

October 25, 1995

50-361/362

The Honorable Dianne Feinstein  
United States Senate  
Washington, DC 20510-0504

Dear Senator Feinstein:

This is in reply to your October 2, 1995, letter requesting information for one of your constituents, Mr. Richard M. Dean. In a July 21, 1995, letter to you, he asked if you had received any further correspondence from the Nuclear Regulatory Commission regarding his concerns on the adequacy of the emergency evacuation plans for the San Onofre Nuclear Generating Station (SONGS).

In my November 4, 1994, letter to you, I stated that Mr. Dean's request to close SONGS, based on his assertions that there is no emergency plan to evacuate city residents of San Clemente, met the requirements of a Petition as defined by 10 CFR 2.206. The NRC staff has completed the review of Mr. Dean's assertions, and has determined that no basis exists for taking any action in response to the Petition since no substantial health or safety issues have been raised by the Petition. Accordingly, Mr. Dean's request for action pursuant to Section 2.206 was denied. Mr. Dean was informed of this Director's Decision in a letter dated July 24, 1995. A copy of that letter is enclosed. Also enclosed is our August 29, 1995, letter to Mr. Dean, informing him that the time, specified by NRC regulation, within which the Commission might act to review the Director's Decision had expired. Accordingly, the Director's Decision on this matter became final agency action on August 18, 1995.

Please let us know if we can be of further assistance on this matter.

Sincerely,  
original signed by  
James M. Taylor

James M. Taylor  
Executive Director  
for Operations

- Enclosures: 1. Letter to R. Dean  
                  dtd. 7/21/95
- 2. Letter to R. Dean  
                  dtd. 8/29/95

DOCUMENT NAME: S000723.GRN

OFC	PDIV-2/LA	PDIV-2/PM	TECH ED	PDIV-2
NAME	EPeyton	MFields:pk	PKlesne	WBateman
DATE	10/16/95	10/18/95	10/13/95	10/16/95

OFC	DRPW/D	NRR/ADP	NRR/D	EDO	OCA
NAME	JRoe	RZimmerman	WRussell	JTaylor	
DATE	10/16/95	10/16/95	10/14/95	10/24/95	10/27/95

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DISTRIBUTION: Letter to Senator Feinstein dated October 25, 1995

Docket File (50-361 and 50-362) (w/incoming)  
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EDO# 00723  
EDO Reading  
PDIV-2 Reading (w/incoming)  
JTaylor  
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HThompson  
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WRussell/FMiraglia  
RZimmerman  
JRoe  
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NRR Mail Room (EDO# 00723 w/incoming)  
CMorris (EDO# 00723)  
NOlson  
JDyer, RIV  
KPerkins, RIV/WCFO  
JCallan, RIV  
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*The OEDO didn't give  
PDIV-2 the original documents*

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

October 25, 1995

The Honorable Dianne Feinstein  
United States Senate  
Washington, DC 20510-0504

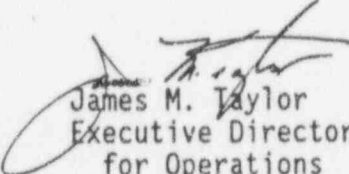
Dear Senator Feinstein:

This is in reply to your October 2, 1995, letter requesting information for one of your constituents, Mr. Richard M. Dean. In a July 21, 1995, letter to you, he asked if you had received any further correspondence from the Nuclear Regulatory Commission regarding his concerns on the adequacy of the emergency evacuation plans for the San Onofre Nuclear Generating Station (SONGS).

In my November 4, 1994, letter to you, I stated that Mr. Dean's request to close SONGS, based on his assertions that there is no emergency plan to evacuate city residents of San Clemente, met the requirements of a Petition as defined by 10 CFR 2.206. The NRC staff has completed the review of Mr. Dean's assertions, and has determined that no basis exists for taking any action in response to the Petition since no substantial health or safety issues have been raised by the Petition. Accordingly, Mr. Dean's request for action pursuant to Section 2.206 was denied. Mr. Dean was informed of this Director's Decision in a letter dated July 24, 1995. A copy of that letter is enclosed. Also enclosed is our August 29, 1995, letter to Mr. Dean, informing him that the time, specified by NRC regulation, within which the Commission might act to review the Director's Decision had expired. Accordingly, the Director's Decision on this matter became final agency action on August 18, 1995.

