

7-17-12

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Gary Headrick, of San Clemente Green, has provided the attached letters for Council consideration.

Mr. Michael Peevey
President, California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

July XX, 2012

Dear President Peevey:

Our thanks to the California Public Utilities Commission (CPUC) for proposing an Order Instituting Investigation (OII) regarding the San Onofre Nuclear Generating Station. We urge the Commission not to delay starting the process, which is critically needed to determine: 1) the economic impacts of the failure of the brand new steam generators and subsequent shutdown of the nuclear facility; 2) whether ratepayers bearing the various costs for the problems is justified; and 3) the overall economic prudence of continuing to operate these unreliable, aging reactors.

As _____ (Southern California Edison or San Diego Gas & Electric) customers, our constituents are directly impacted by any San Onofre Nuclear Generating Station costs that are passed on to ratepayers.

In 2005, the CPUC approved allocating \$671 million — and no more than \$782 million – to ratepayers for the replacement steam generators. But that equipment has failed within 1-2 years of going online, leaving the power plant shut down for the past five months with no restart date in view.

The Nuclear Regulatory Commission (NRC) and other experts are pinning the blame for the crippled equipment on design flaws and computer modeling that produced an error margin as high as 400%. It is unacceptable that ratepayers would be held financially responsible for these kinds of major mistakes, particularly since these errors were not identified due to Edison's misrepresentation of the replacement steam generators and avoidance of critical safety review. The public should also be provided with transparent accounting by Southern California Edison for the costs of the equipment, the outage, and equipment repair or replacement.

We look to the CPUC to swiftly begin a thorough investigation to provide such consumer protection. Additionally, We also hope the CPUC will accelerate and augment a serious effort to permanently replace the energy generated by the San Onofre plant. This replacement plan should be based on long term conservation, efficiency measures, grid upgrades, and renewable energy installation, which all together not only serve to supply an alternative to San Onofre's power, but also help California reach its ambitious and laudable greenhouse gas, local pollution, and distributed generation goals.

Regards,

Mayor _____ of _____

CC: The Honorable Edmund G. Brown, Governor of California
The Honorable John Perez, Speaker of the Assembly of California
The Honorable Darrell Steinberg, President Pro Tempore of the California Senate
The Honorable _____, Senator of California
The Honorable _____, Assemblymember of California

Mike Florio, California Public Utilities Commissioner
Catherine Sandoval, California Public Utilities Commissioner
Mark Ferron, California Public Utilities Commissioner
Timothy Simon, California Public Utilities Commissioner

Date:

Dr. Allison Macfarlane
Chair of the U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dr. Allison Macfarlane,

We welcome your appointment as Chair of the Nuclear Regulatory Commission (NRC) and look forward to your management over one of the most pressing issues that our country faces, addressing the future of nuclear power. On behalf of our constituents, we are writing to express our concerns regarding the San Onofre nuclear power plant in particular. Our community is within _____ miles of the San Onofre reactors, and would be greatly and detrimentally impacted should a catastrophic accident occur at San Onofre. As the sole agency responsible for safeguarding public health and ensuring radiological safety, we expect the Commission to ensure the safety issues at this plant are fully rectified prior to allowing the reactors to restart. When Chairman Jaczko came to inspect the situation in person, we were reassured to hear that San Onofre was a top priority. We hope that you have come to the same conclusion and that you are even more committed to addressing the many issues at San Onofre.

Of vital concern to us is the many tons of highly radioactive waste which has been accumulating over the years. The reality that we are forced to live with is that no long term solution will be available for some time. We therefore request the NRC to act quickly on recommendations based on lessons learned from Fukushima, and require that waste from overcrowded pools is immediately transferred into secured and moveable Dry Cask Storage containers, also referred to as Hardened On Site Storage (HOSS). This is one of the rare lessons from Japan that is based on something that actually worked as intended for a highly seismic area such as Southern California.

As you can imagine, we also are deeply troubled that the San Onofre reactors have been offline since January 31, 2012 due to a tube rupture in the recently replaced Unit 3 steam generator. We understand that the amount of radioactive steam released into the environment might have been much worse, considering the discovery of unexpected and excessive wear in the steam generator tubes of both Units 2 and 3.

The replacement steam generators had significant design changes compared to the original steam generators, and these modifications apparently negatively impacted the performance and safety of the replacement steam generators. The findings of both Southern California Edison and the NRC Augmented Inspection Team (AIT) revealed at the NRC meeting in San Juan Capistrano on June 18th corroborated that the failures of the new steam generators are due to these design changes. We were deeply troubled to learn that the NRC has determined that faulty computer codes producing error margins as high as 400% were used when the new steam generators were designed in 2006.

These errors were not discovered until now due to the fact that these replacement steam generators bypassed the normal NRC scrutiny and opportunity for public hearing, relying on an exemption intended for "like for like" replacement components. Instead, in accordance with the NRC's regulations, the replacement steam generators should have been subject to a license amendment process, which allows for a public hearing and critical review by NRC of the safety implications of the design changes. Had the

normal process been followed, the problems that were caused by these design changes might have been detected and prevented.

Further, the San Onofre plant is located within an active seismic zone. As California residents, we understand the severity and impact that earthquakes may have upon our infrastructure. For this reason, we were troubled by the recent Edison report from May 14th that for nearly three decades, neither the NRC nor Southern California Edison had evaluated the effect of a major seismic event on sensors installed in the emergency backup generators to automatically shut them down in case of vibration. Thus, vibrations from an earthquake could potentially shut down the emergency backup diesel generators at precisely the moment when they are needed most. When the lack of such an analysis was discovered, the sensors were turned off. This indicates significant safety concerns, and raises questions about the lack of adequate review.

San Onofre for the last several years has had the highest number of safety complaints by workers to the NRC of any reactor in the country. NRC had to send the facility operator a “chilling effects” letter, expressing concern that workers do not feel free to raise safety concerns directly with plant management for fear of reprisal. For five years, hourly fire watches were not conducted. For four years, batteries were not properly connected to the backup diesel generators.

We view these and other developments as a symptom of inadequate oversight of and transparency about important safety issues at San Onofre. We respectfully request that the NRC conduct an adjudicatory, evidentiary hearing, with opportunity for meaningful participation by public parties independent of NRC staff and the plant operators, before a decision on whether to permit restart of either San Onofre unit. We are particularly interested in ensuring that the issues with the four steam generators are fully understood and rectified prior to restarting either reactor through such an evidentiary hearing.

The problems with the replacement steam generators could potentially have been avoided had the normal procedure of requiring a license amendment and opportunity for evidentiary public hearing been followed. We believe the NRC would be well served by avoiding a repetition of this earlier problem and now requiring a license amendment and adjudicatory hearing before making a restart decision. Please give us the peace of mind we seek by confirming that San Onofre will not be allowed to restart without a public and transparent license amendment process being completed, and that the waste storage issue will be addressed concurrently by ordering the transition to Hardened On Site Storage immediately.

Sincerely,

Cc: Edmund G. Brown, Governor of California
Cc: Senator Barbara Boxer
Cc: Senator Diane Feinstein
Cc: Rep.