Appendix B

Public Scoping Documents

Appendix B1

Summary of Comments Received During Scoping Period

Aesthetics

- Analyze the impact of bright lighting at the Pismo Beach Materials Handling Facility during coastal fog events and decommissioning activities.

Air Quality

- Mitigate and minimize marine vessel emissions by specifying the required operational parameters that maximize fuel efficiency and minimize air pollutant emissions (e.g., vessel speed, load factor, fuel type, engine characteristics/tier level) and include them as project conditions of approval. (SLOAPCD) [1]
- Quantify the impacts from the project including criteria pollutants, greenhouse gases, and toxics (health risk assessment) inside and outside of SLO County. (SLOAPCD)
- Use HARP2 for the air quality risk assessment to evaluate inhalation risk and multi-pathway toxic risks. For within SLO County, recommend isopleth plots for the project impacts with increments of 1 in a million, 5, 10, etc. For outside of SLO County, recommend a plot of risk relative to distance from the rail line, truck route, and receiving port. (SLOAPCD)
- Reassess the air quality impact analyses if project schedule and phasing changes over time. (SLOAPCD)
- Complete an air quality impact assessment of the project that quantifies the impacts, and incorporates mitigation if impacts are above the APCD's significance threshold values identified in Table 2-1 of the CEQA Air Quality Handbook (ROG+NOx, DPM and PM10 only). Mitigate impacts in excess of the threshold values as outlined on Page 2-2 of the APCD's CEQA Handbook. (SLOAPCD)
- Compare the risk for the different material transport options (e.g., trucking/rail versus barge). The engine emission standards for the trucking fleet, rail, and marine vessels that the project could use for the different decommissioning scenarios need to be factored into the risk assessment. Determine the engine standards the project proponents are willing to commit to use prior to conducting the risk assessment. Determine routes to minimize toxic risk to sensitive receptors. (SLOAPCD)
- Describe the types of equipment that may be present during the project. Portable equipment, 50 horsepower (hp) or greater, used during project activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD

[1] The following acronyms are used herein: **CDFW** = California Department of Fish and Wildlife; **CPUC** = California Public Utilities Commission; **CPB** = City of Pismo Beach; **CSLO** = City of San Luis Obispo; **CSM** = City of Santa Maria; **SBCP&D** = Santa Barbara County Planning and Development Department; **PSLHD** = Port San Luis Harbor District; **SBCAPCD** = County of Santa Barbara Air Pollution Control District; **SLOAPCD** = San Luis Obispo Air Pollution Control District; **USFWS**; United States Fish and Wildlife Service.

permit. Refer to the Technical Appendices, page 4-4, in the CEQA Air Quality Handbook (April 2012). (SLOAPCD)

- Describe notification requirements should any hydrocarbon contaminated soils be identified as well as measures to be implemented immediately. (SLOAPCD)
- Ensure that there is no proposed developmental burning of vegetative materials related to demolition and decommissioning activities. (SLOAPCD)
- Ensure proper permitting, handling, abatement, and disposal of asbestos-containing material (ACM). ACM could be encountered during the demolition or remodeling of existing structures or the disturbance, demolition, or relocation of above or below ground utility pipes/pipelines (e.g., transit pipes or insulation on pipes). (SLOAPCD)
- Ensure proper abatement of lead-based coated structures during demolition, remodeling, sand sandblasting and heat gun use. (SLOAPCD)
- Incorporate state laws for the idling of diesel engines into the project. (SLOAPCD)
- Evaluate proposed routes to move material to ensure that routing patterns have the least impact to residential dwellings and other sensitive receptors, such as schools, parks, day care centers, nursing homes, and hospitals. (SLOAPCD)
- Incorporate APCD Rules pertaining to fugitive dust mitigation including those pertaining to opacity limits and public nuisance impacts required of projects with grading areas more than 4 acres and/or within 1,000 feet of any sensitive receptor. (SLOAPCD)
- Ensure that pipeline purging operations are properly permitted or exempted with the APCD. (SLOAPCD)
- A Decommissioning Activity Management Plan (DAMP) that includes all APCD mitigation in Section 2.3 of the CEQA Air Quality Handbook is recommended as well as meeting reporting requirements on actual air quality impacts. (SLOAPCD)
- Ensure that a geologic evaluation is conducted to determine if the area disturbed is or is not exempt from the CARB Asbestos Air Toxics Control Measure (Asbestos ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (Title 17 CCR Section 93105) regulation as well as meet any APCD requirements. (SLOAPCD)
- Include air pollutant emissions for all proposed operations and equipment in the project's air quality and greenhouse gas impact analysis and mitigation. (SBCAPCD)
- Ensure consistency with local and regional plans, including the District's 2019 Ozone Plan, and evaluate whether direct and indirect emissions associated with the project are accounted for in the Ozone Plan's emissions growth assumptions. (SBCAPCD)
- Address concerns with land use incompatibilities and potential air quality and health impacts associated with changing and intensifying activities at the Santa Maria Valley Railroad (SMVR) locations in Santa Barbara County. (SBCAPCD)
- Complete and incorporate a Health Risk Assessment demonstrating that project related equipment does not cause significant risk to surrounding communities and sensitive receptors; mitigation measures should be applied to reduce the health risk to a less than a significant level. (SBCAPCD)
- Evaluate air quality impacts associated with stationery and area source emissions including, but not limited to, locomotive engines, off-road/construction equipment, on-road equipment (on-road heavy-duty trucks, light-duty trucks, and passenger vehicles), marine vessel/barging

activities, and all stationary and portable diesel engines, all based on project-specific information and supported by technical studies including traffic studies. (SBCAPCD)

- Add stationery and area source emissions to transportation source emissions prior to applying the project-specific thresholds of significance. Include a Mitigation Monitoring and Reporting Plan that explicitly states the required mitigations and establishes a mechanism for enforcement. (SBCAPCD)
- Describe methods to monitor and minimize impacts from dust, CO2 emissions, harmful chemical release, odors, and emissions from trucks, trains, and barges resulting from facility decommissioning.
- Assess use of the temporary 400-ton gantry crane and two truck-mounted cranes, including the number and function of engines (e.g., what crane operational mode they will power, engine size in brake horsepower (bhp), fuel type and the duration of the operation on site. Additionally, for emissions quantifications, specify bhp for the proposed diesel-powered scissor lifts, reach lifts, and forklifts. (SBCAPCD)
- Include air quality impacts associated with truck trips and train hauling in the City of Pismo Beach, more specifically to sensitive receptor areas, which includes Judkins Middle School and single and multifamily residential homes. (CPB)
- Consider using electric tractor trailer trucks to haul materials to reduce CO2 emissions.

Biological Resources

- Assess the many special status species that are present in the project area using qualified wildlife biologists and appropriate protocols. (CDFW)
- Identify specific and clearly defined mitigation measures for special status species providing quantifiable and enforceable measures to reduce impacts to less than significant levels. (CDFW)
- Utilize mitigation measures identified in the biological assessments prepared by Terra Verde Environmental Consulting. (CDFW)
- Follow specific and identified recommendations for black abalone, California tiger salamander, special status plants, Habitat Areas of Particular Concern, lake and streambed alteration, nesting birds, federally listed species, scientific collecting permits, use of underwater explosives, water circulation studies, the Marine Habitat Restoration Scientific Technical Advisory Team, and oil spill response. (CDFW)
- Assess the proper duration for restoration monitoring.
- Analyze continued historic grazing practices on the North and South Ranch to protect biological resources including sustainable grazing at the South Ranch that protects and encourages grassland birds.
- Thoroughly analyze all terrestrial and marine biological resources that are present onsite including species abundance, distribution, and status. (USFWS)
- Conduct protocol surveys for sensitive and federally listed species as soon as possible and fully analyze potential effects of the project on these species. (USFWS)
- Fully analyze effects on the California red-legged frog (*Rana draytonii*) after protocol surveys are completed. (USFWS)

- Conduct botanical surveys during a year with average or above average precipitation and during the appropriate time, including ensuring that blooming plants are adequately surveyed. (USFWS)
- Reassess findings in the Terra Verde Environmental Consulting 2020 Report, Appendix K, p. 20 of 86, particularly as related to the San Diego viguiera (*Bahiopsis* [*Viguiera*] *laciniata*), Diablo Canyon bluegrass and the Pismo Clarkia (*Clarkia speciosa* subsp. *immaculata*). (USFWS)
- Assess decommissioning operations for impacts to southern sea otters (*Enhydra lutris nereis*) that regularly use the cooling water discharge structure, water intake structure, breakwaters, boat dock, and harbor. (USFWS)
- Conduct protocol level surveys for the tidewater goby (*Eucyclogobius newberryi*) in all project area locations that contain suitable habitat and analyze project effects. (USFWS)
- Address all direct, indirect, and cumulative effects of the proposed project on biological resources. (USFWS)
- Describe anticipated impacts to terrestrial/marine habitats and species resulting from demolition and removal activities as well as develop minimization and mitigation measures.
- Address the impacts of once-through cooling throughout the life of the project on vegetation, crustaceans, and fish and both monitor and report on recovery after project shut-down.
- Consider planning and scheduling deconstruction activities accordingly to the migration of marine species including elephant seals, humpback whales, otters, porpoises, and seals that may be impacted by sounds and vibrations.
- Assess restoring the surrounding Diablo Canyon lands to a natural condition for wildlife, air, and peace.
- Mitigate the impacts to terrestrial and marine resources and coastal access involving the Greater than Class C Waste Storage Facility, Security Building, indoor firing range, heavy haul loading ramp and cofferdam construction**.**

Cultural Resources – Archaeology and Built Environment

- Evaluate cultural resource sites including sites numbered CA-SLO-81 and -832. (CPB)
- Identify cultural resources and impacts within the proximity of Pismo Beach rail yard. (CPB)
- Ensure robust review of cultural resource impacts and necessary mitigation measures. (CPUC)

Cultural Resources – Tribal Cultural Resources

- Ensure preservation of sites important to Indigenous Peoples.
- Address and acknowledge land ownership issues by local Indigenous Communities with the understanding that their intent is for conservation and managed use.
- Consider consulting with Indigenous Groups as Responsible Agencies.

Energy

- Address the loss of approximately 10% of the State's power by decommissioning the Diablo Canyon Power Plant.
- Address the impacts of electrical power import needs created by decommissioning the Diablo Canyon Power Plant including from Wyoming coal-fired generation.

- Assess the potential loss of the Diablo Canyon Power Plant in meeting California electrical energy demand, including as a clean energy source.
- Consider geothermal energy production as a replacement for the Diablo Canyon Power Plant.
- Consider what alternative energy system will be needed to generate power for 3 million California residents that currently rely on Diablo Canyon Power Plant and if geothermal energy systems have been considered as a replacement.
- Address DCPP's record of safe generation of electrical power.

Environmental Justice and Economics

- Describe environmental justice impacts on disadvantaged communities located along transportation routes used for disposing of dismantled and potentially hazardous materials.
- Assess the economic effect of the plant closure, direct and indirect, on the regional economy.
- Address environmental justice impacts involving transporting and storage of radioactive wastes.
- Describe environmental justice-related impacts involving disadvantaged communities associated with the final disposal of hazardous materials.

Geology, Soils, and Coastal Processes (includes Paleontology)

- Identify and assess any floodplain impacts due to the location of the Pismo Beach Materials Handling Facility in relation to Pismo Creek. (CPB)
- Assess retaining non-radioactive demolished materials on-site and mixing with on-site soils to minimize truck trips through Avila.
- Analyze the extent to which high-level wastes, pre-empted by the Nuclear Regulatory Commission, are to be treated in earthquake fault areas.
- Describe to what soil depth would contamination be monitored and addressed.
- Review engineering plans for the cofferdam and the restoration of the discharge structure, after demolition, as well as placement of riprap as potential erosion control.
- Include rigorous monitoring and testing of fill materials used on-site that is engineered from crushed clean concrete and soils.

Greenhouse Gas Emissions (GHG)

- For the marine portion of the project, quantify GHG and criteria pollutant emissions along the route, splitting them up by Air District zones, including travel in CA and federal waters. (SLOAPCD)
- Evaluate greenhouse gas (GHG) emissions per Assembly Bill (AB) 32, the California Global Warming Solution Act of 2006. In addition, Senate Bill 32 provided an update to the state's AB 32 2020 emission reduction target. The 2030 target from SB 32 is 40% below the 1990 levels. Although not legislatively set, a 2050 target was established by California Governor Schwarzenegger's Executive Order S-3-05. Since this project will likely continue past 2030, the evaluation should consider applicable GHG reduction targets for the project to be evaluated against. (SLOAPCD)

- Since San Luis Obispo County does not currently have a CAP that can be considered qualified with SB 32 or future GHG emission reduction requirements, on-site mitigation is first recommended. If the impacts still exceed no-net increase with the implementation of on-site mitigation, then local off-site mitigation should be considered. Any mitigation should be real, verifiable, and additional to regulatory requirements. If the impacts still exceed no-net increase after the implementation of on-site and local off-site mitigation, then carbon offsets should be purchased using guidance to reduce GHG emissions to no-net increase including purchasing offsets from California generated impacts and the potential for creating an individual offset program. (SLOAPCD)
- Address Greenhouse gas (GHG) emissions and global climate change impacts. (SBCAPCD)
- Quantify GHG emissions from all project sources (direct and indirect), present significance thresholds, and decide regarding the significance of impacts. (SBCAPCD)
- Mitigate climate change impacts to the extent reasonably possible, whether they are determined to be significant. (SBCAPCD)
- Design and operate the project to minimize GHG emissions including use of high efficiency equipment, reducing haul trips, using a truck fleet with the newest/cleanest possible vehicles including zero to near-zero emission vehicles, using locomotives and marine vessels with the cleanest available engine emissions technology including operational parameters to maximize fuel efficiency, and considering onsite renewable energy generation. (SBCAPCD)
- Evaluate air quality and greenhouse gas (GHG) impacts associated with truck trips through Pismo Beach and train hauling emissions from the Pismo Beach Materials Handling Facility. (CPB)
- Consider the project's effects on climate change including analysis of greenhouse-gas emissions.
- Investigate the project impacts on climate change.
- Analyze cumulative increases in California's electricity CO2 emissions by 2030.
- Address the global effects of greenhouse gas emissions and climate change in context of the decommissioning.

Hazardous and Radiological Materials

- Clarify if dry cask storage will be able to withstand the impacts of routine aging, seismic risks, threats of terrorism, and impacts from the ocean environment, and how will they be monitored and repaired.
- Consider the best transportation and storage methods for highly carcinogenic radioactive materials.
- Clarify the length that decommissioned materials would be stored at the Osburn site, the method of storage, the safety measures put in place to ensure that materials would be stored safely, the travel routes that would be used to transfer materials and the days and hours that this would occur, including at locations in proximity to residential areas. (CSM)
- Develop and describe monitoring plans for the newly designed canisters and casks used to store spent fuel rods at the new ISFSI.
- Develop plans to protect ISFSI from terrorist threats.
- Identify the disposition of materials that are chemically contaminated.

- Identify the disposition of radioactive materials below Class C and how workers and the public will be protected during transportation and dismantling of structures.
- Address effects of the Pismo Beach Materials Handling Facility on the surrounding residential homes and Judkins Middle School. (CPB)
- Assess the potential effect of the elements and sabotage to the existing dry casks if stored without containment at the Independent Spent Fuel Storage Installation (IFSI) on Parcel P.
- Continue to monitor for radiological contaminants in the surrounding lands and ocean.
- Inform the visiting public of any on-site radiological contamination and related health concerns.
- Address potential health risks from transporting hazardous and radiological materials due to accidental release and placement at destination.
- Assess the disposition of waste products associated with decommissioning of the desalination plant.
- Install monitoring stations on-site to detect airborne radiological particles, making data available for public review in real time.
- Address toxic risks associated with proposed concrete batch plants and other proposed site infrastructure modifications.
- Evaluate use of a climate-controlled containment area to protect existing dry casks at the ISFSI, including use of the containment domes for this purpose.
- Assess methods to increase safety of stored spent fuel in the dry casks.
- Continuously monitor and repair cask and/or canisters.
- Describe how adverse events would be handled after cessation of the plant while spent fuels are still in use.
- Describe how containers will be monitored and repaired if pools are dismantled.
- Describe if a hot cell or similar system will be installed.
- Assess use of a hardened on-site storage (HOSS) facility.
- Describe methods to monitor for and prevent contamination during facility dismantling, including contamination of land and sea and within food chains.
- Describe procedures to address unexpected events and emergencies.
- Describe how contaminated materials would be handled and contained, decontamination addressed and the location of any off-site disposal for the various levels of contaminated materials.
- Describe the criteria used to determine reuse vs disposal.
- Address if debris and contaminants would be released into the ocean.
- Ensure safety of stored decommissioned material at the rail site for extended periods of time and describe the methods of storage and security measures that will be utilized.
- Address if the proposed facility to store greater than Class C Wastewater would be within or outside the coastal zone.
- Analyze the IFSI dry cask storage site and determine its disposition.
- Address if there are any hazardous materials that would remain on site for recycling or reuse to avoid trucking or barging.

- Analyze best and most modern methods and designs to monitor stored wastes to detect hazards in the environment and to ensure safety.
- Address project related low-level radioactive waste.
- Evaluate the storage of spent fuel and the existing area where materials are stored to identify damage from sea air corrosion.
- Identify that DCPP is expected to continue to operate safely during and after the beyond-design basis events (including severe weather) according to a May 2020 NRC post-Fukushima review.

Hydrology and Water Quality

- Assess the impacts of wastewater treatment and ocean effluent discharges in absence of the current high volume water discharge. (PSLHD)
- Address impacts of continued discharge of hot water released into the marine ecosystems.
- Conduct regular water sampling in the waters off Diablo Canyon for the duration of the decommissioning project.
- Analyze water runoff impacts to ocean water quality during decommissioning including beyond the DCPP marina. (PSLHD)
- Assess wastewater treatment and ocean effluent discharges if desalination plant continues operation given absence of the current high volume water discharge from the existing plant. (PSLHD)
- Carefully site and monitor stockpile areas to ensure that soils and groundwater are not impacted, including by toxins associated with construction debris and contaminated soils.
- Address if the groundwater aquifer can produce required water supplies during peak decommissioning activities.
- Address the potential for toxins in groundwater used at the site for decommissioning activities.
- Consider seawater sampling on a regular basis to determine if any contamination comes from Fukushima or is locally derived and ensure that radioactive elements are not released into adjacent waters.
- Describe disposal of wastewater associated with the underwater dismantling and segmentation of radioactive components.

Land Use and Planning

- Address that the Osburn property site, City of Santa Maria, is located within the Area 9 Specific Plan and that any development on the site is subject to the development standards and requirements of this plan. (CSM)
- Address permitting issues associated with the existing rail spurs, constructed from 2017-2018, associated with establishment of the rail yard on the Osburn property. (CSM)
- Address any issues associated with potential land ownership issues resulting from the North Ranch and the Parcel P lands north of Diablo Creek being owned by PG&E and the rest of the Parcel P and South Ranch are owned by Eureka and leased to PG&E.
- Address any issues associated with the Wild Cherry Canyon (part of Diablo Canyon Lands) being owned by Eureka Energy and leased to HomeFed.

- Include discussion of Wild Cherry Canyon about public access and conservation in the analysis of the decommissioning process.
- Include PG&E's 1,200-acre deed restriction under the 2006 CDP E-06-011/A-3-SLO-06-017 as part of the analysis.
- Assess the disruption to customary functions and uses of Port San Luis and the Harbor District during decommissioning.
- Address impacts to the potential rail site located within the County of Santa Barbara's jurisdiction on the former Sugar Beet plant site (Assessor Parcel Number 113-210-001).
- Address that the Osburn property is located within a PD/M-1 (Planned Development/Light Industrial zoning district, with a Light Industrial (LI) General Plan Land Use designation, and that a suitable site would be in zoned in PD/M-2 (Planned Development/Heavy Industrial). (CSM)
- Assess the impact of using the Pismo Beach Materials Handling Facility for decommissioning activities on local community needs and given the residential nature of the area.
- Include measures to lessen impacts to the local area if the Pismo Beach Materials Handling Facility is used during decommissioning including no storage, transport, or handling of hazardous or radioactive materials, restrictions on hours of lighting use, and significant restrictions on the hours of operation.
- Review and mitigate ministerial permits, including grading, building and demolition permits as described in the project proposal.
- Ensure that any land transfers are compatible with California Public Utilities Commission's Public Utility Code 851. (CPUC)

Noise

- Address the impacts of noise to sensitive receptors. (CPB)
- If the Pismo Beach Materials Handling Facility is required to be operable during the decommissioning, ensure that noise activities are minimized to avoid disturbance to neighborhoods, potentially causing discomfort or annoyance, under the Pismo Beach General Noise Regulations.
- Restrict decommissioning activities that create excessive noise from 9am to 5pm, Monday through Friday.
- Address any noise impacts to local neighborhoods southeast of Price Canyon Road and to the City of Pismo Beach.

Public Services, Utilities, and Service Systems

- Assess public safety impacts around the Pismo Beach Police Department and Fire Station 64, located in the 1000 block of Bello Street, to emergency response activities given the high number of tourists visiting the area. (CPB)
- Address effects of closing the plant and preventing expansion of its existing desalination plant on water supplies.

Project Description

- Clarify whether the decommissioned material will be stored at the rail facility for an extended period or immediately loaded onto rail cars. Describe length of time onsite, method of storage, and security measures. (SBCP&D)
- Confirm direction of travel of the waste, south toward Los Angeles or north toward the Bay Area. EIR must evaluate risk of transporting waste through populated areas. (SBCP&D)
- Provide a more detailed description of the types of waste materials that will be transported to the locations in Santa Barbara County, including a description of whether the waste will include asbestos materials, hydrocarbons, or other toxic air contaminants, as well as fine particulates, or odor-containing materials. (SBCAPCD)
- Define when Once Through Cooling (OTC) is proposed to end (Phase 1 or 2) in relationship to coverage by either the EIR or Phase 2 programmatic EIR as well as permitting and mitigation requirements associated with either scenario.
- Include a review of the California Coastal Commission's Conditions of Approval.
- Incorporate the potential need for a new or amended Coastal Development Permit (CDP) for the ISFSI.
- Address the need for ongoing monitoring of both the ISFSI and the GTCC Waste Storage Facility including development of an inspection, monitoring and reporting program like that required for the SONGs decommissioning.
- Review the impacts of the project goals described in the proposed project involving retaining existing energy-infrastructure to meet customer needs and creation of marine/harbor opportunities through repurposing of the breakwater, Intake Structure, and associated harbor area.
- Clarify if infrastructure modifications will be required for roads, rails, and for barge loading.
- Clarify the travel routes that would be used to transfer materials and the days and hours that this would occur, including in locations in proximity to residential areas.
- Clarify if the intake structure would remain in place to help with barge operations.
- Clarify if the discharge intake would be removed.
- Clarify if the discharge intake would be used in the future to intake water or used as a barge platform.
- Clarify if the nuclear waste would be handled in the Santa Maria railyards or remain at the Pismo railyard.
- Consider retaining non-radioactive demolished materials on-site and mixed with soils to minimize truck trips through Avila.

Population and Housing

- Evaluate potential housing impacts of large numbers of workers that will be needed, short term and long term, for all stages of the decommissioning process. (CSLO)
- Evaluate potential cumulative effects to Population and Housing that could result from the decommissioning phases and on potential future uses of the site. (CSLO)

Recreation and Public Access

- Address impacts of decreased public access on the coast due to the existing structures including the 230 and 500 kV switchyards, raw water reservoirs, intake structure, roads, and the east and west breakwaters.
- Analyze impacts to the Pecho Coast Trail, Pt. Buchon Trail and the 1,200-acre conservation set aside at Point San Luis, all required by the Coastal Commission.
- Assess maintaining PG&E owned property around the Wild Cherry Canyon area for public access, boat storage, and harbor operations. (PSLHD)
- Consider permanent and irrevocable conservation and access easements of North Ranch, Wild Cherry Canyon, and South Ranch as mitigation for storage of radiological waste.
- Consider extending the Pecho Coast Trail along the coastal bluffs in South Ranch, Parcel P and North Ranch to connect to the Pt. Buchon Trail, completing an essential link in the California Coastal Trail.
- Include a more detailed analysis of why PG&E was required to open the Pecho Coast Trail as mitigation for the Training/Simulator Building, open the Buchon Trail as mitigation for the ISFI, and set aside 1,200 acres for conservation at Point San Luis as mitigation for the Steam Generator Replacement Project.
- Consider future historic landmarks along the Coastal Trail that would interpret the past land uses associated with the DCPP.
- Include guarantee of conservation and public access, in perpetuity, of Diablo Canyon Lands including use of conservation easements.
- Include the 2000 DREAM Initiative in the analysis that is supported by 75% of SLO County residents to conserve and provide public access to all the Diablo Canyon Lands upon the plant's closure.

Transportation

- Assess vehicle trips during decommissioning including the volume of truck traffic. (Caltrans Dist. 5)
- Consider limiting truck traffic during decommissioning to Monday-Thursday, during peak hours, to eliminate conflicts with Avila Beach's peak travel periods (Friday-Sunday). (Caltrans Dist. 5)
- Consider entering into a road maintenance agreement with Caltrans throughout and following decommissioning to alleviate impacts of increased truck traffic on roadway pavement quality and shoulders. (Caltrans Dist. 5)
- Fully assess hauling schedules, traffic on/off the state highway system, and safety precautions for pedestrians and bicyclists during decommissioning in the Construction Management Plan and provide to Caltrans for review. (Caltrans Dist. 5)
- Describe what roads will be used and what will be the impact to traffic.
- Describe any potential health impacts from hazardous and radiological materials due to accidental release during transportation.
- Assess transportation and pedestrian safety/access on Avila Beach Drive during the decommissioning project and future traffic loads for potential uses at the DCPP site.

- Assess use of roadways for heavy construction vehicles involving transportation of non-radioactive concrete and materials during any high traffic times.
- Complete a condition assessment of the Avila Beach Drive revetment to ensure an ability withstand loads, erosion, and sea level rise during the full duration of decommissioning. (PSLHD)
- Study traffic circulation in Pismo Beach including traffic signals or other traffic control devices necessary to accommodate potential increase in truck hauling during decommissioning. (CPB)
- Evaluate impacts to the sensitive areas along the locations of truck travel, at Price Street and Price Canyon, and at the Pismo Beach Materials Handling Facility, including Judkins Middle school and both single and multi-family residences on the southeast side of Price Canyon Road. (CPB)
- Address impacts to the northernmost portion of Pismo Beach, as well as the City's frontage roads, involving current public uses and events. (CPB)
- Complete a traffic study that involving Pierce Canyon Road including traffic associated with the Arroyo Grande Oilfield located at Price Canyon.
- Assess traffic related impacts on Highway 101 at the exit for Price Street.
- Assess traffic related impacts if trucks turn onto Five Cities Drive to get to James Way, then to Price Street that would lead to potential congestions at the two exits.
- Analyze the range of impacts involving transportation and pedestrian safety/access on Avila Beach Drive.
- Address traffic impacts on the community of Avila Beach and Harbor Terrace, especially during warm weather weekends and holidays.
- Identify what type of trucks will be transporting the materials and specify how many a day would travel to Pismo Beach.
- Address if the waste would be transported in a southerly direction to Los Angeles or northerly toward the Bay Area and evaluate the risk associated either route. (SBCP&D)
- Describe road maintenance to address impacts of decommissioning operations.
- Describe impacts and mitigation for traffic congestion and parking.
- Include an analysis of decontamination and demolition and transport of debris during decommissioning. Observe traffic in the City of Pismo Beach and specifically traffic leading to Bello Street and address the analysis in the EIR. (CPB)
- Address if there are considerations for Pismo Beach Fire Department, CalFire, police, ambulances, FedEx, UPS mail trucks, and bicyclists turning onto Lemoore Street.
- Consider reducing transportation requirements of demolished non-radioactive concrete and materials by mixing these materials with onsite fill and retaining this mix for reuse in site restoration.
- Address hazards associated with transporting and storing nuclear waste including potential benefits of barge transportation over rail or roads.

Wildfire and Environmental Hazards

- Address impacts to Avila's one-way in and out access in terms of potential earthquake, fires, tsunamis, and nuclear facility events.

Alternatives (Proposed Project)

- Ensure that the EIR process clarifies the cost estimates of mitigation measures and alternatives to allow the CPUC and stakeholders to compare the EIR proposals to PG&E's decommissioning cost estimates and funds available in the Nuclear Decommissioning Trust. (CPUC)
- Analyze all feasible alternatives as means of reducing effects to biological resources. (USFWS)
- Evaluate rail routes that that may reduce potential risk of exposure to populated areas. (SBCP&D)
- Consider alternative sites for waste disposal should the proposed sites become unavailable and if wastes are stored longer than planned.
- Address the No Project Alternative as a zero-emission alternative.
- Clarify if non-decommissioning alternatives would require new applications and undergo a new process.

Reuse Concepts

- Consider how the DREAM Initiative in 2000 was supported by over 75% of county voters to set aside all the surrounding Diablo Canyon Lands for habitat preservation, agriculture, and passive public access.
- Assess the following public uses: 1) full PSLHD control of access to the road and trails to the Point San Luis Lighthouse 2) expansion of PSLHD land ownership adjacent to the District's Harbor Terrace campground for expansion of the camping area and public access to a trail system 3) boat storage, commercial fishing gear storage, and harbor operations near the current entrance to DCPP along Avila Beach Drive 3) use of the current DCPP marina and adjacent land for harbor operations including commercial and recreational fishing, boating, and other public uses. (PSLHD)
- Analyze retaining existing substation and 500kV and 230kV transmission systems for future use such as offshore wind energy. (CPUC)
- Address making the lands safe for public uses such as habitat preservation, agriculture, and passive public use as well as establishment of clean, green, renewable energy sources, education, and research.
- Assess reuse of the desalination plant for future potable water requirements in the area. (PSLHD)
- Consider preserving the current breakwaters at the DCPP. (PSLHD)
- Consider making office buildings on Parcel P available for congregate housing including offering them to People's Self Help Housing and the Homeless Oversight Services Council.
- Ensure that restored lands deemed safe by NRC be utilized for the public good.
- Address repurposing non-contaminated facilities to create new local jobs, promote renewable energy sources including transmission lines, and preservation of the existing desalination plant, breakwaters, and associated harbor.
- Address potential enlargement of the plant's desalination plant to provide more water than the County and Central Coast currently receives from the State Water Project via a Central Coast Water Authority pipeline, a facility under potential threat from the San Andreas Fault.

- Address keeping the nuclear power plant and water desalination facility operable to provide water supplies for the Central Coast.
- Ensure that analysis of future use is not going to result in a development agreement now.
- Consider retaining the existing substation and transmission system that will offer offshore wind and other energy providers a tie-in to the grid.
- Ensure that any land transfers adhere to the State Public Utility Code Section 851.
- Clarify if some reuses of Parcel P will occur before 2040.
- Consider that any redevelopment of the site may cause create wildfire risks, requiring additional mitigation such as needs for additional ingress and egress.

General EIR Comments

- Describe NRC jurisdiction over project related high-level radioactive waste storage and decontamination standards.
- Involve the SBAPCD as a responsible agency under the California Environmental Quality Act (CEQA); the SBAPCD will rely on the EIR when evaluating any District permits for proposed equipment. (SBAPCD)
- Fully analyze effects of the project on local communities.
- Include the Strategic Vision of the Diablo Canyon Decommissioning Engagement Panel and the Conservation Framework adopted by the Friends of the Diablo Canyon Lands during project review. www.diablocanyonlands.org.
- Identify the length of time for implementation of all project mitigation including if it is either perpetual or temporary, including in reference to the potential for long-term storage of highly toxic radioactive materials within coastal locations.
- Consider an extension of the DEIR public review timeframe for at least 60 days. (CSLO)
- Ensure that CPUC approves any PG&E voluntary land transfers following decommissioning. (CPUC)
- Address permitting issues associated with the ISFSI and GTCC involving future uses prior to demolition.
- Address if a permit needs to be issued for development and installation of an SFPI, an independent spent fuel cooling system.
- Address permitting requirements for permanent on-site storage of GTCC waste material in appropriate casks.
- Analyze the effects on the entire 12,000-acre area (project site and surrounding 11,250 acres) involving the disposition of the 750-acre site. (USFWS)
- Ensure that the County and the applicant work with the USFWS to avoid and minimize effects to listed species.
- Analyze impacts to all PSLHD lands, facilities, and submerged tidelands.
- Follow CDFW specified environmental data and filing fee requirements during project. (CDFW)
- Consider additional time to submit scoping comments to address up to four proposed truck to rail transfer sites as well as rail transport to out of state waste facilities, including the Osborn Property, City Santa Maria. (CSM)
- Treat any license extension as a separate application with separate environmental review.
- Ensure that the EIR is approved before the start of decommissioning.

- Describe the required ministerial permits and discuss what impacts could occur.
- Consider including previous community and public engagement such as the Diablo Canyon Decommissioning Engagement panel in this process.
- Consider the project-related community-based activities that have taken place that can inform the decommissioning process and the future of this land including the Diablo Canyon Decommissioning Engagement panel, engaged now well over three years, discussing project decommissioning, offering many public meetings, and receiving many public comments.
- Elaborate more about project mitigation as previous mitigations were short and do not provide informative details.
- Do not decommission Diablo Canyon Power Plant as it has provided continuous clean energy for around 30 years and can continue to operate safely.
- Clarify if alternatives and reuse options are going to be analyzed and would these be treated separately.
- Consider a license-extension as a separate project requiring separate environmental review process; extending the site license is beyond the scope of this EIR.

Issues Not Related to EIR

- Address if Pismo Beach or PG&E will be responsible for Price Canyon.
- Describe what funding category is PG&E using to pay for environmental consulting services.
- Describe how resources will be procured if PG&E's financial and time budget for EIR development is not sufficient.
- Describe measures to protect ratepayers during completion of the proposed project.

NRC Related Comments

- Identify the extent that the EIR recommends additional mitigation measures above that required by the NRC.
- Determine a threshold of acceptable residual contamination that is consistent with the health and safety standards of the County.

Appendix B2

Notice of Preparation

COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
TREVOR KEITH, *DIRECTOR*

Notice of Preparation and Notice of Scoping Meeting

Diablo Canyon Power Plant Decommissioning Project

ED2021-174 / DRC2021-00092

Date: October 28, 2021
To: Interested Agencies, Organizations, and Individuals
Lead Agency: San Luis Obispo County
Applicant: Pacific Gas and Electric Company

I. INTRODUCTION

This is a notice for solicitation of agency, organization, and public input and initiation of scoping for the preparation of an Environmental Impact Report (EIR) for the Diablo Canyon Power Plant Decommissioning Project (DCPP Decommissioning Project or Proposed Project).

San Luis Obispo County (County) is the Lead Agency under the California Environmental Quality Act (CEQA) for the preparation and review of the DCPP Decommissioning Project EIR. Pursuant to Section 15082 of the State CEQA Guidelines, the County is soliciting the views of responsible, trustee, and interested agencies, organizations, and individuals on the scope and content of the environmental analysis in the EIR. Agencies should comment on the elements of the scope and content of the EIR that are relevant to the agencies' statutory responsibilities, as provided under State CEQA Guidelines Section 15082(b). A summary of the Proposed Project, including alternatives under consideration, and environmental effects that may result from implementation are provided below. Additionally, information about the DCPP Decommissioning Project may be accessed via the County's website:

https://www.slocounty.ca.gov/Departments/Planning-Building/Grid-Items/Community-Engagement/Active-Planning-Projects/Diablo-Canyon-Nuclear-Power-Plant-Decommissioning.aspx

Comment Period: Written comments or questions regarding the scope and content of the EIR can be sent anytime during the Notice of Preparation (NOP) public review period. The review period begins **October 28, 2021 and ends December 6, 2021 (40 days).** Please include the name of the contact person for your agency or organization, if applicable. Please send all comments via US mail or email to:

Susan Strachan
Nuclear Power Plant Decommissioning Project Manager
San Luis Obispo County, Department of Planning and Building
976 Osos St #300, San Luis Obispo, CA 93408

Email: diablo@co.slo.ca.us

Subject Line: DCPP Decommissioning Project NOP Comments

Scoping Meetings: The County will hold 5 virtual scoping meetings using Zoom to give the agencies, organizations, and the public an opportunity to learn about the Proposed Project, to ask questions regarding the Proposed Project, and provide oral comments on the scope and content of the EIR. These meetings will be recorded and posted on the County's website (see link above) for later viewing. Each meeting will include the same presentation. Comments received at each meeting will become part of the public record for the Project.

The meeting times and login details are as follows:

Tuesday November 9, 2021 at 10:00 a.m.	**Tuesday November 9, 2021 at 6:00 p.m.**
Zoom link: **https://us02web.zoom.us/j/88008559486** or by Phone: **(669) 900-6833** then enter Webinar ID: **880 0855 9486**	Zoom link: **https://us02web.zoom.us/j/88344286664** or by Phone: **(669) 900-6833** then enter Webinar ID: **883 4428 6664**
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Saturday December 4, 2021 at 2:00 p.m.	
Zoom link: **https://us02web.zoom.us/j/81440062317** or by Phone: **(669) 900-6833** then enter Webinar ID: **814 4006 2317**	

II. DESCRIPTION OF PROPOSED PROJECT

The Pacific Gas and Electric Company (PG&E) proposes decommissioning of the Diablo Canyon Power Plant. The Proposed Project is located at 3890 Diablo Canyon Road in an unincorporated area of San Luis Obispo County. Approximately two-thirds of the DCPP site is located within the coastal zone and approximately one-third is located outside of the coastal zone.

The California Coastal Act (CCA) is the principal planning and regulatory program for the coastal zone of California. Section 23.01.031 of the County's Coastal Zone Land Use Ordinance (CZLUO) requires a Coastal Development Permit (CDP) for development projects, including decommissioning projects, in accordance with the CCA and the above-referenced section of the CZLUO. In addition, Section 23.02.034 of the CZLUO requires a CDP to enable public review of significant land use proposals and to ensure consistency with local ordinance and policy. The area

of the site in the coastal zone is located within the California Coastal Commission (CCC) appeal jurisdiction, meaning that County decisions on the project may be appealed to the CCC. Section 22.62.060 of the County's Inland Land Use Ordinance requires a CUP for significant land use proposals outside the coastal zone to enable public review and ensure local ordinance and policy consistency.

The DCPP Is located within the jurisdiction of the CCC and State Lands Commission (DCPP features in tidelands and submerged lands) and a CDP and new lease amendment will be required from these agencies, respectively for plant decommissioning activities within the agencies' jurisdictions.

The DCPP is a two-unit nuclear-powered electrical generating station that began commercial operation in 1985 for Unit 1 and 1986 for Unit 2 and is the last nuclear power plant still operating in California. The two reactors are licensed by the U.S. Nuclear Regulatory Commission (NRC) to operate until November 2, 2024 (Unit 1) and August 26, 2025 (Unit 2). Between 2009 and 2016, PG&E pursued efforts to renew these licenses, which would have allowed for the continued operation of DCPP until 2044 (Unit 1) and 2045 (Unit 2). In 2016, PG&E decided to forego license renewal efforts and announced plans to close DCPP at the expiration of its current NRC operating licenses. This decision was confirmed by the California Public Utilities Commission in 2018. Upon final shutdown of the units and assuming all permit conditions are acceptable, PG&E intends to transition DCPP immediately from an operating status into a decommissioning status, meaning the facility will be shutdown and the process of dismantling and removing it will begin.

Project Summary. The Proposed Project involves four different sites: (1) the DCPP site, (2) the Pismo Beach Railyard (PBR), and (3) one of two potential Santa Maria Valley Railyard Facility (SMVR) sites (see figures provided at the end). The DCPP site is on the coast of San Luis Obispo County, California, approximately 7 miles northwest of Avila Beach. The DCPP facility comprises a 750-acre high-security zone surrounded by an approximately 12,000-acre area of land owned by either PG&E or Eureka Energy, a wholly owned subsidiary of PG&E.

The rail sites would be used to transfer decommissioning waste from trucks to rail cars, where the waste would then be transported by rail to out-of-state disposal facilities (Clive, Utah and/or Andrews, Texas). The PBR site is currently used by PG&E for equipment and material storage and transportation needs in support of DCPP operations. The site is located at 800 Price Canyon Road in the City of Pismo Beach in San Luis Obispo County, approximately 13 miles southeast of the DCPP site. This site would be used as a contingency for the transfer of non-radioactive and non-hazardous decommissioning waste. Two SMVR sites are being considered; however, only one would be used. One is within the City of Santa Maria at the Osburn Yard, located at 1599 A Street, and the other further west within the County of Santa Barbara at Betteravia Industrial Park located at 2820 W. Betteravia Road.

Facility decommissioning would occur in two phases:

- Phase 1 (2024 through 2031): Pre-planning and Decommissioning Project Activities, and
- Phase 2 (2032 through 2039): Completion of Soil Remediation, Final Status Surveys, and Final Site Restoration.

The main activities in Phase 1 include:

- Installation of electrical infrastructure for the decommissioning power supply
- Site security infrastructure and general modifications to existing structures to support decommissioning activities
- Removal of the nuclear reactor pressure vessels (RPVs), RPV internal components, and steam generators
- Decontamination and demolition of buildings
- Intake structure modifications to accommodate waste removal by barge
- Removal of the discharge structure and restoration of the area once removed
- Construction of waste storage facilities for Greater than Class C (GTCC) waste and non-radioactive waste
- Spent Fuel and GTCC waste transfer to Independent Spent Fuel Storage Installation (ISFSI) and new GTCC storage building
- Removal of firing range and construction of new firing range
- Site characterization to determine areas of contamination and soil remediation (soil clean up)
- Initial site restoration, soil remediation, and Final Status Surveys (surveys to ensure the site meets release criteria specified in the NRC required License Termination Plan)
- Modify and use of railyards for waste shipments (under separate permits from the Cities of Pismo Beach and Santa Maria and County of Santa Barbara)

The main activities in Phase 2, which would occur only at the DCPP site, include:

- Continue soil remediation
- Continue Final Status Surveys
- Remove infrastructure not supporting retained facilities (e.g., roads, parking areas)
- Final site restoration
- Site restoration monitoring (up to 5 years)
- Transition to ISFSI and GTCC storage facility operations
- Termination of NRC Part 50 DCPP operating licenses

Facilities that would remain in place for PG&E use in an "owner-controlled area" (see below) following completion of Phases 1 and 2 include:

- Primary and secondary access roads
- Internal roads
- 230 and 500 kV switchyards
- ISFSI
- Raw water reservoirs
- New security building, firing range, and GTCC waste storage facility (built in Phase 1)

In addition, PG&E proposes to retain the existing Eastern and Western Breakwaters and Intake Structure for potential future use by others.

The structures that would remain onsite would continue to be managed by PG&E within a designated owner-controlled area (see figure below). Activities would be limited to ISFSI and GTCC storage facility operations until an off-site interim storage facility or permanent repository is available. Identification of an off-site repository for long-term storage of spent nuclear fuel and

GTCC waste is a concern both for DCPP and for nuclear power facilities across the nation and awaits resolution by the federal government.

III. ALTERNATIVES TO THE PROPOSED PROJECT

The EIR will evaluate alternatives to the Proposed Project that have the potential to reduce environmental impacts. The alternatives identified below are under consideration.

- **No Project Alternatives.**
  - **SAFSTOR Alternative** – DCPP would be placed in a safe, stable storage condition referred to as SAFSTOR and DCPP decommissioning would be completed within 60 years as required under federal regulation.
  - **No CSLC Approval Alternative** – This alternative assumes no approval from California State Lands Commission (CSLC) is received for decommissioning infrastructure within the CSLC jurisdiction, which includes offshore areas including State (filled) tide and submerged lands. Under this alternative decommissioning of structures within the CSLC jurisdiction (e.g., discharge structure, boat dock, storage facility, office facilities, intake electrical room, intake maintenance shop, equipment storage pad, spare tri-bar storage) would not occur. Repurposing of other structures, such as the breakwater or intake structure, would not occur. Decontamination and radiological and chemical remediation would take place to achieve license termination.
- **Intake Structure Removal Alternative.** This alternative would include full removal of the intake structure back to the water tunnels, and tunnel entrances would be sealed with a concrete bulkhead.
- **Breakwater Removal Alternative.** This alternative would include full removal of the breakwaters around the Intake Cove and marine habitat restoration using imported rocks.
- **Minimum Demolition Alternative.** This alternative would leave buildings and supporting infrastructure in place to the maximum extent feasible. Decontamination and radiological and chemical remediation would take place to achieve license termination. Eventual dismantlement and offsite transportation could take place later, or buildings and supporting infrastructure could be reused by a third party.
- **Full Removal Alternative.** All DCPP infrastructure would be completely removed (beyond the standard three feet minimum below adjacent grade), including the intake structure and breakwaters. Only the owner-controlled area and associated support facilities, such as utilities and roads would remain.

IV. AREAS OF POTENTIAL IMPACT FOR THE PROPOSED PROJECT (2024 - 2039)

The County has determined that an EIR will be required to satisfy environmental review for the Proposed Project. Therefore, as allowed under CEQA Guidelines Section 15060(d), the County has not prepared an Initial Study and will instead begin work directly on the EIR. The EIR will focus on the potentially significant effects of the Proposed Project, discuss any effects found not to be significant (CEQA Guidelines Section 15128) and will assess the direct, indirect, and cumulative impacts, as well as growth-inducing effects.

The EIR will include an evaluation of the following environmental issues:

- Aesthetics
- Air Quality
- Biological Resources (Marine and Terrestrial)
- Cultural Resources – Archaeology and Built Environment
- Cultural Resources - Tribal Cultural Resources
- Energy
- Geology, Soils, and Coastal Processes (Paleontology)
- Greenhouse Gas Emissions
- Hazardous and Radiological Materials
- Hydrology and Water Quality
- Land Use and Planning (Agriculture)
- Mineral Resources
- Noise
- Population and Housing
- Public Services and Utilities
- Recreation and Public Access
- Transportation
- Wildfire

The EIR will also analyze:

- Climate Change and Sea-Level Rise
- Commercial Fishing
- Environmental Justice
- State Tide and Submerged Lands Possessing Significant Environmental Values

No determinations have been made as to the significance of these potential effects. Such determinations will be made in the EIR after the issues are thoroughly analyzed. The County invites interested parties, and all affected, responsible, and trustee agencies, to suggest specific areas of analysis to be addressed within these general categories, or other issues not included above, to be considered in the EIR.

V. FUTURE SITE REUSE POTENTIAL (2040 AND BEYOND)

Following Phases 1 and 2 of decommissioning and termination by the NRC of DCPP's Title 10 Code of Federal Regulations (CFR) Part 50 license (10 CFR Part 50, or Part 50), the DCPP site, excluding the owner-controlled area, would be available for development. Therefore, the EIR will evaluate possible reuse concepts for the DCPP site, which will be referred to in the EIR as Phase 3. Because these uses would be far in the future and would require separate land use and CEQA analysis for permitting, the reuse concepts will be evaluated at a program level. This evaluation will be provided to identify potential environmental impacts or issues associated with the possible reuse concepts.

The County is still developing ideas for future site reuse. However, the EIR may compare the possible environmental impacts of the following reuse concepts:

- University Campus
- Developed Recreation (car camping to glamping)
- Day Use Recreation (e.g., trails)
- Research Facility
- Renewable Energy Production and/or Storage
- Resort Hotel
- Mixed Use
- Offshore Wind Port/support facility

The possible environmental impacts of the different concepts will be identified based on the project site information developed for the Proposed Project and will consider the same issue areas as those identified above for the Proposed Project.

Figure 1. DCPP Decommissioning Project Sites

Appendix B3
Public Notices

From: PL_Diablo
To: Susan Strachan; Cindy A. Chambers
Subject: Notice of Upcoming EIR Scoping Meetings for Diablo Canyon Decommissioning DRC2021-00092
Date: Monday, November 29, 2021 2:12:50 PM
Attachments: Outlook-1483473689.png

County of San Luis Obispo to Host Meetings on Diablo Canyon Nuclear Power Plant Decommissioning

The County of San Luis Obispo will prepare an Environmental Impact Report (EIR) for the Diablo Canyon Nuclear Power Plant Decommissioning Project. An EIR Scoping Meeting is an opportunity for agencies and interested members of the public to obtain information about the project, ask questions, and provide oral comments on the scope and content of the EIR. The County will hold five (5) virtual scoping meetings. The first two meetings occurred on November 9. The meeting times and login details for the remaining meetings are as follows:

Wednesday December 1, 2021 at 10:00 a.m.	**Wednesday December 1, 2021 at 6:00 p.m.**
Zoom link: **https://us02web.zoom.us/j/82051282377** or by Phone: **(669) 900-6833** then enter Webinar ID: **820 5128 2377**	Zoom link: **https://us02web.zoom.us/j/83781876105** or by Phone: (669) 900-6833 then enter Webinar ID: 837 8187 6105
Saturday December 4, 2021 at 2:00 p.m.	
Zoom link: **https://us02web.zoom.us/j/81440062317** or by Phone: (669) 900-6833 then enter Webinar ID: 814 4006 2317	Note: Each meeting will include the same presentation.

The project's Notice of Preparation and PG&E's application, including a detailed Project Description, Map Exhibits, and studies can be accessed on the County's website at this link: https://www.slocounty.ca.gov/Departments/Planning-Building/Grid-Items/Community-Engagement/Active-Planning-Projects/Diablo-Canyon-Nuclear-Power-Plant-Decommissioning.aspx

Written Scoping comments are due by 5:00 p.m., December 6, 2021. Comments may be submitted via email to: diablo@co.slo.ca.us, or via USPS mail to: County of San Luis Obispo Planning & Building, Room 300, Attention: S. Strachan, 976 Osos Street, San Luis Obispo, CA 93408.

Please contact Susan Strachan at (805) 788-2129, or Cindy Chambers at (805) 781-5608, or via the project email above, for additional information.

Thank you,

Cindy Chambers
Senior Planner
Diablo Canyon Decommissioning Project
(p) 805-781-5608
cchambers@co.slo.ca.us

COUNTY OF SAN LUIS OBISPO
PLANNING & BUILDING

New Times

1010 Marsh St., San Luis Obispo, CA 93401
(805) 546-8208 • FAX (805) 546-8641

PROOF OF PUBLICATION
(2015.5 C.C.P.)

STATE OF CALIFORNIA,
County of San Luis Obispo,

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not a party interested in the above entitled matter. I am the principal clerk of the printer of the *New Times*, a newspaper of general circulation, printed and published weekly in the City of San Luis Obispo, County of San Luis Obispo, and which has been adjudged a newspaper of general circulation by the Superior Court of the County of San Luis Obispo, State of California, under the date of February 5, 1993, Case number CV72789: that notice of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

October 28

in the year 2021.

I certify (or declare) under the the penalty of perjury that the foregoing is true and correct.

Dated at San Luis Obispo, California, this day 28 of October, 2021.

Patricia Horton

Patricia Horton, New Times Legals

Admin & Personal/-NTMG Admin/NTMG Office/BUSINESS/Public Notices/Proof of Pub

Proof of Publication of

COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
TREVOR KEITH, DIRECTOR

Environmental Impact Report - Notice of Preparation and Notice of EIR Scoping Meetings

Diablo Canyon Nuclear Power Plant Decommissioning Project
ED2021-174 / DRC2021-00092

The County of San Luis Obispo as Lead Agency will prepare an Environmental Impact Report (EIR) for the Diablo Canyon Nuclear Power Plant Decommissioning Project. The project is a request by Pacific Gas and Electric for a County Development Plan/Coastal Development Permit and Conditional Use Permit for both Coastal and Inland components of decommissioning and site restoration. Portions of the project site are in retained Coastal Commission jurisdiction as well.

An EIR Scoping Meeting is an opportunity for agencies and interested members of the public to obtain information about the project, ask questions, and provide oral comments on the scope and content of the EIR. The County will hold five virtual scoping meetings. The meeting times and login details are as follows:

Tuesday November 9, 2021 at 10:00 a.m. Zoom link: https://us02web.zoom.us/j/88008559486 or by Phone: **(669) 900-6833** then enter Webinar ID: **880 0855 9486**	**Tuesday November 9, 2021 at 6:00 p.m.** Zoom link: https://us02web.zoom.us/j/88344286664 or by Phone: **(669) 900-6833** then enter Webinar ID: **883 4428 6664**
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DESCRIPTION OF PROPOSED PROJECT

PG&E's proposed decommissioning activities include: decontamination and demolition of approximately 65,000 square feet of structures and facilities; grading cut and fill of approximately 524,000 cubic yards; site disturbance and restoration of approximately 71 acres; removal of hazardous and non-hazardous waste materials; and construction of new facilities, including a new security building, firing range, and Greater Than Class C Waste (GTCC) facility to be located in a PG&E Owner-Controlled Area. Existing structures would also remain within the PG&E Owner-Controlled Area, including the 500 kV and 230 kV electrical switchyards and the Independent Spent Nuclear Fuel Storage Installation (ISFSI) facility where spent nuclear fuel will continue to be stored until an interim storage facility or permanent repository is available. PG&E also proposes to retain the existing Eastern and Western Breakwaters and the Intake Structure for potential future use by others.

Decommissioning waste, including low-level nuclear waste, would be transported offsite for disposal via truck, rail, and barge. The project involves three additional locations for potential rail transfer that would require local-agency permitting approval: the Pismo Beach Materials Handling Facility located at 800 Price Canyon Road in Pismo Beach; a rail site located in Santa Barbara County (2820 W. Betteravia Road); and, a rail site within the City of Santa Maria (1599 A Street). Only one of the two sites outside of San Luis Obispo County would be used.

The project is proposed in two phases: Phase 1 (2024 through 2031) includes Pre-planning and Decommissioning activities; Phase 2 (2032 through 2039) includes completion of Soil Remediation, Final Status Surveys, and Site Restoration. The Diablo Canyon project site is located at 3890 Diablo Canyon Road, approximately seven miles east of Port San Luis. The proposed project is within the Public Facilities land use category in the San Luis Bay Coastal Planning area and within the San Luis Bay Inland Sub Area of the San Luis Obispo Planning Area.

All issue areas of potential impact as mandated by the CEQA Guidelines (Appendix G) including Alternatives, Cumulative Effects, and Growth Inducement, will be addressed in the Environmental Impact Report to be prepared for the project. No determinations have been made as to the significance of these potential effects. Such determinations will be made in the EIR after the issues are thoroughly analyzed. The County invites interested parties, and all affected, responsible, and trustee agencies, to suggest specific areas of analysis to be addressed within these general categories, or other issues not included above, to be considered in the EIR.

There are no Cortese listings or GeoTracker sites located on the Diablo Canyon or Pismo Beach railyard sites. At this time, there is no tentative hearing date for the project.

Future Site Re-use Potential

Following Phases 1 and 2 of decommissioning and termination by the NRC of DCPP's Title 10 Code of Federal Regulations (CFR) Part 50 license (10 CFR Part 50, or Part 50), the DCPP site, excluding the owner-controlled area, would be available for development. Therefore, the EIR will evaluate possible reuse concepts for the DCPP site, which will be referred to in the EIR as Phase 3. Because these uses would be far in the future and would require separate land use and CEQA analysis for permitting, the reuse concepts will be evaluated at a program level. This evaluation will be provided to identify potential environmental impacts or issues associated with the possible reuse concepts.

The County is still developing ideas for future site reuse. However, the EIR may compare the possible environmental impacts of the following reuse concepts:

- University Campus
- Developed Recreation (car camping to glamping)
- Day Use Recreation (e.g., trails)
- Research Facility
- Renewable Energy Production and/or Storage
- Resort Hotel
- Mixed Use
- Offshore Wind Port/support facility

FURTHER INFORMATION:

The project's Notice of Preparation and PG&E's application including a detailed Project Description, Map Exhibits, and studies can be accessed on the County's website: https://www.slocounty.ca.gov/Departments/Planning-Building.aspx using the Diablo Canyon Nuclear Power Plant Decommissioning link on the lower left-hand side of the page under the "Most Requested Services" heading.

Written Scoping comments are due by 5:00 p.m., December 6, 2021. Comments may be submitted via email to: diablo@co.slo.ca.us, or via USPS mail to: County of San Luis Obispo Planning & Building, Room 300, Attention: S. Strachan, 976 Osos Street, San Luis Obispo, CA 93408. Please contact Susan Strachan at (805) 788-2129, or Cindy Chambers at (805) 781-5608, or via the email above, for additional information.

October 28, 2021

New Times
1010 Marsh St., San Luis Obispo, CA 93401
(805) 546-8208 • FAX (805) 546-8641

PROOF OF PUBLICATION
(2015.5 C.C.P.)

STATE OF CALIFORNIA,
County of San Luis Obispo,

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not a party interested in the above entitled matter. I am the principal clerk of the printer of the *New Times*, a newspaper of general circulation, printed and published weekly in the City of San Luis Obispo, County of San Luis Obispo, and which has been adjudged a newspaper of general circulation by the Superior Court of the County of San Luis Obispo, State of California, under the date of February 5, 1993, Case number CV72789: that notice of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

November 4

in the year 2021.

I certify (or declare) under the the penalty of perjury that the foregoing is true and correct.

Dated at San Luis Obispo, California, this day 4 of November, 2021.

Patricia Horton

Patricia Horton, New Times Legals

Admin & Personal/~NTMG Admin/NTMG Office/BUSINESS/Public Notices/Proof of Pub

Proof of Publication of

COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
TREVOR KEITH, DIRECTOR

Environmental Impact Report - Notice of Preparation and Notice of EIR Scoping Meetings

Diablo Canyon Nuclear Power Plant Decommissioning Project
ED2021-174 / DRC2021-00092

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An EIR Scoping Meeting is an opportunity for agencies and interested members of the public to obtain information about the project, ask questions, and provide oral comments on the scope and content of the EIR. The County will hold five virtual scoping meetings. The meeting times and login details are as follows:

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Wednesday December 1, 2021 at 10:00 a.m.	**Wednesday December 1, 2021 at 6:00 p.m.**
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Future Site Re-use Potential

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FURTHER INFORMATION:

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November 4, 2021

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976 OSOS STREET, ROOM 300
SAN LUIS OBISPO CA 93408

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Times Ord: 1 — Times Run: ***
4LGL 2.00 X 153.00 — Words: 995
Total 4LGL 306.00
Class: S0986 LEGALS
Rate: LD — Cost: 548.50
Affidavits: 1

Contact:
Phone: (805)788-2129
Fax#: (805)220-7038
Email: strachan@dcn,org
Agency:

Ad Descrpt: ENVIRONMENTAL IMPACT REPO
Given by: *
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Created: trami 10/26/21 07:35
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Salesperson: TERESA RAMIREZ Printed at 10/28/21 08:59 by trami-bk

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Acct #: 305881 Ad #: 52234 Status: New

Environmental Impact Report - Notice of Preparation and Notice of EIR Scoping Meetings

Diablo Canyon Nuclear Power Plant Decommissioning Project ED2021-174 / DRC2021-00092

The County of San Luis Obispo as Lead Agency will prepare an Environmental Impact Report (EIR) for the Diablo Canyon Nuclear Power Plant Decommissioning Project. The project is a request by Pacific Gas and Electric for a County Development Plan/Coastal Development Permit and Conditional Use Permit for both Coastal and Inland components of decommissioning and site restoration. Portions of the project site are in retained Coastal Commission jurisdiction as well.

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Legal #52234 Pub date: October 29, 2021

New Times

1010 Marsh St., San Luis Obispo, CA 93401
(805) 546-8208 • FAX (805) 546-8641

PROOF OF PUBLICATION
(2015.5 C.C.P.)

STATE OF CALIFORNIA,
County of San Luis Obispo,

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not a party interested in the above entitled matter. I am the principal clerk of the printer of the *New Times*, a newspaper of general circulation, printed and published weekly in the City of San Luis Obispo, County of San Luis Obispo, and which has been adjudged a newspaper of general circulation by the Superior Court of the County of San Luis Obispo, State of California, under the date of February 5, 1993, Case number CV72789: that notice of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

November 25

in the year 2021.

I certify (or declare) under the the penalty of perjury that the foregoing is true and correct.

Dated at San Luis Obispo, California, this day 25 of November, 2021.

Patricia Horton

Patricia Horton, New Times Legals

Admin & Personal/•NTMG Admin/NTMG Office/BUSINESS/Public Notices/Proof of Pub

Proof of Publication of

COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
TREVOR KEITH, *DIRECTOR*

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NOTE: Each meeting will include the same presentation of project information.

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planning@co.slo.ca.us | www.sloplanning.org

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November 25, 2021

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(2015.5 C.C.P.)

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in the year 2021.

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Patricia Horton

Patricia Horton, New Times Legals

Proof of Publication of

COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
TREVOR KEITH, *DIRECTOR*

County of San Luis Obispo to Host Meetings on Diablo Canyon Nuclear Power Plant Decommissioning

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December 2, 2021

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If you have a correction, please call (805) 739-2143

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Father held after 4 California children, grandmother slain

STEFANIE DAZIO
Associated Press

LANCASTER — Four children, including an infant, and their grandmother were found shot to death in a Southern California home and the children's father was arrested on suspicion of killing them, the Los Angeles County Sheriff's Department said.

The victims were found Sunday night in a home in the city of Lancaster in the high desert Antelope Valley north of Los Angeles.

The children's mother discovered the bodies and called 911, Lt. Brandon Dean told The Associated Press in a telephone interview.

Three houses away, Grace Beltran and her son Gerard were awakened by first responders' flashing lights. Grace Beltran said a woman was running back and forth in their front yard, screaming, "My babies are gone! They're all dead!"

Within a few minutes of the mother arriving home, the children's father, Germarcus David, 29, turned himself in to deputies at the Lancaster sheriff's station, Dean said.

David was arrested after being interviewed by investigators and was held in lieu of $2 million bail.

It was not immediately known if David had a lawyer who could speak on his behalf. He was expected to make an initial appearance at the Antelope Valley Courthouse on Tuesday.

Gina Frisby, chief of staff for Assemblyman Evan Low, packs boxes at Low's Capitol Annex office in Sacramento on Monday.

RICH PEDRONCELLI

Lawmakers relocate to make way for new building

ADAM BEAM
Associated Press

SACRAMENTO — California's Legislature will reconvene in about a month, but staff are busy this week building boxes instead of bills as they work to quickly vacate their offices ahead of the scheduled demolition of their nearly 70-year-old workspace.

California's Capitol was completed in 1874, and at the time it was big enough to hold most of state government, including the Legislature, the executive branch and the state Supreme Court.

But as California grew into the nation's most populous state following the Gold Rush and a pair of world wars, state government grew along with it. Agencies moved out as more buildings sprung up around the Capitol. In 1952, the Annex was connected to the Capitol, where it has housed lawmakers offices — including the governor — ever since.

That ends this year as part of a plan to demolish the Annex and replace it with a more modern structure that will comply with new rules designed to withstand earthquakes and fires all while making the building more accessible for people with disabilities.

In the meantime, the state built a $423.6 million office building about two blocks away from the Capitol to house lawmakers and their staff during construction. The Legislature will still meet in their respective chambers in the state Capitol. But their offices, instead of just a few floors away, will be about two blocks away until at least 2025.

That's if everything goes according to plan. Unforeseen construction delays could keep them there much longer. And some environmental and historical preservation groups have sued to block the project, worried about its impact on surrounding Capitol Park and some of the rare trees and plants that live there.

Lawmakers say Capitol Park's most prominent trees will be protected. That includes the "moon tree" — a Redwood that grew from a seed that went to the moon on Apollo 14 and is now about 120 feet (36.5 meters) tall — and a grove of trees planted in 1897 that were taken from famous Civil War battlefields at Gettysburg and Fredericksburg.

It was mostly quiet inside the doomed Annex on Monday as some offices have already relocated to the new office space. That includes the large bronze statue of a grizzly bear that stood in front of the governor's office. The bear, affectionately known as "bacteria bear" for its ability to attract schoolchildren's fingers, has been a fixture for tourists since former Gov. Arnold Schwarzenegger personally paid to install it more than a decade ago.

In Assemblyman Evan Low's office, chief of staff Gina Frisby worked alongside a mini-refrigerator that had been cleaned and unplugged. She packed up her bosses' office, famous for its wood-paneled walls that are widely loathed by lawmakers.

"I don't know how many times over the years he has complained bout wanting to get that removed," Frisby said.

Inside the office of Assemblyman Adrin Nazarian, Chief of Staff Dan Savage was a bit wistful as he recounted his 25 years in the building — nearly all of his adult working life.

"I can't tell you how many times I've slept on my desk and woke up with a crick in my neck," Savage said as cardboard boxes lined the walls and coffee cups mingled with cleaning supplies on a nearby desk.

Nazarian was chair of the legislative budget committee that vetted the proposal for replacing the Annex, so Savage knows all about the building's problems that he says makes the demolition necessary.

But closing down the Annex will likely be Savage's final act in state government as he plans to retire at the end of December.

"Not only is the building going, but I'm going," he said. "I'll never be able to come back to this building."

BUSINESS

YESTERDAY'S U.S. MARKETS

Dow Jones	Nasdaq	S&P 500	Gold
▲ 35,135.94	▲ 15,782.83	▲ 4,655.27	▼ $1,782.90
+236.60	+291.18	+60.65	-$2.60

GAS PRICES

	SB County		SLO County	
	Regular	Diesel	Regular	Diesel
Yesterday	$4.66	$4.79	$4.86	$5.02
Month ago	$4.51	$4.69	$4.78	$4.92
Year ago	$3.20	$3.42	$3.37	$3.60

Source: AAA Daily Fuel Gauge Report

Twitter CEO steps down, leaves company at a crossroads

ASSOCIATED PRESS

Jack Dorsey is out of his post as Twitter's chief executive for the second time in his career — this time, he says, by choice.

Dorsey, who co-founded the company, offered no specific reasons for his resignation Monday beyond an abstract argument that Twitter, where he's spent 16 years in various roles, should "break away from its founding and founders." Dependence on company founders, he wrote, is "severely limiting."

He will be succeeded by Twitter's current chief technology officer, Parag Agrawal, a choice Wall Street analysts seemed to welcome, seeing him as a safe choice who will usher the company into what's widely seen as the internet's next era — the metaverse. Investors were less sure, sending Twitter's stock 3% lower.

Dorsey was the social platform's first CEO in 2007 until he was forced out the following year, then returned to the role in 2015. He is known for his relaxed demeanor, for his sometimes massive beard that's the subject of several parody Twitter accounts and for Silicon Valley eccentricities that include dabbling in silent retreats, intermittent fasting, cryptocurrencies and blockchain.

He leaves Twitter at a crossroads. The service changed American politics, journalism and culture.

"But it also, it turns out, had a darker side and has been exploited for years by people who want to harass other people and spread falsehoods about other individuals, about groups of individuals, about the state of democracy," said Paul Barrett, deputy director at the New York University Stern Center for Business and Human Rights.

In a letter posted on his Twitter account, Dorsey said he was "really sad…yet really happy" about leaving the company and that it was his decision.

Dorsey sent the first tweet on March 21, 2006, that read "just setting up my twttr." Twitter went through a period of robust growth during its early years, but as its expansion slowed, the San Francisco company began tweaking its format in a bid to make it easier and more engaging to use. While it never rivaled Facebook in size, Twitter became a primary conduit for political discourse and journalism, for better and for worse.

He will remain on the board until his term expires in 2022. Agrawal joined Twitter in 2011 and has been CTO since 2017. Dorsey expressed confidence in Agrawal and new board Chairman Bret Taylor, who is president and chief operating officer of the business software company Salesforce.

Twitter was caught up in the heated political atmosphere leading up to the 2020 election, particularly when it banned former President Donald Trump following his incitement of the Jan. 6 riot at the U.S. Capitol. Dorsey defended the move, saying Trump's tweets after the event resulted in a risk to public safety and created an "extraordinary and untenable circumstance" for the company.

Trump sued the company, along with Facebook and YouTube, in July, alleging censorship.

Critics argued that Twitter took too long to address hate speech, harassment and other harmful activity on its platform, particularly during the presidential campaign.

Publicly, Dorsey has signaled that he understood Twitter's need to change. In a series of tweets in 2018, he said the company was committed to "collective health, openness, and civility of public conversation, and to hold ourselves publicly accountable towards progress."

"We have witnessed abuse, harassment, troll armies, manipulation through bots and human-coordination, misinformation campaigns, and increasingly divisive echo chambers. We aren't proud of how people have taken advantage of our service, or our inability to address it fast enough," he wrote.

MICHAEL REYNOLDS

Twitter CEO Jack Dorsey appears on a screen as he speaks remotely during an Oct. 28, 2020, hearing before the Senate Commerce Committee on Capitol Hill.

SANTA MARIA TIMES

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If you have a correction, please call (805) 739-2143

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Man arrested in death of Jacqueline Avant, music icon's wife

ASSOCIATED PRESS

BEVERLY HILLS— A 29-year-old man has been arrested in the death of philanthropist Jacqueline Avant, who was fatally shot this week at the Beverly Hills home she shared with her husband, legendary music executive Clarence Avant, police said Thursday.

Aariel Maynor is currently on parole and was taken into custody early Wednesday by Los Angeles police at a separate residence after a burglary there, Beverly Hills Police Chief Mark Stainbrook said.

Police recovered an AR-15 rifle at that home that was believed to have been used in the shooting of Jacqueline Avant. Maynor accidentally shot himself in the foot with the gun, police said, and is being treated before he can be booked into jail.

Authorities do not believe there are any other suspects in the Avant case, and Stainbrook said there are no outstanding threats to public safety.

Police have not yet determined Maynor's motive or whether he targeted the Avant home or it was a random attack. It was not immediately known if he had an attorney.

Chris Courchaine carries a Christmas tree he bought at Crystal River Christmas Trees in Alameda on Nov. 26.
TERRY CHEA

Christmas tree buyers face reduced supplies, higher prices

TERENCE CHEA
Associated Press

ALAMEDA — Even Christmas trees aren't immune to the pandemic-induced shortages and inflation plaguing the economy.

Extreme weather and supply chain disruptions have reduced supplies of both real and artificial trees this season. American shoppers should expect to have fewer choices and pay up to 30% more for both types this Christmas, industry officials said.

"It's a double whammy — weather and supply chain problems are really hampering the industry," said Jami Warner, executive director of the American Christmas Tree Association, an industry trade group. "Growers have been hard hit by floods, fires, smoke, drought, extreme weather conditions."

Record-breaking heat and wildfires in late June took a heavy toll on Christmas tree farms in Oregon and Washington, two of the nation's largest growers.

Warner could not provide an estimate of how many fewer trees there will be this year but because it takes up to 10 years to grow, the crop loss will be felt for many seasons to come.

The shortage of truck drivers is making it harder and more expensive to transport live trees from farms to stores and tree lots.

Warner's advice: "Shop early. If you see something you like, buy it."

At Crystal River Christmas Trees, owner Dale Pine and his nephew Stacy Valenzuela struggled to get enough trees to sell at their tree lot in Alameda. Many of its suppliers in Oregon lost trees in the triple-digit heat wave.

"It was looking pretty grim for a while," Valenzuela said. "Every single day you're on the phone checking, 'Hey, you got anything? If you do, send it my way.' So a lot of work to get these trees on the ground this year."

Crystal River had to raise prices this year because the costs of trees, labor and truck delivery have all gone up, Valenzuela said.

Alameda resident Ian Steplowski came to Crystal River lot to buy a Silvertip tree with his wife and two young kids the day after Thanksgiving.

"We're having shortages of everything and of course it had to take Christmas trees," Steplowski said. "Definitely noticing everything's a bit more expensive this year already."

Teri Schaffert heard about the shortage of real trees this year, so she decided to buy an artificial tree for the first time. Almost a week before Thanksgiving, she went to shop at the Burlington showroom of Balsam Hill, which primarily sells its artificial trees online.

"I came in early because I heard in the news that there's not going to be enough fresh Christmas trees," said Schaffert, who lives in nearby San Mateo. Her husband isn't happy about the change. "What else can we do? I have to get ready for the future because I love Christmas. I love to decorate."

But the artificial tree industry is struggling with its own supply troubles as clogged ports and the lack of truckers delay shipments and raise costs, said Caroline Tuan, Balsam Hill's chief operating officer. The company's trees are about 20% more expensive this year and there is less variety.

"We have to bring our products over from our factories (in China), and that has been very challenging," Tuan said. "All of that has impacted us, which means that we have fewer trees to sell as an industry."

Worries about drought and drought led David Cruise and his wife to the Balsam Hill showroom to buy their first artificial tree this year.

"In the grand scheme of climate change here in California, this is really the way to go," said Cruise, who lives in Brentwood. "The sooner everybody gets on board with the artificial tree, the sooner everybody's going to enjoy it."

BUSINESS

YESTERDAY'S U.S. MARKETS

Dow Jones	Nasdaq	S&P 500	Gold
▲ 34,639.79	▲ 15,381.32	▲ 4,577.10	▼ $1,769.70
+617.75	+127.27	+64.06	-$14.60

GAS PRICES

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Year ago	$3.20	$3.44	$3.36	$3.60

Source: AAA Daily Fuel Gauge Report

US government sues to block $40 billion Nvidia-Arm chip deal

TALI ARBEL
AP Technology Writer

The Federal Trade Commission on Thursday sued to block graphics chip maker Nvidia's $40 billion purchase of chip designer Arm, saying the deal would create a powerful company that could hurt the growth of new technologies.

Nvidia Corp., based in Santa Clara, California, said in September 2020 that it was buying United Kingdom-based Arm Ltd. from Japanese technology giant Softbank to "create the world's premier computing company for the age of AI."

But the deal immediately raised concerns that Arm would abandon its business model of licensing chip designs to hundreds of tech companies, including many of Nvidia's competitors.

Many of the world's smartphones run on Arm's chip designs and it is a vital supplier for companies like Apple and Samsung. It's also an innovator in chip technology that can power artificial intelligence for connected devices like medical sensors. Nvidia's chips are essential to computers and data centers and the company says it has a wide range of competitors, from chip makers like AMD, Intel and Qualcomm, to computer networking provider Cisco and tech giants Google and Amazon.

"The FTC is suing to block the largest semiconductor chip merger in history to prevent a chip conglomerate from stifling the innovation pipeline for next-generation technologies," FTC Bureau of Competition Director Holly Vedova said in a news release. "This proposed deal would distort Arm's incentives in chip markets and allow the combined firm to unfairly undermine Nvidia's rivals."

The deal would give the combined company control over technology that rival firms need to develop their own chips, the FTC alleged. That would harm competition in markets where Nvidia uses Arm-based designs, the FTC says, including systems in cars that do things like automate lane changes and prevent collisions, and data centers critical to cloud computing.

Regulators in the U.K. and the European Union have also opened investigations into the deal, citing competition concerns.

Nvidia said it will "continue to work to demonstrate that this transaction will benefit the industry and promote competition." It said it will "vigorously contest" the FTC's lawsuit.

The company added that it is "committed to preserving Arm's open licensing model and ensuring that its IP is available to all interested licensees, current and future."

An Arm spokesperson referred questions to Nvidia. A Softbank spokesperson did not immediately reply to a request for comment.

MANU FERNANDEZ
People gather in the Nvidia booth at the Mobile World Congress mobile phone trade show on Feb. 27, 2014, in Barcelona, Spain.

Diablo Canyon Power Plant Decommissioning Project – Scoping Period

Information video regarding the EIR and December scoping meetings. Video sent to KSBY, KCOY, the SLO Tribune to include in e-edition videos, American General Radio stations, and Dimes media. The video was also posted to the County's Facebook page.

County of San Luis Obispo Department of Planning and Building

November 6 at 11:00 AM ·

The County of San Luis Obispo will prepare an Environmental Impact Report (EIR) for the Diablo Canyon Nuclear Power Plant Decommissioning Project. An EIR Scoping Meeting is an opportunity for agencies and interested members of the public to obtain information about the project, ask questions, and provide oral comments on the scope and content of the EIR. Written scoping comments are due by 5:00 p.m., December 6, 2021. For meeting details and comment opportunities, visit sloplanning.org or use the QR Code in the post.

El Condado de San Luis Obispo preparará un Informe de Impacto Ambiental (EIR) para el Proyecto de Desmantelamiento de la Planta de Energía Nuclear Diablo Canyon. Una reunión de alcance de EIR es una oportunidad para que las agencias y los miembros interesados del público obtengan información sobre el proyecto, hagan preguntas y proporcionen comentarios orales sobre el alcance y el contenido del EIR. Los comentarios de alcance por escrito deben presentarse antes de las 5:00 p.m. del 6 de diciembre de 2021. Para obtener detalles de la reunión y oportunidades de comentarios, visite sloplanning.org o use el código QR en la publicación.

3

Appendix B4

Scoping Meetings

Appendix B4.1

Meeting Attendees and Meeting Presentation

Attendees – Public Scoping Meetings (Virtual)

Diablo Canyon Power Plant Decommissioning Project

Tuesday, November 9, 2021, 10am

1. Stephen Delear* (BLM)
2. James Jennings
3. Peter von Langen (RWCQB)
4. Kara Woodruff
5. Michelle (last name not provided)
6. Pat Mullen
7. Cynthia Herzog (CSLC)
8. Rene Ferini* (Supervisor Bob Nelson, Santa Barbara County)
9. Eric Greening*
10. Sara Sanders
11. Eric Daniels
12. Garrett Veyna
13. Lucinda Calvo (CSLC)
14. Steve Black
15. Chuck Anders
16. Drew Simpkin (CSLC)
17. Molly Kern
18. Amanda Canepa* (CDFW)
19. Doug Barker
20. Nicole Ellis
21. Gordon Withers
22. Mark Elvin

Tuesday November 9, 2021, 6pm

1. Jill Zamek*
2. Lucinda Calvo (CSLC)
3. Carina Corral
4. Harrison Fugate*
5. Eric Daniels
6. June Maguire
7. Coleman Miller*
8. Jeff Wheelwright*
9. Chuck Anders
10. Benita Epstein*

Wednesday, December 1, 2021, 10 am and 6 pm**

1. Carl Wurtz* (am)
2. Jim Austin* (am) (Sta Maria Fire Marshal)
3. Kara Woodruff* (am)
4. Dan Eady* (am)
5. Susan Harvey* (am)
6. Jack Krasner* (am)
7. Mckayla* (am)
8. Bill Almas* (am)
9. Gene Nelson* (am)
10. Matt Downing* (am)
11. Mike Gatto* (am)
12. Chris Hamma
13. Doug Tait
14. Luke Moylan
15. Sam Roth
16. Kendall Steeves
17. Drake Mossman
18. Carina Corral
19. Lucinda Calvo (CSLC)
20. Aiden Smith)
21. Ken Thompson
22. Hannah Bielcik
23. Sofia Bryukhova
24. Bastiaan Weststrate
25. Jordan Skow
26. Owen Kaufman
27. Ryan Hudson
28. Glenn Martin
29. Chuck Anders
30. Carol (last name not provided)
31. Warren Hansen
32. Jesus Velasquez
33. June Maguire
34. Eric Daniels
35. Sherry Lewis

December 1 Meeting, Cont.