Please let us know if we can be of further assistance on this matter.

Sincerely,

  
James M. Taylor  
Executive Director  
for Operations

- Enclosures: 1. Letter to R. Dean  
dtd. 7/24/95  
2. Letter to R. Dean  
dtd. 8/29/95



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

July 24, 1995

Mr. Richard M. Dean  
2733 E. Pine Creek Circle  
Fullerton, California 92635-2936

Dear Mr. Dean:

I am responding to your Petition dated September 19, 1994, in which you requested that the Nuclear Regulatory Commission (NRC) close the San Onofre Nuclear Generating Station (SONGS) as soon as possible. On October 28, 1994, I acknowledged receiving your letter and stated that your assertion that the emergency evacuation plan for SONGS is inadequate because of the closure of the Pacific Coast Highway met the requirements of a Petition as defined by Section 2.206 of Title 10 of the Code of Federal Regulations (10 CFR 2.206). On December 29, 1994, in response to your November 18, 1994, letter to Vice President Gore, I restated our intention to address your concerns regarding the SONGS emergency evacuation plans in accordance with 10 CFR 2.206.

Your letters of December 2 and December 7, 1994, also requested the closure of SONGS because the recent financial losses incurred by Orange County bring into question the county's ability to effectively participate in the emergency evacuation plans in the event of an emergency at SONGS. Since these concerns were closely related to those raised in your September 19, 1994, letter, I informed you in a letter dated January 12, 1995, that your concern regarding the ability of Orange County to effectively participate in the emergency evacuation process would be treated as a supplement to your Petition. Accordingly, the Commission staff reviewed your Petition as supplemented by your December 2 and December 7 letters pursuant to 10 CFR 2.206. In a letter dated March 24, 1995, Mr. Theodore Quay of my staff responded to several of your subsequent letters, one of which included a reiteration of your concerns regarding the financial condition of Orange County, and informed you that the staff would respond to your Petition within a reasonable time.

Since the Petition involves matters related to offsite emergency planning, the NRC requested the assistance of the Federal Emergency Management Agency (FEMA) in responding to the issues raised by the Petition. By Presidential directive, FEMA has been assigned the responsibility for assessing the adequacy of offsite emergency plans for the area surrounding a nuclear plant. The NRC is responsible for assessing the adequacy of onsite emergency plans and has the final licensing authority. FEMA responded to NRC's request for assistance by letter dated March 22, 1995, a copy of which is enclosed.

For the reasons stated in the enclosed Director's Decision (DD-95-14), your request is denied. A copy of this Decision will be filed with the Secretary of the Commission for the Commission to review in accordance with 10 CFR 2.206(c). As provided by this regulation, the Decision will constitute the final action of the Commission 25 days after the date of issuance of the Decision unless the Commission, on its own motion, institutes a review of the Decision within that time. The documents cited in the enclosed Decision are available for review at the Local Public Document Room for the San Onofre

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Mr. Richard M. Dean

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Nuclear Generating Station located at the University of California Main Library, P.O. Box 19557, Irvine, California 92713.

I have also enclosed a copy of the notice "Issuance of Director's Decision Under 10 CFR 2.206," which includes the complete text of DD-95-14 that is being filed with the Office of the Federal Register for publication.

