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 RECIP. NAME RECIPIENT AFFILIATION  
 KELLY, J.L. Atomic Safety and Licensing Board Panel

SUBJECT: Submits proposed agenda to be considered at 810618 final prehearing conference on emergency planning, per ASLB 810608 memorandum & order w/list of admitted or proposed revisions to contentions & proposed stipulation & order.

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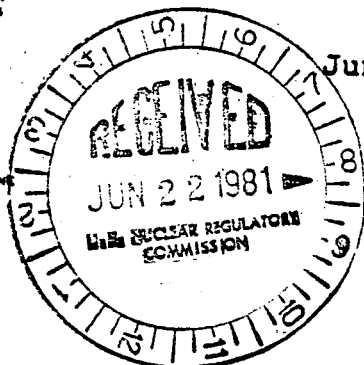
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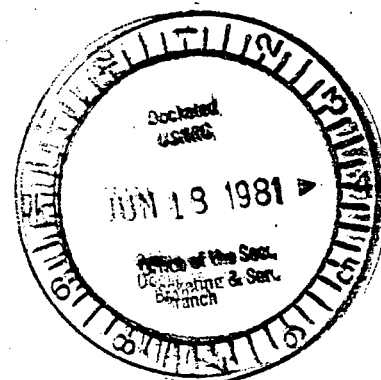
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June 15, 1981



James L. Kelley, Esq., Chairman  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Re: Southern California Edison Company,  
et al; (San Onofre Nuclear Generating  
Station, Units 2 and 3), Docket  
Nos. 50-361 OL and 50-362 OL.

Dear Mr. Kelley:

Southern California Edison Company and San Diego Gas & Electric Company ("Applicants"), pursuant to the Board's Memorandum and Order of June 8, 1981, hereby submit their recommendations for agenda items to be considered at the final prehearing conference on emergency planning contentions scheduled to begin on June 18, 1981, at 9:00 a.m. in the Executive Room, Stardust Hotel and Country Club, 950 Hotel Circle, N. San Diego, California.

PROPOSED AGENDA

1. Final Specification of Contentions

Attached for the Board's reference and the convenience of the parties is a chronological listing of admitted or proposed revisions to admitted emergency planning contentions. This is the same listing as is attached to Applicants' pending "Motion for Order Consolidating Intervenor and Designating Lead Intervenor with Respect to Emergency Planning Contentions." Applicants intend to meet with counsel for Intervenor on June 15, 1981 to discuss

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James L. Kelley, Esq., Chairman  
June 15, 1981  
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final specification of contentions. Subject to these discussions, Applicants propose that the emergency planning contentions set forth in Paragraph E of the attached listing be adopted as the final emergency planning contentions.

2. Stipulations

Applicants propose that certain documents be admitted into evidence for purposes of preventing unnecessary delay at the licensing hearing on emergency planning contentions. A copy of this stipulation is attached and will be submitted for the parties' signature and the Board's approval.

3. Identification of Witnesses

Applicants propose that a schedule be set for requiring all parties to submit a list of potential witnesses that each party intends to rely on to present its direct case on emergency planning contentions.

4. Consolidation of Intervenor and Designation of Lead Intervenor on Emergency Planning Contentions

As stated in our pending motion, Applicants propose that Intervenor GUARD and FOE, et al., be consolidated for all purposes with respect to emergency planning contentions, with GUARD being designated as lead intervenor.

5. Setting of Hearing Schedule

Applicants will be prepared to begin hearing on emergency planning contentions as soon after close of seismic hearings as can be accommodated by the Board. Applicants suggest that hearings on emergency planning issues commence on the second Monday following close of the seismic hearings. Applicants propose that licensing hearings on emergency planning contentions be held in northern Orange County, California to accommodate representatives of GUARD and Applicants. Applicants suggest direct testimony should be filed by all parties no later than July 10, 1981 and witnesses identified no later than July 3, 1981.

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James L. Kelley, Esq., Chairman  
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6. Issuance of Low Power License

Applicants will be prepared to discuss the authority of the Board to issue a low power license to SONGS 2.

7. Interim FEMA Findings and Determination  
Relating to the Status of State and  
Local Emergency Preparedness for SONGS 2  
and 3, June 3, 1981 (the "FEMA Findings")

The FEMA Findings recognize that offsite emergency planning is adequate and that the necessary offsite emergency response capability, given an "aggressive thorough approach" to remedying noted deficiencies, will be created "within the very near future." Applicants will be prepared to report to the Board the steps being taken by Applicants, in cooperation with involved offsite assistance agencies, to remedy the noted deficiencies on or before the fuel load date for SONGS 2. Applicants submit that licensing turns on the state of offsite emergency response capability as of the date of full power, not as of May 22, 1981, the concluding date of the FEMA Findings. In order to avoid unnecessary delays in the full-term licensing of near-term operating licenses, like SONGS 2 and 3, commencement of hearings cannot necessarily depend on completion of FEMA-approved evaluations, exercises, drills, or other improvements contemplated in the FEMA Findings, but on whether Applicants are prepared to demonstrate by the preponderance of the evidence that FEMA's concerns either are not significant or will be resolved prior to full power operation or by such other date specified in NRC regulations or guidance. 10 C.F.R. § 50.47(c)(1). Applicants will be prepared to make such a showing as soon after the close of seismic hearings as can be accommodated by the Board.

