

# Diablo Canyon Decommissioning Engagement Panel



## **A Strategic Vision**

December 2018

# Acknowledgements

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The Diablo Canyon Engagement Panel (DCDEP) would like to thank PG&E for recognizing the value of public engagement and creating and supporting the DCDEP over the past year. The meetings, workshops, tours and other outreach efforts that PG&E has made available to the DCDEP and the public has provided invaluable information and created a forum for an open dialog with the citizens of the County.

The DCDEP greatly appreciates and thanks the numerous individuals, groups and agencies for helping us understand the decommissioning process, the opportunities available for conservation of the scenic lands that surround the power plant, the possibilities for repurposing of on-site facilities and the deep connection that our local Native American community has to this land.

The DCDEP would especially like to thank you, the Public. Without your testimony at meetings and workshops, your letters and emails, and your passion for our beautiful county, the DCDEP could not have created such a comprehensive vision for the future of the Diablo Canyon Power Plant.

The DCDEP would also like to thank two individuals in particular who helped significantly in bringing this Strategic Vision together. First, Charles Anders, the DCDEP facilitator, who enabled fruitful discussions between DCDEP members and the public and kept us on track and focused. Second, Kami Griffin, who provided invaluable writing and editing assistance. We are sincerely grateful to you both.

Thank you.

*The Diablo Canyon Decommissioning Engagement Panel*



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**Photos**

# Executive Summary

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This Strategic Vision was prepared by the Diablo Canyon Decommissioning Engagement Panel (DCDEP). The DCDEP anticipates that this vision document will have multiple purposes. In December 2018, PG&E submitted its [Nuclear Decommissioning Cost Triennial Proceeding](#) (Triennial Report) to the California Public Utilities Commission (CPUC). The DCDEP will include this first iteration of the Strategic Vision as a supplement to that Triennial Report. The Strategic Vision will also be a stand-alone document that will be available to the community, stakeholders and regulatory agencies in order to provide information about the decommissioning process itself and recommendations from the DCDEP that reflect the community's wishes for what will occur before, during and after decommissioning.

The Strategic Vision will also continue to be revised, updated and refined as the DCDEP continues to hold public meetings and workshops and receive comments on other important issues associated with the decommissioning process. This includes the complex issue of long-term storage and intended future removal from the DCPD site of spent nuclear fuel, a review and self-evaluation of the DCDEP, the potential economic impacts of the closure of Diablo Canyon Power Plant, transportation of demolished materials from the site and the DCDEP's response to the Triennial Report.

## Diablo Canyon Power Plant (DCPP)

The DCPD is an electricity generating nuclear power plant located near the town of Avila Beach in San Luis Obispo County operated by Pacific Gas and Electric (PG&E). The plant has two 4-loop pressurized water nuclear reactors. In June 2016, PG&E announced plans to close the two Diablo Canyon reactors in 2024 and 2025. The closure was approved by the CPUC on January 11, 2018.

## Diablo Canyon Decommissioning Engagement Panel (DCDEP)

The DCDEP was convened by PG&E as a volunteer, non-regulatory body created to foster and encourage open communication, public involvement and education on DCPD decommissioning plans and activities. It is intended to serve as a forum for the local community to provide direct input to PG&E and regulatory agencies on matters related to DCPD decommissioning.

The DCDEP was formed specifically to provide an avenue for communication from the public to PG&E on the issues surrounding decommissioning, and not to address the decision to close the DCPD.

## Community Outreach Process

The DCDEP has held regular public monthly meetings as well as workshops focused on specific subjects. The first meeting was held on May 30, 2018. Since that time the DCDEP has held six evening meetings and four all-day workshops to receive information and hear public comment. In response to the significant outreach efforts by the DCDEP, over 950 documented comments have been received to date.

## Strategic Vision

This Strategic Vision has been prepared by the DCDEP as a “living document” that will be amended and refined as the decommissioning process continues and the DCDEP addresses and hears from the public on other issues, such as spent fuel storage, the structure and form of the DCDEP, the potential economic impacts of the closure of DCP, and the demolition and transport of demolished materials (both radiological and non-radiological). The recommendations contained in this vision document are based on the views of the community as expressed during public meetings and workshops, as well as through emails, letters and other correspondence. The Vision, Goals and Recommendations were prepared by the DCDEP and this document was created by the DCDEP using a facilitated process.

## Summary of Recommendations

This Strategic Vision contains specific Visions, Goals and Recommendations that represent the DCDEP’s vision for the DCP and lands before, during and after the decommissioning process. In general, the DCDEP recommends:

- ❖ The decommissioning (decontamination) process should begin immediately upon shutdown with a goal of 10 years for completion of radiological decommissioning and decontamination, avoiding SAFSTOR (which allows up to 60-year delay in decontamination)
- ❖ The health and safety of the community and the environmental quality of the area should be the primary consideration when evaluating cost-effective methods of decommissioning in order to save ratepayers money
- ❖ The 12,000 acres that surround the DCP are a spectacular natural resource and need to be conserved in perpetuity while allowing for managed-public access and use
- ❖ The repurposing of facilities should be explored as a way to both reduce the amount of demolition materials created and create opportunities for new local jobs and economic development while considering public safety, traffic concerns and the environmental quality of the region
- ❖ The engagement panel should be in a form that would lead to the best possible recommendations on achieving a safe and effective decommissioning of the DCP, including the disposition of Diablo Canyon Lands and Facilities

## Topics Included in this 2018 Strategic Vision Document

The following topics are included in this 2018 document:

- A. Decommissioning Process
- B. Decommissioning Funding
- C. Diablo Canyon Lands
- D. Repurposing of the Diablo Canyon Facilities
- E. Engagement Panel Structure and Function Review

## Topics Scheduled for Meetings and Workshops in 2019

The following topics are scheduled to be the subject of DCDEP workshops and meetings in 2019. Vision, Goals and Recommendations covering these topics will be included in the 2019 document:

First Quarter – Spent Fuel Storage

Second Quarter – Engagement Panel Evaluation

Third Quarter – Potential Economic Impacts / Possible Economic Development Opportunities

Fourth Quarter – Transportation

# I. Introduction/Background

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The following sections provide an overview of the Diablo Canyon Power Plant (DCPP), the lands surrounding the DCPP, the decision to close DCPP, the decommissioning process itself and the Diablo Canyon Decommissioning Engagement Panel (DCDEP).

## A. History of the Diablo Canyon Power Plant

The DCPP is an electricity-generating nuclear power plant located near the community of Avila Beach in San Luis Obispo County, California. After the permanent shutdown of the San Onofre Nuclear Generating Station in 2013, it is the only remaining operational nuclear power plant in the state.

The facility, which is located on about 12,000 acres of which about 12 acres form the power-producing portion of the plant, has been in operation since 1985. Its two Westinghouse Pressurized Water Reactor units are licensed until 2024 and 2025 respectively. The two units produce a total of 18,000 gigawatt-hours of electricity annually, which is enough energy to meet the needs of more than three million Northern and Central Californians. This is nearly 10 percent of California's energy portfolio and 20 percent of the power that PG&E provides throughout its service area.

In February, 1963 PG&E announced plans to construct five nuclear reactors at the Nipomo Dunes in southern San Luis Obispo County. Protests were immediately raised and later that year, the Sierra Club met with PG&E to discuss establishing the new power plant on an alternative site. PG&E agreed to choose an alternative site and two years later in 1965, the Diablo Canyon site became the new alternative to the Nipomo Dunes. Over the next three years, PG&E began the process for construction of a two unit reactor with the Atomic Energy Commission (precursor to the Nuclear Regulatory Commission) and the California Public Utility Commission (CPUC). The Atomic Energy Commission formally approved the construction permit in April 1968 and in July of 1968, construction began on Unit 1. The Unit 2 construction permit was issued in December of 1970, with construction beginning in early 1971.

Continuing through the 1970s, there were hearings, referenda and litigation covering issues involving earthquake safety, security plans, and environmental quality. In 1984, after 14 years of hearings, protests, blockades, interventions, court cases, retrofits and reconstruction, PG&E was granted a full power licenses by the Nuclear Regulatory Commission (NRC) for Unit 1 on August 2nd and Unit 2 on November 2nd. On May 7, 1985, Unit 1 began commercial operation and on March 13, 1987, Unit 2 followed.

## B. Diablo Canyon Lands and the Irish Hills

The Diablo Canyon Lands stretch along 14 miles of pristine coastline, containing relatively undisturbed grasslands, coastal sage, oak woodlands and bishop pine forests. These areas are currently managed by PG&E using innovative best management practices and a strong land stewardship program. The Diablo Canyon Lands include the North Ranch (north of the power plant), South Ranch (directly south of the power plant) and the 2,400-acre Wild Cherry Canyon property to the southeast. The Diablo Canyon Lands also include the public Point Buchon and Pecho Coast trails, as well as the Point San Luis Lighthouse, which is open to the public through decent led tours.

The Diablo Canyon Lands are located in the Irish Hills region of San Luis Obispo County (See Figure 1), which has been the subject of significant conservation activity over the last two decades. In 2000, the Nature Conservancy identified the Irish Hills as a top conservation priority in the state, noting the following:

*“The Irish Hills embrace the rugged, western portion of the San Luis Range, extending from the Pacific Ocean to Los Osos Valley, and from the town of Los Osos on the north to the San Luis Obispo Creek on the south. The largely undisturbed and highly scenic site includes Montana de Oro State Park, the Hibberd Preserve [now owned by the SLO Land Conservancy], and scattered large private holdings, including PG&E properties surrounding the Diablo Canyon Nuclear Power Plant.”*

That same year, 75 percent of county voters supported the [DREAM](#) Initiative (Diablo Resources Advisory Measure, also known as Measure A). DREAM called on PG&E and county leaders to set aside the Diablo Canyon Lands for habitat preservation, agriculture, and public use upon the closure of the plant.

Since Measure A’s passage, multiple conservation projects have been completed within the Irish Hills. In 2001, The Nature Conservancy acquired approximately 1,000 acres along Davis Canyon, and over the next several years acquired and conserved the Andre, Basserti, Muzio, Yost and Miller properties, totaling nearly 1,900 acres. Additional properties have been conserved on the northwestern edge of the Irish Hills by the City of San Luis Obispo as part of its greenbelt protection program. These acquisitions along with other protected properties (including the Hibberd Preserve, BLM lands, and Montana de Oro) nearly complete a path for a 20-mile interior trail connecting Avila Beach to Los Osos. The last critical piece is Wild Cherry Canyon, which has been the subject of numerous (as of yet unsuccessful) conservation efforts.

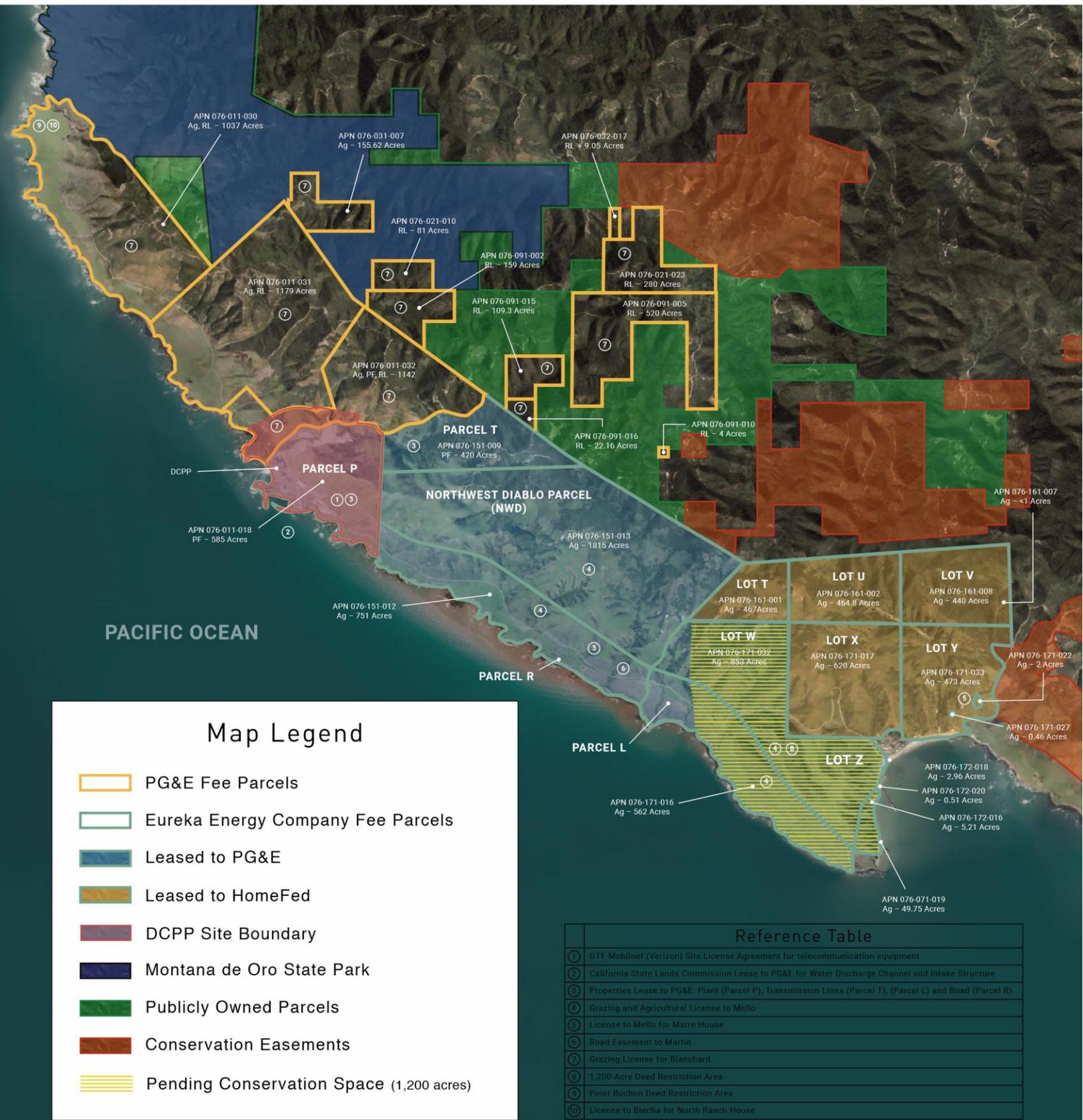
### **C. [Process and Decision to Close Diablo Canyon Power Plant](#)**

On June 21, 2016, PG&E partnered with labor and leading environmental organizations on a joint proposal that would increase investment in energy efficiency and renewables while retiring Diablo Canyon Power Plant (DCPP) at the end of its current NRC operating licenses when they expire on November 2, 2024 (Unit 1), and August 26, 2025 (Unit 2). The parties to the DCPP joint proposal include PG&E, International Brotherhood of Electrical Workers Local 1245, Coalition of California Utility Employees, Friends of the Earth, Natural Resources Defense Council, Environment California, California Energy Efficiency Industry Council and Alliance for Nuclear Responsibility.

PG&E’s decision to withdraw the license renewal application for DCPP was based on the determination that the continued baseload operation of the two DCPP units beyond the currently approved operating periods is not necessary to meet PG&E’s projected energy demand requirements. This decision was also in support of the state policy to meet California future electricity needs with renewable generation resources. This resource planning decision was approved by the CPUC on January 11, 2018 (Decision 18-01-022). In February 2018, PG&E withdrew its application to the NRC for a licensing extension.

