

November 27, 2013

Ms. Patricia Borchmann
1141 Carrotwood Glen
Escondido, CA 92026

Dear Ms. Borchmann:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter to Chairman Allison M. MacFarlane, dated September 26, 2013. Your letter conveyed several comments about the NRC capabilities regarding public meetings, the safety of stored high burnup fuel at the San Onofre Nuclear Generating Station (SONGS), as well as concerns about cancer rates near SONGS.

The NRC is committed to its transparency and openness in all of our regulatory responsibilities. We convene over a thousand public meetings annually. Many of our meetings are transcribed, recorded, or web-streamed. In those instances where we do not transcribe, record, or web-stream a public meeting, the NRC has a long-standing policy to prepare a high-level summary for these meetings.

You stated in your letter that formal requests for real-time video-taping/broadcasting have been denied on multiple occasions. Without providing a reference to a specific instance, I am not able to provide you with specific details as to why your request may have been denied. The NRC published its complete policy statement on meetings open to the public in the *Federal Register* on May 28, 2002 (67 FR 36920-36924), link: <http://www.nrc.gov/public-involve/public-meetings/v67n102p36920.pdf>. As explained in the policy statement, cameras and video-recording devices (e.g., camcorders) are permitted in public meetings at NRC Headquarters on a case-by-case basis with the approval of the Director, Office of Public Affairs, or the Director, Division of Facilities and Security.

Based on discussions with Regional and Headquarters staff, you recently requested that the Agency web-stream additional meetings. The NRC is not always able to provide this capability at all locations due to contractual or technical limitations. The September 26, 2013, public meeting you attended was transcribed. The official transcript can be found in the Agencywide Documents Access and Management System (ADAMS) at Accession No. ML13317A029. In addition, of the past eight public meetings on SONGS, six have been streamed live on the internet, and the videos are available on the NRC's public Web site at <http://www.nrc.gov/info-finder/reactor/songs/songs2/public-meetings.html>.

Regarding your comments on high burnup fuel, spent fuel storage and spent fuel transportation, the NRC staff recently responded to similar concerns from the Coalition to Decommission SONGS. A complete discussion of issues regarding the storage of high burnup fuel can be found in the response to the Coalition's letter at ADAMS Accession No. ML13309B031.

Finally, regarding your comments about health risks from effluents in populations around SONGS, the licensee is required to meet NRC's regulatory requirements in this regard.

Currently, the licensee continues to operate their facility within the required airborne and liquid effluent release limits, as verified by the NRC staff. The latest SONGS effluent reports are available on the NRC's public Web site at <http://www.nrc.gov/reactors/operating/ops-experience/tritium/plant-specific-reports/sano2-3.html>.

It should be noted that the National Cancer Institute (NCI) in 1990 published an epidemiological health survey of U.S. nuclear facilities and found no general increase in cancer mortality rates in counties that contain or are adjacent to nuclear facilities. Currently, the NRC is working with the National Academy of Sciences (NAS) to provide an updated version of the 1990 NCI survey. The initial phase of the survey will include a pilot project where NAS will specifically examine pediatric cancer risk and general cancer risk in the population within a fixed distance from the nuclear facilities identified for the pilot study. NAS will assess the SONGS facility in the initial pilot project phase within the next 2 to 3 years. The NAS study is intended to provide up-to-date cancer risk information to the public. For more information on the NAS study, please visit their Web site at <http://dels.nas.edu/global/nrsb/CancerRisk>.

The NRC staff appreciates the opportunity to address your comments and concerns. If you have any questions, please contact Christopher Gratton of my staff at 301-415-1055.

Sincerely,

/RA by CGratton for/

Douglas A. Broaddus, Chief
Plant Licensing IV-2 and Decommissioning
Transition Branch
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-361 and 50-362

Currently, the licensee continues to operate their facility within the required airborne and liquid effluent release limits, as verified by the NRC staff. The latest SONGS effluent reports are available on the NRC's public Web site at <http://www.nrc.gov/reactors/operating/ops-experience/tritium/plant-specific-reports/sano2-3.html>.

It should be noted that the National Cancer Institute (NCI) in 1990 published an epidemiological health survey of U.S. nuclear facilities and found no general increase in cancer mortality rates in counties that contain or are adjacent to nuclear facilities. Currently, the NRC is working with the National Academy of Sciences (NAS) to provide an updated version of the 1990 NCI survey. The initial phase of the survey will include a pilot project where NAS will specifically examine pediatric cancer risk and general cancer risk in the population within a fixed distance from the nuclear facilities identified for the pilot study. NAS will assess the SONGS facility in the initial pilot project phase within the next 2 to 3 years. The NAS study is intended to provide up-to-date cancer risk information to the public. For more information on the NAS study, please visit their Web site at <http://dels.nas.edu/global/nrsb/CancerRisk>.

The NRC staff appreciates the opportunity to address your comments and concerns. If you have any questions, please contact Christopher Gratton of my staff at 301-415-1055.

Sincerely,

/RA by CGratton for/

Douglas A. Broaddus, Chief
Plant Licensing IV-2 and Decommissioning
Transition Branch
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-361 and 50-362

DISTRIBUTION: G20130712/LTR-13-0798

PUBLIC

LPL4-2 R/F

RidsAcrsAcnw_MailCTR Resource

RidsEdoMailCenter Resource

RidsNrrDorl Resource

RidsNrrDorlLpl4-2 Resource

RidsNrrLAJBurkhardt Resource

RidsNrrMailCenter Resource

RidsNrrOd Resource

RidsNrrPMSanOnofre Resource

RidsOcaMailCenter Resource

RidsOpaMail Resource

RidsRgn4MailCenter Resource

ADAMS Accession Nos.: Pkg ML13277A236 Incoming ML13277A235; Response ML13323B175

*via-email

OFFICE	NRR/DORL/LPL4-2/PM	NRR/DORL/LPL4-2/LA	FSME/DWMEP/RDB/BC*
NAME	BBenney	JBurkhardt	BWatson
DATE	11/21/13	11/26/13	11/20/13
OFFICE	NMSS/SFST/BC*	OGC-NLO*	NRR/DORL/LPL4-2/BC
NAME	MSampson	HBenowitz	DBroaddus (CGratton for)
DATE	11/20/13	11/26/13	11/27/13

OFFICIAL RECORD COPY