

December 18, 2012

Mayor Jerome Stocks
Mayor, City of Encinitas
505 South Vulcan Avenue
Encinitas, CA 92024

Dear Mayor Stocks:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated October 1, 2012, in which you requested a study, including a public licensing amendment process, of the San Onofre Nuclear Generating Station (SONGS) before Units 2 and 3 are returned to service.

On June 18, 2012, the NRC received a petition to intervene and request for hearing from Friends of the Earth. The petition requests a public hearing prior to the restart of SONGS Units 2 and 3, and argues that South California Edison Co. is required to obtain a license amendment from the NRC for the replacement of the SONGS steam generators. On November 8, 2012, the Commission issued an order¹ referring portions of the petition to the Atomic Safety and Licensing Board Panel and to the NRC Executive Director for Operations for appropriate review. As some of these issues are currently before the Board for adjudication and subject to possible review by the Commission, the Commission cannot further comment on these issues at this time. The Board's proceedings are conducted on the public record. Hearing schedule information and access to documents filed in individual proceedings is available through our public website at <http://www.nrc.gov/about-nrc/regulatory/adjudicatory.html>.

The NRC will continue our independent, in-depth oversight (e.g., inspections and detailed reviews) of the issues at SONGS. The NRC will not allow the plant to restart until we are satisfied that the licensee can operate the plant without undue risk to public health and safety. The NRC will take the time needed to determine the appropriate actions to ensure the safety of the public, and will continue to openly communicate our actions and findings throughout the process.

On behalf of the NRC, I want to thank you for your continued involvement in these important matters related to nuclear safety. Your interest and feedback enable the NRC continue working to protect people and the environment in an open and transparent manner.

Sincerely,

/RA/

Allison M. Macfarlane

cc: Senator Barbara Boxer

¹ The order can be accessed through the NRC website, www.nrc.gov, in the Agencywide Documents Access and Management System using the Accession Number ML12313A118.