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4 WITNESS: Rochelle Becker

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6

7 **BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

8 **PREPARED TESTIMONY OF ROCHELLE BECKER**

9 **ON BEHALF OF THE ALLIANCE FOR NUCLEAR RESPONSIBILITY**

10 **(“A4NR”)**

11

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23

1 **INTRODUCTION: DEFICIENCIES AND INADEQUACIES OF PG&E’S DIABLO CANYON**

2 **DECOMMISSIONING ENGAGEMENT PANEL**

3 Q01: Please identify yourself and state your business address.

4 A01: My name is Rochelle Becker and my business address is:

5 PO Box 1328, San Luis Obispo, California 93406

6 Q02: Are your professional qualifications included in your Testimony?

7 A02: Yes, my professional qualifications are contained in the Appendix A to my testimony.

8 Q03: Was your testimony prepared by you or under your direction?

9 A03: Yes, it was.

10 Q04: Insofar as your testimony contains material that is factual in nature, do you believe it to
11 be correct?

12 A04: Yes, I do.

13 Q05: Insofar as your testimony contains matters of opinion or judgment, does it represent
14 your best judgment?

15 A05: Yes, it does.

16 Q06: Does this written submittal complete your prepared testimony and professional
17 qualifications?

1 A06: Yes, it does.

2 Q07: What is the purpose of your testimony in this proceeding?

3 A07: The purpose of my testimony is two-pronged. First, to recognize that PG&E has, to a large
4 extent, fulfilled their limited obligation in satisfying the CPUC's order 13 in D.18-01-022 that
5 they "...take no action with respect to any of the lands and facilities, whether owned by the
6 utility or a subsidiary, before completion of a future process including a public stakeholder
7 process..."¹ through the establishment of PG&Es Diablo Canyon Decommissioning Engagement
8 Panel (DCDEP).

9 However, my larger point is that upcoming decommissioning processes and issues move
10 beyond the limited scope of land and facility disposition referenced in D.18-01-022. The
11 decommissioning of Diablo Canyon represents a \$4+ billion expenditure of ratepayer funds with
12 ramifications and impacts on the affected local community and all PG&E ratepayers. As
13 important as local input to the process is, the DCDEP that may have been suited to its initial
14 task does not have a procedural structure or membership profile suited for addressing the
15 upcoming technical and regulatory processes of the actual physical decommissioning that will
16 begin to unfold in less than 3 years. PG&E has instead created an ad-hoc local "engagement
17 panel" for which all PG&E ratepayers will be charged, whose largest expense to date is
18 \$356,257 in the category of "marketing and focus groups,"² and whose workings do not follow

¹ D.18-01-022, DECISION APPROVING RETIREMENT OF DIABLO CANYON NUCLEAR POWER PLANT, California Public Utilities Commission, January 11, 2018, pp. 60-61.

² NuclearDecomCostTri2021_DR_WEM_001-Q001.

1 any of the open meeting, parliamentary procedure, or financial reporting requirements that are
2 expected of the state's existing oversight and advisory boards.

3 A4NR's recommendation is that the current DCDEP should be disbanded and a new Community
4 Advisory Board (CAB), under the aegis of the CPUC, should be convened based on more
5 applicable nationwide examples and benchmarking of CABs being implemented under state
6 authority at multiple decommissioning sites. Structural precedents already exist amongst the
7 CPUC and its sister California agencies that establish guidelines for regulatory and stakeholder
8 oversight committees.

