

March 16, 2009

U.S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, DC 20555-0001

Subject: **Docket Nos. 50-361 and 50-362  
SCE Response to NRC Questions Regarding SCE Request for  
Temporary Exemption from the Provisions of 10 CFR 50.46 and  
10 CFR 50, Appendix K for Lead Fuel Assemblies, and Proposed  
Change Number (PCN)-589, Amendment Application Numbers 254  
and 240, respectively for Units 2 and 3 Request to Revise Technical  
Specification 5.7.1.5, "Core Operating Limits Report (COLR)"  
San Onofre Nuclear Generating Station, Units 2 and 3**

Reference: Letter from SCE (M. Short) to NRC (Document Control Desk) dated  
January 30, 2009 "Docket Nos. 50-361 and 50-362 Request for  
Temporary Exemption from the Provisions of 10 CFR 50.46 and  
10 CFR 50, Appendix K for Lead Fuel Assemblies, and Proposed Change  
Number (PCN)-589, Amendment Application Numbers 254 and 240,  
respectively for Units 2 and 3 Request to Revise Technical Specification  
5.7.1.5, "Core Operating Limits Report (COLR)", San Onofre Nuclear  
Generating Station, Units 2 and 3

Dear Sir or Madam:

This letter responds to two Nuclear Regulatory Commission (NRC) questions that have  
been raised regarding the reference submittal. The Southern California Edison (SCE)  
response is provided after each question in the attachment to this letter.

There are no new commitments contained in this letter.

Should you have any further questions, or require additional information, please contact Ms. Linda Conklin at (949) 368-9443.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 3/16/09  
(Date)

Sincerely,

A handwritten signature in black ink, appearing to read "A. E. Collins", is centered below the "Sincerely," text.

Enclosure: As Stated

cc: E. E. Collins, Regional Administrator, NRC Region IV  
N. Kalyanam, NRC Project Manager, San Onofre Units 2 and 3  
G. G. Warnick, NRC Senior Resident Inspector, San Onofre Units 2 and 3  
S. Y. Hsu, California Department of Public Health, Radiologic Health Branch

## **Enclosure**

**Response to NRC Questions Regarding SCE Request for  
Temporary Exemption from the Provisions of 10 CFR 50.46  
and 10 CFR 50, Appendix K for Lead Fuel Assemblies, and  
Proposed Change Number (PCN)-589**

**NRC Question 1. While the LA might be eligible for Categorical Exclusion, there is no allowance for an Exemption to be categorically excluded. The application does not contain any environmental assessment for the Exemption request.**

SCE Response:

This response is provided as the "Environmental Assessment" in support of the referenced temporary exemption request.

### ENVIRONMENTAL ASSESSMENT

As discussed in Enclosure 1 of the referenced letter requesting a Temporary Exemption and a Proposed License Amendment, the Lead Fuel Assemblies (LFAs) will be operated in non-limiting core locations and all fuel design limits will be maintained. In addition, the LFAs will be operated within the current SCE fuel burnup limit. Therefore, there will be no increase in the core activity inventory associated with the temporary exemption.

The M5 alloy cladding is expected to be more resistant to grid-to-rod fretting, so fuel performance is expected to be the same as, or better than, current fuel. Therefore, there will be no increase in the activity released from the core to the reactor coolant system. The NRC has reviewed and approved (Reference 2 of the referenced letter) the M5 alloy cladding properties in topical report BAW-10227P-A (Reference 1 of the referenced letter).

Based on the preceding, SCE has determined that operation with the requested temporary exemption from 10 CFR 50.46 and 10 CFR 50, Appendix K for LFAs does not result in any significant change in the types, or significant increases in the amounts, of any effluents that may be released offsite, and there is no significant increase in individual or cumulative occupational radiation exposure.

**NRC Question 2. Regarding the LA: Enclosure 3 of the application provides a description of the no significant hazards consideration, which satisfies criterion (i) of 10 CFR 51.22(c)(9) for categorical exclusion for a LA. However, there is no discussion in the application regarding criteria (ii) and (iii) of 10 CFR 51.22(c)(9), which are:**

- (ii) There is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite; and**
- (iii) There is no significant increase in individual or cumulative occupational radiation exposure.**

Therefore, the statement made on page 6 of 7 that "the proposed change meets the eligibility criteria for set forth in 10 CFR Part 51.22(c)(9), and pursuant to 10 CFR Part 51.22(b), no environmental assessment need be prepared," is not completely supported in the application. Please address in the supplement to address (ii) and (iii).

**(As an example, please see the Section 6.0, "Environmental Consideration" on Page 38 of 40 of your application for PCN-583, "Replacement of Steam Generators")**

SCE Response:

This response is provided to more completely support the referenced amendment request by addressing all three criteria of 10 CFR 51.22(c)(9). This does not affect the results of the previously submitted "No Significant Hazards Consideration."

As described in Enclosure 3 of the referenced letter, the proposed amendment would change a requirement to allow use of CASMO-4 for the physics modeling of the reactor core, located within the restricted area, as defined in 10 CFR 20. However, the proposed amendment to add CASMO-4 to the COLR references does not involve:

- (i) a significant hazards consideration,
- (ii) a significant change in the types or significant increase in the amounts of any effluent that may be released offsite, or
- (iii) a significant increase in individual or cumulative occupational radiation exposure.

Accordingly, the proposed amendments meet the categorical exclusion as set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b), no environmental impact statement, or environmental assessment need be prepared in connection with the proposed amendment.