

**From:** [Charles Langley](#)  
**To:** [Bajwa, Chris](#)  
**Cc:** [Buckberg, Perry](#); [Hamdan, Latif](#); [Carpenter, Robert](#); [Williams, Kevin](#)  
**Subject:** [External\_Sender] Re: Screening Results for Public Watchdogs 10 CFR 2.206 Petition  
**Date:** Friday, February 28, 2020 4:44:25 PM

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Dear Chris Bajwa,

Thank you for the update on our 2.206 petition for SONGS.

Charles Langley, Executive Director  
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On Fri, Feb 28, 2020 at 1:23 PM Bajwa, Chris <[Chris.Bajwa@nrc.gov](mailto:Chris.Bajwa@nrc.gov)> wrote:

Mr. Langley,

Good afternoon. This e-mail is to inform you that the NRC staff has screened the requests included in the February 5, 2020, 2.206 Petition Request in accordance with Section II.A.2(d) of NRC Management Directive (MD) 8.11 "Review Process for 10 CFR 2.206 Petitions" (ML18296A043). The petition, which you submitted on behalf of Public Watchdogs, requests that the NRC order Southern California Edison (SCE) to take the following actions related to the San Onofre Nuclear Generating Station (SONGS) and the associated Independent Spent Fuel Storage Installation (ISFSI):

- immediately halt decommissioning activities at SONGS
- report to the NRC that the SONGS ISFSI is operating in an "unanalyzed condition"
- take immediate action to preclude flooding of the SONGS ISFSI
- suspend all fuel transfer actions from the spent fuel pools to the ISFSI at SONGS

In addition, the petition requests that the NRC:

- contact the California Coastal Commission and inform them it is unacceptable to approve the removal of the spent fuel pools from the SONGS site
- redefine the current licensing basis for the SONGS ISFSI
- rescind the emergency planning exemptions granted to SCE in 2015

The portion of the petition requesting that the NRC direct the California Coastal Commission with respect to its approval of the removal of spent fuel pools at SONGS was screened out of the 2.206 petition process consistent with the MD 8.11 Section II.A.2(d)(vi) screening criterion, "Requests to Impose a Requirement that is Outside of NRC Jurisdiction." The NRC does not have the authority to direct the California Coastal Commission's regulatory oversight of general coastal land and

water use and development activities. The California Coastal Commission's authority is distinct from the NRC's regulatory authority over the radiological health and safety aspects of the SONGS decommissioning plan, which the NRC staff has previously considered and approved. As such, the request is not appropriately considered in the 2.206 process.

The remaining requests listed above are being considered by a Petition Review Board. The Petition Review Board is performing its assessment of these requests using the evaluation criteria in MD 8.11 Section III.C, "Criteria for Petition Evaluation." I will contact you with the results of this assessment when it is completed.

As I explained in my e-mail dated February 14, 2020, the NRC staff concluded that your requests that the NRC order SCE to immediately suspend decommissioning operations at SONGS and take immediate actions to preclude flooding of the ISFSI at the site did not warrant immediate action; however, these requests are being evaluated in the Petition Review Board's ongoing assessment of the petition requests.

As the NRC continues its assessment, please be aware that the 10 CFR 2.206 petition process is a public process and information related to the petition is made publicly available, including the identity of the petitioner.

Thank you for bringing these issues to the attention of the NRC. As I explained in my e-mail dated February 10, 2020, I will be your point of contact for your 2.206 Petition and you can contact me with any questions. I wish you a pleasant and enjoyable weekend.

Best regards,

Chris Bajwa

**Division of Fuel Management (DFM)**

**Containment, Thermal, Chemical and Fire Protection Branch (CTCFPB)**

**Office of Nuclear Material Safety and Safeguards (NMSS)**

**US Nuclear Regulatory Commission (USNRC)**

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