36. Sherry Danoff* (am/pm)
37. Kristina Spearman
38. Cole Cleminshaw
39. Coleman Miller* (pm)
40. Brandon Williams
41. Eric Greening* (pm)
42. Thomas Marre
43. Adam Cleary

Saturday, December 4, 2021, 2pm

1. Kenderick Kelly
2. Brandon Howell
3. August Hogen-esch
4. Sebastian Koran
5. Steve Benedict
6. Ken Thompson
7. Lucinda Calvo (CSLC)
8. Supervisor Ortiz-Legg
9. Sheila Baker
10. Chuck Anders
11. Claire Carlson
12. Louise Scott
13. Lauren Brown*
14. Tristan De Lemos
15. Mary Jo Borak* (CPUC)

Attendance - All Meetings: 90
Speakers - All Meetings: 25

*These individuals asked questions or provided oral comments at the meetings.

**For this series of meetings, Zoom generated a combined report for both meetings. However, for both the am and pm meetings, approximately 30 people participated in each meeting based on meeting notes. For all meetings, speakers were confirmed through meeting transcripts.

County of San Luis Obispo

Virtual Public Scoping Meetings

1

Meeting Participation via Zoom

- All attendees will be muted during the presentation
- **Q&A/Scoping Comments:** Use the **RAISE HAND** feature
  - We will call on you to speak during Q&A, and at end of presentation for scoping comments
- **Note**: This meeting is being recorded

If joining by PHONE:
- Press *9 to raise your hand

When called on:
- Press *6 to unmute

2

Meeting Agenda

- Introductions
- PG&E's Proposed Project: DCPP Decommissioning Project Description
  - Questions and Answers
- County-Driven Analysis: Future Site Re-Use Concepts
  - Questions and Answers
- EIR Process
  - Questions and Answers
- Scoping Comments

3

Meeting Participants

County of San Luis Obispo Planning and Building
- **Susan Strachan** – Nuclear Power Plant Decommissioning Manager
- **Cindy Chambers** – Senior Planner

Aspen Environmental Group – County Consultants
- **Sandra Alarcón-Lopez** – EIR Project Manager
- **Lisa Blewitt** – Deputy Project Manager

PG&E representatives are available to answer questions regarding their proposed project

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Purpose of Meeting and Scoping

- CEQA requires 30-day scoping period
- Meeting required for project of Statewide, regional or areawide significance
- Opportunity for agencies and public to provide input and comment on the scope and content of the EIR
  - Provide oral comments at a scoping meeting or provide written comments by mail or email
- Opportunity to provide input on project alternatives, evaluation methods, and mitigation measures

5

Project Description

- Background
- Agency jurisdictions
- Power plant decommissioning
- Offsite locations for waste transportation

6

Land Use Application

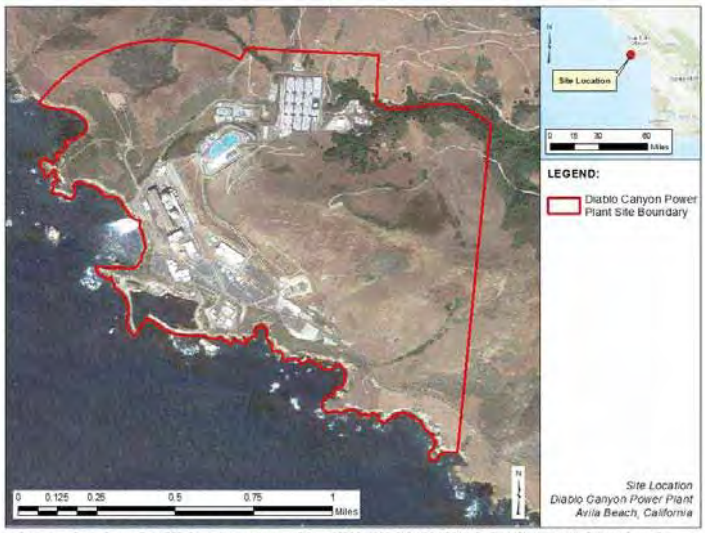
- PG&E land use application filed March 29, 2021
  - Development Plan/Coastal Development Permit and Conditional Use Permit for both Coastal and Inland components
- County comment letter issued April 28, 2021
- PG&E application supplement filed July 8, 2021
- County comment letter issued August 9, 2021
- PG&E additional application information filed on October 6, 2021
- County accepted application on October 27, 2021

7

General Site Vicinity

8

Diablo Canyon Power Plant Site



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Agency Jurisdictions

10

Agency Jurisdictions, cont.

- **County of San Luis Obispo** – CEQA Lead Agency, Development Plan/Coastal Development Permit and Conditional Use Permit for both Coastal and Inland components
- **California Coastal Commission –** Original jurisdiction Coastal Development Permit, appeal jurisdiction for County CDP permit
- **California State Lands Commission –** New lease or lease amendment
- **Nuclear Regulatory Commission –** Oversees decommissioning process – cleanup/removal radioactive structures and systems, transfer spent fuel; termination of Part 50 License

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DCPP Decommissioning

- Unit 1 NRC license termination: November 2, 2024
- Unit 2 NRC license termination: August 26, 2025
- 2016: PG&E stopped NRC license renewal effort
- 2018: CPUC approved retirement
- 2024: PG&E proposes to begin decommissioning and dismantling plant

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Project Description

Decommissioning will occur in two phases:

- Phase 1: 2024-2031 – Pre-Planning and Decommissioning Activities
- Phase 2: 2032-2039 – Completion of Soil Remediation, Final Status Surveys, and Final Site Restoration

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Project Description, cont.

- **Decommissioning Includes:**
  - Decontamination and demolition of infrastructure, buildings and structures
  - Retention of some structures
  - Construction of new buildings/structures in future PG&E Owner-Controlled Area
  - Installation of temporary infrastructure and buildings
  - Use of off-site rail loading sites

14

Project Description, cont.

15

Project Description, cont.

16

Project Description, cont.

17

Phase 1: Decommissioning (2024-2031)

- Temporary infrastructure and building modifications
- Decontamination and demolition of buildings
- New buildings/structures construction in future PG&E Owner-Controlled Area
- Spent fuel and GTCC waste transfer to ISFSI and new GTCC Storage Facility
- Removal and restoration of discharge structure

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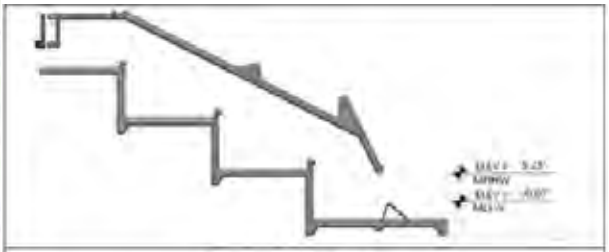
Phase 1: Decommissioning (2024-2031)

Ocean Side View of Discharge Structure During Construction



Profile View of Discharge Structure

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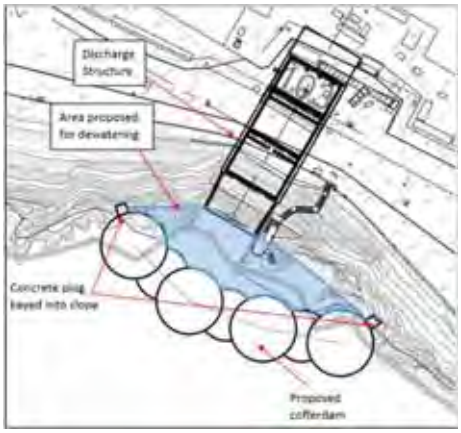
Phase 1: Decommissioning (2024-2031)

- Removal of nuclear reactor pressure vessels and internals, steam generators
- Site characterization to identify contaminated areas
- Soil remediation and Final Status Surveys
- Modification and utilization of off-site railyards



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Phase 2: Restoration (2032-2039)

- Continue soil remediation and Final Status Surveys
- Remove infrastructure not needed for retained facilities
- Final site restoration
- Site restoration monitoring (up to 5 years)
- Termination of NRC Part 50 DCPP operating licenses
- Transition to ISFSI and GTCC storage operations

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Decommissioning Waste Transportation

Three transportation modes:

- Barge
- Truck
- Truck to Rail

22

Rail Loading Facilities

- City of Pismo Beach (contingency, non-radioactive/non-hazardous wastes)
- City of Santa Maria (Osburn Yard)
- County of Santa Barbara (Betteravia Industrial Park)

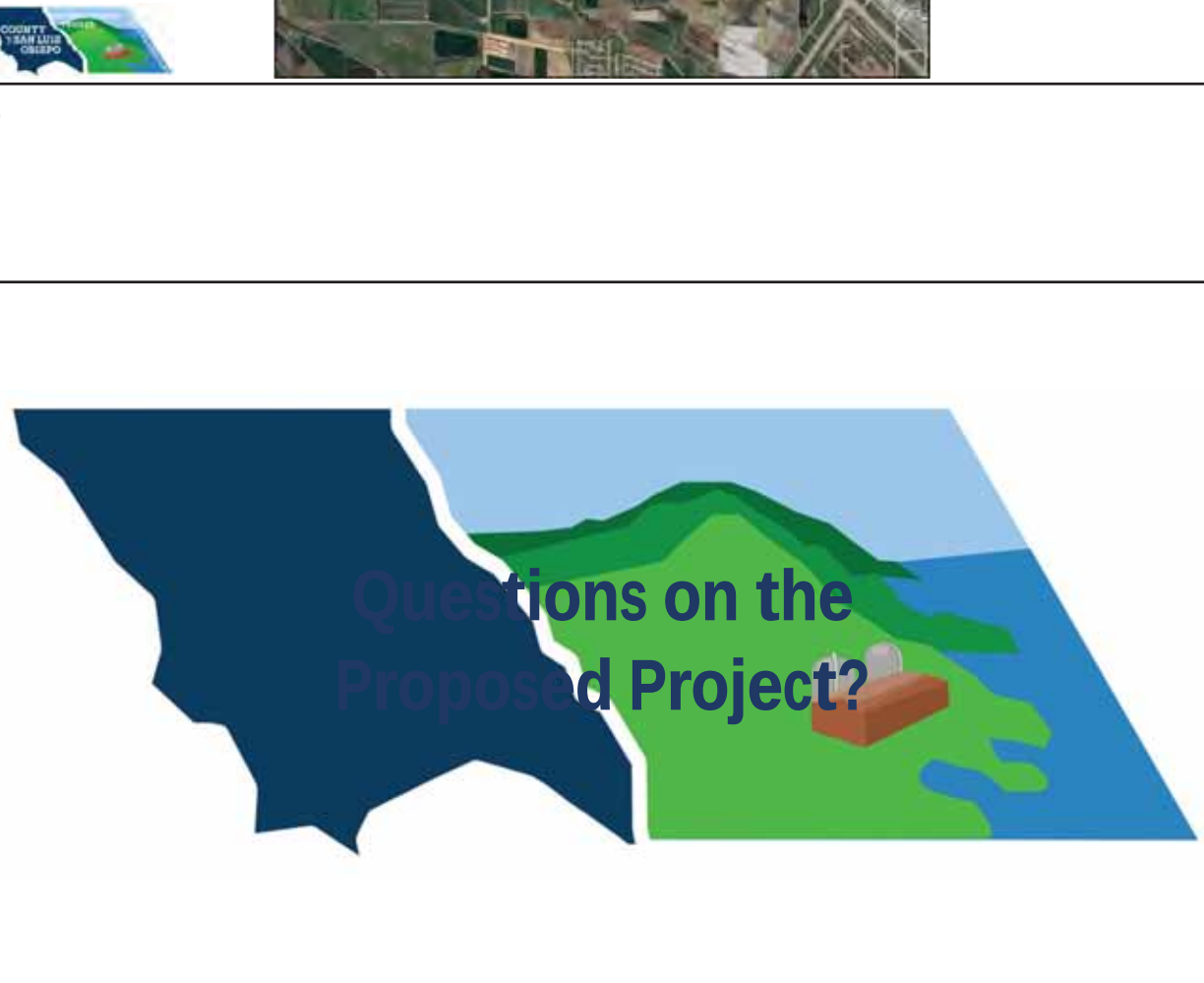
23

Rail Loading Facilities

24

Rail Loading Facilities

25



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Future Site Reuse Concepts (2040+)

- County-driven analysis
- Not part of PG&E's Proposed Project or proposed by PG&E
- Concepts will be compared to provide early high-level analysis of possible post-decommissioning uses

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Future Site Reuse Concepts (2040+)

Concepts under consideration by the County of San Luis Obispo:

- University Campus
- Developed Recreation
- Day Use Recreation
- Research Facility
- Renewable Energy Generation and/or Storage
- Resort Hotel
- Mixed Use
- Offshore Wind Port/Support Facility

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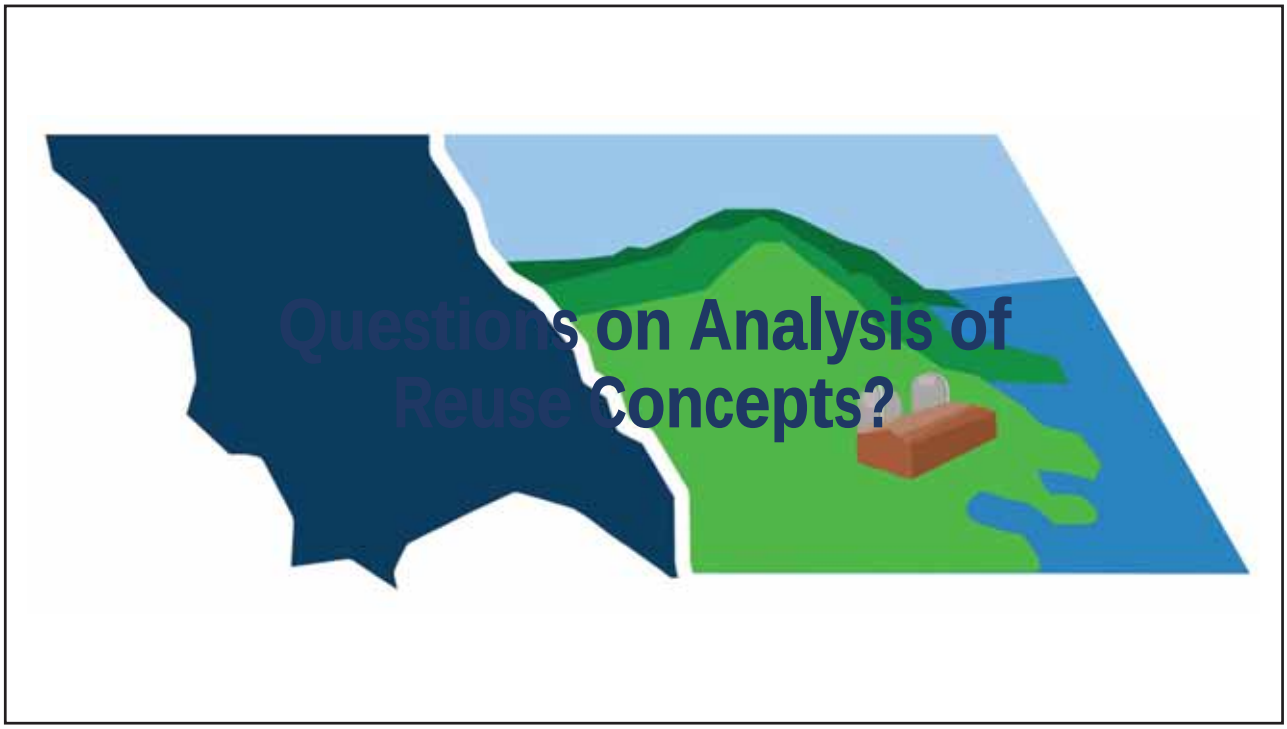

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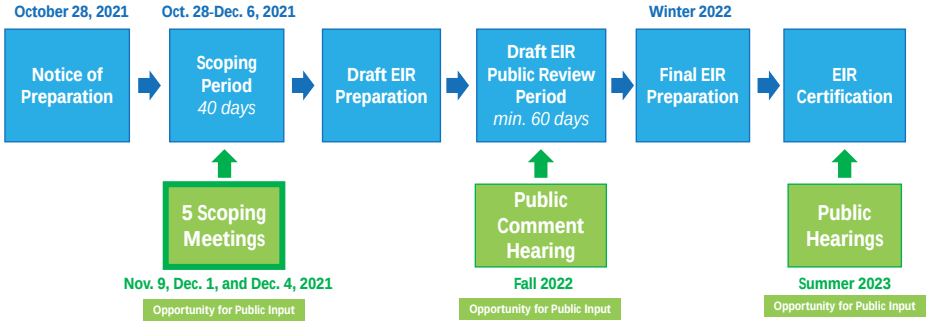
California Environmental Quality Act (CEQA)

- CEQA applies to projects that require a discretionary approval from a State or local agency
- Preparation of an Environmental Impact Report (EIR) is required when evidence indicates that the proposed project would have a significant impact(s) on the environment
- CEQA allows lead agency to move forward with the analysis without an Initial Study if an EIR will be prepared

30

EIR Process and Schedule



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Contents and Purpose of an EIR

Contents:

- Detailed description of PG&E's proposed project
- Describe the environmental and regulatory setting of the project area
- Disclose the potential environmental impacts of the proposed project
- Identify and evaluate alternatives that reduce significant impacts
- Propose measures to reduce/avoid significant environmental impacts
- Separate chapter for description and comparison of County-driven review of future reuse concepts

Purpose:

- Provide technically sound information for decision-makers to consider in evaluating the proposed project

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Environmental Issues to be Evaluated

- Aesthetics
- Air Quality
- Biological Res: Marine/Terrestrial
- Cultural Res: Archaeology/Built Envir.
- Cultural Res: Tribal Cultural Resources
- Energy
- Geology, Soils, and Coastal Processes
- Greenhouse Gas Emissions
- Hazardous and Radiological Materials
- Hydrology and Water Quality
- Land Use, Planning, and Agriculture
- Mineral Resources
- Noise
- Population and Housing
- Public Services and Utilities
- Recreation and Public Access
- Transportation
- Wildfire

The EIR will also evaluate:

- Climate Change and Sea-Level Rise
- Commercial Fishing
- Environmental Justice
- State Tide and Submerged Lands

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NRC Preemption and Radiological Hazards

- Preemptive authority over radiological safety
  - Radiological aspects of decommissioning
  - Handling, storage, transport, disposal, and monitoring of spent nuclear fuel and high-level radioactive waste
  - Storage design and shipping casks
  - Independent Spent Fuel Storage Installation/Greater Than Class C waste storage – design location, and operations
- EIR will present NRC requirements and required safety plans

34

Impact Analysis

- Impacts are based on changes to the environment compared to existing conditions
  - Direct, indirect, cumulative, and growth-inducing effects
- CEQA requires the analysis to focus on "significant" impacts
- Mitigation measures are required to reduce or avoid significant impacts
- Social and economic impacts are not considered significant

35

Alternatives

- Alternatives will be determined by CEQA requirements:
  - Consistency with most project objectives
  - Ability to reduce or avoid impacts of proposed project
  - Feasibility of proposed alternatives
- Alternatives may include changes to the proposed project
- CEQA requires evaluation of No Project Alternative
  - This project may include more than one No Project Alternative
- Evaluated in less detail than the proposed project

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Scoping Comments

- Environmental concerns that may result from PG&E's proposed project; suggested areas to comment on:
  - Scope and content of EIR
  - Local environmental knowledge
  - Issues that need evaluation or how issues are evaluated
  - Feasible alternatives to PG&E's Proposed Project
  - Mitigation measures to avoid or reduce impacts of the Proposed Project
- Other options the County should consider for future site reuse

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Scoping Comments via Zoom

- **Oral Scoping Comments:** Please use the **RAISE HAND** feature and we will unmute you and call on you to speak
- Speakers limited to 3 minutes

If joining by PHONE:
- Press *9 to raise your hand

When called on:
- Press *6 to unmute

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How to Provide Comments
Comments are due by December 6, 2021

You can also **email** or **mail** comments.

Mail Comment to:
Susan Strachan
Nuclear Power Plant Decommissioning Project Manager
San Luis Obispo County,
Department of Planning and Building
976 Osos St #300, San Luis Obispo, CA 93408

Email Comment to:
diablo@co.slo.ca.us
Subject Line: **DCPP Decommissioning Project NOP Comments**

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Thank you

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Appendix B4.2

Transcript – Scoping Meeting November 9, 2021
10:00 AM

DIABLO CANYON DECOMMISSIONING PROJECT

PUBLIC MEETING

WEB VIDEOCONFERENCE

TUESDAY, NOVEMBER 9, 2021, 10:00 A.M.

Reported by:
Michele Watson
CSR No. 8359

MS. STRACHAN: Good morning. I'm Susan Strachan. I'm the County's decommissioning manager overseeing the permitting for the decommissioning of the Diablo Canyon Nuclear Power Plant. I want to welcome all of you here today. This is, as you know, a virtual meeting.

If I could have the next slide, please. I just want to go over how people can participate in the meeting via Zoom. So first of all, all attendees will be muted during the presentation. We will have a few question-and-answer sessions and we'll have a scoping comment session.

If you're participating online, in order to speak during those time periods, use the raise-the-hand feature, which is located at the toolbar at the bottom of your screen, and then we will call on you to speak during the Q and A, or at the end of the presentation for the scoping meetings.

If you're participating by phone, you press star 9 to raise your hand, and when called upon, press star 9 to unmute. This meeting, as Sandra said, is being recorded and we'll repeat these instructions for how to participate before each of those time periods. So don't worry, you don't have to memorize all of this right now.

Next slide please. I want to go through the meeting agenda, so we will go through introductions. I'm then I'm going to provide a description of PG&E's proposed decommissioning project. Once we go through the project description, we'll have a question-and-answer session. We do have representatives from PG&E available to help with that portion of the program.

Next, we're going to get into a discussion of future site reuse concepts. So these are concepts for what could be on the site once the decommissioning activities are over. This is a County driven analysis. It's not part of PG&E's proposed project, but it is something that will be included in the environmental impact report.

We'll then have a second question-and-answer session to answer any questions with regard to this analysis. Followed by that, we will have a presentation on the environmental impact report process, and again, have a third question-and-answer period, followed by scoping comments, which again, is the opportunity for participants to provide comments on basically what they'd like to see covered in the environmental impact report. Next slide please.

So for introductions as I mentioned, I'm Susan

Strachan. I'm the nuclear power plant decommissioning manager for San Luis Obispo County. Cindy Chambers works with me, she's a senior planner with the County and then we have Aspen environmental group. Aspen are consultants to the County. They will be preparing the environmental impact report for the Diablo decommissioning.

I want to point out that Aspen Environmental Group also is the group that prepared the environmental impact report for the decommissioning of the San Onofre nuclear power plant in San Diego County. That decommissioning is going on right now.

Representing Aspen is Sandra Alarcon-Lopez, she's the EIR project manager, and Lisa Blewitt, who is the deputy project manager. And as I mentioned, we also have PG&E representatives who'll be available to answer questions and I will introduce them when we get to that portion of the meeting. Next slide, please.

Now, first let's talk about what the purpose of the meeting is, and scoping. So scoping is required under the California Environmental Quality act. It requires a 30-day scoping period where people can make comments on content of the environmental impact report. I have to say that for this project, we're actually taking a longer scoping period, because when we issued

the notice of preparation, which is what kicks off that scoping period and counted out 30 days, that 30 days landed right around Thanksgiving. So we extended it to actually approximately 40 days to give more time due to the Thanksgiving holiday.

Scoping meetings are required for projects which are of statewide, regional or area-wide significance. And again, it's an opportunity for agencies in the public to provide input on the scope and content of the EIR.

Now, there's three different ways the comments can be provided. They can be provided through a scoping meeting like we're having today, where you can provide verbal comments or you can provide written comments by mail or by email, and we'll provide information on the mailing address and the email address when we get to the scoping comment portion of the meeting.

The scoping meeting or scoping also provides an opportunity for agencies in the public to provide input on project alternatives, EIR evaluation methods, and mitigation methods. Next slide, please.

So now I want to get into providing a description of the project that has been proposed by PG&E to the County, go into a little bit of background on the application, talk about the jurisdiction of some

of the key agencies, discuss the power plant decommissioning activities, and then talk about some offsite locations for waste transportation that are proposed by PG&E. Next slide, please.

So to give some background on PG&E's land use application, they filed the application on March 29th, 2021 with the County. The application is for a development plan, coastal development permit, and a conditional use permit. The site actually has a portion in the coastal zone and then a portion in the inland part of the County, which is why you have the different permits or applications that were submitted.

Once the County receives the application, it then does a 30-day application review. It sends out letters to agencies and organizations asking for input on the application and then does its own review. So at the end of the 30 days, the County issued a comment letter on April 28th, 2021, listing additional information that we needed for the application.

PG&E responded with the filing of an application supplement on July 8th. County then did get another 30-day review, again, sent out referral letters to the agencies and organizations, and a second County comment letter was issued on August 9th.

PG&E then responded to that letter with a

filing on October 6th. And on October 27th the County accepted PG&E's application. With that application accepted, we then issued the notice of preparation on October 28th. Next slide.

So this slide is a general site vicinity of the Diablo Canyon Power Plant. The power plant is marked, or the boundaries are marked in blue. The yellow area are Diablo Canyon lands that are owned by PG&E or Eureka Energy, which is a subsidiary of PG&E. Next slide, please.

So this shows the boundary of the power plant site marked in red and then actually in an aerial of the power plant site itself. Next slide.

So this slide shows the agency's jurisdiction. So the yellow line going through the middle marks the coastal zone. And so the area above the coastal zone in brown, that's the inland portion, portion of the site that is not in the coastal zone. The green part is that area which is in the coastal zone.

So from a County permitting standpoint, it covers both the inland and the green coastal zone portion. If you go then farther down toward where the water is, where Sandra has the cursor, that covers a jurisdiction that's under the California Coastal Commission and the State Lands Commission. Next slide,

please.

Now, this slide talks about the different activities by these agencies. So County of San Louis Obispo, we are the lead agency under the California environment quality act. That means that we have the responsibility for preparing the environmental impact report. And again, the permits that would be issued, assuming the project is approved or listed below.

California Coastal Commission is a responsible agency under the California Environmental Quality Act. So we work closely with them to make sure that the environmental impact report is going to cover the things they need in order to do their permitting. That area down by the water on the previous slide is the original jurisdiction of the Coastal Commission.

So they'll be issuing a permit for activities in that area, but it's important to point out that the portion of the site within the coastal zone is in the appeal jurisdiction of the Coastal Commission. So any permit issued by the County within any Coastal Commission appealed jurisdiction can be appealed to the Coastal Commission.

California State Lands Commission is a trustee agency under California Environmental Quality Act. They will be issuing a new lease or a lease amendment for

project features within their jurisdiction, which, again, is down in that water area that was in the previous slide. And the Nuclear Regulatory Commission is a federal agency which oversees decommissioning process. So they're specifically cleanup, removal of radioactive structures and systems, transfer spent fuel, and then termination of the licenses for the project.

With the involvement of the NRC, state and local agencies are preempted for issues dealing with radiological hazards and radiological safety. And we'll get in that in more detail when we're talking about the EIR process. Next slide, please.

Now, the Diablo Canyon Power Plant Decommissioning, there are two nuclear units on the site. Unit 1, the license terminates in November of 2024, and Unit 2, the license terminates in August of 2025. PG&E had been embarking on renewing the licenses for these projects, but in 2016, stopped that license renewal effort, and determined that it was going to retire the plant.

In 2018, the California Public Utilities Commission approved the retirement of the Diablo Canyon Power Plant. And then PG&E initiated its permitting for the decommissioning activities. The plan is that PG&E proposes to begin the decommissioning and dismantling of

the plant in 2024. Next slide, please.

Now, the decommissioning will occur in two phases, two time periods. Phase 1, 2024 to 2031 is when preplanning and decommissioning activities will occur. In other words, this is a bulk of the decommissioning, a bulk of taking every thing down will occur during that phase 1 time period.

In phase two, which is 2032 to 2039, they'll be doing completion of soil remediation, final status surveys. These are surveys that are conducted as a requirement by the Nuclear Regulatory Commission to ensure that the site meets established radiological release criteria. And then they'll be doing the final site restoration of the site. Next slide, please.

Now, the project decommissioning, I think when people think of decommissioning, think about decontamination and demolition of infrastructure and buildings and structures, and that is a key component of it. But as proposed, it includes the retention of some structures and I'll go through those, the construction of new buildings and structures, which will be in a future PG&E owner-controlled area on the site. And I'll be going through that.

And then decommissioning also involves the installation of temporary infrastructure and buildings

that are needed to accommodate the decommissioning effort. And then it's also going to include the use of some offsite rail loading sites. Next slide, please.

Now, this slide depicts areas that are not going to be removed, and those are denoted in black in terms of roads within the plant site and in red in terms of different structures. So down by the water, we have the two break waters. PG&E proposes to have those remain. And the intake structure, PG&E proposes to have that remain also. These are the structures that could be available for future reviews by others.

Then moving on up, this is what we're going to get into, what would be referred to as a future PG&E owner controlled area. You have the rectangle, which is the -- it says ISFSI, which stands for Independent Spent Fuel Storage Installation. That's where spent fuel is currently stored. And then once decommissioning begins spent fuel that's currently in, the reactors will be transported and stored up in that ISFSI. That is a site that has been previously permitted.

Next to it are the raw water reservoirs. Those will remain. There's a 230 KV switch yard which will remain, and a 500 KV switch yard, which will remain. Next slide, please.

Now, this slide covers the features which would

be in the new PG&E owner-controlled area. Some of them, like ISFSI, for example, the switch yards, raw water reservoir that I pointed out in the previous slide, are existing structures that will remain and be in this owner-controlled area. The green boxes denote new construction. So given that the fuel will be up in this upper part of the site and the remaining part of the site will be decommissioned, a new security building will be built up in this area.

Also, a new indoor firing range will be built in this area. PG&E also proposes to build a Greater-than-Class-C waste facility, which will store reactor internals or process waste for which there is not a federal repository for it to be sent offsite similar to the spent fuel.

So that will stay on site also and be constructed as part of the decommission effort. Next slide.

Now, this slide, there's a lot going on here, but what I like about it is that it's a site layout for decommissioning for this lower portion of the site. And I think it depicts all that's involved in terms of decommissioning. So it identifies different lots. These are parking lots that will be used to accommodate decommissioning workers.

Parking lots are also converted to serve as lay-down for the decommissioning effort. It shows buildings that are existing buildings that will be converted to uses to support decommissioning. So, for example, the main warehouse, which is identified in orange will be modified to create a waste handling facility where waste will be segregated, stockpiled, packaged for offsite transport.

There's another building, a flex equipment building, which will be modified to create what's referred to as an environmental count room or a lab to be used for testing soil samples. So this just gives an idea of what will go where during the decommissioning effort, which is a lot of activity. Next slide, please.

So some of the activities that are going to happen during the phase 1 decommissioning again, 2024 to 2031, temporary infrastructure and building modifications like those ones I just mentioned will happen during this time period. Decontamination and demolition of buildings, again, the new buildings and structures to be constructed in the future PG&E owner-controlled area will occur.

During phase 1, the spent fuel and Greater-than-Class-C waste will be transferred to the independent spent fuel storage installation and the new

Greater-than-Class-C waste storage facility, and removal and restoration of the discharge structure will begin during this phase. Next slide, please.

So this is a picture of the discharge structure during decommissioning. So this is the structure that will be one of the structures that will be removed as a result of decommissioning. Next slide, please.

So going on from the discharge structure removal, the picture on the right shows the circles are tight with a proposed coffer dam, basically creating an area where the water can be pumped out, creating a dry space for the discharge structure to be removed.

Other activities during this phase are removal of the nuclear reactor pressure vessels and internals, steam generators, site characterization to identify contaminated areas. With those contaminated areas identified, soil remediation will recur, and again, the final status surveys that I mentioned previously.

Also during this phase, modification and utilization of the offsite railyards would occur. Next slide.

During phase 2 of the project, soil remediation and final status surveys would continue. Any infrastructure that is now not needed for retained facilities would be removed. Final site restoration

would happen. So this is the grading of the site, the development with storm water management system, now that structures have been removed, will be developed and revegetation would happen.

There will be monitoring of that site restoration effort for up to five years and then PG&E will terminate its NRC license, part 50 license, which covers the current operation of the plant, and it will transition into a ISFSI, meaning the spent fuel and the Greater-than-Class-C waste storage operations. Next slide, please.

I wanted to talk for a moment about decommissioning waste transportation. PG&E is proposing a blended approach for waste transportation. It will consist of transporting waste by barge, transporting waste by truck, meaning directly on a truck to an offsite disposal facility, and then transporting by truck to an offsite rail facility that I mentioned previously.

What's helpful with this blended approach is that barge transportation can accommodate much more waste than a truck can. And so by using barge transportation for taking waste off site, it dramatically reduces the number of trucks that would otherwise be on the road transporting waste.

PG&E has used barge transportation before. That picture on that slide is steam generators that were transported on site in roughly 2006 time period. Next slide, please.

So I mentioned the railroading facilities. PG&E has proposed three different sites. This slide shows where they are in relation to the Diablo Canyon Power Plant. One site is in Pismo Beach. This site would be used as a contingency, and there would be no radiological or hazardous waste transported to this facility.

There are two other sites. One in the city of Santa Maria, one in Santa Barbara County. Both of these will be evaluated in the environmental impact report. However, ultimately only one of the sites will be used. Next slide, please.

Here's a depiction of the Pismo Beach railyard facility. This is on property owned by PG&E, and it's off of Price Canyon Road. And again, this is a site that would be used as a contingency site. Next slide.

And then this shows the two sites. This osburn yard is located in the City of Santa Maria, off of, close to Stowe Road, and then the second one is the Betteravia Industrial Park located in unincorporated Santa Barbara County.*

*Note: This sentence was revised to match the audio/video of the meeting.

And with that, we'd like to take questions on the proposed project. As I mentioned previously, if you are participating online, please use the raise-hand feature at the bottom of your screen and we'll call on you to speak during Q and A. And then if you're joining by phone, press star 9 to raise your hand. When called upon, press star 6 to mute.

And with this, I wanted to start answering questions. We have Tom Jones with PG&E and Kris Vardas from PG&E. Do we have any questions?

MS. BLEWITT: Here we go. I have Rene Ferini. I'm going to allow you to unmute yourself now.

MS. FERINI: Hi, everyone. My name is Rene Ferini. I work for supervisor Bob Nelson in Santa Barbara County. I just wanted to clarify, at the proposed Santa Maria railyards, would any nuclear waste be handled there, or would it be the same parameters as the Pismo railyard?

MS. STRACHAN: There would be nuclear waste transported there, and we can have PG&E go into detail in terms of how that will be done, but Pismo is the one where it would be nonradiological or hazardous waste.

Tom, do you want to go into more detail on that, please?

MR. JONES: Yeah. I wouldn't use the term

nuclear waste. That's typically associated with the fuel. What we'd be talking about is low level radiological items similar to what you might have at a hospital or university or manufacturing facility. These are large components that are too large for long range truck, could be on barge, but that's the type of item that would be there. It's not associated with spent nuclear fuel.

MS. FERINI: Got it. And then also, how are you going to determine which railyard you are going to use? What are the parameters?

MR. JONES: We're still under evaluation. Each has pluses and minuses from a transportation perspective. So we're looking at those. The Pismo yard is terribly constrained for the length of the components, combined with the traffic in that area. It's more difficult than approaching any of these yards. And both of the yards in Santa Maria, one in the unincorporated, one in the incorporated portion of the city, are in active use today.

The one in the County stores rail cars for the railroads right now. And then the one in Santa Maria in the proper city limits in the Santa Maria transports agricultural weather equipment on a regular basis. So there's pluses and minuses to the infrastructure we need

to build out on these locations. So that's still under evaluation.

MS. FERINI: Awesome. Thank you. That's all my questions.

MS. STRACHAN: Thank you.

MS. BLEWITT: We have an additional question coming in from Amanda. Please state your name and affiliation and unmute yourself.

MS. CANEPA: Hi, this is Amanda Canepa with the California Department of Fish & Wildlife. I was hoping either Tom or Kris, if you can elaborate a little bit on PG&E's decision to remove the discharge structure, but to leave the intake structure in place.

MR. JONES: Sure. So I'll start and I'll ask Kris to add anything that he'd like to. Our current conditions of our lease from the California State Lands Commission require that all tenant improvements be removed. And so in keeping with that, the discharge structure will no longer be useful to the project or the site after a certain period of time.

We seek to convert the intake to a barging platform and maintain the breakwaters to have a calm harbor in which to facilitate shipment through barge.

Moreover, the breakwater composes a nice marina, and it's been host now to federally major black

abalone*, and that disturbance is something we wish to avoid. So the discharge structure is very small and we would restore that slope once it's removed. But again, it doesn't support the ongoing project or have further public utility like the breakwaters intake structure would have.

Kris, would you like to add anything to that?

MR. VARDAS: I think that's pretty good summary. I can answer any further questions that Amanda may have.

MS. CANEPA: Just to clarify. So the intake structure would not be used in the future to actually take in water, but as a barge platform or something similar?

MR. VARDAS: Both would be used for a certain period of time to circulate water. We have multiple alternative discharge points, but we have only the one intake. Those are all governed under our ISFIs permit, but we can convert to a discharge, an alternative discharge point, and flow rates drop.

Once the power plant is no longer operating, the volume of water we move drops by over 90 percent. So there were some other concerns and federal regulations that you take into account when you're not flowing water out. So those would require a change in

*Note: This word was revised to match the audio/video of the meeting.

how we handle the discharge. And just to add, during the latter part of decommissioning, we would in essence, seal off the discharge structure. So the intake portion under water within the structure, that would be sealed off, and then the pipes that connect from the intake structure to the plant would be filled in and would not allow for any withdrawal of sea water from within the intake.

MS. BLEWITT: Okay. Great. Thanks so much. I don't see any additional hands raised.

MS. STRACHAN: Okay. Thank you, Lisa.

MS. BLEWITT: Oh, wait. Stephen Delar, please unmute yourself.

MR. DELAR: Hi. Steve Delar with the BLM. Just a real quick question. What's going to be taken offsite via barge? Are we talking fuel or low level waste, or what's going to be involved with the barges?

MR. JONES: So fuel is not part of this project application or review. It's been separately addressed. We're talking low-level waste in general construction group. And so it's proposed to be our principal route of shipment. Each barge that we're looking at approximately equates to 250 trucks.

MS. BLEWITT: Any further questions? I'm not seeing any more raised hands.

MS. STRACHAN: Okay. Thank you, Lisa.

MS. BLEWITT: Thank you.

MS. STRACHAN: Then we move on to the next discussion topic. Next slide, please, Sandra. So for this next topic, these are the future reuse concepts. This is going out into the future. As you can see on the slide, it's 2040 and on after the site is decommissioned. I think it's important to point out that this is a County-driven analysis. This is not a part of PG&E's proposed project.

These reuse concepts are being proposed by PG&E. It's something that the County wanted to do, given that, we know from a community standpoint, there's a lot of interest here. And what this analysis will let us do is it will let us compare the concepts to provide an early high-level analysis of possible post decommissioning uses.

It'll help identify if there are potential impacts or issues with any of these potential uses. Next slide, please.

So this is a list of concepts that are currently under consideration by the County. One of them is a university campus. So, for example, could Cal Poly come in and do something at the site tied to its educational pursuits?

Developed recreation: So RV camping or glamping or tent camping.

Research facility: So private business coming in using a site for research purposes.

Renewable energy generation and/or storage: Is there a type of renewable energy that could be accommodated on the site or storage, for example, battery storage? Is that something that could be done there?

A resort hotel, mixed use, which could be a combination of different reuse concepts.

And then an offshore wind port or support facility given the Morro Bay Call Area that's under consideration right now for offshore wind.

So what we want to know is if there are any questions that anyone has, not on reuse concept on ideas, we'll get into that when we get to scoping, but any questions with regard to the analysis that we're going to be doing on these reuse concepts.

And again, it's the same manner for making comments on raising your hand if you're online or star 9, if you're on phone. Anyone with questions, Lisa?

MS. BLEWITT: I'm not seeing any raised hands.

MS. STRACHAN: Okay. Then why don't we continue on to the next part of our meeting, which is

the overview of the California Environmental Quality Act, which will be done by Sandra Alcaron-Lopez.

MS. ALARCON-LOPEZ: Thank you, Susan. I'm going to give you a very high level overview of CEQA and the EIR. We're in the preliminary stages of working on the document, and you'll see that here shortly on the slide that shows the flow chart of the key steps in the environmental review process.

Just very quickly on this slide, to tell you that the County has made a decision based on what they consider the potential to be for significant impacts and the decommissioning of the site. And with that, they've decided to prepare an environmental impact report. And CEQA allows you to move forward with that analysis without preparing any preliminary study, such as the initial study, which is generally part of an EIR.

So we've started working on the environmental impact report, we're in the preliminary phases. And one of the key components of this particular meeting is to get your input on some of those issues.

On this next slide -- and I apologize, it does take a few seconds -- what this shows is the general process for the environmental document. And you'll see that we are in that first green square, which is the public scoping period. Susan mentioned earlier the

timeframe of 40 days, CEQA requires a minimum of 30, and because of the complexity of the project, we're allowing more time to present comments and input on the project. But there'll be other opportunities for the public to get involved, because we are in the preliminary stages.

We haven't made any determinations other than we're going to prepare an environmental impact report. So there'll be an opportunity at the draft EIR stage to make some comments and provide input, and then also when the final EIR has been prepared and it goes to the decision hearings.

I wanted to generally talk about the content of the EIR. We know that there is, as Susan mentioned, there's PG&E's proposed project, and then there's also the reuse concepts that are going to be looked at and considered in the environmental document.

For PG&E's proposed project, we're going to include in the document, a very detailed description of their project. We're also going to look at the environmental and regulatory setting for the project area, and we're going to look at, for several different issue areas, what potential impacts could occur with that proposed project, with the decommissioning and the dismantling of the facility.

For the proposed project, we also, under CEQA,

have to identify any project alternatives that could reduce impacts. If we identify a significant impact for a particular environmental issue area, we need to think about what alternatives we could implement or evaluate to reduce those impacts.

Also, a key component of that would be looking at any measures that could reduce significant impacts for the different issues that we're going to be evaluating. Key difference here too, is that we are going to have a separate chapter that talks about and compares the different reuse concepts.

It's not part of PG&E's project, but it is an analysis that the County would like to do to do that comparative planning, high level review at this stage to see what options are available. That's going to be included and presented in the EIR in a separate chapter.

The other thing is that when we're talking about the environmental document, we really are just presenting information for the decisionmakers. It's an information document that helps the decisionmakers make a decision when they come to that on the actual decommissioning project.

On this next slide, you can see it's kind of dense. These are all of the issues that we're going to look at and consider in the environmental document. The

key here is that we are in the preliminary stages, we haven't made a determination on any of these issues.

We just want to try and show you that we are going to do a comprehensive evaluation of the issues, and we're going to look at all of the potential issues in the document. We've also included some of the issues the responsible agencies are going to be concerned with, such as the climate change and the sea level rise, commercial fishing. And some of the ones that you see on the right-hand corner there, those address some of the issues that responsible agencies are going to want to look at and use in their evaluation of the project.

One issue that has come up a number of times in some of the community meetings is this NRC preemption. And we wanted to just talk about it very quickly here, because one of the things that we need to do in the EIR is consider the whole of the action, and because we look at that complete project, even though the County has no jurisdiction over the radiological safety issue, because they're preempted by the Nuclear Regulatory Commission, we still have to take into consideration the requirements that NRC imposes on the facility, as well as any measures that are required by NRC to address the facility and the radiological components of the power plant.

So when we're talking about preemption, the NRC regulates anything related to the safety, to the decommissioning, to the handling, to the storage, that includes the storage design and the shipping class as well as the ISFSI, which we have spelled out there, and the Greater-than-Class-C waste storage issues. So those are all issues that are under the purview of the NRC.

So what are we going to do in terms of those issues in EIR? What we're going to do in this regard is look at and summarize for the public what those requirements are and any safety plans or procedures that are required to be implemented as part of the decommissioning process. And we feel that that is an important thing to present in the document. We've done it in the SONGS EIR and we feel that it's applicable for this particular effort as well.

In terms of the impact analysis, when we're doing the impact analysis in the EIR, the thing that we're looking for is the potential for the project to make any changes to the environment. We're looking at direct, indirect, cumulative, are there other construction projects that are going to be or occur at the same time as this one that are going to create any impacts, and then any growth-inducing effects that might occur as a result of the project.

CEQA requires that we focus on the significant impacts of the project. So when we're looking at alternatives, the alternatives have to address the significant impacts. The mitigation measures have to address the significant impacts. We have to look at and address those impacts and try to find measures that are going to reduce them.

We are going to incorporate in the environmental document, an environmental justice portion to address some of the issues that State Lands is going to take into consideration; but under CEQA, those cannot be considered significant, the social and economic potential impacts, but we are going to look at some of those issues through the environmental justice component, as well as population housing.

Alternatives. We have published in the NOP, some ideas of alternatives that could be considered for the proposed project. Those could change based on either comments that we get here or input that we get from the agencies. What we want to do when we're looking at and identifying alternatives that we're going to carry forward, we want to make sure that they meet the project objectives and that they have an ability to reduce any potential impacts from the proposed project.

We also have to look at the feasibility of the

alternatives. Are they going to work from either a technology or feasibility basis? And we could consider any alternatives that will create changes to the project. We identified some of the NOP project alternatives. That's a requirement under CEQA that we consider that.

For this project, we may have more than one NOP project alternative. And then because it is a CEQA document, those alternatives are going to be evaluated in less detail than the proposed project. It's more of a comparison type of analysis.

Before we get into the official public comments, we'd like to take some questions, if you have them, on the EIR process.

MS. BLEWITT: We have one question from Eric Greening. Please unmute yourself. Allowed to talk is not available because Eric is using an older version of Zoom. Choose promote to panelists to allow Eric to talk. Shall I do that?

MS. STRACHAN: Yes. We did this at a meeting last week too. He needed to be promoted to panelists to communicate.

MR. JONES: But please, then you restrict that ability afterwards.

MS. ALARCON-LOPEZ: Yes.

MR. GREENING: Thank you. So, yeah, so I can be restored to the nonpanelist status after this, that helps me regain the raised-hand function.

Anyway, yes, I'm Eric Greening. I actually have two questions. The first question is: At the engagement panel meeting PG&E presented last week, PG&E presented a much tighter timeline, which greatly concerned me for the approval process at the County to be completed at the end of 2022, which would create undo haste in the EIR process, because it would have to get to the Planning Commission by October and a 60-day comment period on a draft.

I'm relieved that your proposed timeline looks about eight months longer. Can we be sure, given that PG&E is paying for this, that everyone will be agreeable to your taking this amount of time or whatever amount of time you need? That's my first question, because obviously with a project like this, thoroughness is far more important than haste.

My second question relates to the NRC preemption. Essentially, are you only essentially giving the news of NRC proposed mitigation measures, or given that your list of issues you consider includes radiation hazards, would you be able to propose and perhaps negotiate added mitigation measures, even given

that the actual decisions are out of the County's control?

And an example of something beyond the County's control is earthquakes. Obviously, the County has no control over earthquake fault or when they rupture, but it is responsible for making health and safety findings based on its own evaluation of hazards and how to mitigate those. So those are my two questions. Thank you.

MS. STRACHAN: Thank you. Mr. Greening. I'll answer the schedule, That is the schedule for the project. So that is the schedule that we are working off toward. Aspen and I spend a lot of time going through those dates and that's the schedule that is proposed for the project. And in terms of the preemption and mitigation and whether we can propose mitigation, Sandra, why don't I turn that over to you in terms of, especially given your experience with SONGS.

MS. ALARCON-LOPEZ: I'm not sure I know how to answer this question, because we'd have to find the nexus for something that we cannot or that the County could impose within their jurisdiction. So I'm not sure that we could identify something which is in the NRC purview, because they have the exclusive jurisdiction over any of the radiological safety issues.

Would you agree with that, Lisa?

MS. BLEWITT: I would. Generally speaking, the County cannot impose mitigation measures for elements that are preempted by the NRC.

MR. GREENING: Thank you. So the County has to make its health and safety findings based on whether it evaluates the NRC's measures as being adequate or not, because the County does have to make health and safety findings. Anyway, that's obviously this is going to be a complicated thing we'll be discussing for some time.

If I remain as a panelist, since I don't have a raise-hand function, please put me in line for the scoping comments when you get to that point. Thank you.

MS. ALARCON-LOPEZ: Thank you.

MS. STRACHAN: Thank you. We will change your status. Any other questions?

MS. BLEWITT: If you need to raise your hand, please press star 9 if you're calling in; otherwise, I'm not seeing any other raised hands.

MS. STRACHAN: Okay. Let's go into the official scoping comment period where we'll take your oral comments on any of the topics that we have discussed in this presentation or in this meeting. We want to just give you a very quick overview so we can get to the comments here, that we're looking for

anything that addresses scope or content of the EIR, any local environmental knowledge that you think might help us in preparing the environmental document, and also any issues that need evaluation or how we evaluate it, what methods we use to evaluate, any feasible alternatives that you think we ought to consider.

We identified some in the NOP, but maybe there's others that you think we haven't considered or that we should consider. And then any mitigation measures that you think we ought to address in the environmental document. We also mentioned the future site reuse concepts that are also going to be included in the environmental document.

So if there's any ideas that you have on future site use that you think we ought to identify or discuss, please include that in your comments. We want to just remind you very quickly that you can use your raise-hand function so that we know to call on you and unmute you.

We are going to limit your comments to three minutes just to make sure that we get everybody's comments in the record. We are transcribing the meeting. We have a court reporter who's transcribing the meeting, and we also will have an audio recording. So we are going to record and take note of everything that you comment or that you present today.

As Lisa mentioned, if you're calling by phone, press 9, so that you can raise your hand and then press 6 to unmute yourself. With that, we are going to start the public comments. If you could raise your hands and we'll just call you in the order that we see your hand come up.

MS. BLEWITT: Please be sure to state your name and your affiliation for the record as I call on you; but first we need some raised hands. Again, star 9 to raise your hand if you're calling in.

MR. GREENING: I would be raising my hand if I had a raise-hand function.

MS. BLEWITT: Go ahead and proceed, Eric.

MR. GREENING: All right. Thank you. Eric Greening. And, yes, one specific type of survey that I think needs to be done, included in this, the Mothers for Peace have been sampling ocean water and sending it to Woods Hole since the accident at Fukushima, and have detected spikes from there.

If there were some sort of leakage into the ocean from a local source, I presume it would also be identifiable. And so there should be seawater sampling on a regular basis to determine that to see if any comes from local, as well as cumulative impacts from Fukushima or whatever, and how they all play out, add up.

But beyond that, what is missing now is actual food chain impacts; in other words, what is in the water may be prevalent in far greater concentrations up a biological food chain. So I do believe that top of the food chain, marine life, should be periodically sampled to be sure that radiation or radioactive elements are not escaping from the site into the adjacent waters.

And then just one thought about reuse scenarios. As of today, the public comment period has opened with the National Oceanic and Atmospheric Administration on the proposed Chumash Heritage National Marine Sanctuary, and working with the Chumash, perhaps a proposal, if they were interested in using that site, which they might or might not be, for a headquarters or something that functions in connection with that sanctuary, might be on the table as one option.

Again, I wouldn't want to propose it unless the Chumash did, but I would want to include that as an option. Thank you.

MS. BLEWITT: Thank you, Eric. I'm not seeing any other raised hands at this point. Are there any other scoping comments? I'm not seeing any more at this time. Of course, as you can see on the screen, there are opportunities to mail in comments to Susan Strachan at the Department of Planning & Building in San Luis

Obispo, or to email comments to Diablo@co.slo.ca.us. Comments are due by December 6th, 2021.

MS. STRACHAN: Thank you, Lisa. We want to thank everyone for attending the meeting today. We will be posting a recording of the meeting on the County's Planning & Building website. There's a specific webpage for the Diablo Canyon Decommissioning, and we do have future scoping meetings. We have one tonight at 6:00. We have two on December 1st, one at 10:00 and one at 6:00, and then one on December 4th at 2:00. And information on accessing those meetings is also available on the County's website.

Thank you everyone for your attendance. We appreciate it.

CERTIFICATE

I, the undersigned, a Certified Shorthand Reporter of the State of California, do hereby certify:

That the foregoing proceedings were taken before me at the time and place herein set forth; that a verbatim record of the proceedings was made by me using machine shorthand which was thereafter transcribed under my direction; further, that the foregoing is an accurate transcription thereof.

I further certify that I am neither financially interested in the action nor a relative or employee of any attorney of any of the parties.

IN WITNESS WHEREOF, I have this date subscribed my name this 16th day of November, 2021.

michele watson

MICHELE WATSON

CSR No. 8359

Appendix B4.3

Transcript – Scoping Meeting November 9, 2021
6:00 PM

DIABLO CANYON DECOMMISSIONING PROJECT

PUBLIC MEETING

WEB VIDEOCONFERENCE

TUESDAY, NOVEMBER 9, 2021, 6:00 P.M.

Reported by:
Michele Watson
CSR No. 8359

MS. STRACHAN: Thank you, Sandra. Good evening, everyone. I want to thank you for taking the time to join us tonight for the Diablo Canyon Power Plant Decommissioning Project Scoping Meeting.

I just want to go over a few items in terms of participating in the meeting via Zoom. So we're starting off the meeting tonight with a presentation. During that time all attendees will be muted.

We will have a few question-and-answer sessions and we'll have a scoping comment session.

If you're participating online, in order to speak during those time periods, use the raise-hand feature, which is located at the toolbar at the bottom of your screen, and then we will call on you to speak during the Q and A, or at the end of the presentation for the scoping meetings.

If you're participating by phone, you press star 9 to raise your hand and when called upon press star 9 to unmute. This meeting, as Sandra said, is being recorded and we'll repeat these instructions for how to participate before each of those time periods. So don't worry, you don't have to memorize all of this right now. Next slide, please.

I want to go through the meeting agenda, so we

will go through introductions. I'm then I'm going to provide a description of PG&E's proposed decommissioning project. Once we go through the project description, we'll have a question-and-answer session. We do have representatives from PG&E available to help with that portion of the program.

Next, we're going to get into a discussion of future site reuse concepts. So these are concepts for what could be on the site once the decommissioning activities are over. This is a County-driven analysis. It's not part of PG&E's proposed project, but it is something that will be included in the environmental impact report.

We'll then have a second question-and-answer session to answer any questions with regard to this analysis. Followed by that, we will have a presentation on the environmental impact report process, and again, have a third question-and-answer period, followed by scoping comments, which again, is the opportunity for participants to provide comments on basically what they'd like to see covered in the environmental impact report.

Next slide please. So for introductions, as I mentioned, I'm Susan Strachan. I'm the nuclear power plant decommissioning manager for San Luis Obisbo

County. Cindy Chambers works with me, she's a senior planner with the County. And then we have Aspen environmental group. Aspen are consultants to the County. They will be preparing the environmental impact report for the Diablo decommissioning.

I want to point out that Aspen Environmental Group also is the group that prepared the environmental impact report for the decommissioning of the San Onofre Nuclear Power Plant in San Diego County. That decommissioning is going on right now.

Representing Aspen is Sandra Alarcon-Lopez, she's the EIR project manager, and Lisa Blewitt, who is the deputy project manager. And as I mentioned, we also have PG&E representatives who'll be available to answer questions and I will introduce them when we get to that portion of the meeting.

Next slide, please. Now, first let's talk about what the purpose of the meeting is, and scoping. So scoping is required under the California Environmental Quality Act. It requires a 30-day scoping period where people can make comments on content of the environmental impact report. I have to say that for this project, we're actually taking a longer scoping period, because when we issued the notice of preparation, which is what kicks off that scoping period

and counted out 30 days, that 30 days landed right around Thanksgiving. So we extended it to actually approximately 40 days to give more time due to the Thanksgiving holiday.

Scoping meetings are required for projects which are of statewide, regional- or area-wide significance. And again, it's an opportunity for agencies in the public to provide input on the scope and content of the EIR.

Now, there's three different ways the comments can be provided. They can be provided through a scoping meeting like we're having today, where you can provide verbal comments or you can provide written comments by mail or by email, and we'll provide information on the mailing address and the email address when we get to the scoping comment portion of the meeting.

The scoping meeting or scoping also provides an opportunity for agencies in the public to provide input on project alternatives, EIR evaluation methods, and mitigation methods.

Next slide, please. So now I want to get into providing a description of the project that has been proposed by PG&E to the County, go into a little bit of background on the application, talk about the jurisdiction of some of the key agencies, discuss the

power plant decommissioning activities, and then talk about some offsite locations for waste transportation that are proposed by PG&E.

Next slide, please. So to give some background on PG&E's land use application, they filed the application on March 29th, 2021 with the County. The application is for a development plan, coastal development permit, and a conditional use permit. The site actually has a portion in the coastal zone and then a portion in the inland part of the County, which is why you have the different permits or applications that were submitted.

Once the County receives the application, it then does a 30-day application review. It sends out letters to agencies and organizations asking for input on the application and then does its own review. So at the end of the 30 days, the County issued a comment letter on April 28th, 2021, listing additional information that we needed for the application.

PG&E responded with the filing of an application supplement on July 8th. County then did get another 30-day review, again, sent out referral letters to the agencies and organizations, and a second County comment letter was issued on August 9th.

PG&E then responded to that letter with a

filing on October 6th. And on October 27th the County accepted PG&E* application. With that application accepted, we then issued the notice of preparation on October 28th. Next slide.

So this slide is a general site vicinity of the Diablo Canyon Power Plant. The power plant is marked, or the boundaries are marked in blue. The yellow area are Diablo Canyon lands that are owned by PG&E or Eureka Energy, which is a subsidiary of PG&E. Next slide, please.

So this shows the boundary of the power plant site marked in red and then actually in an aerial of the power plant site itself. Next slide.

So this slide shows the agency's jurisdiction. So the yellow line going through the middle marks the coastal zone. And so the area above the coastal zone in brown, that's the inland portion, portion of the site that is not in the coastal zone. The green part is that area which is in the coastal zone.

So from a County permitting standpoint, it covers both the inland and the green coastal zone portion. If you go then farther down toward where the water is, where Sandra has the cursor, that covers a jurisdiction that's under the California Coastal Commission and the State Lands Commission. Next slide,

*Note: The text was changed from Page's to PG&E.

please.

Now, this slide talks about the different activities by these agencies. So County of San Louis Obispo, we are the lead agency under the California environment quality act. That means that we have the responsibility for preparing the environmental impact report. And again, the permits that would be issued, assuming the project is approved or listed below.

California Coastal Commission is a responsible agency under the California Environmental Quality Act. So we work closely with them to make sure that the environmental impact report is going to cover the things they need in order to do their permitting. That area down by the water on the previous slide is the original jurisdiction of the Coastal Commission.

So they'll be issuing a permit for activities in that area, but it's important to point out that the portion of the site within the coastal zone is in the appeal jurisdiction of the Coastal Commission. So any permit issued by the County within any Coastal Commission appealed jurisdiction can be appealed to the Coastal Commission.

California State Lands Commission is a trustee agency under California Environmental Quality Act. They will be issuing a new lease or a lease amendment for

project features within their jurisdiction, which, again, is down in that water area that was in the previous slide. And the Nuclear Regulatory Commission is a federal agency which oversees decommissioning process. So they're specifically cleanup, removal of radioactive structures and systems, transfer spent fuel, and then termination of the licenses for the project.

With the involvement of the NRC, state and local agencies are preempted for issues dealing with radiological hazards and radiological safety. And we'll get in that in more detail when we're talking about the EIR process. Next slide, please.

Now, the Diablo Canyon Power Plant Decommissioning, there are two nuclear units on the site. Unit 1, the license terminates in November of 2024, and Unit 2, the license terminates in August of 2025. PG&E had been embarking on renewing the licenses for these projects, but in 2016, stopped that license renewal effort, and determined that it was going to retire the plant.

In 2018, the California Public Utilities Commission approved the retirement of the Diablo Canyon Power Plant. And then PG&E initiated its permitting for the decommissioning activities. The plan is that PG&E proposes to begin the decommissioning and dismantling of

the plant in 2024. Next slide, please.

Now, the decommissioning will occur in two phases, two time periods. Phase 1, 2024 to 2031 is when preplanning and decommissioning activities will occur. In other words, this is a bulk of the decommissioning, a bulk of taking every thing down will occur during that phase 1 time period.

In phase two, which is 2032 to 2039, they'll be doing completion of soil remediation, final status surveys. These are surveys that are conducted as a requirement by the Nuclear Regulatory Commission to ensure that the site meets established radiological release criteria. And then they'll be doing the final site restoration of the site. Next slide, please.

Now, the project decommissioning, I think when people think of decommissioning, think about decontamination and demolition of infrastructure and buildings and structures, and that is a key component of it. But as proposed, it includes the retention of some structures and I'll go through those, the construction of new buildings and structures, which will be in a future PG&E owner-controlled area on the site. And I'll be going through that.

And then decommissioning also involves the installation of temporary infrastructure and buildings

that are needed to accommodate the decommissioning effort. And then it's also going to include the use of some offsite rail loading sites. Next slide, please.

Now, this slide depicts areas that are not going to be removed, and those are denoted in black in terms of roads within the plant site and in red in terms of different structures. So down by the water, we have the two break waters. PG&E proposes to have those remain. And the intake structure, PG&E proposes to have that remain also. These are the structures that could be available for future reviews by others.

Then moving on up, this is what we're going to get into, what would be referred to as a future PG&E owner controlled area. You have the rectangle, which is the -- it says ISFSI, which stands for Independent Spent Fuel Storage Installation. That's where spent fuel is currently stored. And then once decommissioning begins spent fuel that's currently in, the reactors will be transported and stored up in that ISFSI. That is a site that has been previously permitted.

Next to it are the raw water reservoirs. Those will remain. There's a 230 KV switch yard which will remain, and a 500 KV switch yard, which will remain. Next slide, please.

Now, this slide covers the features which would

be in the new PG&E owner-controlled area. Some of them, like ISFSI, for example, the switch yards, raw water reservoir that I pointed out in the previous slide, are existing structures that will remain and be in this owner-controlled area. The green boxes denote new construction. So given that the fuel will be up in this upper part of the site and the remaining part of the site will be decommissioned, a new security building will be built up in this area.

Also, a new indoor firing range will be built in this area. PG&E also proposes to build a Greater-than-Class-C waste facility, which will store reactor internals or process waste for which there is not a federal repository for it to be sent offsite similar to the spent fuel.

So that will stay on site also and be constructed as part of the decommission effort. Next slide.

Now, this slide, there's a lot going on here, but what I like about it is that it's a site layout for decommissioning for this lower portion of the site. And I think it depicts all that's involved in terms of decommissioning. So it identifies different lots. These are parking lots that will be used to accommodate decommissioning workers.

Parking lots are also converted to serve as lay-down for the decommissioning effort. It shows buildings that are existing buildings that will be converted to uses to support decommissioning. So, for example, the main warehouse, which is identified in orange will be modified to create a waste handling facility where waste will be segregated, stockpiled, packaged for offsite transport.

There's another building, a flex equipment building, which will be modified to create what's referred to as an environmental count room or a lab to be used for testing soil samples. So this just gives an idea of what will go where during the decommissioning effort, which is a lot of activity. Next slide, please.

So some of the activities that are going to happen during the phase 1 decommissioning again, 2024 to 2031, temporary infrastructure and building modifications like those ones I just mentioned will happen during this time period. Decontamination and demolition of buildings, again, the new buildings and structures to be constructed in the future PG&E owner-controlled area will occur.

During phase 1, the spent fuel and Greater-than-Class-C waste will be transferred to the independent spent fuel storage installation and the new

Greater-than-Class-C waste storage facility, and removal and restoration of the discharge structure will begin during this phase. Next slide, please.

So this is a picture of the discharge structure during decommissioning. So this is the structure that will be one of the structures that will be removed as a result of decommissioning. Next slide, please.

So going on from the discharge structure removal, the picture on the right shows the circles are tight with a proposed coffer dam, basically creating an area where the water can be pumped out, creating a dry space for the discharge structure to be removed.

Other activities during this phase are removal of the nuclear reactor pressure vessels and internals, steam generators, site characterization to identify contaminated areas. With those contaminated areas identified, soil remediation will recur, and again, the final status surveys that I mentioned previously.

Also during this phase, modification and utilization of the offsite railyards would occur. Next slide.

During phase 2 of the project, soil remediation and final status surveys would continue. Any infrastructure that is now not needed for retained facilities would be removed. Final site restoration

would happen. So this is the grading of the site, the development with storm water management system, now that structures have been removed, will be developed and revegetation would happen.

There will be monitoring of that site restoration effort for up to five years and then PG&E will terminate its NRC license, part 50 license, which covers the current operation of the plant, and it will transition into a ISFSI, meaning the spent fuel and the Greater-than-Class-C waste storage operations. Next slide, please.

I wanted to talk for a moment about decommissioning waste transportation. PG&E is proposing a blended approach for waste transportation. It will consist of transporting waste by barge, transporting waste by truck, meaning directly on a truck to an offsite disposal facility, and then transporting by truck to an offsite rail facility that I mentioned previously.

What's helpful with this blended approach is that barge transportation can accommodate much more waste than a truck can. And so by using barge transportation for taking waste off site, it dramatically reduces the number of trucks that would otherwise be on the road transporting waste.

PG&E has used barge transportation before. That picture on that slide is steam generators that were transported on site in roughly 2006 time period. Next slide, please.

So I mentioned the railroading facilities. PG&E has proposed three different sites. This slide shows where they are in relation to the Diablo Canyon Power Plant. One site is in Pismo Beach. This site would be used as a contingency, and there would be no radiological or hazardous waste transported to this facility.

There are two other sites. One in the city of Santa Maria, one in Santa Barbara County. Both of these will be evaluated in the environmental impact report. However, ultimately only one of the sites will be used. Next slide, please.

Here's a depiction of the Pismo Beach railyard facility. This is on property owned by PG&E, and it's off of Price Canyon Road. And again, this is a site that would be used as a contingency and it would accept non-radioactive, non-hazardous, waste.* Next slide.

And then this shows the two sites. This Osborne yard is the one located in the city of Santa Maria close to Stowe Road, and then the second one is And then the one in unincorporated Santa Barbara County is at the Betteravia Industrial Park off of Betteravia.

*Note: This sentence was revised to match the audio/video of the meeting.

And with that, we'd like to take questions on the proposed project. As I mentioned previously, if you are participating online, please use the raise-hand feature at the bottom of your screen and we'll call on you to speak during Q and A. And then if you're joining by phone, press star 9 to raise your hand. When called upon, press star 6 to mute. Do we have any questions?

MS. BLEWITT: We do. Our first comes from Jeff Wheelwright. You'll need to click to unmute yourself.

MR. WHEELWRIGHT: Hi. Good evening. Thank you. I'm a science writer in Morro Bay, and I've written about Diablo for probably 25 years, off and on, for local and national publications. I set it aside until your work began, and I appreciate your work, which I'm just catching up on.

And the short question is, and I'm sure you're all aware of this new report from MIT trying to, not deny the course that you're on, which is too close the plant, but just to tweak it, slow it down, extend the generation of power for maybe another 10 years beyond 25, and maybe repurpose the plant for things like desalination, hydrogen generation.

And this is just one example, as you know, of an increasing demand that the train that you're on be turned around a little bit or bend in another direction.

And you said earlier there's going to be a point for talking about alternatives.

I wish you would acknowledge the reality that this is not 2016. This is 2021, and the world has changed in terms of the appreciation of the climate crisis. California's problems with water and wildfire demand a review of how we generate electricity. And I really found myself smiling when you were very earnestly looking at how, for example, nuclear waste will be there for 10,000 years at that the present look right in the middle of this site, which you proposed to purpose for some other purpose.

So, again, please, you can't stop what you're doing, you're all committed in good faith and you're following your orders; but acknowledge to the public that the world has changed and that very well, in another year or two, when the deadline approaches, California might wake up and keep Diablo going. Thank you very much.

MS. STRACHAN: Thank you, Mr. Wheelwright.

MS. BLEWITT: Thank you. I don't see any other hands being raised at this point. Again, if you're calling in, you can press star 9 to raise your hand. We have another one from Benita Epstein.

MS. EPSTEIN: I just have a question about the

trucks. What kind of trucks are they, diesel trucks? And how many a day would go to Pismo Beach?

MS. STRACHAN: Tom, do you want to answer that one?

MR. JONES: Right now that answer is zero. Our chief principal method for shipment is barging. The identified rail sites that are in the plant have 99 trucks over 10 years going to the greater Santa Maria area. And Pismo is an alternate site, but we have no plans to use it. It's a backup in case something else happens. The vast majority, in the high 90 percent, is barging.

MR. VARDAS: This is Kris. Just to add to that, the trucks would be diesel trucks, and a portion of those trucks would go directly out of state to truck waste to an out-of-state disposal facility. So it's barging, direct trucking out of state, and then truck to rail at one of the two Santa Maria facility sites.

MS. EPSTEIN: Thank you.

MS. BLEWITT: Thank you. Any other questions regarding the proposed project and the description before we move on? I do not see anymore.

MS. STRACHAN: Thank you, Lisa. We'll continue. Okay. So this next discussion is on future reuse concepts. So this is going out into the future,

as it says on the slide, 2040 and beyond. This is a County-driven analysis that'll be in the EIR. This is not part of PG&E's proposed project.

Its concepts aren't proposed by PG&E, but the concepts will be evaluated and prepared to provide an early high-level analysis of possible postdecommissioning uses. And we're including it just because site reuse has been such a important topic talked about quite a bit in the community. Next slide, please.

So these are the concepts currently under consideration by the County of San Luis Obispo. One would be university campus. This something where Cal Poly, for example, could use the area for its studies.

Developed recreation: So RV camping, glamping, tent camping, day use recreation, hiking, kayaking. Research facility? Somebody coming in and doing research there.

Renewable energy generation and/or storage: So is there a type of renewable energy that would fit in this location or storage, such as battery storage?

Resort hotel: Mixed use would be a combination of any of these.

And then lastly, offshore wind port or support facility, and this has come up in light of the Morro Bay

Call Area for offshore wind. There's a lot of discussion about needing a location onshore to support any wind development in that Call Area.

So what we're looking for here is to see if anyone has comments, not on additional concepts, we'll get to that during the scoping period, but any questions with regard to the analysis that the County is going to be doing on these for future reuse concepts.

MS. BLEWITT: Please raise your hand if you have any questions regarding the analysis to be done on these future reuse concepts, and use the raise-hand feature or press star 9 if you're calling in. We have one raised hand. Two.

First, Jill Zamek, followed by Coleman Miller. Okay.

MS. STRACHAN: Hi, Jill.

MS. ZAMEK: Hi. Does PG&E have any plans for that? You said this is all coming from the community. Has PG&E submitted any of its proposals for the land use?

MS. STRACHAN: PG&E has done evaluation of looking at it, but is not proposing it, but we're piggybacking on work that has been already done; but it's not done as a proposal. The County has made the decision to go ahead and do this analysis. Does that

answer your question?

MS. ZAMEK: Well, not exactly, because I know I was in a meeting where they were presenting a lot of information about real estate and proposed resorts there. And I'm wondering, is that going to be analyzed as well in this report?

MS. STRACHAN: That's what we're looking at, is we're making a decision and we're seeking input on what are the types of things people do want to have evaluated. So PG&E has done some work tied to other processes where they've looked at options. To the extent we can borrow that to aid us in that evaluation, we'll do that. But in terms of what are the concepts, that's why we're here. We want to get public's input in terms of what they want to see.

MS. ZAMEK: Thank you.

MS. BLEWITT: Next up is Coleman Miller.

MR. MILLER: Good evening. So you mentioned electrical energy storage and specifically batteries. If battery storage is considered in large scale, I think it's really important that the fire hazard be looked at. If these battery packs go up, there's just containment. They just let them burn down.

And with that aspect, I think it would be very important for the County to advocate that an alternate

type of electro-energy storage that would not have the hazardous waste implications of battery storage or fire potential would be to use molten salt coupled with steam turbines.

Molten salt storage is being used at large solar thermo plants. There's one in Nevada, hundreds of megawatts scale, and should advocate to CEC and CPUC to think about diversifying electro-energy storage, not putting all the bets on batteries, and having a more robust and more sustainable electro-energy storage, if that is selected. Thank you.

MS. STRACHAN: Thank you.

MS. BLEWITT: Thank you, Coleman. I do not see any other -- oh, Harrison Fugate raised his hand.

MR. FUGATE: Yeah, I just have a question about, are these reuse concepts with the assumption that the federal government is going to give us some place to ship the Greater-Than-Class-C waste, or is that being factored in when it could be on the site for a very, very long time?

MS. STRACHAN: I mean, we haven't started any evaluation yet, but I do want to point out that, for example, PG&E has a facility up at Humboldt Bay that has fuel stored on site and a hiking trail, a walking trail, right along the shore, close to it.

Similarly with the San Onofre plant, it's right there on the beach with the fuel store on site and a beach walking trail right near there.

So I understand what you're saying in terms of the concern. That would be something we'd have to look at, but I'm also saying that there are situations where there is public close by while there is still fuel stored on site. And that's all been allowed by the Nuclear Regulatory Commission. Did that answer your question?

MR. FUGATE: Yeah. It was more or less of a concern. I'm aware of the hiking trail. It was just more of a planning aspect of probably wouldn't be doing major resort construction, I would be assuming.

MS. STRACHAN: I understand what you're saying. Thank you.

MR. FUGATE: Thanks.

MS. BLEWITT: Any other questions? Please raise your hand. I do not see any more questions so we can proceed, Susan.

MS. STRACHAN: Okay. Thank you, Lisa. So our next section we're going to talk about, Sandra Alarcon-Lopez with Aspen is going to go through the EIR process. When she's done, we'll have another Q and A session in case anyone has questions on that process.

And then we'll get into the scoping part of the meeting.

MS. ALARCON-LOPEZ: Thank you, Susan. As Susan mentioned, my name is Sandra Alarcon-Lopez. I'm with Aspen Environmental Group and we are a consultant to the County of San Luis Obispo. We're supporting the County with the preparation of the environmental impact report.

So I'm going to give you a very high level of discussion of the process associated with preparing the environmental document. One of the first steps that the County had to do was decide what type of document they were going to prepare for this project, and the County decided that an environmental impact report was necessary to move forward and evaluate the potential impacts of the project.

Under the California Environmental Quality Act, or CEQA, the County is allowed to move forward with that environmental document without preparing any type of initial study or preliminary study to justify that decision, because they've already decided the highest level document is necessary.

This flow chart gives you an idea of the different steps associated with the preparation of the environmental document. We're currently in the preliminary step, which is here, the scoping comments.

And as mentioned earlier, scoping allows us to get your input on the content and scope of the environmental issues that we consider and evaluate in the document.

This is the first step in jumping into the analysis of the EIR. But also, once we get your comments, we will summarize them, give them to the technical staff, and then work on the preparation of the draft document. At the draft document there will be another opportunity for public comment. And then once we get comments on the draft document, we'll prepare a final document that will be taken to the decisionmakers at the County for decision.

This particular hearing here would be a comment hearing, not a decision hearing, but it will give you another opportunity to provide comments on the document. So I think this kind of gives you an idea of the general key milestones that we'll work on in preparing the EIR.

Susan talked a little bit about the different components of the project. We're evaluating, primarily, PG&E's proposed projects. So the first five bullets that you see under contents directly relate to the proposed project. And we're going to include in the EIR a detailed description of that project. We're going to evaluate on an issue-by-issue basis, the environmental and regulatory setting associated with that particular

issue area.

We're going to look at the potential environmental impacts associated with PG&E's project. And then we're also going to look at and identify any project alternatives that could reduce any significant impacts that we identify associated with the proposed project.

For both the alternatives, as well as the proposed project that we look at, we're going to identify mitigation measures that could potentially reduce any of those significant impacts, so that's all documented for the proposed project. But another component of this particular EIR is going to be the separate chapter where we look at and evaluate the different future reuse concepts.

We anticipate that it's going to be more of a comparative, high level analysis, but it is going to allow you to look at some of the site constraints and other environmental considerations that need to be considered as part of the analysis of the document.

One key aspect of the EIR is that it definitely gives the County a third-party review of the project and allows them to have information about environmental issues, environmental impacts associated with the project, and is really an informational document that

they use as part of their decision.

This slide is very dense, but I think what it shows you is all of the different issues that are going to be covered in the environmental document. I mentioned earlier that this is the start of us writing and looking at and evaluating some of these issues. So we haven't made any determinations of significance for any of these issues.

We're just starting the process, and we want your input on what you think are issues that we either need to consider or things that you think are important that we ought to evaluate.

What you'll notice in here is that there are also other issues that address some of the concerns that the responsible agencies have, such as the California Coastal Commission and State Lands Commission. We're looking at some different issues, such as climate change, commercial fishing, environmental justice, and then the State Tideland issue. These are not typically in an EIR, but we are going to include them because they address some of the concerns that the responsible agencies have.