# Diablo Canyon

## LAND OWNERSHIP



### Map Legend

- PG&E Fee Parcels
- Eureka Energy Company Fee Parcels
- Leased to PG&E
- Leased to HomeFed
- DCCP Site Boundary
- Montana de Oro State Park
- Publicly Owned Parcels
- Conservation Easements
- Pending Conservation Space (1,200 acres)

### Reference Table

①	GTE Mobilonet (Verizon) Site License Agreement for telecommunication equipment
②	California State Lands Commission Lease to PG&E for Water Discharge Channel and Intake Structure
③	Properties Lease to PG&E: Plant (Parcel P), Transmission Lines (Parcel T), (Parcel L) and Road (Parcel R)
④	Grazing and Agricultural License to Mello
⑤	License to Mello for Marre House
⑥	Road Easement to Martin
⑦	Grazing License for Blanchard
⑧	1,200-Acre Deed Restriction Area
⑨	Point Buchon Deed Restriction Area
⑩	License to Blecha for North Ranch House

The CPUC has authorized several elements of the joint proposal, including approval to cease plant operations once the NRC operating licenses expire, and funding for employee retraining and redeployment. The CPUC also stated its intention to avoid any increase in greenhouse gas emissions resulting from the closure of DCPD.

Funding for the community impact mitigation program and full funding of the employee retention program were not approved by the CPUC. The CPUC instead set forth that legislative authorization would be needed to approve the community impact mitigation program. Senate Bill (SB) 1090 was introduced in the California State Legislature to meet these key remaining goals of the joint proposal. It was approved by the State Senate and State Assembly in 2018 with bipartisan support, and was signed into law by Governor Brown on September 20, 2018.

## D. Decommissioning

When a power company decides to close a nuclear power plant permanently, the facility must be decommissioned by safely removing it from service and reducing residual radioactivity to a level that permits release of the property and termination of the operating license. The NRC has strict rules governing nuclear power plant decommissioning, involving cleanup of radioactively contaminated plant systems and structures and removal of the radioactive fuel. These requirements protect workers and the public during the entire decommissioning process and the public after the license is terminated.

### Decommissioning Process

The companies that operate nuclear power plants can use one or both of two options to decommission their facilities.

The first option is known as “DECON,” short for decontamination. With DECON, the first steps of taking the plant apart begin as soon as the fuel is removed from the reactor vessel. The operator first decontaminates or removes contaminated equipment and materials. The transfer of spent nuclear fuel into dry cask storage and the removal of equipment lowers the radiation level in the facility and significantly reduces the potential exposure to workers during subsequent decommissioning operations. DECON can take five years or more.

The second option is called “SAFSTOR,” for safe storage. This process takes much longer. After the fuel is removed from the reactor vessel, the plant is kept intact and placed in protective storage for an extended period of time. This allows the radioactive elements in components to decay to stable elements. During this time, the main components of the plant remain in place, including the reactor vessel, fuel pools, turbine and other elements. All fuel is removed from the reactor vessel and placed in fuel pools or dry storage on-site. The NRC continues to inspect the site and provides regulatory oversight of maintenance and security appropriate to the low risk profile of the site. The plant is dismantled in a process similar to the DECON option once radioactivity has decayed to lower levels and the safety risk to workers is substantially reduced. Generally, sites must spend no longer than 50 years in SAFSTOR to allow up to 10 years for decontamination. The entire process must be completed within 60 years.

According to the NRC website, eighteen commercial reactors in the United States are in the decommissioning process. Twelve of these reactors are using the SAFSTOR option, six are using the DECON option.

### Decommissioning Funding

Before a nuclear power plant begins operations, the NRC requires that the licensee must establish or obtain a financial mechanism (such as a trust fund or a guarantee from its parent company) to ensure there will be sufficient money to pay for the ultimate decommissioning of the facility.

Each nuclear power plant licensee must report to the NRC every two years the status of its decommissioning funding for each reactor that it owns. The report must estimate the minimum amount needed for decommissioning by using predetermined formulas. Licensees may alternatively determine a site-specific funding estimate, provided that amount is greater than the generic decommissioning estimate determined through the formulas. Approximately 70 percent of licensees are authorized to accumulate decommissioning funds over the operating life of their plants. The NRC completes an independent analysis to determine whether licensees are providing reasonable "decommissioning funding assurance" for radiological decommissioning of the reactor at the permanent termination of operation.

In California, the CPUC also regulates and reviews nuclear decommissioning costs and projects, pursuant to the California Nuclear Facility Decommissioning Act. The California Nuclear Facility Decommissioning Act was passed by state legislation in 1985 to ensure that there is sufficient funding available to decommission nuclear facilities upon shutdown. As early as 1983, the CPUC ordered PG&E to begin forecasting its nuclear decommissioning costs to make sure that there is adequate funding and that those decommissioning costs would be distributed equitably over time among all customers who benefit from the operation of the DCP.

Under the 1985 Act, the CPUC established the Nuclear Decommissioning Cost Triennial Proceeding (NDCTP) as a proceeding to examine nuclear decommissioning costs funding levels for the trust fund that each utility establishes to fund decommissioning, and the assumptions associated with that funding level. Specifically, the NDCTP application includes a decommissioning cost estimate that covers reasonable and prudent decommissioning costs and assumptions around how that cost estimate is developed. The application also includes a review of any decommissioning projects that were completed since the last application was filed, and any assumptions about the trust fund, the rate of return and funding requirements. The NDCTP application is filed every three years and the revenue requirement can and will be adjusted every three years with subsequent NDCTP applications as new information becomes available. PG&E filed a NDCTP application in March of 2016. The latest filing was on December 13, 2018.

## **E. Diablo Canyon Decommissioning Engagement Panel (DCDEP)**

In 2016 when PG&E announced plans to close the DCP, a partnership with labor and leading environmental organizations was formed to create the "joint proposal." The joint proposal included a plan to engage the community in a very transparent, robust and collaborative conversation about how DCP will be shutdown. In addition, in 2018, the CPUC directed that PG&E take no action with respect to any of the lands and facilities before completion of a public stakeholder process. The DCDEP was formed to create an avenue for this two-way communication. The meetings and workshops held by the DCDEP allow local community members to provide direct input to PG&E, and subject matter experts to provide information to the panel and the public about DCP decommissioning.

The DCDEP will help inform PG&E's site-specific decommissioning plan on future land use and repurposing recommendations. PG&E will consider DCDEP input while ensuring that DCPD decommissioning plans remain in compliance with regulatory guidelines and protection of PG&E assets. The DCDEP functions solely in an informational and advisory capacity. PG&E retains complete discretion to accept, modify or decline any recommendations made by the DCDEP, as PG&E is responsible for ensuring the health and safety of the public and is the financial and land steward of DCPD assets. Final decisions regarding DCPD decommissioning are made by PG&E in conjunction with the appropriate regulatory agencies.

PG&E is seeking community input through the DCDEP as it prepares the DCPD decommissioning plans and a cost estimate that will be the subject of an ongoing regulatory process that began with the filing of the Nuclear Decommissioning Cost Triennial Proceeding on December 13, 2018 with the CPUC. PG&E intends, pending CPUC approval, to continue to engage with the DCDEP and solicit input from the public during this multi-year review process.

### Formation Process

In early February 2018, PG&E announced its intention to form the DCDEP. PG&E employed a robust print, radio and social media advertising campaign to make the public aware of the opportunity to submit an application to become a member of the Engagement Panel. That effort generated 2.8 million digital impressions, over 150,000 print impressions and 240,000 radio impressions. Participants were selected by a formation committee comprised of representatives from the local community and PG&E.

After an in-depth review of 105 applicants, a formation committee (which included six local community leaders representing a spectrum of backgrounds and opinions and representatives from PG&E) assisted in the selection of eleven members of the DCDEP (the twelfth member is a PG&E representative). The formation committee was comprised of the following individuals:

- Dee Lacey, Co-Owner, Lacey Livestock; Gubernatorial appointee to the State Fair Board; Heritage Oaks Bank Board of Directors; former Paso Robles School Board Member; former Cuesta College Trustee
- Katcho Achadjian, Owner, local gas stations; former San Luis Obispo County Supervisor; former California Coastal Commissioner; former California State Assembly Member
- Ermina Karim, President and CEO, San Luis Obispo Chamber of Commerce
- Rochelle Becker, Executive Director, Alliance for Nuclear Responsibility
- Jeff Thomas, Business Manager, Plumbers & Steamfitters Local 403
- Ken Thompson, Diablo Canyon Liaison, Avila Valley Advisory Committee
- Tom Jones, Director of Strategic Initiatives, PG&E
- Stephanie Isaacson, Director of Community Relations, PG&E

In conjunction with PG&E, the formation committee developed panel selection criteria, reviewed applications and participated in a facilitated process to reach consensus on a slate of panel-member recommendations for PG&E's final decision. The formation committee was looking for representatives from the local community who broadly reflect the diverse community stakeholder viewpoints in proximity to DCPD. There are no designated seats for any organization

or interest group on the panel. The members of the DCDEP would be unpaid volunteers who are highly engaged and well-informed leaders in the community. Elected officials, PG&E employees and their immediate family members were not eligible for panel membership.

*Composition of the Diablo Canyon Decommissioning Engagement Panel*

The Diablo Canyon Decommissioning Engagement Panel (DCDEP) is comprised of representatives from the local community. Each member of the DCDEP serves a two-year term (following the initial staggering of terms). The inaugural panel, formed in May 2018, has staggered terms as assigned by the membership at its first meeting through a facilitated process. Membership will be renewed or vacancies refilled at PG&E's discretion in consultation with the DCDEP Facilitator and DCDEP members.

The current member's complete profiles can be found by following this [link](#). 2018/2019 DCDEP members are as follows:

David M. Baldwin, Atascadero – David is a lifelong resident of San Luis Obispo County and currently works in Public Works Labor Compliance for the Labor Management Compliance Council and is a member of Plumbers and Steamfitters local 403.

Dena Bellman, Arroyo Grande - Dena has lived in San Luis Obispo County most of her life and is active in many community-building volunteer efforts. She currently works as a Senior Park and Recreation Specialist for California State Parks

Lauren Brown, San Luis Obispo – Lauren, retired since 2018, co-founded JBL Scientific (acquired by Promega), a specialty biochemical company and moved to San Luis Obispo in 1973. He was honored by the San Luis Obispo Chamber of Commerce as the 2014 Citizen of the Year.

Sherri Danoff, Avila Beach – Sherri, currently retired, has lived in Avila Beach for 18 years. She was a land use planner with over 30 years of experience in California jurisdictions. Sherri has several and varied involvements in the local community.

Jon Franke, Pismo Beach (PG&E) – Jon is Vice President of Safety and Health, Chief Safety Officer, for PG&E. Jon joined PG&E as Vice President, Generation Technical Services, in January 2017, and is currently the officer that oversees the decommissioning project.

Alex Karlin, San Luis Obispo – Alex, currently retired, served as an Administrative Judge with the Atomic Safety and Licensing Board Panel of the NRC for eleven years, presiding over, and deciding litigation at facilities such as Diablo Canyon and Yucca Mountain. Prior to that, he was an environmental attorney for 30+ years. Alex is a hiker, birder, and docent at Montana de Oro.

Trevor Keith, San Luis Obispo - Trevor is a 21-year resident of the Central Coast and brings a land use planning and renewable energy background to the effort. Currently, Trevor is the Director of San Luis Obispo County Planning and Building Department.

Scott Lathrop, San Luis Obispo - A 63-year native resident of San Luis Obispo, Scott, as a Chumash Native American, comes to the Panel with ancestral roots in and around Diablo Canyon. He currently serves as Assistant Superintendent, Business Services for a public school district.

Frank Mecham, Paso Robles – Frank, currently retired, is a fifth generation San Luis Obispo County resident and a ninth generation Californian. He worked as an electrical contractor for 20 years and as a financial advisor for seven. He also served as both mayor of Paso Robles and as the Supervisor for the First District.

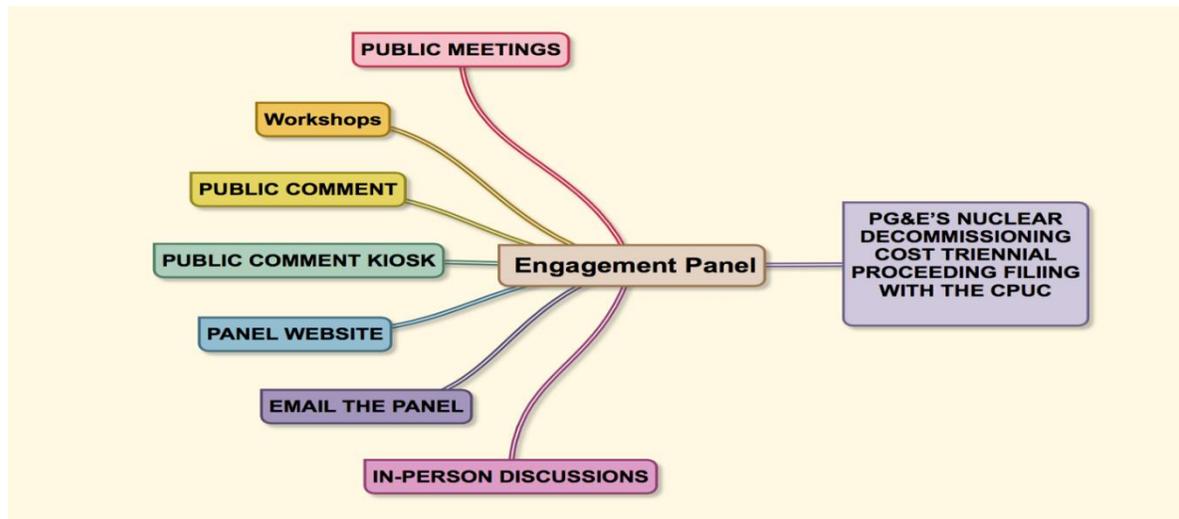
Nancy O'Malley, Avila Beach - Nancy had been coming to the Central Coast all her life until she was able to permanently relocate here in 2015. She is an Internal Medicine physician with over 30 years of experience in a wide range of health care settings working with patients, their families and health care teams from many diverse backgrounds and cultures.

Linda Seeley, Los Osos – Linda, currently retired, has been a resident of San Luis Obispo County since 1982. She worked as a nurse-midwife and women's health nurse practitioner. She serves as a spokesperson for San Luis Obispo Mothers for Peace and is a member of a number of environmental interest groups.

Kara Woodruff, San Luis Obispo - Kara is a 26-year resident of San Luis Obispo and is currently the VP/Chief Compliance Officer of Blakeslee & Blakeslee. As former project director for The Nature Conservancy and Board President of American Land Conservancy, Kara brings to the panel an impassioned interest in the conservation of the Diablo Canyon Lands.

## II. Engagement Panel Community Outreach Efforts

The DCDEP held its first public meeting on May 30, 2018. Since that time the DCDEP has conducted a total of seven public community meetings and four all-day public workshops to receive information and listen to the public’s concerns and perspectives. The DCDEP members used numerous pathways to inform the public about the decommissioning process and receive feedback. From May through December 2018, PG&E supported the DCDEP efforts with targeted media announcements and social media advertising. This resulted in an estimated one million digital impressions and 120,000 print impressions. During the same time period, there were over 6,000 visits to the DCDEP website.



### A. Community Outreach Activities

The DCDEP conducted seven public meetings in 2018 addressing a range of decommissioning topics. Prior to the first meeting, the DCDEP requested that PG&E identify the decommissioning topics that required public input prior to filing the 2018 NDCTP. At the first meeting, the DCDEP members discussed PG&E’s recommendations and then selected and scheduled the topics to be addressed through 2018.