Sincerely,

ORIGINAL SIGNED BY:

William T. Russell, Director  
Office of Nuclear Regulation

Docket Nos. 50-361  
and 50-362  
(10 CFR 2.206)

Enclosures: 1. FEMA Letter dtd. 3/22/95  
2. Director's Decision  
3. Notice

cc w/encls: See next page



Mr. Richard M. Dean

- 3 -

cc w/encls:

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Southern California Edison Company  
San Onofre Nuclear Generating Station  
P. O. Box 128  
San Clemente, California 92674-0128

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County of San Diego  
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Orange, California 92668-4702

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Resource Project Manager  
Public Utilities Department  
City of Riverside  
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Dr. Harvey Collins, Chief  
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and Environmental Management  
California Department of Health Services  
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Sacramento, California 94234-7320

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U.S. Nuclear Regulatory Commission  
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Resident Inspector/San Onofre NPS  
c/o U.S. Nuclear Regulatory Commission  
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Mayor  
City of San Clemente  
100 Avenida Presidio  
San Clemente, California 92672

Mr. Harold B. Ray  
Senior Vice President  
Southern California Edison Company  
P.O. Box 128  
San Clemente, California 92674-0128



# Federal Emergency Management Agency

Washington, D.C. 20472

MAR 22 1995

Mr. R. Lee Spessard, Director  
Division of Technical Support  
Office of Nuclear Reactor Regulation  
U.S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Dear Mr. Spessard:

This is in response to your letter of November 23, 1994, to Dennis H. Kwiatkowski, Deputy Associate Director, Preparedness, Training and Exercises Directorate, requesting the assistance of the Federal Emergency Management Agency (FEMA) in addressing a petition for Director's Decision under 10 CFR 2.206 for the San Onofre Nuclear Generating Station (SONGS). The petition concerns emergency plans, evacuation routes, and the impact of Orange County's financial solvency on the emergency services provided to the City of San Clemente, California.

The Petitioner, Mr. Richard M. Dean, a Concerned Citizen of Orange County, asserts that although Southern California Edison had a plan to evacuate the residents of San Clemente in the event of an emergency at the SONGS facility, there is now no plan. In addition, the Petitioner asserts that since last winter, a very large landslide permanently closed the Pacific Coast Highway at the Dana Point/San Clemente border, and since this highway was one of two exit routes out of the area, Southern California Edison now requests that in the event of a nuclear emergency, all San Clemente residents should stay home. Lastly, Mr. Dean urges that SONGS be "shut down," based on headlines in the Los Angeles Times, which stated "...Orange County Files for Bankruptcy." Mr. Dean is concerned about the impact that the County's financial status would have on timely responses to 911 calls.

We have looked into these issues and the facts are as follows:

Mr. Dean should be informed that it is the public officials of Orange County and the City of San Clemente, not Southern California Edison, who are responsible for the safety of the citizens of San Clemente in the event of an incident at the SONGS facility. Furthermore, it was State and local officials, in coordination with SONGS representatives, who developed the offsite Radiological Emergency Preparedness (REP) plans and preparedness, under the provisions of 44 CFR, Part 350, to be implemented in the event of an incident at the site.

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In addition to the City of San Clemente, these REP plans include protective measures for all citizens who live within the SONGS emergency planning zone (EPZ). The EPZ includes portions of Orange County, San Diego County, and the Cities of San Juan Capistrano, Dana Point, and San Clemente.

These REP emergency plans have been in existence continuously; they were evaluated during eight biennial REP exercises, from May 1981 through September 1993. The next biennial REP exercise for SONGS is scheduled for October 11, 1995. During these biennial exercises, evacuation route impediments, such as this landslide, are simulated to test the capability of the offsite response organizations to deal with such a contingency. The California State and local officials continue to meet such challenges successfully during these biennial REP exercises. Based on the results of the eight prior REP exercises, as reported in findings from FEMA to the U.S. Nuclear Regulatory Commission, the offsite radiological emergency response plans and preparedness for the State of California and the affected local jurisdictions, site specific to the San Onofre Nuclear Generating Station, can be implemented and are adequate to provide reasonable assurance that appropriate measures can be taken offsite to protect the health and safety of the public in the event of a radiological emergency at the site.