One issue that has come up in some of the past community meetings is the issue of the NRC's jurisdiction. And Susan mentioned it earlier in the

presentation, that they have exclusive jurisdiction over any of the radiological hazards and radiological safety issues. So they have, in essence, preempted local and state involvement in any of the radiological hazards or radiological materials, radiological waste.

So if you look at the slide, it basically covers everything related to handling, storage, transport, disposal, and monitoring. So they have that jurisdiction, that the state and local agencies cannot -- we can address it, but we have no jurisdiction over it.

So what would the EIR then look at? Because the County has to look at the whole of the action, they have to look at the entire project, we are going to incorporate in the environmental document the NRC requirements, as well as the measures, the plans, the procedures that PG&E is putting in place to address some of the requirements that the NRC has imposed or that's required under current regulations. This is an approach that we took on the SONGS EIR, and we think it's applicable in this particular project, too, and we'd like to apply that here as well.

I mentioned one, the radiological hazards, but for all of the environmental issues that you saw on that prior slide, we're going to look at how the proposed

project, the decommissioning project, changes the environment compared to current conditions.

We're going to look at direct, indirect, cumulative and growth-inducing effects for that proposed project. We're going to focus on significant impacts, because that's a requirement under CEQUA, that we focus on those significant impacts and we find a way to mitigate them.

We're going to identify any mitigation measures that can be applied to reduce or avoid significant impacts. We are going to, as part of environmental justice and population housing, look at some social and economic issues, because they're part of some of the issues that are concerned on a project like this. But under CEQA, those issues cannot have a significant impact because the EIR is focused on environmental issues and not social or economic.

Alternatives is going to be a key component of the EIR. We have identified some preliminary alternatives in the notice of preparation. Some of the alternatives have been identified by PG&E, and then we have some that have been identified by some of the responsible agencies.

Under CEQA, we're required to look at a NOP project alternative. And for this particular project

that could include more than one variation of a NOP project. We also, under CEQA, because it is a CEQA focused or state focused document, we need to look at consistency with project objectives when we identify alternatives.

We need to identify alternatives that reduce impact, and we need to look at the feasibility of the different alternatives. The alternatives are not going to be evaluated at the same level as the project, but they are going to be compared to the project so that there's a comparative evaluation of the different environmental impacts. And that was a very high level, because we want to get to your scoping comments. But if there's any questions on the EIR process, we can take them now.

MS. BLEWITT: Please raise your hand as before if you have any questions on the EIR process. If you're calling in, you can use the star 9 to raise your hand. Does anyone have any questions regarding the EIR process? I'm not seeing any.

MS. STRACHAN: So we'd like to open it up for your formal scoping comments and any comments that you made during the Q and A we are recording those and transcribing them, so they will be taken into account.

Comments that would be helpful to us would

address either the scope or content of the EIR, any local environmental knowledge that you have that you think we need to be aware of, any issues that you think we need to evaluate or you feel like we need to evaluate an issue in a certain way, that would be helpful, any feasible alternatives that you think we ought consider to PG&E's proposed project, and then any mitigation measures that you think are important for us to consider regarding PG&E's project.

We also, at this time during the scoping comments, are open to hear any of your ideas for other future site-use concepts that we should consider in the environmental document.

Just to remind you, if you'd like to make a comment, just please raise your hand. We're not going to limit the speakers to three minutes, because we don't have that many attendees today. If you're calling by phone and you need to raise your hand, just use star 9 and use star 6 to unmute yourself.

Before we open it up, we just wanted to make sure everybody understood that you can present your comments at any of the five scoping meetings that we're having, or you can email or mail your comments. We're going to leave this slide up during the comment period in case you need to write down any of this information.

So we do have one hand?

MS. BLEWITT: Yes, we do. Coleman Miller. Please state your name for the record and any organization or agency you're affiliated with.

MR. MILLER: Good evening. Can you hear me?

MS. BLEWITT: Yes.

MR. MILLER: My name is Coleman Miller. Tonight I'm calling as a citizen of Pismo Beach. In the long-term vision along this coastal property, when we think 20 years, 50 years out, could be a desire to connect the coastal trail to this land, and I think a consideration should be made for historic landmarks possibly along that future trail.

I believe Chumash has plans to convert the information center by 101 into some kind of information center more to the Chumash area, but if the coastal trail is connected, I would think north of the creek, that the Chumash could do their thing, but south of the creek, I would think a kiosk, perhaps, with the history of Diablo Canyon would be a good public service.

Many of the federal laboratories, the Department of Energy are doing this, like at Oak Ridge and other things where there's a kiosk along a trail showing the history of what was conducted at those sites.

Diablo Canyon was, of course, the poster child for the controversy of nuclear power. It's siting siting of the Sierra Club and a group that actually said to put the plant where it is versus the dunes down south in Pismo, and the other half of the Sierra Club said that they never wanted the plant to come about. So I think planning along that future coastal trail and having historic landmarks along that would be of value.

I did have question about what the NOP project alternative would be to that extent.

And I think the last thing I wanted to bring up is, I am an advocate for the barging, but if for some reason, barging is halted and they do have to do a lot of truck traffic from the Diablo site to the railyards, I would really think that the environmental impact thing would have to look at going to the electric tractors, as Tesla has put out, to reduce the CO2 generation from that truck transport that would be become local to the local railyards.

I understand that we need a diesel truck, really, to haul the shipments directly to one of the waste disposal sites out of state. Thank you.

MS. BLEWITT: Thank you. Are there any other questions, or comments, I should say, scoping comments pertaining to the EIR, the environmental impact report?

Please raise your hand. I'm not seeing any additional commenters.

MS. STRACHAN: Okay. Thank you, Lisa. If there aren't any more comments, then that concludes our meeting for tonight. We'd like to thank you for taking the time to attend. We recognize this is your private time, after probably a long day at work, and we sincerely appreciate you taking the time to attend.

We will be posting a recording of the meeting to the County's website. It will be able to be viewed there.

We do have additional scoping meetings. The same material will be discussed at each meeting; but if interested, we have one scheduled for December 1st at 10:00 a.m. and at 6:00 p.m., and then one on December 4th at 2:00 p.m. And the instructions on how to access those meetings, because they will be virtual again, is on the County Planning & Building webpage. There's a link specifically for Diablo Canyon Decommissioning.

Thank you again for joining us. We appreciate it.

MS. BLEWITT: Thank you. I'm going to stop the recording.

MS. STRACHAN: We'll end the meeting. Thank you very much everyone.

CERTIFICATE

I, the undersigned, a Certified Shorthand Reporter of the State of California, do hereby certify:

That the foregoing proceedings were taken before me at the time and place herein set forth; that a verbatim record of the proceedings was made by me using machine shorthand which was thereafter transcribed under my direction; further, that the foregoing is an accurate transcription thereof.

I further certify that I am neither financially interested in the action nor a relative or employee of any attorney of any of the parties.

IN WITNESS WHEREOF, I have this date subscribed my name this 16th day of November, 2021.

michele watson

MICHELE WATSON

CSR No. 8359

Appendix B4.4

Transcript – Scoping Meeting December 1, 2021
10:00 AM

DIABLO CANYON DECOMMISSIONING PROJECT

PUBLIC MEETING

WEB VIDEOCONFERENCE

WEDNESDAY, DECEMBER 1, 2021, 10:00 A.M.

Michele Watson
CSR No. 8359
Job No. 24704B

WEDNESDAY, DECEMBER 1, 2021, 10:00 A.M.

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MS. STRACHAN: Good morning, everyone. I want to thank you for taking the time to join us for the Diablo Canyon Power Plant Decommissioning Project Scoping Meeting.

I just want to go over a few items in terms of participating in the meeting via Zoom. So we're starting off the meeting tonight with a presentation. During that time all attendees will be muted.

We will have a few question-and-answer sessions and we'll have a scoping comment session.

If you're participating online, in order to speak during those time periods, use the raise-hand feature, which is located at the toolbar at the bottom of your screen, and then we will call on you to speak during the Q and A, or at the end of the presentation for the scoping meetings.

If you're participating by phone, you press star 9 to raise your hand and when called upon press star 9 to unmute. This meeting, as Sandra said, is being recorded and we'll repeat these instructions for how to participate before each of those time periods. So don't worry, you don't have to memorize all of this right now. Next slide, please.

I want to go through the meeting agenda, so we will go through introductions. I'm then I'm going to provide a description of PG&E's proposed decommissioning project. Once we go through the project description, we'll have a question-and-answer session. We do have representatives from PG&E available to help with that portion of the program.

Next, we're going to get into a discussion of future site reuse concepts. So these are concepts for what could be on the site once the decommissioning activities are over. This is a County-driven analysis. It's not part of PG&E's proposed project, but it is something that will be included in the environmental impact report.

We'll then have a second question-and-answer session to answer any questions with regard to this analysis. Followed by that, we will have a presentation on the environmental impact report process, and again, have a third question-and-answer period, followed by scoping comments, which again, is the opportunity for participants to provide comments on basically what they'd like to see covered in the environmental impact report.

Next slide please. So for introductions, as I mentioned, I'm Susan Strachan. I'm the nuclear power

plant decommissioning manager for San Luis Obisbo County. Cindy Chambers works with me, she's a senior planner with the County. And then we have Aspen environmental group. Aspen are consultants to the County. They will be preparing the environmental impact report for the Diablo decommissioning.

I want to point out that Aspen Environmental Group also is the group that prepared the environmental impact report for the decommissioning of the San Onofre Nuclear Power Plant in San Diego County. That decommissioning is going on right now.

Representing Aspen is Sandra Alarcon-Lopez, she's the EIR project manager, and Lisa Blewitt, who is the deputy project manager. And as I mentioned, we also have PG&E representatives who'll be available to answer questions and I will introduce them when we get to that portion of the meeting.

Next slide, please. Now, first let's talk about what the purpose of the meeting is, and scoping. So scoping is required under the California Environmental Quality Act. It requires a 30-day scoping period where people can make comments on content of the environmental impact report. I have to say that for this project, we're actually taking a longer scoping period, because when we issued the notice of

preparation, which is what kicks off that scoping period and counted out 30 days, that 30 days landed right around Thanksgiving. So we extended it to actually approximately 40 days to give more time due to the Thanksgiving holiday.

Scoping meetings are required for projects which are of statewide, regional- or area-wide significance. And again, it's an opportunity for agencies in the public to provide input on the scope and content of the EIR.

Now, there's three different ways the comments can be provided. They can be provided through a scoping meeting like we're having today, where you can provide verbal comments or you can provide written comments by mail or by email, and we'll provide information on the mailing address and the email address when we get to the scoping comment portion of the meeting.

The scoping meeting or scoping also provides an opportunity for agencies in the public to provide input on project alternatives, EIR evaluation methods, and mitigation methods.

Next slide, please. So now I want to get into providing a description of the project that has been proposed by PG&E to the County, go into a little bit of background on the application, talk about the

jurisdiction of some of the key agencies, discuss the power plant decommissioning activities, and then talk about some offsite locations for waste transportation that are proposed by PG&E.

Next slide, please. So to give some background on PG&E's land use application, they filed the application on March 29th, 2021 with the County. The application is for a development plan, coastal development permit, and a conditional use permit. The site actually has a portion in the coastal zone and then a portion in the inland part of the County, which is why you have the different permits or applications that were submitted.

Once the County receives the application, it then does a 30-day application review. It sends out letters to agencies and organizations asking for input on the application and then does its own review. So at the end of the 30 days, the County issued a comment letter on April 28th, 2021, listing additional information that we needed for the application.

PG&E responded with the filing of an application supplement on July 8th. County then did get another 30-day review, again, sent out referral letters to the agencies and organizations, and a second County comment letter was issued on August 9th.

PG&E then responded to that letter with a filing on October 6th. And on October 27th the County accepted PG&E's* application. With that application accepted, we then issued the notice of preparation on October 28th. Next slide.

So this slide is a general site vicinity of the Diablo Canyon Power Plant. The power plant is marked, or the boundaries are marked in blue. The yellow area are Diablo Canyon Lands that are owned by PG&E or Eureka Energy, which is a subsidiary of PG&E. Next slide, please.

So this shows the boundary of the power plant site marked in red and then actually in an aerial of the power plant site itself. Next slide.

So this slide shows the agency's jurisdiction. So the yellow line going through the middle marks the coastal zone. And so the area above the coastal zone in brown, that's the inland portion, portion of the site that is not in the coastal zone. The green part is that area which is in the coastal zone.

So from a County permitting standpoint, it covers both the inland and the green coastal zone portion. If you go then farther down toward where the water is, where Sandra has the cursor, that covers a jurisdiction that's under the California Coastal

*Note: The text was changed from Page's to PG&E.

Commission and the State Lands Commission. Next slide, please.

Now, this slide talks about the different activities by these agencies. So County of San Louis Obispo, we are the lead agency under the California Environment Quality Act. That means that we have the responsibility for preparing the environmental impact report. And again, the permits that would be issued, assuming the project is approved or listed below.

California Coastal Commission is a responsible agency under the California Environmental Quality Act. So we work closely with them to make sure that the environmental impact report is going to cover the things they need in order to do their permitting. That area down by the water on the previous slide is the original jurisdiction of the Coastal Commission.

So they'll be issuing a permit for activities in that area, but it's important to point out that the portion of the site within the coastal zone is in the appeal jurisdiction of the Coastal Commission. So any permit issued by the County within any Coastal Commission appealed jurisdiction can be appealed to the Coastal Commission.

California State Lands Commission is a trustee agency under California Environmental Quality Act. They

will be issuing a new lease or a lease amendment for project features within their jurisdiction, which, again, is down in that water area that was in the previous slide. And the Nuclear Regulatory Commission is a federal agency which oversees decommissioning process. So they're specifically cleanup, removal of radioactive structures and systems, transfer spent fuel, and then termination of the licenses for the project.

With the involvement of the NRC, state and local agencies are preempted for issues dealing with radiological hazards and radiological safety. And we'll get in that in more detail when we're talking about the EIR process. Next slide, please.

Now, the Diablo Canyon Power Plant Decommissioning, there are two nuclear units on the site. Unit 1, the license terminates in November of 2024, and Unit 2, the license terminates in August of 2025. PG&E had been embarking on renewing the licenses for these projects, but in 2016, stopped that license renewal effort, and determined that it was going to retire the plant.

In 2018, the California Public Utilities Commission approved the retirement of the Diablo Canyon Power Plant. And then PG&E initiated its permitting for the decommissioning activities. The plan is that PG&E

proposes to begin the decommissioning and dismantling of the plant in 2024. Next slide, please.

Now, the decommissioning will occur in two phases, two time periods. Phase 1, 2024 to 2031 is when preplanning and decommissioning activities will occur. In other words, this is a bulk of the decommissioning, a bulk of taking every thing down will occur during that phase 1 time period.

In phase two, which is 2032 to 2039, they'll be doing completion of soil remediation, final status surveys. These are surveys that are conducted as a requirement by the Nuclear Regulatory Commission to ensure that the site meets established radiological release criteria. And then they'll be doing the final site restoration of the site. Next slide, please.

Now, the project decommissioning, I think when people think of decommissioning, think about decontamination and demolition of infrastructure and buildings and structures, and that is a key component of it. But as proposed, it includes the retention of some structures and I'll go through those, the construction of new buildings and structures, which will be in a future PG&E owner-controlled area on the site. And I'll be going through that.

And then decommissioning also involves the

installation of temporary infrastructure and buildings that are needed to accommodate the decommissioning effort. And then it's also going to include the use of some offsite rail loading sites. Next slide, please.

Now, this slide depicts areas that are not going to be removed, and those are denoted in black in terms of roads within the plant site and in red in terms of different structures. So down by the water, we have the two break waters. PG&E proposes to have those remain. And the intake structure, PG&E proposes to have that remain also. These are the structures that could be available for future reviews by others.

Then moving on up, this is what we're going to get into, what would be referred to as a future PG&E owner-controlled area. You have the rectangle, which is the -- it says ISFSI, which stands for Independent Spent Fuel Storage Installation. That's where spent fuel is currently stored. And then once decommissioning begins spent fuel that's currently in, the reactors will be transported and stored up in that ISFSI. That is a site that has been previously permitted.

Next to it are the raw water reservoirs. Those will remain. There's a 230 KV switch yard which will remain, and a 500 KV switch yard, which will remain. Next slide, please.

Now, this slide covers the features which would be in the new PG&E owner-controlled area. Some of them, like ISFSI, for example, the switch yards, raw water reservoir that I pointed out in the previous slide, are existing structures that will remain and be in this owner-controlled area. The green boxes denote new construction. So given that the fuel will be up in this upper part of the site and the remaining part of the site will be decommissioned, a new security building will be built up in this area.

Also, a new indoor firing range will be built in this area. PG&E also proposes to build a Greater-than-Class-C waste facility, which will store reactor internals or process waste for which there is not a federal repository for it to be sent offsite similar to the spent fuel.

So that will stay on site also and be constructed as part of the decommission effort. Next slide.

Now, this slide, there's a lot going on here, but what I like about it is that it's a site layout for decommissioning for this lower portion of the site. And I think it depicts all that's involved in terms of decommissioning. So it identifies different lots. These are parking lots that will be used to accommodate

decommissioning workers.

Parking lots are also converted to serve as lay-down for the decommissioning effort. It shows buildings that are existing buildings that will be converted to uses to support decommissioning. So, for example, the main warehouse, which is identified in orange will be modified to create a waste handling facility where waste will be segregated, stockpiled, packaged for offsite transport.

There's another building, a flex equipment building, which will be modified to create what's referred to as an environmental count room or a lab to be used for testing soil samples. So this just gives an idea of what will go where during the decommissioning effort, which is a lot of activity. Next slide, please.

So some of the activities that are going to happen during the phase 1 decommissioning again, 2024 to 2031, temporary infrastructure and building modifications like those ones I just mentioned will happen during this time period. Decontamination and demolition of buildings, again, the new buildings and structures to be constructed in the future PG&E owner-controlled area will occur.

During phase 1, the spent fuel and Greater-than-Class-C waste will be transferred to the

independent spent fuel storage installation and the new Greater-than-Class-C waste storage facility, and removal and restoration of the discharge structure will begin during this phase. Next slide, please.

So this is a picture of the discharge structure during decommissioning. So this is the structure that will be one of the structures that will be removed as a result of decommissioning. Next slide, please.

So going on from the discharge structure removal, the picture on the right shows the circles are tight with a proposed coffer dam, basically creating an area where the water can be pumped out, creating a dry space for the discharge structure to be removed.

Other activities during this phase are removal of the nuclear reactor pressure vessels and internals, steam generators, site characterization to identify contaminated areas. With those contaminated areas identified, soil remediation will recur, and again, the final status surveys that I mentioned previously.

Also during this phase, modification and utilization of the offsite rail yards would occur. Next slide.

During phase 2 of the project, soil remediation and final status surveys would continue. Any infrastructure that is now not needed for retained

facilities would be removed. Final site restoration would happen. So this is the grading of the site, the development with storm water management system, now that structures have been removed, will be developed and revegetation would happen.

There will be monitoring of that site restoration effort for up to five years and then PG&E will terminate its NRC license, part 50 license, which covers the current operation of the plant, and it will transition into a ISFSI, meaning the spent fuel and the Greater-than-Class-C waste storage operations. Next slide, please.

I wanted to talk for a moment about decommissioning waste transportation. PG&E is proposing a blended approach for waste transportation. It will consist of transporting waste by barge, transporting waste by truck, meaning directly on a truck to an offsite disposal facility, and then transporting by truck to an offsite rail facility that I mentioned previously.

What's helpful with this blended approach is that barge transportation can accommodate much more waste than a truck can. And so by using barge transportation for taking waste off site, it dramatically reduces the number of trucks that would

otherwise be on the road transporting waste.

PG&E has used barge transportation before. That picture on that slide is steam generators that were transported on site in roughly 2006 time period. Next slide, please.

So I mentioned the railroading facilities. PG&E has proposed three different sites. This slide shows where they are in relation to the Diablo Canyon Power Plant. One site is in Pismo Beach. This site would be used as a contingency, and there would be no radiological or hazardous waste transported to this facility.

There are two other sites. One in the city of Santa Maria, one in Santa Barbara County. Both of these will be evaluated in the environmental impact report. However, ultimately only one of the sites will be used. Next slide, please.

Here's a depiction of the Pismo Beach rail yard facility. This is on property owned by PG&E, and it's off of Price Canyon Road. And again, this is a site that would be used as a contingency site. Next slide.

And then this shows the two sites. This Osborn yard is the one located in the city of Santa Maria close to Stowell Road. And then the second one is And then the one in unincorporated Santa Barbara County is at the

Betteravia Industrial Park off of Betteravia.

And with that, we'd like to take questions on the proposed project. As I mentioned previously, if you are participating online, please use the raise-hand feature at the bottom of your screen and we'll call on you to speak during Q and A. And then if you're joining by phone, press star 9 to raise your hand. When called upon, press star 6 to mute.

MS. BLEWITT: We have one person with a raised hand. Carl Wurtz followed by Jim Austin. Carl, please go ahead and ask your question.

CARL WURTZ: Thank you. This question is related to the EIR. At no time during these proceedings has any California agency considered the effect permanent shutdown of Diablo Canyon will have on climate change. Estimates predictable raise California's electricity CO2 emissions by 15.5 million times by 2030.

There's no indication it can possibly be replaced by renewable energy in 2025 or anytime in the future to comply with section 15126.6E1, of the California Environmental Quality Act. The environmental impact reviewer must always evaluate a no-project alternative or MPA.

The MPA compares impacts of the proposed project with impacts that would occur if a proposed

project were not approved and implemented. We hope and expect San Louis Obispo will undertake the responsibility with all due diligence and we wish to avoid litigation; but if necessary to ensure compliance, we plan to litigate the matter aggressively.

We will show lending scope to only impacts directly linked to the commissioning activities is inconsistent with the purpose and intent of CEQA and has precedent case law. So what I'm asking today is will San Louis Obispo County commit to thoroughly investigating the impact Diablo Canyon's closure will have on climate change?

MS. STRACHAN: I want to address the first. When you started your comment, you made the comment that no agency has looked at this. This actually was before the California Public Utilities Commission. And when I had that slide about approving the retirement of Diablo Canyon, that's where that issue came up, and climate change was addressed. That's where the question of closure of the plant was asked in a regulatory environment. So that was that proceeding.

The project before us is the decommissioning of the plant since the decision of closure has already been made. We will get into the no-project alternative as required by CEQA, but in terms of the greenhouse gas and

energy supply, that's a California Public Utilities Commission matter.

CARL WURTZITE: I would disagree. The environmental impact report applies to all aspects of the plant and decommissioning is permanent. And there's no doubt that CEQA would require you to investigate the impact on climate change. That's what the purpose of the California Environmental Quality Act was.

MR. JONES: Susan, if I might, from a licensing standpoint, the licensing is going to be expired. So the no-project alternative can't compel a federal agency to issue a license to continue to operate the plant. That's outside the scope the CEQA proceeding.

CARL WURTZ: We're not talking about licensing. We're talking about the impact on the environment of closing the plant.

MS. STRACHAN: I understand your comment. And this is something that we'll have that, I'm assuming, concluding that with scoping comments, but I do understand and appreciate your comment.

MS. BLEWITT: Just to reiterate there will be multiple opportunities to ask questions. At this point in the presentation, the focus is questions on the proposed project and the project description itself. We'll then be going through the EIR process and

answering questions at that time. And then we will be doing the scoping comments. And that's the more formal portion of the presentation.

The next person is Jim Austin.

JIM AUSTIN: Thank you. I'm the fire marshal for the San Maria Fire Department. And the two proposed sites -- I've done a site visit of both, and I realized this is going to be evaluated in the EIR. So I'm not sure if I'm jumping ahead or what, but we have a concern about the Osborn Yard. It's adjacent to a dense residential neighborhood. So it would be our preference that the Betteravia site be the transfer site. It's not that we're trying to punt the operation to somebody else's jurisdiction because we are actually through automatic aid and mutual aid.

Our engine too is the first in that area, so we would still be responding to it. But that area is very rural, very little, there's no residential really. And we just think it's a more appropriate site. So, I don't know if we'll be involved in the EIR or we'll be reached out to, but I just wanted to raise that concern. Thank you.

MS. BLEWITT: Thank you. Thank you, Jim. Next person with raised hand is Kara Woodruff.

KARA WOODRUFF: Can you hear me okay?

MS. BLEWITT: Yes.

KARA WOODRUFF: Thanks for the presentation. Quick question. Is the proposed Greater-than-Class-C waste storage facility, the new facility being proposed inside or outside of the coastal zone?

MS. STRACHAN: It's outside of the coastal zone.

KARA WOODRUFF: Thank you.

MS. BLEWITT: Thank you. The next person with the raised hand is Sherri Danoff. Please unmute yourself.

SHERRY DANOFF: Thank you. Yes, I've just unmuted. I'm recalling in PG&E's initial application there was a section on reuse on site of demolished materials that are nonradioactive, basically, a feasibility study. And it suggested that a great deal of material could remain on site and mixed with soils that were also on site. And I'm wondering if there's any quantification as to how much material would remain on site and, therefore, not have to be either trucked or barged off site.

MS. STRACHAN: So I think you're referring to the clean concrete that they're proposing to use as fill. And that is part of the project.

Tom, in terms of volume do you know? Off the

top of my head, I don't remember those numbers in terms of what that volume is.

SHERRY DANOFF. Okay, thanks.

MR. JONES: Susan, I have it more in percentages, but we do have a graphic. So I'm asking staff to pull that and mail it to you so we can share the concepts and how it reduces waste and then reusing the items for fill.

KRIS VARDIS: This is Kris Vardis I'm getting that graphic and sending it to you, Susan.

MS. STRACHAN: Actually if you can send it to Sandra, that would be great since.

KRIS VARDIS: Yeah. And in regards specifically to recycling of concrete, about 265,000 cubic yards of clean concrete would be recycled and reused on site.

SHERRY DANOFF: That's very helpful. Thank you.

MS. BLEWITT: Thank you, Sherri. We have one additional person with a raised hand. Dana Eady, please unmute yourself.

DANA EADY: Hi. Can you hear me okay?

MS. BLEWITT: Yes.

DANA EADY: Hi. Thank you. So my name is Dana Eady. I'm the Planning Division Manager with the City

of Santa Maria. And I have been in contact with Susan regarding the Osborn site in the past few months. I did want to just mention that the City is going to be sending a letter requesting that the scoping period be extended so that we have additional time to review this.

And we also have not received any contact from PG&E yet regarding the Osborn site and we have some concerns as well about the proximity of existing residences to the site as Jim mentioned, our fire marshal mentioned, and just need more information from PG&E about the proposal.

So I just wanted to mention that we are going to send that letter in prior to the deadline, which I think is the 6th. So thank you. That was just the comments I had at this point.

MS. BLEWITT: Thank you, Dana. There are no other raised hands at this time for questions regarding the proposed project.

MS. STRACHAN: Okay. Why don't we move on then to the next segment. So briefly I want to talk about a component of the EIR, appendix to the EIR that the County is going to be doing with Osborn. And this is looking at future site reuse concepts. So this is going out into the future, as it shows on the slide.

We're looking at beyond 2040. So, once

decommissioning, These would be activities or potential activities after decommissioning is completed. This is a County driven analysis. This is not part of PG&E's proposed project. It is not proposed by PG&E. It'll be looking at reuse concepts to provide an early high level analysis of possible post-decommissioning uses.

This would give an idea of what could be potential issues or impacts with some reuse concepts. Next slide please.

So some of the concepts that are under consideration by the County would be a university campus, developed recreation such as camping, day use recreation, hiking, kayaking, research facility, renewable energy generation or storage, a resort hotel, mixed use, which could be a combination of different concepts or an offshore wind port support facility. So, we know that reuse is an important aspect of this project for people.

We did want people to know that we are going to be doing this high-level evaluation. Next slide, Sandra. And so, we just want to know if there's any questions on the analysis side of the reuse concepts. If there's other concepts that people are interested in pursuing, that could be brought up, if you can, during scoping. Just looking if there's any questions on the

analysis that will be done.

MS. BLEWITT: We have one raised hand at this time for Kara Woodruff Please unmute yourself.

KARA WOODRUFF: Hi. Another quick question. I noticed on your slide it talks about future uses after 2040. As you know, there's a lot of activity and discussion about reusing Parcel P at the Diablo Canyon area. And I think there's an assumption that some reuses could occur before 2040, in the midst of decommissioning.

And so, I guess I'm just trying to get clarity. When you talk about the reuse of Parcel P, are you saying nothing like this is going to happen until 2040 at a minimum?

MS. STRACHAN: Thank you Kara. That's a good question. Not necessarily. It was just trying to put it in perspective that generally speaking these uses are post-decommissioning; but you're right. If there's something that could potentially occur sooner than that, this wouldn't preclude that from happening.

KARA WOODRUFF: Okay. Thank you.

MS. BLEWITT: We have an additional raised hand. Sherri Danoff. Please unmute yourself.

SHERRY DANOFF: Yes. Thank you. I'm wondering if the analysis of future uses and specific to resort

hotel would include access. And I bring that up because access through Avila Beach on weekends and particularly during warm weather seasons is already over capacity and a resort hotel would have access through Avila. So would that be considered?

MS. STRACHAN: It would need to, again, at a high level, assume a certain amount of traffic. So, that would need to be part of the analysis.

SHERRY DANOFF: Okay. Thank you.

MS. BLEWITT: Are there any other questions regarding the reuse concepts?

Susan Harvey. Please unmute yourself.

Susan Harvey: Hi, thank you. Are you anticipating that this analysis of future use is going to lead to a development agreement now? It seems a little premature.

MS. STRACHAN: No, it's not. It's literally just to do an evaluation, again, at a very high level to give an indication of what could be potential issues or impacts associated with any of these concepts.

SUSAN HARVEY: Okay. Thank you.

MS. STRACHAN: So it's for information purposes. That is probably the best way to say it.

SUSAN HARVEY: Thank you.

MS. BLEWITT: Are there any other questions related to the reuse concepts? I see none.

MS. STRACHAN: Thank you, Sandra.

MS. BLEWITT: Wait. There was a hand, but then it went away. You can move on. Sorry.

MS. STRACHAN: Maybe we should ask Matt because he had a question at the very beginning.

MS. BLEWITT: I think that's who raised their hand and then took it away. Matt, if you want to raise your hand again. Perhaps later.

MS. ALARCON-LOPEZ: Okay. Thank you. What I'm going to do is give you just a very quick overview of the environmental impact review process. As Susan mentioned, I'm Sandra Alarcon-Lopez. I'm with Aspen Environmental Group. And we are working with the County on the preparation of the environmental impact report. In terms of the actual document, there were just a couple of things that we wanted to bring up and they're listed here on this slide.

Number one, the County recognizes that this is a discretionary approval and it is one that has the potential to cause impacts. And for that reason as the lead agency for the environmental document and for CEQA review, they've decided to move forward with an environmental impact report.

As allowed under the California Environmental Quality Act or CEQA, the lead agency can move forward

with the preparation of the document even without the initial study. And that's what we're doing in order to move forward in the process.

This next slide gives you an idea of the different steps. And this is only the environmental review process. And one thing that we would like to do is just to let you know is that we're at the early stages of the process. As you see here, we're at the public scoping period. We.

Have five scoping meetings that we're putting forth. This is the third one in the series. We're presenting the same content, same information at all three meetings. There will be other opportunities for the public to participate in the environmental document. We're only at the early stages.

Once we get everybody's input and comments on the document, any ideas or information that you have for us, we'll prepare a draft environmental impact report. When that document is released, it'll give the public another opportunity to look at the project potential impacts and those type of issues.

In addition, there will be public hearings associated with the project. And that's after we've had an opportunity to take comments on the public document, the draft environmental document and then prepare a

final environmental impact report. When we prepare this final document, we will respond to all of the written comments and all the comments that we receive on the draft document. So that will include both the draft EIR and any issues or comments that are presented.

This generally gives you information about the content that is going to be included in the environmental document. We're going to have a detailed description of PG&E's proposed project. And for all of the environmental issue areas that we're going to evaluate and discuss in the document, we're going to provide an environmental and regulatory section for each of those issues.

We're also going to look at impacts, what impacts to air, water, other issues are going to result from the proposed project. And when we're talking about the proposed project, we're talking about PG&E's project as described in their application to the County. We're also going to identify and evaluate any alternatives.

As part of CEQA, we have to look at what alternatives could easily be implemented to reduce significant impacts of PG&E's project. We also talked a little bit earlier about future use concepts. That's something that the County would like to include in the environmental document. And we're going to look at

those issues in a separate chapter in the EIR because they are done, as Susan mentioned earlier, for information purposes.

There are a number of different issues that are being evaluated in the environmental document. They're listed on this particular slide. And I think that the key issue here is that we haven't made any decisions on any of these issues yet. We're in the preliminary stages of the environmental document.

We've been evaluating and looking at a number of different technical reports for the project site. And then we've also been coordinating with responsible agencies. So some of the issues that you see here like these right here are issues that are also going to apply to some of the responsible agencies, like the State Lands Commission and Coastal Commission that we'll evaluate and look at in the environmental document.

One of the issues that we wanted to specifically just mention, because it's come up several times in some of the community meetings, is NRC or Nuclear Regulatory Emission Preemption and the discussion of the radiological hazards.

The NRC has exclusive authority over that issue, meaning that they regulate how the material is handled, stored, transported, all components of managing

that particular material and waste. And so when we're talking about how that's going to be looked at and presented in the environmental document, we will discuss it because the County has to look at the whole of the action.

What is the entire project and how is that going to be addressed in the document? So we will present the NRC requirements and we'll also identify some of the safety plans that are in place to meet some of those NRC requirements. We had the one slide that included all of the different issues that are being considered in the environmental document.

And one thing we wanted to just relay is that when we're looking at these different issue areas, we need to be comprehensive and we're going to look any direct, indirect, cumulative or growth-inducing effects of those issue areas. We're going to look and evaluate significant impacts that we think could potentially result from the proposed project.

Where we can, we're going to look at mitigation measures to reduce impact and we're going to look at social and economic issues; but they're not considered significant under CEQA. They're just for information purposes.

One thing that I did want to point out that I

forgot to mention in the previous slide is that when we are looking at radiological hazards, we're going to use a very similar approach to one that we used on the SONGS EIR, and that is to look at and document what NRC requires and what is actually being implemented by PG&E at the site.

One of the key issues that we're looking at and that's required in the evaluation is the evaluation of alternatives. When we're looking at and identifying alternatives, we look at what are the objectives of the project, how could we find an alternative to the project that meets those objectives but also reduces potential impacts, and we also look at the feasibility of an alternative. Is it really a viable alternative to replace the project?

We also have to look at under CEQA the no-project alternative. For this project that's a little bit tricky because they've already moved forward with decommission, so to speak. And there is really no action alternative. So one of the alternatives of PG&E is pushing forward the safe store, which allows them to decommission over extended period of time, which is roughly about 60 years.

The alternatives in the CEQA document are evaluated and less detailed than the proposed project

and that's in general. But we may find, depending on the different alternatives that we look at, that some may need additional evaluation. And this is one area where if you have any input, we'd like your input on those alternatives.

With that, we'll open it up for any questions on the EIR process.

MS. BLEWITT: We have several raised hands. We'll start with Carl Wurtz.

CARL WURTZ: Hi. Thank you. Ms. Alarcon-Lopez said that the evaluation of an EIR is a little tricky because, I believe she said that, decommissioning process has already begun. That can't happen because the environmental impact report needs to be approved before decommissioning can begin, even though formally the process, the legal process has begun. Decommissioning has not.

Let's get that straight right now because we cannot begin decommissioning until the EIR has been approved.

MS. ALARCON-LOPEZ: Right. And you're correct on that. I should have said that it's the licensing portion of it, not the decommissioning. The decommissioning is what we're evaluating in the environmental document. So I misspoke on that. So I

apologize.

CARL WURTZ: I just wanted to mention too that I was encouraged to see that Aspen plans to examine the effects on climate change of this project because that's essential. Thank you.

MS. ALARCON-LOPEZ: Lisa, are there any other comments? Tom has his hand up.

MR. JONES: Yeah, I just wanted to clarify quickly, when Sandra was going over some items, she referenced safe store and just the language I want to be clear that we've put that in as a request for the alternatives analysis, but that is not something we are seeking.

Our goal is to go directly into decommissioning discretionary permits between now and 2024. So while it's part of the alternative analysis and should be responsible to do, but that's not the company's preference. I just don't want there to be confusion of that.

MS. ALARCON-LOPEZ: Thank you for clarifying that. That's true. And I did mention it under the alternatives, so I apologize if it was unclear, it was in a proposed alternative.

MS. STRACHAN: Sandra, I think we may have lost Lisa.

MS. ALARCON-LOPEZ: Yes, we did. We're fine. I do see that Carl has his hand up.

CARL WURTZ: I just lowered it. I think my question was answered. Thanks.

MS. ALARCON-LOPEZ: Okay. Susan Harvey, I'm going to unmute you.

SUSAN HARVEY: Hi. Excuse me. Thank you. I noticed in the description, project description, there was a reference to ministerial permits that would be issued. And I'm wondering if you will describe what those are going to be and also what potential impacts there might be from ministerial permits, because there's no indication of what that might encompass in the project description.

MS. ALARCON-LOPEZ: Ministerial permits would typically be building permits, demolition permits when we speak of ministerial permits tied with an effort like this.

SUSAN HARVEY: So I'd like to see an analysis done of what those impacts might be and what those ministerial permits might be in the EIR. Thank you.

MS. ALARCON-LOPEZ: Thank you. One second here. Jack Krasner, I'm going to unmute you if you could give us your comment.

JACK KRASNER: Thank you very much. My

question is regarding the waste storage. So this presumes that the decommissioning will go forward as cautious as I am about that. Will the EIR include comments on monitoring the ongoing materials to assure that if there's any escape or any hazards to the environment, that there'll be the most modern techniques to detect such issues?

MS. ALARCON-LOPEZ: Sorry we had somebody that lost connection. But yes, we will look at monitoring from the sense of potential mitigation measures and evaluate it in that regard if we find a particular impact that could potentially be one of the mitigation measures that are looked at and evaluated in the environmental document.

JACK KRASNER: Thank you.

SUSAN STRACHAN: I just want make sure I'm clear, because you mentioned waste storage, any waste storage tied to the spent fuel or the greater than Class C waste and monitoring requirements associated with that are under the purview of the Nuclear Regulatory Commission. And again, as Sandra said, there's preemption issues there the EIR will nevertheless identify those federal requirements, but again that's under the monitorings of NRC requirement.

JACK KRASNER: Got it. Thank you.

MS. BLEWITT: So I also have a question from McKayla. Sandra, you'll have to unmute her.

MCKAYLA: Hello. I had a question regarding how alternatives versus reuse options are going to be analyzed and if they'll be completely separate or would there be opportunities for those to overlap and how that would be approached?

MS. STRACHAN: Want me to tackle that one, Sandra?

MS. ALARCON-LOPEZ: Sure.

MS. STRACHAN: They're separate. So the reuse concept is a completely separate section of the document. Again, looking at a high level what reuse possibilities there are and what could be potential impacts associated with those, the decommissioning alternatives would be in a separate sequel, required alternative section of the EIR that would speak directly to alternatives to the decommissioning effort.

MCKAYLA: Okay. So if a reuse option provided a less environmentally impactful option because of reuse of infrastructure, what have you, that would be within the reuse plan?

MS. ALARCON-LOPEZ: Yes, correct, and completely separate from the decommissioning alternative section.

MCKAYLA: Okay. Thank you.

MS. BLEWITT: Thank you, McKayla. We also have a raised hand from Sherri Danoff.

SHERRI DANOFF: Okay. Am I unmuted?

MS. BLEWITT: Yes.

SHERRI DANOFF: Okay. I have concern about storage of spent fuel, storage and casks and the existing area where it's stored. Is there any possibility of evaluating containment for at least the existing casks, which as I understand it are subject to sea air corrosion?

Also, I've read a recent report that has a lot of concern about safety and vulnerability of the current location because it's not under containment. So this is an NRC issue, but how might this be handled in the EIR?

MS. STRACHAN: I appreciate the question that what we need to keep in mind is that the ISFSI has already been permitted. So it's more included under baseline, because it's already there and it's already been permitted as a previous project. The EIR would not get into discussing existing issues with regard to THE ISFSI. Any safety concerns, et cetera, like you're raising, would need to be raised with the NRC.

SHERRI DANOFF: Susan, I'm not sure where it is in the process, but PG&E very recently was applying for

a new permit for the ISFSI. If I'm remembering correctly, the earlier one is expiring. Tom is available to clarify that for me.

MS. STRACHAN: Tom, why don't clarify the NRC license issue.

MR. JONES: Yeah, thanks. So there's a nuance here. So we also completed this activity at Humboldt Bay. There's no impact or change to the coastal resource.

The permits from a land-use perspective from both the County and Coastal Commission were looked at in perpetuity. The NRC, however, gives you license for specific durations, originally 20, and then up to a removal of 40 years. So that licensing activity will result in a referral to the Coastal Commission; but, for instance, in the Humboldt Bay project because there was no impact or change of use to the coastal resource and it was a continuation of the current use, there was no permit issued.

It's called CZMA, a Coastal Zone Management Act. And the Federal Government will refer to a state jurisdiction, but it did not require a coastal development permit. It's strictly a licensing activity.

SHERRI DANOFF: Okay. Thank you, Tom and Susan.

MS. BLEWITT: Thank you, Sherri. We also have question from Will Almas.

WILL ALMAS: Hello.

MS. BLEWITT: Yes.

WILL ALMAS: I'm unmuted?

MS. BLEWITT: Yes.

WILL ALMAS: Yes. This question pertains to nonradiological and nonhazardous waste generated by the decommissioning activities. It's my understanding that there is some mandate letter, some governmental directive that at nuclear plants waste of that nature that is nonhazardous and nonradiological will not be left on site.

I'd like to see an analysis of the carbon footprint and the necessity really getting down the necessity and alternative of disposal of particularly clean concrete on the site to reduce the carbon footprint of the decommissioning activities. So that would be a concern of mine and I hope you can look into that.

And I'd be interested if you can give some background or if you are aware of a mandate by the State of California that would prohibit you from going through that during the CEQA process.

MS. BLEWITT: Thank you, Will. We also have a

question from Gene Nelson.

GENE NELSON: Yeah. I just wanted to make sure that my public comments had been registered. I emailed them to Susan earlier this morning, so I just wanted to confirm they're being received and that they will become part of the record.

MS. STRACHAN: Gene, I'm checking now. You just sent?

GENE NELSON: They were sent earlier this morning.

MS. STRACHAN: Okay. We'll double check. Did you send them to me or to --

GENE NELSON: I sent them to the general --

MS. STRACHAN: Okay. I'm sure we have them. I can't check right now because you sent to that before.

GENE NELSON: Right. Good deal. In other words, we do anticipate that we will be litigating this issue. I'm the legal assistant for Californians for Green Nuclear Power, Incorporated, and the entire problem is that you folks are doing the same thing they did at SONGS, which is to improperly exclude from the scope cessation of plant operation and adverse environmental consequences.

And today I talked about some adverse consequences related to public welfare and safety. So I

appreciate your acknowledgement at least that I've sent to this email address at a prior time.

MS. BLEWITT: Thank you, Gene. And just as a reminder, if you need to raise your hand and you're on the phone, you should press star 9 to raise your hand, if you have any questions regarding the EIR process. I see no more raised hands with respect to the EIR process at this time.

MS. STRACHAN: Go ahead, Sandra. You want to cover it?

MS. ALARCON-LOPEZ: So what we want to do now is actually open it up for official comments. We had some Q and A, and I hope that didn't get too confusing in terms of the Q and A versus the actual comments, but we're now going to open it up for actual scoping comments.

We want to get your input on the scope and content of EIR. Any local environmental knowledge that you think we ought to be aware of or consider, any issues that you think need evaluation or are issues that you think are not being addressed, any alternatives that you think we ought to consider with regard to PG&E's proposed project and any mitigation measures that you think we ought to take into consideration to avoid or reduce impacts of the proposed project.

We also had mentioned earlier the reuse concepts. If you have any comments on those, we'd be happy to take them during this period as well. We wanted to specifically remind you that now when we get into this formal process, we're literally just going to take one comment after another.

When you raise your hand, it'll come into a certain order. We'll call your name and if you could state your name and affiliation for the record we would appreciate that. We're going to limit any comments to three minutes if we get a lot of commentaries. If you're joining by phone, we do see that one person joined by phone. If you could raise your hand by pressing star 9 and you can unmute yourself by pressing star 6.

The raise-hand feature that you see here on the slide, if you just put your cursor to the bottom of your screen, you'll see all the tools associated with Zoom.

We will go ahead and open it up now for comments. If you could raise your hand and let us know your comments and just as for your information, as we noted earlier, we are recording this particular meeting and we will take into account all of the questions and comments that we've gotten this far.

If you have any other questions, please present

them at this time. And we're going to leave this slide up during the comment period so that you can see the information regarding where you can email a comment or mail a comment on this particular project. With that, I'll turn it over to Lisa.

MS. BLEWITT: Thank you, Sandra. We have our first commenter, Matt Downing. Please state your name and affiliation, for the record, and then provide your comment.

MATT DOWNING: Certainly thank you. Hopefully you can all hear me. My name is Matt Downing. I'm the Community Development Director for the City of Pismo Beach. The City is a responsible agency for this project and we are very grateful for the partnership with the County up to this point, specifically to Susan and to Cindy for reaching out to us.

Similar to Santa Maria, we will be requesting that the scoping period be extended. We've been requesting to meet with PG&E representatives to better understand the work that's proposed in the City. And while that hasn't happened yet, we do look forward to that occurring.

The EIR should take a look at the traffic circulation in the city including any necessary signals or other traffic control devices that are necessary.

Additionally, we need to know the potential impacts to our public safety with our police and fire stations being on Bellow Street. The EIR should study air quality impacts associated with truck trips and additional train hauling trips through the city. And then connected to these impacts, our impacts to sensitive receptors in the area.

So the Pismo Beach rail yard is located in close proximity to Judkins Middle School and multifamily and single family residences to the southeast of Price Canyon Road. And so, we need to know the impacts to those folks, and included air quality, GHG noise impact to these sensitive receptors as well.

We also know that this area is very culturally significant and next to known cultural sites. And so, we need to determine any improvements at the rail yard should identify any cultural impacts through those resources as well. Tied to that, it's in close proximity to Pismo Creek. So any improvements need to be looked at in relation to the flood plain in that area.

And then lastly, we want to commend the County for taking a look at future uses of the site as the decommissioning occurs. And really, we need to understand the access to the area is one way in, one way

out, and can have significant impacts to the city circulation at the north end of town and along our frontage road.

So, I have other comments on the user potential uses, but those aren't related. So I'll just leave those for a later days. So, thank you all very much for your time and for this opportunity.

MS. BLEWITT: Thank you, Matt.

KRIS VARDIS: All right. Excuse me. This is Kris Vardis. Can I interject? I just wanted to provide a couple items. First is that we will be meeting with the City of Pismo Beach today. We have a meeting scheduled at this afternoon. We will be meeting with representatives from the City of Santa Maria on the 16th. So, I just wanted to make that clear.

MS. BLEWITT: Thank you, Kris and Matt. We also have raised hand from Kara Woodruff. Please state your name and affiliation for the record.

KARA WOODRUFF: I'm Kara Woodruff and I'm a member of the Diablo Canyon Decommissioning Engagement Panel. But my comments here today are just as an individual. I'm going to be submitting written comments on the scoping documents, but I wanted to just briefly state the four points that I was hoping to provide into the record.

The first, when you take a look at the project description, it's Section 3.3.4, the environmental analysis paragraph. It says that the EIR process will really look at two activities. Number one, decontamination and demolition and, Number 2, the transportation of debris. But really, there's two other items that have to be included.

KARA WOODRUFF: And I see there's a lot of language elsewhere that suggests you're going to make this discussion broader, but this particular paragraph only lists those two. And clearly you also need to take a look at the impacts related to the new facilities that will be constructed. Number 4 related to the retention of certain facilities that were initially intended when they built to be removed upon decommissioning.

So really your environmental analysis has to have really all four of these activities squarely addressed, not just the two that are mentioned in the document.

Second point is, under the project setting there is some discussion about the context or the decommissioning, et cetera, but you really don't go into hardly any detail about the significant community-based activities that will inform decommissioning and the future of this land.

So, for example, the Diablo Canyon Decommissioning Engagement panel has been engaged now well over three years, talking about decommissioning, offered many public meetings with people for an opportunity to make comment. And a lot of those comments were contained in the strategic vision document, which is available on our website. I don't see really any real reference to that in your analysis and I'm hoping to conclude it.

Also, there has been a lot of discussion and community activity centered around the future of the Diablo Canyon Lands. There's a document called the Conservation Framework, which is at the website, diablocanyonlands.org. It contains a lot of information about the land and the future of it and I really think that your document should reflect that history, as well.

And finally, in the year 2000 the County voters voted for the Dream Initiative, which called for the conservation of the land post-decommissioning. I think that also should be referenced.

My third point is regarding project mitigation. You do very briefly discuss the prior coastal development permits for Parcel P projects, but you really don't give it enough attention. And I think it's incredibly important knowing what the past is regarding

the mitigation and figuring out what you're going to do in the future.

And so, I would suggest that you go into greater detail about what permits were issued and what was a legal basis for those mitigation measures, which include the Pecho Coast Trail or the Sean Trail and the 1200 acres at Point San Louis. I think that's really important to understand the concept of mitigation. And without it, you're really not providing sufficient analysis for the decision-makers on this issue.

And then my final point is regarding the ISFSI, dry cast storage site. I know there is debate about whether the mitigation for that site was intended to be mitigation to ask in perpetuity or whether it was just for a shorter period of time.

I think this is something that the County should take a close look at. Things have changed since that permit was issued. And I think we now have a much better idea that it's likely that those dry cast storage sites will stay on site for a lot longer than anybody anticipated. And I don't think it's accurate to simply say that that mitigation was done in perpetuity.

It's a very complex record with the Coastal Commission and I encourage you to look at it, because there's a lot of conflicting language at those different

directions.

Again, I'll be submitting more formal detail comments by email, but that's a summary of what I'll be talking about. Thanks for your time.

MS. BLEWITT: Thank you, Kara. We also have a commenter, Mike. Please state your full name and affiliation for the record.

MIKE GATTO: Thank you everybody. This is Mike Gatto. I'm an attorney for Californians for Green Nuclear Power, which is a local-based environmental nonprofit. We have several concerns, but I'm going to focus today on the most CEQA-related one.

As many of you know, CEQA is a very comprehensive statute and it's very difficult to deal with. And as somebody who, like myself, has been on your end of the table, I understand that it is daunting when you have to go it through all the various CEQA considerations. But CEQA was revised in 2018 and it added to the list of things that you must consider when reviewing a project like this.

And the main ones that we have a concern with are the global effects for greenhouse gas emissions in the context of decommissioning the global effects on climate change, what could happen to the state as a whole with respect to greenhouse gas emissions that

result from taking 9.9 percent of GHG-free power off the table here in California?

The County is going to be responsible for taking that analysis or making that analysis. It must consider what the alternatives are going to be. And I realize this is difficult for a County to take this on, because obviously the County is not involved in planning power for the state as a whole and it's not responsible for -- it has no jurisdiction over worldwide climate change concerns.

But the 2018 amendments to CEQA do require the County in the context of this project to consider what will happen for greenhouse gas emissions if and when Diablo Canyon is taken offline. That means making sure that there is accurate data in the record as to where the State purports to get the alternative power.

This is a very important part of your task and it's part of your impacts analysis and it should be something that should be prioritized in these documents.

The other thing we want to highlight is that with respect to offering adequate CEQA alternatives, we believe that a no-project alternative should be something that is considered very thoroughly; that, of course, is because we are concerned that this proposed decommissioning would have dire effects on greenhouse

gas emissions in the state of California as a whole and for the globe.

So, that's a summary of our concerns. We too will be submitting them in writing and making sure that we follow the process closely, but we respect that you have a very tough project ahead of you, a very tough task ahead of you. It's very thorough and it's a lot of work. We don't mean to add to it, but it is the law. It has been the law since January 1st, 2019 that these considerations must be part of your analysis. Thank you very much.

MS. BLEWITT: Thank you, Mike. And just for the record, can you spell your last name?

MIKE GATTO: Yes. It's G as in George, A as in apple, two Ts like Tom, O as in Oscar. And we submitted a letter with some of these themes in July of 2021 relatively soon after the submissions process opened. And we'll make sure that we get this letter in the official record to the extent that it's not already with some additional comments very shortly.

MS. BLEWITT: Great. Thank you so much.

MIKE GATTO: Thank you.

MS. BLEWITT: Are there any other scoping comments at this time? Again, if you're dialing in through your phone, please press star 9 to raise your

hand. I do not see any other raised hands at this time.

MS. STRACHAN: Okay. Thank you, Lisa. We'll put up the last slide. So I want to thank all of you for participating in the meeting, your questions, your comments. As I mentioned at the beginning, a recording of the meeting will be added to the Diablo Decommissioning webpage. That is a page within the Planning and Building County webpage.

In addition, the PowerPoint is actually already on that webpage right in the same vicinity as the recordings of our previous two meetings. So, once again, I want to thank you for your participation. We really appreciate it and that will conclude today's meeting. Thank you. I'm going to go ahead and stop the recording. Thank you everyone for your participation. Thank you.

CERTIFICATE

I, the undersigned, a Certified Shorthand Reporter of the State of California, do hereby certify:

That the foregoing proceedings were taken before me at the time and place herein set forth; that a verbatim record of the proceedings was made by me using machine shorthand which was thereafter transcribed under my direction; further, that the foregoing is an accurate transcription thereof.

I further certify that I am neither financially interested in the action nor a relative or employee of any attorney of any of the parties.

IN WITNESS WHEREOF, I have this date subscribed my name this 13th day of December, 2021.

michele watson

MICHELE WATSON, CSR

CSR No. 8359

Appendix B4.5

Transcript – Scoping Meeting December 1, 2021
6:00 PM

DIABLO CANYON DECOMMISSIONING PROJECT

PUBLIC MEETING

WEB VIDEOCONFERENCE

WEDNESDAY, DECEMBER 1, 2021, 6:00 P.M.

Michele Watson
CSR No. 8359
Job No. 24704B

WEDNESDAY, DECEMBER 1, 2021, 6:00 P.M

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MS. ALARCON-LOPEZ: This is the public scoping meeting for the Diablo Canyon Decommissioning Project at 6:00 p.m. and we're going to go ahead and start the meeting and I'll turn it over to Susan Strachan of the County of San Luis Obispo.

MS. STRACHAN: Thank you, Sandra. Hi, everyone. I'm Susan Strachan and I'm with San Luis Obispo County. I'm overseeing the permitting effort for the Diablo decommissioning for the County. And I want to thank you all for joining us tonight for the scoping meeting.

Sandra, could I have the first slide, please. I just want to go through how you participate via zoom. First of all, all attendees will be muted during the presentation. We will have some question and answer periods and then a period at the end to receive scoping comments. If you're participating via zoom, you use the raise hand feature and we will call on you to speak during the Q&A and at the end of the presentation for the scoping meetings or scoping comments. If you're participating by phone, you'll press zero star 9 to raise your hand and then when called on press star 6 to unmute.

I do want to point out the meeting is being recorded and that the recording of this and all the scoping meetings that we're holding will be posted to the County Planning and Building webpage specifically on the Diablo Decommissioning page. And we'll repeat these instructions as we get to the point of making comments. Next slide please.

So I want to start by going through the agenda for today or tonight. We'll do some introductions and then we'll give an overview of PG&E's proposed decommissioning project. And then we'll have a period of question and answers on that project description. We'll then get into what is an analysis that'll be included in the environmental impact report. It's something that the County is doing on feature site reuse concepts. And again, after that we'll have a question and answer period. Sandra will then get into a description of the EIR process, followed by a question-and-answer period. And then lastly, we will open it up to take scoping comments.

Next slide, please. So for introductions again, I'm Susan Strachan, I'm Nuclear Power Plant Decommissioning Manager. With us also is Cindy Chambers, who's a senior planner with the County helping out on the decommissioning effort. And then we have

Aspen Environmental Group. Aspen is the environmental consulting firm who will be preparing the environmental impact report.

I want to point out that Aspen also prepared the environmental impact report for the San Onofre Nuclear Power Plant Decommissioning. So we're thrilled to have them working on this project also. With us is Sandra Alarcon-Lopez who's the EIR project manager, and then also Lisa Blewitt, who is the deputy project manager with Aspen.

And then we also have representatives from PG&E who will be available to answer questions when we get to that phase of the presentation.

Next slide, please. So the purpose of the meeting and scoping, first of all, the California Environmental Quality Act requires that there be a 30-day scoping period. For this project, the scoping period is actually 40 days because the 30th day fell the day after Thanksgiving. So we went ahead and extended it for another week.

So the comment period began on October 28th and ends at 5:00 on December 6th. The scoping meetings are required for when there's a project of statewide, regional or area wide significance. And the meetings provide an opportunity for the agencies and public to

provide input and comment on the scope and content of the EIR.

Three ways that comments can be provided. They can be provided orally at a scoping meeting, such as this one, or they can be provided in writing either by U.S. mail or email. And when we get to the scoping part of the meeting, we'll have that information available in case you're interested in making comments via U.S. mail or email.

The scoping meeting also provides an opportunity to provide input on project alternatives, evaluation methods, and mitigation measures. Next slide please, Sandra.

So I'm going to talk about the project description. I'll get into some background, jurisdiction of different agencies, talk about the power plant decommissioning, and then speak to some proposed offsite locations for waste transportation. Next slide.

MS. STRACHAN: So PG&E submitted its land use application to the County on March 29th. There's a portion of the site in the coastal zone and then a portion outside of the coastal zone, so they applied for permits that cover both, meaning a development plan, coastal development permit for that portion in the coastal zone and a conditional use permit for the

portion that's outside of the coastal zone.

So when the County receives an application, it sends out referrals to different agencies to get their input. And then we undergo a 30-day review of the application. At the close of the 30 days, we submitted a letter to PG&E requesting additional information that we needed in the application in order to accept it.

And then PG&E filed an application supplement, addressing those comments and then also making some project description modifications on July 8th, 2021. We then again went through that 30-day review where we submitted referral letters to the agencies and issued a County comment letter on August 9th.

Again, PG&E responded on October 6th and then the County accepted PG&E's application on October 27th. We then issued the notice of preparation on October 28th, which is when the scoping period was initiated. Next slide, please.

So this is a general vicinity site slide. The yellow shows PG&E Diablo, or I should say Diablo Canyon Lands, owned by either PG&E or Eureka Energy, which is a subsidiary PG&E. And then the blue is the Diablo Canyon power plant site boundary. So it is in between, we have Morro Bay to the north and then Pismo and Avila to the south. Next slide.

And this is an aerial of the power plant. The red boundary is plant boundary based on NRC jurisdiction. And this is gives you a good view of the project features and I'll get into more specifics of the decommissioning effort associated with the site. Next slide, Sandra.

So as I mentioned, there's a portion of the site in the coastal zone and a portion outside. The yellow line is the demarcation of the coastal zone. So the area in green below it is that portion of the site in the coastal zone. The area in brown above it, is the area outside of the coastal zone.

When you head over to the water, there's an area a little bit difficult to see because it's in blue, but this is where you have Coastal Commission jurisdiction, original jurisdiction and the State Land's Commission jurisdiction. And again, the red boundary is tied to the Nuclear Regulatory Commission's jurisdiction. Next slide.

As I mentioned the County as the lead agency has the responsibility for preparing the environmental impact report. California Coastal Commission will issue a coastal development permit or consider issuing a coastal development permit. They're also in the appeal jurisdiction for the County's coastal development

permit, meaning that any permit approved by the County can then be appealed to the Coastal Commission.

For the State Lands Commission, either a new lease or lease amendment will be applied for, and then the Nuclear Regulatory Commission oversees the decommissioning process, clean up and removal of radioactive structures and systems, the transfer of spent fuel and the termination of the Part 50 license. Next slide.

So some dates associated with decommissioning, the unit 1 Nuclear Regulatory license terminates on November 2nd, 2024, and then unit two license expires in August of 2025. PG&E has started a license renewal effort to extend the terms of these licenses, but in 2016 stopped that effort.

In 2018, the California Public Utilities Commission approved the retirement of the Diablo Canyon power plant. And at that point, then PG&E started doing work on studies, et cetera that were necessary for the various permit applications. PG&E proposes to begin the decommissioning and dismantling effort in beginning in 2024. Next slide.

PG&E has established two phases for the decommissioning effort. Phase 1 is 2024 to 2031. The bulk of the decommissioning activities will occur during

this phase. It begins with pre-planning activities and then includes the removal of structures, the decontamination, et cetera, that'll happen again the bulk of that in phase 1.

Phase 2 is from 2032 to 2039. During that phase they'll complete soil remediation activities, do final status surveys. These are NRC required surveys to ensure that the site meets the established radiological release criteria, and then do the final restoration of the site. Next slide.

Now, the decommissioning effort does include the decontamination and demolition of infrastructure, buildings and structures, but it does also propose to retain some of the structures on site. PG&E also intends to construct some new buildings and structures and what would be a future PG&E owner-controlled area.

And then as part of the decommissioning area or effort, installation of temporary infrastructure and buildings has to occur. And again, there will be the use of some offsite rail loading facilities tied to the transportation of waste materials. Next slide.

So in this slide, the roads marked in black are proposed to stay post decommissioning. And then the areas identified in red are also features that are proposed to stay. So down by the water, you have the

two breakwaters and then the smaller rectangle is where the intake structure is.

So the intake structure would be sealed so no water can come in there and the equipment, et cetera, would be removed from the top of it, but the actual concrete structure would remain. And then heading up on the site, the rectangle there, on the ISFSI, that's the Independent Spent Fuel Storage Installation, that's where the spent fuel is stored.

This was a previously permitted facility. There's spent fuel stored there now. The spent fuel that is in the reactors now, in the spent fuel pool now, will be transferred up to that. This has been stored there, since there's not a federal disposal repository, that fuel needs to stay until there is a place where it can be removed and disposed of offsite.

The two raw water reservoirs would stay. There's a 230KV switch yard which would remain and then a 500KV switch yard, which is proposed to remain. Next slide.

As I mentioned, there's also some new construction that's in plan for this owner-controlled area. And the owner-controlled area basically covers these features that are in this particular slide. The green shows new buildings that would be constructed.

One of these is referred to as a Greater-than-Class-C waste facility, where it says waste storage facility on the slide.

This will store reactor internals and process waste. And again, similar to the spent fuel, there's no federal repository to take this fuel, so it will remain on site until there is some place where it can be disposed of offsite. PG&E also proposes to build a new security building and a new indoor firing range. Next slide.

So this slide represents basically a site layout for decontamination effort at the lower portion of the site. Over on the left, you can see the reactors and the turbine building, which will come out. But the decommissioning effort involves use of existing buildings for decommissioning workers, construction trailers, again for offices for decommissioning workers, and then also in it involves the modification to existing buildings to accommodate the decommissioning efforts.

So for example, that big orange rectangle is the main warehouse for the power plant, and that would be modified to create a waste handling facility to segregate, stockpile and package contaminated soil for transport. Next to it, that yellow building is the Flex

equipment storage building. That building is supposed to be modified to be a lab for testing soil samples.

So this slide, again, just gives an indication of what is involved in decommissioning in terms of making use of existing structures or modifying existing structures to accommodate the decommissioning effort. Next slide.

So just to list some of the details tied with the decommissioning effort during phase 1, again, there'd be temporary infrastructure, building modifications, decontamination and demolition of buildings, construction of the new buildings and structures in that future PG&E owner controlled area.

The spent fuel and the Greater-than-Class-C waste would be transferred to the existing ISFSI and the new Greater-than-Class-C waste storage facility. And the discharge structure would also be removed and restored. The next slide has a visual of that. Next slide, please.

So this is a picture of the discharge structure during construction. This structure is located on the edge of the water and it will be removed as part of the decommissioning effort. The slide next to it is a profile view of that structure. Next slide.

The picture to the right there shows that to

actually remove it, a cofferdam has to be installed. That's represented by those circular circles down there. And it creates basically a barrier for water so the water can be taken out of that area so that the workers are working in a dry environment to remove the discharge structure.

So in addition to the removal of that structure and restoration of that area, also in phase 1, there would be the removal of the nuclear reactor, pressure vessels, internal steam generators. Site characterization would be done to identify contaminated areas.

Of those areas identified, remediation would occur. And again, the NRC required final status surveys would happen. And then for the offsite rail yards, modifications to those rail yards would occur during this time period and they would be utilized during the same period. Next slide.

So for phase 2 efforts, and this is from the 2032 to 2039 timeframe, soil remediation would continue to happen, final status surveys would continue, remaining infrastructure would be removed and then the restoration of the site would happen. So this includes revegetation of the site, installation of a storm water management system to handle the runoff.

Once the vegetation is put in, then there's ongoing monitoring to make sure that it's taking place and growing appropriately. The NRC license covering the site would be terminated and PG&E would then transition to an ISFSI and Greater-than-Class-C storage facility in that owner-controlled area.

Now, I want to talk a few minutes about decommissioning waste transportation. So there are three transportation modes that have been identified. One is by barge. And the reason the barge transportation is part of the project is, because of you can take a large volume and a lot of weight and transport it by barge. It then reduces the number of trucks that would otherwise transport the waste.

PG&E has used barge transportation before. The picture is of steam generators that were brought on site when PG&E did its steam generator replacement project. Another mode of transportation is truck. Trucking materials directly from the site to a disposal facility and then also truck to rail. So this is taking it by truck to one of the proposed offsite rail facilities that we'll talk about next. Next slide, please.

So there's three facilities listed. This slide shows where they are in relation to the Diablo Canyon power plant. One of the sites is the in the City of

Pismo Beach. It would be used as a contingency and it would only take nonradioactive, nonhazardous waste.

Second facility is within the City of Santa Maria referred to as the Osborne yard. And then the third is in the unincorporated County in the Northern part of the incorporated County of Santa Barbara, known as the Betteravia Industrial Park. Next slide.

So this is an aerial of the Pismo Beach rail yard site. It's property owned and used by PG&E. It's right off of Price Canyon road. And again, the site would be used as a contingency for nonhazardous and nonradioactive waste.

Again, on any of these sites, trucks would come in, they would offload the material from the truck onto rail cars, and then it would be transported by rail to a disposal facility. Next slide.

And these show the locations of the two rail sites. Again, Osborn site is in the city of Santa Maria, close to Stowell Road. And then the other is off of Betteravia, the Betteravia Industrial Park. Both of these sites are being evaluated in the environmental impact report, however, only one of them will be selected and used.

So that concludes the project description presentation. And we'll take questions. And again, if

you're participating via zoom, use the raise hand feature and we'll call on you to speak. If you're joining by phone, press star 9, to raise your hand and when called on press star 6 to unmute.

MS. BLEWITT: Again, I'd like to reiterate that this portion of the presentation is associated with questions on the proposed project itself. Later on, we will take comment for scoping. We have one person right now with a raised hand, Eric Greening. I need to promote him to panelists since he's using an older version of Zoom.

ERIC GREENING: Thank you. Hello. I'm Eric Greening. Can you hear me?

MS. BLEWITT: Yes.

ERIC GREENING: Okay. Thank you. And of course, I appreciate it. I attended an earlier scoping session as well, and I appreciate your sharing of the information and willingness to answer questions.

During the last few weeks of the scoping period, there have been some surprising developments outside the universe of the scoping period at every level from local officials, a State assembly member, Terry Prosper, a spokesperson for the PUC, and even Jennifer Granholm seeming to encourage a sort of a rising tide -- of seeming to encourage not closing the

plant at the proposed time.

My question then, I'm assuming that it is still completely PG&E's intention to decommission and that they are planning to go forward with the decommissioning project. And my question for Aspen is, obviously the budget you now have and the timeline you now have, would be completely inadequate for an analysis of anything to do with extending rather than decommissioning.

So could you please assure me that no matter what happens outside the universe of this decommissioning plan, the intention of Aspen and of PG&E is to go forward with decommissioning and that the scope of this proposed project is going to continue to be decommissioning, unless some external event essentially creates the need for a completely new process? Can I be assured of that?

MS. STRACHAN: Well, let me introduce, we have Tom Jones and Chris Vardas with PG&E to assist with answering questions. Tom, do you want to cover that first question?

TOM JONES: Sure. This is an active permit for PG&E and we're pursuing decommissioning.

ERIC GREENING: Thank you. Yeah, that's my understanding. And so if at some level of government, a change of plan was adopted, I would assume an entirely

new applicant, an entirely new process, et cetera, et cetera would happen and that it wouldn't in any way be shoehorned into this process; can I be assured of that?

MS. STRACHAN: Yeah. I mean, I understand. This process is for decommissioning. So if there's something else other than that, it wouldn't be decommissioning. It would have to be dealt with separately, if I understand the question.

ERIC GREENING: That's what I always hoping to hear. There seemed to be some advocates out there with somewhat unrealistic expectations about this process, but I'm glad to hear that assurance, and we will go forward in good faith, assuming that that's where we're headed. Thank you.

MS. BLEWITT: Thank you, Eric. We have an additional raised hand. Sherri, can you unmute yourself?

SHERRI DANOFF: Can you hear me?

MS. BLEWITT: Yes.

SHERRI DANOFF: Okay, good. When you were talking about the breakwaters and the intake structure, why is it that the intake structure would remain? I'm curious as to why that would be left. Could you hear me, Mr. Jones?

TOM JONES: I was waiting for Aspen to direct

the question to me. It's not my meeting.

SHERRI DANOFF: Oh, okay.

MS. BLEWITT: Yes, Tom, please respond.

TOM JONES: Okay. So the base structure for the intake will be filled and that'll become the key piece of infrastructure for our barging operations. So it's a little over 200 feet long, so that robust platform will have the crane operations, the fendering and the attachments so that the barges can come in and attach and can load the equipment from there. That saves us roughly 30,000 truck trips.

SHERRI DANOFF: Okay. So the intake structure itself would remain to help with the barge stuff, right?

TOM JONES: That's correct.

SHERRI DANOFF: Okay. Thank you.

MR. VARDAS: This is Chris Vardas with PG&E. I also want to add that by retaining the intake structure, you avoid potentially significant marine biological resource impacts associated with the decommissioning and removal of the intake structure.

TOM JONES: What Mr. Vardas is referring to is that some surveys have found federally endangered black abalone among structures and the adjacent structures.

SHERRI DANOFF: Thank you.

MS. STRACHAN: And I wanted to apologize for

that pause. I went into no man's land and couldn't talk. So I apologize for that. Thank you, Tom, for taking the lead on answering that.

MS. BLEWITT: Yes. Thank you, Tom and Chris.

TOM JONES: You're welcome.

MS. BLEWITT: I am not seeing any additional raised hands at this time. I do see one person on the phone. If you do have a question, you can hit star 9 to raise your hand. Doesn't look like we have any additional raised hands regarding the project description.

MS. STRACHAN: Okay. Let's move on to future site reuse concepts. So this is part of the EIR being an appendix, it's something that the County is doing. Again, County-driven analysis. It is not part of PG&E's proposed project or proposed by PG&E.

The County will be evaluating in the part of EIR, different reuse concepts that will be compared to provide a high level analysis of potential post decommissioning uses. Next slide please.

MS. STRACHAN: So some of the concepts under consideration by the County are a university campus, developed recreation, which is camping, day use, hiking, kayaking, research facility, renewable energy generation or storage, resort hotel, mixed use, which could be a

combination of any of these, or an offshore wind port or support facility. Next slide.

And so the question is, is that we don't have a lot on this. This is just a head's-up that this is something that we'll be evaluating at a high level. So this part, I am just wanting to know if anyone has any questions on the analysis that the County will be doing under the reuse concepts. If you have ideas of additional concepts, we'll cover that during scoping, but this is just on the analysis.

MS. BLEWITT: At this time. I do not see any raised hands to indicate questions.

MS. STRACHAN: Okay. We'll move on to the next portion, which is the EIR process overview by Sandra.

MS. ALARCON-LOPEZ: Thank you, Susan. As Susan mentioned, Aspen Environmental Group is supporting the County with the preparation of the environmental impact report. And before we get into the formal public comment portion of this, we wanted to give you a very high level description of the process for the environmental impact report and to give you an initial look at some of the content. And this is very high level, because we're just at the start of the process.

First and foremost, as the lead agency, the County has decided to prepare an environmental impact

report. They have determined that there is potential for significant impacts, and so we're moving forward with that analysis. As allowed by CEQA, they can move forward without the preparation of an initial study. So we are moving forward with the document, but we are in the preliminary stages.

So this next slide shows you a very high-level timeline. We are at the beginning right here. We have a total of five scoping meetings. This is the fourth meeting that we're holding for this particular project, but there will be other opportunities for you to comment on the analysis in the environmental document. And when the draft EIR is prepared, there will be an additional opportunity to provide comments on that draft document.

Once we get comments on the draft document, we're going to respond to those comments and prepare a final environmental impact report. The County decision-makers will look at the EIR, which is an information document as well as other plans and documents to make their decision on this decommissioning project. So the key point here on this flow chart is really that we are at the start of this process.

So there are specific contents that we need to consider within the environmental document. We are going to prepare and have been preparing a detailed

description of PG&E's project, and it's based on their application to the County.

We're going to look at and evaluate a number of different environmental issue areas. And for those issue areas, we're going to look at the environmental and regulatory setting of the project area. We're going to look at what type of environmental impacts the proposed project could result.

We're going to identify any potential alternatives that should be considered to reduce those significant environmental impacts. And then the EIR will also include any measures to reduce potential environmental impacts of the project.

As Susan mentioned, there is also a going to be an evaluation of reuse concepts. We're going to put that as a separate chapter in the EIR, mainly because it's not part of PG&E's proposed project. It's more of information that the County is going to use to look at what potential options are available for future site reuse.

We have a number of technical experts that are involved in the evaluation in the EIR, and a large portion of them have worked on other decommissioning projects, including SONGS.

This slide gives you an idea of the different

issue areas that are going to be covered. It is going to be comprehensive. We're going to look at all these issue areas, because we are at the beginning of the development of the environmental document.

We haven't made a decision on the significant issues yet, but we do know that there are a number of issues that are outside of the typical EIR format that we need to consider. As an example, we are including issues that some of the responsible agencies need to consider. And those are the issues that you see right here regarding climate change, commercial fishing, environmental justice.

And then one thing that we wanted to cover was the one on hazardous and radiological materials. We wanted to cover that one, because the radiological hazards are really within the purview of NRC and they have exclusive jurisdiction over the handling, storage, transport, anything associated with radioactive waste, radioactive materials.

So what we're going to do in the environmental document is we're going to present some of those requirements and we're going to look at some of the safety plans that PG&E has in place right now for its operation, but will also be part of the decommissioning for this particular project.

For all of the issue areas that we're going to look at in the environmental document, we're really going to look at what are the potential changes that could occur to the environment based on implementing the proposed project. So we're going to look at direct impacts, indirect impacts, cumulative impacts and growth-inducing ones that could combine to have an impact if we have multiple projects in the same area. That would be cumulative analysis.

We're also going to focus the analysis on significant impacts, because the significant impacts are going to drive the type of alternatives that we're going to evaluate in the environmental document. For the significant impacts that we do identify, we need to look at any potential alternatives that could reduce those impacts.

We're also going to look at mitigation measures we need to include any that would reduce or avoid potential impacts. We will consider some social and economic issues, but those are not considered significant under CEQA. They are more for information purposes.

Alternatives. This is an area that we're currently developing. PG&E, in their application, has provided some recommendations on alternatives. We've

gotten some input from our responsible agencies on the type of alternatives that could be evaluated in the environmental document.

Some of those were in that NOP that hopefully you've had an opportunity to look at. The key thing here is that when we're looking at alternatives, we want to look at whether or not the alternative has the potential to meet the project objectives and we need to look at its ability to reduce or avoid any impacts, and then we also look at whether or not it's a feasible alternative.

When we're talking about the no-project alternative, under CEQA we are required to look at and evaluate a no project alternative. However, in this particular project, because the NRC license will be terminated, the no-project alternative may result in an alternative that requires some type of action. In other words, the no-project alternative may not mean no action or no activities.

Before we get into the comment period, we wanted to see if you had any questions on the EIR process. We recognize that this is a high-level description of the process, but we're hoping that it gave you some background on the next steps. So if you could raise your hand, if you have any questions on the

process, and then after this, we'll get into the formal public comments.

MS. BLEWITT: Again, if you're calling in press star 9 to raise your hand. We have one question. Coleman Miller.

COLEMAN MILLER: Good evening. Can you hear me?

SANDRA ALARCON: Yes.

COLEMAN MILLER: Just a question on your slide identifying the radiological aspects that are the sole purview of the Nuclear Regulatory Commission. I didn't see a low-level radioactive waste listed. I believe that's an oversight. Can you comment on that? Thank you.

MS. STRACHAN: We have radiological experts on our team. They will also work on the SONGS decommissioning project as well. And so they will be discussing radiological waste, low level, Greater-than-Class-C in their analysis of the impacts associated with the project; but at the same time, it will be couched with the concept that all of that is under the purview of the Nuclear Regulatory Commission.

Hopefully that answers your question.

COLEMAN MILLER: Yes. Thank you.

MS. BLEWITT: Looks like we have an additional

question from Eric Greening.

ERIC GREENING: Thank you. Yeah, actually, I have a follow-up question to that question, because my understanding is that part of what needs to happen in terms of determining what is safe, is essentially to determine a threshold of acceptable residual contamination consistent with the health and safety findings the County needs to make.

Are you saying that even that determination is preempted by the NRC, or can the County, based on its own need to make health and safety findings, determine its own threshold for what degree of residual contamination will allow the site to be used?

MS. ALARCON-LOPEZ: It's my understanding, and again, I think this is tied back to the final status surveys in terms of that release criteria that that's governed by the Nuclear Regulatory Commission.