Prior to each public meeting, PG&E and the DCDEP hosted an open house where the public could view information specific to the meeting topic and speak individually with PG&E technical experts and DCDEP members. Online kiosks were also available where members of the public could ask questions or provide comments. Time on the agenda was also allocated at each public meeting for public comments where members of the public or organizations could express their concerns and make recommendations. All of these comments are included in the DCDEP public comment record.

#### Public Meetings

All DCDEP public community meetings were live-streamed and video recordings are available to be viewed online. In addition, a written transcript of each meeting was compiled.

Meetings can be viewed by selecting the Meeting Video link in the table below. The transcript and the agenda and presentation materials for each meeting can also be viewed by selecting the appropriate link below.

<b>Date</b>	<b>Decommissioning Topic</b>	<b>Meeting Details</b>
May 30, 2018	Introduction and Selection of Meeting Topics	<a href="#">Meeting Video</a> <a href="#">Meeting Transcript</a> <a href="#">Agenda &amp; Presentation Slides</a>
June 27, 2018	Regulatory Requirements for the NDCTP	<a href="#">Meeting Video</a> <a href="#">Meeting Transcript</a> <a href="#">Agenda &amp; Presentation Slides</a>
July 25, 2018	Decommissioning Funding	<a href="#">Meeting Video</a> <a href="#">Meeting Transcript</a> <a href="#">Agenda &amp; Presentation Slides</a>
August 29, 2018	Diablo Canyon Lands	<a href="#">Meeting Video</a> <a href="#">Meeting Transcript</a> <a href="#">Agenda &amp; Presentation Slides</a>
September 26, 2018	Repurposing of DCP facilities	<a href="#">Meeting Video</a> <a href="#">Meeting Transcript</a> <a href="#">Agenda &amp; Presentation Slides</a>
October 24, 2018	Emergency Planning	<a href="#">Meeting Video</a> <a href="#">Meeting Transcript</a> <a href="#">Agenda &amp; Presentation Slides</a>
November 13, 2018	Draft DCDEP Strategic Vision Report	<a href="#">Meeting Video</a> <a href="#">Meeting Transcript</a> <a href="#">Agenda &amp; Presentation Slides</a>

*Transcription materials provided for meetings only*

**DCDEP Workshops on Diablo Canyon Lands and Facility Repurposing**

In addition to the monthly public meetings, the DCDEP held two full-day workshops on Diablo Canyon Lands and DCP facility repurposing. The purpose of the workshops was to give interested organizations and the public more time than could be allocated at a monthly public meeting to present their ideas and engage in a dialogue with the DCDEP members. Approximately one hour was allocated to each presenter, which included a 20-minute presentation followed by a question and answer period. A total of twelve organizations made presentations on Diablo Canyon Lands and nine on Facility Repurposing. In addition to formal one-hour presentations, the general public was also invited to offer public comments.

The following is a list of the workshop dates and topics. The agendas are available by selecting Agenda and the recorded online video is available online by selecting “View Video.”

<b>Date</b>	<b>Topic</b>	<b>Workshop Details</b>	
August 17, 2018	Diablo Canyon Lands	<a href="#">Agenda</a>	<a href="#">View Video</a>
August 18, 2018	Diablo Canyon Lands	<a href="#">Agenda</a>	<a href="#">View Video</a>
September 14, 2018	DCPP Facility Repurposing	<a href="#">Agenda</a>	<a href="#">View Video</a>
September 15, 2018	DCPP Facility Repurposing	<a href="#">Agenda</a>	<a href="#">View Video</a>

*Public Tours of Diablo Canyon Lands and Facilities*

In concert with the DCDEP public meeting and workshops on Diablo Canyon lands and facility repurposing, PG&E hosted over 20 3-hour bus tours of the of the lands, coastline and DCP facilities for the general public during August and September. Over 500 community members viewed the lands and facilities under discussion by the DCDEP. The tours were narrated by PG&E representatives and supported with videos. In addition, approximately 2,500 people hiked the Pecho Coast and Point Buchon trails during the same time period

*DCDEP Field Trips and Facility Tours*

In addition to monthly public meetings and full-day workshops, the DCDEP members also participated in numerous fact-finding tours and field trips to be more knowledgeable about the DCP, similar decommissioning projects, existing conservation activities and other community engagement panels. The following is a list of fact-finding tours and activities.

<b>Date</b>	<b>Activity</b>	<b>Host</b>
May 16, 2018	Tour of DCP facilities, lands and coastline	PG&E
July 9, 2018	Tour of Marine Mammal Center	Marine Mammal Center
August 15, 2018	Tour of Pacific Wildlife Care Center	Pacific Wildlife Care
September 7, 2018	Tour of CSU Monterey Bay	Cal Poly and CSU System
October 26, 2018	Tour of Pismo Beach Preserve	The Land Conservancy of SLO County
November 16, 2018	Tour of Wind Wolves Preserve	The Wildlands Conservancy
November 29, 2018	SONGS Community Engagement Panel (CEP) meeting	San Onofre Nuclear Generating Station (SONGS) CEP
November 30, 2018	Tour of SONGS and interim storage facility	Southern California Edison

*Presentations to Community Organizations*

DCDEP members reached out to community organizations and service clubs to make presentations and discuss decommissioning activities. Approximately 300 people participated in these presentations which included a 15-20 minute talk illustrated with a PowerPoint presentation and a follow-up question and answer session. The presentations were well received and the questions and answer sessions were very energetic.

<b>Date</b>	<b>Community Group</b>	<b>Approximate # of People</b>
August 13, 2018	Monday Rotary, San Luis Obispo	75
August 30, 2018	United Methodist Men’s Breakfast, San Luis Obispo	15
September 21, 2018	Exchange Club, San Luis Obispo Care Center	40
September 24, 2018	Lions Club, San Luis Obispo	25
October 17, 2018	Rotary de Tolosa, San Luis Obispo	75
November 1, 2018	Economic Committee, SLO Chamber of Commerce	30
December 13, 2018	Retired Active Men, San Luis Obispo	70
<b>Total</b>	<b>7 Community Groups</b>	<b>330</b>

## B. 2019 Public Meeting and Workshop Schedule

At the September 26, 2018 DCDEP meeting, PG&E announced its intention to continue the DCDEP through decommissioning activities in 2072. The DCDEP members revised the 2018 schedule and identified the following decommissioning topics for discussion in 2019. It is anticipated that there will be a strong interest in the 2019 topics. The DCDEP will update the 2018 Strategic Vision, Goals and Recommendations as they conduct additional public outreach.

Activity / Date / Time	Subject	Location
<b>Spent Fuel Workshops</b> February 22 & 23, 2019 (8:00 AM - 5:00 PM)	Spent Fuel Storage	TBD
<b>Quarterly Panel Meeting</b> March 13, 2019 (6:30 PM - 9:30 PM)	Spent Fuel Storage	SLO Govt. Center
<b>Quarterly Panel Meeting</b> June 12, 2019 (6:30 PM - 9:30 PM)	Engagement Panel - Role, Function and Structure	SLO Govt. Center
<b>Quarterly Panel Meeting</b> September 18, 2019 (6:30 PM - 9:30 PM)	Economic Impact of Decommissioning	SLO Govt. Center
<b>Quarterly Panel Meeting</b> November 13, 2019 (6:30 PM - 9:30 PM)	Transportation	SLO Govt. Center

## C. Public Comments Received on Decommissioning Topics

In response to the significant outreach efforts by the DCDEP and PG&E, 957 documented comments have been received through a variety of outreach efforts. The majority of comments were received on the topics of Future Land Use, Repurposing of Facilities and the draft DCDEP Strategic Vision report. [\[View Public Comments\]](#)

Activity	Number of Comments by Topic					Total
	Process and Funding	Diablo Canyon Lands	Repurposing Facilities	Draft Panel Report	Other*	
Comment at Panel Meetings/Workshops	3	49	19	-	15	<b>86</b>
Online Comment	5	225	33	430	23	<b>716</b>
Conversations with DCDEP Members	2	65	12	-	9	<b>88</b>
Emails/Other	2	10	5	38	12	<b>67</b>
<b>Total</b>	<b>12</b>	<b>349</b>	<b>69</b>	<b>468</b>	<b>59</b>	<b>957</b>

*\*Other topics include Safety, Security, Transportation, Economic Impacts and Environmental Impacts. These topics will be addressed by the DCDEP in 2019.*

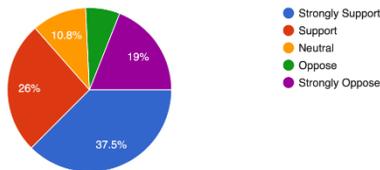
## D. Public Comments Received on Draft Vision, Goals and Recommendations

The DCDEP received 489 public comments on decommissioning topics and 468 public comments on the Draft Strategic Vision, Goals and Recommendations document that was circulated for review in November 2018, for a total of 957 public comments received to date. The public comments were generally supportive of the Draft Strategic Vision, Goals and Recommendations. The DCDEP members reviewed and discussed the comments and agreed on numerous revisions and modifications to the draft document. Individual comments can be viewed online at the following links. [\[View Public Comments on DCDEP Draft Strategic Vision, Goals and Recommendations\]](#)

The following charts indicate the level of support by each area of the Draft Strategic Vision, Goals and Recommendations document.

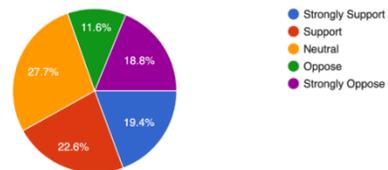
To what extent do you support or oppose the draft vision statement, goals and activities for DECOMMISSIONING PROCESS?

400 responses



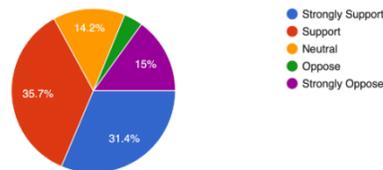
To what extent do you support or oppose the draft Alternative Vision for the DECOMMISSIONING PROCESS?

372 responses



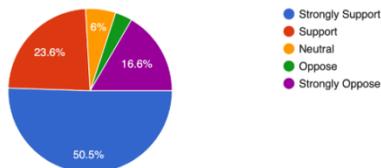
To what extent do you support or oppose the draft vision statement, goals and activities for DECOMMISSIONING FUNDING?

373 responses



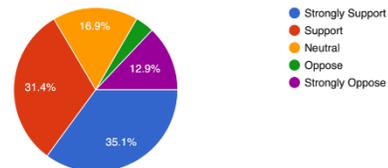
To what extent do you support or oppose the draft vision statement, goals and activities for LANDS?

386 responses



To what extent do you support or oppose the draft vision statement, goals and activities for FACILITY REPURPOSING?

379 responses



*\*For all topic areas delineated above, approximately 80% of the respondents who were "Opposed" or "Strongly Opposed" did not want the DCPD to cease operation and were opposed to any decommissioning related activities.*

# III. Strategic Vision and Goals

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Contained in this section are the strategic Visions and Goals of the DCDEP representing the topics covered during 2018. The Vision and Goals in this Strategic Vision are based on public input received by the DCDEP from May through December 2018 via public meetings and workshops and written correspondence and were prepared by the DCDEP using a facilitated process.

The DCDEP recognizes that not all subject areas are covered here. Only those topics that have been discussed to date are in this 2018 document. The DCDEP will continue to meet and study other critical issues. These matters, as well as refinements to the subject areas covered in this Strategic Vision, will be contained in future iterations of the Strategic Vision.

The following topics are included in this 2018 Strategic Vision:

- A. Decommissioning Process
- B. Decommissioning Funding
- C. Diablo Canyon Lands
- D. Repurposing of the Diablo Canyon Facilities
- E. Engagement Panel Structure and Function Review

The vision statements in this document are the framework around which the goals and recommendations are based. A goal is a description of a desired outcome and the recommendations are the activities needed to meet the goal. The recommendations are contained in Section IV – Recommendations/Implementation Plan. At least once each year, the DCDEP will report on the status of the recommendations.

## A. Decommissioning Process

The DCDEP recognizes that the decommissioning of the DCPD will be a lengthy and complicated process involving local, state, and federal regulatory agencies. Decommissioning, which includes the issues of the long-term storage and intended future removal from the DCPD site of spent nuclear fuel, could span several decades and will require the community and stakeholders to remain attentive and engaged for many years. (See Figure 2 - Example Timeline for Decommissioning)

Through these vision statements, goals and recommendations, it is the intent of the DCDEP to make health and safety the first consideration throughout the decommissioning process and to establish and maintain working relationships that encourage information sharing and effective dialogue among all persons and entities with an interest in the decommissioning process.

Recommendations for Decommissioning Process can be found in Section IV of this document.

### **Vision Statements**

- The health, safety and well-being of the local community should be ensured before, during and after decommissioning
- The decommissioning (decontamination) process should begin immediately upon shutdown with a goal of 10 years for completion of radiological decommissioning and decontamination, thus avoiding SAFSTOR (which allows up to 60-year delay in decontamination)
- The decommissioning process should be safe, timely, cost effective and efficient
- The CPUC should continue the DCDEP at a minimum until cessation of operations of the DCP

### **Goals**

#### **1. Diablo Canyon Decommissioning Engagement Panel**

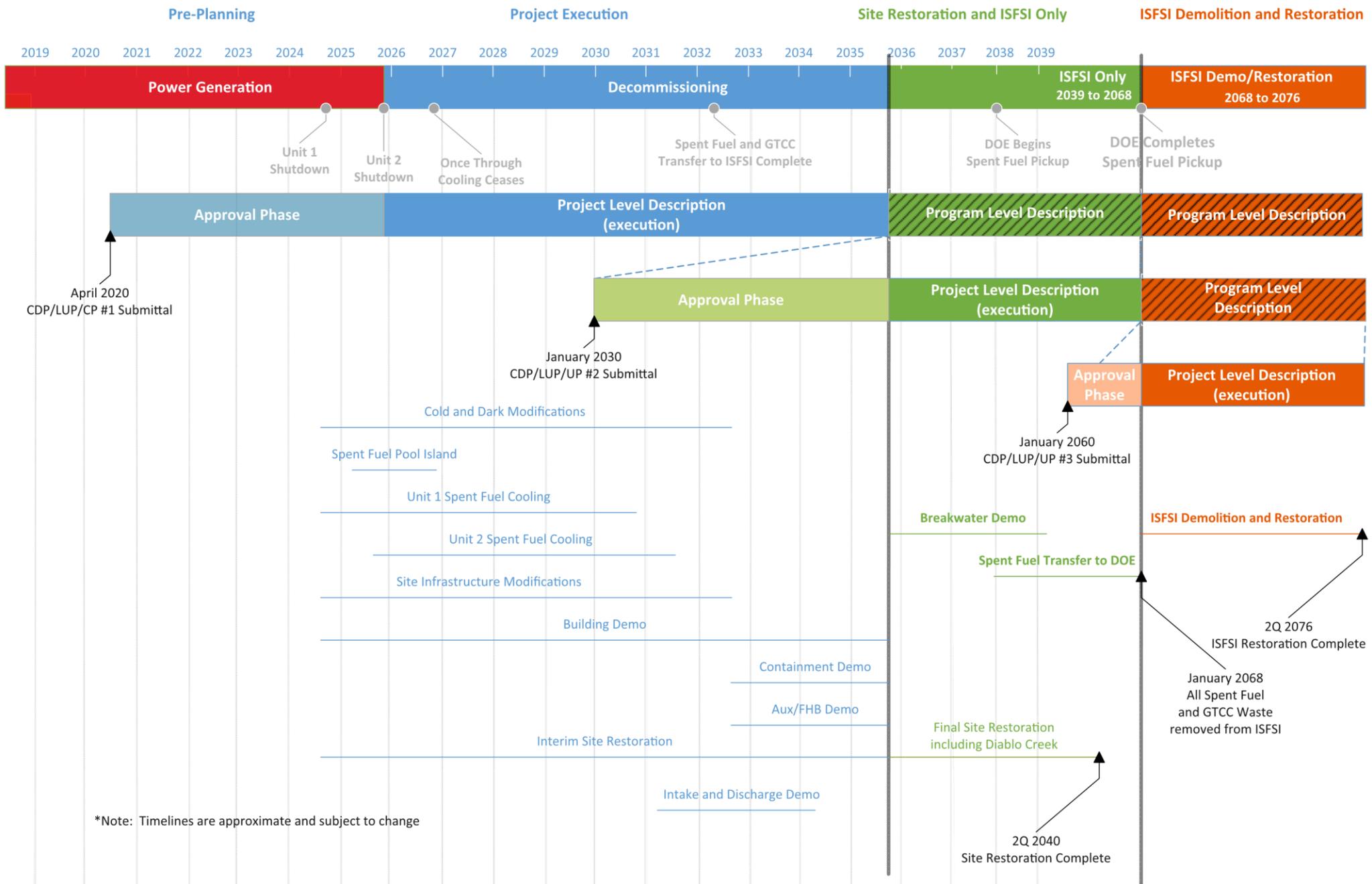
- a. The DCDEP should continue its role of interacting with the public to assure the public's perspectives are understood and considered by PG&E and regulatory agencies
- b. The DCDEP should continue to assist PG&E in seeking out new ideas/opportunities throughout the decommissioning process
- c. The DCDEP should assist the public in understanding what to expect during the decommissioning process
- d. The DCDEP's recommendations and guidance during the decommissioning process should be strongly considered by PG&E and regulatory agencies

