

November 21, 2013

10 CFR 50.90

U. S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington D.C. 20555-0001

**Subject: Docket Nos. 50-361 and 50-362, Withdrawal of License Amendment Requests 262 and 248, to Revise the Fire Protection Licensing Basis to NFPA 805 per 10 CFR 50.48(c), San Onofre Nuclear Generating Station, Units 2 and 3**

- References
- 1: SCE to NRC Letter Dated March 27, 2013, Docket Nos. 50-361 and 50-362, License Amendment Requests 262 and 248, to Revise the Fire Protection Licensing Basis to NFPA 805 per 10 CFR 50.48(c), San Onofre Nuclear Generating Station, Units 2 and 3
  - 2: SCE to NRC Letter Dated June 12, 2013, Docket Nos. 50-361 and 50-362, Certification of Permanent Cessation of Power Operations, San Onofre Nuclear Generating Station, Units 2 and 3
  - 3: NRC to SCE Letter Dated September 30, 2010, San Onofre Nuclear Generating Station, Units 2 and 3 – NRC Triennial Fire Protection Inspection Report 05000361/20110007 and 05000362/2010007 and Notice of Violation
  - 4: SCE to NRC Letter Dated September 23, 2013, San Onofre Nuclear Generating Station, Units 2 and 3, Docket Nos. 50-361 and 50-362, Reply to a Notice of Violation: EA 10-191, Revision 1
  - 5: NRC to SCE letter Dated November 7, 2013, San Onofre Nuclear Generating Station, Units 2 and 3 – NRC Fire Protection Inspection Report 05000361/2013007 and 05000362/2013007

Dear Sir or Madam:

This letter is to withdraw San Onofre Nuclear Generating Station (SONGS) Units 2 and 3 License Amendment Requests (LARs) 262 and 248 to revise the Fire Protection Licensing Basis to NFPA 805 per 10 CFR 50.48(c), (Reference 1). The SONGS Units 2 and 3 LARs discussed the SCE plan to transition to a new licensing basis incorporating the NFPA 805 Standard transitioning the licensing basis to 10 CFR 50.48(a) and 10 CFR 50.48(c), and the guidance in Regulatory Guide 1.205, Revision 1.

ADD  
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On June 12, 2013, Southern California Edison (SCE) submitted to the NRC a Certification of Permanent Cessation of Power Operations, certifying that SONGS, Units 2 and 3, had permanently ceased power operations (ML131640201) (Reference 2).

Due to the permanent shutdown of SONGS Units 2 and 3, SCE no longer has a need to transition to NFPA 805 and wishes to withdraw the associated License Amendment Request. Because SONGS Units 2 and 3 are permanently defueled, SCE has reviewed the existing fire protection program to determine if compliance with all requirements can be achieved without reliance on the unapproved Operator Manual Actions (OMAs) that were cited in Reference 3. Following permanent shutdown, those systems that were credited to achieve and maintain safe shutdown are no longer required. SCE has evaluated the OMAs implemented as compensatory measures and determined that they do not support spent fuel management and are no longer needed to comply with Unit 2 License Condition 2.C(14) and Unit 3 License Condition 2.C(12).

This LAR withdrawal is based on the cessation of SONGS Units 2 and 3 power operation and retracts the commitments that were included in the referenced LAR submittal.

In the recent NRC inspection of SONGS Units 2 and 3 the NRC determined that the corrective actions implemented to address the deficiencies leading to violation 2010007-01(EA-10-191), associated with the SONGS Units 2 and 3 fire protection program, were adequate to address the technical issues. Violation (05000361/05000362-2010007-01), "Failure to Ensure at Least One Train of Equipment Necessary to Achieve Hot Shutdown Conditions is Free of Fire Damage," has been closed; as documented in Reference 4 and 5. As such, Enforcement Discretion is no longer required.

SCE will continue to maintain a robust fire protection program that does not rely on unapproved OMAs to ensure the safety of SONGS Units 2 and 3 spent fuel.

This letter does not contain any new commitments.

If there are any questions or if additional information is needed, please contact me or Mark E. Morgan at (949) 368-6745.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark E. Morgan". The signature is fluid and cursive, with a large initial "M" and "E".

cc: S. A. Reynolds, Regional Administrator (Acting), NRC Region IV  
R. Hall, NRC Project Manager, San Onofre Units 2 and 3  
B. Benney, NRC Project Manager, San Onofre Units 2 and 3  
G. G. Warnick, NRC Senior Resident Inspector, San Onofre Units 2 and 3  
S. Y. Hsu, California Department of Public Health, Radiologic Health Branch