ERIC GREENING: Are you saying that the County couldn't set a higher standard if it chose to?

MS. ALARCON-LOPEZ: My understanding is that it's an NRC requirement. PG&E, I don't know if you know further on that, but that's my understanding is that NRC because it's radiologically oriented and tied to safety, that that purview is all under the NRC.

TOM JONES: That's correct. And there's a

cleanup criteria called MARSSIM, the Multiple Agency Radiological Remediation Inventory, that'll be used by other agencies that participate, whether it's the County of San Francisco Health Department or the DTSC from the State of California, but that ensures the uniform criteria that all agencies will evaluate the effectiveness of the mediation or remediation.

ERIC GREENING: Thank you. I think this is an issue that will come up and get more discussion and to better understand just what is the boundary of the County is ability to act in such a way that it can genuinely make health and safety findings, which are required.

MS. ALARCON-LOPEZ: Thank you, Eric.

MS. BLEWITT: Thank you. Are there any other questions related to the EIR process at this time? I don't believe we have any more.

MS. ALARCON-LOPEZ: So now what we want to do is we want to get into the formal scoping comments and we wanted to just go over a few items to help us in this assessment with your comments. We'd like to get your input on the scope and content of the EIR. And we will take into consideration some of the questions that we've received before this formal scoping period, but we also want to get any information on local environmental

knowledge that you think we ought to be aware of, any issues that you think we ought to evaluate, any alternative you think we ought to consider and then mitigation measures. And although it's not part of PG&E's proposed project, we will also take any comments that you have on future site reuse.

One thing I do want to say, before we listen to the comment period, is that we are going to give all of this information to our technical authors. So we will address all of the issues that we hear in the environmental document.

So if you want to make a comment, we ask that they are similar to the questions that you've been asking. We ask you to raise your hand. We're going to take you in the order that we see those raised hands.

If we get a lot of speakers, we will limit the comment to three minutes, but if we don't, we won't use the timer. If you're calling by phone and you want to make a comment, please press star 9 to raise your hand and star 6 to unmute yourself.

We will go ahead and open it up for comments, and we'll leave the information here on where you can email or mail your comments if you feel that you'd rather do that instead of provide an oral comment today.

So let's go ahead and open it up, Lisa.

MS. BLEWITT: We have our first speaker, Eric Greening. Please be sure to state your full name and any affiliation you have to an organization or agency for the record.

ERIC GREENING: Thank you. I am Eric Greening. Can you hear me?

MS. BLEWITT: Yes.

ERIC GREENING: Thank you. And I've already taken the opportunity to make oral comments previously and I'm working on some written comments, but I just wanted to share a thought relative to the future reuse scenarios.

One thing that we need to recognize is that sometimes mitigation measures have impacts of their own, and I just want to be sure not to miss that; for example, some development scenarios. If the site is redeveloped in any kind of an intensive way, it might require, as a mitigation from wildfire hazards, all sorts of secondary egress options.

Those secondary egresses or ingresses and egresses or circulation infrastructures would themselves have very significant environmental impacts, not only on the site, but beyond in the surrounding lands and potentially in such places as Montaña de Oro.

So I just wanted to affirm the importance of

essentially going second- and third-order impacts when a mitigation measure is necessary, that itself has impacts, that those impacts also be analyzed and fully mitigated. And I'll be sharing more thoughts in writing. Thank you.

MS. BLEWITT: Thank you, Eric. Are there any other questions? Please raise your hand. If you're calling in by phone press star 9 to raise your hand. I know we covered a lot of material, but you may want to submit comments. I'm not seeing any additional raised hands.

So please take note to mail in your comments to Susan Strachan at the San Luis Obispo County Department of Planning and Building or email your comments to Diablo@co.slo.ca.us. Susan?

MS. STRACHAN: Hi, I fell into no man's land again. I think something happens when Eric is taken away from being a panelist that I turn into an attendee. So I apologize. There are no further comments, Lisa?

MS. BLEWITT: There are no additional raised hands. So it does not appear as though there are any additional comments. Yes.

MS. STRACHAN: Okay. Well, we want to thank everyone for participating today and taking the time to participate. The comment period ends December 6th at

5:00, and Lisa had provided the address. There's also information on the County is website under planning and building. And then there's a specific tab for Diablo Decommissioning.

As I mentioned, the recording of this meeting, as well as all five of the virtual scoping meetings that we're having, will be on the website. And the PowerPoint presentation is the website, if people are interested.

So with that, I don't think that's the end of the meeting and we thank you all for attending.

CERTIFICATE

I, the undersigned, a Certified Shorthand Reporter of the State of California, do hereby certify:

That the foregoing proceedings were taken before me at the time and place herein set forth; that a verbatim record of the proceedings was made by me using machine shorthand which was thereafter transcribed under my direction; further, that the foregoing is an accurate transcription thereof.

I further certify that I am neither financially interested in the action nor a relative or employee of any attorney of any of the parties.

IN WITNESS WHEREOF, I have this date subscribed my name this 14th day of December, 2021.

michele watson

MICHELE WATSON, CSR

CSR No. 8359

Appendix B4.6

Transcript – Scoping Meeting December 4, 2021
2:00 PM

DIABLO CANYON DECOMMISSIONING PROJECT

PUBLIC MEETING

WEB VIDEOCONFERENCE

SATURDAY, DECEMBER 4, 2021, 2:00 P.M

Reported by:
Michele Watson
CSR No. 8359

SATURDAY, DECEMBER 4, 2021, 2:00 P.M

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MS. ALARCON-LOPEZ: This is the public scoping meeting for Diablo County Power Plant Decommissioning Project, and Susan Strachan from the County of San Luis Obispo will start us off. Thank you.

MS. STRACHAN: Hey everyone. I'm Susan Strachan. I'm with, as Sandra said, San Luis Obispo County. I'm overseeing the permitting of the Diablo Decommissioning for the County. We really want to welcome all of you spending your Saturday afternoon with us for the scoping meeting on the Diablo Decommissioning Project.

Before we begin, I just want to through how to participate on a virtual meeting or in a virtual meeting. We will have a few areas where we'll be doing questions and answers and scoping comments. And if you're participating virtually, if you're wanting to speak, you use the raise-hand feature and we will call on you when it's your turn. If you're joining by phone, then you press 09 to raise your hand, and then when called on press 06 to unmute.

We are, as Sandra said, recording this meeting and the recording will be posted, as well as the recordings of all of the previous four meetings that

we've had on the County's Planning and Building Diablo Decommissioning webpage, and our PowerPoint presentation is also available on that page.

We will go through these how to participate in terms of raising your hand and pressing 09, if by phone, again, when we get to the question and answer and scoping part of the meeting. Next slide, please, Sandra.

So in terms of our agenda today, we will do some introductions. I'll then give an overview of the decommissioning project description. After that we will have our first question and answer session on the project description. Then we'll move into a discussion on what is a County-driven analysis on future site reuse concepts. And then we'll have another question and answer period.

Then Sandra will provide an overview on the Environmental Impact Report process, followed again by question and answer session. And then lastly, we'll open it up to scoping comments. Next slide please.

Now, for introductions, as I said, I'm Susan Strachan, I'm the County's nuclear power plant decommissioning manager. With me is Cindy Chambers, a senior planner with the County. And then Aspen Environmental Group is the environmental consulting firm

who's preparing the Environmental Impact Report.

I want to point out they are also the environmental firm that prepared the Environmental Impact Report for the San Onofre Nuclear Power Plant. So we're very fortunate to have a firm that has done a project like this before.

With us from Aspen is Sandra Alarcon-Lopez. She's the EIR project manager, and then Lisa Blewitt, who is the deputy project manager. We also have representatives from PG&E who will be available to answer questions regarding the project and we'll introduce them at that time. Next slide, please.

So briefly, I want to talk about the purpose of this meeting and scoping. So under the California Environmental Quality Act, we're required to have a 30-day scoping period. For this project it's actually a 40-day scoping period, because when we issued the notice of preparation, the 30th day fell, I think, on the Friday after Thanksgiving. We didn't want to do that, so we extended it out another several days after that.

The meeting is required, the scoping meeting, for projects of statewide, regional, and area-wide significance. The meetings then provide an opportunity for agencies in the public to provide input and comment on the scope and content of the EIR.

And now the comments can be provided verbally at a scoping meeting like this one, or they can be provided in writing by U.S. Mail or email. And when we get to the scoping comment portion of the meeting, we'll have the mailing address and email address for making comments in that manner. And scoping also provides an opportunity to provide input on project alternatives, evaluation methods and project mitigation methods. Next slide please.

So in terms of project description, I'm going to get into a little bit of background, talk about the jurisdictions of different agencies that are involved. I'll discuss the power plant decommissioning and then talk about some offsite locations for waste transportation. Next slide.

So the County received PG&E's land use application on March 29th, 2021. Since a portion of the site is in the coastal zone and a portion of the site is outside of the coastal zone. They applied for both a development plan/coastal development permit for the coastal zone portion of the site and a conditional use permit for that portion of the site outside of the coastal zone.

When the County receives applications, it then sends out referrals to different agencies and

organizations to get their input on the application. And then county has 30 days to review the application and determine whether all the information it needs to proceed is included in the application.

After our 30-day review, we issued a letter to PG&E on April 28th, asking for additional information in your application. PG&E then responded on July 8th, providing the information we requested, plus they made some modifications to the project in that filing. We then, again, went through that 30-day review, sent referrals out to agencies and organizations and sent a second letter on August 9th.

PG&E responded with answers to our information that we requested on October 6th. And after reviewing that information on October 27th, the County accepted PG&E's application. We then issued the notice of preparation, which initiated the scoping period on October 28th, 2021. Next slide please.

So this is a slide of the general site vicinity. The yellow comprises the Diablo Canyon Lands that are owned, some by PG&E, some by Eureka Energy. And then the blue in the middle is the actual Diablo Canyon Power Plant boundary. Next slide.

And then this is an aerial of the site with the red outlining the NRC, Nuclear Regulatory Commission

boundary, but it shows from an aerial perspective features of the power plant site. Next slide.

So this figure shows the agency jurisdictions and in the yellow line, that's going through it, that is the coastal zone boundary. So I mentioned that part of the plant is in the coastal zone, part is outside.

The portion in the green area, that is all within the coastal zone. The brown on the other side of the yellow line is the portion that's outside of the coastal zone. If you go down toward the water, and there's area where Sandra has the cursor in blue, that's where you get into State Lands and Coastal Commission jurisdiction. So they also have a role in the decommissioning of the project. Next slide.

So more details in terms of agency roles in the County of San Luis Obispo, we are the lead agency under the California Environmental Quality Act, which means that we have the role in preparing with Aspen the Environmental Impact Report, and then the processing of the permits that we're filled out for the decommissioning.

California Coastal Commission, that area down by the water, is within the Coastal Commission's original jurisdiction, and they'll receive a Coastal Development Permit Application. That part in green in

the coastal zone is also the appeal jurisdiction for the County Coastal Development Permit. So a permit that the County issues that's in the coastal zone could ultimately be appealed to the California Coastal Commission.

California State Lands Commission, again, for that area down by the water that we showed on the previous slide, they will issue a new lease or lease amendment. And at the Federal level, the Nuclear Regulatory Commission is involved, and they oversee the decommissioning process specifically tied to the cleanup and removal of radioactive structures and systems, the transfer of the spent fuel. That will go to a previously permitted, what's referred to as, an ISFSI or Independent Spent Fuel Storage Installation. And then they're involved in the termination of the Part 50 license over the site. Next slide.

Just a quick kind of a short chronology tied to the decommissioning. Unit 1 of the power plant, the Nuclear Regulatory License for that unit terminates on November 2nd, 2024.

The Unit 2 license terminates on August 26th, 2025. PG&E had been in the process with the NRC to renew those licenses, but in 2016 stopped that license renewal effort to then move forward with a closure of

the plant.

In 2018 CPC approved the retirement of the plant, and then PG&E started working on all of the various studies, et cetera, for submitting its applications, and intends, once permits are received, to begin decommissioning in 2024. Next slide.

Now, the decommissioning is going to occur in two phases. Phase 1, which is 2024 to 2030, that is when the bulk of the decommissioning activities will happen in terms of actual removal of structures and infrastructures and buildings from the plant site.

Phase 2, 2032 to 2039, is when completion of soil remediation activities will happen, final status surveys, which are surveys required by the NRC to ensure that the site meets the established radiological release criteria. Those will happen in Phase 2. And then final site restoration will occur at that time period. Next slide.

So when we look at the decommissioning effort, besides just decontamination and demolition of infrastructure, buildings and structures, PG&E is proposing to retain some structures and we'll go through that in just a minute. They also intend to construct new buildings and structures that would be located in what's referred to as a future PG&E owner-controlled

area. And we'll show you a slide of where that is and what would take place there.

And then to accommodate the decommissioning, the removal of building structures and infrastructures, it requires the installation of temporary infrastructure and buildings to allow the demolition to occur. We'll talk about that. And then lastly, we're going to talk about the use of offsite rail loading facilities. Next slide.

So in terms of features to remain, the black that's shown in the slide are roads that are existing now that PG&E proposes to keep. They would not be removed as part of decommissioning. The red that is shown are plant features that PG&E is proposing to remain.

So if you go down by the water, those two more thin features are the breakwater that creates sort of a marina area where the intake structure is. The intake structure is that small, more rectangular feature. For decommissioning, the intake structure, that's where the cooling water comes in, that would be closed off so no water could enter. Equipment on top of the intake structure would be removed, but the concrete structure itself is proposed to remain.

Then moving farther up on the site, that

rectangular that Sandra is pointing to right now is the ISFSI or Independent Spent Fuel Storage Installation. That's where spent fuel from the power plant is currently stored. It's where the spent fuel that's currently in the reactor spent fuel pool will be transferred upon decommissioning. That is a previously permitted facility. So that storage of the fuel, the transfer of this fuel is accommodated under that previous permit.

The two blue dots are raw water reservoirs, which will remain. And then there's a 230 switch yard that will remain and a 500 switch yard that they're proposing to remain. Next slide.

And so for new construction. That would occur up in this area where we showed the 500 KV switch yard, the 230 KV switch yard, and the Independent Spent Fuel Storage Installation. This would be what would constitute that new PG&E owner-controlled area.

In this area PG&E is proposing to build what's referred to as a Greater-than-Class-C waste storage facility. This is a radioactive waste, it's from the reactor internals and process waste, but similar to the spent fuel, there is currently not an offsite Federal repository where that fuel could be sent. So it needs to remain onsite until there is somewhere that it can be

disposed of offsite or stored offsite.

They're also proposing to build a new security building and a new indoor firing range. And again, this area from roughly where the red rectangle is of the ISFSI on up would be the future PG&E owner-controlled area. Next slide.

Now this slide is of the lower portion of the site, and it's essentially a site layout for decommissioning. It shows existing buildings that would be used to accommodate decommissioning workers, it's offices. You see purple boxes around that constitutes construction trailers. That, again, would be used by employees associated with, workers associated with decommissioning.

It also shows existing structures that would be modified to accommodate decommissioning. So, for example, the big orange rectangle in the center of the figure, that is currently the main warehouse for the power plant. That warehouse is proposed to be modified to create a waste-handling facility where they would segregate, stockpile, and package up contaminated soil for transport.

To the right of that is a yellow square, that's their Flex equipment storage building. And that would be modified to create a lab for testing soil samples.

So this slide just gives an indication in a sense of what's involved in the decommissioning, in that you're taking out structures, but yet you have to bring in or use existing structures to accommodate that decommissioning effort. Next slide.

So just listing some of the activities that are going to happen during Phase 1, temporary infrastructure and building modifications, the decontamination and demolition of buildings, new construction within the PG&E future owner-controlled area.

The spent fuel and Greater-than-Class-C waste will be transferred to existing ISFSI and the new Greater-than-Class-C waste storage facility during this time. And a removal and restoration of the discharge structure would begin during Phase 1. Next slide, please.

So this is a picture of the discharge structure during construction. So this is the structure that will be one of the structures that will be removed as a result of decommissioning effort. Next slide, please.

The figure on the right shows, it's looking down on the discharge structure in black. Those circular figures, that would be what is referred to as a coffer dam, and it would be put in in front of the discharge structure creating an area where the water can

be pumped out, creating a working environment to allow the discharge structure to be removed.

Other activities during this phase, the removal of the nuclear reactor, pressure vessels and steam generators, site characterization to identify contaminated areas. With those contaminated areas identified, soil remediation will recur, and again, the final status surveys that I mentioned previously.

Also during this phase, modification and utilization of the offsite rail yards would occur. Next slide.

So some of the activities that are going to happen during the Phase 1 decommissioning again, 2024 to 2031, temporary infrastructure and building modifications like those ones I just mentioned will happen during this time period. Decontamination and demolition of buildings, again, the new buildings and structures to be constructed in the future PG&E owner-controlled area will occur.

During Phase 1, the spent fuel and Greater-than-Class-C waste will be transferred to the independent spent fuel storage installation and the new Greater-than-Class-C waste storage facility, and removal and restoration of the discharge structure will begin during this phase. Next slide, please.

So this is a picture of the discharge structure during decommissioning. So this is the structure that will be one of the structures that will be removed as a result of decommissioning. Next slide, please.

So going on from the discharge structure removal, the picture on the right shows the circles are tight with a proposed coffer dam, basically creating an area where the water can be pumped out, creating a dry space for the discharge structure to be removed.

Other activities during this phase are removal of the nuclear reactor pressure vessels and internals, steam generators, site characterization to identify contaminated areas. With those contaminated areas identified, soil remediation will recur, and again, the final status surveys that I mentioned previously.

Also during this phase, modification and utilization of the offsite rail yards would occur. Next slide.

During Phase 2 of the project, soil remediation and final status surveys would continue. Any infrastructure that is now not needed for retained facilities would be removed. Final site restoration would happen. So this is the grading of the site, the development with storm water management system, now that structures have been removed, will be developed and

revegetation would happen.

There will be monitoring of that site restoration effort for up to five years and then PG&E will terminate its NRC license, part 50 license, which covers the current operation of the plant, and it will transition into a ISFSI, meaning the spent fuel and the Greater-than-Class-C waste storage operations. Next slide, please.

I wanted to talk for a moment about decommissioning waste transportation. PG&E is proposing a blended approach for waste transportation. It will consist of transporting waste by barge, transporting waste by truck, meaning directly on a truck to an offsite disposal facility, and then transporting by truck to an offsite rail facility that I mentioned previously.

What's helpful with this blended approach is that barge transportation can accommodate much more waste than a truck can. And so by using barge transportation for taking waste off site, it dramatically reduces the number of trucks that would otherwise be on the road transporting waste.

PG&E has used barge transportation before. That picture on that slide is steam generators that were transported on site in roughly 2006 time period. Next

slide, please.

So I mentioned the railroading facilities. PG&E has proposed three different sites. This slide shows where they are in relation to the Diablo Canyon Power Plant. One site is in Pismo Beach. This site would be used as a contingency, and there would be no radiological or hazardous waste transported to this facility.

There are two other sites. One in the city of Santa Maria, one in Santa Barbara County. Both of these will be evaluated in the Environmental Impact Report. However, ultimately only one of the sites will be used. Next slide, please.

Here's a depiction of the Pismo Beach railyard facility. This is on property owned by PG&E, and it's off of Price Canyon Road. And again, this is a site that would be used as a contingency site. Next slide.

And then this shows the two sites. This Osborne yard is the one located in the city of Santa Maria close to Stowe Road, and then the second one is And then the one in unincorporated Santa Barbara County is at the Betteravia Industrial Park off of Betteravia.

Both of these sites will be evaluated in the Environmental Impact Report for the project; however, only one of the sites will ultimately be used.

Now that concludes the overview of the project description. And with that, we'd like to take questions on the proposed project. As I mentioned previously, if you are participating online, please use the raise-hand feature at the bottom of your screen and we'll call on you to speak during Q and A. If you're joining by phone, press star 9 to raise your hand.

Lisa, do we have any questions?

MS. BLEWITT: Thank you, Susan. I just want to reiterate at this time, we're just looking for questions regarding the description of the proposed project to help with understanding. If anyone has questions, again, please raise your hand. If you're calling in, star 9 to raise your hand. We have one hand raised right now, Lauren Brown.

LAUREN BROWN: Yes. I saw that they proposed to remove the discharge shoot. What about the intake? I've heard that, that might be utilized by some of the tower cables coming from Offshore Wind.

MS. STRACHAN: The intake structures, PG&E is proposing to have that remain. And again, it would be closed, so no water could come in. The equipment would be taken off the top, but the actual concrete structure would remain. In terms of cables coming in for Offshore Wind, I haven't heard about that.

In relation to the intake structure, there is a 230 KV switch yard that's on site that I've heard of subsea transmission lines potentially interconnecting to that as a way of getting that power into the grid.

Tom, do you have anything to add on that?

MR. JONES: Yeah, that would be a separate and distinct project. The structure will remain and it could be utilized, but that would require a new subsurface transmission cable would require the right-of-way from the California State Lands Commission. It would be its own Coastal Land and CEQA application. We're not including anything like that in this project at this time.

MS. STRACHAN: Thank you, Tom. Yeah, we're going to get into that in a minute on these future reuse options or concepts. This is County driven, not PG&E. PG&E's proposal to us is basically what I went over. It's the decommissioning, the removal of the site, not post-decommissioning uses of the site. They have not proposed anything to that.

LAUREN BROWN: All right, thank you.

MS. BLEWITT: Thank you, Lauren. Does anyone else have questions regarding the proposed project? I do not see any more raised hands at this time.

MS. STRACHAN: Okay. Thank you, Lisa.

So as I mentioned, the County is part of the EIR. This will be a completely separate chapter, the EIR is going to look at future site re-use concept. So this is going out into the future post-decommissioning.

Again, this is a County-driven analysis. It is not part of PG&E's proposed project or proposed by PG&E. These are concepts that will be compared to to provide an early high-level analysis of possible post-decommissioning uses. Next slide.

So in terms of the concepts that are currently under consideration, they're listed here. One is university campus, one is developed recreation like camping, day-use recreation, hiking, kayaking, research facility, renewable energy generation and storage, resort hotel, mixed use, which could be a combination of any of these, or an Offshore Wind port or support facility. Next slide, please.

So for this we're not looking at -- we have a scoping portion of the program, of the meeting. So people who have other ideas of re-use concepts, that's the time to put that forward. But here we want to know if there's any questions on the specific County-driven analysis that we'll be doing on the reuse concepts.

MS. BLEWITT: Again, if you have any questions, please raise your hand. If you're calling in by phone,

please press star 9 to raise your hand. There are no raised hands, Susan.

MS. STRACHAN: Okay. Thank you, Lisa. Sandra, you want to take over?

MS. ALARCON-LOPEZ: As Susan mentioned, my name is Sandra Alarcon-Lopez. I'm with Aspen environmental group, and we're working directly with the County on the preparation of the environmental document. So I'm going to give you a very quick overview of the CEQA process and then take comments or excuse me, then take questions after the discussion, before we get into the official scoping comments.

As the lead agency, the County decided to prepare an Environmental Impact Report. And as part of that, the County has moved forward with beginning the preparation of the document. We're right at the initial phases of the environmental document. One of the things that the County does is look at the potential for significant impacts, and they've decided that based on the type of project that it is, that there is the potential for that, and decided to move forward with an environmental report. As part of that, CEQA does allow the County to move forward without preparation of an initial study.

This next slide is a quick snapshot of the

process, and basically there are key things here on this slide. Number one is the scoping period that we're in right now. This is the beginning of the environmental process. It's the opportunity for us to take your comments, get your initial input on the scoping content of the environmental document.

There will be other opportunities for you to comment. Once we get all these comments, we're going to prepare a draft environmental document, and we're going to take into consideration all of the comments that we receive during the scoping period, those that we received in the public meetings, as well as any written or email comments that are received during the scoping period.

Once the draft EIR has been prepared and finalized, it will be released for another public review. It's going to be released for a public review period, and there will be an additional opportunity for the public to comment on that document. When we receive your comments on the draft EIR, we're going to take those comments, respond to all the comments that we receive on that draft document and prepare a final Environmental Impact Report.

That final EIR is the document that the decision-makers at the County will use to review and

make a decision on the project. The EIR is an information document and it provides information on potential environmental impacts associated with the project.

I want to quickly just go through the content of the environmental document. We are going to cover and evaluate a number of different environmental issues that I will present in the subsequent slide. We're going to look at the environmental setting and regulatory setting for those issues. And then we're going to look at how PG&E's proposed project could impact those environmental resource.

We're also required to look at alternatives and alternatives we'll need to focus on looking at reducing any significant impacts that are associated with the project. If we identify significant impacts, then we also identify and work towards identifying or recommending mitigation measures for the County to adopt for the proposed project.

One other component of the EIR is going to be to look at the reuse alternatives. As Susan mentioned earlier, this is a County-driven analysis. It's going to be high level, and it's also going to look at and compare the different environmental impacts associated with a number of different reuse concepts.

Here's the range of environmental issues that are going to be covered in the environmental document. I think the key here is really that we're going to look at all of the different potential environmental issues associated with the project. We're going to evaluate them and look at whether or not there's a potential for a significant impact. We haven't made that decision yet. We're at the preliminary evaluation stage of those issues.

And then the other key issue here is that we are going to work with a number of different resource and regulatory agencies. And so you see here, these four issue areas that are associated with some of the issues that some of the responsible agencies are going to need to take into considerations, such as the State Lands Commission and the Coastal Commission.

One of the things we wanted to just highlight, because it's come up in some of the community meetings is the NRC, Nuclear Regulatory Commission, a federal agency that has jurisdiction over the handling and management of radiological materials and waste. They have exclusive jurisdiction over that.

So in the EIR we're going to present the requirements that NRC has on this power plant and any plans for safety measures associated with those

requirements. We're looking at this issue because as a County agency, they have to look at the whole of the action, but the Federal agency does have that exclusive jurisdiction.

For all of the issue areas that we look at and consider in the environmental document, we're going to look at all potential impacts. We're going to look at direct, indirect cumulative, and growth-inducing effects. For any significant impacts that we identify, we're going to also identify potential litigation measures that can be adopted to reduce those impacts.

We are going to look at environmental justice issues, but a lot of the social and economic impact issues are not considered significant under CEQA. One of the key components of the environmental report will be the consideration of alternatives. In the CEQA document, we don't need to look at alternatives at an equal level of detail, but we do need to identify alternatives that have the potential to reduce significant impacts.

We also have to look at the alternative in terms of meeting project objectives and the feasibility of those alternatives. One of the key considerations in this report, like other environmental reports, is that CEQA requires a consideration of a no-project

alternative.

With this particular project, because there is a license termination and process, we will not have a true no-project or no-action alternative. And the NLP provided some examples of some alternatives that we're currently considering.

Are there any questions? At this time, I'll take questions on the EIR process.

MS. BLEWITT: Please raise your hand using the Zoom function, or if you're calling in, star 9 to raise your hand. Again, we're looking for questions on the EIR process before we open it up for the formal scoping comments. There do not appear to be any questions at this time.

MS. ALARCON-LOPEZ: So we are going to go ahead and open it up for formal scoping comments. We wanted to just kind of give you an idea of what we consider to be helpful. As I mentioned earlier, any comments that we receive here or in writing regarding the environmental report are all going to be taken into consideration in the draft document.

We're looking for any input that you have on the scope and comment of the environmental document, any information that you think we ought to know based on your local environmental knowledge of the area, any

issues that you think we ought to evaluate, any alternatives that you think we ought to consider, and any mitigation measures that you would recommend, because the EIR will also look at future reuse options.

We'll also take any comments regarding concepts that you think we ought to take into consideration. We want to just remind you before we open it up, if you would like to make a comment, if you could raise your hand and those hands will come in a certain order, and we will call your name and ask you to state your name and affiliation.

If we get a lot of speakers, we will limit the comment to three minutes. If you're calling by phone and you want to make a comment, please press star 9 to raise your hand and star 6 to unmute yourself. Once Lisa calls your name. We're going to go ahead and open it up for comments and we will leave this email address and the mailing address up in case you want to submit a written comment, instead of providing an oral comment.

MS. BLEWITT: We have one raised hand at this time. It is a call-in person. Last four digits are 7270. Please press star 6 to unmute yourself and then state your name and affiliation for the record.

MARY JO BORAK: Good afternoon. Hi, everybody. My name is Mary Jo Borak, and I work for the California

Public Utilities Commission. I thank you very much for your presentation. I found it very helpful. We hopefully will submit some written comments to you by Monday afternoon, but I just wanted to tell you hopefully that our comments will fall into three main areas. And we hope that you can incorporate this into your scoping thoughts and consider these as you move forward with your draft EIR.

First issue that the CPUC is interested in is the cost associated with decommissioning. Your EIR will include mitigation measures to reduce environmental impact, which could have cost implications for PG&E and California rate payers.

We hope that the EIR process will take cost into consideration and look at more than one mitigation option whenever feasible. The EIR process should make clear the cost considerations of mitigation measures and alternatives to allow the CPUC and stakeholders compared to EIR proposals to PG&E's Decommissioning cost estimates and funds available in the Nuclear Decommissioning Trust.

Secondly, we are, of course, interested in continued use and access to the existing electric infrastructure at the site. The existing substation and transmission systems are robust and will be

underutilized once the Diablo Canyon stops generating. Offshore Wind and other energy providers are ready to looking to tie in to grid at this location.

And finally, the third area we're interested in, which is not exactly associated with your EIR preparation, but there's a State Public Utility Code Section 851, which deals with land transfer for public utilities. And so we're, of course, interested in making sure that whatever alternatives that are looked at in your documents will be compatible with the needs we will have with any future PG&E filings on Public Utilities Code Section 851. So thank you.

MS. BLEWITT: Thank you, Mary Jo. Are there any other scoping comments at this time? Please, raise your hand. Again, if you're calling in press star 9 to raise your hand. I'm not seeing any other raised hands at this time.

MS. ALARCON-LOPEZ: Okay. Thank you, Lisa. That's going to conclude our meeting then for today. We want to thank all of you for taking the time, particularly out of your Saturday, for participating in today's scoping meeting. The scoping period ends or the time period for submitting comments ends December 6th at 5:00 p.m., that's this Monday at 5:00 p.m. The address Lisa had up on the previous slide, but it can also be

found on the County's Planning and Building webpage, specifically a webpage for Diablo Decommissioning.

Again, the recording of this meeting as well as the previous four scoping meetings we have will be up on that webpage. This PowerPoint presentation is also available on the webpage right now. So once again, thank you so much for taking the time for participating. We really appreciate it.

CERTIFICATE

I, the undersigned, a Certified Shorthand Reporter of the State of California, do hereby certify:

That the foregoing proceedings were taken before me at the time and place herein set forth; that a verbatim record of the proceedings was made by me using machine shorthand which was thereafter transcribed under my direction; further, that the foregoing is an accurate transcription thereof.

I further certify that I am neither financially interested in the action nor a relative or employee of any attorney of any of the parties.

IN WITNESS WHEREOF, I have this date subscribed my name this 16th day of December, 2021.

michele watson

MICHELE WATSON, CSR

CSR No. 8359

Appendix B5

Scoping Comment Letters/Emails

Scoping Comment Letters/Emails

NO.	DATE	FROM
A: Agencies		
A001	11/24/21	Santa Barbara County Energy Minerals Compliance Division
A002	12/2/21	City of Santa Maria
A003	12/1/21	City of Pismo Beach
A004	12/6/21	Santa Barbara County Air Pollution Control District
A005	12/6/21	City of San Luis Obispo
A006	12/6/21	Port San Luis Harbor District
A007	12/6/21	San Luis Obispo County Air Pollution Control District
A008	12/6/21	California Public Utilities Commission
A009	12/6/21	California Department of Transportation
A010	12/6/21	U.S. Fish and Wildlife Service
A011	12/6/21	California Department of Fish and Wildlife
B: Organizations		
B001	10/29/21	Californians for Green Nuclear Energy #1
B002	11/16/21	Californians for Green Nuclear Energy #2
B003	11/29/21	San Luis Obispo Mothers for Peace
B004	12/1/21	Californians for Green Nuclear Power 3
B005	12/1/21	Californians for Green Nuclear Power 4
B006	12/6/21	Santa Lucia Sierra Club and Surfrider Foundation
B007	12/6/21	Californians for Green Nuclear Power 5
B008	12/6/21	Californians for Green Nuclear Power 6
B009	12/6/21	Californians for Green Nuclear Power 7
B010	11/9/21	Avila Valley Advisory Council
C: Tribal Governments		
No comment letters/emails received during scoping		
D: Individuals		
D001	11/1/21	Coleman Miller
D002	11/10/21	Peggy Sharpe
D003	12/6/21	Maia Petrovic
D004	12/6/21	Melinda Forbes

D: Individuals, *continued*		
D005	12/6/21	Sybil Jacobs
D006	12/1/21	Kara Woodruff
D007	12/4/21	L. Jane Swanson
D008	12/4/21	Guy Sharp
D009	12/4/21	Sherri Danoff
D010	12/5/21	Eric Greening
D011	12/5/21	Steven and Zoe Zawalick
D012	12/5/21	Benita Epstein
D013	12/6/21	Sheila Baker
D014	12/6/21	Jill ZamEk
D015	12/6/21	Doug Tait
D016	12/6/21	Melissa Boggs
D017	12/6/21	Sam Blakeslee
D018	12/5/21	Kathi DiPeri

County of Santa Barbara
Planning and Development

Lisa Plowman, Director

Jeff Wilson, Assistant Director

November 24, 2021

Susan Strachan
Nuclear Power Plant Decommissioning Project Manager
San Luis Obispo County, Department of Planning and Building
976 Osos St. #300
San Luis Obispo, CA 93498

RE: DCPP Decommissioning Project NOP Comments

Dear Ms. Strachan,

The Santa Barbara County Planning & Development Department (P&D) appreciates the opportunity to provide comments regarding the Diablo Canyon Power Plant Decommissioning Project (DCPP). The project description states that the applicant is considering three potential rail sites to be used to transfer decommissioned waste from trucks to rail cars. One of the potential rail sites is located within the County of Santa Barbara's jurisdiction on the former Sugar Beet plant site (Assessor Parcel Number 113-210-001). Earlier this year we informed you via email that use of this transfer site will require discretionary permitting action from the County. Pursuant to Section 15103 of the CEQA Guidelines, we request additional time to submit scoping comments as we have yet to receive a formal application from PG&E for development and use of this site as a rail loading spur.

In addition to our request for more time we are submitting the following list of project description/scoping comments related to the proposed project description.

1. Please clarify whether the decommissioned material would be stored at the rail transfer site for an extended period of time or immediately loaded onto rail cars. If the waste material is to be stored onsite, please describe the extent of the time period for which it would be stored, the method of storage and the security measures that will be in place to ensure the material is safely stored.

2. The travel routed for how the decommissioned waste would arrive at its final out-of-state destination is unclear. Please clarify whether the waste would be transported in a southerly direction toward Los Angeles or northerly toward the Bay Area. After the rail route is identified, the EIR must evaluate the risk associated with transporting the hazardous waste through populated areas to its final destination. We note that the NOP includes a list of five

project alternatives. We recommend that the EIR alternatives analysis be expanded to identify and analyze alternative rail routes which may reduce the potential risk of exposure to populated areas.

We appreciate the opportunity to provide comments on the DCCCP. We look forward to reviewing the draft document to understand how our comments are addressed. If you have any questions, please feel free to contact me (805) 568-2519.

Sincerely,

John Zorovich
Deputy Director
Energy Minerals & Compliance Division
Planning & Development Department

Cc: Lisa Plowman

CITY OF SANTA MARIA
COMMUNITY DEVELOPMENT
DEPARTMENT

110 S. PINE STREET #101 (ON HERITAGE WALK) • SANTA MARIA, CALIFORNIA 93458-5082 • (805) 925-0951 • FAX (805) 928-7556

December 2, 2021

Susan Strachan
Nuclear Power Plant Decommissioning Project Manager
County of San Luis Obispo, Planning & Building
976 Osos Street, Room 200
San Luis Obispo, CA 93408

SUBJECT: Diablo Canyon Power Plant Decommissioning Project Notice of Preparation

Dear Ms. Strachan,

The City of Santa Maria Community Development Department appreciates the opportunity to provide comments regarding the Diablo Canyon Power Plant Decommissioning Project. The project description included in the Notice of Preparation dated October 28, 2021, states that there are four different sites being considered to transfer decommissioning waste from trucks to rail cars, where the waste would then be transported by rail to out-of-state disposal facilities. One of the sites being considered is located within the City of Santa Maria (Osburn property located at 1599 A Street). Pursuant to Section 15103 of the California Environmental Quality Act (CEQA) Guidelines, we request additional time to submit scoping comments as we have yet to receive a formal application from PG&E for development and use of this site as a rail loading spur.

Additionally, after reviewing the project description and researching this site, we have the following comments/concerns.

1. The site is located within the Area 9 Specific Plan. Any development on the site is subject to the development standards and requirements of this plan.

2. In our research of the existing uses on the site, the existing rail spurs appeared to be constructed in 2017-2018. We could not locate permits (entitlements or building permits) to establish the rail yard use on this property.

3. According to the Area 9 Specific Plan, the site is located within a PD/M-1 (Planned Development/Light Industrial) zoning district, with a Light Industrial (LI) General Plan Land Use designation. The purpose of the underlying LI land use designation is "To accommodate industrial uses which contain the process primarily within the building, do not generate negative environmental impacts and which are most

compatible with adjacent nonindustrial uses." Types of uses planned for this land use include research facilities, light assembly plants, non-public oriented offices, industrial support offices and those industrial uses with processing entirely contained within a building. The proposed trucking/loading-centered use is more intensive than allowed by the land use designation and would be better suited to a more intensive industrial/manufacturing land use. The use would be more suitably located on a site that is zoned PD/M-2 (Planned Development / Heavy Industrial).

4. An existing single family residential subdivision is located within 400 feet of the project site. The City of Santa Maria has concerns regarding the impacts of this project to nearby residents. Please clarify in the project description the length of time decommissioned materials would be stored on the site, the method of storage, and safety measures put in place to ensure that materials would be stored safely. Please also clarify the travel routes that waste would be transferred to and from the site, and the days/hours that this would occur.

We appreciate the opportunity to provide comments on the project. If you have any questions, please feel free to contact me at 805-925-0951 ext. 2444 or by email at deady@cityofsantamaria.org.

Sincerely,

Dana Eady
Digitally signed by Dana Eady
Date: 2021.12.02 12:21:03 -08'00'

Dana Eady, Planning Division Manager
Community Development Department

Cc: Chuen Ng, Director of Community Development
James Austin, Fire Marshal

760 Mattie Road, Pismo Beach, CA 93449
(805) 773-4658 | PismoBeach.org

December 1, 2021

Susan Strachan
San Luis Obispo County, Department of Planning and Building
976 Osos Street, #300
San Luis Obispo, CA 93408

RE: Diablo Canyon Power Plant Decommissioning Project Notice of Preparation Comments

Dear Ms. Strachan:

Thank you for including the City of Pismo Beach (City) in the environmental impact report (EIR) process for the Diablo Canyon Power Plant Decommissioning Project (the "Project"). The Project is located at 3890 Diablo Canyon Road in an unincorporated area of San Luis Obispo County. The City is a Responsible Agency for the Project as a result of the potential use of the Pismo Beach Materials Handling Facility (PBMHF) facility to support the project. As you are aware, the City has been requesting to meet with Pacific Gas & Electric (PG&E) representatives to better understand the impact of the project on the Pismo Beach community. The City looks forward to a meaningful discussion with PG&E representatives.

Please be aware that due to lingering questions on specifics of what activities are proposed in Pismo Beach and at the PBMHF, the City's following comments are preliminary. In accordance with CEQA Guidelines Section 15103, the City will need additional time to provide complete scoping comments until an application is submitted to the City for specific project components or, at minimum, a meeting with PG&E representatives is conducted to clarify these questions. At this time, the City offers the following comments:

1. The EIR should study traffic circulation in Pismo Beach, including traffic signals or other traffic control devices necessary to accommodate a potential increase in truck hauling traffic through the City. The City commends PG&E for listening to our previous comments regarding the importance of removing site waste by barge, as this drastically reduces truck trips through Pismo Beach.

2. The City's Police Department and Fire Station 64 are located in the 1000 block of Bello Street. With a high amount of tourist visits throughout the year, Bello Street and the intersection with Price Canyon Road are active in emergency response. The EIR should study potential impacts to public safety because of the project.

3. The EIR should evaluate air quality and greenhouse gas (GHG) impacts associated with truck trips through Pismo Beach and train hauling emissions from the PBMHF.

4. The locations of the truck travel path and the PBMHF are near Judkins Middle School, as well as multifamily and single-family residences on the southeast side of Price Canyon Road. The EIR needs to

evaluate impacts to these sensitive receptors resulting from the project components affecting Pismo Beach.

5. The PBMHF is near known cultural sites CA-SLO-81 and -832. Even in previously disturbed areas, the EIR needs to evaluate and fully understand impacts to cultural resources.

6. Due to the location of the PBMHF in relation to Pismo Creek, the EIR should floodplain impacts to any proposed improvements or operation expansion at the PBMHF.

7. In addition to air quality and GHG impacts to sensitive receptors, impacts to sensitive receptors related to noise also needs to be addressed.

8. We commend the County of San Luis Obispo for considering future uses of the plant area this early in the process. Due to the limited access to the project site, homes or other high intensity uses will be disruptive to local traffic patterns. The City sees impacts to the northernmost portion of Pismo Beach, as well as the City's frontage roads, with current uses and events and this will be potentially exacerbated by future uses of the Project site.

Thank you again for the opportunity to comment. Should you have any questions please feel free to contact me at mdowning@pismobeach.org or by phone at (805) 773-4658.

Sincerely,

Matthew Downing, AICP
Community Development Director

cc: City Manager
City Attorney
Assistant City Manager

apcd air pollution control district
SANTA BARBARA COUNTY

December 6, 2021

Susan Strachan
San Luis Obispo County
Department of Planning and Building
976 Oso Street, #300
San Luis Obispo, CA 93408

Email Only: diablo@co.slo.ca.us

Re: Air Pollution Control District Response to Notice of Preparation of an Environmental Impact Report for Diablo Canyon Power Plant Decommissioning Project, ED2021-174/DRC2021-00092

Dear Susan Strachan:

The Santa Barbara County Air Pollution Control District (District) appreciates the opportunity to provide comments on the Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) for the Diablo Canyon Power Plant Decommissioning Project.

Project Description

Pacific Gas and Electric Company (PG&E) proposes to decommission the power-generating facility, appurtenant structures, and infrastructure of the Diablo Canyon Power Plant (DCPP). Work is to take place in two phases. Phase 1, from 2024 till 2031, consists of pre-planning and decommissioning activities. Phase 2, from 2032 till 2039, consists of completion of soil remediation, final status surveys, and final site restoration. Various decommissioning and remediation activities will take place in San Luis Obispo County.

In Santa Barbara County, regulated waste material may be hauled by truck from the DCPP to one of two Santa Maria Valley Railroad (SMVR) facilities for transport out-of-state by rail for disposal. The SMVR-SB Facility (also known as Betteravia Industrial Park) is located approximately 1.6 miles west of the City of Santa Maria in the jurisdiction of the County of Santa Barbara. The SMVR-SM site (Osburn Yard) is located east of the intersection of A Street and La Brea Avenue in the City of Santa Maria. Infrastructure modifications at either of the two SMVR facilities would include refurbishment of existing rail spurs (SMVR-SB) or installation of a new rail spur (SMVR-SM), use of steel road plates or installation of engineered fill, equipment for loading material from trucks to railcars, and power supplies or installation of high voltage power capable of supporting the equipment listed above. Operations at the site include the use of diesel engines as well as a railcar mover. Waste transportation by rail is planned to occur between 2024 and 2029. Waste may also be hauled by barge directly from the DCPP to offsite waste disposal facilities in locations along the West Coast of the US.

Information Requests

The District reviewed initial application materials for the project and provided an *Initial Feedback* letter and an *Updated Initial Feedback* letter on August 31, 2021 and October 21, 2021, respectively. The

District's *Updated Initial Feedback* Letter requested responses to the following items to determine potential air quality impacts, appropriate permit conditions, and applicability of District permit requirements and prohibitory rules. Please ensure that the Draft EIR provides the following information:

1. **Description of Waste.** The District requests a more detailed description of the types of waste material that will be transported to the locations in Santa Barbara County, including a description of whether the waste will include asbestos materials, hydrocarbons or other toxic air contaminants, fine particulates, or odor-containing materials.

2. **Specifications of Proposed Equipment at the Santa Maria Valley Railyard (SMVR) Facilities.** For the temporary 400-ton gantry crane and the two truck-mounted cranes, please provide the number and function of engines (e.g., what crane operational mode they will power), engine size in brake horsepower (bhp), and fuel type. Please also specify how long they will be operating on the site. For emissions quantification, the applicant should also specify the bhp for the proposed diesel-powered scissor lifts, reach lifts, and forklifts.

District Comments on Scope of Environmental Review

District staff reviewed the NOP and concurs that air quality and global climate change impacts should be addressed in the EIR. The proposed project includes equipment and operations that are subject to District permit requirements and prohibitory rules. Therefore, **the District will be a responsible agency under the California Environmental Quality Act (CEQA) and will rely on the EIR when evaluating any District permits for proposed equipment**. Potential air quality and climate change impacts should be fully evaluated and disclosed in the EIR. Impacts should be avoided as much as feasible through project design features, efficiencies, mitigation, and monitoring. To avoid additional CEQA documentation related to District permit issuance, the EIR should include the air pollutant emissions for all proposed operations and equipment in the project's air quality and greenhouse gas impact analysis and include mitigation as appropriate to reduce the impacts. The District's guidance document, entitled *Scope and Content of Air Quality Sections in Environmental Documents*, is available online at www.ourair.org/land-use. This document should be referenced for general guidance in assessing air quality impacts in Santa Barbara County. The District should be contacted directly for specific guidance as needed.

The EIR should evaluate the following potential impacts related to the Diablo Canyon Power Plant Decommissioning Project:

1. Attainment Status and Consistency with the District's Ozone Plan. Attainment status for Santa Barbara County is posted on the District website at www.ourair.org/air-quality-standards. The most recent Ozone Plan (previously known as the Clean Air Plan) was adopted in December 2019 and is available at www.ourair.org/clean-air-plans. The District website should be consulted for the most up-to-date air quality information prior to the release of the public Draft EIR.

Consistency with local and regional plans, including the District's 2019 Ozone Plan, is required under CEQA for all projects. Consistency with the Ozone Plan should be evaluated on a case-by-case basis, and the EIR should include an assessment of whether operations within Santa Barbara County will be consistent with the Ozone Plan. The Ozone Plan relies primarily on land use, population, and on-road emissions projections provided by the California Air Resources Board (CARB) as a basis for vehicle

emission forecasting. All development projects should be evaluated to determine whether direct and indirect emissions associated with the project are accounted for in the Ozone Plan's emissions growth assumptions, and whether the project is consistent with policies adopted in the Ozone Plan.

Industrial stationary source projects will generally be considered consistent with the Ozone Plan if they are consistent with District rules and regulations. Large industrial stationary sources may be found inconsistent if their emissions are not considered in the Plan's stationary source emission inventory.

2. Impacts to Sensitive Receptors. The District is concerned with land use incompatibilities and potential air quality and health impacts associated with changing and intensifying activities at the SMVR locations in Santa Barbara County. Both proposed locations are proximate to other land uses including agricultural and residential land uses. The proposed project would increase air pollutants emitted from the rail yards including emissions from diesel-fired locomotives, off-road equipment, heavy duty trucks, and generators. Project activities at the rail yards may expose nearby receptors to increased toxic air contaminants and/or objectionable odors.

The California Air Resources Board (CARB)'s Air Quality and Land Use Handbook[1] includes recommendations and siting criteria for development projects and encourages land use agencies to use their planning processes to ensure the appropriate separation between air pollution sources and sensitive land uses. The handbook includes a discussion of rail spurs on pages 15 to 18. CARB recommends avoiding siting major service and maintenance rail yards within 1,000 feet of a sensitive land use. The two proposed locations in Santa Barbara County are close to either residential receptors or workplace receptors and the potential for health risk should be evaluated.

The potential health risk impacts associated with the utilization of any and all potential rail yard locations, and all potential sources of toxic air contaminants, should be evaluated under California Environmental Quality Act (CEQA) in the form of a Health Risk Assessment (HRA). As part of District permit issuance, the proposed project will require that a refined HRA be performed to demonstrate that the operation of project-related equipment does not cause a significant risk to the surrounding community and nearby sensitive receptors. For the purposes of the CEQA analysis, the equipment evaluated should include, but is not limited to: locomotive engines, off-road/construction equipment, on-road equipment (on-road heavy-duty trucks, light-duty trucks, and passenger vehicles), marine vessel/barging activities, and all stationary and portable diesel engines.

If an HRA shows that the project would present a significant health risk to the surrounding community at a proposed location, mitigation measures should be applied to reduce the health risk to a less than significant level. Alternatively, another location(s) could be identified and evaluated. In order to minimize public exposure to air pollution, the District recommends the use of cleaner and low emission equipment, including equipment meeting Tier 4 or better engine emission standards and zero and near-zero emission technology.

We recommend that the results of the HRA are incorporated into the EIR for the project. Please conduct the refined HRA in accordance with the District *Modeling Guidelines for Health Risk Assessments*, Form-15i, available at www.ourair.org/permit-applications. Please contact William Sarraf, Supervisor of the

[1] www.arb.ca.gov/ch/handbook.pdf

District's Engineering Division, at SarrafW@sbcapcd.org or (805) 961-8888 if you have any questions on performing the HRA.

3. Increase in Criteria Pollutant Emissions from Proposed Project. San Luis Obispo County in its role as the CEQA lead agency should identify any potential adverse air quality impacts and all air pollutant sources that could occur from all phases of the proposed project. Air quality impacts occurring in Santa Barbara County and offshore of Santa Barbara County, from both construction and operations, should be discussed and quantified as feasible.

The proposed project will involve air quality impacts associated with locomotive engines, truck trips and other mobile travel, off-road equipment, diesel generators, and marine vessel/barging activities. Air quality impacts should be based on project-specific information and should be supported by technical studies, such as an air quality technical report and/or traffic study whenever possible.

Stationary and area source emissions should be added to transportation source emissions prior to applying the project-specific thresholds of significance. If the proposed project exceeds the significance thresholds for air quality, mitigation should be applied to reduce those emissions as appropriate under CEQA. Section 6 of the District's *Scope and Content* document offers ideas for air quality mitigation. However, project-specific measures should be developed that are pertinent to the specific project. Mitigation measures should be enforceable through permit conditions, agreements, or other legally binding instruments. The EIR should include a Mitigation Monitoring and Reporting Plan that explicitly states the required mitigations and establishes a mechanism for enforcement.

4. Global Climate Change/Greenhouse Gas Impacts. Greenhouse gas (GHG) emissions and global climate change impacts should be addressed in the CEQA document. Global climate change is a cumulative impact; a project participates in this potential impact through its incremental contribution combined with the cumulative increase of all other sources of GHGs. The EIR should include a quantification of GHG emissions from all project sources (direct and indirect), present significance thresholds, and make a determination regarding the significance of impacts. In addition, we recommend that climate change impacts be mitigated to the extent reasonably possible, whether or not they are determined to be significant.

At a minimum, the project should be designed and operated to minimize GHG emissions. Some potential measures include, but are not limited to:

a. Incorporate high efficiency process equipment
b. Reduction in vehicle trips from haul vehicles
c. Utilization of a truck fleet with the newest/cleanest possible vehicles including zero to near-zero emission vehicles
d. Utilize locomotives and marine vessels with the cleanest available engine emissions technology and include operational parameters to maximize fuel efficiency
e. Consideration of onsite renewable energy generation

For guidance regarding greenhouse gas analysis for CEQA environmental documents, please refer to the *CAPCOA CEQA & Climate Change* document. CAPCOA has also published *Quantifying Greenhouse Gas Mitigation Measures*, an extensive sector-by-sector compendium of project-specific mitigation

measures, including quantification methods to calculate GHG emission reductions. Both of these documents are available online at www.capcoa.org. The District has identified some potential strategies for local GHG mitigation that could be implemented in Santa Barbara County; these strategies are summarized and posted on the District's website at www.ourair.org/ghgmitigation-sbc.

We hope you find our comments useful. We look forward to reviewing the Draft EIR. If you have any questions please contact Emily Waddington, Air Quality Specialist, at (805) 961-8878 or WaddingtonE@sbcapcd.org, or contact Molly Pearson, Planning Division Manager, at (805) 961-8838 or PearsonM@sbcapcd.org.

Sincerely,

Molly Pearson
Manager, Planning Division

cc: David Harris, Manager, District Engineering Division [email only]
William Sarraf, Supervisor, District Engineering Division [email only]
Planning Chron File

Community Development
919 Palm Street, San Luis Obispo, CA 93401-3249
805.781.7170
slocity.org

December 6, 2021

Susan Strachan
Nuclear Power Plant Decommissioning Project
County of San Luis Obispo
976 Osos St., Rm. 300
San Luis Obispo, CA 93408

SUBJECT: City comments for the Diablo Canyon Power Plan (DCPP) Decommissioning project EIR Notice of Preparation

Thank you for providing the Notice of Preparation for the DCPP Decommissioning Project Environmental Impact Report. As indicated in the NOP, City staff anticipates the DEIR will include a comprehensive study of the potential impacts of the project with various alternatives and all CEQA issue areas to be studied in the EIR. Therefore, at this time, staff offers a request regarding the public review time once the DEIR is publicly available and has only the following comment to ensure the DEIR adequately evaluates the Population and Housing issue area in the DEIR.

Population and Housing – The DEIR should evaluate the potential housing impacts of large numbers of workers that will be needed for short and long terms at various components of the decommissioning process. Housing affordability is a significant issue in San Luis Obispo and in the surrounding unincorporated county and in other incorporated cities in the County. Even if significant numbers of workers aren't expected to reside in the City of San Luis Obispo, there could be pressure on housing availability in other areas that have a "spillover" effect on the City's housing stock. The DEIR should include a detailed review of the potential cumulative effects to Population and Housing that could result from the decommissioning phases, and the programmatic level analysis to be conducted on potential future uses of the site should also study the potential effects of this issue area.

Public Review Time Frame – Given the complexity and comprehensive study of issue areas that will be in the DEIR, please consider extending the DEIR public review timeframe to at least 60 days.

The City of San Luis Obispo requests to be notified of any hearings, or significant project updates related to this project, and availability of the DEIR for public review. Thank you for considering City Community Development Department NOP comments on the DCPP Decommissioning EIR.

City of San Luis Obispo NOP Comments
Diablo Canyon Power Plan Decommissioning Project

Please feel free to contact me with any questions. I can be contacted by phone at 805-781-7166, or by e-mail: bleveille@slocity.org

Sincerely,

Brian Leveille, AICP
Senior Planner
City of San Luis Obispo, Community Development Department

CC: Michael Codron, Community Development Director
Tyler Corey, Deputy Director
Teresa McClish, Housing Policy and Programs Manager

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December 6, 2021

Project Number & Name: ED2021-174 / DRC2021-00092
DCPP Decommissioning Project NOP Comments

To: Ms. Susan Strachan, Nuclear Power Plant Decommissioning Project Manager
San Luis Obispo County, Department of Planning and Building
sstrachan@co.slo.us, diablo@co.slo.us

This letter contains the Port San Luis Harbor District's (District) comments on the scope of the Diablo Canyon Power Plant (DCPP) Decommissioning Project Environmental Impact Report (EIR) and the District's overall concerns with the Project. The District's comments are focused on the DCPP site and adjacent land.

1. **Harbor District land, facilities, and submerged tidelands**: The environmental impact of all potential utilization planned during the decommissioning project of any land, facilities, and submerged tidelands owned and managed by the District should be reviewed. These could include, but are not limited to, the old barge landing adjacent to entrance of the DCPP access road, parking lots, piers, and moorage areas.

2. **Road Transportation**: Transportation and pedestrian safety/access on Avila Beach Drive to support the decommissioning project and future traffic loads for potential uses at the DCPP site should be reviewed in the EIR. The District's areas of concern include use of roadways for heavy construction vehicles during any high traffic times, vehicle staging, and all transportation of demolished non-radioactive concrete and materials. A condition assessment of the Avila Beach Drive revetment should be performed to ensure ability to withstand loads, erosion, and sea level rise during the full duration of decommissioning.

3. **Water Quality**: Water runoff during decommissioning and its impacts to the ocean water quality and fish habitats should be fully reviewed during the project. This water quality impact and environmental review should extend well beyond the DCPP marina.

4. **Desalination / Brine Water Quality**: Review what will occur to the existing desalination plant and resulting waste products during the decommissioning project and after the project for the future potential uses of the land and their potable water requirements. Assess wastewater treatment and ocean effluent discharges in absence of the current high volume water discharge.

5. **Future Site Reuse Potential**: The District has previously submitted its ideas for future uses of PG&E owned land in and around the DCPP. The District requests review of the environmental impact of these public uses in the EIR. These uses include:

   - Full District control of the access to the road and trails to the Point San Luis Lighthouse.
   - Expansion of District land ownership adjacent to the District's Harbor Terrace campground for expansion of the camping area and public access to a trail system.
   - Boat storage, commercial fishing gear storage, and harbor operations material storage near the current entrance to the DCPP along Avila Beach Drive.
   - Use of the current DCPP marina and adjacent land for harbor operations including commercial fishing, recreational fishing and boating, and other coastal dependent and coastal related public uses. The District supports preserving the current breakwaters at the DCPP.
   - PG&E owned property around the Wild Cherry Canyon area for public access, boat storage, and harbor operations.

Thank you for consideration of our comments for this project.

John D'Ornellas
Interim Harbor Manager
Port San Luis Harbor District

C: PSLHD Harbor Commission
Dawn Ortiz-Legg, 3rd District Supervisor

Email: Diablo Canyon Decommissioning Project

From: Andrew Mutziger <amutziger@co.slo.ca.us>
Sent: Monday, December 6, 2021 8:00 AM
To: PL_Diablo <PL_Diablo@co.slo.ca.us>; Susan Strachan <sstrachan@co.slo.ca.us>; Cindy A. Chambers <cchambers@co.slo.ca.us>
Cc: Dora Drexler <ddrexler@co.slo.ca.us>; Molly Pearson <pearsonm@sbcapcd.org>; WaddingtonE@sbcapcd.org <WaddingtonE@sbcapcd.org>
Subject: SLO County APCD DCNPP NOP Input: EIR NOTICE OF PREPARATION AND SCOPING MEETINGS for DRC2021-00092/ED2021-174 - Diablo Canyon Nuclear Power Plant Decommissioning Project

Hi Susan and Cindy,

Prior to the issuance of the Notice of Preparation for an Env. Impact Report for the Diablo Canyon Nuclear Power Plant Decommissioning Project, SLO County APCD provided input on preliminary project information – see attached files 4208-1Final_signed.pdf, 4208-3_signed.pdf, 20210727_4208-4_signed.pdf, and 20210924EmailsOnDiabloGHGmitigation.pdf. We also participated in meetings on 19 Aug 2021 and 22 Sep 2021 with yourselves and SLO County's EIR consultant, Aspen, where we discussed our previous comments, draft air quality and GHG impact and mitigation information, and items from my conversation with the California Air Resources Board's Local Planning Section. Subsequent to the NOP issuance, SLO County APCD provided additional input (see attached files 20211112-APCD-OKwPGEresponseTo9Aug2021infoHoldLtrFromCounty.pdf and 20211115-APCDrequestForDAMP&GHGupdate.pdf) and we have participated in collaborative discussions about Air District comments with Santa Barbara County APCD.

The attached documents holistically reflect SLO County APCD's input to date for the project's NOP and our agency will be looking for our comments to be adequately addressed in the Draft EIR.

In addition, SLO County APCD has the following NOP comments for implementation by PG&E based on our recent collaborative discussions with SB County APCD:

1. For the marine aspect of the project, quantify the GHG and criteria pollutant emissions along the route, splitting them up by Air District zones, including travel in CA and Federal waters.

2. Mitigate/minimize marine vessel emissions by specifying the required operational parameters that maximize fuel efficiency and minimize air pollutant emissions (e.g., vessel speed, load factor, fuel type, engine characteristics/tier level) in the EIR and include them as project conditions of approval. This is another good strategy for minimizing GHG and criteria pollutant impacts.

Thank you and please let me know if you or your consultant have any questions.

Sincerely,

Andy Mutziger | **Division Manager**
Planning, Monitoring & Grants
SLO County Air Pollution Control District
(805) 781-5956 VM • amutziger@co.slo.ca.us • SLOCleanAir.org


SLO COUNTY apcd | Air Pollution Control District
San Luis Obispo County

Via Email

June 12, 2020

Kris Vardas
DCPP Decommissioning
P.O. Box 56
Avila Beach, CA 93424
KAV6@pge.com

SUBJECT: APCD Comments regarding the Diablo Canyon Power Plant Decommissioning - Statement of Work

To Kris Vardas:

Thank you for including the San Luis Obispo County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the April 28, 2020 Diablo Canyon Power Plant (DCPP) Decommissioning Statement of Work (SOW) air quality and transportation sections.

Background
Pacific Gas and Electric Company (PG&E) announced plans in 2016 to retire the two reactors at DCPP. This is proposed to begin at the end of the plant's current Nuclear Regulatory Commission operating licenses in 2024 and 2025.

The consultant, Environmental Resources Management (ERM) prepared the SOW which outlines aspects of the decommissioning project, including air quality aspects. Based on the SOW and APCD's input on the SOW, ERM would prepare an air quality impact assessment report for the decommissioning. This report would be provided in draft for review by the APCD, PG&E, and the County of San Luis Obispo (proposed lead agency for the project's future Environmental Impact Report).

The following are APCD's input for the SOW.

General comments

- APCD recommends the consultant quantify the impacts from the project. This includes criteria pollutants, greenhouse gases, and toxics (health risk assessment) inside and outside of SLO County.

- APCD recommends using HARP2 for the air quality risk assessment. The model not only evaluates inhalation risk, but also multi-pathway toxic risks. For within SLO County, the APCD recommends isopleth plots for the project impacts with increments of 1 in a million, 5, 10, etc. For outside of SLO County, the APCD recommends a plot of risk relative to distance from the rail line, truck route, and receiving port.

- Project schedule and phasing may change over time and the air quality impact analyses will need to be reassessed relative to these changes.

This section addresses comments related to individual sections of the SOW.

Section 2.4.2 Air Quality Impact Assessment Report

Criteria Pollutants
An air quality impact assessment of the project needs to be completed that quantifies the impacts, and incorporates mitigation if impacts are above the APCD's significance threshold values identified in Table 2-1 of the *CEQA Air Quality Handbook* (ROG+NOx, DPM and PM10 only). Impacts in excess of the threshold values will need to be mitigated as outlined on Page 2-2 of the APCD's CEQA Handbook.

Greenhouse Gases
Evaluation of greenhouse gas (GHG) emissions are required per Assembly Bill (AB) 32, the California Global Warming Solution Act of 2006. Senate Bill 32 provided an update to the state's AB 32 2020 emission reduction target. The 2030 target from SB 32 is 40% below the 1990 levels. Although not legislatively set, a 2050 target was established by California Governor Schwarzenegger's Executive Order S-3-05. Since this project will likely continue past 2030, the evaluation should consider applicable GHG reduction targets for the project to be evaluated against.

It should be noted that Table 3-2 in the APCD *CEQA Air Quality Handbook (2012)* includes a GHG bright line threshold of significance, but threshold is no longer valid because it was based on the AB 32 target. The APCD plans to issue guidance on how projects can address their GHG impacts through available mitigation approaches. In the meantime, an informational document from the Sacramento Metropolitan Air Quality Management District states:

> If a jurisdiction does not have a qualified CAP [Climate Action Plan], development projects may have to mitigate GHG emissions from their projects to no-net increase level, which has already been done for larger development projects[1] and is the most defensible alternative to compliance with a qualified CAP [Climate Action Plan][2].

San Luis Obispo County does not currently have a CAP that can be considered qualified with SB 32 or future GHG emission reduction requirements. In terms of mitigating a project's total GHG impacts, the APCD first recommends on-site mitigation. If the impacts still exceed no-net increase

[1] Newhall Ranch Resource Management and Development Plan and Spineflower Conservation Plan: Final Additional Environmental Analysis. California Department of Fish and Wildlife SCH No. 2000011025, 12 June 2017.
[2] "Final White Paper Beyond 2020 And Newhall: A Field Guide To New CEQA Greenhouse Gas Thresholds And Climate Action Plan Targets For California." Association of Environmental Professionals, 18 October 2016, https://califaep.org/docs/AEP-2016_Final_White_Paper.pdf.

with the implementation of on-site mitigation, then local off-site mitigation should be considered. Any mitigation should be real, verifiable, and additional to regulatory requirements. If the impacts still exceed no-net increase after the implementation of on-site and local off-site mitigation, then carbon offsets should be purchased using the following guidance to reduce GHG emissions to no-net increase:

- Any offset purchased for the project's California impacts should come from California generated GHG reductions. Impacts outside of California could be mitigated with non-California generated GHG reductions.
- While the APCD does not endorse individual offset programs, the following are some examples of California offset programs. Others may exist:
    - California Air Resources Board (CARB): https://ww3.arb.ca.gov/cc/capandtrade/offsets/offsets.htm#protocols
    - California American Carbon Registry: https://americancarbonregistry.org/california-offsets/california-offset-program
    - Climate Action Reserve: https://www.climateactionreserve.org/how/california-compliance-projects/
    - Climate Forward: https://climateforward.org/how-it-works/

Section 2.2.2.2.6. Risk assessment and Section 2.4.2.8 (determining proximity of sensitive receptors for toxic impact analysis). The risk assessment should compare the risk for the different material transport options (e.g. trucking/rail versus barge). The engine emission standards for the trucking fleet, rail, and marine vessels that the project could use for the different decommissioning scenarios need to be factored into the risk assessment. The project should determine the engine standards the project proponents are willing to commit to use prior to conducting the risk assessment. Routes to minimize toxic risk to sensitive receptors should also be determined and is discussed later in this letter.

This section addresses comments related to demolition and decommissioning activities.

Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present during the project. Portable equipment, 50 horsepower (hp) or greater, used during project activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit. The following list is provided as a guide to equipment and operations that may have permitting requirements but should not be viewed as exclusive. For a more detailed listing, refer to the Technical Appendices, page 4-4, in the *CEQA Air Quality Handbook* (April 2012).

- Power screens, conveyors, diesel engines, and/or crushers;
- Portable generators and equipment with engines that are 50 hp or greater;
- Electrical generation plants or the use of standby generators;
- Internal combustion engines;
- Rock and pavement crushing;
- Unconfined abrasive blasting operations;
- Tub grinders;
- Trommel screens; and
- Portable plants (e.g. aggregate plant, asphalt batch plant, concrete batch plant, etc).

If you have any questions regarding APCD permitting requirements, contact the APCD Engineering and Compliance Division at 805 781-5912.

Hydrocarbon Contaminated Soil

Should hydrocarbon contaminated soil be encountered during project activities, the APCD must be notified as soon as possible and no later than 48 hours after affected material is discovered to determine if an APCD Permit will be required. In addition, the following measures shall be implemented immediately after contaminated soil is discovered:

- Covers on storage piles shall be maintained in place at all times in areas not actively involved in soil addition or removal;
- Contaminated soil shall be covered with at least six inches of packed uncontaminated soil or a non-permeable hydrocarbon barrier. No headspace shall be allowed where vapors could accumulate;
- Covered piles shall be designed in such a way to eliminate erosion due to wind or water. No openings in the covers are permitted;
- The air quality impacts from the excavation and haul trips associated with removing the contaminated soil must be evaluated and mitigated if total emissions exceed the APCD's construction phase thresholds;
- During soil excavation, odors shall not be evident to such a degree as to cause a public nuisance; and
- Clean soil must be segregated from contaminated soil.

The notification and permitting determination requirements shall be directed to the APCD Engineering & Compliance Division at 805-781-5912.

Developmental Burning

APCD Rule 501 prohibits developmental burning of vegetative material within San Luis Obispo County.

Proper Abatement of Asbestos-Containing Material

Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, abatement, and disposal of asbestos-containing material (ACM). ACM could be encountered during the demolition or remodeling of existing structures or the disturbance, demolition, or relocation of above or below ground utility pipes/pipelines (e.g., transite pipes or insulation on pipes). If this project will include any of these activities, then it may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP).

NESHAP requirements include but are not limited to:

1) Written notification to the APCD, within at least 10 business days of activities commencing.
2) Asbestos survey report conducted by a Certified Asbestos Consultant.
3) Written work plan addressing asbestos handling procedures in order to prevent visible emissions.

Go to slocleanair.org/rules-regulations/asbestos.php for further information.

Proper Abatement of Lead-Based Coated Structures

Demolition, remodeling, sandblasting, or removal with a heat gun can result in the release of lead-containing particles from the site. Proper abatement of lead-based paint must be performed to prevent the release of lead particles from the site. An APCD permit is required for sandblasting operations. For additional information regarding lead abatement, contact the San Luis Obispo County Environmental Health Department at 805-781-5544 or Cal-OSHA at 818-901-5403. Additional information can also be found online at epa.gov/lead.

Limits of Idling

State law prohibits idling diesel engines for more than 5 minutes. All projects with diesel-powered construction activity shall comply with Section 2485 of Title 13 of the California Code of Regulations and the 5-minute idling restriction identified in Section 2449(d)(2) of the California Air Resources Board's In-Use Off-Road Diesel regulation to minimize toxic air pollution impacts from idling diesel engines. The specific requirements and exceptions for the on-road and off-road regulations can be reviewed at the following web sites: arb.ca.gov/msprog/truck-idling/factsheet.pdf and arb.ca.gov/regact/2007/ordiesl07/frooal.pdf.

Material Routing

Proposed routes to move the material should be evaluated and selected to ensure routing patterns have the least impact to residential dwellings and other sensitive receptors, such as schools, parks, day care centers, nursing homes, and hospitals.

Fugitive Dust Mitigation Measures: Long List

Construction activities can generate fugitive dust, which could be a nuisance to residents and businesses in close proximity to the proposed construction site. Projects with grading areas more than 4 acres and/or within 1,000 feet of any sensitive receptor shall implement the following mitigation measures to manage fugitive dust emissions such that they do not exceed the APCD 20% opacity limit (APCD Rule 401) and minimize nuisance impacts:

a. Reduce the amount of the disturbed area where possible;
b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. When drought conditions exist and water use is a concern, the contractor or builder should consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control. Please refer to the following link from the San Joaquin Valley Air District for a list of potential dust suppressants: Products Available for Controlling Dust;
c. All dirt stockpile areas should be sprayed daily and covered with tarps or other dust barriers as needed;
d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;
e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;

f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code (CVC) Section 23114;
j. "Track-Out" is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in CVC Section 23113 and California Water Code 13304. To prevent 'track out', designate access points and require all employees, subcontractors, and others to use them. Install and operate a 'track-out prevention device' where vehicles enter and exit unpaved roads onto paved streets. The 'track-out prevention device' can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked out soils, the track-out prevention device may need to be modified;
k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible;
l. All PM_{10} mitigation measures required should be shown on grading and building plans; and
m. The contractor or builder shall designate a person or persons whose responsibility is to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures as necessary to minimize dust complaints and reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress (for example, wind-blown dust could be generated on an open dirt lot). The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork, or demolition (Contact Tim Fuhs at 805-781-5912).

Pipeline Purging Operations

The applicant must submit a Pipeline Purging Plan and permit application to the APCD. If the Pipeline Purging Plan includes the use of APCD permitted degassing systems, the APCD may issue a permit exemption for the project. A permit or permit exemption must be issued by the APCD prior to the start of any pipeline degassing and/or removal activities. Please allow 6 weeks for the permit processing. Information and downloadable application forms are available under the Library section of our website at slocleanair.org. For more information on these requirements, contact the APCD Engineering & Compliance Division at 805-781-5912.

All pipeline purging operations shall be conducted in accordance with the following APCD pipeline purging policy.

1. Petroleum material transportation pipelines shall not be purged or degassed without

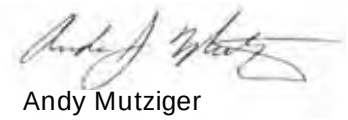
prior APCO approval.

2. The operator shall submit a Pipeline Purging Plan, designed to minimize nuisance odors, at least thirty (30) calendar days prior to the purging of any petroleum material transportation pipeline. That plan shall:
   a. Include pipeline internal diameter, designation, material normally conveyed, a large scale map of the upstream and downstream locations between which the purge is to occur, the distance in feet between those two points, and a small scale map of the pipeline's route;
   b. Address all phases of the process including the estimated length of time over which the purge will occur, the starting date and time, and the method of odor control;
   c. The location, size, anticipated length of stay, and Rule 425, that addresses petroleum storage tanks, compliance status of any temporary storage vessels;
   d. The location, anticipated length of operation, and the following operating parameters for any odor or emission control device:
      1) Thermal oxidizers: flow rate of pipeline vapors to the control equipment, control efficiency and capacity, operating temperature, auxiliary fuel requirements and consumption rate, expected operating characteristics, and auxiliary equipment requirements, e.g. motor-generators;
      2) Carbon absorbers: flow rate of pipeline vapors to the control equipment, control efficiency and capacity, breakthrough detection method, and actions to be taken upon breakthrough discovery.
3. An estimate of the composition of the pipeline vapors to include hydrogen sulfide, benzene, and total petroleum hydrocarbon in volume percent or ppmv; and
   a. Include emission estimates for all phases of work and equipment involved, with the exception of engines used for welders or air compressors, or as the motive power for mobile equipment.
4. Multiple or sequential pipeline purges that will occur within a single ninety (90) day period may be consolidated into the same plan. The APCO reserves the right to require a permit or portable equipment registration for any equipment proposed for use in the pipeline purging if that equipment is not exempt under APCD Rule 201, Equipment Not Requiring a Permit.
5. After the initial submittal of a Pipeline Purging Plan, any changes to that plan must be submitted as soon as possible to the APCO. Any change submitted with a lead-time of less than one (1) working day may result in disapproval for the lack of time available to assess the effects of the change.

The APCO shall be notified no later than two (2) working days prior to any pipeline purging event.

Thank you for the opportunity to comment on this SOW. If you have any questions or comments, feel free to contact Gary Arcemont at 781-5912.

Sincerely,



Andy Mutziger
Manager - Planning, Outreach & Grant Division

AJM/JNM/GJA/jjh

cc: Dora Drexler, APCD Manager – Engineering & Compliance Division
Lacey Minnick, County Planning and Building

SLO COUNTY apcd | Air Pollution Control District San Luis Obispo County

Via Email

April 14, 2021

Susan Strachan
County of San Luis Obispo Planning and Building
976 Osos Street, Room 300
San Luis Obispo, CA 93408
sstrachan@co.slo.ca.us

SUBJECT: DRC2021-00092 PG&E Diablo Canyon Power Plant Decommissioning

To Susan Strachan:

Thank you for including the San Luis Obispo County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the Diablo Canyon Power Plant Decommissioning documentation.

The Diablo Canyon Power Plant (DCPP) Decommissioning Project (Project) proposed by Pacific Gas and Electric Company (PG&E) will include activities at the DCPP site located approximately seven miles northwest of Avila Beach, within the County of San Luis Obispo, California. Project activities will also take place at the Pismo Beach Materials Handling Facility located within the City of Pismo Beach and at one of two Santa Maria Valley Railyard Facility sites located in Santa Barbara County or the City of Santa Maria, California. PG&E announced plans in 2016 to retire Diablo Canyons two reactors – the only remaining nuclear power plant in California. This will occur at the end of the current operating licenses in 2024 and 2025. Work at the project site will occur over decades.

This Development Plan/Coastal Development Permit (CDP) and Conditional Use Permit (CUP) Application Package is being submitted by PG&E to proceed with the decommissioning of the DCPP. PG&E's CDP application package includes an Environmental Impact Assessment (EIA) and several technical reports to support the application and to assist the County of San Luis Obispo (County) and its consultant in preparation of an Environmental Impact Report (EIR). The EIA is intended to assist the County in its preparation of an EIR for the Project and provides the environmental setting, existing conditions, regulatory framework, proposed avoidance and minimization measures, significance thresholds, environmental analysis, recommended mitigation measures and impact conclusions.

The APCD has the following comments.

General comments

As a commenting agency in the California Environmental Quality Act (CEQA) review process for a project, the APCD assesses air pollution impacts of a project. **Please address the action items contained in this letter that are highlighted by bold and underlined text**.

Since work at the project site will not start for several years and will extend over decades, project activities, schedule and phasing may change over time and may need to be re-assessed relative to the submitted air quality impact analyses. The APCD's *CEQA Air Quality Handbook* (April 2012) and Land Use & CEQA webpage provides current guidance. In addition, the APCD recently issued CEQA greenhouse gas guidance. APCD guidance will likely be updated over time. Therefore, an updated assessment should be provided at the commencement of the project based on then current APCD guidance. The following APCD comments discuss what the APCD is expecting for these future impact evaluations and reports.

Decommissioning Activity Management Plan

Appendix I of the decommissioning project's referral packet includes an air quality impact assessment for the project based on preliminary estimates of project activity. This assessment indicates that decommissioning activities could exceed the APCD's daily and quarterly construction thresholds as shown the CEQA Air Quality Handbook.

Section 6.4.3 of the project referral does not include all applicable construction equipment mitigation measures from Section 2.3 of the *CEQA Air Quality Handbook* (April 2012). **An activity management plan and offsite mitigation are additional mitigation measures that are needed because of the potential exceedance of APCD's Tier 2 construction threshold.** The current APCD construction mitigation measures can be found in the Quick Guide for SLO County APCD Construction Mitigation Measures.

The APCD recommends the project implement a Decommissioning Activity Management Plan (DAMP) that includes all APCD mitigation in Section 2.3 of the CEQA Air Quality Handbook and submit reports to APCD at the end of each quarter that present actual air quality impacts during the quarter. The applicant will compare the impacts to APCD's daily and quarterly construction thresholds, and if necessary, identify updated air quality mitigation measures to mitigate impacts in excess of APCD thresholds.