9 Q08: From what CPUC directive did PG&E assume the need to create the DCDEP?

10 A08: Ordering paragraph 13 from D.18-01-022 states:

11 13. Pacific Gas and Electric Company will take no action with respect to any of
12 the lands and facilities, whether owned by the utility or a subsidiary, before
13 completion of a future process including a public stakeholder process; there will
14 be local input and further Commission review prior to the disposition of Diablo
15 Canyon facilities and surrounding lands.³

16 Q09: What steps did PG&E take in fulfillment of this order?

17 A09: In May 2018, PG&E held the first public meeting of what they deemed a Community
18 Engagement Panel, explaining its mission as:

19 With that, PG&E... did volunteer to have a Community Engagement Panel. That's
20 the second line down here and what you can see is this is 2018. The Utilities
21 Commission made the approval decision and here we are in May launching this
22 panel. The panel has two main charges, one from the Utilities Commission order
23 is to help run this public process, to collect input about what will happen to the
24 lands and we have a variety of ideas that you've already heard from the panel

³ D.18-01-022, DECISION APPROVING RETIREMENT OF DIABLO CANYON NUCLEAR POWER PLANT, California Public Utilities Commission, January 11, 2018, pp. 60-61.

1 and members of the public, and the second is a couple lanes down. It's this
2 yellow area and that's also to deal with some of the emergency planning issues
3 as we go forward.⁴

4 Q10: What are your concerns with PG&E's description of its inaugural panel?

5 A10: PG&E's "volunteer" effort is described as having "two main charges, one from the Utilities
6 Commission order is to help begin this public process, and collect input about what will happen
7 to the lands..." A question arises as to what further "charge" PG&E imagined it was required to
8 fulfill. From D.18-01-022, (quoting the scoping memo in A.16-08-006) "It is premature to
9 address land use, facilities and decommissioning issues.... While some of the land at issue is
10 owned by a subsidiary of PG&E, PG&E has committed to take no action with any of the lands
11 and facilities, whether owned by the utility or a subsidiary, before completion of a future
12 process, including a public stakeholder process..."⁵

13 Q11: Did the CPUC at any time request that PG&E address anything other than the land and
14 facilities disposition issues required by ordering Paragraph 13 of D.18-01-022?

15 A11: No.

16 Q12: Since issuing D.18-01-022 in January 2018 did the CPUC seek any confirmation or
17 evidence of PG&E's efforts in fulfillment of Order 13?

18 A12: Yes, over two years after the launch of the DCDEP noted above, by letter dated June 1,
19 2020, from the CPUC Energy Division:

⁴ Thomas Jones, PG&E, Transcript of the Diablo Canyon Decommissioning Engagement Panel, Public Meeting, May 30, 2018, San Luis Obispo, CA, pp. 22-23.

⁵ D.18-01-022, p. 48.

1 Over the last several months, various interested parties have sought clarification
2 regarding Diablo Canyon land use and the potential disposition of Diablo Canyon
3 land owned by PG&E or its subsidiaries. ... the CPUC requests that PG&E provide
4 written instruction to the parties interested in Diablo Canyon land use and
5 disposition, and conservation easements in particular, such that they have a
6 better understanding of the process involved and how those parties can
7 participate in it.⁶

8 In response, to the CPUC, PG&E replied:

9 The CPUC required PG&E to conduct a public outreach process to be evaluated
10 by the CPUC before disposition of the Diablo Canyon lands. The public outreach
11 process is already in progress. Primarily, outreach has been and will continue to
12 be through the DCDEP <https://diablocanyonpanel.org/> [footnote omitted]
13 Based on public participation in four workshops addressing Diablo Canyon lands
14 and repurposing in 2019, the DCDEP provided formal recommendations
15 regarding future use of Diablo Canyon lands to PG&E in a Strategic Vision
16 document issued in December 2018. The DCDEP updated this document on May
17 2019 and February 2020. The Strategic Vision documents were submitted to the
18 Commission and served on the service list for the 2018 NDCTP and are publicly
19 available on both PG&E's (<https://pge.com/diablodecommissioning>) and the
20 DCDEP's (<https://diablocanyonpanel.org/>) independent website.⁷

21 Q13: Does there appear to be an immediate or ongoing role for public engagement and
22 discussion of land disposition issues at the Diablo Canyon site at present?