Mr. Dean's assumption that there is only one route out of San Clemente, Interstate 5, is incorrect. Specifically, the initial landslide which closed the Pacific Coast Highway at the San Clemente/Dana Point border occurred on January 16, 1993. More landslides occurred in February 1993. An alternate route was established around the slide area. Substantial clearance of the slide had been completed and the Pacific Coast Highway had been scheduled to reopen in January 1995. From January 1995 to the current date the entire area has continued to sustain extremely heavy rainfall causing further delays in the reopening of the Highway. Weather permitting, work continues on removal of the blockage of the Pacific Coast Highway and State officials are exerting every effort to reopen the Highway as soon as possible. Although Pacific Coast Highway is not currently open to the general public, two lanes are open for construction traffic and could be used for emergency evacuation.

It should be noted that there are a total of ten sectors to be evacuated in the SONGS EPZ, of which only three comprise the City of San Clemente. The closure of the Pacific Coast Highway only affected the evacuation of Sector 3 of the City of San Clemente. In the event that Sector 3 should need to evacuate, only the northbound lanes of the Pacific Coast Highway would be used. Therefore, the citizens of San Clemente can be safely evacuated.

Concerning the Petitioner's statement that, "Southern California Edison informs all San Clemente citizens to sit home and 'glow in the dark or fry,'" he should be informed that Southern California Edison has not changed the content of the emergency information

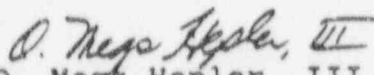


included in the SONGS Emergency Instructions Brochure or the Southern Orange County telephone book. Each document states that both sheltering and evacuation are possible protective actions, in the event of an incident at the site.

In response to Mr. Dean's concern about the financial status of Orange County and its ability to respond to 911 calls, Orange County officials are aware that their financial situation presents a major challenge in restructuring and prioritizing services to meet their objectives and mandates within their available resources. However, the Board of Supervisors recognizes the primary mission of the County is the protection of the health, safety, and welfare of the citizens and the visitors to Orange County. During this financial crisis the Board has repeatedly reiterated and publicly confirmed these services to be the priority for all County agencies and departments, including those provided to contract cities such as San Clemente. In addition, a representative of the County is an active participant of the SONGS Interjurisdictional Planning Committee (IPC), which meets on a formal basis with officials of SONGS, the affected cities, the Camp Pendleton Marine Corps Base, the State Department of Parks and Recreation, the Capistrano Unified School District, San Diego County, and Federal and State emergency organizations to coordinate their nuclear power plant plans, preparedness, and procedures for emergency response to an emergency or incident at the SONGS site. The IPC also coordinates the multi-agency planning, training, and drilling for multi-hazard emergency response. The IPC representatives meet at least monthly to ensure their planning and preparedness measures are thoroughly coordinated and current.

I trust the above information will be responsive to your request for assistance in responding to the Petitioner's allegations. Do not hesitate to call me at (202) 646-2867 or Dr. Anne Marie T. SuPrise at (202) 646-4065, should you have questions or require additional information concerning this matter.

Sincerely,

  
O. Megs Hepler, III  
Director  
Exercises Division  
Preparedness, Training, and  
Exercises Directorate

cc:  
Kay C. Goss  
Dennis H. Kwiatkowski

UNITED STATES OF AMERICA  
 NUCLEAR REGULATORY COMMISSION  
 OFFICE OF NUCLEAR REACTOR REGULATION

William T. Russell, Director

In the Matter of	)	
	)	
SOUTHERN CALIFORNIA EDISON COMPANY	)	Docket Nos. 50-361
	)	and 50-362
(San Onofre Nuclear Generating	)	10 CFR 2.206
Station, Units 2 and 3)	)	

DIRECTOR'S DECISION UNDER 10 CFR 2.206

I. INTRODUCTION

By Petition dated September 19, 1994, Mr. Richard M. Dean (Petitioner) requested that the Nuclear Regulatory Commission (NRC) take action with regard to San Onofre Nuclear Generating Station (SONGS). The Petitioner requested that the NRC shut down the SONGS facility based upon gross negligence by Southern California Edison Company in not having an escape plan. The Petitioner asserted as a basis for this request that the closure of the Pacific Coast Highway (PCH) at the Dana Point/San Clemente border (due to a landslide on January 16, 1993) invalidates the emergency evacuation plans for the residents of San Clemente. Notice of receipt of the Petition indicating that a final decision with respect to the requested action would be forthcoming at a later date was published in the Federal Register on November 9, 1994 (59 FR 55900).