The DAMP should be submitted to the APCD for review to determine whether APCD standards have been met. Guidelines can be found in the APCD's CEQA Air Quality Handbook – Technical Appendix 4.5. The DAMP will be approved by the lead agency prior to the start of construction and should include, but not be limited to, the following elements:

- A Dust Control Management Plan that describes all dust control measures;
- List of on and off-road construction equipment (equipment type, gross vehicle weight rating, engine model year, horsepower and miles or hours of operation);
- Scheduling of construction truck trips during non-peak hours to reduce peak hour emissions;
- Limits to the length of the construction workday, if necessary; and
- Phasing of construction activities, if appropriate.

The follow APCD comments addresses individual sections of the Air Quality and GHG Assessment document.

Section 6.2.1.1 paragraph 4. At Diablo Canyon, winds from the southeast (SE) are not offshore. Northwest and SE winds generally parallel the coast near Diablo Canyon. **Please modify this paragraph.**

Section 6.2.2. Truck and rail transport will impact air quality outside of California, as materials are transported to Arizona, Utah, Nevada and Texas. **APCD recommends that this section state that there will be air quality impacts from truck and rail transport in Arizona, Utah, Nevada, New Mexico and Texas.** (Section 3.3.1.1.2 of the project referral also has this information – please make edits to this section as well). **Please revise this section.**

Section 7.3. This section incorrectly concludes that the decommissioning project would be subject to the APCD's stationary source industrial GHG threshold of 10,000 MT CO_2e/yr. Our June 12, 2020 letter (attached) and our 2021 CEQA GHG Guidance provide guidance for how to address GHG impacts when there is no applicable threshold. **APCD recommends that Section 7.3 be revised to apply this guidance to the project.**

The following APCD comments are related to individual sections of the Transportation document and the Health Risk Assessment document

Section 3. Page 448 of 473. This section discusses barge traffic and transport of materials by barge.

Previous staff discussions related to the Health Risk Assessment indicated there would not be any transport of materials by marine vessels. Omission of marine vessel emissions will impact the results of the health risk assessment. **This inconsistency must be addressed.**

The following APCD comments are related to APCD permits, notifications and trucking requirements.
Action items related to APCD permits are listed in the project referral documentation. The following discussion provides more detail.

Permit Requirements
Portable equipment, 50 horsepower (hp) or greater, used during project activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit. The following list is provided as a guide to equipment and operations that may have permitting requirements but should not be viewed as exclusive. For a more detailed listing, refer to the Technical Appendices, page 4-4, in the *CEQA Air Quality Handbook* (April 2012).

- Power screens, conveyors, diesel engines, and/or crushers;
- Portable generators and equipment with engines that are 50 hp or greater;
- Electrical generation plants or the use of standby generators;
- Internal combustion engines;
- Rock and pavement crushing;
- Unconfined abrasive blasting operations;
- Tub grinders;
- Trommel screens; and
- Portable plants (e.g., aggregate plant, asphalt batch plant, concrete batch plant, etc.).

If you have any questions regarding APCD permitting requirements, contact the APCD Engineering and Compliance Division at 805 781-5912.

Hydrocarbon Contaminated Soil

Should hydrocarbon contaminated soil be encountered during project activities, the APCD must be notified as soon as possible and no later than 48 hours after affected material is discovered to determine if an APCD Permit will be required. In addition, the following measures shall be implemented immediately after contaminated soil is discovered:

- Covers on storage piles shall be maintained in place at all times in areas not actively involved in soil addition or removal;
- Contaminated soil shall be covered with at least six inches of packed uncontaminated soil or a non-permeable hydrocarbon barrier. No headspace shall be allowed where vapors could accumulate;
- Covered piles shall be designed in such a way to eliminate erosion due to wind or water. No openings in the covers are permitted;
- The air quality impacts from the excavation and haul trips associated with removing the contaminated soil must be evaluated and mitigated if total emissions exceed the APCD's construction phase thresholds;
- During soil excavation, odors shall not be evident to such a degree as to cause a public nuisance; and,
- Clean soil must be segregated from contaminated soil.

The notification and permitting determination requirements shall be directed to the APCD Engineering & Compliance Division at 805-781-5912.

Proper Abatement of Asbestos-Containing Material (ACM)

Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, abatement, and disposal of asbestos-containing material (ACM). ACM could be encountered during the demolition existing structures. If this project will likely be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP).

NESHAP requirements include but are not limited to:

1) Written notification to the APCD, within at least 10 business days of activities commencing.
2) Asbestos survey report conducted by a Certified Asbestos Consultant.
3) Written work plan addressing asbestos handling procedures in order to prevent visible emissions.

Go to slocleanair.org/rules-regulations/asbestos for further information.

Proper Abatement of Lead-Based Coated Structures

Demolition, remodeling, sandblasting, or removal with a heat gun can result in the release of lead-containing particles from the site. Proper abatement of lead-based paint must be performed to prevent the release of lead particles from the site. An APCD permit is required for sandblasting operations. For additional information regarding lead abatement, contact the San Luis Obispo County Environmental Health Department at 805-781-5544 or Cal-OSHA at 818-901-5403. Additional information can also be found online at epa.gov/lead.

Limits of Idling

State law prohibits idling diesel engines for more than 5 minutes. All projects with diesel-powered construction activity shall comply with Section 2485 of Title 13 of the California Code of Regulations and the 5-minute idling restriction identified in Section 2449(d)(2) of the California Air Resources Board's In-Use Off-Road Diesel regulation to minimize toxic air pollution impacts from idling diesel engines. Regulations can be reviewed at: Final Regulation Order Article 4.8.

Truck Routing

Proposed truck routes may need to be re-evaluated at times to ensure routing patterns have the least impact to residential dwellings and other sensitive receptors, such as schools, parks, day care centers, nursing homes, and hospitals.

Thank you for the opportunity to comment on this project. If you have any questions or comments, feel free to contact me at (805) 781-5912.

Sincerely,

GARY ARCEMONT
Air Quality Specialist

GJA/jjh

Enclosure: CEQA Letter 4208-1

cc: Dora Drexler, APCD
Lacey Minnick, County Planning and Building

SLO COUNTY apcd | Air Pollution Control District
San Luis Obispo County

Via Email

June 12, 2020

Kris Vardas
DCPP Decommissioning
P.O. Box 56
Avila Beach, CA 93424
KAV6@pge.com

SUBJECT: APCD Comments regarding the Diablo Canyon Power Plant Decommissioning - Statement of Work

To Kris Vardas:

Thank you for including the San Luis Obispo County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the April 28, 2020 Diablo Canyon Power Plant (DCPP) Decommissioning Statement of Work (SOW) air quality and transportation sections.

Background
Pacific Gas and Electric Company (PG&E) announced plans in 2016 to retire the two reactors at DCPP. This is proposed to begin at the end of the plant's current Nuclear Regulatory Commission operating licenses in 2024 and 2025.

The consultant, Environmental Resources Management (ERM) prepared the SOW which outlines aspects of the decommissioning project, including air quality aspects. Based on the SOW and APCD's input on the SOW, ERM would prepare an air quality impact assessment report for the decommissioning. This report would be provided in draft for review by the APCD, PG&E, and the County of San Luis Obispo (proposed lead agency for the project's future Environmental Impact Report).

The following are APCD's input for the SOW.

General comments

- APCD recommends the consultant quantify the impacts from the project. This includes criteria pollutants, greenhouse gases, and toxics (health risk assessment) inside and outside of SLO County.

- APCD recommends using HARP2 for the air quality risk assessment. The model not only evaluates inhalation risk, but also multi-pathway toxic risks. For within SLO County, the APCD recommends isopleth plots for the project impacts with increments of 1 in a million, 5, 10, etc. For outside of SLO County, the APCD recommends a plot of risk relative to distance from the rail line, truck route, and receiving port.

- Project schedule and phasing may change over time and the air quality impact analyses will need to be reassessed relative to these changes.

This section addresses comments related to individual sections of the SOW.

Section 2.4.2 Air Quality Impact Assessment Report

Criteria Pollutants
An air quality impact assessment of the project needs to be completed that quantifies the impacts, and incorporates mitigation if impacts are above the APCD's significance threshold values identified in Table 2-1 of the *CEQA Air Quality Handbook* (ROG+NOx, DPM and PM10 only). Impacts in excess of the threshold values will need to be mitigated as outlined on Page 2-2 of the APCD's CEQA Handbook.

Greenhouse Gases
Evaluation of greenhouse gas (GHG) emissions are required per Assembly Bill (AB) 32, the California Global Warming Solution Act of 2006. Senate Bill 32 provided an update to the state's AB 32 2020 emission reduction target. The 2030 target from SB 32 is 40% below the 1990 levels. Although not legislatively set, a 2050 target was established by California Governor Schwarzenegger's Executive Order S-3-05. Since this project will likely continue past 2030, the evaluation should consider applicable GHG reduction targets for the project to be evaluated against.

It should be noted that Table 3-2 in the APCD *CEQA Air Quality Handbook (2012)* includes a GHG bright line threshold of significance, but threshold is no longer valid because it was based on the AB 32 target. The APCD plans to issue guidance on how projects can address their GHG impacts through available mitigation approaches. In the meantime, an informational document from the Sacramento Metropolitan Air Quality Management District states:

> If a jurisdiction does not have a qualified CAP [Climate Action Plan], development projects may have to mitigate GHG emissions from their projects to no-net increase level, which has already been done for larger development projects[1] and is the most defensible alternative to compliance with a qualified CAP [Climate Action Plan][2].

San Luis Obispo County does not currently have a CAP that can be considered qualified with SB 32 or future GHG emission reduction requirements. In terms of mitigating a project's total GHG impacts, the APCD first recommends on-site mitigation. If the impacts still exceed no-net increase

[1] Newhall Ranch Resource Management and Development Plan and Spineflower Conservation Plan: Final Additional Environmental Analysis. California Department of Fish and Wildlife SCH No. 2000011025, 12 June 2017.
[2] "Final White Paper Beyond 2020 And Newhall: A Field Guide To New CEQA Greenhouse Gas Thresholds And Climate Action Plan Targets For California." Association of Environmental Professionals, 18 October 2016, https://califaep.org/docs/AEP-2016_Final_White_Paper.pdf.

with the implementation of on-site mitigation, then local off-site mitigation should be considered. Any mitigation should be real, verifiable, and additional to regulatory requirements. If the impacts still exceed no-net increase after the implementation of on-site and local off-site mitigation, then carbon offsets should be purchased using the following guidance to reduce GHG emissions to no-net increase:

- Any offset purchased for the project's California impacts should come from California generated GHG reductions. Impacts outside of California could be mitigated with non-California generated GHG reductions.
- While the APCD does not endorse individual offset programs, the following are some examples of California offset programs. Others may exist:
    - California Air Resources Board (CARB): https://ww3.arb.ca.gov/cc/capandtrade/offsets/offsets.htm#protocols
    - California American Carbon Registry: https://americancarbonregistry.org/california-offsets/california-offset-program
    - Climate Action Reserve: https://www.climateactionreserve.org/how/california-compliance-projects/
    - Climate Forward: https://climateforward.org/how-it-works/

Section 2.2.2.2.6. Risk assessment and Section 2.4.2.8 (determining proximity of sensitive receptors for toxic impact analysis). The risk assessment should compare the risk for the different material transport options (e.g. trucking/rail versus barge). The engine emission standards for the trucking fleet, rail, and marine vessels that the project could use for the different decommissioning scenarios need to be factored into the risk assessment. The project should determine the engine standards the project proponents are willing to commit to use prior to conducting the risk assessment. Routes to minimize toxic risk to sensitive receptors should also be determined and is discussed later in this letter.

This section addresses comments related to demolition and decommissioning activities.

Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present during the project. Portable equipment, 50 horsepower (hp) or greater, used during project activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit. The following list is provided as a guide to equipment and operations that may have permitting requirements but should not be viewed as exclusive. For a more detailed listing, refer to the Technical Appendices, page 4-4, in the *CEQA Air Quality Handbook* (April 2012).

- Power screens, conveyors, diesel engines, and/or crushers;
- Portable generators and equipment with engines that are 50 hp or greater;
- Electrical generation plants or the use of standby generators;
- Internal combustion engines;
- Rock and pavement crushing;
- Unconfined abrasive blasting operations;
- Tub grinders;
- Trommel screens; and
- Portable plants (e.g. aggregate plant, asphalt batch plant, concrete batch plant, etc).

If you have any questions regarding APCD permitting requirements, contact the APCD Engineering and Compliance Division at 805 781-5912.

Hydrocarbon Contaminated Soil

Should hydrocarbon contaminated soil be encountered during project activities, the APCD must be notified as soon as possible and no later than 48 hours after affected material is discovered to determine if an APCD Permit will be required. In addition, the following measures shall be implemented immediately after contaminated soil is discovered:

- Covers on storage piles shall be maintained in place at all times in areas not actively involved in soil addition or removal;
- Contaminated soil shall be covered with at least six inches of packed uncontaminated soil or a non-permeable hydrocarbon barrier. No headspace shall be allowed where vapors could accumulate;
- Covered piles shall be designed in such a way to eliminate erosion due to wind or water. No openings in the covers are permitted;
- The air quality impacts from the excavation and haul trips associated with removing the contaminated soil must be evaluated and mitigated if total emissions exceed the APCD's construction phase thresholds;
- During soil excavation, odors shall not be evident to such a degree as to cause a public nuisance; and
- Clean soil must be segregated from contaminated soil.

The notification and permitting determination requirements shall be directed to the APCD Engineering & Compliance Division at 805-781-5912.

Developmental Burning

APCD Rule 501 prohibits developmental burning of vegetative material within San Luis Obispo County.

Proper Abatement of Asbestos-Containing Material

Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, abatement, and disposal of asbestos-containing material (ACM). ACM could be encountered during the demolition or remodeling of existing structures or the disturbance, demolition, or relocation of above or below ground utility pipes/pipelines (e.g., transite pipes or insulation on pipes). If this project will include any of these activities, then it may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP).

NESHAP requirements include but are not limited to:

1) Written notification to the APCD, within at least 10 business days of activities commencing.
2) Asbestos survey report conducted by a Certified Asbestos Consultant.
3) Written work plan addressing asbestos handling procedures in order to prevent visible emissions.

Go to slocleanair.org/rules-regulations/asbestos.php for further information.

Proper Abatement of Lead-Based Coated Structures

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Limits of Idling

State law prohibits idling diesel engines for more than 5 minutes. All projects with diesel-powered construction activity shall comply with Section 2485 of Title 13 of the California Code of Regulations and the 5-minute idling restriction identified in Section 2449(d)(2) of the California Air Resources Board's In-Use Off-Road Diesel regulation to minimize toxic air pollution impacts from idling diesel engines. The specific requirements and exceptions for the on-road and off-road regulations can be reviewed at the following web sites: arb.ca.gov/msprog/truck-idling/factsheet.pdf and arb.ca.gov/regact/2007/ordiesl07/frooal.pdf.

Material Routing

Proposed routes to move the material should be evaluated and selected to ensure routing patterns have the least impact to residential dwellings and other sensitive receptors, such as schools, parks, day care centers, nursing homes, and hospitals.

Fugitive Dust Mitigation Measures: Long List

Construction activities can generate fugitive dust, which could be a nuisance to residents and businesses in close proximity to the proposed construction site. Projects with grading areas more than 4 acres and/or within 1,000 feet of any sensitive receptor shall implement the following mitigation measures to manage fugitive dust emissions such that they do not exceed the APCD 20% opacity limit (APCD Rule 401) and minimize nuisance impacts:

a. Reduce the amount of the disturbed area where possible;
b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. When drought conditions exist and water use is a concern, the contractor or builder should consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control. Please refer to the following link from the San Joaquin Valley Air District for a list of potential dust suppressants: Products Available for Controlling Dust;
c. All dirt stockpile areas should be sprayed daily and covered with tarps or other dust barriers as needed;
d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;
e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;

f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code (CVC) Section 23114;
j. "Track-Out" is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in CVC Section 23113 and California Water Code 13304. To prevent 'track out', designate access points and require all employees, subcontractors, and others to use them. Install and operate a 'track-out prevention device' where vehicles enter and exit unpaved roads onto paved streets. The 'track-out prevention device' can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked out soils, the track-out prevention device may need to be modified;
k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible;
l. All PM_{10} mitigation measures required should be shown on grading and building plans; and
m. The contractor or builder shall designate a person or persons whose responsibility is to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures as necessary to minimize dust complaints and reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress (for example, wind-blown dust could be generated on an open dirt lot). The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork, or demolition (Contact Tim Fuhs at 805-781-5912).

Pipeline Purging Operations

The applicant must submit a Pipeline Purging Plan and permit application to the APCD. If the Pipeline Purging Plan includes the use of APCD permitted degassing systems, the APCD may issue a permit exemption for the project. A permit or permit exemption must be issued by the APCD prior to the start of any pipeline degassing and/or removal activities. Please allow 6 weeks for the permit processing. Information and downloadable application forms are available under the Library section of our website at slocleanair.org. For more information on these requirements, contact the APCD Engineering & Compliance Division at 805-781-5912.

All pipeline purging operations shall be conducted in accordance with the following APCD pipeline purging policy.

1. Petroleum material transportation pipelines shall not be purged or degassed without

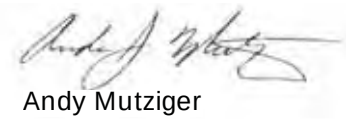
prior APCO approval.

2. The operator shall submit a Pipeline Purging Plan, designed to minimize nuisance odors, at least thirty (30) calendar days prior to the purging of any petroleum material transportation pipeline. That plan shall:
   a. Include pipeline internal diameter, designation, material normally conveyed, a large scale map of the upstream and downstream locations between which the purge is to occur, the distance in feet between those two points, and a small scale map of the pipeline's route;
   b. Address all phases of the process including the estimated length of time over which the purge will occur, the starting date and time, and the method of odor control;
   c. The location, size, anticipated length of stay, and Rule 425, that addresses petroleum storage tanks, compliance status of any temporary storage vessels;
   d. The location, anticipated length of operation, and the following operating parameters for any odor or emission control device:
      1) Thermal oxidizers: flow rate of pipeline vapors to the control equipment, control efficiency and capacity, operating temperature, auxiliary fuel requirements and consumption rate, expected operating characteristics, and auxiliary equipment requirements, e.g. motor-generators;
      2) Carbon absorbers: flow rate of pipeline vapors to the control equipment, control efficiency and capacity, breakthrough detection method, and actions to be taken upon breakthrough discovery.
3. An estimate of the composition of the pipeline vapors to include hydrogen sulfide, benzene, and total petroleum hydrocarbon in volume percent or ppmv; and
   a. Include emission estimates for all phases of work and equipment involved, with the exception of engines used for welders or air compressors, or as the motive power for mobile equipment.
4. Multiple or sequential pipeline purges that will occur within a single ninety (90) day period may be consolidated into the same plan. The APCO reserves the right to require a permit or portable equipment registration for any equipment proposed for use in the pipeline purging if that equipment is not exempt under APCD Rule 201, Equipment Not Requiring a Permit.
5. After the initial submittal of a Pipeline Purging Plan, any changes to that plan must be submitted as soon as possible to the APCO. Any change submitted with a lead-time of less than one (1) working day may result in disapproval for the lack of time available to assess the effects of the change.

The APCO shall be notified no later than two (2) working days prior to any pipeline purging event.

Thank you for the opportunity to comment on this SOW. If you have any questions or comments, feel free to contact Gary Arcemont at 781-5912.

Sincerely,



Andy Mutziger
Manager - Planning, Outreach & Grant Division

AJM/JNM/GJA/jjh

cc: Dora Drexler, APCD Manager – Engineering & Compliance Division
Lacey Minnick, County Planning and Building

SLO COUNTY apcd | Air Pollution Control District San Luis Obispo County

VIA EMAIL ONLY

July 27, 2021

Susan Strachan
County of San Luis Obispo Department of Planning and Building
976 Osos Street, Room 300
San Luis Obispo, CA 93408
sstrachan@co.slo.ca.us

SUBJECT: APCD Comments Regarding the PG&E Diablo Canyon Nuclear Power Plant Decommissioning Project

Dear Susan Strachan:

Thank you for including the San Luis Obispo County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the proposed project located at the PG&E Diablo Canyon Nuclear Power Plant (DCPP), approximately seven miles northwest of Avila Beach. PG&E preformed an initial evaluation of the air quality and greenhouse gas impacts described in Appendix Q – Traffic Impact Assessment. The Appendix analyzes activities associated with decommissioning of the nuclear-powered electrical generating station. These activities can be broken down into two distinct parts for the context of the analysis: 1) Deconstruction and demolition activities occurring onsite at DCPP and 2) Transportation of waste from structure demolition at DCPP. As the site of the power plant will be returned primarily to natural conditions with retention of a few existing facilities, there are no operation and maintenance activities to be considered after decommissioning.

The following comments are formatted into 3 sections. The **(1) General Comments** section states information pertinent to the applicant, lead agency, and/or public. The **(2) Air Quality** and **(3) Greenhouse Gas Emissions** sections may state mitigation measures and/or rules and requirements which the APCD recommends be set as conditions of approval for the project. The **lead agency** may contact the APCD Planning Division for questions and comments related to the content in this letter at 805-781-5912.

Please Note: The APCD recently updated the Land Use and CEQA Webpage on the slocleanair.org website. The information on the webpage displays the most up-to-date guidance from the SLO County APCD, including the 2021 Interim CEQA Greenhouse Gas Guidance, Quick Guide for Construction Mitigation Measures and Quick Guide for Operational Mitigation Measures.

(1) General Comments

APCD comments regarding *Appendix Q – Traffic Impact Assessment*

6.4.3 Potential Impacts – Question (c)

The proposed project has changed to include activities at the Santa Maria Valley Railroad. Because of this, the Santa Barbara Air Pollution Control District should be notified of future referrals and studies related to this project especially since "residences are located appropriately 300 feet from the Osburn railyard [AND] emission sources at the Osburn railyard include the operational of a railcar mover and diesel-fired generators, in addition to incoming and outgoing trucks and locomotives" (Page 27 of Appendix Q).

(2) Air Quality

APCD comments regarding *PG&E Responses to Information Hold Letter*

PG&E Response to AQ-1:

As stated in this section "a list of equipment for barging of waste is in development and not included in this attachment [attachment 7]." A conceptual list of ocean-going and loading equipment is provided; however, the APCD is concerned that if the barging equipment list is not known, then the emission calculations stated in Table 6.4.3-3 may not be the most accurate estimate for barging of waste by marine vessel. The APCD recommends updating Attachment 7 to include a list of barging equipment and updating the Harbor Craft emission estimates stated in Appendix 1 (Page 438 and 439) in Appendix Q. Additionally, please clarify why the Port of Long Beach Harbor Craft Emissions by Vessel and Engine Type was the most appropriate option to derive emission factors from for this project as stated in Appendix 1.3 – Barge/Tug Emission Factors.

PG&E Response to AQ-6:

Although emission estimates in Appendix Q are below APCD Tier 2 thresholds thus indicating a Decommissioning Activity Management Plan (DAMP) is not needed, the APCD still supports the inclusion of a DAMP as a mitigation measure to ensure actual emissions with actual equipment used are below APCD Tier 2 thresholds. A DAMP would also provide a formal mechanism over the decommissioning process to evaluate actual daily and quarterly emissions relative to APCD thresholds and specify applicable on and off-site mitigation measures if needed.

APCD comments regarding *Appendix Q – Traffic Impact Assessment*

6.4.3 Potential Impacts – Question (b)

Along with calculating *quarterly* emission impacts of ROG+NOx and DPM, the EIR should also calculate *daily* impacts from ROG+NOx and DPM and compare them to the APCD's *daily* ROG+NOx and DPM thresholds displayed on the APCD's CEQA and Land Use Website under the drop-down title "Comparing Construction Emissions to Thresholds and Applying Mitigation."

6.4.3 Potential Impacts – Question (c)

On page 40 in Appendix I1 naturally occurring asbestos (NOA) impacts are discussed. Appendix Q does not address asbestos impacts in section 6.4.3. The EIR should address NOA and proper abatement of asbestos-containing material (ACM) as it relates to all locations and phases of the project. The following mitigation measures/special conditions to meet state or federal rules & regulations should be included in the EIR:

Proper Abatement of ACM

Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, abatement, and disposal of ACM. ACM could be encountered during the demolition or remodeling of existing structures or the disturbance, demolition, or relocation of above or below ground utility pipes/pipelines (e.g., transite pipes or insulation on pipes). If this project will include any of these activities, then it may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP).

NESHAP requirements include but are not limited to:

1) Written notification to the APCD, within at least 10 business days of activities commencing.
2) Asbestos survey report conducted by a Certified Asbestos Consultant.
3) Written work plan addressing asbestos handling procedures in order to prevent visible emissions.

Go to slocleanair.org/rules-regulations/asbestos.php for more information.

Naturally Occurring Asbestos on Site

NOA has been identified by the California Air Resources Board as a toxic air contaminant. Serpentine and ultramafic rocks are very common throughout California and may contain NOA. The APCD has identified areas throughout the county where NOA may be present (NOA Map). The following requirements apply because the project site is in a candidate area for NOA. The applicant shall ensure that a geologic evaluation is conducted to determine if the area disturbed is or is not exempt from the CARB Asbestos Air Toxics Control Measure (Asbestos ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (Title 17 CCR Section 93105) regulation.

a. If the site is not exempt from the requirements of the regulation, the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD; or
b. If the site is exempt, an exemption request must be filed with the APCD.

More information on NOA can be found at slocleanair.org/rules-regulations/asbestos/noa.

(3) Greenhouse Gas Emissions

APCD comments regarding *PG&E Responses to Information Hold Letter*

PG&E Response to AQ-10:

The Golden Door Properties v. County of San Diego decision ruled:

That a mitigation measure in the SEIR that permitted the purchase of carbon offsets from projects outside the County, including international projects, violated the California Environmental Quality Act (CEQA) because the mitigation measure did not require that offsets meet AB 32 requirements, that greenhouse gas emission reductions be additional, and that the offsets originating outside California have greenhouse emissions programs

> equivalent to or stricter than California's program. In addition, the appellate court found that the mitigation measure violated CEQA because 100% of greenhouse gas emissions could be offset by projects originating outside California and there were no objective criteria for County officials to use to determine whether a particular offset program was appropriate. (Summary)

The no-net increase threshold does not necessarily mean that emissions need to be entirely mitigated by offsets, or that offsets used by PG&E will not meet AB 32, be additional, or appropriate. On January 28th, 2021 the SLO County APCD staff released the 2021 Interim CEQA GHG Guidance document to provide administrative clarification on the SLO County APCD Handbook's thresholds of significance for GHG emissions and to provide information on current trends, best practices, and legislation. In the document it describes a hierarchy of mitigation options to reduce GHG emissions. **The APCD recommends reviewing the document in its entirety and revising the GHG impact analyses accordingly.**

Further, on page 101 of the 2017 Climate Change Scoping Plan (2017 Scoping Plan) it states, "achieving no net additional increase in GHG emissions, resulting in no contribution to GHG impacts, is an appropriate overall objective for new development." Since the DCPP decommissioning project is not a "new" development project, this threshold may not be appropriate. However, **the APCD does not agree that the 10,000 MT CO2e is an appropriate threshold for this project.**

In the APCD Board approved *Greenhouse Gas Emission Thresholds Board Staff Report (2012)*, it describes the 10,000 MT CO2e industrial or stationary source threshold as follows:

> The Industrial Threshold (also called Stationary Source Threshold) applies to new or modified stationary source projects that will need to be analyzed under CEQA and mitigated to the maximum extent feasible. Both the South Coast Air Quality Management District (AQMD) and Bay Area AQMD have adopted a 10,000 MT C02e/yr threshold for stationary sources based on a goal of capturing and mitigating 90 to 95% of new stationary source GHG emissions. The APCD's proposed 10,000 MT C02e threshold accounts for 94% of all combustion related CO2 emissions in the APCD's 2009 GHG emissions inventory for combustion sources from all permitted facilities. Stationary source projects below the 10,000 MT CO2e/yr threshold account for only a small portion of SLO County's total GHG emissions from stationary sources. Such small sources will not significantly add to global climate change and will not hinder SLO County's ability to reach the AB 32 goal, even when considered cumulatively. (Page 4)

The Industrial or Stationary Source Threshold was based on the APCD's 2009 GHG emissions inventory for combustion sources from all permitted facilities with a goal of capturing and mitigating 90 to 95% of *new or modified* stationary source GHG emissions. Since the DCPP decommissioning activities would not be considered a "new stationary source" the 10,000 MT CO2e/yr threshold does not apply to this project. Additionally, "modified" as defined by Rule 105, Definitions, section A.49 states a "modified emission unit" is "any emission unit which will increase emissions of any air contaminant from an existing emission unit." The emission units for the DCPP facility are all currently permitted equipment/processes, which will not experience an increase of emissions through the decommissioning project. Furthermore, if permitted equipment/processes will decrease or cease operation during the decommissioning process, the actual GHG emissions associated with

the decreased or ceased operated permitted equipment/processes can be subtracted from the decommissioning GHG emission totals if the baseline for this project is DCPP's current operation status.

Section 15064.7 (b) of the 2021 CEQA Statue and Guidelines states "lead agencies may also use thresholds on a case-by-case basis as provided in Section 15064 (b)(2)." The APCD recommends that if a no-net increase threshold will not be used for the decommissioning project, the lead agency could propose an appropriate threshold for this project, so the significant GHG emission impacts are properly mitigated. An SB 32 based GHG inventory should be used to develop an appropriate threshold. If the lead agency does not have their own SB 32 based GHG inventory, SLO County APCD has components of the County's inventory that could be used. Please contact the SLO County APCD Planning Division for more information.

APCD comments regarding *Appendix Q – Traffic Impact Assessment*
Section 7.4.3 Potential Impacts – Table 7.4.3-1

As indicated in the 2021 Interim CEQA Greenhouse Gas Guidance document, the 25-year project life amortization method is appropriate for commercial only projects. The DCPP decommissioning project is not a commercial project and thus the 25-year project life is not appropriate. The most appropriate project life for this project would be the duration of Phase 1 of decommissioning activities – 2024 through 2035 (12 years).

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, feel free to contact me at 805-781-5912.

Sincerely,

JACKIE MANSOOR
Air Quality Specialist

JNM/jjr

Andrew Mutziger

From: Andrew Mutziger
Sent: Friday, September 24, 2021 12:36 PM
To: Sandra Alarcon-Lopez; Susan Strachan; Lisa Blewitt; Brewster Birdsall; Rachael Dal Porto; Jon Ansolabehere; Vince Kirkhuff
Cc: Cindy A. Chambers; Karl Tupper
Subject: Local GHG mitigation RE: Diablo GHG Threshold Meeting

Hi Susan – Thank you for the CPUC resource links for the Diablo closure.

All,
Thank you for the productive meeting on Wed. Beyond to information I provided during the meeting on local GHG mitigation, here are some additional prospects.

APCD has investigated APCD permits for high volume fuel users which could potentially be electrified, although it would be important to determine what electric infrastructure improvements each would need; PG&E has the expertise to make that determination. Some companies may be interested in a cost sharing the project with PG&E if the cost share makes sense for their future operations. Some projects could include solar to help offset the grid draw.

There are 2 diesel engines:
- 7,670 gal/yr (2020) and 6,000 gal/yr (2019)
- 3,400 gal/yr (2020) and 3,600 gal/yr (2019)

There are several wineries and other private facilities w/ natural gas boilers (mmcf = million cf) or LPG or propane boilers:
- 43.0 mmcf/yr (2020) and 45.2 mmcf/yr (2019)
- 28.21 mmcf/yr (2020) and 20.5 mmcf/yr (2019)
- 7.0 mmcf/yr (2020) and 9 mmcf/yr (2019)
- 6.6 mmcf/yr (2020)
- 6.2 mmcf/yr (2020) and 7 mmcf/yr (2019)

- 7,750 gal/yr (2020) – LPG boiler
- 11,500 gal/yr (2020) 17,500 gal/yr (2019) – Propane boiler
- Three – 8,000 gal/yr (2020) – Propane boilers

There are two major facilities that have many emission sources, some of which could be electrified:
- Cal Poly – They have a strong interest in sustainability – Talk with Dennis Elliot
- CA Men's Colony

Within our grant program, stationary irrigation engines can be electrified and controlled by variable frequency drives. We have had little interest from the growers as of late, but dealers might be able to find some with current interest. We have electrified many in the past running 1000 to 2000 hrs/yr. There are some large natural gas and diesel ag engines in Cuayma.

Please let us know if you have any questions or need additional information.
Sincerely,

Andy Mutziger | **Division Manager**
Planning, Monitoring & Grants

SLO County Air Pollution Control District
(805) 781-5956 VM • amutziger@co.slo.ca.us • SLOCleanAir.org

From: Sandra Alarcon-Lopez <Salopez@aspeneg.com>
Sent: Wednesday, September 22, 2021 4:55 PM
To: Susan Strachan <sstrachan@co.slo.ca.us>; Andrew Mutziger <amutziger@co.slo.ca.us>; Jackie Mansoor <JMansoor@co.slo.ca.us>; Lisa Blewitt <lblewitt@aspeneg.com>; Brewster Birdsall <Bbirdsall@aspeneg.com>; Rachael Dal Porto <RDPorto@aspeneg.com>; Jon Ansolabehere <jansolabehere@co.slo.ca.us>; Vince Kirkhuff <vkirkhuff@co.slo.ca.us>
Cc: Cindy A. Chambers <cchambers@co.slo.ca.us>
Subject: [EXT]RE: Diablo GHG Threshold Meeting

Thank you.

Sandra Alarcón-Lopez
Executive Vice President

5020 Chesebro Road, Suite 200, Agoura Hills, CA 91301
Office: (562) 947-5259 Cell: (562) 715-1138
salopez@aspeneg.com
www.aspeneg.com

Aspen is pleased to continue providing responsive service to our clients remotely and in compliance with COVID-19 regulations during this time. You may reach us by email or business phone, which is connected to our home offices.

From: Susan Strachan <sstrachan@co.slo.ca.us>
Sent: Wednesday, September 22, 2021 3:54 PM
To: Andrew Mutziger <amutziger@co.slo.ca.us>; Jackie Mansoor <JMansoor@co.slo.ca.us>; Sandra Alarcon-Lopez <Salopez@aspeneg.com>; Lisa Blewitt <lblewitt@aspeneg.com>; Brewster Birdsall <Bbirdsall@aspeneg.com>; Rachael Dal Porto <RDPorto@aspeneg.com>; Jon Ansolabehere <jansolabehere@co.slo.ca.us>; Vince Kirkhuff <vkirkhuff@co.slo.ca.us>
Cc: Cindy A. Chambers <cchambers@co.slo.ca.us>
Subject: RE: Diablo GHG Threshold Meeting

Hi Everyone –

Below is the link to the CPUC document approving the shutdown of Diablo Canyon.

https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M205/K423/205423920.PDF

Thanks,

Susan Strachan
Nuclear Power Plant Decommissioning Manager
Direct: (805) 788-2129
Email: sstrachan@co.slo.ca.us

COUNTY OF SAN LUIS OBISPO
PLANNING & BUILDING

From: Susan Strachan
Sent: Wednesday, September 22, 2021 2:16 PM
To: Andrew Mutziger <amutziger@co.slo.ca.us>; Jackie Mansoor <JMansoor@co.slo.ca.us>; Salopez@aspeneg.com; Lisa Blewitt <lblewitt@aspeneg.com>; Brewster Birdsall <Bbirdsall@aspeneg.com>; rdporto@aspeneg.com; Jon Ansolabehere <jansolabehere@co.slo.ca.us>; Vince Kirkhuff <vkirkhuff@co.slo.ca.us>
Cc: Cindy A. Chambers <cchambers@co.slo.ca.us>
Subject: RE: Diablo GHG Threshold Meeting

Hi Everyone -

Below are links to documents on the CPUC decision regarding procurement of additional power to cover for the Diablo closure as well as some gas-fire once through cooling plants. The original CPUC proposal included procurement of natural gas-fired plant capacity. However, the decision requires 100% clean energy.

Revised Proposed Decision: https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M389/K155/389155856.PDF
Redline: https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M389/K243/389243715.pdf
CPUC Press Release: http://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M389/K478/389478892.PDF

Please let me know if you have any questions.

Thanks,

Susan Strachan

Nuclear Power Plant Decommissioning Manager
Direct: (805) 788-2129
Email: sstrachan@co.slo.ca.us

COUNTY OF SAN LUIS OBISPO
PLANNING & BUILDING

From: Andrew Mutziger <amutziger@co.slo.ca.us>
Sent: Wednesday, September 22, 2021 12:18 PM
To: Susan Strachan <sstrachan@co.slo.ca.us>; Jackie Mansoor <JMansoor@co.slo.ca.us>; Salopez@aspeneg.com; Lisa Blewitt <lblewitt@aspeneg.com>; Brewster Birdsall <Bbirdsall@aspeneg.com>; rdporto@aspeneg.com; Jon Ansolabehere <jansolabehere@co.slo.ca.us>; Vince Kirkhuff <vkirkhuff@co.slo.ca.us>
Cc: Cindy A. Chambers <cchambers@co.slo.ca.us>
Subject: RE: Diablo GHG Threshold Meeting

Hi All,
In preparation for our 1pm meeting today, I wanted to provide you with a quick summary of my discussion with CARB regarding the GHG side of the evaluation:

1. Threshold: I expressed our last meeting discussion on threshold concepts for the closure. They had no additional thoughts but had thoughts on baseline.
2. Baseline: CEQA allows for a future baseline that more adequately characterizes the project. When the plant closes, there will be impacts as the electricity load shifts from nuclear to a more emission intensive load. It is likely that PCUC, Energy Commission, etc. already have ideas about this.
3. State Renewable Goals: How does the plant closure and load shift fit into the state's renewable goals, recognizing that the impact at closure will not be the same in the future as renewables ramp up.
4. AB 900 – Judicial CEQA Streamlining example: While this streamlining provision is not directly applicable to the closure, the GHG mitigation tools may be helpful to consider: Charging stations, tree planting, city fleet replacement with EVs, think outside of the box. For example, from APCD's background with our GHG Stakeholder Group - Jurisdictions have limited resources, so potentially fund qualified Climate Action Plans or other efforts to help jurisdictions implement measures that reduce their GHG inventories in a science-based way to meet the state's 2030, 2050, and carbon neutrality targets.
5. Case Law's 50% Offset Limit: It is either the Golden Door case or the Newhall Ranch case that spoke about no more than 50% of needed reductions coming from offsets. It sounds like CARB staff were not sure if case law acknowledges the challenge of this. It does not sound like it has been tested. On-site or local mitigation may be tough to meet the 50% of the reductions.
6. Recommended a Push for Local Mitigation Project: CARB indicated that local mitigation does not necessarily need to meet strict CARB offset standards and yet count for mitigation. An example might be funding a local retrofit program of the built environment. 3C-REN has an existing retrofit program that has limited scope based on need. Perhaps there is a way to scale or duplicate.

7. Offsets or Forecast Mitigation Units: For the hierarchy of GHG mitigation/offset recommendations from SLO County APCD, please see our 2021 Interim GHG Guidance. CARB approved GHG offset project registries may host offsets based on voluntary protocols which can work for CEQA. Climate Action Reserve also offers the Climate Forward concept which funds known emission reduction programs/projects that have yet to happen. Our understanding is that there is a prospect of moving CAR1487 Project from their registry to FMUs which could also work for CEQA compliance. This specific project is from RenewWest. We understand that the project could provide 1 million California generated FMU (tons) available for purchase. There may be other California FMU or offsets available.

Looking forward to a productive meeting.
Sincerely,
Andy Mutziger | **Division Manager**
Planning, Monitoring & Grants
SLO County Air Pollution Control District
(805) 781-5956 VM • amutziger@co.slo.ca.us • SLOCleanAir.org

-----Original Appointment-----
From: Susan Strachan <sstrachan@co.slo.ca.us>
Sent: Friday, August 20, 2021 8:54 AM
To: Susan Strachan; Andrew Mutziger; Jackie Mansoor; Salopez@aspeneg.com; Lisa Blewitt; Brewster Birdsall; rdporto@aspeneg.com; Jon Ansolabehere; Vince Kirkhuff
Cc: Cindy A. Chambers
Subject: Diablo GHG Threshold Meeting
When: Wednesday, September 22, 2021 1:00 PM-2:00 PM (UTC-08:00) Pacific Time (US & Canada).
Where: Microsoft Teams Meeting

Microsoft Teams meeting

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Andrew Mutziger

From: Andrew Mutziger
Sent: Friday, November 12, 2021 4:11 PM
To: Cindy A. Chambers
Cc: Susan Strachan
Subject: RE: REVISED REFERRAL - Response to Information-Hold For DRC2021-00092 - Diablo Canyon Nuclear Power Plant Decommissioning Project

Hi Cindy,
I'm following up with you on PG&E's 17 Sep responses to AQ-1 to AQ-4 from the County's 9 Aug Information Hold Letter. SLO County APCD accepts the PG&E responses.
Sincerely,

Andy Mutziger | **Division Manager**
Planning, Monitoring & Grants
SLO County Air Pollution Control District
(805) 781-5956 VM • amutziger@co.slo.ca.us • SLOCleanAir.org

From: Cindy A. Chambers <cchambers@co.slo.ca.us>
Sent: Friday, October 8, 2021 1:28 PM
To: Karen White <xolon.salinan.heritage@gmail.com>; info@salinantribe.com; olivas.mona_gmail.com <olivas.mona@gmail.com>; chumashtribe_sbcglobal.net <chumashtribe@sbcglobal.net>; cbcntribalchair@gmail.com; jtumamait@hotmail.com; neil.peyron@tulerivertribe-nsn.gov; Alyssa Roslan <aroslan@co.slo.ca.us>; Andrew Mutziger <amutziger@co.slo.ca.us>; bruce.a.henderson@usace.army.mil; avilacsd_gmail.com <avilacsd@gmail.com>; hagemann.associates_gmail.com <hagemann.associates@gmail.com>; Cheryl Journey <cjourney@co.slo.ca.us>; Don C. Moore <dcmoore@co.slo.ca.us>; Lauren Burrus <lburrus@co.slo.ca.us>; Michael Stoker <mstoker@co.slo.ca.us>; Michelle Freeman <mfreeman@co.slo.ca.us>; Sylvia Aldana <saldana@co.slo.ca.us>; ccastellon@blm.gov; R4CEQA@wildlife.ca.gov; Bailey, Craig@Wildlife <Craig.Bailey@wildlife.ca.gov>; sarah.paulson@wildlife.ca.gov; Merideth.Sterkel@cpuc.ca.gov; Kevin.McLean_fire.ca.gov <Kevin.McLean@fire.ca.gov>; Wells, Dell@CALFIRE <Dell.Wells@fire.ca.gov>; Veyna, Garrett@CALFIRE <Garrett.Veyna@fire.ca.gov>; McRoberts, Loree <Loree.McRoberts@fire.ca.gov>; Dennis Byrnes <dennis.byrnes@fire.ca.gov>; Schudson, Jenna@DOT <Jenna.Schudson@dot.ca.gov>; agcity_arroyogrande.org <agcity@arroyogrande.org>; bpedrotti@arroyogrande.org; bbuckingham_grover.org <bbuckingham@grover.org>; Steven Graham <sgraham@morrobayca.gov>; Matt Downing <mdowning@pismobeach.org>; Rebecca Cox <rcox@slocity.org>; c ng <cng@cityofsantamaria.org>; deady@cityofsantamaria.org; brian.o'neill@coastal.ca.gov; Luster, Tom@Coastal <tom.luster@coastal.ca.gov>; jybarra@co.santa-barbara.ca.us; howen@co.santa-barbara.ca.us; jzoro@countyofsb.org; pearson@sbcapcd.org; gavin.mccreary@dtsc.ca.gov; Leslie Terry <lterry@co.slo.ca.us>; Kayla M Rutland <krutland@co.slo.ca.us>; Kathleen Goble <kgoble@co.slo.ca.us>; Caleb Mott <cmott@co.slo.ca.us>; Vicki Janssen <vjanssen@co.slo.ca.us>; Blake Fixler <bfixler@co.slo.ca.us>; Sarah Sartain <ssartain@co.slo.ca.us>; duane.whittemore@lmusd.org; jdyer@waterboards.ca.gov; Elizabeth Kavanaugh <ekavanaugh@co.slo.ca.us>; admin@portsanluis.com; AndreaL_portsanluis.com <AndreaL@portsanluis.com>; David Grim <dgrim@co.slo.ca.us>; Edward Reading <ereading@co.slo.ca.us>; JR Beard <rbeard@co.slo.ca.us>; Peter Moreci <PMoreci@co.slo.ca.us>; Rene Brill <rbrill@co.slo.ca.us>; Wendell Wilkes <wwilkes@co.slo.ca.us>; Brendan Clark <BClark@co.slo.ca.us>; Genaro Diaz <gdiaz@co.slo.ca.us>; Lucas Sharkey <Lucas.Sharkey@Waterboards.ca.gov>; phammer@waterboards.ca.gov; Tamara Presser <TPresser@waterboards.ca.gov>; mdawson_slcusd.org <mdawson@slcusd.org>; SSanders_SLOCOG

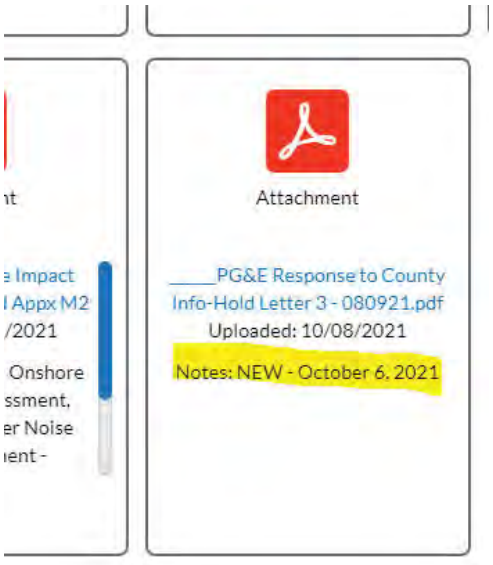
<SSanders@slocog.org>; TGillham_slocog.org <TGillham@slocog.org>; shanamaikai_slocog.org <shanamaikai@slocog.org>; SH_COMMANDERS <sh-commanders@co.slo.ca.us>; Simpkin, Drew@SLC <drew.simpkin@slc.ca.gov>; Anthony Schuetze <aschuetze@co.slo.ca.us>; glen_knowles@fws.gov; Leilani Takano <leilani_takano@fws.gov>; roger_root@fws.gov; christopher_diel@fws.gov; apease_slocity.org <apease@slocity.org>; fcollins_northernchumash.org <fcollins@northernchumash.org>; brooke.gutierrez_parks.ca.gov <brooke.gutierrez@parks.ca.gov>; avilavalleyac@gmail.com; tom.swanson@fire.ca.gov
Cc: Susan Strachan <sstrachan@co.slo.ca.us>; Cindy A. Chambers <cchambers@co.slo.ca.us>
Subject: REVISED REFERRAL - Response to Information-Hold For DRC2021-00092 - Diablo Canyon Nuclear Power Plant Decommissioning Project

Hello,

We are requesting your review of this **REVISED RESPONSE TO PREVIOUS SUBMITTAL,** as the proposed project may be of interest or concern to your department/agency. Please click the direct hyperlink below titled "Project Summary / Referral*" for an overview of the project, and the response to comments dated October 6, 2021:

Project Summary / Referral*: **PG&E Diablo Canyon Nuclear Power Plant Decommissioning DRC2021-00092**
APN(s): 076-011-018, 076-011-032

The Revised Submittal is found at the end of the previous attachments, with the document name and notes as shown below:



:

Direct comments or questions on this application to the project manager(s):
Susan Strachan, 805) 788-2129, sstrachan@co.slo.ca.us
Cindy Chambers, 805 781- 5608, cchambers@co.slo.ca.us

Please comment within 14 days of receiving this e-mail (Community Advisory Groups: please respond within 60 days)

Referral Response:
As part of your response to this referral, please consider the following questions:

- Are there significant concerns, problems or impacts in your area of review?

- If Yes, please describe the impacts along with any recommendations to reduce the impacts in your response.
- If your community has a "vision" statement in the Area Plan - does the community feel this project helps to achieve that vision? If No, please describe.
- What does the community like or dislike about the project or proposal?
- Is the project compatible with surrounding development, does it fit in well with its surroundings? If No, are there changes in the project that would make it fit in better?
- Does the community believe the road(s) that provide access to the site is(are) already overcrowded?
- Does the community wish to have a trail in this location?
- If the proposal is a General Plan Amendment, does the community feel the proposed change would encourage other surrounding properties to intensify, or establish intense uses that would not otherwise occur?
- Please feel free to include information or questions other than those listed above. You may also choose to respond that you have no comments regarding the proposal.

**All information and/or material provided in the linked Referral Package is valid for 90 days after this correspondence. If current or additional information is needed, please contact the Project Manager for the most updated information*

Cindy Chambers
Senior Planner
(p) 805-781-5608
cchambers@co.slo.ca.us

COUNTY OF SAN LUIS OBISPO
PLANNING & BUILDING

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I work in-office on Monday, Wednesday, and Friday each week. When I work remotely on Tuesdays and Thursdays, the best way to reach me is by email, although I am able to retrieve phone messages at (805) 781-5608. Please note that when working remotely, I will return your call via a private line.

For updates on COVID-19 in SLO County: Visit ReadySLO.org or call the recorded Public Health Information Line at (805) 788-2903. A staffed phone assistance center at (805) 543-2444 is available seven (7) days a week from 8 a.m. to 5 p.m. for questions related to COVID-19.

Andrew Mutziger

From: Andrew Mutziger
Sent: Monday, November 15, 2021 10:58 AM
To: Susan Strachan; Cindy A. Chambers
Subject: DAMP & GHG
Attachments: 20210924EmailsOnDiabloGHGmitigation.pdf; 4208-4_signed.pdf

Hi Susan and Cindy,

Thank you for sending the info hold letter which helped fill in the blanks in our files for the project.

As I noted in my 12 Nov 2021 email SLO County APCD accepts PG&E's responses to AQ-1 to AQ-4 from the Aug 9, 2021 letter. That's the criteria air pollutant side and we look forward to working with PG&E on a Decommissioning Activity Management Plan (DAMP) that ensures air quality impacts from the actual equipment and actions during the decommissioning are properly mitigated.

As a reminder, PG&E's response to AQ-6 in the Apr 28, 2021 info hold letter indicated they felt a DAMP was not necessary. Our July 27, 2021 letter (attached) reaffirmed that a DAMP is necessary and provided APCD's reasoning. We have not heard concerns about this from PG&E, so is it correct to assume that the DAMP requirement will be in the conditions of approval for the project?

I also wanted to follow up with you on the greenhouse gas portion of our July 27, 2021 letter and the related attached emails. During our Aug 19, 2021 Teams meeting, it sounded like Aspen was going to recommend a no net increase threshold and mitigation would need to be identified. APCD provided mitigation input in the attached email chain (20210924EmailsOnDiabloGHGmitigation.pdf). Is there a status update that can provided prior to the scoping meetings that are about 2 weeks from now?

Thank you very much,

Andy Mutziger | **Division Manager**
Planning, Monitoring & Grants
SLO County Air Pollution Control District
(805) 781-5956 VM • amutziger@co.slo.ca.us • SLOCleanAir.org

From: Susan Strachan <sstrachan@co.slo.ca.us>
Sent: Monday, November 15, 2021 8:30 AM
To: Andrew Mutziger <amutziger@co.slo.ca.us>; Cindy A. Chambers <cchambers@co.slo.ca.us>
Subject: RE: 9 Aug Information Hold letter?

Hi Andy –

Here is the County's August 9, 2021 Information Hold letter. We are working on the Diablo EnerGov site to make it easier to find documents. There are a lot of them which had made finding them difficult.

Thanks,

Susan Strachan
Nuclear Power Plant Decommissioning Manager
Direct: (805) 788-2129
Email: sstrachan@co.slo.ca.us

COUNTY OF SAN LUIS OBISPO
PLANNING & BUILDING

From: Andrew Mutziger <amutziger@co.slo.ca.us>
Sent: Friday, November 12, 2021 3:57 PM
To: Cindy A. Chambers <cchambers@co.slo.ca.us>; Susan Strachan <sstrachan@co.slo.ca.us>
Subject: 9 Aug Information Hold letter?

Hi Cindy and Susan,
I'm reviewing our Diablo records and I'm not finding the 9 Aug Information hold letter to PG&E from the county and I didn't see it on the EnerGov website either. When you have a moment, could you please forward it to me?
Thank you very much,

Andy Mutziger | **Division Manager**
Planning, Monitoring & Grants
SLO County Air Pollution Control District
(805) 781-5956 VM • amutziger@co.slo.ca.us • SLOCleanAir.org

Email: Diablo Canyon Decommissioning Project

From: Borak, Mary Jo <maryjo.borak@cpuc.ca.gov>
Sent: Monday, December 6, 2021 4:33 PM
To: PL_Diablo <PL_Diablo@co.slo.ca.us>
Cc: Kito, Michele <michele.kito@cpuc.ca.gov>; Reiger, J. Jason <Jonathan.Reiger@cpuc.ca.gov>
Subject: [EXT]CPUC comments on Diablo Canyon Decommissioning Scoping for EIR

Dear Ms. Strachan

As a state agency that has broad and robust regulations over PG&E and state-wide interests related to Diablo Canyon we thank you for the opportunity to provide scoping comments on your EIR. The California Public Utilities Commission (CPUC) has been involved in the decommissioning of Diablo Canyon to ensure that ratepayers interests are considered, utility facilities and operations are safe and reliable, and that local and state-wide interests are considered in the decommissioning of Diablo Canyon including its possible future uses and interconnections with the statewide electrical grid and/or power generating facilities. We note that imposed mitigation measures may have ratepayer impacts and may limit, or expand, potential future uses and ownership of the site. These are all issues that may come before the CPUC in the future and we offer these high level comments today in that light.

Costs associated with decommissioning. The EIR document will include mitigation measures to reduce environmental impacts which could have cost implications for PG&E and California ratepayers.

- The EIR process should take costs into consideration and look at more than one mitigation option whenever feasible.
- The EIR process should make clear the cost estimates of mitigation measures and alternatives to allow the CPUC and stakeholders to compare the EIR proposals to PG&E's decommissioning cost estimates and funds available in the Nuclear Decommissioning Trust.

Continued use of and access to existing electric infrastructure at the site. The existing substation and 500 kV and 230 kV transmission systems are robust and will be underutilized once Diablo Canyon stops generating. Off shore wind and other energy providers are already looking to tie into the California electric

grid at this location. Future access to the grid via both land and sea should be a consideration in the EIR.

Public Utility Code Section 851 land transfers. PG&E will need to receive approval from the CPUC for any PG&E voluntary land transfers that occur following the closure of Diablo Canyon and decommissioning efforts. While this is not a specific issue related to CEQA requirements, the EIR should be cognizant of this requirement as it studies possible future uses of the Diablo Canyon site.

Cultural Impacts. It is the CPUC understanding that the land in and around Diablo Canyon is of significant cultural value. We support your robust review of any and all cultural impacts and necessary mitigation measures.

Thank you for the opportunity to comment on this project.
Sincerely,
Mary Jo Borak

Mary Jo Borak (she)
Program and Project Supervisor
Infrastructure Permitting and CEQA
Energy Division
California Public Utilities Commission
415 703-1333
MaryJo.Borak@cpuc.ca.gov

DEPARTMENT OF TRANSPORTATION
CALTRANS DISTRICT 5
50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
PHONE (805) 549-3101
FAX (805) 549-3329
TTY 711
www.dot.ca.gov/dist05/

Making Conservation a California Way of Life.

December 6, 2021

SLO US101 PM 21.12
SCH# 2021100559

Susan Strachan
Diablo Decommissioning Project Manager
Planning and Building Department
County of San Luis Obispo
976 Osos Street, Room 300
San Luis Obispo, CA 93408

COMMENTS FOR THE NOTICE OF PREPARATION (NOP) OF AN ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE DIABLO CANYON NUCLEAR POWER PLANT DECOMMISSIONING PROJECT

Dear Ms. Strachan:

The California Department of Transportation (Caltrans) appreciates the opportunity to review the NOP for the Diablo Canyon Power Plant Decommissioning Project. At this time, we offer the following comments in response to the NOP:

Caltrans supports development that is consistent with State planning priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety. We accomplish this by working with local and state jurisdictions to achieve a shared vision of how the transportation system should and can accommodate interregional and local travel and development. Projects that support smart growth principles which include improvements to pedestrian, bicycle, and transit infrastructure (or other key Transportation Demand Strategies) are supported by Caltrans and are consistent with our mission, vision, and goals.

While the decommissioning project might produce fewer overall vehicle trips then the site is currently, we do have concerns about the volume of new truck trip that this project will generate. Due to the estimated high truck trip volumes we agree with the projects proposal to limit truck trips to Monday through Thursday, eliminating trips during Avila Beach's peak visitor travel periods of Friday through

Sunday. We recommend limiting trucking activities during weekday peak hours as well.

Additionally, we are concerned with the potential impact to shoulder and roadway pavement quality with the project's high volume of truck trips. It might be appropriate to enter into a maintenance agreement that brings pavement conditions back to existing conditions throughout and following the decommissioning of the power plant.

The draft Transportation Assessment (Appendix N) mentions the development of a Construction Management Plan (CMP). We are interested in reviewing the CMP once completed, especially sections pertaining to hauling schedules, traffic on/off the state highway system, and safety precautions for pedestrians and bicyclists.

Caltrans requests to be included in any future public noticing regarding this project to allow us to prepare for and participate in the public process.

We look forward to continued coordination with the County on this project. If you have any questions, or need further clarification on items discussed above, please contact me at (805) 835-6432 or Jenna.Schudson@dot.ca.gov.

Sincerely,

Jenna Schudson

Jenna Schudson
Development Review Coordinator
Caltrans District 5, LD-IGR South Branch

United States Department of the Interior
U.S. FISH AND WILDLIFE SERVICE
Ecological Services
Ventura Fish and Wildlife Office
2493 Portola Road, Suite B
Ventura, California 93003

IN REPLY REFER TO:
08EVEN00-2022-CPA-0015

December 6, 2021

Susan Strachan
Nuclear Power Plant Decommissioning Project Manager
San Luis Obispo County, Department of Planning and Building
976 Osos Street #300
San Luis Obispo, California 93408

Subject: Notice of Preparation of an Environmental Impact Report for the Diablo Canyon Power Plant Decommissioning, San Luis Obispo County, California

Dear Susan Strachan:

The U.S. Fish and Wildlife Service (Service) has reviewed the County of San Luis Obispo's October 28, 2021, Notice of Preparation (NOP) of a draft Environmental Impact Report (DEIR) for the Diablo Canyon Power Plant (DCPP) Decommissioning. The main DCPP project site is located at 3890 Diablo Canyon Road in an unincorporated area of San Luis Obispo County, California, and consists of a 750-acre high-security zone surrounded by an approximately 12,000-acre area of land owned by either PG&E or one of its subsidiaries. The entire 12,000-acre project site extends along the coast for approximately 10 miles between the community of Avila Beach and Montaña de Oro State Park approximately 7 miles northwest of Avila Beach. Three satellite sites for the project are identified as occurring in the cities of Pismo Beach and Santa Maria and at a location southwest of the City of Santa Maria.

This letter provides our comments on the NOP for the proposed decommissioning of the Diablo Canyon Power Plant that would occur in two phases: (1) Phase 1: Pre-planning and Decommissioning Project Activities (2025-2034); (2) Phase 2: Final Site Restoration (2035 through 2042) and Independent Spent Fuel Storage Installation (ISFSI) Only Operations.

The Service's mission is working with others to conserve, protect, and enhance fish, wildlife, plants, and their habitats for the continuing benefit of the American people. To assist in meeting this mandate, the Service provides comments on public notices issued for projects that may have an effect on those resources, particularly federally listed plants and wildlife. The Service's responsibilities also include administering the Endangered Species Act of 1973, as amended (Act). The Act prohibits the unpermitted "take" of listed species [16 U.S.C. 1538(a)(l)(B)]. Take is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. Harm is further defined by the Service to include significant habitat modification or degradation that results in death or injury to wildlife by

significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering. Such taking may be authorized by the Service in two ways: through interagency consultation for projects with Federal involvement pursuant to section 7, or through the issuance of an incidental take permit under section 10(a)(1)(B) of the Act.

As it is not our primary responsibility to comment on documents prepared pursuant to the California Environmental Quality Act, our comments on the NOP do not constitute a full review of project impacts. We are providing our comments based upon past biological surveys, project activities that have the potential to affect federally listed species, and our concerns for listed species within our jurisdiction related to our mandates under the Act. Based upon our review of the NOP, its associated documents, and our knowledge of the resources in the vicinity of the project, we have the following comments and recommendations:

Project Extent

We believe that the entire 12,000 acres discussed at the outset of the NOP comprise the project site and the surrounding 11,250 acres are inextricably linked to the 750 acres immediately surrounding the power plant and its associated structures. Therefore, the entire 12,000 acres should be addressed in the DEIR specifically including a discussion of the disposition of and effects to the surrounding 11,250 acres of the project site.

Alternatives Analyses

We recommend that PG&E discuss all feasible alternatives in the DEIR. The alternatives analysis is important to the Service's evaluation of the project and feasible alternatives often reduce effects to biological resources. We believe the Full Removal alternative identified in the NOP, as per the original agreement, would result in the fewest long-term adverse effects to listed and sensitive species.

Biological Resource Assessments

The DEIR should contain a thorough discussion of all terrestrial and marine biological resources that are present onsite including species abundance, distribution, and status. The DEIR should also discuss the potential effects the proposed project would have on sensitive biological resources. This would require surveys to be conducted for sensitive and federally listed species at the appropriate times of year and during appropriate conditions. Protocol level surveys should be conducted for all sensitive and federally listed species that have survey protocols.

California Red-legged Frog

Based on the observation of the California red-legged frog (*Rana draytonii*) onsite (Terra Verde Environmental Consulting 2020, Appendix K, pp. 44 and 57 of 86), we recommend that protocol level surveys be conducted in all suitable habitat areas on the project site so the full effects of the proposed project on California red-legged frogs can be analyzed. Please include a more thorough discussion of the abundance and distribution of California red-legged frogs onsite in the DEIR. We are available to discuss project effects to the California red-legged frog and measures that can be taken to avoid or minimize impacts.

Botanical Resources

The botanical surveys were conducted during one of the driest years in recorded history for California and may not accurately represent the natural resources present. In order to be able to accurately determine which species are present and how they may be affected by the proposed project, we recommend that botanical surveys be conducted before completion of the DEIR during a year with average or above average precipitation and during the appropriate time.

Additionally, the botanical surveys were done late in the blooming season (May to July) (Terra Verde Environmental Consulting 2020, Appendix K, p. 20 of 86), thus missing early season blooming plants, such as Diablo Canyon bluegrass (*Poa diaboli*), an early blooming narrow endemic only known from the immediate vicinity of the DCPP. Additional botanical surveys should be completed before completion of the DEIR to capture the plants that bloom early in the season. Some surveys should be conducted between March and April, depending on the climate.

We detected multiple anomalies and errors in Appendix K regarding the botanical surveys that draw into question its completeness and recommend that this document be revisited and revised, as necessary. For example:

- San Diego viguiera (*Bahiopsis* [*Viguiera*] *laciniata*) is listed as occurring on the DCPP site. This species is native to the San Diego/Baja region with the northern-most documented occurrence in southeastern Ventura County. There is no discussion to explain this anomalous report.

- The discussion of the Diablo Canyon bluegrass (and possibly other sensitive species) in the Regionally Occurring Special-status Species appendix appears in error and should be revised. For this species, it states: "Suitable habitat is present at the DCPP site; species not observed during appropriately timed surveys" [emphasis added]. The botanical surveys were conducted between May and July, outside of the blooming period for this species; therefore, surveys were not conducted during the appropriate time.

- Pismo Clarkia (*Clarkia speciosa* subsp. *immaculata*) has been documented within approximately 5 miles of the DCPP in habitat consistent with that on the DCPP, yet Appendix K declares that there is no suitable habitat on the DCPP for this species.

Marine Resources

We recommend that you coordinate with us at your earliest convenience regarding the decommissioning operations for the cooling water discharge structure, water intake structure, breakwaters, boat dock, and harbor because southern sea otters (*Enhydra lutris nereis*) regularly use this area (Tenera Environmental Inc. and ERM 2020, Appendix J, p. 58). Any modifications or demolition to these structures may affect southern sea otters and may require a permit under the Marine Mammal Protection Act and consultation under the Act.

Based on the identification of a larval tidewater goby (*Eucyclogobius newberryi*) that was collected onsite between 1996 and 1999 (Tenera Environmental Inc. and ERM 2020, Appendix

J, p. 72), we recommend you conduct protocol level surveys in all locations in the project area that contain suitable habitat.

Effects Analysis

Please include a full discussion and analysis in the DEIR of all aspects of the effects of the proposed project on all biological resources, including effects that are direct, indirect, and cumulative.

We recommend that the County and the applicant work with the Service to avoid and minimize effects to listed species. We also recommend that the County and the applicant conduct focused surveys for all listed species with suitable habitat onsite as soon as possible. Surveys should be conducted in the appropriate season and follow accepted protocols to inform your environmental analysis of impacts to federally listed species in the DEIR. You should contact us soon to help determine what measures may be appropriate to conserve the listed species and their habitats that occur onsite. We can also provide guidance on the steps that may be needed to comply with the Act.

The Service appreciates the opportunity to provide comments on the NOP of the DEIR for the Diablo Canyon Power Plant Decommissioning project. If you have any questions, please contact Mark A. Elvin of our staff at (805) 677-3317, or by electronic mail at mark_elvin@fws.gov.

Sincerely,

JENNY MAREK Digitally signed by JENNY MAREK Date: 2021.12.06 18:31:23 -08'00'

Jenny Marek
Deputy Field Supervisor

LITURATURE CITED

Tenera Environmental Inc. and ERM. 2020. Diablo Canyon Decommissioning, Marine Biological Resources Assessment. August 2020. 108 pp. + appendices.

Terra Verde Environmental Consulting. 2020. Diablo Canyon Decommissioning, Terrestrial Biological Resources Assessment. August 2020. 86 pp. + appendices.

State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Central Region
1234 East Shaw Ave
Fresno, California 93710
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

December 6, 2021

Susan Strachan
Diablo Canyon Power Plant Decommissioning Project Manager
County of San Luis Obispo, Department of Planning and Building
976 Osos Street #300
San Luis Obispo, California 93408

Subject: Diablo Canyon Nuclear Power Plant Decommissioning Project - ED2021-174 / DRC2021-00092 (PROJECT)
Notice of Preparation (NOP)
SCH No.: 2021100559

Dear Ms. Strachan:

The California Department of Fish and Wildlife (CDFW) received a Notice of Preparation (NOP) from County of San Luis Obispo for the Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.[1]

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on

[1] CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code may be required.

Nesting Birds: CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include, §§ 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

Water Pollution: Pursuant to Fish and Game Code section 5650, it is unlawful to deposit in, permit to pass into, or place where it can pass into "Waters of the State" any substance or material deleterious to fish, plant life, or bird life, including non-native species. It is possible that without mitigation measures, activities associated with the Project could result in pollution of Waters of the State from storm water runoff or construction-related erosion. Potential impacts to the wildlife resources that utilize these watercourses include the following: increased sediment input from road or structure runoff; toxic runoff associated with development activities and implementation; and/or impairment of wildlife movement along riparian corridors. The Regional Water Quality Control Board and United States Army Corps of Engineers also has jurisdiction regarding discharge and pollution to Waters of the State.

Fully Protected Species: CDFW has jurisdiction over fully protected species of birds, mammals, amphibians, reptiles, and fish, pursuant to Fish and Game Code sections 3511, 4700, 5050, and 5515. CDFW prohibits and cannot authorize take of any fully protected species.

PROJECT DESCRIPTION SUMMARY

Proponent: Pacific Gas and Electric Company (PG&E)

Objective: The objective of the Project is to decommission Diablo Canyon Nuclear Power Plant (DCPP). The DCPP facility is 750-acre property owned by PG&E and is

surrounded by 12,000-acres of mixed grazed annual grasslands, coastal live oak and riparian woodland, chaparral, and scrub habitats. Diablo Creek flows west along the northern edge of the DCPP with a half mile of the creek culverted and has switchyard pads. The Pismo Beach facility is an approximately 25.5-acre property. The site is surrounded by developed land, a Union Pacific Railroad line, undeveloped land, and Pismo Creek.

Primary Project activities includes two different phases. Phase one will install electrical infrastructure for the decommission, construct of a new security building, remove the nuclear reactors, remove the discharge structure, construct of waste storage facilities, construct of a new firing range, and conduct initial site restoration, soil remediation, and final status surveys. Modification of the rail yards to transfer non-radioactive waste via rail cars and transported out of state will also occur. Phase two consists of continuation of the soil remediation and final status surveys, removal of infrastructure that does not support the retained facilities, and site restoration monitoring.

Primary marine-related Project activities will occur in Phase one and includes discharge structure removal and restoration, which will involve installation of a circular cell steel sheet pile cofferdam and dewatering of the work area prior to demolition. Before installation, the footprint of the cofferdam will be scraped/dredged by a barge-mounted excavator to remove large objects or debris that could interfere with the structure. Sheet piles will be installed from shore using a crane-mounted vibratory hammer and filled with granular soils. Once the work area is dewatered, the discharge structure will be removed completely back to the water tunnels, which will be sealed with a concrete bulkhead. After demolition, the shoreline will be restored while the cofferdam is still in place. The void left by removal of the structure will be filled with quarry rock. After site restoration, the area behind the cofferdam will be flooded, and then the cofferdam will be removed.

The NOP/Application Package also presents two alternatives to the Project that would involve a considerable amount of construction in the marine environment. The Intake Structure Removal Alternative would occur in Phase one and would result in complete removal of the intake structure back to the water tunnels. The removal and restoration process and methods would be similar to that of the discharge structure; however, the cofferdam would likely be installed and removed using a barge. The Removal of Breakwaters Alternative would occur in Phase two and include full removal of both breakwaters that enclose the Intake Cove using either a marine or land-based approach. The seafloor under the existing breakwater footprint would then be restored.

Location: The Project has two established sites and two potential sites:

1. Diablo Canyon Power Plant, 3890 Diablo Canyon Road, Avila Beach, CA 93424.
    a. All marine components of the Project will be located here.
2. Pismo Beach Railyard, 800 Price Canyon Road, City of Pismo Beach, CA 93449
3. Two potential sites, only one of which will be used:
    a. Santa Maria Valley Railyard Facility, 1599 A Street, Santa Maria, CA 93455
    Betteravia Industrial Park, 2820 W. Betteravia Road, Santa Maria CA 93455

Timeframe: Phase 1 (2024-2031): Pre-planning and decommissioning Project activities

Phase 2 (2031-2039): Completion of soil remediation, final status surveys, and final site restoration.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist San Luis Obispo County in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct, and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document.

There are many special-status resources present in and adjacent to the Project area. These resources need to be evaluated and addressed prior to any approvals that would allow ground-disturbing activities or land use changes. The NOP indicates there is potentially significant impact unless mitigation measures are taken but no measures are listed to reduce impacts to less than significant. CDFW is concerned regarding potential impacts to special-status species including, but not limited to: the federally endangered black abalone (*Haliotis cracherodii*), the federally threatened Steelhead (*Oncorhynchus mykiss irideus*), the federally threatened and State fully protected Southern sea otters (*Enhydra lutris nereis*), the federally and State threatened California tiger salamander (*Ambystoma californiense*), the federally threatened and State species of special concern California red-legged frog (*Rana draytonii*), the federally candidate species monarch Butterfly (*Danaus plexippus*), the State fully protected peregrine falcon (*Falco peregrinus anatum*), white-tailed kite (Elanus leucurus), and golden eagle (*Aquila chrysaetos*), and the State species of special concern American badger (*Taxidea taxus*), burrowing owl (*Athene cunicularia*), California legless lizard (*Anniella pulchra*), coastal range newt (*Taricha torosa*), coast horned lizard (*Phrynosoma blainvillii*), San Diego desert woodrat (*Neotoma lepida intermedia*), two-striped garter snake (*Thamnophis hammondii*), western pond turtle (*Emys marmorata*), special-status bats, and special-status plants. In order to adequately assess any potential impacts to

biological resources, focused biological surveys should be conducted by a qualified wildlife biologist/botanist during the appropriate survey period(s) in order to determine whether any special-status species and/or suitable habitat features may be present within the Project area. Properly conducted biological surveys, and the information assembled from them, are essential to identify any mitigation, minimization, and avoidance measures and/or the need for additional or protocol-level surveys, especially in the areas not in irrigated agriculture, and to identify any Project-related impacts under CESA and other species of concern.

Additionally, when an EIR is prepared, mitigation measures must be specific and clearly defined and cannot be deferred to a future time. The specifics of mitigation measures may be deferred, provided the lead agency commits to mitigation and establishes performance standards for implementation, when an EIR is prepared. The Final CEQA document must provide quantifiable and enforceable measures as needed that will reduce impacts to less than significant levels. CDFW recommends the EIR include the mitigation measures found in the Terrestrial Biological Resource Assessment and Marine Biological Resources Assessment (collectively, Biological Assessments) prepared by Terra Verde Environmental Consulting for all the proposed Project sites in addition to our comments below.

I. Environmental Setting and Related Impact

Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW, United States Fish and Wildlife Service (USFWS), or National Oceanic and Atmospheric Administration (NOAA) Fisheries?

COMMENT 1: Black Abalone

Issue: Black abalone and their habitat occur in the marine environment at the Project site (PG&E 2020), and Project activities have the potential to impact black abalone. CDFW recommends that the Final CEQA document include an impact analysis for black abalone as well as mitigation measures to avoid or minimize impacts to this protected species. These measures may also be used to reduce impacts to other important marine species, such as fish, red abalone (*Haliotis rufescens*), and other sensitive invertebrates.

Specific impact: In-water Project activities, such as scraping/dredging, cofferdam installation, and dewatering, may directly impact black abalone (and other marine species) by entraining, crushing, or desiccating them. These activities may also impact black abalone indirectly via habitat exclusion, destruction, and/or degradation.

Evidence impact is potentially significant: The black abalone is listed as an endangered species under the Federal Endangered Species Act (FESA). According to the Project's Marine Biological Resources Assessment (Appendix J; PG&E 2020b), an established population of black abalone occurs at the Project site. As stated in this assessment, limited larval dispersal and low population density make black abalone particularly vulnerable to extinction. Adverse effects to even a small proportion of the DCPP black abalone population may significantly impact this species.

Recommended Potentially Feasible Mitigation Measure(s):
To avoid and minimize potential impacts of the Project to black abalone, CDFW recommends including the following mitigation measures and requiring them as conditions of approval in the Project's Final EIR. CDFW recommends consulting with NOAA Fisheries on the Draft EIR's impact analysis and all proposed mitigation measures for black abalone.

Recommended Mitigation Measure 1: CDFW agrees with the recommendations made in Appendix J and the Project's Conceptual Intake & Discharge Structure Demolition Plan (Appendix C; PG&E 2020a) to complete biological and bathymetric surveys of the discharge plume area after discharge stops and before dredging and cofferdam installation. Cofferdam installation should avoid sensitive habitats, such as rocky reef habitat, to the greatest extent feasible.

Recommended Mitigation Measure 2: For all marine areas that will be dewatered, installed with a cofferdam, or have structure removed (i.e., riprap removal, Removal of Breakwaters Alternative), CDFW recommends the salvage/relocation of all black abalone and as many other marine organisms as possible by marine biologists. Of particular concern for CDFW are fish, red abalone, and sea stars. A CDFW-issued Scientific Collecting Permit will be needed for relocation of species (see 'Scientific Collecting Permit' section below). CDFW recommends that a marine biologist perform biological inspections prior to dewatering of cofferdam(s) to ensure no salvageable animals remain in the dry work area.

Recommended Mitigation Measure 3: If the Intake Structure Removal Alternative is incorporated into the Project, CDFW recommends that the Project avoid dewatering the area adjacent to the natural rock face to the west of the intake structure if possible. While no black abalone were documented here, this natural structure provides habitat for red abalone, other invertebrates, and multiple algal species. Sedentary species in this area would perish as a result of dewatering. If the Project must dewater this portion of the Intake Cove, the Draft EIR should fully explain why this is the preferred alternative.

COMMENT 2: California Tiger Salamander (CTS)

Issue: The Biological Assessments did not consider CTS in their impact analysis. CTS have the potential to occur in the following Project sites: Diablo Canyon Power Plant, Pismo Beach Railyard, Santa Maria Valley Railyard Facility, and Betteravia Industrial Park. Aerial imagery shows that the Project sites are near uplands which may provide suitable refugia and breeding habitat features for CTS.

Specific Impacts: Potential ground- and vegetation-disturbing activities associated with Project activities include: collapse of small mammal burrows, inadvertent entrapment, loss of upland refugia, water quality impacts to breeding sites, reduced reproductive success, reduction in health and vigor of eggs and/or young, and direct mortality of individuals.

Evidence impact would be significant: Up to 75% of historic CTS habitat has been lost to urban and agricultural development (Searcy et al. 2013). The Project sites are within the range of CTS and has suitable habitat (i.e., grasslands interspersed with burrows and vernal pools). CTS have been determined to be physiologically capable of dispersing up to approximately 1.5 miles from seasonally flooded wetlands (Searcy and Shaffer 2011) and have been documented to occur near the Project sites (CDFW 2021). Given the presence of suitable habitat near the Santa Maria Valley Railyard Facility and Betteravia Industrial Park Project sites, ground-disturbing activities have the potential to significantly impact local populations of CTS.

