

1967

General Information

Assigned Office: NRR

OEDO Due Date: 02/27/2013

Other Assignees:

SECY Due Date: 03/01/2013

Date Response

Requested by Originator:

Other Parties:

Subject: Documents Related to San Onofre Nuclear Generating Station (SONGS)

Description:

CC Routing: OGC, RegionIV

ADAMS Accession Numbers - Incoming:

Response / Package:

Other Information

Cross Reference No: LTR-13-0119

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Process Information

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OEDO Concurrence: No

Signature Level: Chairman Macfarlane

OCM Concurrence: No

Special Instructions:

OCA Concurrence: No

Document Information

Originator Name: Erich Pica

Date of Incoming: 02/07/2013

Originator Org: Friends of the Earth

Document Received by OEDO Date: 02/08/2013

Addressee: Chairman Macfarlane

Incoming Task: Letter

OEDO POC: Dan Merzke

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

Date Printed: Feb 07, 2013 18:15

PAPER NUMBER: LTR-13-0119 **LOGGING DATE:** 02/07/2013
ACTION OFFICE: EDO
AUTHOR: Erich Pica (Friends of the Earth)
AFFILIATION: DC
ADDRESSEE: CHRM Allison Macfarlane
SUBJECT: Concerns regarding documents relating to the San Onofre Nuclear Generating Station
ACTION: Signature of Chairman
DISTRIBUTION: RF, SECY has Ack.
LETTER DATE: 02/07/2013
ACKNOWLEDGED: Yes
SPECIAL HANDLING: Commission Correspondence.
NOTES:
FILE LOCATION: ADAMS
DATE DUE: 03/01/2013 **DATE SIGNED:**

EDO --G20130101



The Honorable Allison M. Macfarlane

Chairman

Nuclear Regulatory Commission

11555 Rockville Pike

Rockville, MD 20852

February 7, 2013

Dear Chairman Macfarlane,

As you will know, Senator Barbara Boxer and Representative Edward Markey yesterday released a statement calling on you to investigate allegations contained in a Mitsubishi document that apparently reveals that Southern California Edison was aware of potential design flaws in the steam generators the utility installed at the San Onofre nuclear reactors in Southern California. These potential flaws have now led to a radiation leaks, as well as a shutdown of the reactors for more than a year.

I am writing to request that the Nuclear Regulatory Commission (NRC) release to the public this Mitsubishi document and related documents that indicate Edison's awareness of the potential steam generator design flaws. We also insist that the NRC explain why this document has been withheld from the 2.206 proceeding and the ASLB proceeding in which Friends of the Earth is currently a party. Both of these proceedings involve Edison and their damaged steam generators which threatened the lives and livelihoods of millions of people living within close proximity to Edison's nuclear reactors at San Onofre.

According to the February 6, 2013 letter issued by Senator Boxer and Representative Markey, the document in question is a 2012 report apparently prepared by Mitsubishi Heavy Industries (MHI) entitled "Root Cause Analysis Report for tube wear identified in the Unit 2 and Unit 3 Steam Generators of San Onofre Generating Station." We assume that this document is in the NRC's possession given the thirteen month vigorous investigation that the Commission has been conducting in this historic and unprecedented, multi hundred million dollar steam generator failure at San Onofre.

We also insist on an explanation of why this document, and related documents have not been provided nor cited by NRC staff in the course of two proceedings originating from a petition to the Commission submitted by Friends of the Earth and subsequently assigned by you and the other NRC Commissioners to NRC staff as a 2.206 proceeding and before the ASLB to assess whether or not the NRC's CAL and Edison's restart plan do not constitute a "defacto licensing amendment process." As this MHI and related documents have direct and decisive bearing on those cases focused on Edison's failed steam generators, we request an explanation of why those documents have been suppressed from those proceedings and the immediate release of the documents to the public so that those proceedings can move forward in a fair and transparent fashion.

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We also insist on an explanation of why this document, and related documents have not been provided nor cited by NRC staff in the course of two proceedings originating from a petition to the Commission submitted by Friends of the Earth and subsequently assigned by you and the other NRC Commissioners to NRC staff as a 2.206 proceeding and before the ASLB to assess whether or not the NRC's CAL and Edison's restart plan do not constitute a "defacto licensing amendment process." As this MHI and related documents have direct and decisive bearing on those cases focused on Edison's failed steam generators, we request an explanation of why those documents have been suppressed from those proceedings and the immediate release of the documents to the public so that those proceedings can move forward in a fair and transparent fashion.

As Senator Boxer and Representative Markey note in their statement, with more than 8.7 million concerned people living within 50 miles of Edison's crippled San Onofre nuclear reactors, the public has a right to expect that your agency will release this and the related documents immediately. At this point, we respectfully suggest that this is not just a matter of the legality of the two proceedings underway and the NRC's own credibility as the nation's nuclear regulator, but, your decision has direct bearing on the lives and livelihoods of millions of people across Southern California put at risk by the reckless operation of these reactors in the past and by their imminent proposed restart despite the utility's failure to conduct meaningful repairs or replacement of the steam generators.

We hope that you will act on this matter as one of immediate urgency.

Sincerely,

A handwritten signature in black ink, appearing to read "ERIK R", with a long horizontal flourish extending to the right.

Erich Rika

President

Friends of the Earth

Joosten, Sandy

From: Moglen, Damon [DMoglen@foe.org]
Sent: Thursday, February 07, 2013 4:37 PM
To: CHAIRMAN Resource
Subject: Urgent: Letter to Chairman Macfarlane from Friends of the Earth Regarding San Onofre
Attachments: toAM020713final-Annotated.pdf

Importance: High

Letter for Chairman Macfarlane from Friends of the Earth President Erich Pica regarding documents relating to the San Onofre nuclear reactors.