The Petitioner, in letters dated December 2 and December 7, 1994, again requested the NRC to close the SONGS facility. The Petitioner asserted as a basis for this request that the recent financial losses incurred by Orange County called into question the county's ability to effectively participate in emergency evacuation plans in the event of an emergency at SONGS. Since these

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concerns were closely related to those expressed in the Petitioner's September 19, 1994, Petition, they were treated as supplements to that Petition.

Because the Petition involves matters related to offsite emergency planning, the NRC requested the assistance of the Federal Emergency Management Agency (FEMA) in responding to the issues raised by the Petition. By Presidential directive, FEMA has been assigned the responsibility for assessing the adequacy of offsite emergency plans for the area surrounding a nuclear plant. The NRC is responsible for assessing the adequacy of onsite emergency plans and has the final licensing authority. FEMA responded to NRC's request for assistance by letter dated March 22, 1995.

## II. DISCUSSION

Title 10 of the Code of Federal Regulations (CFR), Part 50, Section 50.54(q), states in part that "A licensee authorized to possess and operate a nuclear power reactor shall follow and maintain in effect emergency plans which meet the standards in § 50.47(b)." Section 50.54(s)(1) states in part that "Each licensee who is authorized to possess and/or operate a nuclear power reactor shall submit to NRC within 60 days of the effective date of this amendment the radiological emergency response plans of State and local governmental entities in the United States that are wholly or partially within a plume exposure pathway EPZ, as well as the plans of State governments wholly or partially within an ingestion pathway EPZ." Section 50.47(a)(1) states in part that "no initial operating license for a nuclear power reactor will be issued unless a finding is made by the NRC that there is reasonable assurance that adequate protection can and will be taken in the event of a radiological

emergency." Section 50.47(a)(2) further states in part, "The NRC will base its findings on a review of the Federal Emergency Management Agency (FEMA) findings and determinations as to whether State and local emergency plans are adequate and whether there is reasonable assurance that they can be implemented." The review and approval of State and local radiological emergency plans and preparedness by FEMA are performed under the provisions of 44 CFR Part 350.

Officials from the State of California, Orange County, the City of San Clemente, and other jurisdictions in the emergency planning zone (EPZ) for the SONGS facility have participated in the development of the Radiological Emergency Preparedness (REP) plans to be implemented in the event of an incident at the facility. These REP plans have been evaluated in detail during each of the biennial REP exercises that began in May 1981; findings of these exercises have been reported to the NRC by FEMA. During these biennial exercises, evacuation route impediments, such as landslides, are simulated to test the capability of the offsite response organization to deal with such a contingency. The California State and local officials have continued to meet such challenges successfully during these biennial REP exercises. The most recent exercise was conducted in September 1993. As documented in (1) the October 13, 1993, letter from the NRC to Southern California Edison Company, forwarding the staff's inspection report of the September 1993 exercise, and (2) the March 27, 1995, letter from FEMA to the NRC, forwarding its report on the exercise, the offsite radiological emergency response plans and preparedness for the State of California and the affected local jurisdictions can be implemented and are adequate to provide reasonable assurance that



appropriate measures can be taken off site to protect the health and safety of the public in the event of a radiological emergency at the site.

The Petitioner's assertion that with the closure of the PCH, Interstate 5 is the only route out of San Clemente is incorrect. The SONGS EPZ has a total of 10 sectors for evacuation purposes. Three of these sectors comprise the City of San Clemente. The portion of the PCH affected by the landslide only affects the evacuation of one sector, Sector 3, of the City of San Clemente.

