

April 1, 2013

The Honorable Barbara Boxer
Chairman
Committee on Environment and Public Works
United States Senate
Washington, D.C. 20510

The Honorable Henry Waxman
Ranking Member
Committee on Energy and Commerce
United States House of Representatives
2322 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Boxer and Ranking Member Waxman:

We thank both of you for helping to ensure rigorous oversight of the San Onofre nuclear reactors. We were encouraged that Ranking Member Waxman openly questioned the Nuclear Regulatory Commission (NRC) Chairman as to whether Edison's proposed experimental restart of the crippled San Onofre nuclear reactor required a license amendment. Chairman Boxer has also shown exemplary leadership by not only calling attention to a Mitsubishi Heavy Industries (MHI) report that reveals new information about the design and fabrication of Edison's now crippled San Onofre replacement steam generators and about the possibility that Edison was trying to avoid a license amendment before the faulty equipment was installed, but also requested that no decision on the restart plan be made until all investigations are completed.

We were encouraged to hear that Southern California Edison (Edison) may finally request a license amendment regarding its restart plan for San Onofre's Unit 2. However, the utility also stated in its press release that it "will submit a 'No Significant Hazards Consideration' analysis demonstrating that the license amendment does not involve any significant safety risks." A No Significant Hazards Consideration (NSHC) would effectively strip the public of their right to full independent critical safety review and public hearing rights. It is a regulatory loophole that would make any public hearing take place after an unassailable license amendment decision is made, rendering public input meaningless. This is unacceptable.

Furthermore, the NRC has announced that a meeting to discuss Edison's license amendment request is scheduled to take place April 3 in Rockville, MD. The appropriate place for such a meeting is in Southern California, where it would be accessible to those citizens whose lives will be most impacted by the matters discussed.

We hope and trust you will continue to exercise your strong leadership and regulatory oversight capacity by urging the NRC to require that Edison undergo the rigors of a thorough license amendment and public adjudicatory hearing on all the San Onofre safety issues before a decision is made on restarting the reactors, and to deny any request from SCE for a NSHC. Any discussion about an NSHC request ought to take place in the impacted region, namely Southern California. Restarting the crippled San Onofre reactor poses potentially enormous risks for the lives and livelihoods of the 8.7 million people living nearby. It is therefore imperative that any decisions

about restarting the crippled reactors are made with maximum deliberation and meaningful opportunity for input from the public.

Regards,

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Arthur Howell, NRC Region IV Regional Administrator
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