

June 7, 2007

U.S. Nuclear Regulatory Commission
Document Control Desk
Washington, DC 20555

Subject: **Docket Nos. 50-361 and 50-362**
Change of NPDES Permits
San Onofre Nuclear Generating Station Units 2 and 3

Reference: Letter from John H. Robertus, San Diego Regional Water Quality Control Board, to H. W. Newton, Southern California Edison, dated May 31, 2007

Dear Sir or Madam:

The referenced letter notified Southern California Edison (SCE) that on May 31, 2007, the California Regional Water Quality Control Board, San Diego Region, rescinded Special Provision 1.a.ii of Orders R9-2005-0005 and R9-2005-0006. That action was in response to a request from SCE that the subject provision in the National Pollutant Discharge Elimination System (NPDES) Permits CA0108073 (Order R9-2005-0005) and CA0108181 (Order R9-2005-0006) for San Onofre Nuclear Generating Station Units 2 and 3, respectively, be rescinded.

The Special Provision 1.a.ii implemented the U.S. Environmental Protection Agency (USEPA) Phase II rule. Rescinding that Special Provision is consistent with direction provided in a memorandum from the USEPA dated March 20, 2007 that states the Phase II rule should be considered suspended.

In accordance with Appendix B of the Units 2 and 3 Facility Operating Licenses, Section 3.2, Environmental Protection Plan, enclosed is a copy of the referenced letter.

If you have any questions, please contact me or Clay Williams at (949) 368-6707.

Sincerely,



Enclosure As Stated

cc: B. S. Mallett, NRC Regional Administrator, Region IV
N. Kalyanam, NRC Project Manager, SONGS Units 2 and 3
C. C. Osterholtz, NRC Senior Resident Inspector, SONGS Units 2 and 3
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Linda G. Adams
Secretary for
Environmental Protection

California Regional Water Quality Control Board

San Diego Region



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Governor

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May 31, 2007

In reply refer to:
CRNU:13-087.02:ccheng

H.W. Newton
Manager, Site Support Staff
Southern California Edison
P.O. Box 128
San Clemente, CA 92674-0128

Dear Mr. Newton:

SUBJECT: Special Provision 1.a.ii of Order Nos. R9-2005-005 and R9-2005-006

By letter dated March 23, 2007, Southern California Edison (SCE) requested that the Regional Water Quality Control Board rescind the subject provision in the NPDES permits for SONGS Units 2 and 3. This provision requires SCE to submit a Comprehensive Demonstration Study to characterize impingement mortality and entrainment, to describe the operation of the SONGS Unit 2 cooling water intake structure and to confirm that the technologies, operational measures, and/or restoration measure selected and installed, or planned for installation, will meet the applicable requirements of 40 CFR 125.94.

As noted in your letter, U.S. Environmental Protection Agency (USEPA) has distributed a Memorandum dated March 20, 2007 that states the Phase II rule should be considered suspended. In accordance with this Memorandum, the Regional Board considers Special Provision 1.a.ii suspended until such time that further direction is provided by either USEPA or the State Water Resources Control Board.

If you have any questions, please contact Mr. Charles Cheng at (858) 627-3930.

Respectfully,

JOHN H. ROBERTUS
Executive Officer

JHR:mpm:rwm

cc: Patti Krebs, Executive Director
Industrial Environmental Association
701 B Steet, Suite 1040
San Diego, CA 92101

California Environmental Protection Agency