The landslide on January 16, 1993, closed the PCH at the San Clemente and Dana Point border. More landslides occurred in February 1993. However, an alternate route was established around the landslide area by local officials to act as a substitute evacuation route while the PCH was being repaired. The PCH had been scheduled to reopen in January 1995. However, in January 1995, the entire area received extremely heavy rainfall, causing further delays in the reopening of this portion of the PCH. The PCH was officially reopened on April 5, 1995. During reconstruction activities, the PCH was not open to the general public. However, two lanes were open for construction traffic and they could have been used to supplement the alternate route, if needed, as a means for evacuating the area. As stated by FEMA in its letter dated March 22, 1995, since an alternate evacuation route was established during the period when the PCH was closed to normal traffic, and since the PCH was available for emergency use, the safe evacuation of the citizens of San Clemente was not compromised.

With respect to the Petitioner's concerns regarding the ability of Orange County to effectively participate in emergency evacuation activities considering the County's current financial difficulties, FEMA concludes that

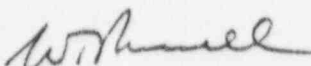
Orange County is meeting its obligations in this matter. According to FEMA's letter dated March 22, 1995, Orange County officials are aware that the current financial situation presents a major challenge in restructuring and prioritizing services to meet their objectives and mandates within their available resources. However, the Board of Supervisors recognizes that the primary mission of the County or of the local County government is the protection of health, safety, and welfare of the citizens and visitors to the County. During this financial crisis, the Board has repeatedly reiterated and publicly confirmed that these services are the highest priority for all County agencies and departments, including those services provided to contract cities such as San Clemente. In addition, a representative of the County is an active participant on the SONGS Interjurisdictional Planning Committee (IPC), which meets on a formal basis with officials of SONGS, the affected cities, the Camp Pendleton Marine Corps Base, the State Department of Parks and Recreation, the Capistrano Unified School District, San Diego County, and Federal and State emergency organizations to coordinate their nuclear power plant plans, preparedness, and procedures for emergency response to an emergency or incident at the SONGS site. The IPC also coordinates the multiagency planning, training, and drills for multihazard emergency response. The IPC representatives meet at least monthly to ensure their planning and preparedness measures are thoroughly coordinated and current. Accordingly, as stated by FEMA in its letter dated March 22, 1995, Orange County's financial difficulties are not preventing it from meeting its emergency evacuation responsibility.

### III. CONCLUSION

The institution of proceedings pursuant to section 2.206 is appropriate only if substantial health and safety issues have been raised. See *Consolidated Edison Co. of New York* (Indian Point, Units 1, 2, and 3), CLI-75-8, 2 NRC 173, 175 (1975); *Washington Public Power Supply System* (WPPSS Nuclear Project No. 2), DD-84-7, 19 NRC 899, 924 (1984). This is the standard that has been applied to the concerns raised by the Petitioner to determine whether the action requested by the Petitioner is warranted. With regard to the request made by the Petitioner to shut down the SONGS facility, I find no basis for taking this action. The respective local jurisdictions have maintained their emergency plans in effect and continue to monitor them on a regular basis to ensure they remain current and coordinated. Appropriate evacuation routes are available. Local officials are aware of their resource limitations and have focused resources to ensure that the health, safety, and welfare of the citizens are of priority. FEMA has repeatedly determined that offsite emergency response plans and preparedness can be implemented and are adequate to provide reasonable assurance that appropriate measures can be taken offsite to protect the health and safety of the public in the event of a radiological emergency at the SONGS facility. On the basis of FEMA's findings, the NRC continues to find that there is reasonable assurance that adequate protection can and will be taken in the event of a radiological emergency at the SONGS facility. For the reasons discussed above, no basis exists for taking any action in response to the Petition as no substantial health or safety issues have been raised by the Petition. Accordingly, the Petitioner's request for action pursuant to Section 2.206 is denied.

A copy of this Decision will be filed with the Secretary of the Commission for the Commission to review in accordance with 10 CFR 2.206(c) of the Commission's regulations. As provided by this regulation, the Decision will constitute the final action of the Commission 25 days after issuance, unless the Commission, on its own motion, institutes a review of the Decision within that time.

