

Assembly California Legislature



SHIRLEY N. WEBER
ASSEMBLYMEMBER, SEVENTY-NINTH DISTRICT

May 14, 2013

Allison Macfarlane
Chairman
U.S. Nuclear Regulatory Commission
Mail Stop O-16G4
Washington, DC 20555-0001

RE: Docket ID NRC-2013-0070

Dear Chairman Macfarlane:

I am writing to express my deep concerns regarding the proposed restart of one of the severely damaged San Onofre nuclear reactors –located between Los Angeles and San Diego. Given the potential for a major nuclear accident at San Onofre –which could harm millions of people in Southern California – every precaution must be taken prior to restarting either of these identical damaged reactors. A major accident at San Onofre could have far reaching consequences. Any decisions regarding the proposed restart of either San Onofre reactor must be made with maximum deliberation and meaningful opportunity for input from the public.

Southern California Edison, operator of the San Onofre reactors, has proposed to experiment with restart of the Unit 2 reactor for five months at reduced power. However, significant uncertainties remain. The analyses submitted by Edison's own consultants to purportedly support this restart plan conflict with one another regarding the cause of the wear. They also indicate that another accident may occur within months. The basis for the restart is reliant upon an assumption that critical equipment will progressively destroy itself – even during reduced power operation. We do not know what is causing the wear, or how long the equipment will last. Under these circumstances, a restart could put the lives and livelihoods of our constituents at unacceptable risk.

I am further troubled that Edison chose to submit to the Nuclear Regulatory Commission a request for a narrow license amendment that would relax the rules regarding the integrity of the degraded steam generator tubes –the very issue that led to the unexpected shut down of the reactors.

This narrow License Amendment Request ignores the multiple safety issues that should be addressed in a comprehensive license amendment process prior to any approval for restart of San Onofre reactor unit 2. These include:

- ▲ steam generator tube integrity; future degradation and damage is predicted even by Edison's own experts, and the consequences for reactor safety;
- ▲ the consequences of operating damaged unrepaired steam generators for other vital key safety functions of the San Onofre reactor, including reactor emergency core cooling systems;
- ▲ the increased risk of accident, including release of significant radiation into the environment of Southern California, and the consequences for human health, including radiation dose rates, and the ability of emergency services to manage such a crisis;
- ▲ the earthquake risk to the degraded steam generators, including their ability to retain integrity in the event of a seismic event, and the consequences of an accident and release of radioactivity to the environment;

Edison has further asked the NRC to determine that this Amendment carries "no significant hazard." Before the NRC allows any proposed changes to San Onofre's operating license, the public expects the safety questions to be addressed in a transparent hearing that allows testimony by local communities and third party experts.

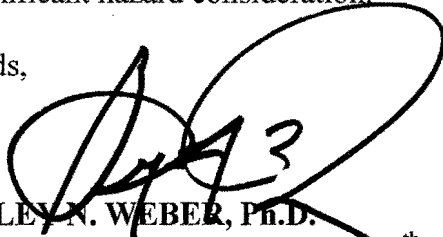
As I understand, the NRC has already issued a preliminary finding of no significant hazard, with a final determination to be made some time in the next 5-6 weeks. I am deeply concerned about this initial determination given that it is based on incomplete, contradictory and unsatisfactory analyses for safety by Edison. With such uncertainties, how such a preliminary determination could have been made is inexplicable. A final determination of no significant hazard consideration would disregard the safety concerns of millions of people in Southern California, including the citizens I represent. If the NRC grants a no significant hazard consideration, I understand that any public hearing on the merits of the license amendment request will be held after the finding and the license amendment have been granted. It appears that, in other words, the hearing would be rendered essentially meaningless.

I am concerned that several nuclear experts have raised serious questions about the safety of Edison's proposed License Amendment. These questions should be fully and formally examined and subjected to robust adjudicatory hearings. In addition, all on-going investigations that are directly related to the replacement of the San Onofre steam generators and in particular their design, and root cause of the severe wear must be completed. In this I agree with the views expressed on these issues by Senator Barbara Boxer. There is no compelling reason to take major safety risks to help return an aging, heavily damaged nuclear reactor located in a seismic zone to 70% capacity. Our lights in Southern California have stayed on for over a year without San Onofre, and the state has plans in place to ensure this continues.

Neither Edison's narrow License Amendment request nor its request for a no significant hazard determination provide the prudence or protection of the public's right to a fair, rigorous hearing that this issue warrants. I urge you to reject these requests.

I wish to express my full support for the submission of Friends of the Earth to this License Amendment Request including their opposition to the NRC's determination of a no significant hazard consideration.

Regards,

A handwritten signature in black ink, appearing to read 'Shirley N. Weber', with a large, stylized flourish extending upwards and to the right.

SHIRLEY N. WEBER, Ph.D.
California State Assemblymember, 79th District

CC: Senator Barbara Boxer
Senator Diane Feinstein
Governor Edmund G. Brown
NRC Commissioner Kristine L. Svinicki
NRC Commissioner George Apostokalis
NRC Commissioner William D. Magwood IV
NRC Commissioner William C. Ostendorff
Eric Leeds, Director, NRC Office of Nuclear Reactor Regulation
Michele Evans, Director, NRC Division of Operating Reactor Licensing