee to make reports to the Nuclear Regulatory Commission (NRC) regarding violations of other sections of the operating license (typically Section 2.C). A typical license condition reads as follows:

Except as otherwise provided in this license and its appendices, the licensee shall report any violations of the requirements contained in Section 2.C of this license in the following manner: initial notification shall be made within 24 hours to the NRC Operations Center via the Emergency Notification System with written followup within thirty days in accordance with the procedures described in 10 CFR 50.73 [Section 50.73 of Title 10 of the *Code of Federal Regulations*] (Licensee event report system).

In addition to the information provided to support licensing decisions, the NRC obtains information about plant operation, licensee programs, and other matters using a combination of inspections and reporting requirements. Routine or scheduled reports that are required to be submitted to the NRC are defined in the related regulations, specific license condition, technical specification, or an NRC-approved program document. The reporting of emergencies, unplanned events or conditions, and other special cases may also be addressed within such documents by the inclusion of reporting thresholds and are also the focus of the reporting requirements in 10 CFR 50.72, "Immediate notification requirements for operating nuclear power reactors," and 10 CFR 50.73, "Licensee event report system." Changes to the reporting regulations in 10 CFR 50.72 and 50.73 became effective in January 2001 (see *Federal Register* notice on October 25, 2000 (65 FR 63769) and included extending the allowable reporting times for licensee event reports (LERs) from 30 days to 60 days.

3.0 TECHNICAL EVALUATION

Section 2.G of the Facility Operating Licenses requires the licensee to report any violations of the requirements of Sections 2.C(1), 2.C(3), and 2.F of the Facility Operating Licenses and define the method and allowable time periods for such reports. The reporting threshold (i.e., a violation) for some of the conditions included in Sections 2.C(1), 2.C(3), and 2.F of the Facility Operating Licenses duplicate those defined in 10 CFR 50.72 and 10 CFR 50.73. However, the requirements in the Facility Operating Licenses may have different deadlines than those defined in the regulations (following a rule change in 2001). This difference in reporting requirements has led to variations in reporting since many facility operating licenses do not contain the subject condition. For those licensees with a 30-day reporting requirement in the Facility Operating License, the condition has decreased the benefits of the rulemaking. For those cases where the current Facility Operating License requirement to report violations is also reportable in accordance with the regulations defined in 10 CFR 50.72 and 10 CFR 50.73, the NRC staff finds that the regulations adequately address this issue and the elimination of the duplicative requirement in the Facility Operating License is acceptable.

Some of the conditions addressed in Sections 2.C(1), 2.C(3), and 2.F of the Facility Operating Licenses may address the maintenance of particular programs, administrative requirements, or other matters where a violation of the requirement would not result in a report to the NRC in accordance with 10 CFR 50.72 or 10 CFR 50.73. In most cases, there are requirements for reports to the NRC related to these conditions in other regulations, the specific license condition or technical specification, or an NRC-approved program document. In other cases, there are reports to other agencies or news releases that would prompt a report to the NRC (in accordance with 10 CFR 50.72(b)(2)(xi)). The NRC staff also assessed violations of administrative requirements that could be reportable under the current License Condition but that may not have a duplicative requirement in a regulation or other regulatory requirement. The NRC staff finds that the requirements to report such problems within 24 hours with written reports to follow using the LER process are not needed. The NRC staff is confident that the information related to such violations that is actually important to the NRC's regulatory functions would come to light in a time frame comparable to the 60-day LER requirements. The information would become available to the appropriate NRC staff through the inspection program, updates to program documents, resultant licensing actions, public announcements, or some other reliable mechanism.

The NRC staff finds that the elimination of Section 2.G of the Facility Operating Licenses will

not result in a loss of information to the NRC that would adversely affect either its goal to protect public health and safety or its ability to carry out its various other regulatory responsibilities.

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the California State official was notified of the proposed issuance of the amendment. The State official had no comments.

5.0 ENVIRONMENTAL CONSIDERATION

The amendments relate to changes in recordkeeping, reporting, or administrative procedures or requirements. The Commission has previously issued a proposed finding that the amendments involve no significant hazards consideration, and there has been no public comment on such finding (71 FR 27003; published May 9, 2006). Accordingly, the amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: N. Kalyanam

Date: October 3, 2006

San Onofre Nuclear Generating Station
Units 2 and 3

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March 2006

San Onofre Nuclear Generating Station
Units 2 and 3

- 2-

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March 2006