FOR THE NUCLEAR REGULATORY COMMISSION



William T. Russell, Director  
Office of Nuclear Reactor Regulation

Dated at Rockville, Maryland,  
this 24th day of July 1995.



UNITED STATES NUCLEAR REGULATORY COMMISSION  
DOCKET NOS. 50-361 AND 50-362  
SOUTHERN CALIFORNIA EDISON COMPANY, ET AL.  
SAN ONOFRE NUCLEAR GENERATING STATION, UNITS 2 AND 3  
ISSUANCE OF DIRECTOR'S DECISION UNDER 10 CFR 2.206

Notice is hereby given that the Director, Office of Nuclear Reactor Regulation, has acted on a Petition for action under 10 CFR 2.206 received from Richard M. Dean, dated September 19, 1994, as supplemented on December 2 and December 7, 1994, for the San Onofre Nuclear Generating Station (SONGS), Units 2 and 3.

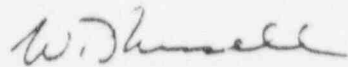
In a letter dated September 19, 1994, the Petitioner requested that the NRC shut down the SONGS facility based upon gross negligence by Southern California Edison Company in not having an escape plan. The Petitioner asserted as a basis for this request that the closure of the Pacific Coast Highway at the Dana Point/San Clemente border (due to a landslide on January 16, 1993) invalidates the emergency evacuation plans for the residents of San Clemente. In letters dated December 2 and December 7, 1994, the Petitioner again requested the NRC to close the SONGS facility. The Petitioner asserted as a basis for this request that the recent financial losses incurred by Orange County called into question the County's ability to effectively participate in emergency evacuation plans in the event of an emergency at SONGS. Since these concerns were closely related to those expressed in the Petitioner's September 19, 1994, petition, they were treated as supplements to this petition.

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The Director of the Office of Nuclear Reactor Regulation has determined that the request should be denied for the reasons stated in the "Director's Decision Under 10 CFR 2.206" (DD-95-14), the complete text of which follows this notice and which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W. Washington, D.C. 20555, and at the Local Public Document Room located at the University of California Main Library, P.O. Box 19577, Irvine, California 92713.

Dated at Rockville, Maryland, this 24th day of July 1995.

FOR THE NUCLEAR REGULATORY COMMISSION



William T. Russell, Director  
Office of Nuclear Reactor Regulation



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

DOCKETED  
USNRC

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August 29, 1995

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

Mr. Richard M. Dean  
2733 E. Pine Creek Circle  
Fullerton, California 92635-2936

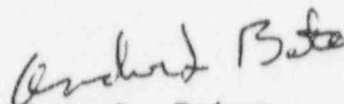
! SERVED AUG 29 1995

Re: Director's Decision DD-95-14, Docket  
Nos. 50-361/362 (2.206)

Dear Mr. Dean:

This is to inform you that the time provided by NRC regulation within which the Commission may act to review the Director's Decision (DD-95-14) in this docket has expired. Chairman Jackson, under delegated authority, as authorized by NRC Reorganization Plan No. 1 of 1980, after consultation with Commissioner Rogers allowed the review time to expire. Commissioner Rogers had stated his agreement with this decision. Accordingly, DD-95-14 became final agency action on August 18, 1995.

Sincerely,

  
Andrew L. Bates  
Acting Secretary  
of the Commission

cc: Service List

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of

SOUTHERN CALIFORNIA EDISON COMPANY

(San Onofre Nuclear Generating  
Station, Units 2 & 3)

Docket No.(s) 50-361/362-2.206

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LTR FROM A. BATES RE DD-95-14 have been served upon the following persons by U.S. mail, first class, except as otherwise noted and in accordance with the requirements of 10 CFR Sec. 2.712.

Office of the General Counsel  
Mail Stop 0-15 B 18  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

R. W. Krieger  
Vice President  
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