#### **2. Safety**

- a. The highest level of safety during the decommissioning process should be ensured
- b. The highly radioactive spent nuclear fuel should be stored onsite in the safest and most technologically advanced manner possible and be removed from the site as soon as feasible
- c. The highest level of safety regarding the transport of radioactive contaminated materials and eventual removal of spent fuel from the area should be ensured
- d. The traffic impacts associated with decommissioning activities should be minimized through surrounding communities

#### **3. Labor**

- a. The commitment to the use of a highly skilled and trained local workforce for all decommissioning activities should be continued by PG&E



# DIABLO CANYON Decommissioning Engagement Panel

Figure 2 - Example Timeline for Decommissioning

## **B. Decommissioning Funding**

Funding for the costs to decommission DCP are made available through the *Decommissioning Trust Fund*. The use of the Trust Fund for decommissioning is mandated by both Federal and State regulations (see Section I(D) of this document for additional information). PG&E has collected monthly fees on customers' electric bills to fund the trust, which are further augmented over the life of the plant from returns on investment in fixed income (bonds) and equity (stocks). PG&E was required by the CPUC to collect and maintain the Trust Fund while the plant is in operation in preparation for DCP's eventual decommissioning.

The purpose of the Trust Fund is to ensure sufficient funding will be available to decommission DCP. The Trust Fund currently holds approximately \$2.8 billion, and PG&E has requested additional funding of \$1.6 billion in its Nuclear Decommissioning Cost Triennial Proceeding December 2018 report. The Triennial Report includes a more detailed estimate of costs associated with the decommissioning of DCP.

The safety of current and future generations is the paramount concern when decommissioning DCP. Although funding the costs for decommissioning should be guided by the principle of avoiding imposition of undue burdens on ratepayers, the safety of the community, both now and in the future, should never be discounted. The DCDEP recognizes that strategies for decommissioning (including the repurposing of facilities) have an influence on the costs of decommissioning.

Through these vision statements, goals and recommendations, it is the intent of the DCDEP to ensure the health and safety of the community is not compromised and remains a primary consideration, while minimizing impacts to ratepayers.

Recommendations for Decommissioning Funding can be found in Section IV of this document.

### **Vision Statements**

- The health and safety of the community and the environmental quality of the area should be the primary consideration during decommissioning and adequate funding of the Decommissioning Trust Fund should be provided to meet these objectives
- The most cost-effective methods for decommissioning should be investigated by PG&E in order to save ratepayers money
- The formulation of all decommissioning costs and decisions should be transparent to ratepayers and the community
- The existing Decommissioning Trust Fund should be protected, preserved and augmented as appropriate to assure that it remains stable and sufficient in order to adequately finance decommissioning

### **Goals**

#### **1. Funding**

- a. The DCDEP, in conjunction with PG&E, should endeavor to assure that the public clearly understands the funding necessary to safely accomplish decommissioning

- b. The funding necessary for critical advance planning decommissioning activities needed to ensure immediate transition to DECON (decommissioning and decontamination) upon plant closure should be made available to PG&E
- c. The Decommissioning Trust Fund should be adequately funded to cover the reasonable cost of completing all the decommissioning activities, including removal, transportation, and disposal of materials in a way that minimizes risk, cost, and disruption to local communities

## C. Diablo Canyon Lands

The Diablo Canyon Lands are located along the California coast, in an area that has seen virtually no development, other than the power plant and ancillary facilities, which these lands surround. The Diablo Canyon Lands are located in the Irish Hills region of San Luis Obispo County, which has been the subject of significant conservation activity over the last two decades. The over 12,000 acres owned by PG&E (or its affiliates), including a 14-mile stretch of pristine coastline, contain relatively undisturbed grasslands, coastal sage, oak woodlands and bishop pine forests. These areas are currently managed by PG&E using innovative best management practices and a strong land stewardship program. (See Figure 3 – Diablo Canyon Lands)

In 2000, over 75 percent of county voters supported the [DREAM](#) (Diablo Resources Advisory Measure) Initiative. DREAM was an advisory ballot measure that called on county leaders and PG&E to set aside the Diablo Canyon Lands for habitat preservation, agriculture and public use upon closure of the plant. This initiative was unanimously supported by the San Luis Obispo County Board of Supervisors, PG&E and numerous community and environmental organizations.

Through these vision statements, goals and recommendations, it is the intent of the DCDEP to promote the conservation of Diablo Canyon Lands consistent with recent public input at workshops and meetings and the passing of the DREAM Initiative.

Recommendations for Diablo Canyon Lands can be found in Section IV of this document.

### Vision Statements

- The 12,000 acres of Diablo Canyon Lands surrounding the DCP are a precious treasure and a spectacular natural resource that should be preserved in perpetuity for the public and future generations, in acknowledgement of its significant resources values
- The public should be ensured access to the Diablo Canyon Lands to the greatest extent possible, while protecting and preserving sensitive habitats, cultural sites and other resources
- The use of Diablo Canyon Lands should be consistent with the safe, secure and monitored storage of spent nuclear fuel, until such time as it is removed from the site
- The use of Diablo Canyon Lands should include activities that are consistent with wildlife and resource protection and visitor enjoyment including multi-use trails for hiking, mountain biking, and equestrian use and managed overnight camping
- The preservation of sacred Native American sites should be assured
- The request for land ownership by the local Native American community should be acknowledged and considered as a valid claim for historical reasons, while bearing in mind the overwhelming public testimony that the Diablo Canyon Lands be conserved and available to the public for managed use

- The conservation activities on Diablo Canyon Lands should be coordinated with owners of other protected properties in the Irish Hills region, including State Parks, the US Bureau of Land Management, the Nature Conservancy, the Land Conservancy of San Luis Obispo County, and the City of San Luis Obispo

## **Goals**

### **1. Land Stewardship**

- a. The excellent stewardship of PG&E in preserving and maintaining the Diablo Canyon Lands should be recognized
- b. The existing biological, geological and archeological data should be made available by PG&E to conservation entities who may be future stewards of the Diablo Canyon Lands
- c. The preparation of a plan for the ongoing management, preservation and managed public access of Diablo Canyon Lands should be developed through a collaborative process with appropriate governmental and non-governmental organizations to assure all available funding is pursued and ongoing stewardship is maintained
- d. The preparation of the management/public access plan should include public input and take into consideration the use of the Diablo Canyon Lands may have on local traffic and safety
- e. The management/public access plan should include a multi-use non-motorized trail system for hikers, mountain bikers and equestrian use, possible overnight camping consistent with public safety, restricted access in the sensitive intertidal zone, rotational grazing, habitat restoration and protection of cultural sites
- f. The 1,200 acres near Point San Luis (See Figure 3) should be deed restricted in perpetuity for conservation and public access

### **2. Land Transfer and Use**

- a. The transfer of the Diablo Canyon Lands to a conservation entity or entities should be promoted to ensure the protection of natural and cultural resources in perpetuity, public education and managed public access
- b. The Diablo Canyon Lands should be conserved prior to the completion of the decommissioning process, as appropriate
- c. The public announcement by PG&E of its intention to collaborate with interested parties to preserve the Diablo Canyon Lands should occur as soon as allowed by the CPUC
- d. The Diablo Canyon Lands should be owned and managed by a conservation entity or entities, such as State or National Parks, the Wildlands Conservancy, the San Luis Obispo Land Conservancy, a Native American non-profit or other governmental or non-profit conservation group experienced in land management, for resource protection and managed public use
- e. The long-term protection of ecological, scenic, and cultural resources and the well-being of local communities should be a primary consideration in determining the appropriate level of public access to the Diablo Canyon Lands
- f. The establishment of at least two multi-use trail extensions of the California Coastal Trail should be pursued which include both a trail along the coast and an interior trail through Wild Cherry Canyon and other protected Irish Hills properties
- g. The coastal section of the Diablo Canyon Lands should be protected to a higher degree, as needed to ensure the conservation of the more fragile marine, tidal, and coastal environment

- h. The interior sections of the Diablo Canyon Lands (including the lands associated with transmission lines) should allow for multiple compatible uses, including hiking, mountain biking, and equestrian use, and connections to the Irish Hills and Montana De Oro trail systems
- i. The use of Diablo Canyon Lands for motorized vehicles (other than in parking areas, access roads and for maintenance and management activities) and night-time recreational use (other than camping as may be allowed) should be prohibited as inconsistent with resource protection
- j. The use of Diablo Canyon Lands for camping should be permitted only to the extent it is consistent with the safety of the community and the protection of cultural and environmental resources
- k. The use of a small portion of the land north of the Harbor Terrace development should be considered for use by the Port San Luis Harbor District for boat storage
- l. The San Miguelito Mutual Water Company lease with HomeFed for waste water facilities should be evaluated for, at a minimum, screening, location and technology, as part of any land transfer of Wild Cherry Canyon
- m. The disposal of Diablo Canyon Lands should recognize PG&E's fiduciary responsibility to their ratepayers and shareholders
- n. The acquisition of Diablo Canyon Lands from PG&E should consider a variety of funding mechanisms including: state bond funds, private donations, decommission-related permit mitigation measures, and compensatory processes via regulatory agencies such as the CPUC

### **3. Cultural Heritage**

- a. The importance and legacy of the Native American community to the Diablo Canyon Lands, including methods to provide acquisition or access to those lands should be explored
- b. The preservation of cultural and archeological sites and artifacts, including burial grounds should be ensured
- c. The transfer, by easement or fee title, of a portion of the Diablo Canyon Lands for exclusive use by the Native American community should be considered, with protection by conservation easement or other such means that would allow limited development consistent with local zoning and the preservation of environmental and cultural resources in perpetuity

# Diablo Canyon Lands

## LAND OWNERSHIP, ZONING AND LAND USE INFORMATION



### Map Legend

- Diablo Canyon Power Plant Location (NRC)
- Diablo Canyon Lands**
- PG&E Fee Parcels
- Eureka Energy Company Fee Parcels
- Leased to PG&E
- Leased to HomeFed (Wild Cherry Canyon)
- Pending Conservation Space (1,200 acres)
- Coastal Zone
- Pecho Coast Trail
- Buchon Trail
- Access Road
- Access Road North

### Reference Table

Symbol	Description
①	GTE Mobilnet (Verizon) Site License Agreement for telecommunication equipment
②	California State Lands Commission Lease to PG&E for Water Discharge Channel and Intake Structure
③	Properties Lease to PG&E: Plant (Parcel P), Transmission Lines (Parcel T), (Parcel L) and Road (Parcel R)
④	Grazing and Agricultural License to Mello
⑤	License to Mello for Marre House
⑥	Road Easement to Martin
⑦	Grazing License for Blanchard
⑧	1,200-Acre Deed Restriction Area
⑨	Point Buchon Deed Restriction Area
⑩	License to Blecha for North Ranch House

## **D. Repurposing of Diablo Canyon Facilities**

The DCPD site comprises more than just the containment structures for the reactors and the turbine building where electricity is generated. The site also has other structures including office buildings, warehouses, training facilities, maintenance shops, a marina and breakwaters, and a desalinization facility which could be maintained and repurposed (See Figure 4 – Existing Facilities). These facilities are all located on the approximate 700-acre “Parcel P,” which is shown on Figure 3 – Diablo Canyon Lands.

There may be benefits to the repurposing of certain non-contaminated facilities, if it can be done in a manner that it is sustainable and does not compromise public safety and the environmental quality of the region. The repurposing of these facilities could allow for the creation of new jobs to replace those lost through the closure of DCPD, decrease the volume of dismantled facility debris transported thereby minimizing the potential traffic conflicts through Avila Beach and on other local streets and highways and create opportunities to minimize the costs of decommissioning by limiting the amount of dismantling and removal.

Through these vision statements, goals and recommendations, it is the intent of the DCDEP to offer repurposing of Diablo Canyon facilities as an alternative to demolition.

Recommendations for Repurposing of Diablo Canyon Facilities can be found in Section IV of this document.

