

From: Hall, Randy
Sent: Monday, September 26, 2011 2:28 PM
To: Linda.Conklin@sce.com
Cc: Mark.Morgan@sce.com
Subject: NRC Acceptance Review for San Onofre Units 2 and 3, Request for Preemption Authority (TAC Nos. ME7118 and ME7119)

September 26, 2011

Linda Conklin
Manager, Nuclear Licensing
San Onofre Nuclear Generating Station
Southern California Edison

Linda,

By letter dated August 23, 2011, Southern California Edison (SCE) submitted a request for stand-alone preemption authority, for the San Onofre Nuclear Generating Station (SONGS), Units 2 and 3 (ADAMS Accession Number ML11241A148). In that letter, SCE requested preemption authority under 42 U.S.C. 2201a, to provide relief from compliance with certain State and local firearms laws as they pertain to the SONGS security plan.

The Energy Policy Act of 2005, Section 653, amended the Atomic Energy Act by adding the new section 161A (42 U.S.C. § 2201a), which grants the U.S. Nuclear Regulatory Commission (NRC) certain limited authority regarding the regulation of firearms at NRC-licensed facilities. To codify and implement this authority, the NRC published a revised proposed rule to 10 CFR 50.73, "Enhanced Weapons, Firearms Background Checks, and Security Event Notifications," on February 3, 2011 in the *Federal Register* (76 FR 6198). As publication of a final rule is not anticipated until late 2012, the NRC staff is working to develop an interim process, with Commission approval, for consideration of licensee applications for preemption authority.

The purpose of this e-mail is to provide the results of the NRC staff's acceptance review of your request. The acceptance review was performed to determine if there is sufficient information in scope and depth to allow the NRC staff to complete its detailed technical review. The acceptance review is also intended to identify whether the application has any readily apparent information insufficiencies in its characterization of the regulatory requirements or the licensing basis of the plant.

The NRC staff has reviewed your application and concluded that it does provide information in sufficient detail to enable the staff to proceed with its review and to make an independent assessment regarding the acceptability of the proposed request in terms of regulatory requirements and the protection of public health and safety and the environment. The staff recognizes that it has not yet approved any similar requests and has thus far provided only preliminary draft guidance on the subject. Therefore, we do anticipate that additional information will be needed for the staff to complete its technical review, and that information will be requested in separate correspondence.

If you have any questions, please contact me at (301) 415-4032.

Randy Hall, Senior Project Manager

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