



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

October 20, 2009

Mr. Ross T. Ridenoure
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: ADOPTION OF TSTF-511, REVISION 0,
"ELIMINATE WORKING HOUR RESTRICTIONS FROM TS 5.2.2 TO SUPPORT
COMPLIANCE WITH 10 CFR PART 26" (TAC NOS. ME1558 AND ME1559)

Dear Mr. Ridenoure:

The U.S. Nuclear Regulatory Commission (NRC) has issued the enclosed Amendment No. 221 to Facility Operating License No. NPF-10 and Amendment No. 214 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 Technical Specifications (TSs) in response to your application dated June 10, 2009.

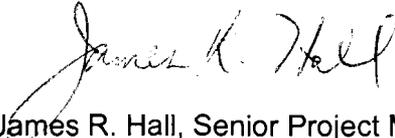
The amendments revise TS 5.2.2, "Unit Staff," to eliminate working hour restrictions in paragraph e to support compliance with the revisions to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 26, "Fitness for Duty Programs," that became effective on March 31, 2008. The changes are consistent with guidance contained in the NRC-approved Technical Specifications Task Force (TSTF) change traveler, TSTF-511, Revision 0, "Eliminate Working Hour Restrictions from TS 5.2.2 to Support Compliance with 10 CFR Part 26." The availability of this improvement was announced in the *Federal Register* on December 30, 2008 (73 FR 79923), as part of the consolidated line item improvement process.

R. Ridenoure

- 2 -

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,

A handwritten signature in black ink that reads "James R. Hall". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

James R. Hall, Senior 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. 221 to NPF-10
2. Amendment No. 214 to NPF-15
3. Safety Evaluation

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

SOUTHERN CALIFORNIA EDISON COMPANY

SAN DIEGO GAS AND ELECTRIC COMPANY

THE CITY OF RIVERSIDE, CALIFORNIA

DOCKET NO. 50-361

SAN ONOFRE NUCLEAR GENERATING STATION, UNIT 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 221
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 June 10, 2009, 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.

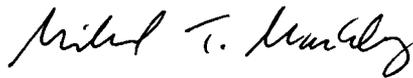
2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and Paragraph 2.C(2) of Facility Operating License No. NPF-10 is hereby amended to read as follows:

- (2) Technical Specifications

The Technical Specifications contained in Appendix A and the Environmental Protection Plan contained in Appendix B, as revised through Amendment No. 221, are hereby incorporated in the license. Southern California Edison Company shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. This license amendment is effective as of the date of its issuance and shall be implemented within 60 days of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Michael T. Markley, Chief
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Facility
Operating License No. NPF-10
and Technical Specifications

Date of Issuance: October 20, 2009

ATTACHMENT TO LICENSE AMENDMENT NO. 221

FACILITY OPERATING LICENSE NO. NPF-10

DOCKET NO. 50-361

Replace the following pages of the Facility Operating License No. NPF-10 and Appendix A Technical Specifications with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Facility Operating License

REMOVE

INSERT

3

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Technical Specifications

REMOVE

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5.0-3

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5.0-4

- (3) SCE, pursuant to the Act and 10 CFR Part 70, to receive, possess, and use at any time special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, as described in the Final Safety Analysis Report, as supplemented and amended;
 - (4) SCE, pursuant to the Act and 10 CFR Parts 30, 40, and 70, to receive, possess, and use at any time any byproduct, source and special nuclear material as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required;
 - (5) SCE, pursuant to the Act and 10 CFR Parts 30, 40, and 70, to receive, possess, and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components; and
 - (6) SCE, pursuant to the Act and 10 CFR Parts 30, 40, and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of San Onofre Nuclear Generating Station, Units 1 and 2 and by the decommissioning of San Onofre Nuclear Generating Station Unit 1.
- C. This license shall be deemed to contain and is subject to the conditions specified in the Commission's regulations set forth in 10 CFR Chapter I and is subject to all applicable provisions of the Act and to the rules, regulations and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:
- (1) Maximum Power Level
Southern California Edison Company (SCE) is authorized to operate the facility at reactor core power levels not in excess of full power (3438 megawatts thermal).
 - (2) Technical Specifications
The Technical Specifications contained in Appendix A and the Environmental Protection Plan contained in Appendix B, as revised through Amendment No. 221, are hereby incorporated in the license. Southern California Edison Company shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

5.2 Organization (continued)

5.2.2 UNIT STAFF

The unit staff organization shall include the following:

- a. A non-Licensed Operator shall be assigned to each reactor containing fuel and an additional non-Licensed Operator shall be assigned for each unit when a reactor is operating in MODES 1, 2, 3, or 4.

