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UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
1600 EAST LAMAR BOULEVARD
ARLINGTON, TEXAS 76011-4511

March 24, 2022

EA-21-177

Mr. Doug Bauder, Vice President
and Chief Nuclear Officer
Southern California Edison Company
San Onofre Nuclear Generating Station
P.O. Box 128
San Clemente, CA 92674-0128

SUBJECT: SAN ONOFRE NUCLEAR GENERATING STATION – NOTICE OF VIOLATION; NRC INSPECTION REPORT 05000206/2021402, 05000361/2021402, 05000362/2021402, AND 07200041/2021401; AND INVESTIGATION REPORT 4-2021-004

Dear Mr. Bauder:

This letter refers to the investigation completed on November 9, 2021, by the U.S. Nuclear Regulatory Commission (NRC) Office of Investigations at the San Onofre Nuclear Generating Station. The purpose of the investigation was to determine whether an individual willfully failed to follow security requirements. Based on the results of the investigation, the NRC did not substantiate that a willful action occurred, however a subsequent review of the issue identified an apparent violation. The inspection report, which documents our in-office review of the issue and includes our understanding of your corrective actions, is provided as nonpublic Enclosure 2.

In a telephonic exit briefing on February 17, 2022, my staff informed you that the NRC was considering escalated enforcement for the apparent violation. Because this case involved a legacy compliance issue that was self-identified by your staff, was well understood, had long since been corrected, and did not represent an event where station security was jeopardized, the NRC determined that a predecisional enforcement conference or a written response was not required to make an enforcement decision. In a telephone conversation on February 23, 2022, you indicated that you did not believe that a predecisional enforcement conference or written response was needed and that you accept the violation on behalf of the Southern California Edison Company.

Based on the information acquired during the investigation and our in-office review, the NRC has determined that a violation of NRC requirements occurred. This violation is cited in nonpublic Enclosure 1, “Notice of Violation” (Notice). Enclosure 2 provides the basis for the NRC’s conclusion. Therefore, this violation has been categorized in accordance with the NRC Enforcement Policy as escalated enforcement. The NRC Enforcement Policy is available on the NRC’s website at http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html.

The enclosures transmitted herewith contains Sensitive Unclassified Non-Safeguards Information (SUNSI). When separated from the enclosures, this transmittal document is decontrolled.

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In accordance with the NRC Enforcement Policy, a civil penalty is considered for an escalated enforcement.

Because your facility has not been the subject of escalated enforcement actions within the last 2 years, the NRC considered whether credit was warranted for *Corrective Action* in accordance the NRC Enforcement Policy. The NRC has determined that *Corrective Action* credit is warranted for your prompt and comprehensive corrective actions documented in Enclosure 2.

Therefore, to encourage prompt and comprehensive correction of violations, and in recognition of the absence of previous escalated enforcement action at your facility in the last 2 years, I have been authorized, after consultation with the Director, Office of Enforcement, not to propose a civil penalty in this case. However, significant violations in the future could result in a civil penalty.

The NRC has concluded that information regarding: (1) the reason for the violation; (2) the corrective actions that have been taken and the results achieved; and (3) the date when full compliance was achieved is already adequately addressed on the docket in Enclosure 2. Therefore, you are not required to respond to this letter unless the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice and Procedure," a copy of this letter will be made available electronically for public inspection in the NRC Public Document Room and from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC website at http://www.nrc.gov/reading-rm/adams.html. However, the material enclosed herewith contains Security-Related Information in accordance with 10 CFR 2.390(d)(1), and its disclosure to unauthorized individuals could present a security vulnerability. Therefore, the material in the enclosures will not be made available electronically for public inspection in the NRC Public Document Room or from the NRC's ADAMS.

If you have any questions concerning this matter, please contact Mr. Ray Kellar, of my staff, at [redacted].