### **Vision Statements**

- The repurposing of facilities should be consistent with the safety and security of the spent fuel storage until such time as it is removed from the site
- The preservation of on-site non-contaminated facilities for repurposing should be explored by PG&E
- The repurposing of facilities should include thorough removal of radiological contamination to comply with regulatory levels as defined by the appropriate agencies
- The repurposing of facilities should consider whether a use can be sustained over time, is consistent with public safety and the continued environmental quality of the region and addresses community traffic concerns
- The repurposing of facilities should consider the conservation of the breakwaters and associated harbor area and the intake and discharge coves and associated marine terraces, to assure the protection of the ecological resources of the area
- The repurposing of facilities should only include land associated with Parcel P that is developed and necessary for a buffer of ongoing decommissioning activities
- The repurposing of facilities should be explored as way to, at a minimum, create new local jobs and promote the establishment of clean, green renewable energy sources
- The repurposing of the transmission lines should be explored for the transmission of wind, wave, solar and/or other clean, green renewable energy
- The preservation of the existing desalinization plant should be explored

## **Goals**

### **1. Existing Facilities**

- a. The buildings and structures should be repurposed, provided a proposed use can be sustained over time, safety is not compromised and the environmental quality of the community is assured
- b. The development of a strategy for management of the facilities should be completed by PG&E at the earliest possible time so potential repurposing tenants can be appropriately determined and advance planning for transfer and reuse can occur
- c. The preparation of a detailed list of assets available for repurposing, including a description of the facility, the type of facility (e.g., office, warehouse, etc.), square footage of the facility, age of the facility, and when the facility would become available for repurposing should be prepared by PG&E
- d. The maintenance of existing facilities by PG&E should occur until such time as the facilities are repurposed or determined to not be viable for repurposing to ensure that the facilities do not degrade over time
- e. The construction of infill development on Parcel P should be allowed provided safety is not compromised and the environmental quality of the community is maintained
- f. The Diablo Canyon Lands associated with Parcel P that are not developed and are not necessary for a buffer of ongoing activities should be released for open space and conservation
- g. The future use of repurposed facilities should not generate a substantial increase in traffic through surrounding communities during times of peak traffic
- h. The continued use of the desalination plant beyond decommissioning should be explored by PG&E to allow for provision of on-site water to repurposing tenants
- i. The potential use of the desalination plant for provision of emergency water to local water purveyors should be evaluated

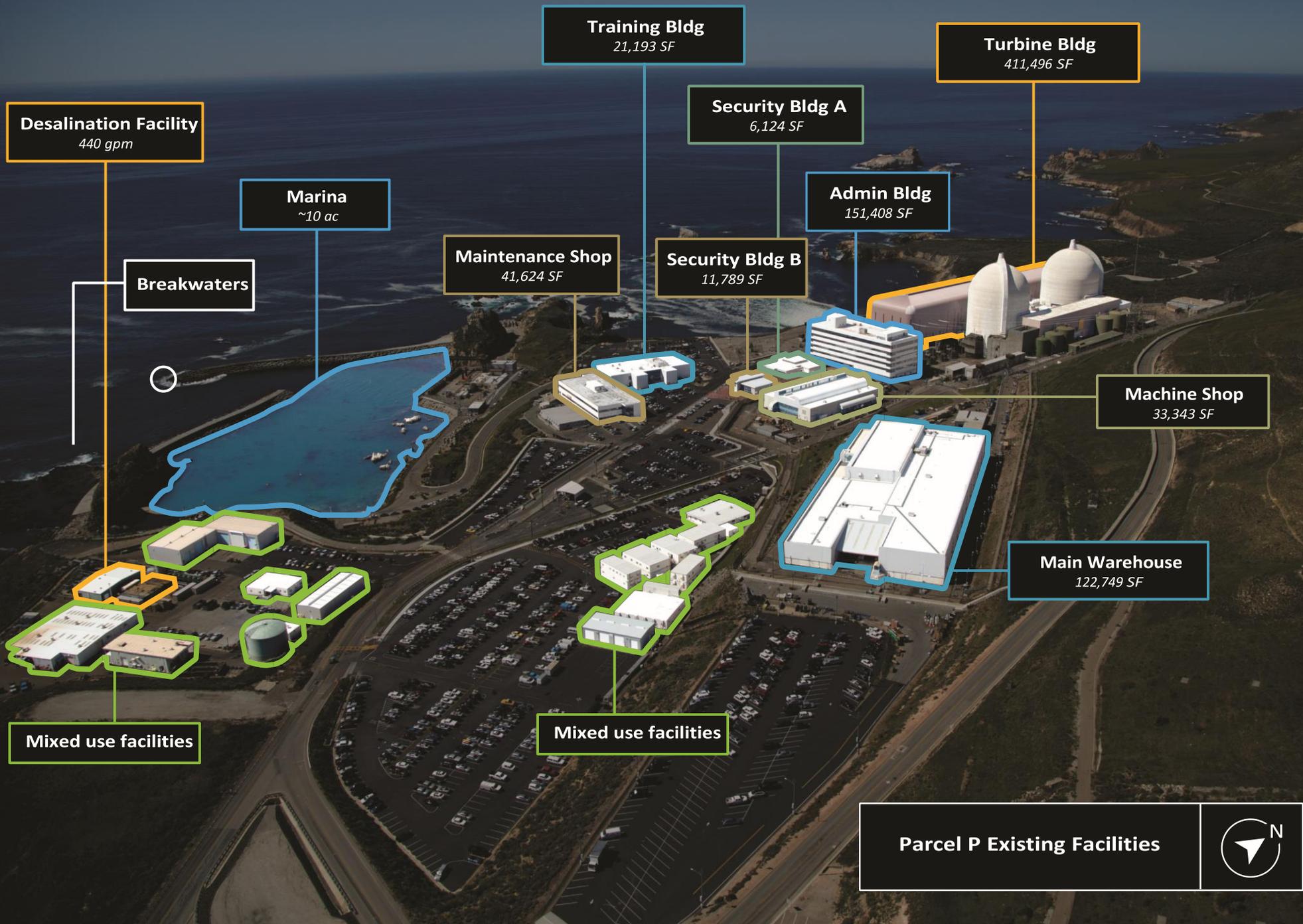
### **2. Marine Facilities**

- a. The breakwaters and associated harbor should remain in place consistent with the environmental quality and safety of the area and region
- b. The harbor and breakwater areas should be managed and repurposed in a manner consistent with the protection of habitat and wildlife
- c. The harbor should be available as a “safe harbour” to boaters in distress
- d. The discharge cove should be studied by qualified individuals during and after decommissioning to fully understand and remove any radiological contamination to comply with regulatory levels as defined by the appropriate agencies
- e. The long-term health of the marine ecosystem and coastal areas should continue to be monitored by PG&E throughout the decommissioning process

### **3. Specific Uses**

- a. The potential for a public-private collaborative research and development facility (such as a “National Laboratory”) with emphasis on marine sciences, renewable energy development technologies, energy storage, optimum storage for irradiated waste, desalinization and other technology innovation should be further investigated by PG&E
- b. The granting of a long-term lease or purchase with favorable terms for Native American tribal use for office, storage and tribal meetings/gatherings should be considered

- c. The use of the Ontario Road facility and parking as a Visitor Education Center, which highlights local history including Chumash culture, energy education and natural history should be considered
- d. The use of the existing parking lot at the Ontario Road facility for shuttle or bus service to the Diablo Canyon Lands should be considered
- e. The possibility of repurposing of facilities for innovative uses including, but not limited to, wildlife rescue and rehabilitation, wind, wave, solar or other renewable energy, business incubators, clean technology startups, saltwater aquarium, transmission facility projects, energy storage, wastewater recycling, innovative mental health treatment center and California State University and/or University of California research facilities should be evaluated by PG&E



**DIABLO CANYON** Decommissioning Engagement Panel  
Figure 4 - Existing Facilities

## **E. Engagement Panel Structure and Function Review**

The DCDEP was convened by PG&E as a volunteer, non-regulatory body created to foster and encourage open communication, public involvement and education on DCPD decommissioning plans and activities. In 2018, the DCDEP began a public outreach effort to both provide information and listen to the public, and to make recommendations to PG&E and the CPUC regarding various decommissioning activities. In order to be fully effective in conducting these responsibilities it is vital that the DCDEP have optimal structure and function. An internal assessment of strengths, weaknesses and opportunities for improvement and a review of outside resources for *best practices* will be conducted at the public meeting during the second quarter of 2019 (June 12, 2019) after one full year of operation. In addition, two proposals have been forwarded by members of the DCDEP (see links to these documents below). These proposals will also be reviewed at that meeting and decisions regarding possible changes and improvements will be made. These decisions will be forwarded to PG&E and the CPUC as an additional supplemental filing to the 2018 Triennial Report.

In October 2018, DCDEP member Alex Karlin presented a proposal recommending a restructuring of the DCDEP into a Community Advisory Panel created and managed directly under the auspices of the CPUC. His proposal, *“CPUC Should create an Independent Decommissioning Advisory Panel (DAP) in Lieu of the DCDEP,”* can be accessed at this [link](#).

In December 2018, DCDEP member Lauren Brown presented a proposal recommending that the current DCDEP be continued and strengthened. His proposal, *“Proposal to Continue and Strengthen DCDEP,”* can be accessed at this [link](#).

Through these vision statements, goals and recommendations, it is the intent of the DCDEP to evaluate the existing panel structure, study other community engagement panels and make recommendations to be considered by the PG&E and the CPUC.

Recommendations for Engagement Panel Review can be found in Section IV of this document.

### **Vision Statement**

- The community engagement panel was established and should continue to operate to provide direct input on behalf of the local community to PG&E on decommissioning activities that are of concern to the surrounding communities
- The engagement panel should be in a form that would lead to the best possible recommendations on achieving a safe and effective decommissioning of the DCPD, including the management of Diablo Canyon Lands and the disposition of Facilities

### **Goals**

#### **1. Panel Review**

- a. The DCDEP should perform a self-evaluation, looking at strengths, weaknesses and opportunities for improvement in how the goals set in the guiding charter have been fulfilled

- b. The DCDEP should evaluate other community engagement panels created as part of decommissioning efforts in California and other states in order to better understand how those panels are formed, how they have worked and if they have provided improved public outreach to their respective communities
- c. The DCDEP should seek input from local sources such as governmental and regulatory entities, as well as the Diablo Independent Safety Committee, for input on improving the DCDEP
- d. The DCDEP should review the existing guiding charter to determine if changes, additions or amendments should be made based on the information acquired through the efforts outlined in these goals

## **F. Emergency Planning**

On October 24, 2018, the DCDEP held a public meeting covering the topic of emergency planning. At that meeting the DCDEP received information from the NRC on the decommissioning process and from PG&E and the County of San Luis Obispo Office of Emergency Services on the potential changes to emergency planning during decommissioning. This section of the document will be prepared before the end of 2019 and will be forwarded to the CPUC for inclusion as an additional supplemental filing to the 2018 Triennial Report.

## **G. Spent Fuel Storage**

The DCDEP is aware that spent fuel storage is a topic the public is greatly concerned with. In order to better inform the public there will be two workshops and a public meeting held in the first quarter of 2019 where informative presentations will be made by PG&E and outside experts. The information provided and the comments made by the public will assist the DCDEP in identifying issues surrounding spent fuel storage and the primary concerns of the public. A list of recommendations to PG&E and the CPUC regarding spent fuel storage will be prepared and included in the 2019 Vision Document and be forwarded to the CPUC for inclusion as an additional supplemental filing to the 2018 Triennial Report.

The workshops are scheduled for February 22 and 23, 2019 and the public meeting is scheduled for March 13, 2019.

## **H. Potential Economic Impacts/Possible Economic Development Opportunities**

In the third quarter of 2019, the DCDEP will hold a public meeting covering the topic of potential economic impacts of decommissioning and possible economic development opportunities. It is recognized that the closure of DCPD will have economic impacts to San Luis Obispo County. Diablo Canyon has been a major economic engine in the region for more than 30 years and the closure of the plant will create economics impacts, but may also provide opportunities for economic development. Legislation passed by the State of California required the preparation of economic report(s) in order to better understand the potential impacts and opportunities surrounding the closure of the DCPD. At a meeting held during the third quarter of 2019, those report(s) will be

presented to the DCDEP. A list of recommendations to PG&E and the CPUC regarding economic impacts/development will be prepared and included in the 2019 Vision Document and be forwarded to the CPUC for inclusion as an additional supplemental filing to the 2018 Triennial Report.

The public meeting is scheduled for September 18, 2019.

## I. Transportation

In the fourth quarter of 2019, the DCDEP will hold a public meeting covering transportation related topics including the transport of demolished materials from the site as part of the decommissioning process. The DCDEP notes that this topic is of special concern to those communities that surround the DCPD that could be impacted by the additional traffic created. The meeting will provide an opportunity for PG&E to describe the potential options for transportation of demolished materials and for the public to present concerns they have regarding safety issues and increased traffic. This section of the document will be prepared before the end of 2019 and will be forwarded to the CPUC for inclusion as an additional supplemental filing to the 2018 Triennial Report.

The public meeting is scheduled for November 13, 2019.

# VI. DCDEP Recommendations and Implementation Plan

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Contained in the section are the recommendations of the DCDEP. The recommendations in this section will become activities as part of an implementation plan that will be tracked by the DCDEP. A report that provides the status of each of the recommendations will be produced yearly, or as needed.

## A. Decommissioning Process Recommendations

### 1. **Diablo Canyon Decommissioning Engagement Panel**

- a. Recommend to the CPUC that public meetings and workshops continue to be held and public input received by the DCDEP throughout the decommissioning process
- b. Recommend to the CPUC that a report be prepared each year by the DCDEP reflecting the public input received over that time frame
- c. Recommend that the CPUC consider formally expanding the charter of the Diablo Canyon Independent Safety Committee to include any technical support that may be requested of them by the DCDEP
- d. Recommend that the CPUC consider extending the existence of the Diablo Canyon Independent Safety Committee beyond conclusion of power generation at the DCPD so that their independent and valuable technical and safety expertise would continue to be available to the DCDEP and to the communities in San Luis Obispo County during the decades of decommissioning

### 2. **Safety**

- a. Recommend to PG&E that decommissioning (decontamination) begin immediately upon plant shutdown with a goal of 10 years for completion of radiological decommissioning and decontamination and that SAFSTOR not be considered
- b. Recommend to the CPUC that the spent fuel stored on-site be monitored at all times by PG&E or other entity as appropriate (before and during DECON) using real-time radiation monitoring
- c. Recommend to the CPUC that the implementation of technologically advanced storage methods for spent fuel occur as soon as such methods are identified and determined to be feasible
- d. Recommend to the CPUC that PG&E thoroughly research and investigate the potential for both ship and truck transport of dismantled facilities from the site and the data communicated to the DCDEP
- e. Recommend to PG&E that the transport of demolished facilities (including radiological demolished materials) through surrounding communities be avoided during times of peak traffic
- f. Recommend to PG&E that the possible future transport of spent fuel to an off-site storage facility through surrounding communities be avoided during times of peak traffic

- g. Recommend that PG&E research the safest method of transport and consider any new technological innovation in compliance with all applicable regulations

### **3. Labor**

- a. Recommend the use of non-discriminatory project labor agreements that incentivize local contractors hire from the local workforce for decommissioning activities, be implemented by PG&E at the earliest possible time
- b. Recommend to PG&E that non-discriminatory project labor agreements incorporate a continued commitment to supporting the local workforce and maintain programs that support the highest level of safety and training

## **B. Decommissioning Funding Recommendations**

### **1. Funding**

- a. Recommend that the CPUC assure that the Decommissioning Trust Fund will provide adequate funding to ensure the protection of the health and safety of the community throughout the decommissioning process
- b. Recommend that the CPUC assure that the Decommissioning Trust Fund will provide adequate funding to allow for critical advance planning decommissioning activities needed to continue in order to allow immediate transition to decommissioning when the plant ceases power generation
- c. Recommend that the CPUC ascertain if PG&E has adequately researched and considered costs and community impacts of both land and sea transport of facility components from the site
- d. Recommend that the CPUC assure that the Decommissioning Trust Fund will cover the reasonable cost of completing all the decommissioning activities, including removal, transportation and disposal in a way that minimizes risk and disruption to local communities and cost to ratepayers

## **C. Diablo Canyon Lands Recommendations**

### **1. Diablo Canyon Decommissioning Engagement Panel**

- a. Recommend that a letter to the CPUC be prepared seeking its permission for PG&E to proceed with conservation discussions (including property appraisals and Memorandum of Understanding) for the Diablo Canyon Lands, including Wild Cherry Canyon, with conservation entities, notwithstanding its “no action” order contained in Section 13 of Decision 18-01-022 dated January 11, 2018

### **2. Land Stewardship**

- a. Recommend that the CPUC direct PG&E to ensure that a management/access plan for the Diablo Canyon Lands is developed when transferring land that at a minimum includes, a multi-use non-motorized trail system for hikers, mountain bikers and equestrian use, restricted access in the sensitive intertidal zone, rotational grazing, habitat restoration, protection of cultural sites and consideration of minimizing traffic through surrounding communities times of peak traffic

- b. Recommend that PG&E make all existing biological, geological and archeological data available to conservation entities upon land transfer
- c. Recommend that PG&E complete the deed restriction for the 1,200 acres near Point San Luis (see Figure 3) that would preserve the property in perpetuity for conservation and public access

