

**From:** Wang, Alan  
**Sent:** Wednesday, February 01, 2012 10:31 AM  
**To:** Soenen, Philippe R; Baldwin, Thomas (DCPP)  
**Cc:** Lent, Susan; Burkhardt, Janet; Sebrosky, Joseph  
**Subject:** Request for Additional Information Regarding Preemption Request (ME7792 and ME7793)

Philippe and Tom,

By letter dated December 22, 2011 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML113610556), Pacific Gas and Electric Company (PG&E) submitted PG&E Letter DCL-11-130, "Application for Stand-Alone Preemption authority Under 42 U.S.C. 2201a." PG&E applied for stand-alone preemption authority under 42 U.S.C. 2201a as described in the December 22, 2011, letter. The enclosure contains security-related information and will be withheld from public disclosure in accordance with your request.

The U.S. Nuclear Regulatory Commission (NRC) staff has reviewed the information provided in your application and determined that the following additional information is required in order to complete its review. This request for additional information (RAI) was discussed with you on January 31, 2012. It was agreed that a response to this RAI would be provided within 30 days from the issuance of this email.. If circumstances result in the need to revise the requested response date, please contact me at (301) 415-1445 or via e-mail at [Alan.Wang@NRC.gov](mailto:Alan.Wang@NRC.gov). The NRC staff has determined that no security-related or proprietary information is contained herein.

The following additional information is requested to supplement, clarify, and support the information provided by subparagraph e "Reason for requesting authority" of the enclosure to your letter dated December 22, 2011.

1. Identify and provide the specific state laws or regulations for which DCPP is requesting stand-alone preemption authority.
  - a. State the legal provisions contained within the California Business and Professions Code, Division 3, Chapter 11.5, Private Security Services regarding security officer training and certification that necessitates stand-alone preemption authority.
  - b. State the legal provisions contained within the California Penal Code, Title 2, Chapter 1, Article 4, Section 12072 (a) regarding restrictions on firearms purchases per month that necessitates stand-alone preemption authority.
  - c. State the legal provisions contained within the California Penal Code, Title 2, Chapter 2.3, Articles 1 thru 3, Sections 12275 thru 12289.5, regarding restrictions and registration requirements on semi-automatic assault weapons and high capacity magazines that necessitates stand-alone preemption authority.
2. Describe the type and caliber of firearms and/or ammunition feeding devices for which stand-alone preemption is requested. This description must be sufficiently detailed to

support a conclusion that the identified firearms and/or ammunition feeding devices are listed under Section 161A. and meet the criteria described in the Firearms Guidelines.

3. Describe the impact that the identified state laws or regulations will have on the DCPD physical protection program if stand-alone preemption authority is not granted by the Commission. This description should focus on impacts to the DCPD capability to provide "high assurance" as required by 10 CFR 73.55(b)(1) and/or how these laws or regulations would prohibit the transfer, receipt, possession, transport, import, and use of firearms and/or ammunition feeding devices listed under Section 161A.