Sincerely,

Signed by Morris, Scott
on 03/24/22

Scott A. Morris
Regional Administrator

Docket Nos. 50-206; 50-361; 50-362; 72-041
License Nos. DPR-13; NPF-10; NPF-15

Nonpublic Enclosures:
1. Notice of Violation
2. Inspection Report

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D. Bauder 4

SAN ONOFRE NUCLEAR GENERATING STATION – NOTICE OF VIOLATION; NRC INSPECTION REPORT 05000206/2021402, 05000361/2021402, 05000362/2021402, AND 07200041/2021401; AND INVESTIGATION REPORT 4-2021-004 - DATED MARCH 24, 2022

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Cvr Ltr w/o Enclosures: ADAMS ACCESSION NUMBER: **ML22081A238**

☒SUNSI Review: JGK ADAMS: ☒ Yes ☐ No ☐ Non-Publicly Available ☒ Publicly Available ☒Non-Sensitive ☐ Sensitive Keyword: By:

Cvr Ltr & Enclosures: ADAMS ACCESSION NUMBER: **ML22081A217**

☒SUNSI Review: JGK ADAMS: ☒ Yes ☐ No ☒ Non-Publicly Available ☐ Publicly Available ☐Non-Sensitive ☒ Sensitive Keyword:

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Forecasted and Recorded Community Engagement Panel Costs
(Dollars In Millions, 100% Level)

2014 Dollars		
Year	Forecasted CEP	Recorded CEP
2016	$ 0.2	$ 0.7
2017	$ 1.0	$ 0.4
2018	$ 0.8	$ 0.6
2019	$ 0.6	$ 0.6
2020	$ 0.5	$ 0.7
2021	$ 0.8	$ 0.7

Year Of Expense Dollars		
Year	Forecasted CEP	Recorded CEP
2016	$ 0.2	$ 0.7
2017	$ 1.1	$ 0.4
2018	$ 0.8	$ 0.6
2019	$ 0.7	$ 0.7
2020	$ 0.6	$ 0.8
2021	$ 0.9	$ 0.8

Sources:
Advice Letter 3589-E
Advice Letter 3793-E
Advice Letter 3988-E
Advice Letter 4185-E
Advice Letter 4451-E
Advice Letter 4773-E

From: Nina Babiarz
Sent: Wednesday, November 17, 2021 1:12 PM
To: Jim Desmond
Cc: Charles Langley
Subject: Public Watchdogs' Question regarding So CA Edison's Sept. 16th CEP mtg. & Bauder's claim of shipping 'Millions of Pounds' of SONGS Decom Debris South to San Diego County
Importance: High

Greetings Supervisor Desmond – First of all, kudos to you for your well-written and thoughtful opinions expressed in today's Union-Tribune editorial entitled: *'We Should be Leery of Limiting Speech.'* It's just another example of the many issues that you & I agree on from Vehicle Miles Traveled (VMI), to the SANDAG botch of the Transnet dollars originally promised to pave North County highways. If I didn't love my village of La Mesa SO much, I might actually consider moving into your District just for the positions on certain issues you espouse.

However, I'm writing today with a question regarding So CA Edison's Sept. 16th CEP mtg. Unfortunately, I was on travel back east to family concerns and missed So Ca Edison's Sept. 16th CEP mtg. But having listened to the video recording of that CEP recently, I was shocked, surprised and even startled by some of Doug Bauder's comments (Begin approx. Start @ Minute 26:29) regarding the ultimate disposal of *'millions of pounds'* of SONGS decommissioning debris disposal. Bauder continues that there's *'A lot of shipping involved here – mostly via Rail"* adding that the *'We ship south for the most part.' (Approx. 28:49/2:43.08).*

Since you remain San Diego County's sole representative on Edison's CEP and also now an initial if not founding member of Edison's new Coalition, I have a few questions that I'm hoping you can get answers to and possibly shed some light on for sake of accuracy as well as the public's safety concerns:

1. When Doug Bauder stated that '*millions of pounds of the SONGS'* demolition debris is being shipped south, knowing San Diego County is the only site in the U.S. that is directly south of SONGS, just where in San Diego County is this debris being dumped? Any community near or adjacent to that site has a right to know about it.
2. Especially since Bauder continues to extrapolate that the SONGS '*crushed concrete'* debris will be 'carried south by rail for another 3-4 years', and that there's '*significant activity inside the reactor domes'*, it's important for San Diego County residents to know exactly where these 'millions of pounds' of debris are coming from on the SONGS site and where they are being dumped.
3. An obvious follow-on question would also include, what type/kind of testing, monitoring, &/or independent measuring of potential radiation contamination is held within all these '*millions of pounds'* of debris that are being shipped south by rail?
4. If Edison claims they are doing the monitoring &/or testing, what can San Diego County do to ensure that monitoring and/or testing is done independently?

I believe your concern for the public's safety regarding all things SONGS is genuine and sincere.

Therefore, my hope springs eternal that you will take steps immediately to get answers to these disconcerting questions that came into my mind while listening to the Sept. 16th CEP meeting. I also hope that additional questions/concerns may also arise as a result of expanding this discussion; inclusive

of ascertaining who is monitoring and testing the debris for radioactive contamination that is being shipped south to San Diego County.

Respectfully sent with my very best intentions, Nina

P.S. As a transportation professional, I've been following delays in 'salvaging' the so-called 'Desert Line' for decades that may be used in the future to ship east as recently reported in the San Diego Union-Tribune article last Sat. entitled: *'MTS wants to Revive Railway'*. Sadly, I don't envision that 'revival' coming to fruition anytime soon…

Nina Babiarz
Public Watchdogs
Board Member and Treasurer
[redacted]

From: Nina Babiarz
Sent: Thursday, February 10, 2022 1:36 PM
To: Nina Babiarz
Subject: Nina Babiarz' 2-10-2022 Edison's CEP testimony & Questions

NINA BABIARZ, PUBLIC WATCHDOGS

On Nov. 11, 2021 I posed a WRITTEN question to San Diego Supvr., CEP member & 'founding member of Edison's Coalition, that still goes unanswered.

It was regarding a statement Doug Bauder made at So CA Edison's Sept. 16th CEP mtg.

I was shocked, surprised and startled by Bauder's comments regarding the ultimate disposal of *'millions of pounds'* of SONGS decommissioning debris disposal.

Bauder continued that there's *'A lot of shipping involved here – mostly via Rail"* And he added that the *'We ship south for the most part.'*

I have a couple questions that I'm hoping we can get answers today for all regarding the public's safety concerns of Edison's waste being shipped thru our neighborhoods.

1. Regarding Doug Bauder's '*millions of pounds of the SONGS'* demolition debris being shipped south, knowing San Diego County sits **directly south of SONGS & also that the 'Desert rail line that goes east is non-operational, just where in San Diego County is this debris being dumped?**

2. If it is not being dumped in San Diego County, then where?

3. Since any community near or adjacent to that site has a right to know about it, were local permits as the DOE rep mentioned earlier, secured prior to those shipments?

4. Since Bauder continued to extrapolate that the SONGS '*crushed concrete'* debris will be 'carried south by rail for another 3-4 years', and that there's '*significant activity inside the reactor domes'*, the public is also confronted with more unanticipated inquires like:

    a. What type/kind of testing, monitoring did Edison, SONGS Solutions or any subcontractor on the SONGS site, conduct on the demo debris prior to shipping ?

    b. If Edison claims in the previous question that they are doing the radiation monitoring &/or testing of the debris waste, then what 3rd party independent measuring of potential radiation contamination is being conducted held within all the '*millions of pounds'* of debris shipping south?

    c. If no 3rd party for independent radiation monitoring being conducted, what can this panel do to actually engage the community's legitimate safety concerns by insisting that independent monitoring of SONGS debris that is being shipped within our neighborhoods?