



The Honorable Allison M. Macfarlane

Chairman

Nuclear Regulatory Commission

11555 Rockville Pike

Rockville, MD 20852

February 7, 2013

Dear Chairman Macfarlane,

As you will know, Senator Barbara Boxer and Representative Edward Markey yesterday released a statement calling on you to investigate allegations contained in a Mitsubishi document that apparently reveals that Southern California Edison was aware of potential design flaws in the steam generators the utility installed at the San Onofre nuclear reactors in Southern California. These potential flaws have now led to a radiation leaks, as well as a shutdown of the reactors for more than a year.

I am writing to request that the Nuclear Regulatory Commission (NRC) release to the public this Mitsubishi document and related documents that indicate Edison's awareness of the potential steam generator design flaws. We also insist that the NRC explain why this document has been withheld from the 2.206 proceeding and the ASLB proceeding in which Friends of the Earth is currently a party. Both of these proceedings involve Edison and their damaged steam generators which threatened the lives and livelihoods of millions of people living within close proximity to Edison's nuclear reactors at San Onofre.

According to the February 6, 2013 letter issued by Senator Boxer and Representative Markey, the document in question is a 2012 report apparently prepared by Mitsubishi Heavy Industries (MHI) entitled "Root Cause Analysis Report for tube wear identified in the Unit 2 and Unit 3 Steam Generators of San Onofre Generating Station." We assume that this document is in the NRC's possession given the thirteen month vigorous investigation that the Commission has been conducting in this historic and unprecedented, multi hundred million dollar steam generator failure at San Onofre.

We also insist on an explanation of why this document, and related documents have not been provided nor cited by NRC staff in the course of two proceedings originating from a petition to the Commission submitted by Friends of the Earth and subsequently assigned by you and the other NRC Commissioners to NRC staff as a 2.206 proceeding and before the ASLB to assess whether or not the NRC's CAL and Edison's restart plan do not constitute a "defacto licensing amendment process." As this MHI and related documents have direct and decisive bearing on those cases focused on Edison's failed steam generators, we request an explanation of why those documents have been suppressed from those proceedings and the immediate release of the documents to the public so that those proceedings can move forward in a fair and transparent fashion.

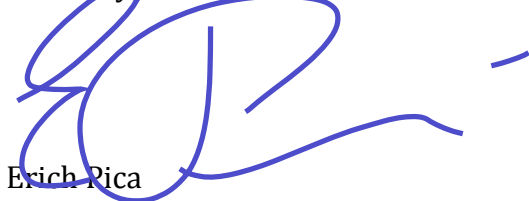
Page 1

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As Senator Boxer and Representative Markey note in their statement, with more than 8.7 million concerned people living within 50 miles of Edison's crippled San Onofre nuclear reactors, the public has a right to expect that your agency will release this and the related documents immediately. At this point, we respectfully suggest that this is not just a matter of the legality of the two proceedings underway and the NRC's own credibility as the nation's nuclear regulator, but, your decision has direct bearing on the lives and livelihoods of millions of people across Southern California put at risk by the reckless operation of these reactors in the past and by their imminent proposed restart despite the utility's failure to conduct meaningful repairs or replacement of the steam generators.

We hope that you will act on this matter as one of immediate urgency.

Sincerely,



Erich Roca

President

Friends of the Earth