With both units shutdown or defueled, a total of three non-Licensed operators are required for the two units.
- b. At least one licensed Reactor Operator (RO) shall be in the Control Room when fuel is in the reactor. In addition, while the unit is in MODE 1, 2, 3 or 4, at least one licensed Senior Reactor Operator (SRO) shall be in the Control Room Area.
- c. Shift crew composition may be less than the minimum requirement of 10 CFR 50.54(m)(2)(i) and 5.2.2.a for a period of time not to exceed 2 hours in order to accommodate unexpected absence of on-duty shift crew members provided immediate action is taken to restore the shift crew composition to within the minimum requirements.
- d. A radiation protection technician shall be on site when fuel is in the reactor. The position may be vacant for not more than 2 hours, in order to provide for unexpected absence, provided immediate action is taken to fill the required position.
- e. Deleted
- f. The Manager, Plant Operations (at time of appointment), Shift Managers, and Control Room Supervisors shall hold a Senior Reactor Operator's license.
- g. The Shift Technical Advisor (STA) shall provide advisory technical support to the Shift Manager in the areas of thermal hydraulics, reactor engineering, and plant analysis with regard to the safe operation of the unit. The STA shall have a Bachelor's Degree or equivalent in a scientific or engineering discipline with specific training in plant design and in the response and analysis of the plant for transients and accidents.

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5.2 Organization (continued)

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WASHINGTON, D.C. 20555-0001

SOUTHERN CALIFORNIA EDISON COMPANY

SAN DIEGO GAS AND ELECTRIC COMPANY

THE CITY OF RIVERSIDE, CALIFORNIA

DOCKET NO. 50-362

SAN ONOFRE NUCLEAR GENERATING STATION, UNIT 3

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 214
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 June 10, 2009, 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.

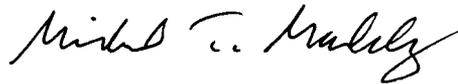
2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and Paragraph 2.C(2) of Facility Operating License No. NPF-15 is hereby amended to read as follows:

- (2) Technical Specifications

The Technical Specifications contained in Appendix A and the Environmental Protection Plan contained in Appendix B, as revised through Amendment No. 214, are hereby incorporated in the license. Southern California Edison Company shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. This license amendment is effective as of the date of its issuance and shall be implemented within 60 days of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Michael T. Markley, 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
and Technical Specifications

Date of Issuance: October 20, 2009

ATTACHMENT TO LICENSE AMENDMENT NO. 214

FACILITY OPERATING LICENSE NO. NPF-15

DOCKET NO. 50-362

Replace the following pages of the Facility Operating License No. NPF-15 and Appendix A Technical Specifications with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Facility Operating License

REMOVE

INSERT

3

3

Technical Specifications

REMOVE

INSERT

5.0-3

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- (3) SCE, pursuant to the Act and 10 CFR Part 70, to receive, possess, and use at any time special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, as described in the Final Safety Analysis Report, as supplemented and amended;
 - (4) SCE, pursuant to the Act and 10 CFR Parts 30, 40, and 70, to receive, possess, and use at any time any byproduct, source and special nuclear materials as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required;
 - (5) SCE, pursuant to the Act and 10 CFR Parts 30, 40, and 70 to receive, possess, and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components; and
 - (6) SCE, pursuant to the Act and 10 CFR Parts 30, 40, and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of San Onofre Nuclear Generating Station, Units 1 and 3 and by the decommissioning of San Onofre Nuclear Generating Station Unit 1.
- C. This license shall be deemed to contain and is subject to the conditions specified in the Commission's regulations set forth in 10 CFR Chapter I and is subject to all applicable provisions of the Act and to the rules, regulations and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

(1) Maximum Power Level

Southern California Edison Company (SCE) is authorized to operate the facility at reactor core power levels not in excess of full power (3438 megawatts thermal).

(2) Technical Specifications

The Technical Specifications contained in Appendix A and the Environmental Protection Plan contained in Appendix B, as revised through Amendment No. 214, are hereby incorporated in the license. Southern California Edison Company shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

5.2 Organization (continued)

5.2.2 UNIT STAFF

The unit staff organization shall include the following:

- a. A non-Licensed Operator shall be assigned to each reactor containing fuel and an additional non-Licensed Operator shall be assigned for each unit when a reactor is operating in MODES 1, 2, 3, or 4.

With both units shutdown or defueled, a total of three non-Licensed operators are required for the two units.

