



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
612 EAST LAMAR BLVD, SUITE 400
ARLINGTON, TEXAS 76011-4125

July 2, 2010

7.C [Redacted]

SUBJECT: CONCERNS YOU RAISED TO THE U.S. NUCLEAR REGULATORY COMMISSION (NRC) REGARDING THE SAN ONOFRE NUCLEAR GENERATING STATION

RE: ALLEGATION RIV-2010-A-0094

7.C Dear [Redacted]

This letter refers to your conversation with Mr. Eric Ruesch, NRC staff member, on June 7, 2010, during which you expressed concerns related to insufficient corrective actions with potential generic implications and no control over completion of corrective actions at the San Onofre Nuclear Generating Station.

Enclosure 1 to this letter documents your concerns as we understand them. We have initiated actions to evaluate your concern and will inform you of our findings. The NRC normally conducts an evaluation of a technical concern within 6 months, although complex issues may take longer. If the description of any of your concerns, as noted in Enclosure 1, is not accurate, please contact me so that we can assure that your concerns are appropriately described and adequately addressed prior to the completion of our review.

In your conversation with Mr. Ruesch on June 7, 2010, you indicated that you would not object to the NRC requesting information from the licensee with regard to your concerns. As part of our response to your concerns, we intend to request the San Onofre Nuclear Generating Station to perform an evaluation and provide a written response to the NRC. Your name and any other identifying information will be excluded from the information that is provided to the San Onofre Nuclear Generating Station in the request for information. We will request that the San Onofre Nuclear Generating Station's evaluation be thorough, objective, and that the evaluator be independent of the San Onofre Nuclear Generating Station management responsible for oversight of the functional area related to your concerns.

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Information in this record was deleted
in accordance with the Freedom of Information
Act, exemptions

FOIA: AWT-013

E/g

We will evaluate the San Onofre Nuclear Generating Station's response, and consider it in developing our conclusions regarding your concerns. We will inform you of our disposition once we have evaluated the San Onofre Nuclear Generating Station's response and taken any additional actions, if necessary, to address your concerns.

In evaluating your technical concerns, the NRC intends to take all reasonable efforts not to disclose your identity to any organization, individual outside the NRC, or the public. It is important to note, particularly if you have raised this issue internally, that individuals can and sometimes do surmise the identity of a person who provides information to the NRC because of the nature of the information or other factors beyond our control. In such cases, our policy is to neither confirm nor deny the individual's assumption. Enclosure 2 with this letter is a brochure entitled, "Reporting Safety Concerns to the NRC," which includes an important discussion (on pages 5-7) of the identity protection provided by the NRC regarding these matters, as well as, those circumstances that limit the NRC's ability to protect a concerned individual's identity. Please read that section of the brochure. The brochure includes information regarding the NRC allegation process, identity protection, and the processing of claims of discrimination for raising safety concerns.

However, you should be aware that your identity could be disclosed regarding this matter if the NRC determines that disclosure is necessary to ensure public health and safety, to respond to an order of a court or NRC adjudicatory authority or to inform Congress or State or Federal agencies in furtherance of NRC responsibilities under law or public trust, to support a hearing on an NRC enforcement matter, in accordance with requirements of the Freedom of Information Act (FOIA), or if you have taken actions that are inconsistent with and override the purpose of protecting a concerned individual's identity.

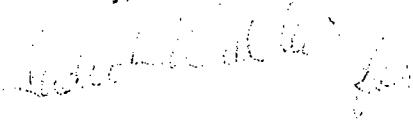
The brochure also includes a discussion of your right to file a complaint with the U.S. Department of Labor if you believe you have been subjected to employment discrimination for raising safety concerns and you desire a personal remedy.

If a request is filed under the Freedom of Information Act related to your area of concern, the information provided will, to the extent consistent with that act, be purged of names and other potential identifiers. Further, you should be aware you are not considered a confidential source unless confidentiality has been formally granted in writing.

7.C [(b)(7)(C)]

Thank you for notifying us of your concerns. We will advise you when we have completed our review. Should you have any additional questions, or if the NRC can be of further assistance, please call me Monday - Friday between 8 a.m. and 4:30 p.m. Central Time at 800 952-9677 extension 245 or on the NRC Safety Hotline at 800-695-7403. Should you want to respond in writing, our mailing address is listed in the header of this letter.

Sincerely,



Bernadette D. Baca
Senior Allegation Coordinator

Enclosures:

1. Statement of Concerns
2. Reporting Safety Concerns to the NRC

STATEMENT OF CONCERNS
ALLEGATION RIV-2010-A-0094

Concern 1:

After identifying that one cell of Class-IE Battery 2B008 was degraded, insufficient actions were taken by the licensee. The associated notification (CAP document) was closed with no corrective actions taken.

Concern 2:

Corrective actions associated with a degraded cell on safety-related Battery 2B008 are not being tracked in the corrective action program. There is no control over completion of the corrective action.

Concern 3:

Potential generic implications associated with the degradation/failure of a safety-related battery are not being adequately addressed.