Recommended Potentially Feasible Mitigation Measure(s)
Because suitable habitat features for CTS are present throughout the Project area, CDFW recommends conducting the following evaluation of the Project area, incorporating the following mitigation measures into the Final CEQA document prepared for this Project, and that these measures be made conditions of approval for the Project.

Recommended Mitigation Measure 4: Focused CTS Protocol-level Surveys
CDFW recommends that a qualified biologist evaluate the Project sites to determine if suitable habitat for CTS is present. If suitable habitat is present, CDFW recommends that a qualified biologist conduct protocol-level surveys in accordance with the USFWS "Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander" (USFWS 2003) at the appropriate time of year to determine the existence and extent of CTS breeding and refugia habitat. The protocol-level surveys for CTS require more than one survey season and are dependent upon sufficient rainfall to complete. As a result, consultation with CDFW and the USFWS is recommended well in advance of beginning the surveys and prior to any planned vegetation- or

ground-disturbing activities. CDFW advises that the protocol-level survey include a 100-foot buffer around the Project area in all areas of wetland and upland habitat that could support CTS. Please be advised that protocol-level survey results are viable for two years after the results are reviewed by CDFW.

Recommended Mitigation Measure 5: CTS Avoidance
If recommended surveys are not feasible and an Incidental Take Permit (ITP) is not acquired, CDFW advises that a minimum 50-foot no-disturbance buffer be delineated around all small mammal burrows in suitable upland refugia habitat within and/or adjacent to the Project sites. Further, CDFW recommends potential or known breeding habitat within and/or adjacent to the Project sites be delineated with a minimum 250-foot no-disturbance buffer. Both upland burrow and wetland breeding no-disturbance buffers are intended to minimize impacts to CTS habitat and avoid take of individuals.

Recommended Mitigation Measure 6: CTS Take Authorization
If through surveys it is determined that CTS are occupying or have the potential to occupy the Project sites, consultation with CDFW is warranted to determine if the Project can avoid take. If take cannot be avoided, acquisition of take authorization would be warranted prior to initiating ground-disturbing activities to comply with CESA. Take authorization would occur through issuance of an incidental take permit (ITP) by CDFW, pursuant to Fish and Game Code section 2081(b). In the absence of protocol surveys, the applicant can assume presence of CTS within the Project sites and obtain an ITP from CDFW.

COMMENT 3: Special-Status Plant Species

Issue: The Project area may contain habitat suitable to support special-status plant species that are listed pursuant to CESA or the Native Plant Protection Act and/or meet the definition of rare or endangered under CEQA Guidelines section 15380, including, but not limited to, the federally and State endangered California Rare Plant Ranked (CRPR) 1B.1 Marsh sandwort (*Arenaria paludicola*), federally endangered and State designated rare and CRPR 1B.1 Pismo clarkia (*Clarkia speciosa subsp. immaculata*), and CRPR 1B.2 Miles' milkvetch (*Astragalus didymocarpus var. milesianus*). These special-status plants have been observed throughout the San Luis Obispo County, and within the vicinity of the Project Area (CDFW 2021). Therefore, the Project has the potential to impact special-status plants.

Specific impact: Without appropriate avoidance and minimization measures for special-status plants, potential significant impacts resulting from ground- and vegetation-disturbing activities associated with Project construction include inability to reproduce and direct mortality.

Evidence impact would be significant: Special-status plant species known to occur in the vicinity of the Project Area are threatened by development activities and associated impacts including introduction of non-native plant species (CNPS 2021).

Recommended Potentially Feasible Mitigation Measure(s)
To evaluate potential impacts to special-status plant species associated with the Project, CDFW recommends conducting the following evaluation of the Project Area, incorporating the following mitigation measures into the Final EIR , and that these measures be made conditions of approval for the Project.

Recommended Mitigation Measure 7: Special-Status Plant Surveys
CDFW recommends that a qualified botanist assess if habitat suitable to support these special-status plants listed above or other special-status plant species is present within or adjacent to the Project area. If suitable habitat is present, CDFW recommends that the Project Area be surveyed for special-status plants by a qualified botanist following the "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities" (CDFW 2018). This protocol, which is intended to maximize detectability, includes the identification of reference populations to facilitate the likelihood of field investigations occurring during the appropriate floristic period. In the absence of protocol-level surveys being performed, additional surveys may be necessary.

Recommended Mitigation Measure 8: Special-Status Plant Avoidance
CDFW recommends that special-status, non-State listed plant species be avoided whenever possible by delineating and observing a no-disturbance buffer of at least 50 feet from the outer edge of the plant population(s) or specific habitat type(s) required by special-status plant species. If buffers cannot be maintained, then consultation with CDFW is warranted to determine appropriate minimization and mitigation measures for impacts to special-status plant species.

Recommended Mitigation Measure 9: State-listed Plant Take Authorization
If a plant species listed pursuant to CESA or State designated as rare is identified during botanical surveys, consultation with CDFW is warranted to determine if the Project can avoid take. If take cannot be avoided, take authorization prior to any ground-disturbing activities may be warranted. Take authorization would occur through issuance of an ITP by CDFW, pursuant to Fish and Game Code section 2081, subdivision (b) for State-listed threatened or endangered plants or pursuant to the Native Plant Protection Act and Fish and Game Code section 1900 et seq. for State designated rare plants.

II. Would the Project have a substantial adverse effect on any riparian habitat or other sensitive national community identified in local or regional plans, policies, regulations, or by CDFW, USFWS, or NOAA Fisheries?

COMMENT 4: Habitat Areas of Particular Concern

Issue: Several types of Habitat Areas of Particular Concern (HAPC) occur at the Project site, including canopy kelp, rocky reefs, and seagrass (PG&E 2020b). Project activities have the potential to impact HAPC. CDFW recommends that the Final CEQA document include an impact analysis for HAPC as well as mitigation measures to avoid or minimize impacts to these important habitats.

Why impact would occur: Dredging, cofferdam installation, and dewatering would directly impact HAPC if these habitats exist within the cofferdam/dry work area footprint. These and other in-water activities could also impact HAPC by generating turbidity and blocking sunlight.

Evidence impact is potentially significant: HAPC, a subset of Essential Fish Habitat, are habitats of special importance to fish populations due to their rarity, vulnerability to development and anthropogenic degradation, and/or ability to provide key ecological functions. Canopy kelp (e.g., giant kelp, bull kelp), rocky reefs, and seagrass (e.g., eelgrass) have been designated as groundfish HAPC by the Pacific Fisheries Management Council under the Magnuson-Stevens Fishery Conservation and Management Act. Eelgrass (*Zostera* spp.) is further protected under State and federal "no-net-loss" policies for wetland habitats. Additionally, the importance of eelgrass protection and restoration as well as the ecological benefits of eelgrass are identified in the California Public Resources Code (PRC Section 35630).

Recommended Potentially Feasible Mitigation Measure(s): To avoid and minimize potential impacts of the Project to HAPC, CDFW recommends including the following mitigation measures and requiring them as conditions of approval in the Project's Final CEQA document. CDFW recommends consulting with CDFW and NOAA Fisheries on the Final CEQA document's impact analysis and all proposed mitigation measures for HAPC prior to release of the Final CEQA document.

Recommended Mitigation Measure 10: CDFW recommends that dredging, cofferdam installation, dewatering, and anchoring avoid HAPC to the greatest extent feasible. If impacts cannot be avoided, compensatory mitigation may be required. The Draft EIR should quantify the amount of canopy kelp, rocky reef, and seagrass that could be lost due to the Project and potential alternatives. To minimize turbidity impacts, CDFW recommends installing a turbidity curtain around in-water Project activities whenever possible, especially activities occurring in the Intake Cove.

Recommended Mitigation Measure 11: CDFW appreciates the Project's inclusion of Marine Measure 3 (Seagrass Mitigation Plan [SMP]) in the Alternatives section of the NOP/Application Package. CDFW agrees that this is a necessary mitigation measure if the Intake Structure Removal Alternative and/or Removal of Breakwaters Alternative are incorporated into the Project. CDFW recommends that a Seagrass Mitigation Plan be developed if any in-water work or modifications are planned to occur in the Intake Cove (e.g., riprap removal, barge anchoring). In addition to what is listed in the Application Package (pages 8 and 18 of the Alternatives section), the SMP should also include what mitigation actions (e.g., eelgrass transplanting) will be required in the event that eelgrass impacts do occur. We recommend that the SMP adhere to all protocols outlined in the California Eelgrass Mitigation Policy (NMFS 2014). CDFW recommends that PG&E consult CDFW, NOAA Fisheries, and the other resource agencies during the development of the SMP.

III. Editorial Comments and/or Suggestions

Lake and Streambed Alteration: The Project contains activities that may result in the Project sites being subject to CDFW's regulatory authority pursuant Fish and Game Code section 1600 et seq. Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake; or (c) deposit debris, waste or other materials that could pass into any river, stream, or lake. "Any river, stream, or lake" includes those that are ephemeral or intermittent, as well as those that are perennial in nature.

For additional information on notification requirements, please contact our staff in the Lake and Streambed Alteration Program at R4LSA@wildlife.ca.gov. It is important to note, CDFW is required to comply with CEQA, as a Responsible Agency, when issuing a Lake or Streambed Alteration Agreement (LSAA). If inadequate, or no environmental review, has occurred, for the Project activities that are subject to notification under Fish and Game Code section 1602, CDFW will not be able to issue the Final LSAA until CEQA analysis for the project is complete.

Nesting birds: CDFW encourages that Project implementation occur during the bird non-nesting season; however, if ground-disturbing or vegetation-disturbing activities must occur during the breeding season (February through mid-September), the Project applicant is responsible for ensuring that implementation of the Project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Codes as referenced above.

To evaluate Project-related impacts on nesting birds, CDFW recommends that a qualified wildlife biologist conduct pre-activity surveys for active nests no more than 10

days prior to the start of ground or vegetation disturbance to maximize the probability that nests that could potentially be impacted are detected. CDFW also recommends that surveys cover a sufficient area around the Project sites to identify nests and determine their status. A sufficient area means any area potentially affected by the Project. In addition to direct impacts (i.e., nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. Prior to initiation of construction activities, CDFW recommends that a qualified biologist conduct a survey to establish a behavioral baseline of all identified nests. Once construction begins, CDFW recommends having a qualified biologist continuously monitor nests to detect behavioral changes resulting from the Project. If behavioral changes occur, CDFW recommends halting the work causing that change and consulting with CDFW for additional avoidance and minimization measures.

If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the construction area would be concealed from a nest site by topography. CDFW recommends that a qualified wildlife biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance.

Federally Listed Species: CDFW recommends consulting with the USFWS and NOAA Fisheries on potential impacts to federally listed species including, but not limited to, CTS, black abalone, steelhead, Southern sea otters, CRLF, and Monarch Butterfly Take under FESA is more broadly defined than CESA; take under FESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Consultation with the USFWS in order to comply with FESA is advised well in advance of any ground-disturbing activities.

Scientific Collecting Permit: Fish and Game Code sections 1002, 1002.5 and 1003 authorize the CDFW to issue permits for the take or possession of wildlife and certain plants. CDFW currently implements this authority through Section 650, Title 14, California Code of Regulations, by issuing Scientific Collecting Permits (SCP). In order to relocate/transplant any marine species, including fish, kelp, and eelgrass, the Project must first obtain an SCP from CDFW. More information can be found on CDFW's SCP webpage: https://wildlife.ca.gov/Licensing/Scientific-Collecting.

Underwater Explosives: The use of underwater explosives in State waters inhabited by fish is prohibited except under a CDFW-issued permit consistent with terms and conditions set by the Fish and Game Commission (Fish and Game Code, Section 5500). If the Removal of Breakwaters Alternative is included in the Project and underwater explosives are needed, PG&E must contact CDFW and obtain a permit before this activity can occur.

Water Circulation Study: According to Appendix J, water exchange within the Intake Cove will decrease once the intake ceases operation. Regardless of whether the Intake Structure Removal Alternative is incorporated into the Project, water circulation changes in the Intake Cove could impact the habitats and species currently there. CDFW recommends that PG&E conduct a water circulation study of the Intake Cove to better understand what changes will occur and include this analysis in the final CEQA document. CDFW suggests that data could be collected on water circulation within the Intake Cove during an outage to better understand the potential future water conditions in the cove for the Draft EIR.

Marine Habitat Restoration Scientific Technical Advisory Team: CDFW agrees with the recommendation made in the Project's Marine Habitat Restoration and Monitoring Plan (Appendix J-2; PG&E 2020c) for a scientific technical advisory team (STAT) to guide and evaluate marine habitat restoration and monitoring activities. CDFW should be included on the STAT.

Oil Spill Response: CDFW's Office of Spill Prevention and Response has reviewed the Project's Oil Spill Response Plan (OSRP; Appendix G) and offers the following comments and recommendations:

- The OSRP only describes response procedures for a spill in the nearshore marine environment. Since substantial Project activities will occur inland, the OSRP should also include spill response procedures for inland tributaries/waterways at the Project site. The geographic response area (Section 2.1) should include all waterways onsite. Similarly, the spill scenarios (Section 3) should include inland scenarios, for instance, a worker vehicle/truck accident that spills fuel into an intermittent creek. Additional equipment may be needed for inland response (e.g., shovels, hay bales, short-skirted containment boom) and should be listed in the OSRP.
- Senate Bill 861 (2014) expanded California's oil spill prevention and response program to cover all statewide surface waters at risk of oil spills. CDFW recommends including Senate Bill 861 in Table 1.3-1 (Laws Applicable to the OSRP) since a spill could impact tributaries to coastal waters.
- California Assembly Bill 1197 would require an oil spill contingency plan to identify at least one certified Spill Management Team. Though the bill is still

under review, Spill Management Team certification may be a requirement at some point during the Project.

- High wave energy may negate any ability to deploy oil spill response equipment in the discharge cove. CDFW recommends addressing this possibility in the OSRP.
- To assist in modeling of oil releases in the ocean, CDFW recommends referring to the Southern California Coastal Ocean Observing System (SCOOS), a surface current mapping system.

CDFW recommends listing Pacific Wildlife Care (PWC), a member of the Oiled Wildlife Care Organization, in the OSRP in the event they are needed to assist with oiled wildlife. The PWC phone number is 805-543-WILD.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a data base which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). The CNDDB field survey form can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Submitting-Data. The completed form can be mailed electronically to CNDDB at the following email address: CNDDB@wildlife.ca.gov. The types of information reported to CNDDB can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Plants-and-Animals.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

CDFW appreciates the opportunity to comment on the NOP to assist the County of San Luis Obispo in identifying and mitigating Project impacts on biological resources. More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (https://www.wildlife.ca.gov/Conservation/Survey-Protocols). Please see the enclosed Mitigation Monitoring and Reporting Program (MMRP) table which

corresponds with recommended mitigation measures in this comment letter. Questions regarding terrestrial species in this letter or further coordination should be directed to R4CEQA@wildlife.ca.gov, and for marine species Amanda Canepa, Environmental Scientist at (831) 277-9740 or Amanda.Canepa@wildlife.ca.gov

Sincerely,

DocuSigned by:
FAB3F09FE0B845A...

Julie A. Vance
Regional Manager

Attachments

A. MMMRP for CDFW Recommended Mitigation Measures

cc: Office of Planning and Research, State Clearinghouse, Sacramento

REFERENCES

California Department of Fish and Wildlife (CDFW). 2018. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities. California Department of Fish and Wildlife. March 20, 2018.

CDFW. 2021. Biogeographic Information and Observation System (BIOS). https://www.wildlife.ca.gov/Data/BIOS. Accessed November 9, 2021.

California Native Plant Society (CNPS), Rare Plant Program. 2021. Inventory of Rare and Endangered Plants of California (online edition, v9-01 1.0). Website http://www.rareplants.cnps.org

National Marine Fisheries Service (NMFS). 2014. California Eelgrass Mitigation Policy and Implementing Guidelines. NOAA Fisheries West Coast Region (October 2014)

Pacific Gas and Electric (PG&E). 2020a. Conceptual Intake & Discharge Structure Demolition Plan – Diablo Canyon Power Plant Rev 0. Report prepared for PG&E Diablo Canyon Nuclear Power Plant.

PG&E. 2020b. Marine Biological Resources Assessment Report – Diablo Canyon Power Plant Rev 0. Report prepared for PG&E Diablo Canyon Nuclear Power Plant.

PG&E. 2020c. Marine Habitat Restoration and Monitoring Plan – Diablo Canyon Power Plant Rev 0. Report prepared for PG&E Diablo Canyon Nuclear Power Plant.

PG&E. 2020d. Marine Wildlife Contingency Plan – Diablo Canyon Power Plant Rev 0. Report prepared for PG&E Diablo Canyon Nuclear Power Plant.

PG&E. 2020e. Underwater Noise Impact Assessment – Construction Noise – Diablo Canyon Power Plant Rev 0. Report prepared for PG&E Diablo Canyon Nuclear Power Plant.

Searcy, C.A., and Shaffer, H.B., 2011. Determining the migration distance of a vagile vernal pool specialist: How much land is required for conservation of California tiger salamanders? In Research and Recovery in Vernal Pool Landscapes, D. G. Alexander and R. A. Schlising, Eds. California State University, Chico, California.

Searcy, C.A., E. Gabbai-Saldate, and H.B. Shaffer. 2013. Microhabitat use and migration distance of an endangered grassland amphibian. Biological Conservation 158: 80-87.

USFWS. 2003. Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander, October 2003.

Attachment 1

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE RECOMMENDED MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

PROJECT: Diablo Canyon Nuclear Power Plant Decommissioning Project - ED2021-174 / DRC2021-00092 (PROJECT)

SCH No.: 2021100559

RECOMMENDED MITIGATION MEASURE	STATUS/DATE/INITIALS
Before Disturbing Soil or Vegetation	
Mitigation Measure 1	
Mitigation Measure 2	
Mitigation Measure 3	
Mitigation Measure 4: Focused CTS Protocol-level Surveys	
Mitigation Measure 6: CTS Take Authorization	
Mitigation Measure 7: Special-Status Plant Surveys	
Mitigation Measure 9: State-listed Plant Take Authorization	
Mitigation Measure 10	
Mitigation Measure 11	
During Construction	
Mitigation Measure 5: CTS Avoidance	
Mitigation Measure 8: Special-Status Plant Avoidance	

[EXT]Re: EIR NOTICE OF PREPARATION AND SCOPING MEETINGS for DRC2021-00092/ED2021-174 - Diablo Canyon Nuclear Power Plant Decommissioning Project

government@cgnp.org <government@cgnp.org>

Fri 10/29/2021 4:46 PM

To: Susan Strachan <sstrachan@co.slo.ca.us>; Cindy A. Chambers <cchambers@co.slo.ca.us>
Cc: PL_Diablo <PL_Diablo@co.slo.ca.us>

1 attachments (2 MB)

Diablo Canyon Cessation of Operations NOP.Final 10 26 21.pdf;

Hello, Susan and Cindy: As you have been informed previously, Californians for Green Nuclear Power, Inc. (CGNP) objects to the improper limitation of project scope that excludes the most environmentally harmful phase, namely the cessation of operations of each DCPP reactor and replacement of that large quantity of dispatchable power with dispatchable fossil-fired generation, including significant amounts of Wyoming coal-fired generation.

A similar improper exclusion of reactor operation at the end of January, 2012 of the San Onofre Nuclear Generation Station (SONGS) followed by substitution of large quantities of fossil-fired generation was employed by the California State Lands Commission (CASLC) in their Environmental Impact Statement. CGNP raised timely objections to the CASLC's actions.

I have a pair of questions regarding the meeting format for the meetings set for November 9, December 1, and December 4.

_____

1. Will there be a PDF made available in advance to the audience regarding the meeting presentation contents?

2. Will the format for participant questions and concerns be like the format of the SLO County Board of Supervisors meetings: e.g. a maximum of three minutes for each member of the public?

Thank you in advance for your assistance.

Sincerely,

/s/ Gene Nelson, Ph.D. CGNP Legal Assistant
Californians for Green Nuclear Power, Inc. (CGNP)
1375 East Grand Ave Ste 103 #523
Arroyo Grande, CA 93420-2421
(805) 363 - 4697 cell
Government@CGNP.org email
http://CGNP.org website

[EXT]CGNP's Comments for Item 34, Public Comment Period - BOS Meeting of 11/16/21

government@cgnp.org <government@cgnp.org>

Tue 11/16/2021 3:01 AM

To: Board of Supervisors <Boardofsups@co.slo.ca.us>; PL_Diablo <PL_Diablo@co.slo.ca.us>

1 attachments (1 MB)

CGNP to SLO County Board of Supervisors 11 16 21.pdf;

San Luis Obispo County Board of Supervisors

1055 Monterey Street, Suite D430

San Luis Obispo, CA 93408

boardofsups@co.slo.ca.us, <diablo@co.slo.ca.us>,

November 16, 2021

Subject: CGNP's Comments for Item 34, Public Comment Period - BOS Meeting of 11/16/21

Please refer to CGNP's attached comments. Dr. Nelson will excerpt from them during today's Public Comment period.

This filing will also form a portion of CGNP's Scoping Comments regarding the proposed project to cease Diablo Canyon Power Plant operations and decommission the plant. CGNP will complete its scoping comments due by 5:00 p.m., December 6, 2021

Sincerely,

/s/ Gene Nelson, Ph.D. CGNP Legal Assistant
Californians for Green Nuclear Power, Inc. (CGNP)
1375 East Grand Ave Ste 103 #523
Arroyo Grande, CA 93420-2421
(805) 363 - 4697 cell
Government@CGNP.org email
http://CGNP.org website

San Luis Obispo County Board of Supervisors
1055 Monterey Street, Suite D430
San Luis Obispo, CA 93408
boardofsups@co.slo.ca.us

November 16, 2021

Subject: CGNP's Comments for Item 34, Public Comment Period - BOS Meeting of 11/16/21

Independent nonprofit Californians for Green Nuclear Power, Inc. (CGNP) is gratified to read the attached November 14, 2021 CalMatters commentary in the ***SLO Tribune*** on November 14, 2021 on page 10B, "Two SLO County Leaders call for keeping Diablo Open to help meet clean energy goals," by District 35 California Assemblyman Jordan Cunningham and District 3 Supervisor Dawn Ortiz-Legg. This commentary shows a bipartisan interest in the continued safe operation of Diablo Canyon Power Plant beyond 2025. Both Assemblyman Cunningham and Supervisor Ortiz-Legg have additional background and training that qualifies them to understand more of the nuances surrounding Diablo Canyon. They recommend that California decision makers should use the analysis of a November 8, 2021 114-page study released by a group of expert authors at MIT and Stanford as a starting point. The focus of my comments this morning are on Chapter 2 of this study, pages 33 to 85 which focuses on desalination.

The two threats to adequate water for the Central Coast are climate change dessicating our reservoirs, as is currently the case, and seismic activity of the San Andreas Fault destroying our single Central Coast Water Authority (CCWA) 57-inch steel pipeline that conveys water from the State Water Project.

SLO County recognized the water shortage threat when the County Flood Control and Water Conservation District contracted with the California Department of Water Resources for 25,000 acre-feet per year (afy) of water on February 26, 1963. Per CCWA the County's 2021 Table A request was 4,830 afy with actual deliveries projected at a mere 2,580 afy - about 1/10 of the contract amount set 58 years ago. To facilitate repairs, CCWA and DWR constructed this pipeline above the ground where it crosses the San Andreas Fault near Cholame, CA. The CCWA pipeline photograph on the next page was taken by CGNP over a year ago.

While CCWA has purchased and warehoused replacement pipe sections, aftershocks will prevent the repairs from taking place for likely several years based on the analogous experiences of Christchurch, New Zealand that are summarized in the fifth episode of a CBC Vancouver podcast "Fault Lines" regarding surviving a Cascadia subduction zone earthquake. **https://www.cbc.ca/listen/cbc-podcasts/147-fault-lines**

The cost advantages for the production of vital desalinated water from Diablo Canyon are coupled with keeping the plant running. The study examines many technical and financial aspects of enlarging DCPP's desalination plant. The County began investigating this option about six years ago. CGNP believes that the executive branch of the State of California applied pressure to halt the County's investigation.

The MIT Stanford study sets a lower bound for the air pollution burden caused by replacement natural gas fired generation. Based on CGNP's filings since 2017 before the CPUC and FERC, the likely State of California plan is to replace most of the safe, reliable, abundant, cost-effective, and zero-emission Diablo Canyon Power Plant output after 2025 with emission-laden Wyoming coal-fired generation (hidden behind the California legal euphemism "unspecified imports") at a greater cost. The Wyoming coal-fired emission intensity (about twice the level of natural gas) contravenes California statutes including SB 1368 (Perata) codified as PUC § 8340 and PUC § 8341.

The County has the power to halt this harmful plan promoted by the State of California by properly scoping the DCPP decommissioning project to include the required cessation of operations, as CGNP has called for in our numerous communications with the County during the past several years. This letter summarizes why the No Project Alternative (NPA) which preserves the Diablo Canyon desalination option and avoids the substantial air pollution increase is the superior alternative.

Sincerely,
/s/ Gene Nelson, Ph.D. CGNP Legal Assistant
Californians for Green Nuclear Power, Inc. (CGNP)
1375 East Grand Ave Ste 103 #523
Arroyo Grande, CA 93420-2421
(805) 363 - 4697 cell
Government@CGNP.org email
http://CGNP.org website
CC: **diablo@co.slo.ca.us**, as a portion of CGNP's Scoping Comment

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CalMatters

Commentary: Two SLO County Leaders call for keeping Diablo Open to help meet clean energy goals

https://www.sanluisobispo.com/opinion/readers-opinion/article255774436.html

https://www.dailyrepublic.com/all-dr-news/opinion/local-opinion-columnists/calmatters-commentary-keep-diablo-canyon-open-to-help-meet-emission-reduction-goals/

BY JORDAN CUNNINGHAM AND DAWN ORTIZ-LEGG CALMATTERS UPDATED NOVEMBER 15, 2021 9:09 AM

By Jordan Cunningham and Dawn Ortiz-Legg, Special to CalMatters

California has established itself as a global leader in the fight against climate change. It has set ambitious, economy-wide emission reduction targets and mandated that all of the state's electricity come from carbon-free sources by 2045.

These are aggressive goals, befitting the clout and resolve of the world's fifth-largest economy. Yet, we continue to see rising temperatures, record drought and intense wildfires.

What if everything California and the nation is doing to slow climate change just isn't enough?

To reach our zero-carbon goals while maintaining system reliability and avoiding debilitating blackouts, we need a mix of clean energy sources – renewables like solar and wind power. We need aggressive investment in energy storage projects**. And we need to revisit whether Diablo Canyon Nuclear Power Plant should continue to operate another 10 years past its scheduled 2025 decommissioning.**

There is a serious risk that we will not be able to meet our emission reduction targets while maintaining grid reliability without Diablo Canyon. Merely replacing the clean power we lose from the plant will require 90,000 acres of development of renewable resources, even as the siting of new renewable energy plants and associated transmission have proven slow to develop and face substantial opposition. Keeping Diablo Canyon online would guard against these risks, and, if additional renewables are brought online, dramatically accelerate carbon reductions.

That is why so many leaders in the state have come together in bipartisan fashion to oppose closing the Diablo Canyon. Diablo Canyon is our largest producer of clean energy. Today, Diablo Canyon accounts for 15% of the state's emission-free electricity production and 8% overall energy production.

Closing Diablo Canyon in 2025 would mean increasing our dependence on gas-fired power plants to keep the lights on during periods when renewables aren't available, leading to greater CO2 emissions, not less. And it shouldn't be overlooked that the closure would cost the Central Coast 1,200 good-paying jobs.

Solving our energy crisis does not mean abandoning our commitment to decarbonize. But we are taking a real gamble if we don't focus on diversifying our energy portfolio. **We need every carbon-free energy solution on the table, including solar, wind, geothermal, battery storage and nuclear power.**

A new joint study from researchers at MIT and Stanford University has reassessed the potential contribution Diablo Canyon can make to meet this goal through the continued production of clean, safe and reliable electricity, as well as the potential to provide water desalination and produce clean hydrogen.

The MIT-Stanford study assessed the impact of an inclusive approach, combining Diablo Canyon's electric power generation with the continued expansion of renewable clean energy sources. It found that extending the operation of Diablo Canyon to 2035 under a diversified approach would cut energy sector carbon emissions in the state by 11% compared to 2017 levels.

It also would save ratepayers billions – up to $2.6 billion if Diablo Canyon remained operational until 2035.

According to the study, Diablo Canyon has more to offer than clean, cost-effective electric power. It can be repurposed to produce both desalinated water and hydrogen – emission-free.

A desalination complex at Diablo Canyon could produce up to 80 times the output of the state's largest desalination plant currently in operation – at about half the cost. This would help mitigate our severe drought, ease shortages and provide fresh water to our cities, suburbs and farms.

And as demand for hydrogen fuels grows, Diablo Canyon would be able to generate clean hydrogen at half the cost of solar- or wind-generated hydrogen.

To meet the challenge of climate change, we need to deploy multiple sources of clean energy that, taken together, can achieve our zero-carbon goals. The last thing we should do is rush to shut down California's largest single source of clean energy.

Assemblyman Jordan Cunningham, a Republican from San Luis Obispo, represents the 35th Assembly District. Supervisor Dawn Ortiz-Legg, a Democrat, represents District 3 in San Luis Obispo County.

Solano County Daily Republic Tags: A8

Printed in the November 14, 2021 edition on page A8 | Published on November 14, 2021 | Last Modified on November 12, 2021 at 11:38 pm

Gene Nelson Ph.D. 11 15 21 comment on the *San Luis Obispo Tribune* website:

What makes the plans to close Diablo Canyon worse is the State of California plan apparently is to replace our local safe, reliable, cost-effective and zero-emission plant with emission-laden Wyoming coal-fired electricity. In order to learn this, please refer to obscure California Public Utility Commission documents referencing "unspecified imports" - a California legal euphemism for out-of-state coal-fired electricity. Please use the Google query "Diablo Canyon" "unspecified imports" site: cpuc.ca.gov . . . . . This harmful proposed policy leads me to ask the question, "Whose palms are being greased?"

Russ Byler comment

Closing Diablo has always been a major desire of the "chicken littles". They had the sky falling while the plans were still on the drawing board. Nuclear plants are a major source of electricity in Europe. Safe and clean.
It borders on insanity to close it at this time. As the push for more electric vehicles continues, soon we'll have to choose between driving and staying warm.

Email: Diablo Canyon Decommissioning Project Team

From: Jill ZamEk <jzamek@gmail.com>
Sent: Monday, November 29, 2021 6:44 PM
To: PL_Diablo <PL_Diablo@co.slo.ca.us>
Subject: [EXT]Diablo Canyon Decommissioning Environmental Impact Report Scoping Comment by San Luis Obispo Mothers for Peace

From: San Luis Obispo Mothers for Peace
mothersforpeace.org
Contacts: Linda Seeley lindaseeley@gmail.com
Jane Swanson janeslo@icloud.com
November 29, 2021
To Susan Strachan,

San Luis Obispo Mothers for Peace offers the following comments and questions on the scope and content of the Environmental Impact Report for the decommissioning of Diablo Canyon nuclear plant.

1. No Alternative Option to Evaluate License Extension

- There may be other participants advocating for license extension years beyond the anticipated closure dates. The consultants and the County must recognize that the added waste and hazards involved go far beyond the budgeted scope and timeline of this EIR. PG&E has deferred maintenance, and senior staff members have departed in anticipation of closure. Any project involving license extension must be treated as a separate application with separate environmental review.

2. High Level Waste Management

- The safe handling and storage of the high level radioactive waste remaining on-site is an issue of utmost concern. We understand that PG&E is in the process of choosing a new ISFSI storage system which will allow for more rapid transfer of the waste from the pools. There is great uncertainty regarding the amount of time this waste will remain on-site and how robust these new casks and/or canisters will be in the face of impacts from the ocean environment, routine aging, seismic risks, and the threats of terrorism.

- Will the casks and/or canisters be continuously monitored for degradation and radiation leakage?

- What is the process for repair?
- While the spent fuel pools are still in use, how will any adverse events be handled after the cessation of plant operation?
- If the pools are dismantled, what system will be in place to monitor and repair leaking containers?
- Will a hot cell or some system with similar capabilities be installed? Mothers for Peace advocates for on-site repair capability.
- Mothers for Peace advocates for HOSS - hardened on-site storage, a concept that aims to protect the public from the threats posed by the current vulnerable storage of nuclear waste. See attached document by Dr. Gordon Thompson.

3. Radiological and Chemical Decontamination of the Site: soil, concrete, components

- How will contamination during dismantling be prevented and monitored?
- How will contamination on land and in the sea be measured, including possible bioconcentration up the marine and terrestrial food chains?
- What technologies will be used to measure any possible spread of radiological contamination on and offsite?
- What procedures are in place to respond to unexpected events or emergencies?
- How will the contaminated materials be handled and contained?
- How will decontamination be done? (before/during/after dismantling?)
- How and where will the contaminated materials be transported offsite for disposal?
- What are the criteria for determining reuse vs disposal?
- Where will the contaminated material be disposed?
- What are the criteria for determining the destinations of various levels of contaminated materials?
- To what soil depth will contamination be monitored and ameliorated?
- How will the quality and safety of groundwater and protection from radiological and chemical contamination be assured?

4. Dismantlement and Air Quality

- Dismantlement will result in dust, CO_2 emissions, release of harmful chemicals into the air, emissions from trucks, trains, and barges, and odors. How will the impacts of these releases be monitored and minimized?

5. Transportation and Traffic

- We understand that the dismantled materials will be transported by truck, rail, and barge.
- What infrastructure modifications and/or enhancements will be required to roads, rails, and for barge loading?
- What roads will be used to remove materials from Parcel P?
- What will be the impacts of the materials being trucked through the town of Avila Beach and by Harbor Terrace?
- How many trucks per day will be removing materials from Parcel P?
- At what hours and on what days will materials be trucked out of Parcel P?
- Will PG&E be responsible for maintenance of existing roads subjected to heavy use during decommissioning?
- Decommissioning-related traffic involving large numbers of construction personnel and vehicles over a period of many years will affect traffic flow and parking congestion. How will increased traffic be mitigated?
- There is potential for health impacts in the transportation of hazardous and/or radiological materials due to accidental release.
- How will these risks be mitigated and the warning of shipments communicated to first responders and residents on the transportation routes? What are the environmental justice impacts on disadvantaged communities of the routes selected?
- What are the environmental justice impacts on disadvantaged communities from the selection of the ultimate destinations of these hazardous materials?
- Is the Port San Luis Harbor District being consulted as a Responsible Agency? If not, why not?

6. Biological Resources

- What degrading impacts are expected on the terrestrial habitats and species as a result of demolition and removal activities?
- How can these be minimized?
- How will the potential impacts to marine species and habitats within the project area be identified and mitigated?
- What debris and contaminants will be released into the ocean?
- Over the lifetime of the plant, once-through-cooling has decimated the indigenous populations of vegetation,crustaceans and fish. The EIR must stipulate that PG&E monitor and report recovery of impacted species after the shutdown of the once-through-cooling system.

- Diablo Cove and adjacent land areas are home to seven endangered species including Bull Kelp, California Sheephead, Burrowing Owl, Green Sea Turtle, Black Abalone, Southern Sea Otter, and Morro Bay Kangaroo Rat.
- A monograph by the California Department of Fish and Game, (Burge, Richard T. and Schultz, Steven A. (1973 – prior to startup of the plant) The marine environment in the vicinity of Diablo Cove with special reference to abalones and bony fishes , [Marine Resources Technical Report, 19]} states, "Diablo Cove, a future warm water discharge site, is located about midpoint of a 13 mile long rocky shoreside reef in central California. The reef, physically isolated from other similar coastal areas, supports important kelp bed communities of nonmigratory vertebrates and invertebrates that must be constantly monitored to ensure they are protected. This 2-year study is a baseline inventory done in the vicinity of Diablo Cove with major emphasis on abalones, including their food chain, and bony fishes. Data was obtained on the life history and annual canopy development of the kelp Nereocystis and all macroalgae were cataloged. Seasonal collections of fishes were made to document those species indigenous to the system and to obtain life history information on the common forms." (Document has 429 pages.)
- From 1988 to 1991, following the startup of the Diablo Canyon units, the red and black abalone population in Diablo Cove declined by almost 90% as the result of withering syndrome, a chronic progressive disease exacerbated by elevated sea water temperatures. Thermal pollution from the Diablo Canyon units was identified by the Water Quality Control Board to be a significant contributor to the decline of the red and black abalone. Water temperatures in north Diablo Cove now prevent the successful developmental growth of black abalone and red abalone, both indigenous coastal water mollusk species.
- In 2003, the Water Quality Control Board and the California Department of Fish and Game prepared a cease and desist order for the reactor discharges into the ocean cove. "Overall, the effects of the discharge include loss and degradation of habitat, decrease in several species' diversity and density, and loss of entire species. It has been shown that the effects continue to expand beyond Diablo Cove and are greater than predicted. The discharge does not provide for the protection of propagation of species and does not provide habitat suitable for indigenous species." The agency further concluded: "The question presented is whether the degradation of the marine environment near DCPP [Diablo Canyon Power Plant] is acceptable to the Department of Fish and Game. Based on review of law and policies administered by the Department, and other laws requiring enhancement and protection of the marine ecosystem, the answer is no."
- The draft order cites that 97% of the cove's surface kelp forest (Bull Kelp) has literally been clear cut from its former habitat, with more kelp forests potentially impacted beyond the cove. As a result, the intertidal communities of Diablo Cove are now devoid of historically abundant quantities of perennial algae cover. Surfgrass, once the predominant plant thriving in continuous bands throughout the cove, survives only in isolated locations. The Department of Fish and Game maintained, based upon "the effects of elevated water temperature and the severe decrease in the adult populations densities below the recommended

Department levels, that it is questionable whether or not abalone populations will recover naturally in Diablo Cove should temperatures return to normal."

7. PG&E's Financial Status

- What category of PG&E funding is being used to pay Aspen?
- Is PG&E's financial and time budget for this EIR sufficient for the enormous complexity of the task of impact evaluation and development of mitigation measures? If not, how will additional resources be procured?
- What measures are in place to assure that the completion of the proposed project will be done in a manner that ensures prudent use of ratepayer funds?

8. Site Restoration and Future Land Uses within Parcel P and Surrounding Lands

- Once the site has been restored and deemed safe by NRC standards for public access, it is imperative that the land be used for the public good. It is this community which suffers the risks involved with the operation of the nuclear plant and storage of its radioactive waste. It is this community which is now entitled to reap benefits from the land as mitigation.
- The DREAM Initiative in 2000 was supported by over 75% of county voters - a clear message to set aside not only Parcel P but all the surrounding Diablo Canyon Lands for habitat preservation, agriculture, and passive public use upon closure of the plant. The EIR must investigate to what extent disruptive activities on Parcel P create a nexus for mitigation by way of conservation of and public access to surrounding lands to compensate affected communities. There is precedent for this with public access to Point Buchon.
- Mothers for Peace advocates for repurposing of non-contaminated facilities to be used rather than demolished.
  - These facilities should be used to create new local jobs and promote the establishment of clean, green, renewable energy sources.
  - The transmission lines should be explored for the transmission of wind, wave, solar and/or other clean energy sources.
  - The preservation of the existing desalination plant, the breakwaters, and the associated harbor area should be explored.
  - The preservation of Indigenous People's sites must be assured.
  - The request for land ownership by the local Indigenous community must be acknowledged and considered valid - with the understanding of their intent for conservation and managed use.
  - Which Indigenous groups are being consulted as Responsible Agencies?

9. NRC Pre-emption of Safety Issues with High Level Waste Handling

- To what extent could the EIR recommend, and the County require, added mitigation measures beyond those of the NRC if needed to make required health and safety findings?

Application No.: 04-01-009
Exhibit No.: _____
Date: August 3, 2004
Witness: Gordon Thompson

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Gas and Electric Company (U 39 E) for Authority to Increase Revenue Requirements to Recover the Costs to Replace Steam Generators in Units 1 and 2 of the Diablo Canyon Power Plant.	Application 04-01-009 (Filed January 9, 2004)

TESTIMONY OF GORDON THOMPSON ON BEHALF OF THE SAN LUIS OBISPO MOTHERS FOR PEACE, SIERRA CLUB, PUBLIC CITIZEN, GREENPEACE AND ENVIRONMENT CALIFORNIA

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For:

SAN LUIS OBISPO MOTHERS FOR PEACE, SIERRA CLUB, PUBLIC CITIZEN, GREENPEACE AND ENVIRONMENT CALIFORNIA

August 3, 2004

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I. INTRODUCTION

Q. Please state your name, business address, and professional affiliations.

A. I am Gordon Thompson. I am the executive director of the Institute for Resource and Security Studies (IRSS), a nonprofit, tax-exempt corporation based in Massachusetts. The IRSS office is located at 27 Ellsworth Avenue, Cambridge, MA 02139. IRSS was founded in 1984 to conduct technical and policy analysis and public education, with the objective of promoting peace and international security, efficient use of natural resources, and protection of the environment. In addition to working at IRSS, I hold an appointment as a research professor at the George Perkins Marsh Institute, Clark University, Worcester, MA.

Q. Please describe your professional and academic background.

A. I received an undergraduate education in science and mechanical engineering at the University of New South Wales, in Australia. Subsequently, I received a Doctorate of Philosophy in mathematics in 1973 from Oxford University, for analyses of plasmas undergoing thermonuclear fusion. During my graduate studies I was associated with the fusion research program of the United Kingdom Atomic Energy Authority. My undergraduate and graduate work provided me with a rigorous education in the methodologies and disciplines of science, mathematics, and engineering. Since 1977, a significant part of my work has consisted of technical analyses of safety, security and environmental issues related to nuclear facilities. These analyses have been sponsored by a variety of non-governmental organizations and local, state and national governments, predominantly in North America and Western Europe. Drawing upon these analyses, I have provided expert testimony in legal and regulatory proceedings,

and have served on committees advising United States government agencies. My Curriculum Vitae is provided here as Appendix A.

Q. Please summarize your experience that is relevant to this testimony.

A. My analyses of security threats to nuclear facilities, and of options for defending these facilities, have withstood critical scrutiny and affected policy in Europe and the US. For example, my assessment in 1978-1979 of security threats and defense options related to the proposed Gorleben facility in Germany was accepted by the licensing authority, leading to new design standards that remain in effect. Similar assessments that I conducted in relation to the Sellafield site in the UK and the La Hague site in France, at various times between 1977 and 2000, have led to new design standards and government policies. My analyses of security threats and defense options related to storage of spent fuel from US nuclear power plants are currently influencing the development of national policy.

Q. What is the purpose of your testimony?

A. My testimony has two purposes. The first purpose is to show that, given present trends, it is reasonable and prudent to assume that the Diablo Canyon nuclear power plant and its spent fuel will receive an enhanced defense during the coming years. By enhanced defense, I mean the implementation of defensive measures additional to those currently required by the US Nuclear Regulatory Commission (NRC).[1] The testimony's second purpose is to provide an estimate of additional costs to Pacific Gas and Electric (PG&E) that could arise from the provision of the enhanced defense.

[1] Here, I use the term "defense" in its military sense. In a military context, the term "defense in depth" refers to a set of mutually-supportive but independent measures that protect a facility from external or internal attackers. Some safety experts in the nuclear power industry have appropriated the term defense in depth to refer to the provision of multiple safety systems. I use the term in its original, military sense.

PG&E has not included such costs in its application. Consideration of these costs affects the cost/benefit analyses related to replacement of the Diablo Canyon steam generators.

Q. Please briefly summarize your testimony.

A. This testimony has nine sections. After this introduction (Section I), Section II describes the Diablo Canyon nuclear power plant. Section III discusses the defense of nuclear power plants in the context of US national security. Section IV reviews the NRC's present requirements for defense of nuclear power plants. That review is followed, in Section V, by a discussion of the risk of attack on nuclear power plants and their spent fuel. In this context, the concept of risk encompasses vulnerability to attack, and the probability and consequences of attack. Section VI describes trends that are leading toward enhanced defense of US nuclear power plants and spent fuel. Section VII describes the type of enhanced defense of the Diablo Canyon plant and its spent fuel that, I believe, it is reasonable and prudent to assume will be implemented in the future. The costs of implementing the additional defensive measures are estimated in Section VIII. My conclusions are set forth in Section IX. Appendix B is a bibliography to support this testimony. Literature cited in the testimony appears in the bibliography.

This testimony discusses potential destructive attacks, at the Diablo Canyon plant and other nuclear facilities, that could cause great public harm. No information is contained in the testimony that could assist the perpetrator of such an attack. Accordingly, this testimony is appropriate for general distribution.

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II. THE DIABLO CANYON NUCLEAR POWER PLANT

Q. Please describe the Diablo Canyon nuclear power plant.

A. The Diablo Canyon plant has two nuclear generation units. These units employ essentially identical pressurized-water reactors (PWRs), each rated at a nominal 1,100 MWe. The two units share an auxiliary building and some components of auxiliary systems. Each reactor has a dedicated fuel-handling system and one spent-fuel pool. The reactors were furnished by Westinghouse. Unit 1 began commercial operation in May 1985 and Unit 2 in March 1986. The operating licenses expire in September 2021 for Unit 1 and April 2025 for Unit 2.[2]

Q. Please describe the storage facilities for spent fuel.

A. The two spent-fuel pools at Diablo Canyon were originally equipped with low-density racks, so that each pool could accommodate one and one-third cores of spent fuel. Each reactor core contains 193 fuel assemblies. In the late 1980s, the low-density racks were replaced by high-density racks that are currently in use. Each pool can now accommodate 1,324 spent fuel assemblies. Each unit operates on an 18-21 month refueling cycle and discharges 76-96 spent fuel assemblies per refueling. As of December 2001, each unit had operated for 10 cycles. It follows that each spent-fuel pool contained 760-960 spent fuel assemblies in December 2001. Thus, given a pool capacity of 1,324 assemblies, while allowing space for a full-core offload of 193 assemblies, each pool could, as of December 2001, accommodate an additional 171-371 assemblies beyond the assemblies then stored in the pool. PG&E has projected

[2] PG&E, 2001, page 1.1-1.

that each pool can accommodate a full-core offload and the accumulated inventory of discharged fuel until 2006.[3]

Q. What are PG&E's plans for storage of spent fuel assemblies produced at the Diablo Canyon plant after 2006?

A. To accommodate spent fuel discharged from Units 1 and 2 after the pools are full, PG&E has applied for permits from the NRC, San Luis Obispo County, and the California Coastal Commission to establish an independent spent-fuel storage installation (ISFSI) on the Diablo Canyon plant site. This facility would hold up to 140 dry-storage casks, employing the Holtec HI-STORM 100 cask system. PG&E expects that most of the casks would be capable of holding 32 fuel assemblies per cask. Assuming 140 casks each holding 32 assemblies, the proposed ISFSI could accommodate 4,480 spent fuel assemblies. PG&E projects that this storage capacity would be sufficient to hold all the spent fuel discharged by Diablo Canyon Units 1 and 2 through the duration of their present operating license terms (2021 for Unit 1 and 2025 for Unit 2).[4]

PG&E plans to build the ISFSI in increments. The storage casks would sit on concrete pads, 20 casks per pad in a 4 by 5 array. Initially, two pads would be built.[5] Ultimately, seven pads would be built side by side, covering an area about 500 feet by 105 feet. PG&E expects that spent fuel would be transferred from the pools to the ISFSI after at least 5 years of storage in the pools. Specifically, casks would be installed as needed to accommodate the spent fuel that would be removed from the pools in order to free up space in the pools for storage of fuel discharged from the

[3] PG&E, 2001, page 1.1-1.
[4] PG&E, 2001, page 1.2-2.

reactors.[6] Thus, from 2006 through the present Unit 1 and 2 operating license terms, the pools would hold spent fuel at nearly their full capacity. After 2006, the average post-discharge age of the spent fuel in each pool would be about 10 years.

Each cask in the planned ISFSI would be about 11 feet in diameter and 20 feet high. The surface-to-surface distance between casks would be about 6 feet. The ISFSI's full capacity of 140 casks would be achieved by placing casks in a 5 by 28 array. A security fence would surround the area needed for this array, at a distance of about 50 ft from the outermost casks. That fence would in turn be surrounded by a second fence, at a distance of about 100 feet from the outermost casks.[7]

The HI-STORM 100 dry-cask storage system employs a multi-purpose canister (MPC) that contains the fuel, and a storage overpack that surrounds the MPC during storage. The MPC is a thin-walled stainless-steel cylinder containing a basket structure to hold the spent fuel assemblies. After the MPC receives fuel and is sealed, it is filled with helium. The overpack is a thick-walled concrete cylinder whose surfaces are clad with a thin coating of carbon steel. Cooling of the MPC occurs by natural circulation of ambient air in a space between the MPC and the overpack. This air enters the overpack through holes near its base, passes over the MPC, and leaves the overpack through holes near its top.[8]

Q. Was PG&E aware of the need for additional on-site, spent-fuel storage capacity when the NRC approved construction of the Diablo Canyon plant?

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[5] PG&E, 2001, page 3.1-1.
[6] PG&E, 2001, page 1.2-1.
[7] PG&E, 2001, Chapter 3.
[8] PG&E, 2001, Chapter 3.

A. No. The long-term, on-site storage of spent fuel at the Diablo Canyon plant was never considered because it was assumed that the waste would be transported to an off-site facility.

Q. Please describe the inventory of radioactivity that will be present in spent fuel at the site.

A. Each fuel assembly contains a variety of radioactive isotopes, but one isotope -- cesium-137 -- is especially useful as an indicator of the potential for radiological harm. Cesium-137 is a radioactive isotope with a half-life of 30 years. This isotope accounts for most of the offsite radiation exposure that is attributable to the 1986 Chernobyl reactor accident, and for about half of the radiation exposure that is attributable to fallout from testing nuclear weapons in the atmosphere.[9] Cesium is a volatile element that would be liberally released during the meltdown of a reactor core or during a fire in a drained spent-fuel pool.

The inventory of cesium-137 in the Diablo Canyon plant pools or the proposed ISFSI can be readily estimated. Three parameters govern the estimate -- the number of spent fuel assemblies, their respective burnups, and their respective ages after discharge. I have made such estimates, assuming a representative, uniform burnup of 46 gigawatt-days per tonne.[10] As a separate exercise, I have estimated the inventory of cesium-137 in the Diablo Canyon reactors.

PG&E projections indicate that each of the Diablo Canyon plant pools will contain, from 2006 until the 2020s and potentially beyond, an inventory of spent fuel approaching the pool's capacity of 1,131 assemblies. The average post-discharge age

[9] DOE, 1987.

[10] Burnup is the cumulative fission energy released in a fuel assembly during its period of use.

of the fuel will be about 10 years. This inventory of spent fuel -- 1,131 assemblies aged for 10 years -- will contain about 56 million Curies (630 kilograms) of cesium-137. For comparison, the core of each Diablo Canyon reactor contains about 6 million Curies (67 kilograms) of cesium-137. At the proposed Diablo Canyon ISFSI, one cask containing 32 fuel assemblies with an average post-discharge age of 20 years would contain about 1.3 million Curies (14 kilograms) of cesium-137.

As a comparison, the Chernobyl reactor accident of 1986 released about 2.4 million Curies (27 kilograms) of cesium-137 to the atmosphere. That release represented 40 percent of the Chernobyl reactor core's inventory of 6 million Curies (67 kilograms) of cesium-137.[11] Atmospheric testing of nuclear weapons led to the deposition of about 20 million Curies (220 kilograms) of cesium-137 across the land and water surfaces of the Northern Hemisphere.[12]

III. NUCLEAR POWER PLANTS AND NATIONAL SECURITY

Q. Please describe the security threat to nuclear power plants and their spent fuel.

A. The National Strategy for The Physical Protection of Critical Infrastructures and Key Assets, which was published in February 2003, identifies nuclear power plants as key assets, defined as follows: [13]

> "Key assets represent individual targets whose destruction could cause large-scale injury, death, or destruction of property, and/or profoundly damage our national prestige, and confidence".

Prominent officials, such as the Chair of the National Intelligence Council, Robert Hutchings, have concurred on the security threat posed by nuclear power plants:[14]

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[11] Krass, 1991.
[12] DOE, 1987.
[13] White House, 2003, page 7.
[14] Hutchings, 2004.

> Targets such as nuclear power plants, water treatment facilities, and other public utilities are high on al-Qa'ida's targeting list as a way to sow panic and hurt our economy. . . . Just this past year, al-Qa'ida attacks in Kenya, Saudi Arabia, and Turkey have demonstrated the group's impressive expertise to build truck bombs, and we are concerned it will try to marry this capability to toxic or radioactive material to increase the damage and psychological impact of an attack. . . . I have already detailed the terrorist threat and feel it is important to point out that according to State Department statistics, more businesses are targeted in terrorist attacks than all other types of facilities combined. US interests both abroad and at home, as well as US citizens working abroad, are prime targets for terrorist groups seeking to damage the US economy and affect our way of life. High-profile facilities such as nuclear power plants, oil and gas production, and export and receiving facilities remain at risk; moreover al-Qa'ida and other terrorist groups' targets and methods may be evolving.

Q. In your opinion, is the concern expressed by Chairman Hutchings justified?

A. Yes. Nuclear power plants and their spent fuel are, in my opinion, likely targets in a sophisticated attack on the US homeland, for both symbolic and practical reasons. An important symbolic reason is the connection of nuclear power plants with nuclear weapons. The US government justified its March 2003 invasion of Iraq in large part by the possibility that the Iraqi government might have acquired a nuclear weapon. Yet, our government flaunts its own superiority in nuclear weapons and rejects the constraint of its weapons by international agreements such as the Non-Proliferation Treaty.[15] As an approach to international security, this policy has been criticized by the director general of the International Atomic Energy Agency as "unsustainable and counterproductive".[16]

It would be prudent to assume that this policy will motivate terrorist groups to respond asymmetrically to US nuclear superiority, possibly through an attack on a US nuclear power plant and/or its spent fuel. From a practical perspective, nuclear power

[15] Deller, 2002; Scarry, 2002.
[16] ElBaradei, 2004, page 9.

plants and ISFSIs are large, fixed targets. At present, as shown below, these facilities are lightly defended. In the eyes of an enemy, they can be regarded as pre-deployed radiological weapons that could release large amounts of radioactive material.

An attack on a US nuclear facility would be either an act of insanity or an act of malice. An insane attacker would have no political purpose, but a malicious attacker would be pursuing the political objectives of a domestic or foreign constituency. Currently, concern about attack is focused on foreign enemies and their domestic sympathizers. These groups are not the only sources of threat, but they deserve special consideration because their objectives relate to US foreign policy and military campaigns.

Q. What general actions can be taken in response to the threat of a foreign-origin attack?

A. There should be a mixture of offensive and defensive actions. "Offensive" refers to efforts to destroy or incapacitate attackers before they attack, and "defensive" refers to protecting ourselves from attack. The need for a balance between offensive and defensive actions was recognized by a task force convened by the Council on Foreign Relations. In an October 2002 report, this group stated:[17]

> "*Homeland security measures have deterrence value*: US counterterrorism initiatives abroad can be reinforced by making the US homeland a less tempting target. We can transform the calculations of would-be terrorists by elevating the risk that (1) an attack on the United States will fail, and (2) the disruptive consequences of a successful attack will be minimal. It is especially critical that we bolster this deterrent now since an inevitable consequence of the US government's stepped-up military and diplomatic exertions will be to elevate the incentive to strike back before these efforts have their desired effect".

Q. How would you describe the current level of defensive action at nuclear facilities?

[17] Hart et al, 2002, pp 14-15.

A. The NRC requires only a light defense for civilian nuclear facilities. It does not require security measures that reflect the actual security risks. The NRC is, in effect, rejecting the advice of the Council on Foreign Relations' task force that I quote above. An explicit rejection of this type of advice was articulated by the NRC chair, Richard Meserve, in late 2002:[18]

> "If we allow terrorist threats to determine what we build and what we operate, we will retreat into the past – back to an era without suspension bridges, harbor tunnels, stadiums, or hydroelectric dams, let alone skyscrapers, liquid-natural-gas terminals, chemical factories, or nuclear power plants. We cannot eliminate the terrorists' targets, but instead we must eliminate the terrorists themselves. A strategy of risk avoidance – the elimination of the threat by the elimination of potential targets – does not reflect a sound response."

Q. Do you agree with this statement?

A. No. To deter attack, the nation need not scrap every modern technology or infrastructure asset. Instead, potential targets can be ranked by their attractiveness as targets for attack. Then, each target can receive a level of defense that is commensurate with its attractiveness. The chosen level of defense would aim to reduce the likelihood of a successful attack and the consequences of an attack. In instances where the cost of providing the chosen level of defense appears prohibitive, the target can be replaced by another, more defensible, facility or activity that serves the same purpose.

Q. What is the significance of the NRC's approach to security at nuclear facilities?

A. Without any public debate, and apparently without any analysis of strategic risks, the NRC has chosen to rely primarily on US offensive capabilities to protect nuclear power plants.

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[18] Meserve, 2002a, page 22.

Q. Do you believe that this is an adequate approach?

A. No. As discussed above, defensive capabilities are equally important. In addition, the US government's offense-dominated response to terrorism has proven to be costly in terms of fracturing alliances and arousing hostility worldwide. If anything, this offensive approach has increased the risks of terrorist attack in the US. Drawing a balance between defending key assets and pursuing security through offensive actions is a crucial, but not always understood, aspect of homeland-security policy.

IV. PRESENT NRC REQUIREMENTS FOR DEFENSE OF NUCLEAR POWER PLANTS

Q. Briefly describe the history of government regulation of security at nuclear power plants.

A. The NRC's basic policy on the protection of nuclear facilities from attack is set forth in 10 Code of Federal Regulations (CFR) § 50.13. This regulation was originally promulgated in September 1967 by the US Atomic Energy Commission (AEC), the predecessor of the NRC. It states:[19]

> "An applicant for a license to construct and operate a production or utilization facility, or for an amendment to such license, is not required to provide for design features or other measures for the specific purpose of protection against the effects of (a) attacks and destructive acts, including sabotage, directed against the facility by an enemy of the United States, whether a foreign government or other person, or (b) use or deployment of weapons incident to US defense activities."

Q. Has this policy changed over time?

A. Regulation 10 CFR 50.13 remains in effect.[20] Nevertheless, experience has forced the NRC to increase licensees' obligations to defend nuclear facilities. A series of events,

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[19] Federal Register, Vol. 32, No. 186, 26 September 1967, page 13445.

[20] Regulation 10 CFR 50.13 does not preclude the US government from defending nuclear power plants. Indeed, the NRC chair has stated (Meserve, 2002a, page 22) that defense of nuclear plants against air attack would, if required, be a task for the US military.

including the 1993 bombing of the World Trade Center in New York, forced the NRC to introduce a rule in 1994, requiring licensees to defend nuclear power plants against vehicle bombs.[21] The terrorist events of September 11, 2001 have forced the NRC to require additional measures, described below. Yet, as shown below, the NRC currently requires only a light defense of nuclear facilities.

Q. What was the NRC's response to the events of September 11, 2001?

A. After the events of September 11, the NRC concluded that its requirements for nuclear-facility security were inadequate. Accordingly, the NRC issued an order to licensees of operating plants in February 2002, and similar orders to licensees of decommissioning plants in May 2002 and reactor-site ISFSI licensees in October 2002, requiring "certain compensatory measures", also described as "prudent, interim measures", whose purpose was to "provide the Commission with reasonable assurance that the public health and safety and common defense and security continue to be adequately protected in the current generalized high-level threat environment".[22] The additional measures required by these orders were not publicly disclosed, but the NRC chair stated that they included:[23]

(i) increased patrols;

(ii) augmented security forces and capabilities;

(iii) additional security posts;

(iv) vehicle checks at greater stand-off distances;

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[21] Final Rule, Protection Against Malevolent Use of Vehicles at Nuclear Power Plants, 59 Fed. Reg. 38,889 (August 1, 1994).

[22] The quoted language is from page 2 of the NRC's order of February 25, 2002 to all operating power reactor licensees. Almost-identical language appears in the NRC's orders of May 23, 2002 to all decommissioning power reactor licensees and October 16, 2002 to all ISFSI licensees who also hold 10 CFR 50 licenses.

[23] Meserve, 2002b.

(v) enhanced coordination with law enforcement and military authorities;

(vi) additional restrictions on unescorted access authorizations;

(vii) plans to respond to plant damage from explosions or fires; and

(viii) assured presence of Emergency Plan staff and resources.

The NRC also established a Threat Advisory System that warns of a possible attack on a nuclear facility. This system uses five color-coded threat conditions ranging from green (low risk of attack) to red (severe risk of attack). These threat conditions conform with those used by the Department of Homeland Security.

Q. What types of defensive measures does the NRC require?

A. Present NRC requirements for the defense of nuclear facilities are focused primarily on site security, which the NRC discusses under the heading "physical protection". As described in Section VII, below, site security is one of four types of measures that, taken together, could provide a defense in depth against acts of malice or insanity. The other three types of measures are: facility robustness; damage control; and emergency response planning. With some limited exceptions, these measures are ignored in present NRC requirements for nuclear-facility defense.[24]

Q. What is meant by “physical protection” in terms of NRC security requirements?

A. At a nuclear power plant or an ISFSI, the NRC requires the licensee to implement a set of physical protection measures. According to the NRC, these measures provide defense in depth by taking effect within defined areas with increasing levels of security. Within the outermost physical protection area, known as the Exclusion Area, the licensee is expected to control the area but is not required to employ fences and guard

posts for this purpose. Within the Exclusion area is a Protected Area encompassed by physical barriers including one or more fences, together with gates and barriers at points of entry. Authorization for unescorted access within the Protected Area is based on background and behavioral checks. Within the Protected Area are Vital Areas and Material Access Areas that are protected by additional barriers and alarms; unescorted access to these locations requires additional authorization.

Associated with the physical protection areas are measures for detection and assessment of an intrusion, and for armed response to an intrusion. Measures for intrusion detection include guards and instruments whose role is to detect a potential intrusion and notify the site security force. Then, security personnel seek additional information through means such as direct observation and closed-circuit TV cameras, to assess the nature of the intrusion. If judged appropriate, an armed response to the intrusion is then mounted by the site-security force, potentially backed up by local law-enforcement agencies and the FBI. The design of physical protection areas and their associated barriers, together with the design of measures for intrusion detection, intrusion assessment and armed response, is required to accommodate a "design basis threat" (DBT) specified by the NRC.

Q. What is a DBT?

A. A DBT is a set of characteristics of a potential attack on a nuclear facility. It provides a basis for the design and assessment of defensive measures. At a nuclear power plant, the dominant sources of hazard are the reactor(s) and the spent-fuel pool(s). In theory, both of these items receive the same level of protection against attack, but in

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[24] For information about the NRC's requirements – expressed in regulations, rules and orders -- for nuclear-facility defense, see: the NRC website (www.nrc.gov); Markey, 2002; Meserve, 2002b; Meserve,

practice the reactor has been the main focus of attention. The DBT for an ISFSI is less demanding than that for a nuclear power plant.

Q. What is the DBT for a nuclear power plant?

A. In April 2003 the DBT for a nuclear power plant was revised, but the NRC announced that the features of the revised DBT would not be published. The previously-applicable DBT had the following features:[25]

> "(i) A determined violent external assault, attack by stealth, or deceptive actions, of several persons with the following attributes, assistance and equipment: (A) Well-trained (including military training and skills) and dedicated individuals, (B) inside assistance which may include a knowledgeable individual who attempts to participate in a passive role (e.g., provide information), an active role (e.g., facilitate entrance and exit, disable alarms and communications, participate in violent attack), or both, (C) suitable weapons, up to and including hand-held automatic weapons, equipped with silencers and having effective long range accuracy, (D) hand-carried equipment, including incapacitating agents and explosives for use as tools of entry or for otherwise destroying reactor, facility, transporter, or container integrity or features of the safeguards system, and (E) a four-wheel drive land vehicle used for transporting personnel and their hand-carried equipment to the proximity of vital areas, and
> (ii) An internal threat of an insider, including an employee (in any position), and (iii) A four-wheel drive land vehicle bomb."

In announcing the revised DBT in April 2003, the NRC stated:[26]

> "The Commission believes that this DBT represents the largest reasonable threat against which a regulated private security force should be expected to defend under existing law."

Q. What is the DBT for an ISFSI?

A. The NRC's April 2003 announcement of a revised DBT did not mention ISFSIs. Thus, it can be presumed that the previous DBT continues to apply to these facilities. For an ISFSI, the previous DBT was the same as for a nuclear power plant except that

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2003; and NRC, 2002.

[25] 10 CFR 73.1, Purpose and Scope, from the NRC web site (www.nrc.gov).

[26] NRC Press Release No. 03-053, 29 April 2003.

it did not include the use of a four-wheel-drive land vehicle, either for transport of personnel and equipment or for use as a vehicle bomb. This was true whether the ISFSI was at a new site or a reactor site.[27] Thus, an ISFSI at a reactor site would be less protected than the reactor(s) and spent-fuel pool(s) at that site. At a reactor site or a new site, an ISFSI would be vulnerable to attack by a vehicle bomb.

Q. If the new DBT is not published, how do we know what it contains?

A. Its general characteristics can be inferred with reasonable confidence. Four major considerations support such an inference. First, the new DBT must be consistent with 10 CFR 50.13. Second, the DBT will not exceed the capabilities of a "regulated private security force". Third, there is a well-documented history over the past two decades, showing vigorous resistance by the nuclear industry to measures that enhance site security, and a reluctance by the NRC to contest that resistance.[28] Fourth, available information shows no marked change in prevailing practices of site security.[29]

Q. In your opinion, what is the general nature of the new DBT?

A. The new DBT remains focused on a ground assault by a comparatively small group of lightly-armed attackers. The most destructive instrument included in the DBT is probably a vehicle bomb. The new DBT probably does not allow for aerial or multi-modal attack by a commando-type force. It probably does not allow for anti-tank missiles or lethal chemical weapons. There is probably no provision for an attack using a commercial or general-aviation aircraft, with or without a load of fuel or explosive. There is no provision for attack using a nuclear weapon. The insider threat probably does not include carefully-planned, sophisticated interventions by key

[27] 10 CFR 73.1, Purpose and Scope, from the NRC web site (www.nrc.gov).
[28] Hirsch et al, 2003.

employees. Also, the new DBT does not apply to ISFSIs, so it can be assumed that ISFSIs continue to receive a lesser degree of protection than nuclear power plants. Finally, the scale of the presumed attack is such that backup for the licensee's site-security force continues to be provided by local law-enforcement agencies and the FBI, rather than the US military.

Q. You have discussed NRC requirements for defense of nuclear power plants and spent fuel, including your understanding of the general nature of the new DBT. Please summarize your conclusions regarding these requirements.

A. At present, the NRC requires only a light defense of nuclear power plants and spent fuel. These requirements are inadequate in view of the nature of the threat and the need to balance offensive and defensive means of protecting the nation.

V. RISK OF ATTACK ON NUCLEAR POWER PLANTS AND SPENT FUEL

Q. What are the factors that should be considered in securing a nuclear facility against the threat of an attack?

A. Before deciding upon the level and type of defense for securing a nuclear power plant and its spent fuel against the threat of an attack, a decision maker should assess the risk of a successful attack. In this context, the concept of risk encompasses vulnerability to attack, and the probability and consequences of attack.

One should assume that attackers are technically sophisticated and possess considerable knowledge about individual nuclear facilities. For decades, engineering drawings, photographs and technical analyses have been openly available for every civilian nuclear facility in the US. This material is archived at many locations around the world. Thus, a public discussion, in general terms, of potential modes and

[29] POGO, 2002; Brian, 2003.

instruments of attack will not assist attackers. Indeed, such a discussion is needed to ensure that appropriate defensive actions are taken.[30]

Q. Are nuclear power plants and spent-fuel-storage facilities designed to resist attack?

A. No. It is possible to design a nuclear power plant to resist attack, an example being the proposed PIUS design.[31] However, no US civilian nuclear facility has been designed to resist attack. Any capacity that a facility has in this respect is a byproduct of designing to account for other factors (earthquake, fire, equipment failure, human error, etc.).

Q. What are the points of vulnerability of a nuclear power plant?

A. The safe operation of a US commercial reactor and its associated spent-fuel pool(s) depends upon the fuel in the reactor and the pool(s) being immersed in water. Moreover, that water must be continually cooled to remove fission heat or radioactive decay heat generated in the fuel. Various systems are used to ensure that water is available and is cooled, and that other safety-related functions -- such as shutdown of the fission reaction when needed -- are performed. Some of the relevant systems -- such as the electrical switchyard -- are highly vulnerable to attack. Other systems are located inside reinforced-concrete structures -- such as the reactor auxiliary building -- that provide some degree of protection against attack. The reactor itself is inside a containment structure. At some plants, but not all, the reactor containment is a concrete structure that is highly reinforced and comparatively robust. Spent-fuel pools have thick concrete walls but are typically covered by lightweight structures.

Q. Could attackers exploit points of vulnerability?

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[30] For more detailed discussion of nuclear-facility vulnerability, see: Thompson, 2003; Thompson, 2002a.
[31] Hannerz, 1983.

A, Yes. Knowledgeable attackers could obtain a large release of radioactive material from a nuclear power plant or its spent fuel by applying force in a targeted manner. To minimize the need for brute force, knowledgeable attackers would seek to unleash sources of energy (radioactive decay heat, stored thermal energy, energy of chemical reactions, etc.) that are already present in the facility. In their planning, attackers could benefit from the large published literature of probabilistic risk assessment (PRA) in the context of nuclear power plant accidents.[32] Attackers could hinder damage-control efforts by incapacitating plant personnel through means that include a release of short-lived radioactive material from a reactor core.

Q. Is the Diablo Canyon nuclear power plant unusual in its robustness or vulnerability?

A. The Diablo Canyon plant is a typical representative of the PWR nuclear power plants that are common in the US. Its two reactor containments are comparatively thick-walled concrete structures, and its two spent-fuel pools are partially sunk below grade level. These design features provide some protection against attack. Nevertheless, the Diablo Canyon plant has several points of vulnerability that will be evident to informed readers of PRA literature.

Q. Do you have a particular area of concern regarding the Diablo Canyon nuclear plant?

A. Yes. The vulnerability of the spent-fuel pools deserves special consideration for two reasons. First, each pool at the Diablo Canyon plant now contains an amount of long-lived radioactive material that is substantially larger than the amount in a reactor core. Second, the potential for a spent-fuel-pool fire exists because the Diablo Canyon pools have been equipped with high-density racks. Loss of water from a pool could cause

[32] The state of the art for reactor PRAs is illustrated by: NRC, 1990.

some or all of the fuel in the pool to self-ignite and burn, releasing a large amount of radioactive material to the atmosphere.[33]

Because high-density racks have a closed structure, to suppress criticality, each fuel assembly is surrounded by solid, neutron-absorbing panels, and there is little or no gap between the panels of adjacent cells.[34] In the absence of water, this configuration allows only one mode of circulation of air and steam around a fuel assembly -- vertically upward within the confines of the neutron-absorbing panels. This mode of circulation provides less effective transfer of radioactive decay heat than would occur in a low-density, open-frame rack. Moreover, the upward flow of air or steam could be blocked by residual water or debris. Thus, across a broad range of conditions, loss of water from a high-density pool will cause the temperature of the fuel cladding to rise to the point where a self-sustaining, exothermic oxidation reaction with air or steam begins. Other exothermic oxidation reactions can also occur. For simplicity, the occurrence of one or more of the possible reactions can be referred to as a pool fire.

Q. Do you believe that an attack on a civilian nuclear facility is possible?

A. Yes. I believe that a determined and sophisticated attack on a US nuclear power plant and/or its spent fuel is a realistic possibility. There is a large amount of publicly available information on the design of commercial nuclear power plant facilities, as well as the amount, location, and method of storage of radioactive materials at each plant. Much is known about the nature of the security measures at each plant,

[33] The NRC has published a variety of technical documents that address spent-fuel-pool fires. The most recent of these documents is: Collins et al, 2000. For more recent analyses of spent-fuel-pool fires, see: Alvarez et al, 2003; Thompson, 2003; and Thompson, 2002a. The NRC Staff stated in March 2003 (NRC, 2003, page 10) that it has completed an "integral analysis of a spent fuel pool accident scenario", but this analysis has not been published.

including the fact that there are no security measures designed specifically to address attacks from the air. Not only does the nuclear-plant defense currently required by the NRC not address the full spectrum of potential threats, but I believe that the US government's current policy of addressing terrorism through an offense-dominated strategy is increasing the threat of terrorist attack.

Q. Would an effective attack require weapons not generally available to civilians?

A. Not necessarily. A nuclear power plant or an ISFSI could be attacked using one or more of a variety of modes and instruments. Table V-1, below, shows a selection of potential modes and instruments, summarizes their key characteristics, and describes the defenses that are currently mounted against them.

One of the potential instruments of attack shown in Table V-1 is an explosive-laden smaller aircraft. In this connection, it is noteworthy that the US General Accounting Office (GAO) expressed concern, in September 2003 testimony to Congress, about the potential for malicious use of general-aviation aircraft. The testimony stated:[35]

> "Since September 2001, TSA [the Transportation Security Administration] has taken limited action to improve general aviation security, leaving it far more open and potentially vulnerable than commercial aviation. General aviation is vulnerable because general aviation pilots are not screened before takeoff and the contents of general aviation planes are not screened at any point. General aviation includes more than 200,000 privately owned airplanes, which are located in every state at more than 19,000 airports. Over 550 of these airports also provide commercial service. In the last 5 years, about 70 aircraft have been stolen from general aviation airports, indicating a potential weakness that could be exploited by terrorists."

A form of explosive that might be used in an attack on a nuclear power plant or an ISFSI is a shaped charge. These have many civilian and military applications, and have

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[34] Criticality is a situation in which a nuclear fission reaction becomes self-sustaining.

[35] Dillingham, 2003, page 14.

been used for decades.[36] They are used, for example, as human-carried demolition charges or as warheads for anti-tank missiles. In illustration of their availability, a quick search of the Web identified a commercial supplier of military-surplus, shaped-charged warheads to licensed civilian users. A surplus warhead with a diameter of 14 cm and length of 21 cm was advertised as being capable of penetrating more than 65 cm of rolled homogeneous armor. Much larger shaped charges are available. For example, the US government has developed, and described in a published report, a shaped charge that can create a hole of 10 inches diameter to a depth of 20 feet in rock.[37]

Q. Can the probability of a successful attack on a US nuclear power plant be estimated?

A. There is no statistical basis for such an estimate, because there has been no determined attack on a US plant. It is prudent to assume that the probability of an attack on a US nuclear power plant, with a substantial probability of success, is a realistic possibility. This conclusion arises from the following qualitative considerations. First, the scale of the planning and resources needed to mount an attack on a nuclear power plant, with a substantial probability of success is a realistic possibility, would be comparable to the scale of preparations for the attacks of September 11, 2001, and it is prudent to assume that similar efforts will be mounted in the future. Second, senior officials in the US government have repeatedly acknowledged that nuclear power plants are prime potential targets. Third, groups like al-Qa'ida seek high-stakes objectives such as political control of Saudi Arabia and its oil fields, and history tells us that confrontations over such objectives have frequently involved high levels of violence.

[36] Walters, 2003.

[37] This device has a diameter of 28 inches and a length of 29 inches, and weighs 900 pounds.

Fourth, the experience of the 20th century, during which the US homeland suffered only limited attacks, will not necessarily be repeated during the 21st century.

Q. What is your assessment of the potential release of cesium-137 from the Diablo Canyon plant in the event of an attack?

A. As discussed above, each of the two spent-fuel pools at the Diablo Canyon plant will contain, from 2006 forward, about 56 million Curies (630 kilograms) of cesium-137. Each of the two reactor cores contains about 6 million Curies (67 kilograms) of cesium-137. A typical dry-storage cask at the planned ISFSI will contain about 1.3 million Curies (14 kilograms) of cesium-137. During a spent-fuel-pool fire, the fractional release of cesium-137 to the atmosphere could range from 10 to 100 percent.[38] A similar range of release fractions can be assumed for attack-induced atmospheric releases from reactor cores or dry casks. An attack on the Diablo Canyon plant could lead to an atmospheric release of radioactive materials from one or both of the reactors, and/or one or both of the spent-fuel pools, and/or the planned ISFSI. Thus, the atmospheric release of cesium-137 following an attack on the Diablo Canyon plant could exceed 100 million Curies. The actual magnitude of the release would depend on the attack scenario.

Q. Are there studies on the consequences of such a release of cesium-137?

A. Yes. For example, some of the consequences of a large, atmospheric release of cesium-137 have been estimated in a recent paper by three of my colleagues.[39] They assumed a release of 3.5 or 35 million Curies of cesium-137 at each of five nuclear-power-plant sites (not including the Diablo Canyon site), and estimated the offsite

[38] Alvarez et al, 2003.
[39] Beyea et al, 2004.

economic damage. For a release of 35 million Curies, the 5-site average economic damage was found to be about $400 billion. The costs considered were: (i) compensation for loss of contaminated real estate and other property; (ii) relocation costs; (iii) decontamination costs; and (iv) costs of disposing of wastes generated during decontamination. A simple analytic process was used, and the authors relied heavily on a 1996 study done for Sandia National Laboratories. That study identified factors that could bias its cost estimates downward, including: (i) its neglect of administrative and support costs that could double the cost estimates; (ii) its neglect of litigation costs; and (iii) its neglect of impacts on downtown business and commercial districts, heavy-industrial areas, and high-rise apartment buildings. Consideration of these factors would increase the $400 billion estimate made by my colleagues.

My colleagues' paper estimated that, for a release of 35 million Curies of cesium-137, the 5-site average of additional cancer deaths would be about 6,000 deaths. These deaths were valued at $4 million each, yielding a cost of $24 billion. If the release also included short-lived radioactive isotopes, as would occur if a reactor core were involved in the release incident, there could be additional cancer deaths.