- b. At least one licensed Reactor Operator (RO) shall be in the Control Room when fuel is in the reactor. In addition, while the unit is in MODE 1, 2, 3 or 4, at least one licensed Senior Reactor Operator (SRO) shall be in the Control Room Area.
- c. Shift crew composition may be less than the minimum requirement of 10 CFR 50.54(m)(2)(i) and 5.2.2.a for a period of time not to exceed 2 hours in order to accommodate unexpected absence of on-duty shift crew members provided immediate action is taken to restore the shift crew composition to within the minimum requirements.
- d. A radiation protection technician shall be on site when fuel is in the reactor. The position may be vacant for not more than 2 hours, in order to provide for unexpected absence, provided immediate action is taken to fill the required position.
- e. Deleted
- f. The Manager, Plant Operations (at time of appointment), Shift Managers, and Control Room Supervisors shall hold a Senior Reactor Operator's license.
- g. The Shift Technical Advisor (STA) shall provide advisory technical support to the Shift Manager in the areas of thermal hydraulics, reactor engineering, and plant analysis with regard to the safe operation of the unit. The STA shall have a Bachelor's Degree or equivalent in a scientific or engineering discipline with specific training in plant design and in the response and analysis of the plant for transients and accidents.

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5.2 Organization (continued)

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 221 TO FACILITY OPERATING LICENSE NO. NPF-10
AND AMENDMENT NO. 214 TO FACILITY OPERATING LICENSE NO. NPF-15
SOUTHERN CALIFORNIA EDISON COMPANY
SAN DIEGO GAS AND ELECTRIC COMPANY
THE CITY OF RIVERSIDE, CALIFORNIA
SAN ONOFRE NUCLEAR GENERATING STATION, UNITS 2 AND 3
DOCKET NOS. 50-361 AND 50-362

1.0 INTRODUCTION

By application dated June 10, 2009 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML091630061), Southern California Edison Company (SCE, the licensee) requested changes to the Technical Specifications (TS) for the San Onofre Nuclear Generating Station (SONGS), Units 2 and 3. The proposed changes would delete paragraph e of TS 5.2.2, "Unit Staff," to eliminate working hour restrictions in the TS, as similar requirements are sufficiently imposed by Title 10 of the *Code of Federal Regulations* (10 CFR), Part 26.

The licensee stated that the application is consistent with the U.S. Nuclear Regulatory Commission (NRC)-approved Technical Specification Task Force (TSTF) change traveler, TSTF-511, Revision 0, "Eliminate Working Hour Restrictions from TS 5.2.2 to Support Compliance with 10 CFR Part 26." The availability of this TS improvement was announced in the *Federal Register* on December 30, 2008 (73 FR 79923), as part of the consolidated line item improvement process.

2.0 REGULATORY EVALUATION

The history of NRC regulations pertaining to prevention of worker impairment is summarized in the *Federal Register* notice containing the final rule that amended 10 CFR Part 26 (73 FR 16966, March 31, 2008). Subpart I, "Managing Fatigue," of 10 CFR Part 26 provides the regulatory requirements for managing worker fatigue at nuclear power plants.

The NRC's regulatory requirements related to the content of the TS are contained in 10 CFR Section 50.36, "Technical specifications." The regulations in 10 CFR 50.36 require that the TS

include items in the following categories: (1) safety limits, limiting safety systems settings, and limiting control settings; (2) limiting conditions for operation; (3) surveillance requirements; (4) design features; and (5) administrative controls. The administrative controls are the provisions relating to organization and management, procedures, recordkeeping, review and audit, and reporting necessary to assure operation of the facility in a safe manner.

The NRC's guidance for the format and content of the licensee's TSs can be found in NUREG-1432, Revision 3, "Standard Technical Specifications - Combustion Engineering Plants," referred to as the STS. TS 5.0 of the STS contains administrative controls. Paragraph d of TS 5.2.2 of the STS contains requirements for administrative procedures to limit the working hours of personnel who perform safety-related functions. This paragraph represents NRC's guidance on how licensees' TS requirements should address work hour controls. Licensees adhere to the guidance to varying degrees due to minor administrative differences and differences in each licensee's current licensing basis. The inconsistent level of adherence to NRC guidance has led to inconsistent TS interpretation and implementation. This has also made it difficult for NRC to enforce the requirements.

