



ALLIANCE FOR NUCLEAR RESPONSIBILITY

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ATTN: Chuck Anders, Facilitator
Diablo Canyon Decommissioning Engagement Panel

RE: Comments of the Alliance For Nuclear Responsibility

Dear Mr. Anders and Members of the Panel:

As requested by the DCDEP, the Alliance for Nuclear Responsibility (A4NR) is taking the opportunity to comment on the Public Review Draft of the ***A Strategic Vision by the Diablo Canyon Decommissioning Engagement Panel***, dated November 2018.

Our comments are divided into two sections. Part I requests clarification of certain terms and statements made in the Draft; Part II, more broadly, consists of three recommendations regarding the future of the DCDEP going forward.

Part I

All the items of our interest or concern are referenced by page number from the Draft paper.

Page 3-4:

Vision Statements

- The CPUC should continue the DCDEP at a minimum until cessation of operations of the DCCP

Recommendations

Diablo Canyon Decommissioning Engagement Panel

- Recommend that the CPUC formally expand the charter of the Diablo Canyon Independent Safety Committee (DCISC) to include any technical support that may be requested of them by the DCDEP

A4NR COMMENT:

With regard to the Vision Statement requesting the CPUC continuing the DCDEP “until cessation of operations at DCP,” A4NR disagrees. We will present a more detailed rationale in Part II of our comments.

With regard to the request that the CPUC formally expand the charter of the DCISC to include technical support, we do not believe this is necessary. At the combined DCISC and DCDEP meetings of October 24-25, 2018, members of the DCISC publicly offered their support and assistance to the DCDEP. Any work being undertaken at or about DCNPP during the remaining years of “operation” of the plant (including spent fuel management at the current time) already falls under the remit of the DCISC. A4NR has first-hand experience of the DCISC engaging with external stakeholders and conducting their own inquiries, as evidenced by the case of the tsunami study of Dr. Robert Sewell, which A4NR brought to the DCISC’s attention, and to which the DCISC followed up by commissioning their own evaluation including bringing the author Dr. Sewell to San Luis Obispo. There is no reason the DCISC could not continue to perform the same service for the DCDEP, should it be continued.

Page 5:

- Recommend to PG&E that the potential for both ship and truck transport of dismantled facilities from the site be investigated and the data communicated to the DCDEP and CPUC

A4NR COMMENT: It was A4NR’s understanding, based on a conversation with a PG&E docent on a DCDEP public tour conducted in August that *PGE was not considering barging* for a variety of technical and maritime reasons. PGE should clarify this issue to the DCDEP at this time, or A4NR will file as a data request in the upcoming NDCTP.

Page 6:

- The sale of assets acquired through ratepayer assessments could be used to offset decommissioning costs

A4NR COMMENT: What assets are being considered? Is this a reference to a “used equipment yard sale” such as was held at SONGS? Or is it a reference to actual buildings and pieces of physical infrastructure? Or, could this involve the disposition of the northern lands, which are under CPUC jurisdiction, and include the range and grazing lands between the plant and the border of Montana de Oro State Park?

Page 7:

- Recommend that the CPUC ascertain if PG&E has adequately researched and considered costs and community impacts of both land and sea transport of facility components from the site

A4NR COMMENT: See similar comment for Page 5. Issue of barging needs clarification.

Page 9:

- The disposal of Diablo Canyon Lands should recognize PG&E's fiduciary responsibility to their ratepayers and shareholders

A4NR COMMENT: Has PG&E explained to the DCDEP the specifics regarding how disposal of Diablo Canyon Lands will serve PG&E's fiduciary responsibility to its *ratepayers*?

Page 12:

- The breakwaters and associated harbor should remain in place consistent with the environmental quality and safety of the area and region

A4NR COMMENT: Has PG&E studied what the effects of climate change on sea level will be 50 years from now, and how any changes will impact the design, engineering and longevity of the breakwaters and intake structures? A4NR has brought these concerns to the attention of Southern California Edison in filing its Protest in the SONGS NDCTP (<http://a4nr.org/?p=4154>) The timing and budgeting of work to be done involving subsurface and underwater removals of breakwaters, seawalls and conduits will be challenged in the SONGS NDCTP, and likely in PG&E's if inadequate research is devoted to anticipating the challenges of erosion and the coastal effects of climate change.