My colleagues considered a set of direct costs arising from contamination of the environment with cesium-137. There would be many additional, indirect costs of a successful attack on a US nuclear power plant, including the following five examples. First, the attack would probably lead to temporary or permanent shutdown of other nuclear plants across the nation, leading to additional costs for electricity supply. Second, domestic and foreign markets for US agricultural products and other goods would be depressed by customers' fear of radioactive contamination. Third, the attack would be perceived internationally as a major blow to the US, thereby affecting capital

flows, exchange rates, and market valuations. Fourth, the attack would probably lead to a reduction of civil liberties, potentially including a period of martial law, with long-term negative effects on the economy. Fifth, there would probably be large additional US expenditures on homeland security and, potentially, on offensive military operations.

Q. How is the above analysis relevant to this proceeding regarding the Diablo Canyon plant?

A. Analysis could be performed to estimate the direct costs of an atmospheric release of cesium-137 from the Diablo Canyon plant. Also, the accompanying indirect costs could be analyzed. In the absence of such analyses, it is prudent to assume that the direct and indirect economic consequences of a successful attack on the Diablo Canyon nuclear power plant would be not less than $1,000 billion.

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Table V-1
Potential Modes and Instruments of Attack on a Nuclear Power Plant[40]

Mode of Attack	Characteristics	Present Defense
Commando-style attack	• Could involve heavy weapons and sophisticated tactics • Successful attack would require substantial planning and resources	Alarms, fences and lightly-armed guards, with offsite backup
Land-vehicle bomb	• Readily obtainable • Highly destructive if detonated at target	Vehicle barriers at entry points to Protected Area
Anti-tank missile	• Readily obtainable • Highly destructive at point of impact	None if missile launched from offsite
Commercial aircraft	• More difficult to obtain than pre-9/11 • Can destroy larger, softer targets	None
Explosive-laden smaller aircraft	• Readily obtainable • Can destroy smaller, harder targets	None
10-kilotonne nuclear weapon	• Difficult to obtain • Assured destruction if detonated at target	None

VI. TRENDS TOWARD ENHANCED DEFENSE OF NUCLEAR POWER PLANTS AND SPENT FUEL

Q. What is the likelihood that there will be more stringent requirements for defense of nuclear power plants in the United States?

A. As stated in Section IV, above, the NRC has increased licensees' obligations to defend nuclear facilities in the aftermath of terrorist attacks. One important step was the adoption in 1994 of a rule requiring licensees to defend nuclear power plants against vehicle bombs. Other, similar steps have been taken since September 11, 2001. Present trends suggest that the NRC and/or other arms of the federal government will, over the coming years, require and/or provide further enhancement of the defense of

nuclear power plants and spent fuel. These trends are evident in the general area of homeland security, and in the specific area of nuclear-facility security.

Q. Please describe the trends in homeland security.

A. An important indicator of overall homeland-security trends is the level of total expenditure in this area. Reliable data on total expenditure are lacking, so estimates must be made. One estimate of total US homeland-security expenditure – by federal, state, local and private entities – shows annual expenditure growing from $5 billion in 2000 to $85 billion in 2004, with anticipated growth to $130 billion, or perhaps as high as $210 billion, in 2010.[41]

A recent incident illustrates the increased attention now given to homeland-security threats. On June 9, 2004, an aircraft carrying the governor of Kentucky approached Washington, DC, without a functioning transponder. Detection of this approach triggered a rapid evacuation of the Capitol building and surrounding office buildings. Two patrolling F-15 fighter planes were directed to intercept the aircraft, but did not reach it in time to shoot it down if it had proceeded toward the Capitol. In discussing this incident, officials noted that the federal government provides a layered defense of Washington that includes ground-based anti-aircraft missiles.[42]

An aspect of the war in Iraq illustrates the challenge of defending energy infrastructure, and holds lessons for homeland security. Offshore terminals are part of Iraq's infrastructure for the export of oil. At these terminals, oil is transferred from underwater pipelines to tankers. Two of these terminals were attacked, but not extensively damaged, by boat-bomb suicide missions on April 24, 2004. Currently, the

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[40] Adapted from Table 1 of: Thompson, 2003.
[41] Barami, 2004.

terminals are defended by US, UK and Australian warships, and by gun emplacements on the terminals. Radar and optical imagery are used to detect approaching boats. An exclusion zone of 2,000 meters is maintained. Gunners are authorized to fire at boats approaching within 500 yards. During the April 2004 attacks, gunfire from Iraqi security forces caused two of the three attacking boats to explode prematurely.[43]

Q. Please describe the current trends in nuclear-plant security.

A. Increasingly, citizens and public officials across the US have called upon the federal government to re-think its approach to the defense of US nuclear power plants and spent fuel. For example, in October 2002 the Attorneys-General of 27 states sent a letter to the majority and minority leaders of the US Senate and House of Representatives.[44] The letter called for "passage of legislation this year to protect our states and communities from terrorist attacks against nuclear power plants and other sensitive nuclear facilities". Special attention was drawn to the vulnerability of spent-fuel pools. Congress has not yet acted on this letter. As another example, the Attorneys-General of California, Massachusetts, Utah and Washington, as well as San Luis Obispo County and Mothers for Peace, have joined in litigation seeking a full evidentiary hearing to examine the threat posed by potential acts of malice or insanity at the planned ISFSI at Diablo Canyon.

Q. In addition, publications by other authors and me helped to influence Congress to request from the National Academy of Sciences (NAS) an independent, classified

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[42] Solomon, 2004.

[43] Glanz, 2004.

[44] Letter from the Attorneys-General of Arizona, Arkansas, California, Colorado, Connecticut, Georgia, Hawaii, Iowa, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Montana, Nevada, New Jersey, New Mexico, New York, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, Vermont, West Virginia, Washington and Wisconsin to the Senate Majority and Minority Leaders, the Speaker of the House and the House Minority Leader, 8 October 2002.

study on the security of spent-fuel storage. Congress was motivated to take this action by concern that the NRC was not properly considering the threat to spent fuel.[45] The study began in January 2004, and it is said that a classified report was provided to Congress in late June or early July 2004. Congress has requested the NRC to "take recommendations of the final NAS report seriously and to take actions to address these recommendations at the earliest possible date".[46] There is speculation that NAS recommendations for enhancing the security of spent-fuel pools include: (i) distributing fuel in a pool so that hotter and cooler assemblies are separated; and (ii) installing spray equipment to cool spent fuel in the event that water is lost from a pool.

Another illustration of the trend toward enhanced defense of nuclear facilities is the pressure upon the US Department of Energy (DOE) to improve the security of Category I special nuclear material – plutonium and highly-enriched uranium. At a Congressional hearing in April 2004, a GAO witness and the chair of the committee holding the hearing pointed out that DOE's present DBT -- promulgated in May 2003 -- for Category I material was developed too slowly, will be implemented over too long a period, and is inadequate to meet the threat. A Postulated Threat to the security of Category I material has been articulated by the intelligence community.[47] For sites that handle nuclear weapons, DOE's present DBT represents the lower range of the threat identified in the Postulated Threat. For other Category I sites, the present

[45] Inside NRC staff, 2003.
[46] Weil, 2004.
[47] A Postulated Threat is a hypothetical threat that can be used for planning purposes and is, in effect, a suggested DBT.

DBT is significantly smaller than the Postulated Threat.[48] It is likely that DOE will come under increasing pressure to rectify these deficiencies.

As another example, the final version of the Coast Guard Authorization Act, which passed the US Senate in late July 2004, includes a provision that requires the Coast Guard to assess the vulnerability of US nuclear power plants to attack from adjacent bodies of water. The Coast Guard must complete this assessment within one year and report the findings to Congress.

Q. How has the nuclear industry reacted to the trends you describe?

A. Within the nuclear-power industry, there is growing recognition that the industry will be obliged to respond to public demands for an enhanced defense of nuclear power plants and spent fuel. In illustration, a group of owners of nuclear power plants in Germany has contracted with the armaments company Rheinmetall to install smoke-generating machines at their plants, to hinder the approach of hostile aircraft. A system of this kind has been tested successfully. It is said that full deployment could occur within one year.[49] As another example, in April 2004 the Holtec company asked the NRC to provide expedited generic approval of partial-underground placement of casks for dry storage of spent fuel. This system would employ the Holtec HI-STORM 100 cask, the type of cask that is to be used at the planned ISFSI at the Diablo Canyon plant. The top of the cask would project about 2 feet above ground. Holtec has described this system as offering "the next level of protection against terrorist

[48] Schwartz, 2004.
[49] Reuters, 2004.

attacks".[50] There is no indication that PG&E intends to employ this system at the Diablo Canyon plant.

VII.A POTENTIAL PLAN FOR ENHANCED DEFENSE OF THE DIABLO CANYON PLANT

Q. What are the implications for the Diablo Canyon plant of the trends that you have described above?

A. It is reasonable and prudent to assume that the Diablo Canyon nuclear power plant and its spent fuel will receive an enhanced defense during the coming years. In order to estimate the additional costs to PG&E that could arise from the provision of an enhanced defense, it is necessary to articulate a plan for enhanced defense. Here, I set forth a potential plan that could be required by the NRC and/or other arms of the federal government.

Q. What are the features of the potential plan?

A. I assume that the plan would employ the principles of defense in depth, and would encompass four categories of defensive measures: (i) site security; (ii) facility robustness; (iii) damage control; and (iv) emergency response planning.

Q. Please describe the additional site-security measures.

A. Site-security measures are those that reduce the potential for implementation of destructive acts of malice or insanity at a nuclear site. Two types of measures -- "generic" measures and "site-specific" measures -- fall into this category. Generic measures are implemented at offsite locations, and protect multiple sites. The implementing agencies might have no direct connection with a particular site. Airline or airport security measures are examples of generic measures. Site-specific measures

[50] Conley, 2004.

would be implemented at or near a nuclear site. Implementing agencies would include the licensee, the NRC and other entities such as the National Guard. The physical protection measures now required by the NRC, as discussed in Section IV, above, are examples of site-specific measures.

Additional, generic, site-security measures are not discussed here. The lack of such a discussion does not imply that present measures of this kind are adequate or optimal. The focus here is on site-specific measures, because these measures are directly relevant to the economics of the Diablo Canyon plant. I believe that the following set of additional site-security measures is representative of what would be required for the Diablo Canyon site under an enhanced-protection plan:

(i) Establishment of a mandatory aircraft-exclusion boundary around the site.

(ii) Deployment of an aircraft-detection system that triggers security alerts as the exclusion boundary is approached and crossed.

I assume that the Sentinel system – a portable, phased-array radar system -- would be used to detect approaching aircraft. Two units of Sentinel should suffice. The units would be owned and operated by the military, probably the National Guard, but PG&E would bear the costs of their deployment and operation. The objective of deploying Sentinel would be to provide continuous detection, tracking and identification of aircraft near to and within the mandatory aircraft-exclusion boundary. This information would be conveyed to the Diablo Canyon plant by secure, redundant communication links. As an approaching aircraft reached specified distances from the plant, with specified vectors, Sentinel would trigger a succession of security alerts.

(iii) Deployment of an automated system to destroy aircraft at short range if they are closing on the plant.

I assume that the Phalanx system – an automated gun – would be used for this purpose. Originally designed to intercept anti-ship missiles, Phalanx has been modified to intercept a range of fast- and slow-moving targets including missiles, fixed-wing and rotary-wing aircraft, and sea-surface targets. At the Diablo Canyon plant, two Phalanx units could provide reliable coverage. Again, the units would be owned and operated by the military, probably the National Guard, but PG&E would bear the costs of their deployment and operation.

(iv) Expansion of the DBT, beyond that now specified by the NRC, to include additional intruders, heavy weapons, aircraft attack, lethal chemical weapons and more than one vehicle bomb.

(v) Provision at the planned ISFSI on the site of protection equivalent to that provided for the nuclear generating units.

The additional defensive measures in (iv) and (v), above, would require an expanded defensive perimeter to accommodate the planned ISFSI, might require strengthening of vehicle barriers to resist more than one vehicle bomb, and would require a larger and more capable guard force. A model for the upgraded guard force could be the force that protects DOE's most sensitive sites. GAO has described the protection of these sites as follows:[51]

> "While specific measures vary from site to site, all protective systems at DOE's most sensitive sites employ a defense-in-depth concept that includes sensors, physical barriers, hardened facilities and vaults, and heavily armed paramilitary protective forces equipped with such items as automatic weapons, night vision equipment, body armor, and chemical protective gear."

[51] Nazzaro, 2004, page 4.

This set of measures reflects the threat of attack from the air, and the present lack of defense against air attack. Measures to enhance defense against ground or sea attack are also included. The measures I describe would seek to accommodate separate or combined attacks from air, land or sea, together with actions by insiders.

Q. Please describe the second category of additional defensive measures, namely "facility-robustness measures".

A. Facility-robustness measures are defensive measures that improve the ability of a nuclear facility to experience destructive acts of malice or insanity without a significant release of radioactive material to the environment. An integrated set of additional facility-robustness measures that I believe could be required for the Diablo Canyon plant is as follows:

(i) Automated shutdown of the reactors upon initiation of a specified alert status at the plant, with provision for completion of the automated shutdown sequence if a control room is disabled.

Automated shutdown of the reactors would serve two purposes. First, it could increase the time interval between reactor shutdown and onset of damage to safety systems, thereby reducing the level of decay heat that would have to be removed from the reactor by degraded safety systems. Second, it could increase the probability that a reactor would be brought to a safe-shutdown condition if the control room were disabled. The second of these purposes is probably the most significant from a risk-reduction perspective. To achieve the second purpose, the automated-shutdown system would have to be located apart from the control room, with redundant communication links to the control room, plant safety systems, and offsite facilities.

The automated-shutdown system would be designed to detect a loss of capability in the control room, and would thereupon assume command of the shutdown process.

(ii) Permanent deployment of diesel-driven pumps and pre-engineered piping to be available to provide emergency water supply to the reactors and the spent-fuel pools.

This capability would provide an additional supply of water, under emergency conditions, to cool the reactor cores and spent fuel in the pools. It would support the additional damage-control measures that are discussed below. If other sources of water were not available, the additional pumps would draw water from the ocean. As needed during an emergency, this new system could be manually connected to existing cooling systems such as the component-cooling system, the feedwater system, the safety-injection system, the containment-cooling system, and the fire-protection system. Also, the new system could be used to refill a drained spent-fuel pool or to spray water on exposed fuel. The existing cooling systems at the Diablo Canyon plant are designed to contain radioactive material and preserve the integrity of the plant in the event of an accident. By contrast, the new system would have one overriding objective – to prevent or limit the release of radioactive material to the atmosphere. In some attack scenarios, meeting that objective could involve releases of radioactive material to surface water, ground water or the ocean. Use of ocean water for emergency cooling could render the plant unfit for further operation if the plant survived the incident.

(iii) Re-equipment of the spent-fuel pools with low-density racks, excess fuel being stored in an onsite ISFSI.

The following discussion illustrates how this might be done. First, each of the two Diablo Canyon reactors would operate on a 20-month refueling cycle and discharge 90 spent-fuel assemblies per refueling. Second, each pool would contain 1,100 fuel assemblies at the point when operations begin to re-equip the pools with low-density racks. Third, each pool would, after re-equipment with low-density racks, have a capacity of 470 fuel assemblies.[52] This capacity would support a full-core offload of 193 fuel assemblies plus three refueling discharges of 90 assemblies per discharge, thereby allowing fuel to age over three refueling cycles -- 60 months, or 5 years -- before it is transferred to an onsite ISFSI. Thus, while the core is in the reactor, each pool would contain up to 270 fuel assemblies. Fourth, reduction of the spent-fuel inventory in each pool, from 1,100 assemblies to 270 assemblies, would occur over a period of 2 years. It follows that the onsite ISFSI would receive 830 fuel assemblies per year during an initial 2-year period, and an average of 108 fuel assemblies per year thereafter.

(iv) Construction of the ISFSI to employ hardened, dispersed, dry storage of spent fuel.

There is, at present, no indication that PG&E intends to change the design of the planned ISFSI at the Diablo Canyon plant, so as to employ hardened, dispersed, dry storage of spent fuel. As I have noted above, the Holtec company has asked the NRC to provide expedited generic approval of partial-underground placement of HI-STORM 100 dry-storage casks, the type of cask that is to be used at Diablo Canyon.

[52] Each Diablo Canyon spent-fuel pool has a floor area, excluding the cask pit, of 1,282 square feet (see: PG&E, 1985, Figures 2.1a and 2.1b). Racks with a capacity of 470 fuel assemblies would occupy, on average, 2.73 square feet per fuel assembly. This density would allow a center-to-center spacing of fuel assemblies of up to 20 inches, which would allow the use of open-frame racks.

This arrangement might satisfy requirements for hardened, dispersed, dry storage, although concerns have been expressed about the quality and durability of Holtec casks. I have written at length about the need for hardened, dispersed, dry storage of spent fuel, and the options for providing such storage.[53]

Q. Please describe the third category of additional defensive measures, namely "damage-control measures".

A. Damage-control measures are those that reduce the potential for a release of radioactive material following damage to a facility by destructive acts of malice or insanity. Measures of this kind could be ad hoc or pre-engineered. An example of a damage-control measure is a set of arrangements for patching and restoring water to a spent-fuel pool that has been breached. It appears that the NRC has required licensees of nuclear power plants to undertake some planning for damage control following explosions or fires.[54] The following are additional measures that could be taken at Diablo Canyon:

(i) establishment of a pre-planned damage-control capability at the site, using onsite personnel and equipment for first response and offsite resources for backup;

(ii) periodic exercises of damage-control capability;

(iii) establishment of a set of damage-control objectives -- to include patching and restoring water to a breached spent-fuel pool, fire suppression at the onsite ISFSI, and provision of cooling to a reactor whose safety systems and/or control room are disabled -- with accompanying detailed plans and stockpiling of needed supplies; and

[53] Thompson, 2003.
[54] Meserve, 2002b.

(iv) provision of equipment and training to allow damage control to proceed on a radioactively-contaminated site.

Q. Please describe the fourth category of additional defensive measures, namely "emergency-response measures".

A. Emergency-response measures are those that reduce the potential for exposure of offsite populations to radiation, following a release of radioactive material from a nuclear facility. Measures in this category could accommodate releases attributable to acts of malice or insanity, or "accidental" releases arising from human error, equipment failure or natural forces (e.g., earthquake). However, there are two major ways in which malice- or insanity-induced releases might differ from accidental releases. First, a malice- or insanity-induced release might be larger and begin earlier than an accidental release.[55] Second, a malice- or insanity-induced release might be accompanied by deliberate degradation of emergency response capabilities (e.g., the attacking group might block an evacuation route). Accommodating these differences could require additional measures of emergency response.

A team based at Clark University in Massachusetts has developed a model emergency response plan that could be implemented at the Diablo Canyon plant to significantly enhance emergency-response capability.[56] This model plan was specifically designed to accommodate radioactive releases from spent-fuel-storage facilities, as well as from reactors. That provision, and other features of the plan, would provide a capability to

[55] Present plans for emergency response do not account for the potential for a large release of radioactive material from spent fuel, as would occur during a pool fire. The underlying assumption is that a release of this kind is very unlikely. That assumption cannot be sustained in the present threat environment.
[56] Golding et al, 1992.

accommodate both accidental releases and malice- or insanity-induced releases. Major features of the model plan include:[57]

(i) structured objectives;

(ii) improved flexibility and resilience, with a richer flow of information;

(iii) precautionary initiation of response, with State authorities having an independent capability to identify conditions calling for a precautionary response[58];

(iv) criteria for long-term protective actions;

(v) three planning zones, with the outer zone extending to any distance necessary[59];

(vi) improved structure for accident classification;

(vii) increased State capabilities and power;

(viii) enhanced role for local governments;

(ix) improved capabilities for radiation monitoring, plume tracking and dose projection;

(x) improved medical response;

(xi) enhanced capability for information exchange;

(xii) more emphasis on drills, exercises and training;

(xiii) improved public education and involvement; and

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[57] Golding et al, 1992, pp 8-13.

[58] A security alert could be a condition calling for a precautionary response.

[59] In the original Clark University plan, the inner and intermediate zones would have radii of 5 and 25 miles, respectively. As an example of the planning measures in each zone, potassium iodide would be pre-distributed within the 25-mile zone and made generally accessible nationwide. This zonal arrangement would require adaptation to the specific circumstances of the Diablo Canyon site.

(xiv) requirement that emergency preparedness be regarded as a safety system equivalent to in-plant systems.

VIII. COSTS OF IMPLEMENTING THE ENHANCED-DEFENSE PLAN FOR THE DIABLO CANYON PLANT

Q. How have you estimated the additional costs to PG&E that would arise from introduction of the enhanced-defense measures that you have described above?

A. As a first step, I have reviewed data on the overall operating and maintenance (O&M) expenses and capital expenses at the Diablo Canyon plant. These data provide a baseline for considering the costs that arise from defending the plant. Second, I have reviewed PG&E historical data and projections on the portions of the O&M expenses and capital expenses for the Diablo Canyon plant that are attributable to measures for defending the plant. As a third and final step, I have estimated the additional costs of providing the enhanced-defense measures that are set forth in Section VII, above.

Q. What are the overall O&M expenses for the Diablo Canyon plant with its present level of defense?

A. Table VIII-1 below, which is taken from PG&E's 2003 General Rate Case filing, shows the overall O&M and nuclear fuel expenses for the Diablo Canyon plant, as projected by PG&E in 2003 for the period 2002-2005. I recognize that PG&E has updated these projections in the context of these proceedings. However, the projections shown in Table VIII-1 remain useful for two reasons. First, this table shows the number of personnel for each expense category. Second, this table shows "loss prevention" as an expense category. That category covers site security, industrial safety and health, emergency preparedness, and fire protection. There is no equivalent category in the PG&E projections that have been submitted in these

proceedings.[60] Those projections show average O&M expenses of $280 million per year for the period 2002-2005, a value 9 percent higher than the $257 million shown in Table VIII-1.

Q. What are the overall capital expenses for the Diablo Canyon plant with its present level of defense?

A. PG&E states that capital expenses for the period 2000-2002 averaged $14.3 million per year. PG&E projects, assuming that the plant's steam generators are replaced, that capital expenses will average $141 million per year for the period 2003-2011 and $42.2 million per year for the period 2012-2024.[61]

Q. What portion of the overall O&M expenses for the Diablo Canyon plant is attributable to measures for defending the plant at the present level of defense?

A. Some relevant historical data have become available in data responses from PG&E in these proceedings.[62] These data show that O&M costs for site security at the Diablo Canyon plant averaged $13.3 million annually over the period 1997-2003, with a maximum annual value of $17.8 million in 2003, while O&M costs for emergency-response planning averaged $1.3 million annually over the period 1998-2003.

PG&E has estimated the additional O&M costs for site security that will arise from security enhancements attributable to the attacks of September 11, 2001. The annual value of these additional costs is $2 million in 2003, $5 million in 2004, $4 million in 2005, and $5 million during the period 2006-2010.[63]

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[60] PG&E, Chapter 5A, Detailed Testimony on Operation and Maintenance Expenses and Capital Expenditures, revised 05/27/04, Table 5A-1.
[61] PG&E, Chapter 5A, Detailed Testimony on Operations and Maintenance and Capital Expenditures, Workpapers – Application, pages 5A-17 and 5A-18.
[62] PG&E Data Responses MFP002-12 and 002-13, June 30, 2004.
[63] PG&E, Chapter 5A, Detailed Testimony on Operation and Maintenance Expenses and Capital Expenditures, revised 05/27/04, Table 5A-14.

Q. What portion of the overall capital expenses for the Diablo Canyon plant is attributable to measures for defending the plant at the present level of defense?

A. A data response from PG&E in these proceedings shows that capital expenses for site security over the period 1997-2003 averaged $1.6 million annually, while capital expenses for emergency-response planning averaged $0.2 million annually over the same period.[64]

PG&E has estimated the additional capital costs for site security that will arise from compliance with NRC orders. The annual value of these additional costs is $1 million in 2003, $5 million in 2004, and zero during the period 2005-2006.[65]

Q. What are your estimates of the additional costs to PG&E that would arise from deployment of the Sentinel and Phalanx systems?

A. For Sentinel, I estimate a capital expense of $15 million over an initial 2-year period in providing infrastructure support and an annual O&M expense of $8.5 million. Based on a projected sale, I estimate the cost of the Sentinel system to be approximately $3.7 million per unit.[66] I assume here that: (i) the Sentinel units at Diablo Canyon would be owned and operated by the US military, but PG&E would bear the costs of their deployment and operation; (ii) the capital cost to the military of deploying two Sentinel units at Diablo Canyon would be $10 million; (iii) the capital cost would be recovered from PG&E over 4 years without interest; and (iv) continuous operation

[64] PG&E Data Response, MFP002-14.
[65] PG&E, Chapter 5A, Detailed Testimony on Operation and Maintenance Expenses and Capital Expenditures, revised 05/27/04, Table 5A-25.
[66] DSCA, 2002.

would require a 30-FTE crew costing, with overheads and supplies, $0.2 million per annum per person.[67]

For Phalanx, I estimate a capital expense of $20 million over an initial 2-year period in providing infrastructure support and an estimated annual O&M expense of $11 million. The same O&M assumptions discussed above for Sentinel are applied to the Phalanx system, except that the capital cost of two Phalanx units is assumed to be $20 million.[68]

Q. What is your estimate of the additional costs to PG&E of meeting an expanded DBT and providing the planned ISFSI with the same level of protection as is provided for the nuclear generating units?

A. I estimate an additional annual O&M expense of $15 million to meet these requirements, assuming that PG&E would need to increase the size of its security workforce by approximately 75 FTE, at a cost, with overheads and supplies, of $0.2 million per annum per person. In addition, I assume an additional annual capital cost of $5 million.

Q. What are your estimates of the additional costs of providing an automated shutdown system and a new system to supply cooling water under emergency conditions?

A. In both cases I estimate an additional capital expense of $75 million over an initial 2-year period.[69] Also, I assume that R&D costs for these new systems would be borne by the NRC or another arm of the federal government, potentially with cost recovery from all licensees of US nuclear power plants.

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[67] From Table VIII-1, it will be noted that the O&M cost per FTE staff member at Diablo Canyon is $194,000.

[68] An amateur website (Doehring, 2004) gives a unit cost of $5.6 million for Phalanx.

[69] This estimate reflects a range of $50-60 million.

Q. What is your estimate of the additional costs of reducing inventory in the spent-fuel pools and providing hardened, dispersed, dry storage of the excess fuel in an onsite ISFSI?

A. I estimate an additional capital expense of $91 million per year for an initial 2-year period and $6 million per year thereafter. In Section VII, above, I describe a reduction of the spent-fuel inventory in each Diablo Canyon pool from 1,100 assemblies to 270 assemblies over a period of 2 years. Thus, the onsite ISFSI would receive 830 fuel assemblies per year during an initial 2-year period, and an average of 108 fuel assemblies per year thereafter. Note that the onsite ISFSI would receive an average of 108 fuel assemblies per year in the absence of a plan for providing an enhanced defense of the Diablo Canyon plant. Additional costs would arise in three respects. First, during an initial 2-year period, the onsite ISFSI would receive an additional 830 minus 108 = 722 fuel assemblies per year. Second, additional costs would arise in providing hardened, dispersed storage at the onsite ISFSI. Third, costs would arise in replacing the existing racks in the Diablo Canyon pools with low-density, open-frame racks.

The capital cost of placing spent fuel in dry casks at ISFSIs at US nuclear power plants ranges from $90 to $210 per kg of uranium.[70] Here, I assume that the capital cost for the currently-planned ISFSI at Diablo Canyon would be $120 per kg of uranium, while the capital cost for a hardened, dispersed ISFSI would be $240 per kg of uranium. A fresh Diablo Canyon fuel assembly contains 460 kg of uranium. Thus, placing 722 fuel assemblies in a hardened, dispersed ISFSI at Diablo Canyon would involve a capital expense of $80 million. The incremental capital expense of placing

108 fuel assemblies in a hardened, dispersed ISFSI at Diablo Canyon, instead of in the currently-planned ISFSI, would be $6 million. I assume that replacement of the high-density racks in the Diablo Canyon spent-fuel pools with low-density racks would involve a capital expense of $10 million over a 2-year period.

Q. What are your estimates of the additional costs of providing enhanced capabilities for onsite damage control and offsite emergency response?

A. In both cases I estimate an additional annual O&M expense of $10 million and an additional annual capital cost of $2 million. Providing the enhanced capability for onsite damage control would require an increase in the size of the Diablo Canyon workforce. I assume a 50-FTE increase. At a cost, with overheads and supplies, of $0.2 million per annum per person, this step would increase PG&E's annual O&M expense by $10 million. I assume that the same increase in personnel and annual O&M expense would be required to provide the enhanced capability for offsite emergency response. In this instance, however, some of the additional staff would work for state and local governments.

Q. What is the overall additional cost of providing the enhanced defense of the Diablo Canyon plant?

A. Table VIII-2 summarizes the cost estimates developed above. Note that these costs are additional to the O&M expenses and capital expenses that PG&E is currently incurring.

My cost estimates are preliminary. More accurate cost estimates would require: (i) articulation of the enhanced-defense measures in more detail; (ii) comparison of the enhanced-defense measures with similar projects that have been recently implemented

[70] Alvarez et al, 2003, page 31.

at US nuclear power plants or other security-intensive facilities; and (iii) use of the comparisons developed in (ii) to extrapolate from actual costs of recently-implemented projects.

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Table VII-1
Diablo Canyon O&M and Nuclear Fuel Expenses:
Annual Average for 2002-2005 as Projected by PG&E in 2003[71]

Expense Category	2002-2005 Annual Average Expense ($ million)	Approximate Number of Personnel
Manage production	37.2	284
Manage DCPP plant assets	112	499
People performance	19.5	67
Manage business and information management	23.8	100
Manage supply chain	5.59	51
Manage engineering assets and maintain license and strategic projects	36.7	156
Loss prevention	22.5	168
Subtotal	257	1,325
Nuclear fuel	86.9	
Total	343.9	

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[71] **Notes:**
(i) Expenses are in mixed, unadjusted, current-year dollars.
(ii) O&M expenses are actual 2001 values adjusted to account for projected changes.
(iii) Personnel numbers "are approximate since employees often work in more than one process and split their time accordingly".
(iv) A 1987 study (EIA, 1995, page 3) found that about two-thirds of reported O&M expenses at US nuclear power plants are for labor, the remaining one-third being for materials and supplies.

Source: PG&E, 2003, Chapter 4.

Table VIII-2
Estimated Additional Costs of Potential Measures to Provide Enhanced Defense of the Diablo Canyon Nuclear Power Plant and its Spent Fuel

Defensive Measure	Capital Expense ($ million)	Annual O&M Expense ($ million)
Sentinel (2 units)	7.5/yr for 2 yrs	8.5
Phalanx (2 units)	10/yr for 2 yrs	11
Expanded DBT and stronger defense of the onsite ISFSI	5/yr	15
Automated shutdown system	37.5/yr for 2 yrs	N/A
Emergency cooling system	37.5/yr for 2 yrs	N/A
Re-equipment of spent-fuel pools with low-density racks and transfer of excess fuel to a hardened, dispersed, onsite ISFSI	91/yr for 2 yrs; 6/yr thereafter	N/A
Enhanced capability for onsite damage control	2/yr	10
Enhanced capability for offsite emergency response	2/yr	10
Total	192.5/yr for 2 yrs; 15/yr thereafter	54.5

IX. CONCLUSIONS

Q. What are your conclusions in this testimony?

A. Nuclear power plants are key national assets that are especially likely to be targeted by enemies of the US. Drawing a balance between defending key assets and pursuing security through offensive actions is a crucial, but not always understood, aspect of homeland-security policy.

The NRC currently requires only a light defense of US nuclear power plants and spent fuel. As a result, these facilities are vulnerable to sophisticated, determined attacks. There is a trend in decision-making circles across the US to call for enhanced defense of US nuclear power plants and spent fuel. It is therefore prudent to assume that the Diablo Canyon plant and its spent fuel will receive an enhanced defense during the coming years.

This testimony describes measures that would be included in a potential plan for enhanced defense of the Diablo Canyon plant and its spent fuel. These measures could be required by the NRC and/or other arms of the federal government. Preliminary estimates are made here of the additional capital and O&M expenses that would be incurred by PG&E if the measures were implemented. PG&E has not included any of these additional costs in its cost-benefit analyses, assuming instead a zero probability of additional requirements for an enhanced defense during the operational life of the Diablo Canyon plant and its spent fuel storage. Such an assumption is not appropriate, and the costs that I have estimated should be considered in evaluating PG&E's application.

Appendix A: Curriculum Vitae for Gordon Thompson (August 2003)

Professional expertise

Technical and policy analyst in the fields of energy, environment, sustainable development, and international security.

Current appointments

- Executive director, Institute for Resource & Security Studies (IRSS), Cambridge, Massachusetts.
- Research Professor, George Perkins Marsh Institute, Clark University, Worcester, Massachusetts.

Education

- D.Phil. in applied mathematics, Oxford University (Balliol College), 1973.
- B.E. in mechanical engineering, University of New South Wales, Sydney, Australia, 1967.
- B.Sc. in mathematics & physics, University of New South Wales, 1966.

Project sponsors and tasks (selected)

- STAR Foundation, New York, 2002-2003: reviewed planning and actions for decommissioning of research reactors at Brookhaven National Laboratory.
- Attorney General of Utah, 2003: conducted technical analysis on a proposed storage facility for spent nuclear fuel.
- Mothers for Peace, California, 2002-2003: analyzed risk issues associated with the Diablo Canyon nuclear power plant; prepared a Call for Action to protect US nuclear power plants and spent fuel.
- Citizens Awareness Network, Massachusetts, 2002-2003: conducted analysis on robust storage of spent nuclear fuel.
- Tides Center, California, 2002-2003: conducted analysis for the Santa Susana Field Laboratory (SSFL) Advisory Panel regarding the history of releases of radioactive material from the SSFL.
- Orange County, North Carolina, 1999-2002: assessed risk issues associated with the Harris nuclear power plant; identified risk-reduction options.
- William and Flora Hewlett Foundation and other sponsors, 1999-2003: performed research and project development for conflict-management projects, through IRSS's International Conflict Management Program.
- STAR Foundation, New York, 2000-2001: assessed risk issues associated with the Millstone nuclear power plant; identified risk-reduction options.
- Massachusetts Water Resources Authority, 2000: evaluated risks associated with water supply and wastewater systems that serve greater Boston.
- Canadian Senate, Energy & Environment Committee, 2000: reviewed risk issues associated with the Pickering Nuclear Generating Station.

• Greenpeace International, Amsterdam, 2000: reviewed impacts associated with the La Hague nuclear complex in France.
• Government of Ireland, 1998-2001: developed framework for assessment of impacts and alternative options associated with the Sellafield nuclear complex in the UK.
• Clark University, Worcester, Massachusetts, 1998-1999: participated in review of a major foundation's grant-making related to climate change.
• UN High Commissioner for Refugees, 1998: developed a strategy for conflict management in the CIS region.
• General Council of County Councils (Ireland), W. Alton Jones Foundation (USA), and Nuclear Free Local Authorities (UK), 1996-2000: assessed safety and economic issues of nuclear fuel reprocessing in the UK; assessed alternative options.
• Environmental School, Clark University, Worcester, Massachusetts, 1996: session leader at the Summer Institute, "Local Perspectives on a Global Environment".
• Greenpeace Germany, Hamburg, 1995-1996: a study on war, terrorism and nuclear power plants.
• HKH Foundation, New York, and Winston Foundation for World Peace, Washington, DC, 1994-1996: studies and workshops on preventive action and its role in US national security planning.
• Carnegie Corporation of New York, Winston Foundation for World Peace, Washington, DC, and others, 1995: collaboration with the Organization for Security and Cooperation in Europe to facilitate improved coordination of activities and exchange of knowledge in the field of conflict management.
• World Bank, 1993-1994: a study on management of data describing the performance of projects funded by the Global Environment Facility (joint project of IRSS and Clark University).
• International Physicians for the Prevention of Nuclear War, 1993-1994: a study on the international control of weapons-usable fissile material.
• Government of Lower Saxony, Hannover, Germany, 1993: analysis of standards for radioactive waste disposal.
• University of Vienna (using funds supplied by the Austrian government), 1992: review of radioactive waste management at the Dukovany nuclear plant, Czech Republic.
• Sandia National Laboratories, 1992-1993: advice to the US Department of Energy's Office of Foreign Intelligence.
• US Department of Energy and Battelle Pacific Northwest Laboratories, 1991-1992: advice for the Intergovernmental Panel on Climate Change regarding the design of an information system on technologies that can limit greenhouse gas emissions (joint project of IRSS, Clark University and the Center for Strategic and International Studies).
• Winston Foundation for World Peace, Boston, Massachusetts, and other funding sources, 1992-1993: development and publication of recommendations for strengthening the International Atomic Energy Agency.
• MacArthur Foundation, Chicago, Illinois, W. Alton Jones Foundation, Charlottesville, Virginia, and other funding sources, 1984-1993: policy analysis and public education on a "global approach" to arms control and disarmament.
• Energy Research Foundation, Columbia, South Carolina, and Peace Development Fund, Amherst, Massachusetts, 1988-1992: review of the US government's tritium production (for nuclear weapons) and its implications.

• Coalition of Environmental Groups, Toronto, Ontario (using funds supplied by Ontario Hydro under the direction of the Ontario government), 1990-1993: coordination and conduct of analysis and preparation of testimony on accident risk of nuclear power plants.
• Greenpeace International, Amsterdam, Netherlands, 1988-1990: review of probabilistic risk assessment for nuclear power plants.
• Bellerive Foundation, Geneva, Switzerland, 1989-1990: planning for a June 1990 colloquium on disarmament and editing of proceedings.
• Iler Research Institute, Harrow, Ontario, 1989-1990: analysis of regulatory response to boiling-water reactor accident potential.
• Winston Foundation for World Peace, Boston, Massachusetts, and other funding sources, 1988-1989: analysis of future options for NATO (joint project of IRSS and the Institute for Peace and International Security).
• Nevada Nuclear Waste Project Office, Carson City, Nevada (via Clark University), 1989-1990: analyses of risk aspects of radioactive waste management and disposal.
• Ontario Nuclear Safety Review (conducted by the Ontario government), Toronto, Ontario, 1987: review of safety aspects of CANDU reactors.
• Washington Department of Ecology, Olympia, Washington, 1987: analysis of risk aspects of a proposed radioactive waste repository at Hanford.
• Natural Resources Defense Council, Washington, DC, 1986-1987: preparation of testimony on hazards of the Savannah River Plant.
• Lakes Environmental Association, Bridgton, Maine, 1986: analysis of federal regulations for disposal of radioactive waste.
• Greenpeace Germany, Hamburg, 1986: participation in an international study on the hazards of nuclear power plants.
• Three Mile Island Public Health Fund, Philadelphia, Pennsylvania, 1983-1989: studies related to the Three Mile Island nuclear power plant.
• Attorney General, Commonwealth of Massachusetts, 1984-1989: analyses of the safety of the Seabrook nuclear plant.
• Union of Concerned Scientists, Cambridge, Massachusetts, 1980-1985: studies on energy demand and supply, nuclear arms control, and the safety of nuclear installations.
• Conservation Law Foundation of New England, Boston, Massachusetts, 1985: preparation of testimony on cogeneration potential at a Maine papermill.
• Town & Country Planning Association, London, UK, 1982-1984: coordination and conduct of a study on safety and radioactive waste implications of the proposed Sizewell nuclear plant.
• US Environmental Protection Agency, Washington, DC, 1980-1981: assessment of the cleanup of Three Mile Island Unit 2 nuclear plant.
• Center for Energy & Environmental Studies, Princeton University, Princeton, New Jersey, and Solar Energy Research Institute, Golden, Colorado, 1979-1980: studies on the potentials of renewable energy sources.
• Government of Lower Saxony, Hannover, Federal Republic of Germany, 1978-1979: coordination and conduct of studies on safety aspects of the proposed Gorleben nuclear fuel cycle center.

Other experience (selected)

• Principal investigator, project on "Exploring the Role of 'Sustainable Cities' in Preventing Climate Disruption", involving IRSS and three other organizations, 1990-1991.
• Visiting fellow, Peace Research Centre, Australian National University, 1989.
• Principal investigator, Three Mile Island emergency planning study, involving IRSS and Clark University, 1987-1989.
• Co-leadership (with Paul Walker) of a study group on nuclear weapons proliferation, Institute of Politics, Harvard University, 1981.
• Foundation (with others) of an ecological political movement in Oxford, UK, which contested the 1979 Parliamentary election.
• Conduct of cross-examination and presentation of evidence, on behalf of the Political Ecology Research Group, at the 1977 Public Inquiry into proposed expansion of the reprocessing plant at Windscale, UK.
• Conduct of research on plasma theory (while a D.Phil candidate), as an associate staff member, Culham Laboratory, UK Atomic Energy Authority, 1969-1973.
• Service as a design engineer on coal-fired plants, New South Wales Electricity Commission, Sydney, Australia, 1968.

Publications (selected)

• "Reducing the Hazards from Stored Spent Power-Reactor Fuel in the United States" (with Robert Alvarez, Jan Beyea, Klaus Janberg, Jungmin Kang, Ed Lyman, Allison Macfarlane and Frank N. von Hippel), *Science and Global Security*, Volume 11, 2003, pp 1-51.
• "Health, Human Security and Social Reconstruction in Afghanistan" (with Paula Gutlove and Jacob Hale Russell), in John D. Montgomery and Dennis A. Rondinelli (eds), *Beyond Reconstruction in Afghanistan*, Palgrave Macmillan, in press.
• *Psychosocial Healing: A Guide for Practitioners, based on programs of the Medical Network for Social Reconstruction in the Former Yugoslavia* (with Paula Gutlove), IRSS, Cambridge, Massachusetts and OMEGA Health Care Center, Graz, Austria, May 2003.
• *A Call for Action to Protect the Nation Against Enemy Attack on Nuclear Power Plants and Spent Fuel*, and a Supporting Document, Mothers for Peace, San Luis Obispo, California, April 2003 and May 2003.
• "Human Security: Expanding the Scope of Public Health" (with Paula Gutlove), *Medicine, Conflict and Survival*, Volume 19, 2003, pp 17-34.
• *Social Reconstruction in Afghanistan through the Lens of Health and Human Security* (with Paula Gutlove and Jacob Hale Russell), IRSS, Cambridge, Massachusetts, May 2003.
• *Robust Storage of Spent Nuclear Fuel: A Neglected Issue of Homeland Security*, a report commissioned by Citizens Awareness Network, Shelburne Falls, Massachusetts, January 2003.
• *Medical Network for Social Reconstruction in the Former Yugoslavia: A Survey of Participants' Views on the Network's Goals and Achievements*, IRSS, Cambridge, Massachusetts, September 2001.
• *The Potential for a Large, Atmospheric Release of Radioactive Material from Spent Fuel Pools at the Harris Nuclear Power Plant: The Case of a Pool Release Initiated by a*

Severe Reactor Accident, a report for Orange County, North Carolina, 20 November 2000.

• *A Review of the Accident Risk Posed by the Pickering 'A' Nuclear Generating Station,* a report for the Standing Committee on Energy, Environment and Natural Resources, Canadian Senate, August 2000.

• *High-Level Radioactive Liquid Waste at Sellafield: An Updated Review*, a report for the UK Nuclear Free Local Authorities, June 2000.

• *Hazard Potential of the La Hague Site: An Initial Review*, a report for Greenpeace International, May 2000.

• *A Strategy for Conflict Management: Integrated Action in Theory and Practice* (with Paula Gutlove), Working Paper No. 7, IRSS, Cambridge, Massachusetts, March 1999.

• *Risks and Alternative Options Associated with Spent Fuel Storage at the Shearon Harris Nuclear Power Plant*, a report for Orange County, North Carolina, February 1999.

• *High Level Radioactive Liquid Waste at Sellafield: Risks, Alternative Options and Lessons for Policy*, IRSS, Cambridge, Massachusetts, June 1998.

• "Science, democracy and safety: why public accountability matters", in F. Barker (ed), *Management of Radioactive Wastes: Issues for local authorities*, Thomas Telford, London, 1998.

• "Conflict Management and the OSCE" (with Paula Gutlove), *OSCE/ODIHR Bulletin*, Volume 5, Number 3, Fall 1997.

• *Safety of the Storage of Liquid High-Level Waste at Sellafield* (with Peter Taylor), Nuclear Free Local Authorities, UK, November 1996.

• *Assembling Evidence on the Effectiveness of Preventive Actions, their Benefits, and their Costs: A Guide for Preparation of Evidence*, IRSS, Cambridge, Massachusetts, August 1996.

• *War, Terrorism and Nuclear Power Plants,* Working Paper No. 165, Peace Research Centre, Australian National University, Canberra, October 1996.

• "The Potential for Cooperation by the OSCE and Non-Governmental Actors on Conflict Management" (with Paula Gutlove), *Helsinki Monitor*, Volume 6 (1995), Number 3.

• "Potential Characteristics of Severe Reactor Accidents at Nuclear Plants", "Monitoring and Modelling Atmospheric Dispersion of Radioactivity Following a Reactor Accident" (with Richard Sclove, Ulrike Fink and Peter Taylor), "Safety Status of Nuclear Reactors and Classification of Emergency Action Levels", and "The Use of Probabilistic Risk Assessment in Emergency Response Planning for Nuclear Power Plant Accidents" (with Robert Goble), in D. Golding, J. X. Kasperson and R. E. Kasperson (eds), *Preparing for Nuclear Power Plant Accidents*, Westview Press, Boulder, Colorado, 1995.

• *A Data Manager for the Global Environment Facility* (with Robert Goble), Environment Department, The World Bank, June 1994.

• *Preventive Diplomacy and National Security* (with Paula Gutlove), Winston Foundation for World Peace, Washington, DC, May 1994.

• *Opportunities for International Control of Weapons-Usable Fissile Material*, ENWE Paper #1, International Physicians for the Prevention of Nuclear War, Cambridge, Massachusetts, January 1994.

• "Article III and IAEA Safeguards", in F. Barnaby and P. Ingram (eds), *Strengthening the Non-Proliferation Regime*, Oxford Research Group, Oxford, UK, December 1993.

• *Risk Implications of Potential New Nuclear Plants in Ontario* (prepared with the help of eight consultants), a report for the Coalition of Environmental Groups, Toronto, submitted to the Ontario Environmental Assessment Board, November 1992 (3 volumes).
• *Strengthening the International Atomic Energy Agency*, Working Paper No. 6, IRSS, Cambridge, Massachusetts, September 1992.
• *Design of an Information System on Technologies that can Limit Greenhouse Gas Emissions* (with Robert Goble and F. Scott Bush), Center for Strategic and International Studies, Washington, DC, May 1992.
• *Managing Nuclear Accidents: A Model Emergency Response Plan for Power Plants and Communities* (with six other authors), Westview Press, Boulder, CO, 1992.
• "Let's X-out the K" (with Steven C. Sholly), *Bulletin of the Atomic Scientists*, March 1992, pp 14-15.
• "A Worldwide Programme for Controlling Fissile Material", and "A Global Strategy for Nuclear Arms Control", in F. Barnaby (ed), *Plutonium and Security*, Macmillan Press, UK, 1992.
• *No Restart for K Reactor* (with Steven C. Sholly), Working Paper No. 4, IRSS, Cambridge, Massachusetts, October 1991.
• *Regulatory Response to the Potential for Reactor Accidents: The Example of Boiling-Water Reactors,* Working Paper No. 3, IRSS, Cambridge, Massachusetts, February 1991.
• *Peace by Piece: New Options for International Arms Control and Disarmament*, Working Paper No. 1, IRSS, Cambridge, Massachusetts, January 1991.
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<u>Expert presentations and testimony (selected)</u>

• European Parliament, 2003: gave an invited presentation to members regarding safety and security issues at the Sellafield nuclear site; discussed broader implications.
• US Congress, 2002 and 2003: gave member-sponsored staff briefings on vulnerabilities of nuclear-power facilities and options for improved defenses.

• Numerous public forums in the USA, 2001-2003: gave invited presentations to public officials and general audiences regarding vulnerabilities of nuclear-power facilities and options for improved defenses.
• UK Consensus Conference on Radioactive Waste Management, 1999: provided invited testimony on information and decision-making.
• Joint Committee on Public Enterprise and Transport, Irish Parliament, 1999: provided invited testimony on nuclear fuel reprocessing and international security.
• UK and Irish Parliaments, 1998: gave members' briefings on risks and alternative options associated with nuclear fuel reprocessing in the UK.
• Center for Russian Environmental Policy, Moscow, 1996: presentation at a forum in parallel with the G-7 Nuclear Safety Summit.
• Lacey Township Zoning Board, New Jersey, 1995: testimony regarding radioactive waste management.
• Ontario Court of Justice, Toronto, Ontario, 1993: testimony regarding Canada's Nuclear Liability Act.
• Oxford Research Group, seminar on "The Plutonium Legacy", Rhodes House, Oxford, UK, 1993: presentation on nuclear safeguards.
• Defense Nuclear Facilities Safety Board, Washington, DC, 1991: testimony regarding the proposed restart of K-reactor, Savannah River Site.
• Conference to consider amending the Partial Test Ban Treaty, United Nations, New York, 1991: presentation on a global approach to arms control and disarmament.
• US Department of Energy, hearing on draft EIS for new production reactor capacity, Columbia, South Carolina, 1991: presentation on tritium need and implications of tritium production options.
• Society for Risk Analysis, 1990 annual meeting, New Orleans, special session on nuclear emergency planning: presentation on real-time techniques for anticipating emergencies.
• Parliamentarians' Global Action, 11th Annual Parliamentary Forum, United Nations, Geneva, 1990: presentation on the potential for multilateral nuclear arms control.
• Advisory Committee on Nuclear Facility Safety, public meeting, Washington, DC, 1989: submission on public access to information and on government accountability.
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• New Hampshire Public Utilities Commission, 1983: electricity demand and supply options for New Hampshire.
• Atomic Safety & Licensing Board, US Nuclear Regulatory Commission, 1983: use of filtered venting at the Indian Point nuclear plants.
• US National Advisory Committee on Oceans and Atmosphere, 1982: implications of ocean disposal of radioactive waste.
• Environmental & Energy Study Conference, US Congress, 1982: implications of radioactive waste management.

Miscellaneous

• Married, two children.
• Extensive experience in public speaking and interviews by mass media.
• Author of numerous essays and letters in newspapers and magazines.

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CERTIFICATE OF SERVICE

I, Jack McGowan, certify that I have, on this date, caused the foregoing TESTIMONY OF GORDON THOMPSON ON BEHALF OF THE SAN LUIS OBISPO MOTHERS FOR PEACE, SIERRA CLUB, PUBLIC CITIZEN, GREENPEACE AND ENVIRONMENT CALIFORNIA to be served by electronic mail on the parties listed on the Service List, and by U.S. Mail for those who have not provided an electronic address, for the proceeding in California Public Utilities Commission Docket No. A.04-01-009.

I declare under penalty of perjury, pursuant to the laws of the State of California, that the foregoing is true and correct.

Executed on August 3, 2004, 2004 in San Francisco, California.

_____

Jack McGowan

Diablo Canyon Decommissioning Environmental Impact Report Scoping Comment by San Luis Obispo Mothers for Peace

To: **diablo@co.slo.ca.us**
From: San Luis Obispo Mothers for Peace
mothersforpeace.org
Contacts:
Linda Seeley lindaseeley@gmail.com
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November 29, 2021

To Susan Strachan,

San Luis Obispo Mothers for Peace offers the following comments and questions on the scope and content of the Environmental Impact Report for the decommissioning of Diablo Canyon nuclear plant.

1. No Alternative Option to Evaluate License Extension

   There may be other participants advocating for license extension years beyond the anticipated closure dates. The consultants and the County must recognize that the added waste and hazards involved go far beyond the budgeted scope and timeline of this EIR. PG&E has deferred maintenance, and senior staff members have departed in anticipation of closure. Any project involving license extension must be treated as a separate application with separate environmental review.

2. High Level Waste Management

   The safe handling and storage of the high level radioactive waste remaining on-site is an issue of utmost concern. We understand that PG&E is in the

process of choosing a new ISFSI storage system which will allow for more rapid transfer of the waste from the pools. There is great uncertainty regarding the amount of time this waste will remain on-site and how robust these new casks and/or canisters will be in the face of impacts from the ocean environment, routine aging, seismic risks, and the threats of terrorism.

- Will the casks and/or canisters be continuously monitored for degradation and radiation leakage?

- What is the process for repair?

- While the spent fuel pools are still in use, how will any adverse events be handled after the cessation of plant operation?

- If the pools are dismantled, what system will be in place to monitor and repair leaking containers? Will a hot cell or some system with similar capabilities be installed? Mothers for Peace advocates for on-site repair capability.

- Mothers for Peace advocates for HOSS - hardened on-site storage, a concept that aims to protect the public from the threats posed by the current vulnerable storage of nuclear waste. See attached document by Dr. Gordon Thompson.

3. Radiological and Chemical Decontamination of the Site: soil, concrete, components

- How will contamination during dismantling be prevented and monitored?

- How will contamination on land and in the sea be measured, including possible bioconcentration up the marine and terrestrial food chains?

- What technologies will be used to measure any possible spread of radiological contamination on and offsite?
- What procedures are in place to respond to unexpected events or emergencies?
- How will the contaminated materials be handled and contained?
- How will decontamination be done? (before/during/after dismantling?)
- How and where will the contaminated materials be transported offsite for disposal?
- What are the criteria for determining reuse vs disposal?
- Where will the contaminated material be disposed?
- What are the criteria for determining the destinations of various levels of contaminated materials?
- To what soil depth will contamination be monitored and ameliorated?
- How will the quality and safety of groundwater and protection from radiological and chemical contamination be assured?

4. Dismantlement and Air Quality

   Dismantlement will result in dust, CO_2 emissions, release of harmful chemicals into the air, emissions from trucks, trains, and barges, and odors. How will the impacts of these releases be monitored and minimized?

5. Transportation and Traffic

We understand that the dismantled materials will be transported by truck, rail, and barge.

- What infrastructure modifications and/or enhancements will be required to roads, rails, and for barge loading?

- What roads will be used to remove materials from Parcel P?

- What will be the impacts of the materials being trucked through the town of Avila Beach and by Harbor Terrace?

- How many trucks per day will be removing materials from Parcel P?

- At what hours and on what days will materials be trucked out of Parcel P?

- Will PG&E be responsible for maintenance of existing roads subjected to heavy use during decommissioning?

- Decommissioning-related traffic involving large numbers of construction personnel and vehicles over a period of many years will affect traffic flow and parking congestion. How will increased traffic be mitigated?

- There is potential for health impacts in the transportation of hazardous and/or radiological materials due to accidental release. How will these risks be mitigated and the warning of shipments communicated to first responders and residents on the transportation routes? What are the environmental justice impacts on disadvantaged communities of the routes selected?

- What are the environmental justice impacts on disadvantaged communities from the selection of the ultimate destinations of these hazardous materials?

- Is the Port San Luis Harbor District being consulted as a Responsible Agency? If not, why not?

6. Biological Resources

- What degrading impacts are expected on the terrestrial habitats and species as a result of demolition and removal activities? How can these be minimized?

- How will the potential impacts to marine species and habitats within the project area be identified and mitigated?

- What debris and contaminants will be released into the ocean?

- Over the lifetime of the plant, once-through-cooling has decimated the indigenous populations of vegetation, crustaceans and fish. The EIR must stipulate that PG&E monitor and report recovery of impacted species after the shutdown of the once-through-cooling system.

    - *Diablo Cove and adjacent land areas are home to seven endangered species including Bull Kelp, California Sheephead, Burrowing Owl, Green Sea Turtle, Black Abalone, Southern Sea Otter, and Morro Bay Kangaroo Rat.*

    - *A monograph by the California Department of Fish and Game, (Burge, Richard T. and Schultz, Steven A. (1973 – prior to startup of the plant) The marine environment in the vicinity of Diablo Cove with special reference to abalones and bony fishes , [Marine Resources Technical Report, 19]} states, "Diablo Cove, a future*

warm water discharge site, is located about midpoint of a 13 mile long rocky shoreside reef in central California. The reef, physically isolated from other similar coastal areas, supports important kelp bed communities of nonmigratory vertebrates and invertebrates that must be constantly monitored to ensure they are protected. This 2-year study is a baseline inventory done in the vicinity of Diablo Cove with major emphasis on abalones, including their food chain, and bony fishes. Data was obtained on the life history and annual canopy development of the kelp Nereocystis and all macroalgae were cataloged. Seasonal collections of fishes were made to document those species indigenous to the system and to obtain life history information on the common forms." (Document has 429 pages.)

- *From 1988 to 1991, following the startup of the Diablo Canyon units, the red and black abalone population in Diablo Cove declined by almost 90% as the result of withering syndrome, a chronic progressive disease exacerbated by elevated sea water temperatures. Thermal pollution from the Diablo Canyon units was identified by the Water Quality Control Board to be a significant contributor to the decline of the red and black abalone. Water temperatures in north Diablo Cove now prevent the successful developmental growth of black abalone and red abalone, both indigenous coastal water mollusk species.*

- *In 2003, the Water Quality Control Board and the California Department of Fish and Game prepared a cease and desist order for the reactor discharges into the ocean cove. "Overall, the effects of the discharge include loss and degradation of habitat, decrease in several species' diversity and density, and loss of entire species. It has been shown that the effects continue to expand beyond Diablo Cove and are greater than predicted. The discharge does not provide for the protection of propagation of species and does not provide habitat suitable for indigenous*

species." The agency further concluded: "The question presented is whether the degradation of the marine environment near DCPP [Diablo Canyon Power Plant] is acceptable to the Department of Fish and Game. Based on review of law and policies administered by the Department, and other laws requiring enhancement and protection of the marine ecosystem, the answer is no."

- *The draft order cites that 97% of the cove's surface kelp forest (Bull Kelp) has literally been clear cut from its former habitat, with more kelp forests potentially impacted beyond the cove. As a result, the intertidal communities of Diablo Cove are now devoid of historically abundant quantities of perennial algae cover. Surfgrass, once the predominant plant thriving in continuous bands throughout the cove, survives only in isolated locations. The Department of Fish and Game maintained, based upon "the effects of elevated water temperature and the severe decrease in the adult populations densities below the recommended Department levels, that it is questionable whether or not abalone populations will recover naturally in Diablo Cove should temperatures return to normal."*

7. PG&E's Financial Status

- What category of PG&E funding is being used to pay Aspen?

- Is PG&E's financial and time budget for this EIR sufficient for the enormous complexity of the task of impact evaluation and development of mitigation measures? If not, how will additional resources be procured?

- What measures are in place to assure that the completion of the proposed project will be done in a manner that ensures prudent use of ratepayer funds?

8. Site Restoration and Future Land Uses within Parcel P and Surrounding Lands

Once the site has been restored and deemed safe by NRC standards for public access, it is imperative that the land be used for the public good. It is this community which suffers the risks involved with the operation of the nuclear plant and storage of its radioactive waste. It is this community which is now entitled to reap benefits from the land as mitigation.

The DREAM Initiative in 2000 was supported by over 75% of county voters - a clear message to set aside not only Parcel P but all the surrounding Diablo Canyon Lands for habitat preservation, agriculture, and passive public use upon closure of the plant. The EIR must investigate to what extent disruptive activities on Parcel P create a nexus for mitigation by way of conservation of and public access to surrounding lands to compensate affected communities. There is precedent for this with public access to Point Buchon.

Mothers for Peace advocates for repurposing of non-contaminated facilities to be used rather than demolished.

- These facilities should be used to create new local jobs and promote the establishment of clean, green, renewable energy sources.

- The transmission lines should be explored for the transmission of wind, wave, solar and/or other clean energy sources.

- The preservation of the existing desalination plant, the breakwaters, and the associated harbor area should be explored.

- The preservation of Indigenous People's sites must be assured.

- The request for land ownership by the local Indigenous community must be acknowledged and considered valid - with the understanding of their intent for conservation and managed use.

- Which Indigenous groups are being consulted as Responsible Agencies?

9. NRC Pre-emption of Safety Issues with High Level Waste Handling

- To what extent could the EIR recommend, and the County require, added mitigation measures beyond those of the NRC if needed to make required health and safety findings?

Email: Diablo Canyon Decommissioning Project Team

From: Mike Gatto <mike@actiumllp.com>
Sent: Wednesday, December 1, 2021 11:24 AM
To: PL_Diablo <PL_Diablo@co.slo.ca.us>
Subject: [EXT]SCOPING Comments re Diablo Canyon from CGNP

This firm represents Californians for Green Nuclear Power (CGNP), a non profit dedicated to caring for the environment and halting harmful climate change. The Board and members of CGNP include dedicated scientists, educated at top universities, considered to be elite specialists in their fields, with decades of experience on issues of power generation, grid safety, and emissions reduction. CGNP has been following closely the proposed retirement of Diablo Canyon, and hereby submits these comments regarding CEQA scoping.

The Scope must consider the proposal's broad effects on climate.

CGNP is concerned about, and cautions against, the County artificially limiting the scope of its review to the local impacts of the decommissioning process. Diablo Canyon provides approximately 10% of the state's power, around-the-clock, greenhouse-gas-free.

Pursuant to the 2018 revisions to the CEQA guidelines, the County's mandate to consider this project's climate-change ramifications is broad:

- The County must analyze the greenhouse-gas emissions that will result. *See* CEQA Guidelines § 15064.4, subd. (a).)
- The County's analysis should focus on the project's effect on climate change. *See* CEQA Guidelines § 15064.4, subd. (b).)
- The County's "impacts analysis" of greenhouse-gas emissions must be global in nature and thus should be considered in the broadest context. *See* CEQA Guidelines § 15064.4, subd. (b).)

The current CEQA guidelines make clear that the County must consider the effects of how taking 10% of California's greenhouse-gas-free power offline will affect climate change.

Responsibility falls squarely on the County to undertake this analysis,

as no other agency has or will do it. Accepting vague or evasive promises from the applicant will not suffice to meet the County's CEQA duties. When assessing the effect of Diablo's proposed retirement on climate change, the County must make sure that Diablo's power will not be replaced with things like out-of-state coal, in-state combustible power, or wind power or batteries with massive carbon and ecological footprints.

The need for thorough analysis and genuine attention to climate-change concerns are evinced in extant public documents concerning this matter. For example, the PUC has acknowledged that 5000 megawatts of "unspecified imports" will be needed to replace Diablo's power if it is taken offline. Because given their preferential tariffs and incentives, renewable sources of power (*e.g.*, solar, wind, etc.) are always identified –- indeed touted –- and because previous PUC decisions listed all proposed renewable sources of replacement power for Diablo –- this "unspecified" imported power can only refer to coal or other combustibles. Thus, for the County to conduct a CEQA-compliant climate-change analysis, it will need to demand information on these 5000 MW that go beyond the adjective "unspecified", and the County will need to determine the effect of this aspect of the project on climate change.

We have requested before, and renew our request for a CEQA consultation with our members. Please contact me at your earliest convenience to arrange the same.

Thank you,

Mike Gatto
Partner
Actium LLP
1.323.819.0300
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December 1, 2021 Public Comments of Californians for Green Nuclear Power, Inc. (CGNP) by Gene Nelson, Ph.D., CGNP Legal Assistant

San Luis Obispo County depends on lifelines that cross the San Andreas Fault. Those lifelines convey water, energy, and information. CGNP has been studying those lifelines for more than a decade. The proposed scope of the Draft Environmental Impact Statement (DEIS) for Plan Number: DRC2021-00092 will likely exclude the most harmful action, namely the planned cessation of Diablo Canyon Power Plant (DCPP) operation in 2025. Cessation of plant operations is a logical requirement to commence decommissioning. CGNP continues to express sharp opposition to this harmful proposed action. These comments form a portion of CGNP's advocacy for the "no project alternative." (NPA)

The continued safe operation of DCPP beyond 2025 provides at least two valuable things to contribute to the post-disaster resiliency of San Luis Obispo County. The plant provides the equivalent of five Hoover Dams of electricity without emitting a speck of carbon. (Cessation of DCPP operation would boost carbon emissions by about 15 million metric tons a year.) The plant's desalination plant could be substantially enlarged to provide more water to the County than the Central Coast currently receives from the State Water Project via a CCWA pipeline that crosses the San Andreas Fault near Cholame, California. Aftershocks will likely prevent that pipeline from being restored to service for several years after a major earthquake there.

Per a May 8, 2020 NRC post-Fukushima review, DCPP is expected to continue to safely operate during and after the beyond design basis events (including severe weather) studied. A copy of the NRC letter is attached. John Lindsey's attached November 2, 2021 *SLO Tribune* article describes some of the severe weather events that could harm San Luis Obispo County. The arid Carrizo Plain in far eastern SLO County preserves evidence of geologically-recent atmospheric river (AR) events that have inundated our county. The Wallace Creek stream offsets documented after the John Lindsey article show significant SLO County inundations about 3,700 years ago and 10,000 years ago. These inundations are likely to recur. DCPP is expected to continue to safely operate in spite of any credible earthquake or flood in the vicinity of the plant.

SLO County needs the life-saving benefits of continued safe Diablo Canyon operation. The NPA is the superior alternative.

THE TRIBUNE Newspaper of the Central Coast

Weather disasters can happen at any time. Here's how SLO County prepares for the worst

By John Lindsey Special to *The Tribune*

Tuesday, November 2, 2021 5:00 AM

https://www.sanluisobispo.com/news/weather/weather-watch/article255449551.html

The city of San Luis Obispo held a severe-weather drill for first responders in preparation for their training at FEMA's Emergency Management Institute (EMI) to enhance their capabilities to minimize the impact of disasters on the public. JOHN LINDSEY

I got to participate in a severe-weather response drill for the city of San Luis Obispo last week with former fire chiefs Steve Knuckles and Robert Lewin. It was in preparation for their training at FEMA's Emergency Management Institute to enhance their capabilities to minimize the impact of disasters on the public.

San Luis Obispo and Barbara counties have some of the best weather in the world. Because of our idyllic conditions, Central Coast residents are often lulled into a false sense of security about the possibility of a natural disaster, but they do occur.

For example, in March 1995, a storm developed about 900 miles off California's Central Coast and caused an intense cold front to stall over our area. It tapped into a plume of subtropical moisture that stretched to Hawaii, which became a massive river of water vapor in the sky.

This atmospheric river (AR) hosed the Central Coast with enormous amounts of rain, which caused extensive flooding. Rainfall amounts ranged from a low of 3.0 inches at the Santa Maria Airport to 11.6 inches in Santa Margarita. The stalled cold front was accompanied by gale-force to storm-force (55- to 73-mph) southeasterly winds in the coastal regions of the Central Coast.

In 1969, nearly 40 inches of rain was recorded in San Luis Obispo during January and February. It turned the area where Costco and Home Depot are located along Highway 101 and Los Osos Valley Road into a vast lake.

Many years ago, my grandmother, Frances Graham, passed along this bit of family folklore to me from her mother about a deluge of biblical proportions. The flood devastated their farm in Colusa County. She said it was like nature taking revenge for the hydraulic mining during the California Gold Rush. Many called this flood the "Noachian deluge of California Floods."

Toward the end of 1861, a series of storms produced nearly continuous rain that lasted through February over most of California. Los Angeles recorded about 36 inches of rain, while Sonora in the Sierra Nevada foothills measured more than 100 inches! By February 1862, the Sacramento and San Joaquin valleys became almost an inland sea stretching nearly 300 miles in length, forcing the state capital in Sacramento to move to San Francisco. San Francisco and San Pablo Bay's typically salty waters became almost fresh with a continuous and unimaginably heavy flow of silted water through the Golden Gate.

The Santa Ana River in Southern California became a raging torrent, laying waste to farms along its banks. River settlements throughout California were inundated.

Weather data from so long ago is sparse. However, a few weather experts believe that an AR stretching across the Pacific Ocean was responsible for channeling vast amounts of precipitation into the state.

Less than two years later, a terrible drought-ravaged California. Dan Krieger, professor emeritus of history at Cal Poly, wrote, "By the fall of 1863, many traditional watering holes were low. Nojoqui Falls (pronounced Naw-ho-wee) just south of Buellton disappeared for the first time. So, too, did the Santa Ynez, Cuyama, Nacimiento and San Antonio rivers. Santa Rosa Creek along the North Coast also dried up. The skies were unusually filled with buzzards. Grizzly bears and wolves that had virtually vanished for a decade began to appear out of the Santa Lucia and coast ranges, pursuing the helpless, dying cattle. Soon, they would also fall victim to the relentless drought."

In 1863, none of our manmade lakes or reservoirs were built yet, dramatically adding to the drought's severity.

The magnitude of the above perils put into sharp focus the need for all of us to prepare for natural disasters. As Rick London of United Way will tell you, the canard that "an ounce of prevention is worth many pounds of cure" certainly rings true.

However, the real trick is to bring community members with different experiences and skill sets together and work as a team to prepare, execute and recover from various emergencies that can occur simultaneously.

I witnessed the importance of this type of preparedness firsthand when I attended a training event at FEMA's Emergency Management Institute in Emmitsburg, Maryland, a few years ago. Law enforcement, fire, medical, education, county and city officials, and representatives from the private sector came together to learn how to work as an integrated team.

This group of first responders began each training day with lectures taught by knowledgeable instructors with years of firsthand experiences, such as the 9-11 attacks, the Oakland Hills fire, and hurricanes

Katrina and Sandy. These classes progressed into scenario-related, large-scale exercises of increasing complexity and threat that required participants to work as a team successfully. In other words, the FEMA instructors tossed various scenarios to the students, from wildfires to tsunamis and everything in between. The results were stunning.

Certified Emergency Management Specialist Dave Mathe was so impressed with the quality of training and the potential to save lives and property that he donated almost 1,000 hours of his own time to apply for the federal grant and coordinate participants. The federal funding covered the costs.

Tracey Vardas, manager of emergency management and public safety exercises with PG&E, told me, “It was some of the most comprehensive and coordinated training evolutions I’ve been involved with. This type of community-based interaction will certainly help all of us prepare for future emergencies.” This same praise was echoed by other attendees.

The federal grant covered the costs, which was particularly valuable when local training budgets were strained.

Training like this will be needed even more in the future, as the atmosphere and oceans continue to warm, and storms become more severe.

“We are living in a time of climate extremes; longer droughts, deadly wildfires in winter months, storms that confound meteorological modeling, and baking temperatures that are killing our elderly. So while we must reduce and reverse our carbon emissions, we must simultaneously change our paradigm and strengthen our preparation and increase our ability to respond to the devastating impacts of climate extreme induced disasters,” Lewin told me.

Stream offsets at Wallace Creek, Carrizo Plain, California

http://www.public.asu.edu/~arrows/images.html

View northeast across the San Andreas fault showing several offset stream channels. Main channel is offset about 130 m and was incised **approximately 3,700 years ago**. Channel farther to left on near side of fault has been displaced approximately 350 m, is beheaded, and was incised **approximately 10,000 years ago.** These offsets and ages provide a long term slip rate of approximately 35 mm/yr along the San Andreas fault here (Sieh and Jahns, 1984). Small gulches at right display about 9 m offset from the 1857 earthquake. No fault creep is observed here and this section of the San Andreas fault is considered locked. Sieh and Wallace (1987) provide a detailed field description of this site. This slide is #13 from Wallace and Schulz (1983).

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https://www.blm.gov/visit/wallace-creek

Wallace Creek

Here you are standing on the San Andreas Fault. At this location it runs northwest to southeast at the base of the hills. At one time Wallace Creek drained straight across the fault, but movement by the San Andreas Fault has offset its drainage course, with the downstream segment about 430 feet northwest of the upstream segment. This is one of the best examples of stream offset across a fault in the world. An interpretive trail is available to learn more about this portion of the San Andreas Fault.

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

May 8, 2020

Mr. James M. Welsch
Senior Vice President, Generation
and Chief Nuclear Officer
Pacific Gas and Electric Company
P.O. Box 56
Mail Code 104/6
Avila Beach, CA 93424

SUBJECT: DIABLO CANYON POWER PLANT, UNIT NOS. 1 AND 2 – DOCUMENTATION OF THE COMPLETION OF REQUIRED ACTIONS TAKEN IN RESPONSE TO THE LESSONS LEARNED FROM THE FUKUSHIMA DAI-ICHI ACCIDENT

Dear Mr. Welsch:

The purpose of this letter is to acknowledge and document that the actions required by the U.S. Nuclear Regulatory Commission (NRC) in orders issued following the accident at the Fukushima Dai-ichi Nuclear Power Station have been completed for Diablo Canyon Power Plant, Unit Nos. 1 and 2 (Diablo Canyon). In addition, this letter acknowledges and documents that Pacific Gas and Electric Company (PG&E, the licensee), has provided the information requested in the NRC's March 12, 2012, request for information under Title 10 of the *Code of Federal Regulations* (10 CFR), Section 50.54(f), related to the lessons learned from that accident. Completing these actions and providing the requested information, in conjunction with the regulatory activities associated with the Mitigation of Beyond-Design-Basis Events (MBDBE) rulemaking, implements the safety enhancements mandated by the NRC based on the lessons learned from the accident. Relevant NRC, industry, and licensee documents are listed in the reference tables provided in the enclosure to this letter. The NRC will provide oversight of these safety enhancements through the Reactor Oversight Process (ROP).

BACKGROUND

In response to the events in Japan resulting from the Great Tōhoku Earthquake and subsequent tsunami on March 11, 2011, the NRC took immediate action to confirm the safety of U.S. nuclear power plants:

- On March 18, 2011, the NRC issued Information Notice 2011-05, "Tōhoku-Taiheiyou-Oki Earthquake Effects on Japanese Nuclear Power Plants" (Reference 1.1). The information notice was issued to inform U.S. operating power reactor licensees and applicants of the effects from the earthquake and tsunami. Recipients were expected to review the information for applicability to their facilities and consider actions, as appropriate. Suggestions contained in an information notice are not NRC requirements; therefore, no specific action or written response was required.

- On March 23, 2011, the NRC issued Temporary Instruction (TI) 2515/183, "Followup to the Fukushima Daiichi Fuel Damage Event." The purpose of TI 2515/183 was to provide NRC

inspectors with guidance on confirming the reliability of licensees' strategies intended to maintain or restore core cooling, containment, and spent fuel pool cooling capabilities following events that may exceed the design basis for a plant. The results of the inspection for each licensee were documented in an inspection report (Reference 1.2).

- On March 23, 2011, the Commission provided staff requirements memorandum (SRM) COMGBJ-11-0002, "NRC Actions Following the Events in Japan." The tasking memorandum directed the Executive Director for Operations to establish a senior level agency task force, referred to as the Near-Term Task Force (NTTF), to conduct a methodical and systematic review of the NRC processes and regulations to determine whether the agency should make additional improvements to the regulatory system and make recommendations to the Commission within 90 days for its policy direction (Reference 1.3).

- On April 29, 2011, the NRC issued TI 2515/184, "Availability and Readiness Inspection of Severe Accident Management Guidelines (SAMGs)." The purpose of TI 2515/184 was to inspect the readiness of nuclear power plant operators to implement SAMGs. The results of the inspection were summarized and provided to the NTTF, as well as documented in a 2011 quarterly integrated inspection report for each licensee (Reference 1.4).

- On May 11, 2011, the NRC issued Bulletin (BL) 2011-01, "Mitigating Strategies." BL 2011-01 required licensees to provide a comprehensive verification of their compliance with the regulatory requirements of 10 CFR 50.54(hh)(2), as well as provide information associated with the licensee's mitigation strategies under that section. In 10 CFR 50.54(hh)(2), it states, in part: "Each licensee shall develop and implement guidance and strategies intended to maintain or restore core cooling, containment, and spent fuel pool cooling capabilities under the circumstances associated with loss of large areas of the plant due to explosions or fire… ." BL 2011-01 required a written response from each licensee (Reference 1.5). Note that the final MBDBE rule (Reference 1.15) moved the requirements formerly in 10 CFR 50.54(hh)(2) to 10 CFR 50.155(b)(2).

- On July 21, 2011, the NRC staff provided the NTTF report, "Recommendations for Enhancing Reactor Safety in the 21st Century: The Near-Term Task Force Review of Insights from the Fukushima Dai-ichi Accident" to the Commission in SECY-11-0093, "Near-Term Report and Recommendations for Agency Actions Following the Events in Japan" (Reference 1.6).

- On October 3, 2011, the staff prioritized the NTTF recommendations into three tiers in SECY-11-0137, "Prioritization of Recommended Actions to Be Taken in Response to Fukushima Lessons Learned." The Commission approved the staff's prioritization, with comment, in the SRM to SECY-11-0137 (Reference 1.7).

  A complete discussion of the prioritization of the recommendations from the NTTF report, additional issues that were addressed subsequent to the NTTF report, and the disposition of the issues that were prioritized as Tier 2 or Tier 3 is provided in SECY-17-0016, "Status of Implementation of Lessons Learned from Japan's March 11, 2011, Great Tōhoku Earthquake and Subsequent Tsunami" (Reference 12.10). A listing of the previous Commission status reports, which were provided semiannually, can be found in Table 12 in the enclosure to this letter.

The NRC undertook the following regulatory activities to address the majority of the Tier 1 recommendations:

- On March 12, 2012, the NRC issued Orders EA-12-049, "Order Modifying Licenses with Regard to Requirements for Mitigation Strategies for Beyond-Design-Basis External Events," EA-12-050, "Order Modifying Licenses with Regard to Reliable Hardened Containment Vents," and EA-12-051, "Order Modifying Licenses with Regard to Reliable Spent Fuel Pool Instrumentation," and a request for information under 10 CFR 50.54(f) (hereafter referred to as the 50.54(f) letter) to licensees (References 1.8, 1.9, 1.10, and 1.11, respectively).

- On June 6, 2013, the NRC issued Order EA-13-109, "Order Modifying Licenses with Regard to Reliable Hardened Containment Vents Capable of Operation under Severe Accident Conditions" (Reference 1.12), which superseded Order EA-12-050, replacing its requirements with modified requirements.

