



**Office of Mayor and
City Councilmembers**
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Jim Evert, *Mayor*
Tim Brown, *Mayor Pro Tem*
Robert "Bob" Baker, *Councilmember*
Jim Dahl, *Councilmember*
Lori Donchak, *Councilmember*
George Scarborough, *City Manager*

July 19, 2012

Dr. Allison M. Macfarlane
Chairman
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

RE: San Onofre Nuclear Generating Station

Dear Dr. Macfarlane:

We welcome your appointment as Chairman of the Nuclear Regulatory Commission (NRC). As you are likely aware, San Clemente is home to 64,208 residents and is located entirely within the 10-mile Emergency Planning Zone for the San Onofre Nuclear Generating Station (SONGS). The City Council and our broader community have learned a great deal about nuclear power since March of 2011 as SONGS has become a focal point for concerns about the safety of nuclear power and the spent fuel that is stored on-site.

Attached to this letter is correspondence we have previously prepared regarding implementation of the Near-term Task Force recommendations and spent fuel storage. We are also enclosing the letters written to our Senators on these topics.

We respectfully request your support and welcome you to visit the City of San Clemente to meet with us. Thank you for your time and consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jim Evert".

Jim Evert
Mayor

Attachments: November 1, 2011 Letter to Chairman Jazcko
November 1, 2011 Letter to Senator Feinstein
November 1, 2011 Letter to Senator Boxer

cc: Governor Edmund G. Brown
Congressman Darrell Issa
Assemblymember Diane Harkey
Congressman Ken Calvert
Senator Mark Wyland
San Clemente City Council



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November 1, 2011

The Honorable Gregory Jaczko
Chairman
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Chairman Jaczko:

The disaster at the Fukushima Daiichi Nuclear Power Plant in Japan has generated world-wide concern regarding the safety of nuclear power. The City of San Clemente, home to 63,522 is located entirely within the 10-mile Emergency Planning Zone for the San Onofre Nuclear Generating Station (SONGS). The City Council, and our broader community have learned a great deal about nuclear power over the past several months as SONGS has become a focal point for concerns about the safety of nuclear power.

The Council takes our responsibility to represent our citizens with utmost seriousness, and have endeavored to educate ourselves and our community. We listened to residents strongly opposed to nuclear power and those who strongly support it. We have held special council meetings to hear presentations and have our questions answered by the Nuclear Regulatory Commission (NRC), SONGS, and anti-nuclear power experts. As the final step in this process, on October 18, 2011, the City Council formally considered multiple additional steps the Council could take regarding nuclear power, including supporting a resolution from a community group calling for the immediate shut-down of SONGS.

After careful and informed deliberation, on behalf of the citizens of the City of San Clemente, we would like to specifically express our support for two recent requests from our Senators on relicensing and the findings and recommendations of the Near-term Task Force. We are also making a direct request of the NRC about spent fuel storage.

We are fortunate that our State's U.S. Senators Barbara Boxer and Dianne Feinstein (D-California) are informed and active on this topic. First, we would like to express support for Senator Feinstein's April 20, 2011 letter to you requesting that the NRC examine "seismic and tsunami hazards, operational issues, plant security, emergency preparedness, spent fuel storage options and other elements of a nuclear power plant's "design basis" within the scope of the relicensing process". While we are aware that SONGS operates safely, and that the NRC used best possible science of that era during the licensing process, much has been learned and

new technologies have been developed since SONGS was licensed. Should Southern California Edison (SCE) pursue relicensing, this new information may show that SONGS is safe to operate or it may cause the NRC and SCE to reach the conclusion that the plant does not meet modern standards and that it should be decommissioned at the end of its current license period. Regardless, all pertinent information should be taken into account.

Second, both Senators have called on the NRC to quickly adopt the "Near-term Task Force Recommendations for Enhancing Reactor Safety in the 21st Century". We support this effort, and are aware that the NRC is working rapidly towards this goal, as demonstrated by the Commission's approval on October 18, 2011, of the staff's recommendations to implement the short and medium term items from the Near-Term Task Force and the Commission's statement from its October 18, 2011, Memorandum that the "NRC should strive to complete and implement the lessons learned from the Fukushima accident within five years – by 2016." We support the Senators' position that these recommendations carry special urgency and must be executed without delay.

Finally, the NRC should require utilities to move spent fuel rods to dry cask storage as soon as those rods can be safely moved. The storage of spent fuel rods on site at SONGS continues to be of concern to the Council and is an area we believe that the NRC can take more immediate action. Our understanding is that the spent fuel rods stored in dry cask storage at Fukushima Daiichi were unaffected by the tsunami. Although movement of spent fuel away from the community will require many federal agencies to reach agreement, we believe the movement to dry cask storage is an area of regulation within the authority of the NRC.