Page 13:

- Recommend that PG&E maintain the existing desalination plant without compromising environmental quality

A4NR COMMENT: For how long and for what specific purpose should the desalination plant remain in operation? Is it needed after the establishment of the "spent fuel island?" Will it be needed to supply water during the actual demolition phase (i.e, using water to suppress dust) and is it prudent to use expensively created desal water for those purposes? Is the expectation to maintain the plant in perpetuity—regardless of its utility to the decommissioning process—and if so, at whose expense?

PART II

Recommendations of the Alliance for Nuclear Responsibility:

As noted at the outset, one of the DCDEP Draft recommendations was:

- The CPUC should continue the DCDEP at a minimum until cessation of operations of the DCP

The Alliance does not believe that the DCDEP, chartered as it is, is the appropriate body to oversee the entire Diablo decommissioning process. In general, it is premature to convene a decommissioning panel when the reactors still have more than half a decade to operate. In previous comments, A4NR has noted that the SONGS Decommissioning Engagement Panel features a different structure, leadership, membership and more technical orientation to the specific tasks of decommissioning. The SONGS panel was convened in the year following the reactor's unexpected shutdown. And yet, even in that short time their panel has worked diligently and kept abreast with the pace of SONGS decommissioning issues. Their hasty formation seems to not have had an effect on their performance.

More appropriately, and given the preponderance of time spent discussing issues regarding land disposition, it appears as if the DCDEP was chartered and tasked to achieve a single requirement of the CPUC Decision 18-01-022, item 13 of the ordering statement:

13. Pacific Gas and Electric Company will take no action with respect to any of the lands and facilities, whether owned by the utility or a subsidiary, before completion of a future process including a public stakeholder process; there will be local input and further Commission review prior to the disposition of Diablo Canyon facilities and surrounding lands.

Furthermore, from page 10 of the DCDEP Draft Vision Statement:

Recommendations

Diablo Canyon Decommissioning Engagement Panel

- Recommend that a letter to CPUC be prepared seeking the lifting of the CPUC order prohibiting PG&E from taking action regarding the Diablo Canyon Lands, for the specific purpose of enabling conservation discussions for Wild Cherry Canyon and other Diablo Canyon Lands with conservation entities to proceed before decommissioning

A4NR concurs. It is appropriate to consider the work to date of the DCDEP an appropriate execution of Order 13 from the CPUC Decision. The DCDEP's Vision Statement outlines a number of recommendations and proposals for dealing with the disposition of the Diablo lands. If conservation groups are prepared to move forward with easements and other tools, they should do so (with the CPUC's support and approval).

However, further decommissioning issues such as spent fuel storage and transport—both locally and on the national level—are not yet ripe for discussion. In the years of operation that remain for Diablo Canyon significant developments in the national plan for waste storage may come to fruition; perhaps interim storage at one or more out-of-state location. Such developments might change the time frame, and thus the schedules and budgets for the fate of the radioactive waste at Diablo Canyon.

Further, issues such as expediting spent fuel transfer from wet to dry storage—as both the California Energy Commission and the CPUC have urged—need to be addressed. As mentioned in our earlier comments, geologic coastal studies have yet to be completed, which may affect the

remaining marine infrastructure. Consideration of these issues will necessitate augmenting any panel with the appropriate technical experts.

Finally, given the ongoing—and unresolved—liabilities that PG&E faces in the aftermath of the catastrophic wildfires—and their previous federal felony conviction in the San Bruno gas explosion—one cannot be assured if “PG&E” as a corporate entity (currently constituted) will be the responsible party for decommissioning a decade hence.

At such time as PG&E presents their Post-Shutdown-Decommissioning Activity-Report (PSDAR) to the NRC, it may be appropriate to begin considering the formation of a permanent Diablo Canyon Decommissioning Engagement Panel.

As in interim measure, A4NR supports CPUC approval of amending the charter of DCISC to specifically clarify the role of the DCISC to include their ongoing oversight from the time of shutdown of nuclear reactor operations through at the very least the removal of all spent fuel from the spent fuel pools and its loading into casks for the ISFSI. As well, the charter amendment may require that future members seeking candidacy for the DCISC from 2024 until such point as the spent fuel is placed at the ISFSI should demonstrate experience in the field of nuclear reactor decommissioning.