- In addition to the three orders and the 50.54(f) letter, the NRC completed rulemaking, 10 CFR 50.155, "Mitigation of Beyond-Design-Basis Events," that made generically applicable the requirements of Orders EA-12-049 and EA-12-051. The draft final rule and supporting documentation were provided to the Commission for approval in SECY-16-0142, "Draft Final Rule – Mitigation of Beyond-Design-Basis Events (RIN 3150-AJ49)" (Reference 1.13). The MBDBE rulemaking effort consolidated several of the recommendations from the NTTF report.

  On January 24, 2019, the Commission, via SRM-M190124A (Reference 1.14), approved the final MBDBE rule, with edits. The final rule approved by the Commission contains provisions that make generically applicable the requirements imposed by Orders EA-12-049 and EA-12-051 and supporting requirements. The Commission's direction in the SRM makes it clear that the NRC will continue to follow a site-specific approach to resolve the interaction between the hazard reevaluation and mitigation strategies using information gathered in the 50.54(f) letter process. The NRC staff made conforming changes to the final rule package (Reference 1.15) as directed by the Commission, which included changes to two regulatory guides (References 1.16 and 1.17). The final rule was published in the *Federal Register* on August 9, 2019 (84 FR 39684), with an effective implementation date of September 9, 2019.

  Subsequent to Commission approval of the final MBDBE rule, the staff engaged with stakeholders to pursue the expeditious closure of the remaining post-Fukushima 50.54(f) letter responses on a timeframe commensurate with each item's safety significance.

  In a draft discussion paper (Reference 1.18) used to support a Category 3 public meeting held on February 28, 2019 (Reference 1.19), the NRC staff outlined the process to be used to review the reevaluated hazard and mitigation strategies assessment (MSA) information provided by licensees considering the differences between the draft final MBDBE rule and the approved final MBDBE rule. Subsequently, the NRC staff provided a screening letter (also called a "binning" letter) for both seismic and flooding hazard reevaluations (References 5.22 and 6.26), which categorized sites based on available information and the status of any commitments made in prior reports and assessments. The process is discussed in greater detail in the "Hazard Reevaluation" and "Mitigation Strategies Assessment" sections of the discussion which follows.

This letter acknowledges and documents that the actions required by the NRC in response to the orders, as well as the information provided in response to the March 12, 2012, 50.54(f) letter, have been completed for Diablo Canyon. However, the staff is not determining whether the licensee complies with the final MBDBE rule. Oversight of compliance with the final MBDBE rule at Diablo Canyon will be conducted through the ROP.

DISCUSSION

Mitigation Strategies Order

Order EA-12-049, which applies to Diablo Canyon, requires licensees to implement a three-phase approach for mitigation of beyond-design-basis external events (BDBEEs). It requires licensees to develop, implement, and maintain guidance and strategies to maintain or restore core cooling, containment, and spent fuel pool (SFP) cooling capabilities in the event of a BDBEE that results in a simultaneous loss of all alternating current (ac) power and loss of normal access to the ultimate heat sink (LUHS). Phases 1 and 2 of the order use onsite equipment, while Phase 3 requires obtaining sufficient offsite resources to sustain those functions indefinitely.

In August 2012, the Nuclear Energy Institute (NEI) issued Revision 0 of industry guidance document NEI 12-06, "Diverse and Flexible Coping Strategies (FLEX) Implementation Guide," as guidance to comply with the order. The NRC endorsed the guidance in Revision 0 of Japan Lessons-Learned Project Directorate (JLD) interim staff guidance (ISG) document JLD-ISG-2012-01, "Compliance with Order EA-12-049, Order Modifying Licenses with Regard to Requirements for Mitigation Strategies for Beyond-Design-Basis External Events." Subsequently, in December 2015, NEI issued Revision 2 of NEI 12-06 and the NRC endorsed that guidance in Revision 1 of JLD-ISG-2012-01 (Reference 2.1). Licensees were required to provide an overall integrated plan (OIP) to describe how they would comply with the order, along with status reports every 6 months until compliance was achieved (Reference 2.2). The NRC staff provided an interim staff evaluation (ISE) related to the OIP (Reference 2.3). The NRC concluded in the ISE that the licensee provided sufficient information to determine that there is reasonable assurance that the plan, when properly implemented, including satisfactory resolution of the open and confirmatory items, would meet the requirements of Order EA-12-049 at Diablo Canyon. The NRC staff also conducted a regulatory audit of the licensee's strategies and issued a report which documented the results of the audit activities (Reference 2.4). Upon reaching compliance with the order requirements, the licensee submitted a compliance letter and a final integrated plan (FIP) to the NRC (Reference 2.5). The FIP describes how the licensee is complying with the order at Diablo Canyon.

The NRC staff completed a safety evaluation (SE) of the licensee's FIP (Reference 2.6). The SE informed the licensee that its integrated plan, if implemented as described, provided a reasonable path for compliance with Order EA-12-049 at Diablo Canyon. The staff then evaluated the implementation of the plans through inspection, using TI 2515/191, "Implementation of Mitigation Strategies and Spent Fuel Pool Instrumentation Orders and Emergency Preparedness Communications/Staffing/Multi-Unit Dose Assessment Plans." An inspection report was issued to document the results of the TI 2515/191 inspection (Reference 2.7). The NRC will oversee implementation of the mitigation strategies requirements under the final MBDBE rule requirements through the ROP.

Phase 3 of Order EA-12-049 required licensees to obtain sufficient offsite resources to sustain the required functions indefinitely. There are two redundant National Strategic Alliance for

FLEX Emergency Response (SAFER) Response Centers (NSRCs), one located in Memphis, Tennessee, and the other in Phoenix, Arizona, which have the procedures and plans in place to maintain and deliver the equipment needed for Phase 3 from either NSRC to any participating U.S. nuclear power plant when requested (Reference 2.8). The NRC staff evaluated and inspected the NSRCs and the SAFER program, plans, and procedures (References 2.9 and 2.10). Subsequently, SAFER provided two addenda to document the treatment of equipment withdrawn from the NSRCs (Reference 2.11). The NRC reviewed the addenda and documented its conclusion in an updated staff assessment (Reference 2.12). The NRC concluded that licensees may reference the SAFER program and implement their SAFER response plans to meet the Phase 3 requirements of the order. The licensee's FIP (Reference 2.5) includes the plans for utilizing the NSRC equipment at Diablo Canyon. In its SE (Reference 2.6), the NRC staff concluded that the licensee has developed guidance that, if implemented appropriately, should allow utilization of offsite resources following a BDBEE consistent with NEI 12-06 guidance and should adequately address the requirements of the order.

Spent Fuel Pool Instrumentation Order

Order EA-12-051, which applies to Diablo Canyon, required licensees to install reliable SFP level instrumentation with a primary channel and a backup channel, independent of each other, and with the capability to be powered independent of the plant's power distribution systems. The NEI issued NEI 12-02, "Industry Guidance for Compliance with NRC Order EA-12-051, 'To Modify Licenses with Regard to Reliable Spent Fuel Pool Instrumentation,'" as guidance to be used by licensees to comply with the order. The NRC endorsed this guidance in JLD-ISG-2012-03, "Compliance with Order EA-12-051, Reliable Spent Fuel Pool Instrumentation" (Reference 3.1). Licensees were required to provide an OIP to describe how they would comply with the order, along with status reports every 6 months until compliance was achieved (Reference 3.2). The NRC issued an ISE, providing feedback on the OIP (Reference 3.3). The NRC staff conducted a regulatory audit of the licensee's strategies and issued a report that documented the results of the audit activities (Reference 3.4). Upon reaching compliance with the order requirements, the licensee submitted a compliance letter to the NRC (Reference 3.5), describing how the licensee complied with the order at Diablo Canyon.

The NRC staff completed an SE of the actions taken by the licensee in response to the order (Reference 3.6). The SE informed the licensee that its integrated plan, if implemented as described, provided a reasonable path for compliance with Order EA-12-051 at Diablo Canyon. The staff then evaluated the implementation of the plan through inspection, using TI 2515/191. An inspection report was issued to document the results of the TI 2515/191 inspection (Reference 3.7). The NRC will oversee implementation of the SFP instrumentation requirements under the final MBDBE rule requirements through the ROP.

Reliable Hardened Containment Vent Order

Order EA-13-109 (Reference 1.12) is only applicable to operating boiling-water reactors (BWRs) with Mark I and Mark II containments. Because the reactors at Diablo Canyon are pressurized water reactors with large, dry, ambient-pressure containments, this order is not applicable to Diablo Canyon.

Request for Information Under 10 CFR 50.54(f)

The 50.54(f) letter requested operating power reactor licensees to:

- reevaluate the seismic and flooding hazard at their sites using present-day NRC requirements and guidance, and identify actions that are planned to address plant-specific vulnerabilities associated with the reevaluated seismic and flooding hazard;

- perform seismic and flooding walkdowns to verify compliance with the current licensing basis; verify the adequacy of current strategies and maintenance plans; and identify degraded, nonconforming, or unanalyzed conditions related to seismic and flooding protection; and

- provide an assessment of their current emergency communications and staffing capabilities to determine if any enhancements are needed to respond to a large-scale natural emergency event that results in an extended loss of ac power to all reactors at the site, and/or impeded access to the site.

In COMSECY-14-0037, "Integration of Mitigating Strategies for Beyond-Design-Basis External Events and the Reevaluat[i]on of Flooding Hazards" (Reference 6.13), the NRC staff described issues related to the implementation of Order EA-12-049 and the related MBDBE rulemaking, and the completion of flooding reevaluations and assessments. In the SRM to COMSECY-14-0037 (Reference 6.14), the Commission directed the NRC staff to provide a plan for achieving closure of the flooding hazard assessments to the Commission for review and approval. The NRC staff provided this plan in COMSECY-15-0019, "Closure Plan for the Reevaluation of Flooding Hazards for Operating Nuclear Power Plants" (Reference 6.16), which the Commission approved in the SRM to COMSECY-15-0019 (Reference 6.17).

Hazard Reevaluations (Enclosures 1 and 2 of the 50.54(f) letter)

Each licensee followed a similar two-phase process to respond to the hazard reevaluations requested by the 50.54(f) letter. In Phase 1, licensees submitted hazard reevaluation reports using NRC-endorsed, industry-developed guidance. The guidance specified that a licensee should determine if interim protection measures were needed while a longer-term evaluation of the impacts of the hazard was completed. The NRC staff reviewed the reevaluated hazard information. Using the reevaluated hazard information and a graded approach, the NRC identified the need for, and prioritization and scope of, plant-specific assessments. For those plants that were required to perform a flooding integrated assessment or a seismic probabilistic risk assessment (SPRA), Phase 2 decisionmaking (as described in a letter dated September 21, 2016 (Reference 5.17)), would determine whether additional plant-specific regulatory actions were necessary. In addition, as discussed in COMSECY-15-0019, most licensees performed an MSA to demonstrate that the licensee had adequately addressed the reevaluated hazards within their mitigation strategies developed for BDBEEs.

In a draft discussion paper (Reference 1.18) used to support a Category 3 public meeting held on February 28, 2019 (Reference 1.19), the NRC staff outlined the process to be used to review the reevaluated hazard and MSA information provided by licensees considering the differences between the draft final MBDBE rule and the approved final MBDBE rule. The purpose of these reviews is to ensure that the conclusions in the various staff assessments continue to support a determination that no further regulatory actions are needed.

As stated in the discussion paper, the NRC subsequently issued a seismic screening letter (Reference 5.22) and a flooding screening letter (Reference 6.25), also called “binning” letters, to all operating power reactor licensees. The purpose of the binning letters is to categorize sites based on available information and the status of any commitments made in prior reports and assessments. Diablo Canyon was binned as a Category 1 site for both seismic and flooding. Category 1 includes sites where no additional information or regulatory action is required. This category includes sites, such as Diablo Canyon, where the licensee has previously demonstrated that existing seismic capacity or effective flood protection will address the unbounded reevaluated hazards.

Seismic Hazard Reevaluation (Enclosure 1 of the 50.54(f) letter)

Enclosure 1 of the 50.54(f) letter requested each operating power reactor licensee to complete a reevaluation of the seismic hazard that could affect their sites using updated seismic hazard information and present-day regulatory guidance and methodologies to develop a ground motion response spectrum (GMRS). The licensee was asked to compare their results to the safe-shutdown earthquake (SSE) ground motion and then report to the NRC in a seismic hazard screening report (SHSR). To provide a uniform and acceptable industry response, the Electric Power Research Institute (EPRI) developed a technical report, EPRI 1025287, “Screening, Prioritization and Implementation Details (SPID) for the Resolution of Fukushima Near-Term Task Force Recommendation 2.1: Seismic,” and the NRC endorsed the guidance in a letter dated February 15, 2013 (Reference 5.1). From November 2012 to May 2014, the NRC and the industry provided guidance for the performance of the reevaluated hazard reviews (References 5.2-5.7). The licensee provided a SHSR for Diablo Canyon (Reference 5.8). In addition, the licensee responded (Reference 5.8) to four NRC letters with additional requests for information (Reference 5.9).

If the new GMRS was not bound by the current design basis (CDB) SSE, Enclosure 1 of the 50.54(f) letter requested more detailed evaluations of the impact from the hazard. Also, the licensee was asked to evaluate whether interim protection measures were needed while the more detailed evaluation was completed. By letter dated May 7, 2013, the NRC endorsed industry-developed guidance, a proposed path forward, and schedules, which were provided in a letter from NEI dated April 9, 2013. Attachment 1 of the NEI letter contains EPRI report 300200704, “Augmented Approach for the Resolution of Fukushima Near-Term Task Force Recommendation 2.1: Seismic,” to provide the guidance needed to perform an evaluation of any needed interim protective measures (Reference 5.3). This expedited seismic evaluation process (ESEP) is a screening, evaluation, and equipment modification process performed by licensees to provide additional seismic margin and expedite plant safety enhancements for certain core cooling and containment components while the more detailed and comprehensive plant seismic risk evaluations are being performed. Diablo Canyon was not required to perform an ESEP for the reasons noted below.

In its SHSR, PG&E included a description on their interim evaluation to address the seismic safety of Diablo Canyon. The licensee's interim evaluation included a comparison between the GMRS and the results of the Long-Term Seismic Program (LTSP) margin evaluation. The LTSP is a "seismic margin analysis" included as an original plant license condition. The LTSP addressed concerns at the time the plant was licensed. Based on the margins between the GMRS and LTSP margin spectrum, PG&E concluded in the SHSR that Diablo Canyon’s safety-related systems, structures and components (SSCs) will continue to perform their intended safety function if subjected to the ground motions at the GMRS levels.

In its SHSR, PG&E provided the NRC an assessment of the ESEP commitment. The licensee stated that their previous LTSP margins evaluation demonstrates capacities above the GMRS and therefore, there is no significant safety benefit from performing the ESEP. Because of the reasons stated above, PG&E does not intend to perform the ESEP for Diablo Canyon.

In a letter dated July 14, 2015 (Reference 5.13), the staff concluded that PG&E's interim evaluation in the SHSR is an acceptable response in lieu of an ESEP as an interim action to the 50.54(f) letter. The staff concluded that PG&E has previously demonstrated the plant's capacity to withstand a seismic hazard that bounds the reevaluated hazard which supports continued plant operation while any additional seismic risk evaluations are conducted. The NRC staff previously reviewed PG&E's LTSP margins evaluation and documented its conclusions and acceptance in Safety Evaluation Report (SER) No. 34[1]. In the July 14, 2015, letter, the NRC staff considered the conclusions reached in SER 34, along with the information provided in the SHSR, and concluded that the information provided is an adequate alternative to performing the ESEP interim evaluation.

By letter dated May 13, 2015 (Reference 5.10), the NRC informed licensees of the initial screening and prioritization results based on a review of the licensees' SHSRs. The NRC provided the final determination of required seismic evaluations in a letter dated October 27, 2015 (Reference 5.18). These evaluations could consist of an SPRA (Reference 5.1, SPID, Section 6.1.1), limited scope evaluations (High Frequency (Reference 5.14) and/or SFP evaluations (Reference 5.15)), or a relay chatter evaluation (Reference 5.4). If an SPRA was required, then additional Phase 2 regulatory decisionmaking was required (References 5.16 and 5.17).

The NRC staff completed and documented its review of the licensee's reevaluated seismic hazard in a staff assessment (Reference 5.9). In order to complete its response to the 50.54(f) letter, the licensee submitted a SFP evaluation and an SPRA report for Diablo Canyon (Reference 5.19). An audit was performed for each submittal (Reference 5.20). The audit results are documented in the applicable staff assessment (Reference 5.21). The NRC reviewed the SFP evaluation. The NRC staff concluded that the licensee's implementation of the SFP integrity evaluation met the criteria of the SFP Evaluation Guidance Report for Diablo Canyon and therefore, the licensee responded appropriately to Item (9) in Enclosure 1 of the 50.54(f) letter (Reference 5.21). The NRC reviewed the SPRA report, as documented in Reference 5.21, using the regulatory review guidance provided in Reference 5.17. The staff's review concluded that the SPRA was of sufficient technical adequacy to support Phase 2 regulatory decisionmaking and that Diablo Canyon responded appropriately to Enclosure 1, item (8) of the 50.54(f) letter (Reference 5.21). Based on the results and risk insights of the SPRA report, the NRC staff concluded that no further response or regulatory actions were required related to the seismic hazard reevaluation activities requested by Enclosure 1 of the 50.54(f) letter.

Because the staff's reviews were completed prior to when the final MBDBE rule was approved, the NRC staff, using the process discussed in the seismic binning letter (Reference 5.22), re-visited these conclusions considering the final approved MBDBE rule. The staff confirmed that the conclusions in the various staff assessments continue to support a determination that no further regulatory actions are required for Diablo Canyon.

[1] The SER can be found in ADAMS under Accession No. ML14279A130

The NRC staff reviewed the information provided and, as documented in the staff assessments (References 5.9 and 5.21), concluded that the licensee provided sufficient information in response to Enclosure 1 of the 50.54(f) letter. The staff acknowledges that all seismic hazard reevaluation activities requested by Enclosure 1 of the 50.54(f) letter have been completed for Diablo Canyon. No further information related to the reevaluated seismic hazard is required.

Flooding Hazard Reevaluation (Enclosure 2 of the 50.54(f) letter)

Enclosure 2 of the 50.54(f) letter requested each operating power reactor licensee to complete a reevaluation of applicable flood-causing mechanisms at their site using updated flooding hazard information and present-day regulatory guidance and methodologies. Licensees were asked to compare their results to the CDB for protection and mitigation from external flood events. The NRC developed guidance to conduct the reevaluations (References 6.1 through 6.6). By letter dated March 11, 2015, the licensee submitted a flood hazard reevaluation report (FHRR) for Diablo Canyon (Reference 6.7) to the NRC as requested by the 50.54(f) letter. By letter dated February 8, 2016, the licensee submitted a revised FHRR (Reference 6.7) to update the calculation for local intense precipitation (LIP). Interim actions needed to protect against the reevaluated flood hazard were specified in the FHRR. The NRC inspected the interim actions using TI 2515/190, “Inspection of Licensee's Proposed Interim Actions as a Result of the Near-Term Task Force Recommendation 2.1 Flooding Evaluation” and documented the results in a quarterly integrated inspection report (Reference 6.9). A regulatory audit to support the review of the FHRR was performed and the results documented in an audit report] (Reference 6.8). The NRC staff reviewed the FHRR and provided an interim hazard letter (Reference 6.10) to provide feedback on the staff’s review of the flooding hazard reevaluations. The interim hazard letter was used by the licensee to complete the flood hazard MSA and other flood hazard evaluations. Separately, the NRC staff documented the technical bases for its conclusions in the interim hazard letters by issuing a staff assessment (Reference 6.11).

In COMSECY-14-0037 (Reference 6.13), the NRC staff requested Commission direction to more clearly define the relationship between Order EA-12-049, the related MBDBE rulemaking, and the flood hazard reevaluations and assessments. Because the NRC was reevaluating its approach to the flooding evaluations, the NRC provided an extension of the due dates for any integrated assessments in a letter dated November 21, 2014 (Reference 6.12). In the SRM to COMSECY-14-0037 (Reference 6.14), the Commission directed the NRC staff to provide a plan for achieving closure of the flooding portion of NTTF Recommendation 2.1 to the Commission for its review and approval. On May 26, 2015, the NRC deferred, until further notice, the date for submitting the integrated assessment reports (Reference 6.15). On June 30, 2015, the NRC staff provided a plan to the Commission in COMSECY-15-0019 (Reference 6.16). On July 28, 2015, the Commission approved the plan in the SRM to COMSECY-15-0019 (Reference 6.17). On September 29, 2015, the NRC issued a letter to licensees to describe the graded approach to the flood hazard reevaluations approved by the Commission (Reference 6.18).

The COMSECY-15-0019 action plan required the NRC staff to develop a graded approach to identify the need for, and prioritization and scope of, plant-specific integrated assessments and evaluation of plant-specific regulatory actions. The NRC staff’s graded approach enabled a site with hazard exceedance above its CDB to demonstrate the site’s ability to cope with the reevaluated hazard through appropriate protection or mitigation measures which are timely, effective, and reasonable. Integrated assessments were focused on sites with the greatest potential for additional safety enhancements. New guidance for performing the integrated assessments and focused evaluations (FEs) was developed for this graded approach.

The guidance also provided schedule information for submission of any required integrated assessment. On July 18, 2016, the staff issued JLD-ISG-2016-01, "Guidance for Activities Related to Near-Term Task Force Recommendation 2.1, Flooding Hazard Reevaluation, Focused Evaluation and Integrated Assessment" (Reference 6.19). The ISG provided the guidance for Phase 1 flooding assessments, as described in COMSECY-15-0019, and endorsed industry guidance provided in NEI 16-05, "External Flooding Integrated Assessment Guidelines" (Reference 6.19). If an integrated assessment was necessary, then Phase 2 regulatory decisionmaking was required (References 6.23 and 6.24).

As noted in the interim hazard response letter (Reference 6.10), the LIP flood-causing mechanism at Diablo Canyon was not bounded by the CDB. Therefore, additional assessment of this flood-causing mechanism was required. The NRC staff used a graded approach to determine if this site would need to perform an integrated assessment for the reevaluated flooding hazard, or if an FE would suffice. Based on the graded approach, Diablo Canyon completed an FE (Reference 6.20) to ensure appropriate actions were identified and taken to protect the plant from the reevaluated flood hazard. The NRC staff conducted a regulatory audit (Reference 6.22), completed its review of the focused evaluation, and concluded in the staff assessment (Reference 6.21) that the licensee provided sufficient information in response to the 50.54(f) letter. Audit results were summarized in the staff assessment. No further regulatory actions are required related to the flood hazard reevaluations.

Because the staff's reviews were completed prior to when the final MBDBE rule was approved, the NRC staff, using the process discussed in the flooding binning letter (Reference 6.25), re-visited these conclusions considering the final approved MBDBE rule. The staff confirmed that the conclusions in the various staff assessments continue to support a determination that no further regulatory requirements are required for Diablo Canyon.

The NRC staff reviewed the information provided by the licensee and has concluded that sufficient information was provided to be responsive to Enclosure 2 of the 50.54(f) letter. The staff acknowledges that all flooding hazard reevaluation activities requested by Enclosure 2 of the 50.54(f) letter have been completed for Diablo Canyon. No further information related to the reevaluated flood hazard is required.

Mitigating Strategies Assessment

In addition to the closure plan for NTTF Recommendation 2.1, the action plan approved by the Commission in the SRM to COMSECY-15-0019 (Reference 7.4) identified the staff efforts to ensure licensees would address the reevaluated hazard information in their mitigation strategies. Proposed requirements related to the MSA were included in the draft final MBDBE rule, but were removed as a requirement from the final approved rule language. The Commission's direction in SRM-M190124A (Reference 1.14) makes clear that the NRC will continue to follow a site-specific approach to resolve the interactions between the hazard reevaluation and mitigation strategies using information gathered in the 50.54(f) letter process.

In a draft discussion paper (Reference 1.18) used to support a Category 3 public meeting held on February 28, 2019 (Reference 1.19), the NRC staff outlined the process to be used to review the reevaluated hazard and MSA information provided by licensees considering the differences between the draft final MBDBE rule and the approved final MBDBE rule. Subsequently, the NRC staff provided a screening letter (also called a "binning" letter) for both seismic and flooding information (References 5.22 and 6.25), which categorized sites based on available information and the status of any commitments made in prior reports and assessments. The

majority of MSAs had been submitted and evaluated by the staff prior to the issuance of the binning letters. For the MSA reviews that had not yet been completed, or MSAs that had not yet been submitted, the staff would evaluate the hazard impacts on the mitigation strategies, as appropriate, as part of its review of SPRA reports, flooding FEs, and/or flooding integrated assessments.

The objective of the MSA is to determine whether the mitigation strategies developed for Order EA-12-049 can still be implemented given the reevaluated hazard levels. If it was determined that the mitigation strategies could not be implemented for the reevaluated hazard levels, the MSA could provide other options such as performing additional evaluations, modifying existing mitigating strategies, or developing alternate mitigating strategies or targeted hazard mitigating strategies to address the reevaluated hazard levels. In Revision 1 to JLD-ISG-2012-01, the NRC endorsed industry-developed guidance contained in Appendices G and H of Revision 2 to NEI 12-06 (Reference 7.5) for completing the MSAs. In Revision 2 to JLD-ISG-2012-01, the NRC endorsed the industry-developed guidance of NEI 12-06, Revision 4 (Reference 7.5). Revision 4 of NEI 12-06, among other changes, provides additional guidance in Section H.4.5 for the performance of seismic MSAs for plants with reevaluated seismic hazard information that includes a GMRS that has spectral ordinates greater than twice the plant's SSE anywhere in the frequency range of 1 to 10 Hertz. Diablo Canyon used the guidance in Section H.4.5 to complete the seismic MSA.

The licensee completed both a flood hazard MSA (Reference 7.6) and a seismic hazard MSA (Reference 7.8) for Diablo Canyon. The NRC performed a regulatory audit for the flooding MSA (Reference 7.10) and the audit results are documented in the flooding MSA staff assessment (Reference 7.7). The audit process was not used for the seismic MSA. The NRC staff reviewed the flooding MSA submittal and issued a staff assessment (References 7.7) documenting its review. The NRC staff concluded that the licensee has demonstrated that the mitigation strategies appropriately address the reevaluated flooding hazard conditions. As discussed in the flooding binning letter (Reference 6.26), the staff re-visited this conclusion considering the final approved MBDBE rule. The staff confirmed that the conclusions in the flooding MSA staff assessment continue to support a determination that no further regulatory actions are required for the flooding hazard reviews.

As noted in the seismic hazard binning letter (Reference 5.22), the staff suspended its review of certain seismic MSA submittals, including the MSA for Diablo Canyon. For the reviews not yet completed (such as Diablo Canyon), the staff evaluated the mitigation strategies as part of its review of the SPRA report (Reference 5.21). Based on the results and risk insights of the SPRA report, combined with the results of the SFP evaluation (Reference 5.21), the NRC staff concluded that no further response or regulatory actions were required related to the seismic hazard reevaluation activities requested by Enclosure 1 of the 50.54(f) letter.

Walkdowns (Enclosures 3 and 4 of the 50.54(f) letter)

Enclosures 3 and 4 of the 50.54(f) letter requested that licensees perform plant walkdowns to verify compliance with the current licensing basis as it pertains to seismic and flood protection. By letter dated May 31, 2012 (Reference 8.2), the NRC endorsed industry-developed guidance contained in Technical Report EPRI 1025286, "Seismic Walkdown Guidance" (Reference 8.1), for the performance of the seismic walkdowns. By letter dated May 31, 2012 (Reference 9.2), the NRC endorsed industry-developed guidance contained in NEI 12-07, "Guidelines for Performing Verification Walkdowns of Plant Flood Protection Features" (Reference 9.1), for performance of the flooding walkdowns. The licensee provided a report for both the seismic

and flooding walkdowns at Diablo Canyon (References 8.3 and 9.3). The NRC performed onsite inspections per TI 2515/188, “Inspection of Near-Term Task Force Recommendation 2.3 Seismic Walkdowns,” and TI 2515/187, “Inspection of Near-Term Task Force Recommendation 2.3 Flooding Walkdowns,” and documented the inspection results in a quarterly integrated inspection report (References 8.4 and 9.4). The NRC staff issued staff assessments for both the seismic and flooding walkdowns (References 8.6 and 9.5). Because there were inaccessible items identified during the initial licensee seismic walkdowns, the licensee submitted a subsequent seismic walkdown report after accessing the areas (Reference 8.5). The NRC documented its review of the Unit 2 subsequent walkdown report in the staff assessment (Reference 8.6). The Unit 1 subsequent walkdown report was reviewed as noted in a memo dated September 25, 2015 (Reference 8.7).

The NRC staff reviewed the information provided by the licensee and determined that sufficient information was provided to be responsive to Enclosures 3 and 4 of the 50.54(f) letter. The staff acknowledges that all seismic and flooding walkdown activities requested by the 50.54(f) letter have been completed for Diablo Canyon.

Communications and Staffing (Enclosure 5 of the 50.54(f) letter)

Enclosure 5 of the 50.54(f) letter requested licensees to assess their means to power equipment needed to communicate onsite and offsite during a prolonged station blackout event and to identify and implement enhancements to ensure that communications can be maintained during such an event. Also, licensees were requested to assess the staffing required to fill all necessary positions to respond to a multiunit event with impeded access to the site, or to an extended loss of all ac power for single unit sites. Licensees were requested to submit a written response to the information requests within 90 days, or provide a response within 60 days and describe an alternative course of action and estimated completion dates. The licensee proposed an alternative course of action and schedule for Diablo Canyon (Reference 10.2), which included a 90-day partial response (Reference 10.3). The NRC acknowledged the schedule changes in a letter dated July 26, 2012 (Reference 10.4).

By letter dated May 15, 2012, the NRC endorsed industry-developed guidance contained in NEI 12-01, “Guideline for Assessing Beyond Design Basis Accident Response Staffing and Communications Capabilities” (Reference 10.1), for the performance of the communications and staffing assessments. The licensee provided the communications assessment and implementation schedule for Diablo Canyon (Reference 10.5), and the NRC completed a staff assessment of the licensee’s communications assessment (Reference 10.6).

Licensees responded to the staffing portion of the 50.54(f) letter in two phases to account for the implementation of mitigation strategies. Phase 1 staffing assessments were based on the existing station blackout coping strategies with an assumption of all reactors at the site being affected concurrently. The Phase 1 staffing assessment is required for multiunit sites and was completed for Diablo Canyon (Reference 10.7). In Phase 2, all licensees assessed the staffing necessary to carry out the mitigation strategies (Reference 10.9). The NRC staff issued staffing assessment response letters (References 10.8 and 10.10) for each submittal. The NRC performed an onsite inspection using TI 2515/191 to verify that the emergency communications and staffing plans at Diablo Canyon have been implemented as described by the licensee (Reference 10.11).

Proposed Regulatory Guide 1.228 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML16218A236) was expected to endorse, with clarifications,

NEI 12-01, NEI 13-06, “Enhancements to Emergency Response Capabilities for Beyond-Design-Basis Events and Severe Accidents” (Reference 11.16), and NEI 14-01, “Emergency Response Procedures and Guidelines for Beyond-Design-Basis Events and Severe Accidents” (Reference 11.7). However, the final MBDBE rule’s language was revised to remove these requirements from the rule. The NRC staff canceled proposed Regulatory Guide 1.228 to reflect the approved changes in the final rule. The NRC will oversee the licensee’s implementation of communications and staffing plans which support the mitigation strategies requirements through the ROP.

The NRC staff reviewed the information provided by the licensee and determined that sufficient information was provided to be responsive to Enclosure 5 of the 50.54(f) letter. The staff acknowledges that all emergency preparedness communications and staffing activities requested by Enclosure 5 of the 50.54(f) letter have been completed for Diablo Canyon. No further information related to the communications and staffing assessments is required.

Additional Industry Commitments

Update and Maintain Severe Accident Management Guidelines

The NRC staff provided the proposed MBDBE rule to the Commission on April 30, 2015, in SECY-15-0065, “Proposed Rulemaking: Mitigation of Beyond-Design-Basis Events (RIN 3150-AJ49)” (Reference 11.1) and the Commission issued the SRM to SECY-15-0065 on August 27, 2015 (Reference 11.2). The Commission approved publication of the proposed rule subject to removal of the proposed requirements pertaining to the SAMGs. The Commission also directed the staff to update the ROP to explicitly provide periodic oversight of industry’s implementation of the SAMGs. By letter dated October 26, 2015 (Reference 11.3), NEI described the industry initiative, approved by the Nuclear Strategic Issues Advisory Committee as mandatory for all NEI members, to update and maintain the SAMGs. Specifically, each licensee will perform timely updates of their site-specific SAMGs based on revisions to generic severe accident technical guidelines. Licensees will also ensure that SAMGs are considered within plant configuration management processes. As noted in the NEI letter, the licensee provided a letter (Reference 11.4) to establish a site-specific regulatory commitment for Diablo Canyon.

In a letter to NEI dated February 23, 2016 (Reference 11.5), the staff outlined its approach for making changes to the ROP in accordance with the Commission direction. The staff engaged NEI and other stakeholders to identify the near-term and long-term changes to the ROP, consistent with the Commission direction and the licensees’ near-term and long-term SAMG commitments. In November 2016, the staff revised Inspection Procedure (IP) 71111.18, “Plant Modifications” (Reference 11.6, effective January 1, 2017), to provide oversight of the initial inclusion of SAMGs within the plant configuration management processes to ensure that the SAMGs reflect changes to the facility over time. In November 2018, the staff published a revision to IP 71111.18 (Reference 11.6, effective January 1, 2019) to provide oversight of the site-specific incorporation of generic owner’s groups SAMG guidance revisions.

Multiunit/Multisource Dose Assessments

In COMSECY-13-0010, “Schedule and Plans for Tier 2 Order on Emergency Preparedness for Japan Lessons Learned,” dated March 27, 2013 (Reference 11.13), the NRC staff requested Commission approval to implement the NTTF recommendation concerning multiunit/multisource dose assessments by having licensees document their commitment to obtain

multiunit/multisource dose assessment capability by the end of 2014, rather than by issuing an order. Multiunit dose assessment capabilities would be made generically applicable through subsequent rulemaking. The Commission approved the staff's requests in the SRM to COMSECY-13-0010, dated April 30, 2013 (Reference 11.14). The licensee commitments are documented in References 11.8 through 11.11.

The NRC staff included the multiunit/multisource dose assessment requirement in the proposed MBDBE rulemaking (Reference 11.1). However, in response to a public comment concerning the 10 CFR 50.109 backfitting justification for the proposed multiple source term dose assessment requirements, the NRC staff determined that this requirement did not meet the criteria for imposition under 10 CFR 50.109(a)(4)(ii). The NRC staff also concluded that this could not be justified as a compliance backfit or as a substantial safety improvement whose costs, both direct and indirect, would be justified considering the potential safety gain. Therefore, these requirements were removed from the draft final rule (Reference 1.13).

The licensee provided the requested information and stated that Diablo Canyon will have multiunit/multisource dose assessment capabilities (Reference 11.11) by December 31, 2014. The NRC acknowledged the licensee's submittal (Reference 11.12), verified the implementation of these dose assessment capabilities through inspection per TI 2515/191, and issued an inspection report (Reference 11.15).

CONCLUSION

The NRC staff concludes that Pacific Gas and Electric Company, the licensee, has implemented the NRC-mandated safety enhancements resulting from the lessons learned from the Fukushima Dai-ichi accident through its implementation of Orders EA-12-049 and EA-12-051 at Diablo Canyon. The staff further concludes that the licensee has completed its response to the 50.54(f) letter for Diablo Canyon. No further regulatory decisionmaking is required for Diablo Canyon related to the Fukushima lessons-learned.

A listing of the applicable correspondence related to the Fukushima lessons-learned activities for Diablo Canyon is included as an enclosure to this letter.

If you have any questions, please contact me at 301-415-2621 or by e-mail at Robert.Bernardo@nrc.gov.

Sincerely,

/RA/

Robert J. Bernardo, Project Manager
Integrated Program Management
and BDB Branch
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-275 and 50-323

Enclosure:
Documents Related to Required
Response

cc w/encl: Distribution via Listserv

Reference Documents Related to Required Response to the Lessons Learned from the Fukushima Dai-ichi Accident

TABLE 1
Initial Actions in Response to the Events in Japan Caused by the Great Tōhoku Earthquake and Subsequent Tsunami

Ref	Document	Date	ADAMS[2] Accession No.
1.1	NRC Information Notice 2011-05	March 18, 2011	ML110760432
1.2	NRC Follow-up to the Fukushima Dai-ichi Fuel Damage Event		
	Temporary Instruction (TI) 2515/183	March 23, 2011	ML11077A007
	NRC TI 2515/183 Inspection Report 2011-006	May 13, 2011	ML11133A310
	NRC Integrated Inspection Report 2011-003 (TI 2515/183 closeout)	August 10, 2011	ML112220428
	Summary of Observations – TI-183	November 28, 2011	ML11325A020
1.3	NRC Tasking Memorandum, Staff Requirements Memorandum (SRM) to COMGBJ-11-0002	March 23, 2011	ML110820875
1.4	NRC Availability and Readiness Inspection of SAMG		
	NRC Availability and Readiness Inspection of SAMG - TI 2515/184	April 29, 2011	ML11115A053
	NRC Integrated Inspection Report 2011-003 (TI 2515/184 inspection results)	August 10, 2011	ML112220428
	NRC TI 2515/184 Inspection Results, Region 4 Summary	May 26, 2011	ML111470264
	NRC Summary of TI 2515/184 Results	June 6, 2011	ML11154A109
1.5	NRC Bulletin 2011-01, “Mitigating Strategies”		
	NRC Bulletin 2011-01	May 11, 2011	ML111250360
	Licensee 30 day response to BL 2011-01	June 10, 2011	ML111640426
	Licensee 60 day response to BL 2011-01	July 11, 2011	ML111930165
	NRC Request for Additional Information (RAI) regarding Licensee 60 day response to BL 2011-01	November 28, 2011	ML113260090
	Licensee response to RAI	December 21, 2011	ML113570168
	NRC Closeout of BL 2011-01 for PG & E	June 18, 2012	ML12164A536
1.6	NRC NTTF Report (SECY-11-0093)	July 12, 2011	ML11186A950

[2] Agencywide Documents Access and Management System (ADAMS)

TABLE 1
Initial Actions in Response to the Events in Japan Caused by the Great Tōhoku Earthquake and Subsequent Tsunami

Ref	Document	Date	ADAMS[2] Accession No.
1.7	NRC SECY-11-0137, Prioritization of Recommended Actions to Be Taken in Response to Fukushima Lessons Learned		
	NRC SECY-11-0137	October 3, 2011	ML11272A111
	SRM-SECY-11-0137	December 15, 2011	ML113490055
1.8	NRC Order EA-12-049	March 12, 2012	ML12054A735
1.9	NRC Order EA-12-050	March 12, 2012	ML12054A694
1.10	NRC Order EA-12-051	March 12, 2012	ML12054A679
1.11	NRC Request for Information Under 10 CFR 50.54(f) (the 50.54(f) letter)	March 12, 2012	ML12053A340
1.12	NRC Order EA-13-109	June 6, 2013	ML13143A321
1.13	NRC SECY-16-0142, “Draft Final Rule: Mitigation of Beyond-Design-Basis Events”	December 15, 2016	ML16301A005
1.14	SRM-M190124A: Affirmation Session-SECY-16-0142: Final Rule: Mitigation of Beyond-Design-Basis Events (RIN 3150-AJ49) - Package	January 24, 2019	ML19023A038
1.15	Final Rule: Mitigation of Beyond-Design-Basis Events (Package)	August 9, 2019	ML19058A006
1.16	Regulatory Guide 1.226, Revision 0, Flexible Mitigation Strategies for Beyond-Design-Basis Events	June 30, 2019	ML19058A012
1.17	Regulatory Guide 1.227, Revision 0, Wide Range Spent Fuel Pool Level Instrumentation	June 30, 2019	ML19058A013
1.18	NRC Staff Preliminary Process for Treatment of Reevaluated Seismic and Flooding Hazard Information in Backfit Determinations	February 14, 2019	ML19037A443
1.19	Category 3 Public Meeting to Discuss Staff's Preliminary Process for Treatment of Reevaluated Seismic and Flooding Hazard Information in Backfit Determinations	February 14, 2019	ML19052A511

TABLE 2
Order Modifying Licenses with Regard to Requirements for Mitigation Strategies for Beyond-Design-Basis External Events – EA-12-049

Ref	Document	Date	ADAMS Accession No.
2.1	Guidance for Compliance with EA-12-049 - Diverse and Flexible Coping Strategies (FLEX)		
	Industry Guidance on Diverse and Flexible Coping Strategies (FLEX) NEI 12-06, Revision 0	August 21, 2012	ML12242A378
	NRC endorsement of NEI 12-06, Revision 0 - JLD-ISG-2012-01, Revision 0	August 29, 2012	ML12229A174
	Industry Guidance on Diverse and Flexible Coping Strategies (FLEX) NEI 12-06, Revision 2	December 2015	ML16005A625
	NRC endorsement of NEI 12-06, Revision 2 - JLD-ISG-2012-01, Revision 1	January 22, 2016	ML15357A163
2.2	Licensee Overall Integrated Plan (OIP)		
	Licensee OIP submittal	February 27, 2013	ML13059A501
	OIP 1st six month status report	August 22, 2013	ML13235A097
	OIP 2nd six month status report	February 26, 2014	ML14058A221
	OIP 3rd six month status report	August 21, 2014	ML14233A636
	OIP 4th six month status report	February 23, 2015	ML15054A628
	OIP 5th six month status report	August 26, 2015	ML15238B884
	OIP 6th six month status report	February 29, 2016	ML16060A510
2.3	NRC Interim Staff Evaluation of OIP	February 3, 2014	ML13364A192
2.4	NRC audit of EA-12-049 OIP		
	NRC Notification of Audit of EA-12-049	August 28, 2013	ML13234A503
	NRC Site-Specific Audit Plan	July 20, 2015	ML15189A338
	NRC Audit Report	October 30, 2015	ML15289A370
2.5	Licensee Compliance Letter for EA-12-049 and Final Integrated Plan (FIP)		
	Licensee Compliance Letter for Unit 1	January 5, 2016	ML16005A638
	Licensee Compliance Letter for Unit 2 and FIP for Units 1 and 2	July 28, 2016	ML16221A390
2.6	NRC Safety Evaluation of Implementation of EA-12-049	December 28, 2016	ML16349A386
2.7	NRC Inspection of Licensee Responses to EA-12-049, EA-12-051, and Emergency Preparedness Information		
	NRC TI 2515/191	December 23, 2015	ML15257A188
	NRC TI 2515/191 Inspection Report 2017-007	January 24, 2018	ML18025A000
2.8	Industry White Paper – National SAFER Response Centers (NSRC)	September 11, 2014	ML14259A221
2.9	NRC Staff Assessment of NSRCs	September 26, 2014	ML14265A107

TABLE 2
Order Modifying Licenses with Regard to Requirements for Mitigation Strategies for Beyond-Design-Basis External Events – EA-12-049

Ref	Document	Date	ADAMS Accession No.
2.10	NRC Inspection of Implementation of EA-12-049 Regarding the use of NSRC		
	NRC Inspection Procedure (IP) 43006	September 30, 2016	ML16273A318
	NRC Vendor Inspection of the Phoenix NSRC Report No. 99901013/2016-201	January 12, 2017	ML17012A186
	NRC Vendor Inspection of the Memphis NSRC Report No. 99901013/2017-201	May 5, 2017	ML17117A576
2.11	Addenda I and II to industry NSRC white paper	May 24, 2018	ML18150A658
2.12	NRC Updated Staff Assessment of NSRCs	September 20, 2018	ML18157A014

TABLE 3 Order Modifying Licenses with Regard to Reliable Spent Fuel Pool Instrumentation – EA-12-051			
Ref	Document	Date	ADAMS Accession No.
3.1	Guidance for Compliance with EA-12-051 – Spent Fuel Pool Instrumentation (SFPI)		
	Industry Guidance for Compliance with EA-12-051 – NEI 12-02, Revision 1	August 2012	ML12240A307
	NRC endorsement of NEI 12-02, Revision 1 - JLD-ISG-2012-03, Revision 0	August 29, 2012	ML12221A339
3.2	Licensee Overall Integrated Plan (OIP)		
	Licensee OIP	February 27, 2013	ML13059A500
	NRC RAI	July 3, 2013	ML13178A364
	Licensee response to RAI	July 18, 2013	ML13200A123
	OIP 1st six month status report	August 22, 2013	ML13235A103
	OIP 2nd six month status report	February 26, 2014	ML14058A222
	OIP 3rd six month status report	August 21, 2014	ML14233A637
	OIP 4th six month status report	February 23, 2015	ML15054A642
	OIP 5th six month status report	August 26, 2015	ML15238B883
3.3	NRC Interim Staff Evaluation (ISE) of OIP		
	NRC ISE and RAI	November 25, 2013	ML13311B362
	Licensee response to RAI	February 26, 2014	ML14058A222
3.4	NRC Audit of EA-12-051		
	NRC Notification of Audit of EA-12-051	March 26, 2014	ML14083A620
	NRC Audit Report of Westinghouse SFPI design specifications	August 18, 2014	ML14211A346
	NRC Site-Specific Audit Plan	July 20, 2015	ML15189A338
	NRC Audit Report	October 30, 2015	ML15289A370
3.5	Licensee Compliance Letter for EA-12-051	January 5, 2016	ML16005A637
3.6	NRC Safety Evaluation of Implementation of EA-12-051	December 28, 2016	ML16349A386
3.7	NRC Inspection of Licensee Responses to EA-12-049, EA-12-051, and Emergency Preparedness Information		
	NRC TI 2515/191	December 23, 2015	ML15257A188
	NRC TI 2515/191 Inspection Report 2017-007	January 24, 2018	ML18025A000

Note: Table 4 relates to the Hardened Containment Vent System and is not applicable to Diablo Canyon

TABLE 5
Request for Information under Title 10 of the *Code of Federal Regulations*, Section 50.54(f), Enclosure 1: Recommendation 2.1 Seismic Hazard Reevaluation

Ref	Document	Date	ADAMS Accession No.
Guidance Documents			
5.1	Screening, Prioritization and Implementation Details (SPID)		
	Industry Guidance (SPID) – EPRI 1025287	November 2012	ML12333A170
	NRC letter endorsing SPID	February 15, 2013	ML12319A074
5.2	NRC guidance for performing a Seismic Margin Assessment (SMA) – JLD-ISG-2012-04	November 16, 2012	ML12286A029
5.3	Expedited Seismic Evaluation Process (ESEP)		
	Industry Letter – Proposed path forward for NTTF Recommendation 2.1: Seismic	April 9, 2013	ML13101A345
	Industry Guidance – Expedited Seismic Evaluation Process (ESEP) - EPRI 3002000704	April 2013	ML13102A142
	NRC letter endorsing the ESEP approach. Extension of ESEP due date to 3/31/14 for Central and Eastern U.S. (CEUS) sites	May 7, 2013	ML13106A331
5.4	Industry letter on relay chatter review	October 3, 2013	ML13281A308
5.5	NRC letter with guidance on the content of seismic reevaluation submittals (includes operability and reportability discussions)	February 20, 2014	ML14030A046
5.6	Industry letter on seismic risk evaluations for CEUS plants – Not Applicable	March 12, 2014	ML14083A596
5.7	NRC background paper - Probabilistic seismic hazard analysis	May 20, 2014	ML14140A648
Seismic Hazard Screening Report			
5.8	Licensee SHSR and licensee responses to RAIs		
	Licensee SHSR	March 11, 2015	ML15071A046
	Response to RAIs dated 6/29/2015	August 12, 2015	ML15224B575
	Response to RAIs dated 8/27/2015	September 16, 2015	ML15259A600
	Response to RAIs dated 10/1/2015 and 11/13/2015	December 21, 2015	ML15362A569
5.9	NRC Staff Assessment of Reevaluated Seismic Hazard Information and NRC RAIs	December 21, 2016	ML16341C057
	NRC RAIs	June 29, 2015	ML15153A033
	NRC RAIs	August 27, 2015	ML15238B774
	NRC RAIs	October 1, 2015	ML15267A774
	NRC RAIs	November 13, 2015	ML15323A200
	NRC staff assessment of SHSR	December 21, 2016	ML16341C057
Screening and Prioritization Results			
5.10	NRC Letter - Seismic screening and prioritization results for WUS plants	May 13, 2015	ML15113B344
5.11	NRC Letter – Updated seismic screening and prioritization results – Not Applicable	October 3, 2014	ML14258A043

TABLE 5
Request for Information under Title 10 of the *Code of Federal Regulations*, Section 50.54(f), Enclosure 1: Recommendation 2.1 Seismic Hazard Reevaluation

Ref	Document	Date	ADAMS Accession No.
5.12	NRC letter regarding development of Seismic Risk Evaluations – suitability of updated seismic hazard information for assessments	December 10, 2014	ML14307B707
5.13	ESEP Submittal and Evaluation – Not Required. NRC response states that the LTSP is an acceptable alternative to ESEP	July 14, 2015	ML15173A428
Additional Guidance Documents			
5.14	High Frequency (HF) Application Guidance		
	Industry HF Application Guidance - EPRI 3002004396	July 30, 2015	ML15223A095
	NRC letter endorsing HF Application Guidance	September 17, 2015	ML15218A569
5.15	Spent Fuel Pool Evaluation Guidance		
	Industry SFP evaluation guidance – EPRI 3002007148	February 23, 2016	ML16055A017
	NRC letter endorsing SFP evaluation guidance	March 17, 2016	ML15350A158
5.16	NRC Letter - Treatment of Seismic and Flooding Hazard Reevaluations in the Design and Licensing Basis	September 29, 2015	ML15127A401
5.17	NRC Guidance for Regulatory Decisionmaking of seismic hazards	September 21, 2016	ML16237A103
Final Determinations of Required Seismic Evaluations			
5.18	NRC Final Determination of Required Seismic Evaluations	October 27, 2015	ML15194A015
5.19	Licensee Required Seismic Evaluation Submittals		
	Spent Fuel Pool Evaluation	December 18, 2017	ML17352A703
	Seismic Probabilistic Risk Assessment	April 24, 2018	ML18120A201
5.20	Audit plan of seismic evaluations submittals	July 6, 2017	ML17177A446
5.21	NRC Staff Assessment of Seismic Evaluations		
	Spent Fuel Pool Evaluation	August 8, 2018	ML18211A322
	SPRA Response Letter	January 22, 2019	ML18254A040
5.22	NRC Treatment of Reevaluated Seismic Hazard Information (seismic binning letter)	July 3, 2019	ML19140A307
NA	NRC approval of relaxation of SPRA due date from September 2017 to April 2018	October 23, 2017	ML17269A177

TABLE 6
Request for Information under Title 10 of the *Code of Federal Regulations*, Section 50.54(f), Enclosure 2: Recommendation 2.1 Flooding Hazard Reevaluation

Ref	Document	Date	ADAMS Accession No.
Initial Guidance Documents			
6.1	NRC prioritization of plants for completing flood hazard reevaluations	May 11, 2012	ML12097A509
6.2	NRC-issued guidance for performing an integrated assessment for external flooding (JLD-ISG-2012-05)	November 30, 2012	ML12311A214
6.3	NRC letter to industry describing when an integrated assessment is expected	December 3, 2012	ML12326A912
6.4	NRC-issued guidance for performing a tsunami, surge, or seiche hazard assessment (JLD-ISG-2012-06)	January 4, 2013	ML12314A412
6.5	NRC letter to industry with guidance on the content of flooding reevaluation submittals	March 1, 2013	ML13044A561
6.6	NRC-issued guidance for assessing flooding hazards due to dam failure (JLD-ISG-2013-01)	July 29, 2013	ML13151A153
Flood Hazard Reevaluation Report			
6.7	Licensee FHRR Submittal		
	FHRR Submittal	March 11, 2015	ML15071A045
	FHRR Revised Response	February 8, 2016	ML16040A009
6.8	FHRR Regulatory Audit		
	NRC FHRR Site-Specific Audit Plan	June 10, 2015	ML15148A207
	NRC FHRR Audit Report	December 1, 2016	ML16176A058
6.9	NRC Inspection of licensee interim actions (if applicable)		
	NRC TI 2515/190, Revision 1, Inspection of proposed interim actions as a result of FHRR	September 4, 2015	ML15176A790
	NRC TI 2515/190 inspection report 2015-003	November 13, 2015	ML15317A216
6.10	NRC Interim Staff Response to Reevaluated Flood Hazards	March 30, 2016	ML16083A552
6.11	NRC Staff Assessment of FHRR	December 18, 2017	ML17024A207
Modified Approach to Flood Hazard Reevaluations			
6.12	NRC extension of due dates for Integrated Assessment reports	November 21, 2014	ML14303A465
6.13	NRC COMSECY-14-0037, “Integration of Mitigating Strategies for Beyond-Design-Basis External Events and the Reevaluation of Flooding Hazards”	November 21, 2014	ML14309A256
6.14	NRC SRM for COMSECY-14-0037	March 30, 2015	ML15089A236
6.15	NRC letter on second extension of due date for flooding integrated assessment reports	May 26, 2015	ML15112A051
6.16	NRC COMSECY-15-0019 “Closure Plan for the Reevaluation of Flooding Hazards”	June 30, 2015	ML15153A104
6.17	NRC SRM-COMSECY-15-0019	July 28, 2015	ML15209A682

TABLE 6
Request for Information under Title 10 of the *Code of Federal Regulations*, Section 50.54(f), Enclosure 2: Recommendation 2.1 Flooding Hazard Reevaluation

Ref	Document	Date	ADAMS Accession No.
6.18	NRC letter describing the graded approach to flood hazard reevaluation directed by SRM-COMSECY-14-0037	September 1, 2015	ML15174A257
6.19	Flooding Assessment Guidance		
	NEI 16-05, "External Flooding Assessment Guidelines"	June 2016	ML16165A178
	NRC endorsement of NEI 16-05 - JLD-ISG-2016-01	July 11, 2016	ML16162A301
6.20	Licensee Focused Evaluation	July 19, 2017	ML17200D161
6.21	NRC Staff Assessment of Focused Evaluation	December 18, 2017	ML17328A249
6.22	NRC Generic FE and IA Regulatory Audit Plan	July 18, 2017	ML17192A452
6.23	NRC Letter - Treatment of Seismic and Flooding Hazard Reevaluations in the Design and Licensing Basis	September 29, 2015	ML15127A401
6.24	NRC Guidance for Regulatory Decisionmaking of reevaluated flooding and seismic hazards	September 21, 2016	ML16237A103
6.25	NRC Treatment of Reevaluated Flooding Hazard Information (flooding binning letter)	August 20, 2019	ML19067A247

TABLE 7
Mitigating Strategies Assessments (MSA)

Ref	Document	Date	ADAMS Accession No.
7.1	NRC COMSECY-14-0037, Integration of Mitigating Strategies with Hazard Reevaluations	November 21, 2014	ML14309A256
7.2	NRC SRM-COMSECY-14-0037	March 30, 2015	ML15089A236
7.3	NRC COMSECY-15-0019, Closure Plan for Flooding Hazard Reevaluations	June 30, 2015	ML15153A104
7.4	NRC SRM-COMSECY-15-0019	July 28, 2015	ML15209A682
7.5	Process for Mitigating Strategies Assessments (MSA)		
	Industry Guidance for performing MSAs - NEI 12-06, Revision 2, including Appendices E, G, & H	December 2015	ML16005A625
	NRC endorsement of NEI 12-06, Revision 2 - JLD-ISG-2012-01, Revision 1	January 22, 2016	ML15357A163
	Industry Guidance for performing MSAs - NEI 12-06, Revision 4	December 12, 2016	ML16354B416
	NRC endorsement of NEI 12-06, Revision 2 - JLD-ISG-2012-01, Revision 1	February 8, 2017	ML17005A182
7.6	Licensee's MSA submittal - Flooding	April 6, 2017	ML17096A766
7.7	NRC Staff Assessment of MSA - Flooding	December 18, 2017	ML17321B040
7.8	Licensee's MSA submittal – Seismic	April 24, 2018	ML18120A119
7.9	NRC Staff Assessment of MSA - Seismic	Not Required	Not Required
7.10	NRC MSA Audit Plan	December 5, 2016	ML16259A189

TABLE 8
Request for Information under Title 10 of the *Code of Federal Regulations*, Section 50.54(f), Enclosure 3: Recommendation 2.3 Seismic Walkdown

Ref	Document	Date	ADAMS Accession No.
8.1	Industry Seismic Walkdown Guidance with NRC endorsement letter - EPRI 1025286	May 31, 2012	ML12188A031
8.2	NRC letter endorsing EPRI 1025286	May 31, 2012	ML12145A529
8.3	Licensee Seismic Hazard Walkdown Report		
	Licensee Seismic Hazard Walkdown Report Package, Unit 1	November 27, 2012	ML123330362
	Licensee Seismic Hazard Walkdown Report Package, Unit 2	November 27, 2012	ML123330375
	Licensee response to NRC RAIs	December 2, 2013	ML13337A449
8.4	NRC Inspection of Seismic Walkdowns		
	NRC TI 2515/188	July 6, 2012	ML12156A052
	NRC Integrated Inspection Report 2013-003 (TI 2515/188 inspection results)	August 12, 2013	ML13224A314
8.5	Licensee subsequent seismic walkdown report		
	NRC RAI	November 1, 2013	ML13304B418
	Subsequent walkdown report, Unit 1	May 8, 2014	ML14129A001
	Subsequent walkdown report, Unit 2	May 22, 2013	ML13143A168
8.6	NRC Staff Assessment of Seismic Walkdown Report		
	NRC RAI	November 1, 2013	ML13304B418
	NRC Staff Assessment (includes subsequent walkdown items for Unit 2)	March 14, 2014	ML14070A050
8.7	NRC review of seismic subsequent walkdown report for Unit 1	September 25, 2015	ML15268A477

TABLE 9
Request for Information under Title 10 of the *Code of Federal Regulations*, Section 50.54(f), Enclosure 4: Recommendation 2.3 Flooding Walkdown

Ref	Document	Date	ADAMS Accession No.
9.1	Industry Flooding Walkdown Guidance - NEI 12-07	May 31, 2012	ML12173A215
9.2	NRC letter endorsing NEI 12-07	May 31, 2012	ML12144A142
9.3	Licensee Flooding Hazard Walkdown Report		
	Flooding Hazard Walkdown Report	November 27, 2012	ML12333A145
	Update to Flooding Hazard Walkdown Report – APM Assessment	January 29, 2014	ML14029A702
9.4	NRC Inspection of Flooding Walkdowns		
	NRC TI 2515/187	June 27, 2012	ML12129A108
	NRC Integrated Inspection Report 2013-003 (TI 2515/187 inspection results)	August 12, 2013	ML13224A314
9.5	NRC Staff Assessment of Flooding Walkdown Report	June 23, 2014	ML14136A194

TABLE 10
Request for Information under Title 10 of the *Code of Federal Regulations*, Section 50.54(f), Enclosure 5: Recommendation 9.3 Emergency Preparedness Communications and Staffing

Ref	Document	Date	ADAMS Accession No.
10.1	Guidance Documents		
	Industry Guidance for Emergency Preparedness staffing and communications - NEI 12-01	May 2012	ML12125A412
	NRC letter endorsing NEI 12-01	May 15, 2012	ML12131A043
10.2	PG&E 60 day response and proposed alternative course of action	May 9, 2012	ML12131A410
10.3	PG&E 90 day response to communications and staffing information requests	June 7, 2012	ML12160A298
10.4	NRC letter – status of 90-day response	July 26, 2012	ML12200A106
10.5	Licensee communications assessment		
	Licensee communications assessment	October 29, 2012	ML12305A427
	NRC letter on generic technical issues	January 23, 2013	ML13010A162
	Licensee communications assessment supplement	February 21, 2013	ML13053A203
10.6	NRC staff assessment of licensee's communications assessment	June 6, 2013	ML13154A007
10.7	Licensee Phase 1 staffing assessment (multi-unit sites only)	April 24, 2013	ML13115A083
10.8	NRC response to licensee's Phase 1 staffing assessment	October 23, 2013	ML13233A183
10.9	Licensee Phase 2 staffing assessment submittal (Non-public)	May 27, 2015	ML15147A679
10.10	NRC Phase 2 staff assessment response	September 9, 2015	ML15231A322
10.11	NRC Inspection of Licensee Responses to EA-12-049, EA-12-051, and Emergency Preparedness Information		
	NRC TI 2515/191	December 23, 2015	ML15257A188
	NRC TI 2515/191 Inspection Report 2017-007	January 24, 2018	ML18025A000

TABLE 11
Additional Licensee Commitments – SAMGs and Multisource Dose Assessments

Ref	Document	Date	ADAMS Accession No.
Update and Maintain SAMGs			
11.1	SECY-15-0065: Proposed Rulemaking: Mitigation of Beyond-Design-Basis Events (RIN 3150-AJ49)	April 30, 2015	ML15049A201
11.2	SRM-SECY-15-0065	August 27, 2015	ML15239A767
11.3	NEI Letter describing industry initiative to update and maintain SAMGs	October 26, 2015	ML15335A442
11.4	Site Commitment to Maintain SAMGs	December 28, 2015	ML15362A521
11.5	NRC letter to NEI describing approach to SAMG oversight	February 23, 2016	ML16032A029
11.6	NRC Inspection Procedure 71111.18, "Plant Modifications"		
	Revision effective January 1, 2017	November 17, 2016	ML16306A185
	Revision effective January 1, 2019	November 19, 2018	ML18176A157
11.7	NEI 14-01, "Emergency Response Procedures and Guidelines for Extreme Events and Severe Accidents, Rev. 1	February 2016	ML16224A619
Multisource Dose Assessments			
11.8	NEI Letter: Industry survey and plan for multiunit dose assessments	January 28, 2013	ML13028A200
11.9	NRC Letter to request additional information from NEI on multiunit dose assessment capability	February 27, 2013	ML13029A632
11.10	NEI Letter: Implementation of Multiunit Dose Assessment Capability	March 14, 2013	ML13073A522
11.11	Licensee Response Regarding the Capability to Perform Multisource Offsite Dose Assessment	June 26, 2013	ML13178A027
11.12	NRC Acknowledgement of Licensee Dose Assessment Submittals	January 29, 2014	ML13233A205
11.13	COMSECY-13-0010	March 27, 2013	ML12339A262
11.14	SRM-COMSECY-13-0010	April 30, 2013	ML13120A339
11.15	NRC Inspection of Licensee Responses to EA-12-049, EA-12-051, and Emergency Preparedness Information		
	NRC TI 2515/191	December 23, 2015	ML15257A188
	NRC TI 2515/191 Inspection Report 2017-007	January 24, 2018	ML18025A000
11.16	NEI 13-06, "Enhancements to Emergency Reponses Capabilities for Beyond Design Basis Accidents and Events, Rev. 1	February 2016	ML16224A618

TABLE 12
NRC Semi-Annual Status Reports to the Commission

Ref	Document	Date	ADAMS Accession No.
12.1	SECY-12-0025, Enclosure 8, "Proposed Orders and Requests for Information in Response to Lessons Learned from Japan's March 11, 2011, Great Tōhoku Earthquake and Tsunami"	February 17, 2012	ML12039A103
12.2	SECY-12-0095 - Enclosure 1: Six-Month Status Update on Charter Activities - February 2012 - July 2012	July 13, 2012	ML12165A092
12.3	SECY-13-0020 - Third 6-Month Status Update on Response to Lessons Learned from Japan's March 11, 2011, Great Tōhoku Earthquake and Subsequent Tsunami	February 14, 2013	ML13031A512
12.4	SECY-13-0095 - Fourth 6-Month Status Update on Response to Lessons Learned from Japan's March 11, 2011, Great Tōhoku Earthquake and Subsequent Tsunami	September 6, 2013	ML13213A304
12.5	SECY-14-0046 - Fifth 6-Month Status Update on Response to Lessons Learned from Japan's March 11, 2011, Great Tōhoku Earthquake and Subsequent Tsunami	April 17, 2014	ML14064A520
12.6	SECY-14-0114 - Sixth 6-Month Status Update on Response to Lessons Learned from Japan's March 11, 2011, Great Tōhoku Earthquake and Subsequent Tsunami	October 21, 2014	ML14234A498
12.7	SECY-15-0059 - Seventh 6-Month Status Update on Response to Lessons Learned from Japan's March 11, 2011, Great Tōhoku Earthquake and Subsequent Tsunami	April 9, 2015	ML15069A444
12.8	SECY-15-0128: Eighth 6-Month Status Update on Response to Lessons Learned from Japan's March 11, 2011, Great Tōhoku Earthquake and Subsequent Tsunami	October 14, 2015	ML15245A473
12.9	SECY-16-0043: Ninth 6 Month Status Update on Response to Lessons Learned from Japan's March 11, 2011, Great Tōhoku Earthquake and Subsequent Tsunami	April 5, 2016	ML16054A255
12.10	SECY-17-0016: Status of Implementation of Lessons Learned from Japan's March 11, 2011, Great Tōhoku Earthquake and Subsequent Tsunami	January 30, 2017	ML16356A084

SUBJECT: DIABLO CANYON POWER PLANT, UNIT NOS. 1 AND 2 – DOCUMENTATION OF THE COMPLETION OF REQUIRED ACTIONS TAKEN IN RESPONSE TO THE LESSONS LEARNED FROM THE FUKUSHIMA DAI-ICHI ACCIDENT DATED MAY 8, 2020

DISTRIBUTION:

PUBLIC	RidsNrrLaSLent Resource	DWrona, NRR
LPMB R/F	RidsOgcMailCenter Resource	RBernardo, NRR
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RidsNrrDorlLpl4 Resource	RidsACRS_MailCTR Resource	
RidsNrrDorl Resource	RidsNrrDex Resource	
RidsNrrPMDiabloCanyon Resource	RidsRgn4MailCenter Resource	

ADAMS Accession No. ML20093B934 *Via e-mail

OFFICE	NRR/DORL/LPMB/PM*	NRR/DANU/UARL/LA*	NRR/DORL/LPMB/BC	NRR/DORL/LPMB/PM
NAME	RBernardo	SLent	DWrona	RBernardo
DATE	04/01/2020	04/03/2020	05/05/2020	05/08/2020

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SIERRA CLUB
SANTA LUCIA

SURFRIDER
FOUNDATION
SAN LUIS OBISPO CHAPTER

12/6/21

County of San Luis Obispo Planning & Building, Room 300
Attention: S. Strachan
976 Osos Street
San Luis Obispo, CA 93408

Re: Notice of Preparation for the preparation of an Environmental Impact Report for the DCPP Decommissioning Project.

Dear Ms. Strachan,

The Sierra Club is the nation's oldest and largest grassroots environmental organization. The Santa Lucia Chapter represents the more than 2,000 members of the Sierra Club in San Luis Obispo County. Surfrider is a non-profit organization that works to protect our ocean, waves, and beaches for the enjoyment of all people through a powerful community-based network. We request that all scoping comments received on this project be forwarded to California Coastal Commission staff. According to the timeline presented by PG&E at the November DCEP meeting, the applicant intends to pursue a CDP concurrently with the decommissioning application to the County, and the CCC has jurisdiction under Coastal Act Section 30601.

Once Through Cooling (OTC) will be used to cool the SFP until the material is transferred to casks for storage.[i] It is not defined in the Project Description whether OTC will end by 2031 or in Phase 2, projected to end in 2039.[ii] Phase 1 is covered and mitigated under a project EIR; phase 2 is planned as a programmatic EIR with mitigation deferred until implementation in Phase 2. In either case, a waiver or new permit will need to be issued for OTC during Phase 1. Operation of OTC beyond the current permit, while necessary for the project, will require substantial mitigation. Mitigation measures must be imposed in the Phase 1 CDP process.

The EIR should review the permits and Conditions of Approval for DCPP received from the CCC to ensure that all Conditions of Approval (COAs) associated with the permits were fulfilled, including outstanding issues regarding conservation and trail COAs and terms of the permitting, e.g., ISFSI storage.[iii] While the ISFSI installation is a baseline condition, the permitting condition of approval was for temporary storage, hence the baseline condition is also perceived to be temporary. All indicators re-enforce the reality that on-site spent fuel storage will be permanent, and permanent storage violates the language and conditions of the original permit.

The ISFSI facility will experience a "**change in intensity of use** . . .." pursuant to Pub Res Code 30106, thereby triggering the CDP requirement. In addition, Special Condition 2 of the 2004 ISFSI permit uses an even lower standard for requiring a new or amended permit when "**changes not described in permit**

submittals" occur. The following changes, both separately and in aggregate, meet both standards for requiring a new/amended CDP for the ISFSI:

1. An increase in the term of expected use of the ISFSI from interim to indefinite and probably permanent.
2. Demolition of the rest of the facility that generated the waste, which turns the ISFSI into a stand-alone facility with no necessity to be on its current site.
3. Reduction of the security buffer zone from 12,000 acres to less than 100 acres, which would require significant new security structures and procedures.
4. Commencement of commercial activities immediately outside of the new 100-acre facility, which will have employees without security clearances, also increasing security risks.
5. An increase from 58 SNF storage cannisters to 138, which will max out and overcrowd the ISFSI, increasing various risks.
6. A new generation of dry storage casks to be stored in the ISFSI are designed to withstand higher heat levels, which increases risks. The current ISFSI permit is based on the existing casks. A new permit is necessary to determine if the existing ISFSI is adequate for storage of the new casks.

The entire decommissioning is dependent on the ISFSI becoming the permanent onsite storage facility. Although it requires a separate permit, that permit should be considered either before or concurrently with the decommissioning. The fuel stored in the ISFSI will increase by 200% and an entirely new GTCC waste facility will be built to store radioactive equipment waste. The two facilities must be permitted for these future uses prior to the demolition, or there will be no place to put this waste. The Coastal Act requires submittal of related permits simultaneously.

PG&E plans to develop and install an SFPI, which is an independent cooling system for the Spent Fuel Pools that enables abandonment of the in-place plant systems supporting SFP cooling. A new separate permit should be required for the SFPI.

Given the need for ongoing monitoring of both the ISFSI and the GTCC Waste Storage Facility, an inspection, monitoring and reporting program similar to the one required for the SONGs decommissioning is appropriate. These requirements are found in Coastal Commission permit 9-19-0194, Special Condition 3.3 Annual Reports, and Special Condition 7 Spill Prevention Control and Countermeasure Plan for the SONGS decommissioning. The County (for the GTCCWSF) and the CCC (for the ISFSI) should have the power to require inspection, maintenance, and annual reports. The Executive Director of the CCC and an appropriate officer of the County should have the power to require new or amended permits based on such reports.

The decommissioning process will require the permitting of a permanent storage facility on-site for GTCC waste material in appropriate casks.[iv] The DC ISFSI site-specific license SNM-2511 does not include GTCC waste material as part of the allowed contents of the DC ISFSI. Permanent storage of this highly radioactive material requires appropriate mitigation:

> "Currently, there is no offsite facility licensed for disposal of GTCC waste, nor are there any federal disposal facilities licensed to receive GTCC waste. Therefore, all GTCC waste must be packaged and stored at the site at which the waste was generated." However, the DC ISFSI site-specific license SNM-2511 does not include GTCC waste material as part of the allowed contents of the DC ISFSI[v]."

New industrial facilities are generally not permitted under the same permit as a demolition permit. In addition, the NRC requires a site-specific waste handling permit for the GTCC facility. The ISFSI has its own separate permit; the GTCC waste facility should as well. Although the GTCC facility is not in the Coastal Zone, the County should follow the precedent established by the CCC of providing perpetual conservation and coastal access easements as mitigation for Diablo permits. The Project Description is clear that there are significant risks attendant to permanent or very long-term storage of highly radioactive material on site. These kinds of storage will require significant commensurate mitigation measures. We do not see a means for proper mitigation for such long-term impacts within Parcel P A requirement for offsite mitigation in the form of permanent and irrevocable conservation easements on the surrounding lands is appropriate.

We note:

> Some segmentation waste may require onsite storage prior to disposal due to either activity levels or unexpected delays in transportation logistics. The materials classified as GTCC waste, will be loaded into storage containers and casks and transferred to the GTCC Waste Storage Facility for storage, remaining there until a licensed repository becomes available, another entity takes possession, or the U.S. Department of Energy (DOE) accepts the containers for offsite disposal. The remaining waste packages that may require on-site storage, including Class A, B and C waste, may also be placed for storage at the existing Old Steam Generator Storage Facility (OSGSF) or another existing onsite location. Storage would be for varying durations until such time that delays encountered during the transportation cycle have been resolved or radioactivity levels of the waste have been reduced to an acceptable level for offsite transport[vi].

We do not see a means for proper mitigation for the long-term impacts as described above within Parcel P. A requirement for offsite mitigation in the form of permanent and irrevocable conservation and access easements of North Ranch, Wild Cherry Canyon, and South Ranch are the only appropriate mitigation measures available. The Pecho Coast Trail should be extended along the coastal bluffs in South Ranch, Parcel P, and North Ranch to connect to the Pt. Buchon Trail. This will complete an essential link in the California Coastal Trail.

The Project Description anticipates that the County will be issuing certain ministerial permits, including grading permits, building permits, and demolition permits. The EIR should review impacts related to ministerial permits and mitigate possible impacts. Potential ministerial permits should be listed in the EIR for public review.

The EIR should review the impacts of these two project goals listed in 1.6. Project Objectives:

- retain existing energy-infrastructure (e.g., switchyards, transmission lines, etc.) to meet customer needs;
- create marine/harbor opportunities while protecting ecological resources through repurposing of the breakwater, Intake Structure, and associated harbor area.

Demolition projects unavoidably create impacts to air quality. While rigorous controls will be in place during the decommissioning including consultation with SLOAPCD tracking airborne asbestos, and other pollutants, the decommissioning of DCPP is a special circumstance with a potential for release of radiological particles. Several real time monitoring stations should be installed on site to detect airborne radiological particles. The data from the monitoring stations should be available for public review in real time. We have not seen any reference to monitoring radioactive particles[vii].

Section 2.3.3 Site Infrastructure Modifications lists several components deemed necessary for the decommissioning project. These modifications should be reviewed for impacts and possible redesign to alleviate negative impacts. We are particularly concerned about mitigating the impacts generated by new Concrete Batch Plants. There is extensive literature on the toxicity and environmental impacts of concrete operations, materials, and handling of concrete wash water from ready mix operations.

Stockpile areas should be reviewed and carefully sited, with particular attention paid to retaining any runoff from the stockpiled material in a rain event. Construction debris and contaminated soils could remain on site longer than anticipated if no depository is available. Soils and groundwater near stockpiles be monitored for migration of toxins from the piles.

Special review should be given to the engineering plan for the cofferdam and the restoration of the discharge structure area after demolition. Placement of riprap at the site has the potential for erosion of surrounding native cliff areas[viii].

The Project Description lists numerous facilities that are anticipated to be recipients of waste generated by the decommissioning process, and the anticipated impacts from truck trips etc. The EIR should consider the impacts of using alternatives sites if those sites listed will not be available to receive the waste, and the impacts if the waste should have to be stored for longer periods on site[ix].

Frequent rigorous monitoring and testing of fill materials engineered from crushed clean concrete and soils that will be used on site should be required.

The dismantling and segmentation of the most radioactive components of the facility will be done under water. We could not find a reference to how that water will be disposed of. Please include more information on this type of waste water disposal[x].

Is the groundwater aquifer capable of producing 95 ac/y (26 million gallons) when the decommissioning is at peak water use in 2032 and beyond? If necessary, the EIR should include an analysis of where additional imported water will come from. The Project Description identifies various toxins present in the groundwater. We request that the EIR analyze what effect the groundwater pumping might have on the quality of the groundwater when decommission and restoration are complete[xi].

Thank you for this opportunity to comment,

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[i] 2.3.5.2.3.6. Spent Fuel Island Installation/Auxiliary Saltwater System
The current configuration for SFP cooling utilizes the original once-through-cooling auxiliary saltwater system, component cooling water system, and the SFP cooling system. The existing once-

through cooling- auxiliary saltwater cooling system will remain in place as the method for SFP cooling until all spent nuclear fuel is transferred to the ISFSI.
2.3.5.2.3.6. Spent Fuel Island Installation/Auxiliary Saltwater System

[ii] 1.3. Project Components **...** (2) Phase 2: Final Site Restoration (2035
2032 through 20422039) and Independent Spent Fuel Storage Installation (ISFSI) Only Operations. Phase 1 includes decontamination and dismantling of structures, systems, and components, transfer of spent fuel from the spent fuel pool (SFP) to the ISFSI, soil remediation associated with Phase 2 activities,
Phase 1 - Pre-Planning and Decommissioning Project Activities (20254-203531) Spent Fuel Transfer to DC ISFSI

[iii] 1.5.2.1. California Coastal Commission

- In 1983, the CCC approved CDP No. A-4-82-593 for the Trainer/Simulator Building at the DCPP.
- In 2004, the CCC approved CDP No. A-3-SLO-04-035 for the construction and operation in perpetuity of the ISFSI at the DCPP site.
- In 2006, the CCC approved CDP No. E-06-011 and A-3-SLO-06-017 for the Steam Generator Replacement Project.

[iv] 2.3.18.2.3.19. Spent Nuclear Fuel and Greater Than Class C/Low-Level Radioactive Waste Management/Storage Table 2.1-1. Decommissioning Project Activities Summary

[v] *ibid*

[vi] 2.3.11.2.3.12. Reactor Pressure Vessel and Internals Removal and Disposal

[vii] Table 1.8-1. Anticipated Approvals and Authorizations for DCPP Decommissioning

[viii] 2.3.16.2.3.17. Discharge Structure Restoration

[ix] Table 2.3.20-1. Waste Transportation Trips Per Period; Table 2.3.20-2. Waste Transportation Tons Per Period; 2.3.19.2.2.3.20.2. Disposal Sites

[x] 2.3.11.2.3.12. Reactor Pressure Vessel and Internals Removal and Disposal

[xi] 2.3.23.1.2.3.24.1. Groundwater Remediation