Very truly yours,

DAVID R. PIGOTT

David R. Pigott

cc: Service List

APPLICANTS' CHRONOLOGICAL LISTING OF  
ADMITTED OR PROPOSED REVISIONS TO  
ADMITTED EMERGENCY PLANNING CONTENTIONS

June 15, 1981

A. GUARD's Original Contentions Admitted For Discovery  
Purposes, By Board Order, January 27, 1978:

1. "The applicants have not complied with 10 CFR, Part 50, Appendix E regarding emergency plans since, because of inadequate funding and staffing of the several state and local agencies involved, appropriate and coordinated emergency plans cannot be developed."
2. "As a consequence of increases in freeway use in recent years and the influx of transient and resident individuals into the exclusion area and low population zone, there is no longer assurance that effective arrangements can be made to control traffic or that there is a reasonable probability protective measures could be taken on behalf of individuals in these areas; thus, applicants do not comply with 10 CFR §100.3(a) or (b)."

B. FOE et al.'s Original Contention Admitted For Discovery  
Purposes, By Board Order, January 27, 1978:

"The Applicants have not complied with 10 CFR Part 50, Appendix E regarding emergency plans since because of the jurisdictional diversity of the several state and local agencies involved and their inadequate fundings and staffing, appropriate and coordinated emergency plans cannot be developed. An operating license should not be granted for SONGS 2 & 3 because the various emergency response plans are so complex, overlapping, and difficult to implement that in the event of a nuclear accident the safety of persons in the surrounding areas will be imperiled."

C. Applicants' Proposed Contention Submitted For Board  
Consideration, July 17, 1980 and April 29, 1981:

"Whether adequate plans exist which provide reasonable assurance that the transient and permanent population within about ten miles of the site can be evacuated in the event of a serious radiological emergency with offsite consequences occurring at SONGS 2 and 3."

D. GUARD's Revised Contentions Submitted For Board Consideration, April 29, 1981:

1. "Applicants have not complied with 10 C.F.R. Part 50 Appendix E and 10 C.F.R. §50.47 regarding emergency plans because there is no reasonable assurance that the plans can be implemented, since they fail to meet the required standards for staffing response organizations, notification of response organizations and the public, communications among response organizations and between response organizations and the public, and dissemination of information to the public, all of which are necessary to provide reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency."
2. "Applicants have not complied with 10 C.F.R. Part 50 Appendix E and 10 C.F.R. §50.47 regarding emergency plans since the plans fail to adequately address the problems of providing and maintaining adequate emergency facilities and equipment, developing a range of protective actions for the plume exposure pathway EPZ including measures to be taken in an accident complicated by an earthquake, arranging adequate medical services for injured contaminated individuals, and timely evacuation of various populations from the EPZ."

E. Applicants' Proposed Revisions to GUARD's Revised Contentions Submitted by Applicants for Board Consideration, June 9, 1981:

1. Whether the state of emergency preparedness for SONGS 2 and 3 provides reasonable assurance that the offsite transient and permanent population within the plume exposure pathway Emergency Planning Zone, 10 C.F.R. §50.47(c)(2), for SONGS 2 and 3 can be evacuated or otherwise protected in the event of a radiological emergency with offsite consequences occurring at SONGS 2 and 3.
2. Whether there is reasonable assurance that the emergency response planning for SONGS 2 and 3, effecting the offsite transient and permanent population will comply with or provide adequate compensating measures for the following standards set forth in 10 C.F.R. §50.47(b) as regards:
  - A. the procedures for notification by Applicants of state and local response organizations and for notification of emergency personnel by all involved organizations, 10 C.F.R. §50.47(b)(5);

- B. the means for notification and instruction to the populace within the plume exposure pathway Emergency Planning Zone, 10 C.F.R. §50.479b(5);
- C. the procedure for dissemination of information to the public within the plume exposure pathway Emergency Planning Zone on a periodic basis on how they will be notified and what their initial actions should be in the event of an emergency, 10 C.F.R. §50.47(b)(7); and
- D. the arrangements for medical services for contaminated and injured individuals, 10 C.F.R. §50.47(b)(12).

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11 and San Diego Gas & Electric Company

12 UNITED STATES OF AMERICA

13 NUCLEAR REGULATORY COMMISSION

14 BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

15  
16 In the Matter of )  
17 ) Docket Nos. 50-361 OL  
SOUTHERN CALIFORNIA ) 50-362 OL  
18 EDISON COMPANY, ET AL. )  
19 (San Onofre Nuclear Generating ) STIPULATION AND ORDER ADMITTING  
Station, Units 2 and 3) ) SPECIFIED DOCUMENTS INTO  
20 ) EVIDENCE FOR PURPOSES OF  
ATOMIC SAFETY AND LICENSING  
21 ) BOARD HEARING.