### **3. Land Transfer and Use**

- a. Recommend that the CPUC ensure that transfer of Diablo Canyon Lands that are subject to their authority is to a governmental, Native American non-profit and/or land conservancy entity or entities that are experienced in land management for the purposes of resource conservation and managed public access
- b. Recommend that PG&E publicly announce its intention to collaborate with interested parties to conserve the Diablo Canyon Lands as soon as allowed by the CPUC
- c. Recommend that a conservation entity or entities reinstate negotiations with PG&E/Eureka Energy and HomeFed and sign an option agreement or Memorandum of Understanding for the acquisition of land interests on Wild Cherry Canyon for public or non-profit conservation ownership and management
- d. Recommend that a conservation entity or entities begin the appraisal process of Wild Cherry Canyon, so that funding sources can be identified and pursued
- e. Recommend that a conservation entity or entities coordinate with the Land Conservancy of San Luis Obispo County, the Nature Conservancy, State Parks, Bureau of Land Management, the Andre Ranch owners, and PG&E on the design and creation of at least two multi-use trails that would include an interior trail and a coastal trail (including an extension of the California Coastal Trail)
- f. Recommend a conservation entity or entities begin negotiations with PG&E/Eureka Energy on the acquisition of the Diablo Canyon Lands (outside of Wild Cherry Canyon), for public or non-profit conservation ownership and management
- g. Recommend that PG&E evaluate the use of a small portion of the land north of the Harbor Terrace development for use by the Port San Luis Harbor District for boat storage

### **4. Cultural Heritage**

- a. Recommend that the CPUC ensure any future owners of Diablo Canyon Lands develop management/access plans that ensure the protection, preservation of, and education about, cultural heritage and sacred Native American sites
- b. Recommend that the CPUC ensure that any land transfer to Native Americans be subject to a conservation easement that would allow limited development consistent with local zoning and the preservation of ecological, environmental and cultural resources
- c. Recommend that PG&E and the Native American community explore ways that both the goals of conservation and managed public use of the Diablo Canyon Lands and the needs of the local Native Americans can be achieved

## **D. Repurposing of Diablo Canyon Facilities Recommendations**

### **1. Existing Facilities**

- a. Recommend that the CPUC encourage PG&E to repurpose as many buildings and assets as is sustainably viable without compromising public safety, and considering community traffic concerns and the continued environmental quality of the region
- b. Recommend that PG&E, in conjunction with possible future tenants or owners, and with the assistance of County Planning and Building, undertake a coordinated scoping effort to determine allowable uses, carrying capacity of existing infrastructure and potential improvements that could support repurposing
- c. Recommend that PG&E develop a strategy for management of the facilities at the earliest possible time and set up a process for receiving proposals and negotiating terms for repurposing specific parts of that infrastructure so potential repurposing tenants can be appropriately determined and advance planning for transfer and reuse can occur
- d. Recommend that PG&E prepare a list of all buildings and assets available for repurposing, including detailed descriptions of the facility, the type of facility (e.g., office, warehouse, etc), square footage of the facility, age of the facility, and when the facility would become available for repurposing
- e. Recommend that PG&E maintain remaining facilities not needed to facilitate decommissioning until such time as the facilities are repurposed or determined to not be achievable for a sustainable repurposing tenant, to ensure that the facilities do not degrade over time
- f. Recommend that construction of infill development on Parcel P be allowed provided safety is not compromised and the environmental quality of the community is maintained
- g. Recommend that PG&E identify undeveloped lands on Parcel P which could be released for open space and conservation, and release those lands as soon as feasible
- h. Recommend that the CPUC require PG&E or a successor interest incorporate into leases the requirement that new uses not generate substantial additional traffic through surrounding communities during times of peak traffic
- i. Recommend that PG&E evaluate maintaining the existing desalination plant while not compromising environmental quality

### **2. Marine Facilities**

- a. Recommend that PG&E retain the breakwaters and associated harbor and explore opportunities for repurposing the harbor consistent with the environmental quality and safety of the area and region
- b. Recommend that PG&E require management of the harbor be accomplished in a manner that preserves the natural habitat, allows for long term maintenance and creates a safe harbour for boaters in distress
- c. Recommend that PG&E continue to monitor and study the harbor throughout the decommissioning process to ensure the sensitive marine habitat is preserved and radiological contamination complies with regulatory levels as defined by the appropriate agencies

### **3. Specific Uses**

- a. Recommend that PG&E investigate the potential for a public-private collaborative research and development facility (such as a National Laboratory) with emphasis on marine sciences, renewable energy development technologies, energy storage, optimum storage for irradiated waste, desalinization and other technology innovation as soon as possible
- b. Recommend that PG&E consider granting a long-term lease or purchase with favorable terms for Native American tribal use of existing facilities for, at a minimum, an office, storage and tribal meetings/gatherings
- c. Recommend that PG&E consider use of the Ontario Road facility and parking as a Visitor Education Center, which highlights local history including local Native American culture, energy education and natural history
- d. Recommend that the existing parking area at the Ontario Road facility be maintained for shuttle or bus service to the Diablo Canyon Lands
- e. Recommend that PG&E investigate the possibility of repurposing of facilities for innovative uses including, but not limited to, wildlife rescue and rehabilitation, low impact water-based recreation uses, wind, wave, solar or other renewable energy, energy storage, business incubators, clean technology startups, saltwater aquarium, transmission facility projects, wastewater recycling, innovative mental health treatment center and California State University and/or University of California research facilities

## **E. Engagement Panel Structure and Function Review Recommendations**

### **1. Engagement Panel Review**

- a. Recommend that the DCDEP hold a public meeting in the second quarter of 2019 (June 12, 2019) to complete: (1) a self-evaluation of strengths, weaknesses and opportunities for improvement relative to fulfilling the goals outlined in the guiding Charter; (2) a review of the charter itself, taking into consideration community input; (3) an examination of examples of other community engagement panels established for decommissioning efforts; (4) a discussion with governmental, regulatory agencies and others about their role in the decommissioning process for DCP; and (5) a review of the Karlin and Brown proposals that have already been received
- b. Recommend that the DCDEP forward the conclusions and recommendations of the self-evaluation to the CPUC for inclusion as an additional supplemental filing to the 2018 Triennial Report
- c. Recommend that the Panel commit to a process of continuous improvement, with similar reviews scheduled regularly

## **F. Emergency Planning Recommendations**

On October 24, 2018, the DCDEP held a public meeting covering the topic of emergency planning. This section of the document will be prepared before the end of 2019 and will be forwarded to the CPUC for inclusion as an additional supplemental filing to the 2018 Triennial Report.

## **G. Spent Fuel Storage Recommendations**

On February 22 and 23, 2019, the DCDEP will hold workshops and on March 13, 2019, the DCDEP will hold a public meeting covering the topic of spent fuel storage. This section of the document will be prepared before the end of 2019 and will be forwarded to the CPUC for inclusion as an additional supplemental filing to the 2018 Triennial Report.

## **H. Potential Economic Impacts/Possible Economic Development Opportunities Recommendations**

On September 18, 2019, the DCDEP will hold a public meeting covering the topic of potential economic impacts of decommissioning and possible economic development opportunities. This section of the document will be prepared before the end of 2019 and will be forwarded to the CPUC for inclusion as an additional supplemental filing to the 2018 Triennial Report.

## **I. Transportation Recommendations**

On November 13, 2019, the DCDEP will hold a public meeting covering the topic of transport of demolished materials (both radiological and non-radiological). This section of the document will be prepared before the end of 2019 and will be forwarded to the CPUC for inclusion as an additional supplemental filing to the 2018 Triennial Report.

# Glossary

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CPUC - California Public Utilities Commission

DCDEP - Diablo Canyon Decommissioning Engagement Panel

DCPP - Diablo Canyon Power Plant

DCISC – Diablo Canyon Independent Safety Committee

DREAM - Diablo Resources Advisory Measure (also known as Measure A)

NRC - Nuclear Regulatory Commission

NDCTP - Nuclear Decommissioning Cost Triennial Proceeding (also known as the Triennial Report)

PG&E - Pacific Gas and Electric

SONGS - San Onofre Nuclear Generating Station

SONGS CEP – San Onofre Nuclear Generating Station Community Engagement Panel

# Amendments

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**Diablo Canyon Power Plant Decommissioning  
Vision Document  
Amendments, Additions, Corrections**

Initial Document - December 31, 2018

# Signature Page

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The undersigned members of the Diablo Canyon Decommissioning Engagement Panel respectfully submit this document to PG&E with the understanding that it will be forwarded to the California Public Utilities Commission as a supplemental filing to the 2018 Nuclear Decommissioning Cost Triennial Proceedings.

Kara Woodruff

Dina Bellman

Chett L. Lathrop

Shirley Donoff

Tom

Lauren Brown

David M. Baldwin

Cliff M. Lee

Frank Meckam

Nancy Malley

# Diablo Resources Advisory Measure (DREAM) – Election Results

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Election held in San Luis Obispo County, California on March 7, 2000  
Advisory vote only on Diablo Canyon Lands – *Passed 74.66%*

## ***Measure A-ADVISORY DIABLO CANYON LANDS***

Shall the County Board of Supervisors recognize the Diablo Canyon Lands as an exceptionally precious coastal resource by adopting policies that promote habitat preservation, sustainable agricultural activities, and public use and enjoyment consistent with public safety and property rights once the lands are no longer needed as an emergency buffer for the Diablo Canyon Nuclear Plant after its remaining operating life?

Precincts Reporting: 195/195 - 100.00%  
Ballots Cast/Reg. Voters: 84,425/130,828 - 64.53%  
Total Votes: 78,042  
Times Blank Voted: 6,321  
Times Over Voted: 62  
Number Of Under Votes: 0

**YES: 58,264 - 74.66%**  
NO: 19,778 - 25.34%

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# Appendices

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Appendix A and Appendix B begin on the following page.

Appendix A: California Public Utilities Commission (CPUC) Should Create an Independent Decommissioning Advisory Panel (DAP) in Lieu of the DCDEP - by Alex S. Karlin – DCDEP Panelist

Appendix B: Maintain and Strengthen the Current DCDEP: A Response to “California Public Utilities Commission (CPUC) Should Create an Independent Decommissioning Advisory Panel (DAP) in Lieu of the DCDEP” by Alex Karlin - by Lauren R. Brown – DCDEP Panelist1

***Appendix A***  
***California Public Utilities Commission (CPUC) Should Create an Independent Decommissioning Advisory Panel (DAP) in Lieu of the DCDEP***

October 2018

**by Alex S. Karlin – DCDEP Panelist<sup>1</sup>**

Decommissioning the Diablo Canyon Nuclear Power Plant is a Long-Term and Multi-Billion Dollar Project That Requires an Independent, Resourced, and Sustainable Decommissioning Advisory Panel (DAP). CPUC Should Charter Such a DAP in Lieu of PG&E's DCDEP.

## I. INTRODUCTION

Decommissioning DCPD will be a complex, multi-billion dollar enterprise that will take 20 to 60 years and that will have huge impact on the State and on the San Luis Obispo and Santa Barbara communities. The process will be subject to the authority and approval of numerous State and local regulatory agencies, as well as the U.S. Nuclear Regulatory Commission. Meanwhile, State and local elected officials and other important stakeholders (such as Labor, Native American, and Environmental groups) will be involved in the decommissioning process. Lack of coordination between these numerous entities will arise

In this context, California should emulate States such as Vermont, Massachusetts and New York and should establish an independent Decommissioning Advisory Panel (DAP) to provide a forum for centralized and coordinated oversight of the decommissioning of the DCPD nuclear power plant. The DAP would bring all of the relevant agencies, governmental entities and private and public stakeholders together. A major advantage would be that designees of these agencies and entities could tap into the resources and technical knowledge of their respective organization and bring these strengths to bear on the process, rather than relying primarily on the technical input of PG&E. In addition, such members would be truly accountable to the major relevant constituencies, rather than individual interest and advocacy groups. The members of the DAP would bring long-term institutional knowledge, experience and stability to the DAP, would be nominated and selected in a public process, would be subject to conflict of interest requirements, and would be required to conduct open meetings in accordance with California law. The current DCDEP does not meet these criteria.

The primary function of the DAP would be to conduct regular public meetings where each member could to report on the activities and progress of their respective agencies and organizations, could discuss and resolve difficulties. More importantly, the DAP would provide the public with a single, coordinated forum for raising issues and seeking answers to legitimate concerns. While the DAP would be advisory only (a new regulatory entity is decidedly not needed), its meetings would include representatives from all relevant State and local agencies (USNRC could also be invited). This would facilitate communication and coordination among the many regulators and thereby promote a more efficient decommissioning process that is better understood by the public.

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<sup>1</sup> From 2004 to 2015 Alex Karlin served as an Administrative Judge with the U.S. Nuclear Regulatory Commission's Atomic Safety and Licensing Board. He presided over and decided litigation at nuclear facilities including Diablo Canyon, Vermont Yankee, San Onofre, and Yucca Mountain. Prior to that, he was the Associate General Counsel of at British Nuclear Fuels Ltd, Inc. a major international nuclear remediation company that performed radiological cleanup and decommissioning work at commercial nuclear power plants and at US Department of Energy nuclear sites such as Oak Ridge, Hanford, Idaho Falls, and Los Alamos. Prior to that he was Of Counsel at Morgan Lewis and Bockius, a law firm that represents over a third of the U.S. nuclear power companies. From 1978 to 1981 Mr. Karlin served as an Enforcement Attorney at US EPA in Washington D.C.

Accordingly, I urge that the California Public Utilities Commission (CPUC) NOT accede to PG&E's request simply to endorse and fund PG&E's DCDEP as is. Instead, I urge CPUC to charter a more robust, sustainable, and independent Decommissioning Advisory Panel (DAP) that will serve the public interest during the long, difficult, and crucial decommissioning process that lies ahead. The CPUC should create the new DAP as part of the 2018 Nuclear Decommissioning Cost Triennial Proceeding (NDCTP).

The attached chart COMPARISON OF CURRENT NUCLEAR DECOMMISSIONING ENTITIES reflects the current best practices for DAPs, as shown by the Indian Point (NY), Vermont Yankee (VT) and Pilgrim (Mass) DAPs. The CPUC should consider those best practices.

## **I. DCDEP IS NOT SUFFICIENT**

### **A. DCDEP LACKS ADEQUATE RESOURCES AND INDEPENDENCE.**

PG&E created the DCDEP to "provide direct input on behalf of the local community" to PG&E. More specifically, PG&E created the DCDEP as one way of responding to a part of a CPUC order, which stated that PG&E could "take no action with respect to any of the [DCNPP] lands and facilities before the completion of a future process, including a public stakeholder process, where there will be local input and further Commission review prior to the disposition of Diablo Canyon facilities and surrounding lands." CPUC Decision - D.18-01-022. The order focused on land and facility reuse, not decommissioning.

When it created the DCDEP, PG&E decided that it should be composed of eleven citizen-volunteers (plus one PG&E member). Original members were selected by a committee appointed by PG&E. PG&E barred elected officials from serving on the DCDEP. PG&E hired a facilitator to run the DCDEP and its meetings. PG&E wrote the DCDEP charter and only PG&E can amend it. Under the charter the DCDEP has no chair, no management committee, and no formal motions or voting. Only the facilitator, not the Panel, can create subcommittees. The charter specifies that PG&E decides whether the DCDEP can hold additional workshops or meetings. PG&E picks all DCDEP replacement members.

As to DCDEP's actual meetings - they are not run by the Panel but are instead, plainly, PG&E meetings. They are run by the facilitator appointed by PG&E. The meetings commence with a PG&E safety moment. PG&E representatives make the opening remarks and closing remarks. PG&E and the facilitator draft the agenda, the timetable for the meetings, and develop the power-point slides that are presented to the public at the meeting.

