



CHAIRMAN

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

December 6, 2019

The Honorable Mike Levin
United States House of Representatives
Washington, DC 20515

Dear Congressman Levin:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your October 17, 2019, letter seeking information regarding the NRC's ongoing inspection activities at the San Onofre Nuclear Generating Station (SONGS). Enclosed are responses to your specific questions regarding the NRC's review of Southern California Edison's analysis of and process to address scratches on multi-purpose canisters downloaded into cavity enclosure containers at SONGS.

Thank you for your continued interest in the NRC's activities at SONGS. If you have any questions or need additional information, please contact me or have your staff contact Eugene Dacus, Director of the Office of Congressional Affairs, at (301) 415-1776.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kristine L. Svinicki".

Kristine L. Svinicki

Enclosure:
As stated

**Responses to Questions
Representative Mike Levin
Letter Dated October 17, 2019**

- 1. What was the nature of the responses provided by the licensee? Were these questions part of an NRC Request for Additional Information for an ongoing review? Please provide additional context for the exchange between the inspectors and the licensees.**

Your letter references a March 23, 2019, document titled, "NRC Review Question Response Form." This is a Southern California Edison (SCE) (the licensee) document used to track questions that an NRC inspector asked during an NRC inspection at the San Onofre Nuclear Generating Station (SONGS). This kind of documentation is typically used by licensees during NRC inspections to ensure that inspectors' questions are accurately captured, tracked, and answered. The questions in this document were based on an NRC inspector's initial understanding of the issue and were intended to probe SCE's actions and how they related to the regulatory requirements to help inform the agency's decisions on the need for further regulatory actions. These questions were not part of an NRC Request for Additional Information and did not communicate an agency position or the staff's final conclusion regarding SCE's actions. The NRC inspection was performed from November 2018 through May 17, 2019; and the final results of that inspection are publicly available in NRC Supplemental Inspection Report 05000206/2018-006; 05000361/2018-006; 05000362/2018-006; and 07200041/2018-002, dated July 9, 2019 (Agencywide Documents Access and Management System (ADAMS) Accession Number ML19190A217).

- 2. What analysis did the licensee provide to NRC staff to support and justify the statements in the March 23, 2019 NRC Review Question Form?**

The licensee provided calculations to justify the possible maximum scratch depth on the canisters. The licensee performed visual assessments on a representative sample of loaded canisters using a robotic crawler equipped with navigational cameras and a borescope, an optical tool that can transmit a video image and surface profile data to the operator via a flexible tube. The NRC review of the licensee's calculations and visual assessments is documented in the NRC Supplemental Inspection Report referenced above.

- 3. What analysis did the NRC perform to verify the statements made by the licensee that scratching and gouging does not constitute defects?**

The NRC staff reviewed (1) the licensee's responses to the NRC inspector's initial probing questions documented in the March 23, 2019, form and (2) the licensee's written evaluation, based on its visual assessments and statistical analyses of eight loaded canisters. Based on this review, the NRC staff concluded that the licensee's statements were adequate to demonstrate that the proposed change would not affect the canisters' ability to meet confinement design and structural functions specified in the Holtec UMAX Final Safety Analysis Report (FSAR).

4. What legal analysis did the NRC perform regarding the nature of the change in the licensee approach? For example, does the now false stipulation that there would be no scratching or gouging require a modification to the license, the certificate of compliance or some other licensing basis element?

During inspection activities and related reviews at SONGS, it was determined that the UMAX FSAR contained incorrect statements that there is no risk of scratching during the vertical insertion and withdrawal of canisters. If it is discovered that an FSAR contains an incorrect conclusion or statement, a licensee can correct the FSAR. Title 10 of the *Code of Federal Regulations* (10 CFR) Section 72.48, "Changes, tests, and experiments," permits a licensee to make changes to the spent fuel storage cask design, as described in the FSAR, without obtaining prior NRC approval, if the change does not require a change to the technical specifications (i.e., requirements) associated with the Certificate of Compliance and the change does not meet any of the criteria in 10 CFR 72.48(c)(2).

After conducting an independent technical analysis, the NRC staff found that the licensee's site-specific evaluation was adequate to demonstrate that scratches resulting from incidental contact between canisters and cavity enclosure containers would not affect the confinement design functions as specified in the FSAR and the American Society of Mechanical Engineers Section III code tolerances and therefore, did not require a change to the UMAX storage system's technical specifications. The inspectors concluded SCE's revision to the UMAX FSAR describing these scratches did not require NRC review and approval because the proposed FSAR correction did not require a change to the technical specifications and did not meet any of the criteria in 10 CFR 72.48(c)(2).

5. How often have NRC inspectors been onsite at SONGS since [the multi-purpose canister] loading has resumed? Please provide specific dates and time ranges.

The NRC staff has been performing unannounced inspections at SONGS since the return to fuel transfer operations in July 2019. Ten such inspections were conducted between July and October 2019 to inspect key dry cask loading operations and other activities associated with the UMAX storage system and the Independent Spent Fuel Storage Installation (ISFSI). These inspections took place on or about the following dates in 2019: July 1-3, July 8, July 10-11, July 15-20, July 22-28, August 12-14, August 19-23, August 28, September 24, and October 21-25.

During these inspections, NRC inspectors observed key portions of fuel loading activities, including loading spent fuel into canisters, transporting loaded canisters within the site to the ISFSI, and downloading the loaded canisters into the UMAX storage system. Specifically, NRC inspections looked at (1) licensee practice runs; (2) training for personnel to perform the fuel loading campaign; (3) transfer and downloading of three canisters from the spent fuel pool into the UMAX ISFSI; (4) canister flushing activities on site; (5) loading of a fuel canister containing damaged fuel and (6) activities related to four additional canisters including processing, welding, and preparing to move them.

From August 26-29, 2019, three NRC inspectors also performed a quarterly decommissioning inspection at SONGS. The results of this inspection are publicly available in NRC Inspection Report 05000361/2019-004 and 05000362/2019-004, dated September 25, 2019 (ADAMS Accession Number ML19267A078).

Management in NRC's Region IV office plans to have an onsite presence at SONGS once per month to inspect fuel loading activities, which is more frequent than the agency's typical practice of conducting ISFSI inspections once every two years. Region IV will re-evaluate this inspection frequency as appropriate, based on licensee performance.