The new requirements of 10 CFR Part 26, Subpart I supersede TS requirements for limiting the working hours of personnel as described in paragraph d of Section 5.2.2 of the STS (corresponding to paragraph e of the SONGS TS). Subpart I distinguishes between work hour controls and fatigue management and strengthens the requirements for both. Subpart I requires nuclear power plant licensees to ensure against worker fatigue adversely affecting public health and safety and the common defense and security by establishing clear and enforceable requirements for the management of worker fatigue. Licensees are required to implement Subpart I by October 1, 2009, as announced in the final rule that revised 10 CFR Part 26 (73 FR 16966, March 31, 2008). TSTF-511, Revision 0, proposed a change to STS that would delete paragraph d of STS 5.2.2. This change was approved in a *Federal Register* notice on December 30, 2008 (73 FR 79923).

2.1 Adoption of TSTF-511, Revision 0, by SCE

Proper adoption of TSTF-511 and implementation of 10 CFR Part 26, Subpart I by SCE will provide reasonable assurance that SCE will maintain limits on the working hours of personnel who perform safety-related functions at SONGS. SCE has committed to remove the plant-specific TS requirements concurrently with, or subsequent to, the implementation of the 10 CFR Part 26, Subpart I requirements. SCE will be subject to both sets of requirements after October 1, 2009, until the TS change is implemented.

3.0 TECHNICAL EVALUATION

Controls on work hours for personnel at nuclear power plants are necessary to prevent worker fatigue from adversely affecting public health and safety and the common defense and security. Work hour controls for SONGS are currently located in paragraph e of TS 5.2.2 rather than in paragraph d as in the STS. When the TS change is implemented, the regulatory requirements of 10 CFR 26, Subpart I will effectively replace the plant-specific TS requirements currently found in SONGS TS 5.2.2, paragraph e.

The licensee proposed deleting paragraph e of TS 5.2.2. The licensee committed to implement the new requirements of 10 CFR Part 26, Subpart I concurrently with the deletion of the TS requirements on work hour controls. The NRC staff finds that reasonable controls for the implementation and for subsequent evaluation of proposed changes pertaining to the above regulatory commitment is best provided by the licensee's administrative processes, including its commitment management program (see NRC Regulatory Issue Summary 2000-017, "Managing Regulatory Commitments Made by Power Reactor Licensees to the NRC Staff," dated September 21, 2000). The above regulatory commitment does not warrant the creation of regulatory requirements (items requiring prior NRC approval of subsequent changes).

The NRC staff evaluated the licensee's proposed change against the applicable regulatory requirements listed in Section 2.0 of this safety evaluation. The staff also compared the proposed change to the change made to STS by TSTF-511, Revision 0. The staff considered the licensee's commitment to implement 10 CFR Part 26, Subpart I concurrently with the deletion of TS work hour control requirements in its evaluation of the proposed change. Given the licensee's commitment, there is reasonable assurance that the licensee will comply with the regulations for work hour controls, either through current TS requirements or through the requirements of 10 CFR Part 26, Subpart I, at all times at SONGS. After October 1, 2009, SCE must comply with both the SONGS TSs and the regulations in 10 CFR Part 26, until the TS change is implemented. Therefore, the licensee will continue to prevent worker fatigue from adversely affecting public health and safety and the common defense and security. Therefore, the NRC staff concludes that the proposed change is acceptable.

4.0 REGULATORY COMMITMENT

In its June 10, 2009, letter, the licensee made the following regulatory commitment:

Removal of the plant-specific Technical Specification requirements will be performed concurrently or subsequent to implementation of the 10 CFR Part 26, Subpart I requirements. This commitment will be completed no later than October 1, 2009 or within 60 days of Technical Specification approval, whichever is later.

The NRC staff considers this to be a regulatory commitment and concludes that it is acceptable. The staff notes that SCE shall comply with the new 10 CFR 26, Subpart I, requirements and current TS until the approved TS changes are implemented.

5.0 STATE CONSULTATION

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

6.0 ENVIRONMENTAL CONSIDERATION

The amendments change recordkeeping, reporting, or administrative procedures. 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 amendments.

7.0 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 amendments will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributors: V. Cusumano
M. Hamm

Date: October 20, 2009

R. Ridenoure

- 2 -

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/

James R. Hall, Senior 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. 221 to NPF-10
2. Amendment No. 214 to NPF-15
3. Safety Evaluation

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*concurrence via SE

OFFICE	NRR/LPL4/PM	NRR/LPL4/LA	DIRS/ITSB/BC	OGC – not required	NRR/LPL4/BC	NRR/LPL4/PM
NAME	JRHall	JBurkhardt	RElliott*	EWilliamson	MMarkley	JRHall
DATE	10/20/09	10/16/09	7/29/09	--	10/20/09	10/20/09

OFFICIAL AGENCY RECORD