At the outset, PG&E stated that it created the DCDEP to help PG&E prepare for its December 2018 NDCTP submission to CPUC. PG&E's charter for the DCDEP states that "the continuation of the panel beyond that initial term [e.g. after December 2018] shall be determined by PG&E." Now, in the NDCTP, PG&E says that wants the DCDEP to continue until decommissioning is complete (approximately 2072) provided that CPUC requires ratepayers to pay for the DCDEP.

### **B. DCDEP HAS ELICITED VALUABLE INITIAL PUBLIC INPUT ON LANDS AND FACILITY REUSE ISSUES – BUT THESE ARE NOT REALLY DECOMMISSIONING ISSUES.**

During the 8 months of its existence the DCDEP has served PG&E as a useful forum for eliciting public comment on the two topics specified in D.18-01-022 – (1) what should happen to the 12,000+ acres of land at DCP, and (2) whether the structures and facilities at DCP should be re-used after the decommissioning is completed. With PG&E's authorization, the DCDEP held public workshops on these topics. Not surprisingly, the workshops confirmed that everyone wants PG&E to preserve and protect the 12,000+ acres in perpetuity, and everyone hopes that the facilities can be re-used to in a way that saves money, protects the environment,

promote jobs, and reduces traffic (not always compatible goals). No one is quite sure how to pay for it. The DCDEP Vision Statement articulates these uncontroversial findings and recommendations. I agree with my colleagues on most of these points.

**C. BUT THE DCDEP HAS NOT YET FOCUSED ON THE HARD PART - DECOMMISSIONING**

Although disposition of the 12,000 acres of DCP land has consumed much of DCDEP's energy it is crucial to recognize that land use is NOT really central to the task of decommissioning. It has nothing to do with the 10 CFR Part 50 decommissioning process and most of these lands are not even owned by PG&E. But D.18-01-022 focused on land and reuse and thus PG&E has asked DCDEP to do so. The DCDEP has not yet tackled the radiological decommissioning of the 770 acres that are the footprint of the NRC regulated nuclear power reactors. Alliance for Nuclear Responsibility has legitimately criticized the DCDEP on this count.<sup>2</sup>

**D. DCDEP CITIZEN-VOLUNTEERS HAVE SERVED DILIGENTLY AND IN GOOD FAITH – BUT DO NOT HAVE THE NEEDED KNOWLEDGE OR INSTITUTIONAL RESOURCES, ARE NOT ACCOUNTABLE TO, NOR BROADLY REPRESENTATIVE OF MAJOR CONSTITUENCIES, AND LACK THE LONG TERM INSTITUTIONAL HORSEPOWER OR PERSPECTIVE.**

The members of the DCDEP are all outstanding citizen activists – volunteers who bring a variety of perspectives to the DCDEP and who have served diligently and in good faith. They have worked hard and volunteered their time and effort. But virtually none of them have any knowledge, background, or skills related to the huge and crucial DCP decommissioning project that lies ahead and that will have major impact on San Luis Obispo and the State of California.<sup>3</sup> Nor do the DCDEP members even have access to decommissioning technical expertise or resources (other than PG&E) to help them (1) identify important issues, (2) formulate questions, and (3) evaluate the answers to such questions when PG&E and/or some advocacy group provides an answer. PG&E is the source of the DCDEP's understanding of decommissioning and how it works.

Meanwhile, the panelists are part time volunteers who probably cannot sustain attention or membership for the long haul. Some are busy with full-time jobs elsewhere. Some are activists advocates concerned about the agendas of their particular groups. The members are not formally accountable to the public and do not formally represent any governmental or regulatory agency or NGO. They are not subject to the normal conflict of interest rules applicable to public entities under California law.

**E. DCDEP CANNOT FARM-OUT DECOMMISSIONING ISSUES TO THE DCISC<sup>4</sup>**

My friend and colleague on the DCDEP - Lauren Brown, an outstanding member of the SLO community, - rejects my vision because, among other things he says, Diablo Canyon is unique and, if the DCDEP needs any help we can rely on the DCISC for decommissioning advice. I respectfully disagree. At the outset, I note that the decommissioning of Diablo Canyon is not so unique that it does not need an independent DAP. Many communities in the US are grappling with the same situation. Some get advance notice of the plant shut-down, some do not. Many of them have very active local environmental groups who have been monitoring plant safety issues for decades. As an environmental lawyer in the nuclear decommissioning field for 20+ years I

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<sup>2</sup> October 24, 2018 letter from Rochelle Becker, Executive Director of A4NR to the DCDEP.

<sup>3</sup> Linda Seeley and Alex Karlin are the only exceptions.

<sup>4</sup> Diablo Canyon Independent Safety Committee (DCISC).

have seen decommissioning happen numerous times. While no two decommissioning projects are the same, most of them follow very similar paths. And all of them need an independent, knowledgeable, and publicly accountable DAP.

Next, the DCDEP cannot and should not rely on the Diablo Canyon Independent Safety Committee (DCISC) for technical advice on decommissioning. First and foremost, the members of the DCISC were selected for their knowledge, skills and background in the safe operation of a nuclear power plant. Decommissioning is very different than operating one. It is a different skill set. The members of the DCISC are not experts in decommissioning.

Second, the CPUC charter to the DCISC prohibits it from working on decommissioning issues. The first substantive sentence of the charter of the DCISC limits its mission to providing safety advice relating to operations.

“The Committee shall review Diablo Canyon operations for the purpose of assessing the safety of operations and suggesting and recommendations for safe operations.” CPUC D.88-12-083, App. C, Att. A, Section 1.1.

The law states that “decommissioning” starts when “operations” cease. See 10 C.F.R. Section 50.82(a) (3) (“Permanent Cessation of Operations”). Thus, by its own CPUC charter, the DCISC expires in 2025. Even before that, DCISC has no authority to deal with decommissioning.

Third, the DCISC does not have the budget to serve as a decommissioning subcontractor to the DCDEP. The DCISC was created by the CPUC which provides it with an annual budget, paid for by ratepayers. The DCISC is not free to wander off and give technical support to issues outside of its expertise, authority and budget

The DCISC has neither the legal authority, expertise, nor budget to address decommissioning, even if it had the time to do so. Any such change would require a public ratemaking case and affirmative decision by the CPUC.

Fourth, as a regular observer and attendee at DCISC meetings, it is my opinion that, as a practical matter, the DCISC, despite its good will and best intentions, is not well situated to provide the DCDEP with prompt and responsive technical help. The DCISC is busy with its own agenda. Its three members come to town briefly three times a year and hold 2 days of public meetings. The DCISC cannot even legally meet with the DCDEP or anyone else without giving the public advance notice and opportunity to participate. So how and when is the DCISC going to meet in public to decide to help us with a particular decommissioning issue? And how long will it take for them to deal with the issue? Must we wait for their next public meeting? Since the DCISC farms out many of its own technical questions to its own outside consultants and subcontractors, is that what they will do? Why not have a DAP with its own decommissioning expertise and/or the authority to obtain its own outside technical help from paid consultants who will be immediately responsive to the DAP’s. In short, I believe that we are misguided if we think that the DCISC can provide us with timely and sufficient technical support on a regular basis.

## **II. KEY STAKEHOLDERS SUPPORT A STRONGER AND MORE ROBUST DECOMMISSIONING ADVISORY PANEL**

Several important voices and stakeholders have asserted that a stronger DAP is needed.

On October 24, 2018, Alliance for Nuclear Responsibility (A4NR), a knowledgeable and constructive participant in numerous CPUC proceedings concerning Diablo Canyon, sent a letter to the DCDEP asserting that it has failed to focus on decommissioning, and that the composition, organization, and independence of the DCDEP are inadequate.

Meanwhile, on October 10, 2018, David Victor, the Chair of the San Onofre Nuclear Generating Station Community Engagement Panel sent an email stating that elected officials and technically knowledgeable members (something lacking on the DCDEP) are vitally necessary:

“Elected officials are a vital resource [on the SONGS CEP] – perhaps the most important, because they are immersed into local politics, which gives them special insight into what is feasible and also judgment about where/how to focus.”<sup>5</sup>

Dr. Victor added that having technically knowledgeable experts on the SONG CEP has been invaluable:

“These experts are invaluable – not just in meetings but also outside the meetings, for two reasons. First, they can help organize and understand the range of stakeholder opinion. . . . Second, at times topics arise that have high technical content and it is really important for the CEP to be able to rely on its own members to wade through the details and help it formulate an opinion.”<sup>6</sup>

During the public comment period on the DCDEP vision, over 140 stakeholders, including the Surfriders Alliance and Edward Halpin, former Senior Vice President and Chief Nuclear Officer for PG&E, expressed support for a stronger DAP.

### **III. CPUC IMPLEMENTATION: CHARTER AN INDEPENDENT AND ROBUST DAP**

CPUC should charter and implement the new/modified decommissioning entity via a PG&E ratemaking process, preferably the Nuclear Decommissioning Cost Triennial Proceeding (NDCTP) that PG&E will initiate in December 2018. PG&E has advised us that it plans to ask CPUC to approve ratepayer funding for the current DCDEP. Before CPUC approves any such amount, members of the public and the CPUC Office of Ratepayer Advocacy need to evaluate whether the existing DCDEP is the appropriate vehicle. For reasons set forth above, I believe that rather than automatically approving PG&E’s DCDEP, the CPUC should allow the DCDEP to sunset, AND instead charter a more robust, sustainable, and independent DAP. More specifically, I recommend that the CPUC use the NDCTP ratemaking as the basis:

1. To create a robust and sustainable DAP in lieu of the DCDEP;
2. To develop a new and independent charter for the DAP;
3. To have CPUC conduct the nomination and appointment of DAP members,
4. To apply conflict of interest and public governmental procedures to the DAP;
5. To allow State and local agencies to designate members of the DAP to serve in their official capacities and to bring their perspectives and constituencies to the table;
6. To provide that Labor should have at least one designated seat on the DAP;
7. To provide the Native American community at least one designated seat on the DAP;
8. To assure that the DAP should include at least some members with knowledge and experience relevant to the decommissioning tasks,
9. To assure that the DAP include appropriate citizen and interest group representation,
10. To specify that the DAP be directly funded (not via PG&E) by ratepayer funding; and
11. To assure that the DAP access to needed administrative, scientific, legal and technical support, either by tapping resources of member governmental entities or by retaining part-time consultants who will provide independent help.

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<sup>5</sup> October 10, 2018 email from David G. Victor to Rochelle Becker attached to the October 24, 2018 A4NR letter.

<sup>6</sup> October 19, 2018 email from David G. Victor to Rochelle Becker attached to the October 24, 2018 A4NR letter.

Lauren Brown has said that creating a DAP in lieu of the DCDAP could cause harm by the loss of experience and knowledge of the DCDEP, by the loss of momentum, by the problem of getting the new DAP members up to speed, and the loss of credibility. I disagree.

I reject the proposition that the DCDEP, which has existed for a mere 8 months for a decommissioning process that could take 60 years, cannot be changed because we might lose momentum! While the DCDEP has certainly served PG&E well with regard to the land and facility reuse issues, as I have stated above, it does not bring much knowledge, skills or experience to any real decommissioning issues. And cosmetic improvements to the DCDEP charter are not going to solve the deficiencies I have enumerated above. Given that PG&E does not plan to close DCPP until 2025, CPUC has plenty of time to “get it right” at the outset by chartering a robust and independent panel as part of the NDCTP.

#### **IV. CONCLUSION**

Although I agree with most of the recommendations and ideas in the DCDEP Vision Statement, and commend my colleagues on the panel them for their hard work and good faith efforts, and I have been honored to serve with them, I must respectfully disagree them regarding one key point: The need for a stronger and more independent DAP to tackle the giant and long-term decommissioning task ahead. This task requires a better resourced, more representative, more accountable, more sustainable, and much more independent decommissioning panel.

Accordingly, I urge the California Public Utilities Commission (CPUC) NOT to fund the current DCDEP (an entity entirely of PG&E’s making). The CPUC should instead charter a more robust, sustainable, and independent Decommissioning Advisory Panel (DAP) that will serve the public\_interest during the long, difficult, and crucial decommissioning process that lies ahead. The CPUC should create the new DAP as part of the 2018 Nuclear Decommissioning Cost Triennial Proceeding (NDCTP).

***COMPARISON CHART OF CURRENT NUCLEAR DECOMMISSIONING ENTITIES  
FOLLOWS ON THE NEXT PAGE***

**COMPARISON OF PUBLIC OVERSIGHT COMMITTEES FOR  
DECOMMISSIONING OF NUCLEAR POWER PLANTS (12-11-2018)**

Name	Membership	Organization	Legal Status	Website
Diablo Canyon Decommissioning Engagement Panel  California	11 members Citizens No Govt Officials <sup>7</sup> . No Experts.  Appointed by committee appointed by PG&E.	Chair.  No voting  Facilitated by Utility appointed individual	None.  Created by PG&E  Can be closed by PG&E at any time.	<a href="https://www.pge.com/en_US/safety/how-the-system-works/diablo-canyon-power-plant/diablo-canyon-power-plant/engagement-panel.page?WT.mc_id=Vanity_engagementpanel">https://www.pge.com/en_US/safety/how-the-system-works/diablo-canyon-power-plant/diablo-canyon-power-plant/engagement-panel.page?WT.mc_id=Vanity_engagementpanel</a>
Diablo Canyon Independent Safety Committee <sup>8</sup>  California	3 members  All Experts  Appointed by Agencies	Chair  Voting  State funding. Outside consultants.	Created by State agency (CPUC).  Permanent	<a href="http://www.dcisc.org/index.php">http://www.dcisc.org/index.php</a>
Vermont Yankee Nuclear Decommissioning Citizens Advisory Panel  Vermont	19 members Govt officials Labor Rep. Citizens.  Appointed by Agency/union	Chair  Voting  Supported by State agency	Created by State law  Permanent	<a href="https://publicservice.vermont.gov/electric/ndcap">https://publicservice.vermont.gov/electric/ndcap</a>

<sup>7</sup> Although the DCDEP has one member who is employed by the County and one employed by the State, both are serving in their individual capacity and not as representatives designated by those agencies.

<sup>8</sup> The DCISC mission does NOT include decommissioning. It focuses on the operation of the plant. The DCISC does not include representatives or stakeholders from the SLO community. DCISC is only included here because it is an advisory committee related to Diablo Canyon.