On behalf of the citizens of San Clemente and my elected colleagues, I respectfully request that your agency implement the above items. As representatives of the people we serve, it is our Council's duty to be informed and to act upon our knowledge. Where we cannot exercise authority, we will advocate for the public's best interest. We greatly appreciate the assistance the NRC has provided to us during this process, and the role of the NRC as the government agency which ensures that commercial nuclear power plants operate safely.

Sincerely,



Lori Donchak
Mayor

cc: City Councilmembers



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George Scarborough, *City Manager*

November 1, 2011

Senator Dianne Feinstein
Office of U.S. Senator Dianne Feinstein
331 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Feinstein:

The disaster at the Fukushima Daiichi Nuclear Power Plant in Japan has generated world-wide concern regarding the safety of nuclear power. As you are aware, the City of San Clemente, home to 63,522 is located entirely within the 10-mile Emergency Planning Zone for the San Onofre Nuclear Generating Station (SONGS). The City Council, and our broader community have learned a great deal about nuclear power over the past several months as SONGS has become a focal point for concerns about the safety of nuclear power.

The Council takes our responsibility to represent our citizens with utmost seriousness, and have endeavored to educate ourselves and our community. We listened to residents strongly opposed to nuclear power and those who strongly support it. We have held special council meetings to hear presentations and have our questions answered by the Nuclear Regulatory Commission (NRC), SONGS, and anti-nuclear power experts. As the final step in this process, on October 18, 2011 the City Council formally considered multiple additional steps the Council could take regarding nuclear power, including supporting a resolution from a community group calling for the immediate shut-down of SONGS.

The City is fortunate to have Federal Elected Officials who are well informed and active in the Country's ongoing discussion about nuclear power. After careful and informed deliberation, on behalf of the citizens of the City of San Clemente, we request that you take four specific actions.

First, we ask that you demand the establishment of a permanent, safe, disposal site for spent nuclear fuel and the establishment of temporary sites, if necessary, to move spent fuel away from our community. The storage of spent fuel on site at SONGS was of concern to our Council when SONGS became operational and continues to be of concern today. As ratepayers, our residents have paid for off site spent fuel transportation and storage that has never been

completed. Through the process described above, we have come to understand that movement and storage of spent fuel requires coordination across multiple agencies and states.

Second, we ask that you insist that a permanent off-site storage solution for spent fuel be identified before relicensing is granted to SONGS. Although Southern California Edison (SCE) has not yet formally entered relicensing, our understanding is that the disposal of spent fuel is not taken into consideration as part of the relicensing process. Should SCE seek relicensing, an off-site storage solution should be identified prior to the license being granted. SONGS has one of the smallest nuclear power plant footprints in the country. The continued accumulation of spent fuel on site is a problem that must be solved at the federal level and a solution identified before continuing to generate more spent fuel.

Third, we request that you promote a federal level review of the risk/benefit analysis that the NRC uses to ensure that it adequately assesses public risk levels.

Finally, we support your insistence that NRC quickly adopt the "Near-term Task Force Recommendations for Enhancing Reactor Safety in the 21st Century". We are aware that the NRC is working rapidly towards this goal, as demonstrated by the Commission's approval on October 18, 2011, of the staff's recommendations to implement the short and medium term items from the Near-Term Task Force's and the Commission's statement from its October 18, 2011, Memorandum that the "NRC should strive to complete and implement the lessons learned from the Fukushima accident within five years – by 2016." We echo the Senators' position that these recommendations carry special urgency and must be executed without delay.

At our October 18, 2011, City Council meeting, we took three additional actions that we would like you to be aware of:

- First, we have written to the NRC to insist that the NRC require utilities to move spent fuel rods to dry cask storage as soon as those rods can be safely moved. The storage of spent fuel rods on site at SONGS continues to be of concern to the Council and is an area we believe that the NRC can take more immediate action.
- Second, we have written to the California Public Utilities Commission and California Energy Commission to request their support of the proposed SCE enhanced seismic study of the region so that it can begin as quickly as possible.
- Finally, we continue to pursue funding for the extension of La Pata as an additional evacuation route for the City of San Clemente as conveyed in my letter of May 18, 2011.

On behalf of the citizens of San Clemente and my elected colleagues, I respectfully request your support and continued advocacy for the above items. As representatives of the people we serve, it is our Council's duty to be informed and to act upon our knowledge. Where we cannot

exercise authority, we will advocate for the public's best interest. We greatly appreciate the attention you and your staff have brought to these issues and look forward to working with you further on them.

Sincerely,

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Lori Donchak
Mayor



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November 1, 2011

Senator Barbara Boxer
Office of U.S. Senator Barbara Boxer
112 Hart Senate Office Building
Washington, D.C. 20510

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Lori Donchak
Mayor

