

10 CFR 50.48(c)

December 20, 2010

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D.C. 20555-0001

Subject: **Docket Nos. 50-361 and 50-362
Request for Extension of Enforcement Discretion and Revised
Submittal Date for 10 CFR 50.48(c) License Amendment Request
San Onofre Nuclear Generating Station, Units 2 and 3**

- References:
1. March 28, 2008 letter from R. Ridenoure (SCE) to Document Control Desk (NRC), Subject: Docket Nos. 50-361 and 50-362 Letter of Intent to Adopt NFPA 805, Performance-Based Standard for Fire Protection for Light Water Reactor Electric Generating Plants, 2001 Edition, San Onofre Nuclear Generating Station, Units 2 and 3 [ML080920132]
 2. November 2, 2008 letter from J. Giitter (NRC) to R. Ridenoure (SCE), Subject: San Onofre Nuclear Generating Station, Units 2 and 3 – Response to Letter of Intent to Adopt National Fire Protection Association Standard 805 [ML082710004]

Dear Sir or Madam:

In 2008, Southern California Edison (SCE) decided to transition the fire protection licensing basis for San Onofre Nuclear Generating Station (SONGS) Units 2 and 3 to the Risk-Informed, Performance-Based alternative in 10 CFR 50.48(c). SCE submitted a letter of intent for SONGS to the NRC on March 28, 2008 (Reference 1) to adopt National Fire Protection Association (NFPA) Standard 805, Performance-Based Standard for Fire Protection for Light Water Reactor Electric Generating Plants in accordance with 10 CFR 50.48(c).

By letter dated November 2, 2008 (Reference 2), the NRC acknowledged receipt of the letter of intent and granted a 36-month enforcement discretion period which began on March 28, 2008 and expires on March 28, 2011. In accordance with the NRC Enforcement Policy, the discretion will continue past this date while the NRC staff is reviewing the license amendment request for transitioning to NFPA 805 and issues the Safety Evaluation.

COMSECY-08-0022 recommends extension of the enforcement discretion period to six (6) months past the date of the Safety Evaluation approving the second pilot plant License Amendment Request.

SCE now requests that enforcement discretion and the required submittal date for the 10 CFR 50.48(c) License Amendment Request be extended to six (6) months after the Safety Evaluation is issued for the second pilot plant or in accordance with any schedule provided by the NRC staff, whichever date is later. SCE has made substantial progress toward completion of the transition to NFPA 805 which is discussed in the attachment to this letter.

This letter contains no new commitments nor revises any previous commitments.

If you have any questions regarding this request, please contact Ms. Linda T. Conklin at 949-368-9443.

Sincerely,

A handwritten signature in black ink, appearing to be the initials 'P.T.D.' with a stylized flourish.

FOR P.T.D.

Attachment

cc: E. E. Collins, Regional Administrator, NRC Region IV
G. G. Warnick, NRC Senior Resident Inspector, SONGS Units 2 and 3
R. P. Zimmerman, Director, NRC Office of Enforcement
R. Hall, NRC Project Manager, SONGS Units 2 and 3

NFPA 805 Transition Progress

COMSECY-08-0022 requested information from licensees on demonstrated progress toward completion of NFPA 805 transition as a condition of granting an extension of enforcement discretion. SCE has made substantial progress in the NFPA 805 transition effort. SCE has been represented in the NEI NFPA 805 Task Force, Fire Probability Risk Assessment (PRA) Task Force, and Frequently Asked Question (FAQ) process and has made significant efforts in performing work activities in an effective manner while utilizing the lessons learned from the Pilot Plant process.

Accordingly, the following table represents the major work activities for SONGS Units 2 and 3 associated with NFPA 805 Transition. The "LAR/TR Reference" column refers to the referenced section of the NFPA 805 License Amendment Request (LAR) / Transition Report (TR) that will document the results of the NFPA 805 Transition. As shown in the table below, SCE has demonstrated substantial progress in the NFPA 805 transition process.

LAR/TR Reference	Topic	Approximate % Complete (1)	Current Milestone Completion Date (2)
N/A	Safe Shutdown Analysis Update	80%	April 2011
4.1 Attachment A	Fundamental FP Program Elements and Minimum Design Requirements (Table B-1)	55%	February 2011
4.2.1 Attachment B	Nuclear Safety Capability Assessment – Methodology (Table B-2)	80%	December 2010

4.2.2 Attachment C	Nuclear Safety Capability Assessment - Fire Area by Fire Area Review (Table B-3)	80%	April 2011
4.3 Attachment D	Non-Power Operational Modes (Table F-1)	35%	January 2011
4.4 Attachment E	Radioactive Release (Table G-1)	85%	January 2011
4.5	Fire PRA Development in support of 5-Day PWROG Peer Review (conducted July 26-30, 2010)	100%	
4.5	Fire Risk Evaluations	5%	April 2011

Notes:

1. Assessment of percent complete is based on the NEI Template, "Format of Percent Complete Status." Completion of these Transition Report activities may contain open items that require resolution via the Corrective Action Program, Fire Modeling, or Fire PRA to support NFPA 805 transition (some of which may be iterative in nature).
2. Schedule dates are current project milestones and do not constitute commitments.

Physical Modifications

While physical modifications may be identified as part of the transition effort, no physical modifications have been performed to address any fire protection issues. Any modifications required will be identified in the LAR submittal letter, and the LAR will provide a schedule and commitments for any such modifications.

NFPA 805 Monitoring Program

COMSECY-08-0022 requested that as part of the status report for demonstrating substantial progress on the transition that the status of the NFPA 805 monitoring program be provided. The NFPA 805 monitoring program is highly dependent on fire PRA and Fire Risk Evaluation results as well as the traditional fire protection program issues. Therefore, the monitoring program is one of the last items to be completed during the transition effort. This is consistent with the pilot plants.

Information Available On Site

In addition to the information contained in this attachment, COMSECY-08-0022 requested that additional information be available on site for inspection/audit.

Fire protection-related variances from the deterministic requirements have been entered into the SONGS Corrective Action Program, and appropriate compensatory measures in accordance with the existing fire protection program have been implemented. This information is contained within the SONGS Corrective Action Program and is available for review.

At this time, Operator Manual Actions (OMAs) not previously approved by the NRC are considered compensatory measures according to the fire protection program. SCE has verified that any such actions comply with RIS 2005-07. The feasibility of the OMAs has been reviewed and any such action being considered as a compensatory measure is considered feasible. These existing OMAs will be maintained as compensatory measures pending completion of the NFPA 805 analysis, issuance of the NRC Safety Evaluation, and implementation of the revised fire protection program. The final determination of which OMAs will transition as recovery actions under NFPA 805 cannot be completed until the Fire PRA and Fire Risk Evaluation efforts are complete. Those recovery actions required by transition to NFPA 805 will be reported in the LAR. This approach is consistent with the pilot plants.