Name	Membership	Organization	Legal Status	Website
<p>Indian Point Closure Task Force</p> <p>New York</p>	<p>20 members</p> <p>Govt officials Labor Rep Citizens</p> <p>Appointed by Agency/Union</p>	<p>Chair</p> <p>Voting</p> <p>Supported by State Agency</p>	<p>Created by State law.</p> <p>Permanent</p>	<p>Too long for chart. See footnote<sup>9</sup></p>
<p>San Onofre Nuclear Generating Station Community Engagement Panel</p> <p>California</p>	<p>18 members</p> <p>Govt officials Labor reps Citizens. Experts</p> <p>Appointed by Agencies, Union &amp; Utility</p>	<p>Elected Chair</p> <p>Executive Committee</p> <p>Voting</p> <p>Supported by Utility and Agencies</p> <p>Retains outside consultants</p>	<p>None.</p> <p>Created by Utility.</p> <p>Can be closed at any time.</p>	<p><a href="https://www.songscommunity.com/community-engagement/community-engagement-panel">https://www.songscommunity.com/community-engagement/community-engagement-panel</a></p>

<sup>9</sup> <http://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterCaseNo=17-00994&submit=Search>

Name	Membership	Organization	Legal Status	Website
Pilgrim Nuclear Decommissioning Citizens Advisory Panel  Massachusetts	21 members  Govt officials Labor rep Citizen  Appointed by Agencies.	Elected chair  Voting  Supported by State Agency	Created by State law.  Permanent	<a href="https://www.mass.gov/orgs/nuclear-decommissioning-citizens-advisory-panel">https://www.mass.gov/orgs/nuclear-decommissioning-citizens-advisory-panel</a>
Zion Community Advisory Panel  Illinois	12 members  Govt officials Expert, Citizens  Appointed by Agencies	Chair  Voting  Supported by Utility and Agencies	None.  Created by Utility.  Can be closed at any time.	<a href="http://www.zionsolutionscompany.com/community/zcap-charter/">http://www.zionsolutionscompany.com/community/zcap-charter/</a>
Oyster Creek Safety Advisory Panel  New Jersey  Moribund?	3 members  State agencies and one outside expert.  Appointed by Governor	Chair  Voting  Supported by Agencies	Created by State law.  Permanent	<a href="https://njedl.rutgers.edu/news/oyster-creek-safety-advisory-panel-established">https://njedl.rutgers.edu/news/oyster-creek-safety-advisory-panel-established</a> <a href="#">Vermont Yankee Nuclear Decommissioning Citizens Advisory Panel</a>

**Appendix B**  
***Maintain and Strengthen the Current DCDEP:  
A Response to “California Public Utilities Commission (CPUC) Should Create an Independent  
Decommissioning Advisory Panel (DAP) in Lieu of the DCDEP” by Alex Karlin***

**December 2018**

**by Lauren R. Brown – DCDEP Panelist!**

**Summary:** The Diablo Canyon Decommissioning Engagement Panel (DCDEP) has been in existence for nearly a year as a non-regulatory and advisory entity. During this time the DCDEP has proven to be very effective in reviewing information and providing direct input on behalf of the local community to Pacific Gas and Electric regarding decommissioning plans and activities. Given its positive accomplishments, funding for this Panel through PG&E’s decommissioning funds should continue through conclusion of the Diablo Canyon Power Plant (DCPP) decommissioning. The Panel is committed to continuous improvement and plans on an annual review of its Charter and an assessment of strengths, weaknesses and opportunities for improvement as part of its intention to play a constructive role through the decades of decommissioning at the DCPP.

**Unique conditions**

The circumstances of the decommissioning of the Diablo Canyon Power Plant are unusual in a number of ways in comparison with other nuclear power plants across the country undergoing decommissioning:

- Closure plans by PG&E were approved by the CPUC in January 2018, leaving 6 to 7 years of preparation before end of the operating licenses for Units 1 and 2, thus enabling the company plan thoroughly and to proceed directly to DECON instead of SAFSTOR.
- In December 1988 the CPUC established the Diablo Canyon Independent Safety Committee, consisting of three nuclear experts and a supporting staff in order to monitor the safety of operations at DCPP. They have been conducting quarterly assessments and issuing annual reports ever since. They have a well-known responsibility in the community to be fully aware of any potential or real safety issues at DCPP, to hold hearings on such matters and in this way serve as a voice of the community to PG&E.
- The DCISC has informally offered to be a source of safety and technical information to the DCDEP and within the body of our Vision Statement we are requesting a modification of their Charter to formalize that offer. We are also requesting that their Charter be modified to extend the existence of the DCISC past the end of power generation and through the end of decommissioning activities. San Luis Obispo has a history of activism on many issues, including groups that have closely monitored DCPP and played a part in strengthening the facility itself and safety programs at the Power Plant. Every single member of the DCDEP has a history of being active in community affairs and is highly committed to serve the public on the DCDEP.

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Lauren Brown is a member of the DCDEP. Following 3 years of service with the Peace Corps in India, he earned a Ph.D. in Organic Chemistry from University of California, Riverside. While still in graduate school in 1973 he co-founded JBL Scientific, a specialty biochemical company and moved to San Luis Obispo. He served as President/CEO of this company and its successor, Promega Biosciences until 2006. From 2006-2008 he served as President/CEO of Terso Corporation, another subsidiary of Promega located in Madison WI. Following retirement, he served as a part-time adjunct professor teaching Chemistry at Cerro Coso Community College in Mammoth Lakes CA for 3 years. Brown has served on boards of multiple non-profits in San Luis Obispo, including the YMCA and Chamber of Commerce. In 2013 he was honored as Citizen of the Year by the San Luis Obispo Chamber of Commerce.

- San Luis Obispo County already has a Council of Governments consisting of representatives of all the Cities plus the County and serves as a forum for the study and resolution of regional issues and thus should be equipped to deal with regional issues related to DCPD decommissioning.

As a result of these and other factors, I submit that Best Practices among Community Advisory Panels in examples of other decommissioning nuclear power plants may not translate into Best Practices for a Community Panel in the case of DCPD and San Luis Obispo. I will offer some conclusions on this issue at the end of this document.

### **DCDEP Make-up and Operation**

Major concerns expressed by Mr. Karlin in his paper include a lack of independence from PG&E, as well as lack of representation from elected officials and nuclear experts. It is, therefore, important to examine the make-up and operation of the DCDEP in order to fairly evaluate if these are serious flaws in the concept underlying the current Panel. I would offer these points of reference:

- PG&E asked a group of distinguished community leaders to recommend 11 public members from a total of 105 applicants to serve on the DCDEP, along with one PG&E representative. PG&E accepted their recommendations so PG&E did not play a direct role in who ended up on the Panel.
- The 11 public members were deliberately selected to be broadly representative of the County, both geographically as well as in terms of backgrounds and interests. Thus we have members who bring their experiences as a labor leader, a CA State Parks official, a business leader and scientist, a land-use planner, a retired administrative judge with the NRC, a County planner and CEQA expert, a Business Services expert for a public school system and member of the Northern Chumash Native American tribe, a retired city mayor and County Supervisor, a retired nurse-midwife and activist with Mothers for Peace and the Sierra Club, a lawyer and conservation activist, an Internal Medicine physician and community activist. This team of people thus are very broadly representative of the larger community, all of whom applied to serve as volunteers on the Panel and all seem to place a high priority on community service through their participation in the DCDEP.
- The DCDEP is set up for long-term viability. There are three over-lapping staggered terms with up to 1/3 of the members potentially retiring and needing to be replaced each year. As stated in our Charter, selection of replacement members should be done by PG&E, in consultation with the facilitator and the Panel. The staggered term element helps assure continuity of knowledge.
- Meetings of the DCDEP are facilitated by Chuck Anders, a well-known resource in our community who has helped many non-profits and organizations conduct their planning meetings. Chuck is retained by PG&E to assist the Panel in multiple ways. Typically, the topics for meetings are driven by members of the Panel, in consultation with PG&E. Mr. Anders then helps organize and conduct the meetings. But, strictly as a facilitator, not as a participant in the discussions. He is scrupulous in observing the limits of his role.
- The operation of DCDEP is supported extensively by PG&E, starting with Vice-President Jon Franke who fills the company position on the Panel. Another key individual is Tom Jones, Director of Strategic Initiatives. Behind them, are a couple dozen other PG&E employees who in one way or another provide support to the Panel. Now that sounds like a lot of PG&E involvement and could be perceived as overly controlling of the Panel. But, from my viewpoint, I strongly assert that PG&E's involvement is really restricted to support, not in any way to intervening and trying to influence outcomes. In my experience every PG&E employee is exemplary in understanding their role is support only. At no time have I felt manipulated or managed by PG&E. They project sincerely valuing our roles in serving as a conduit for collecting input from the public and in making recommendations to matters related to the decommissioning.

- Clearly, our Panel lacks technical experts who can help us (and the community we are in touch with) understand safety and technical issues, such as spent-fuel storage. However, thanks to the formation of the Independent Safety Committee in 1988 we have access to an extensive set of relevant information on any given technical and safety subject. The DCISC has informally offered to serve as support to our committee and we have already begun discussions with them how that offer might be implemented. We request the CPUC formalize their role in supporting the DCDEP through revising their Charter to include that component. We also request that the CPUC extend the Charter of the DCISC to cover the many decades of decommissioning.
- There was a deliberate decision by PG&E to exclude elected officials from the Panel. I agree with that decision. Having politicians as members risks over-politicizing the whole process of decommissioning, with the potential that individual politicians might care primarily for impacts in their particular electoral area and being less committed to finding solutions for the overall best outcome for the whole community.
- There is also a problem with including representatives of Regulatory Agencies because those individuals may hesitate to fully participate in the Panel decisions out of concern for conflict of interest should that particular issue come before them at the Agency they represent.

### **Scope of Work for the DCDEP**

The role of the DCDEP as outlined in our charter is straight-forward and limited:

*The Diablo Canyon Decommissioning Engagement Panel will review information and provide direct input on behalf of the local community to Pacific Gas and Electric Company on Diablo Canyon Power Plant decommissioning plans and activities.*

In terms of achieving progress in this responsibility I would point to one particularly important area. Prior to the work of the DCDEP, PG&E did not know for certain that the community would welcome both conservation of lands AND repurposing of some of the infrastructure remaining at the plant site after removal of a radiologically-contaminated materials. It could have been that the community at large would have preferred returning everything at the DCPD as nearly as possible to the original conditions. However, if the community showed support for repurposing as a means of promoting economic activities to offset the anticipated losses resulting from Diablo closure, then potentially the decommissioning costs could be reduced to the extent that infrastructure was retained and not demolished. Our panel undertook to gauge the public interest on this score by conducting two days of public workshops on land conservation and two days of public workshops on repurposing of infrastructure, plus a public Panel meeting following each of the two sets of workshops to review the information thus received. In fact, the DCDEP established strong support for both activities to run in parallel. We are conveying this important information to PG&E through the main Vision Document being submitted December 2018. The recommendations almost certainly will help PG&E with their specific plans for decommissioning and repurposing and thus reduce overall decommissioning costs. It is our expectation that the CPUC will also pay close attention to these findings and support PG&E's specific plans.

Mr. Karlin also recommends that a re-constituted Community Advisory Panel should have nuclear experts included in its membership. I disagree with that assessment. As Mr. Karlin himself emphasizes, the NRC controls all decisions regarding matters of removal of radiological contamination during decommissioning. They have set protocols and will not be paying any attention to any community advisory panel, no matter how constituted.

So, does the DCDEP have a role to play in this matter? Yes, indeed. Potentially a very important role as a forum for the public to express concerns over the decommissioning process and as a vehicle to ensure that those concerns are properly addressed in a dialogue with PG&E. A likely concern, for example, might be public anxiety about the removal of radiologically-contaminated materials from the plant site and their transport through adjacent communities. How could we assist in this matter if we lack technical experts? One way is to conduct community workshops specifically addressing relevant issues with invited experts to make presentations on the issues. In this regard, an alliance with the Independent Safety Committee could be exceedingly helpful if they make presentations at the workshops, educate the Panel AND the public as to levels of risk and ways to minimize such risk. We can also tap into experts at PG&E to participate in those discussions. The experts do NOT have to be serving as members of the Panel for this process to be effective. But by attending, the experts can hear the concerns expressed by the public (and Panel members) and respond directly. It could be a very healthy, productive process if done properly.

Mr. Karlin also advocates that members of the various regulatory agencies (in addition to the NRC) should be members of a reconstituted Panel. Again, I disagree. It should not be the role of the DCDEP to facilitate the various regulatory agencies working together. That is their responsibility to find ways to proceed when there might be overlapping or even contradictory stances on particular decision. Each of these agencies have established procedures that include public hearings, such as required by San Luis Obispo County when reviewing an Environmental Impact Report (prepared pursuant to CEQA).

So, does the DCDEP have a role to play in the way the various regulatory agencies are handling their responsibilities in the decommissioning process? Again, yes. And our role could be realized in the same way through public workshops with presentations being given by the various agencies to help educate the Panel and the public on particular issues of concern. For example, we could enhance the awareness of the community on the need to participate in a standard public hearing on an EIR report. There are a variety of ways in which our Panel could play a constructive role, all without having membership representation on the Panel from regulatory agencies.

One area of activity that seems to be embraced by the San Onofre Community Advisory Panel and its chairman, Dr. David Victor and that is advocacy for a national repository for nuclear spent fuel. While that is a worthy objective, I see that advocacy as essentially political in nature and we, as a Panel, should avoid undertaking such a role.

### **Potential Harm from Implementing Mr. Karlin's Community Advisory Panel Proposal**

There are several ways in which this proposal could have serious adverse consequences.

- Potential loss of momentum and commitment if members of the panel anticipated the DCDEP was going to be phased out.
- Potential loss of experience and knowledge resulting should current DCDEP members decline to transition to a new panel.
- Delay of one to two years because of time required for the CPUC to consider, recruit and implement its own community panel.
- More costly delays as a new panel attempts to come up to speed and has to recover ground already addressed by the current Panel.
- Loss of credibility with the community if they see splintering among the current Panel members and may tend to discount a second effort by a new Panel.
- Potential reduction in local representation if a new panel is organized under CPUC auspices. This happened with the DCISC which has no local representative among the three appointed experts.

### **One Significant Benefits from Mr. Karlin Advancing His Proposal**

I am very appreciative of Mr. Karlin advancing his proposal for this reason: He has raised the consciousness of each of our panel members as to whether or not the DCDEP could and should be improved. Of course, the answer is that any organization which desires to remain relevant and effective needs constantly to look for ways to improve. Our Panel was not focused on that concern as we were consumed with compiling a Vision Document that constituted our best wisdom to PG&E on the topics we have covered thus far. But we are only just beginning what will be a decades-long process and will involve the efforts of many classes of future Panel members. It would be extremely helpful if we were to embrace a culture of continuous improvement. Toward that end, our Panel has resolved to step back after one year of operation and assess how we are doing, consider our strengths, weaknesses and opportunities for improvements. The scope of our assessment should be broad, including the organizing Charter, our make-up and operations and procedures. We will emerge with a stronger foundation for the work of decades ahead. For that focus on improvement, I am sincerely appreciative of Mr. Karlin.

### **Conclusions**

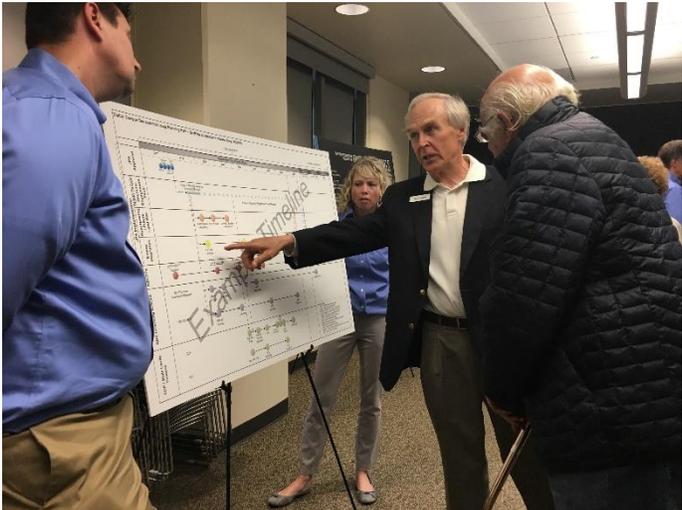
Based on the considerations outlined above, I assess that the Diablo Canyon Decommissioning Panel has proved itself effective thus far. I further conclude that because of the special circumstances that exist here that the DCDEP represents Best Practices for our circumstances in San Luis Obispo. And Best Practices, of course, includes a strong element of continuous improvement. The DCDEP is so committed. It is a robust entity, set up for the long haul as PG&E undertakes the decommissioning of DCPD and the DCDEP is prepared to play an effective role in interaction between PG&E and the community of San Luis Obispo County. I urge the CPUC to continue supporting the functioning of the DCDEP.

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