22 IT IS HEREBY STIPULATED pursuant to 10 C.F.R.  
23 § 2.753 by the parties hereto, through their respective  
24 undersigned attorneys, that the following documents shall be  
25 admitted into evidence by the sponsoring party listed below,  
26 without objection from any party to the above-referenced



1 matter, for purposes of the Atomic Safety and Licensing Board  
2 hearing on Southern California Edison, et al.'s application  
3 for an operating license for San Onofre Nuclear Generating  
4 Station, Units 2 and 3:

5 DOCUMENT

SPONSORING PARTY

- |    |   |  |
|----|---|--|
| 6  | 1) "Emergency Plan for San Onofre Nuclear Generating Station, Units 2 and 3, April 1981"  | Southern California Edison <u>et al.</u> |
| 7  |   |  |
| 8  | 2) "San Onofre Nuclear Generating Station, Offsite Emergency Response Plans":   | Southern California Edison <u>et al.</u> |
| 9  |   |  |
| 10 |   |  |
| 11 | (a) "State of California, Nuclear Power Plant Emergency Response Plan," as revised August 1978, prepared by the State Office of Emergency Services and the State Department of Health (now Department of Health Services) | Southern California Edison <u>et al.</u> |
| 12 |   |  |
| 13 |   |  |
| 14 |   |  |
| 15 |   |  |
| 16 |   |  |
| 17 |   |  |
| 18 | (b) "Orange County Emergency Response Plan, San Onofre Nuclear Generating Station, December, 1980," as adopted by the Orange County Board of Supervisors, Resolution No. 80-2062, December 16, 1980                       | Southern California Edison <u>et al.</u> |
| 19 |   |  |
| 20 |   |  |
| 21 |   |  |
| 22 |   |  |
| 23 | (c) "Unified San Diego County Emergency Services Organization, Nuclear Power Plant Emergency Response Plan, (December, 1980),"  | Southern California Edison <u>et al.</u> |
| 24 |   |  |
| 25 |   |  |
| 26 |   |  |

1 as adopted by the  
2 San Diego County  
3 Board of Super-  
visors, Resolution  
No. 10, December 9,  
1980

4 (d) "Department of Southern California Edison et al.  
5 Parks and Recrea-  
tion, Pendleton  
6 Coast Area Radio-  
logical Emergency  
7 Response Plan, San  
Onofre Nuclear  
8 Generating Station  
(December, 1980)"

9 (e) "SOP for Emergency Southern California Edison et al.  
10 Response, Marine  
Corps Base, Camp  
11 Pendleton, Califor-  
nia, 1-79, as  
12 revised by Base  
Order P3440.1 Ch. 1,  
13 January 19, 1981."

14 (f) "City of San Southern California Edison et al.  
15 Clemente, Califor-  
nia, Radiological  
16 Emergency Response  
Plan Annex to the  
17 City's Emergency  
Operations Plan, San  
Onofre Nuclear  
18 Generating Station,  
March, 1981," as  
19 adopted by the San  
Clemente City  
20 Council Action No.  
52, February 18,  
21 1981"

22 (g) "San Juan Southern California Edison et al.  
23 Capistrano,  
Radiological  
24 Emergency Response  
Plan, San Onofre  
25 Nuclear Generating  
Station, December,  
1980," as adopted  
26 by resolution of the

1 San Juan Capistrano  
2 City Council, January  
6, 1981

3 (h) "Interagency Agree- Southern California Edison et al.  
4 ment and Evacuation  
5 Procedure for the  
6 San Onofre Plume  
Exposure Pathway  
Emergency Planning  
Zone, December, 1980"

7 DATED: \_\_\_\_\_

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13 Attorneys for Applicants,  
14 Southern California Edison  
Company and San Diego Gas &  
15 Electric Company

16 By \_\_\_\_\_  
17  
18 One of Counsel for Applicants

19  
20 Dated: \_\_\_\_\_ Phyllis M. Gallaher  
Charles E. McClung, Jr.

21 By \_\_\_\_\_  
22 Counsel for GUARD

23 Dated: \_\_\_\_\_  
24 Richard J. Wharton  
25 Counsel for FOE et al.  
26

1 Dated: \_\_\_\_\_

Lawrence J. Chandler  
Richard K. Hoefling  
Edward G. Ketchen

3 By \_\_\_\_\_

Counsel for U.S. Nuclear  
Regulatory Commission

5 ORDER

6 ON GOOD CAUSE BEING SHOWN THEREFOR:

7 The foregoing stipulation is hereby approved and  
8 ordered.

9 DATED: \_\_\_\_\_

12 \_\_\_\_\_  
Chairman  
13 ATOMIC SAFETY AND LICENSING BOARD