23 A13: There does not appear to be a need to continue engagement or discussion of land
24 disposition issues at Diablo Canyon at this time. According to the CPUC's inquiry to PG&E
25 regarding the order in D18-01-022 to engage in "completion of a future process including a
26 public stakeholder process"--

27 Furthermore, it is envisioned that the "process" referenced in OP 13 is a Section
28 851 Application, and such an Application would need to address any attendant
29 CEQA issues." [footnote omitted]⁸

⁶ Randolph, Edward, Director, Energy Division, CPUC; Letter to Robert Kenney, PG&E, June 1, 2020.

⁷ Kenney, Robert, PG&E, letter to Edward Randolph, CPUC, June 30, 2020.

⁸ Randolph, Edward, Director, Energy Division, CPUC; Letter to Robert Kenney, PG&E, June 1, 2020.

1 Q14: Is PG&E including, anticipating, or requesting funding for any Section 851 actions in A.21-
2 12-007?

3 A14: No, there is no evidence of any Section 851 actions or requests in PG&E’s Application or
4 Testimony. As noted in section 3.5.2 of PG&E’s Testimony, “As described in PG&E’s June 30,
5 2020 letter to Executive Director of Energy Division, no action has been taken by PG&E to
6 encumber or dispose of any Diablo Canyon land assets.”⁹ PG&E indicated in their reply to the
7 CPUC inquiry of June 1, 2020 that the DCDEP has delivered a Strategic Vision document
8 reflecting their input on land use and/or repurposing. As such, any ongoing discussion of land
9 use issues at this time is premature and will be subject to an 851 or Tribal Land Transfer Policy
10 and Resolution E-5076 proceeding in the future.

11 At issue in this current proceeding is:

12 9.5 The 2021 NDCTP will include a review of the funding and effectiveness of the Diablo
13 Canyon Decommissioning Engagement Panel. This review shall consider the NRC’s
14 report to the United States Congress on best practices for community advisory boards
15 for decommissioning as required by the Nuclear Energy Innovation and Modernization
16 Act (NEIMA).¹⁰

17 PG&E’s DCDEP engaging with land disposition issues was a utility directed ad-hoc creation.

18 A4NR questions whether the same panel, as chartered—with its membership selection process,
19 rules, policies and procedures—can be effective in addressing the impending issues of the
20 actual nuclear decommissioning process. Neither the CPUC nor its staff had provided PG&E any
21 specific guidance or instruction regarding the implementation of Ordering Paragraph 13 of

⁹ PG&E 2021 NDCTP Prepared Testimony, Volume 2 of 3, p. 3-AtchA-101

¹⁰ CPUC, D21-09-003, p.31.

1 D.18-01-022¹¹ PG&E did not request or receive any additional input from the CPUC regarding
2 DCDEP.¹² In effect, there has been no communication between the regulatory agency (CPUC)
3 whose mandate is to safeguard ratepayer interests, and the utility that created a self-directed
4 engagement panel. The CPUC has not given PG&E an order or instruction for PG&E's DCDEP to
5 address issues beyond the initial concern regarding land disposition.

6 Q15: Has enough planning and oversight gone into the design and implementation of the
7 DCDEP to ensure that it serves both the CPUC's needs and all ratepayers concerns in monitoring
8 this \$4+ billion decommissioning project, and in monitoring the costs associated with the
9 operations of that engagement panel?

10 A15: D21-09-003 calls on PG&E to consider the NRC's Nuclear Energy Innovation and
11 Modernization Act (NEIMA) report on best practices for decommissioning Community Advisory
12 Boards (CABS). PG&E's Testimony response is:

13 Maintaining the DCDEP is consistent with recommendations from the July 2020
14 NRC report to the United States Congress on this topic authored in response to
15 the Nuclear Energy Innovation and Modernization Act. Additionally, a proposed
16 land disposition strategy is described in Section 3.5.1.1 that includes the DCDEP
17 as an important part of ongoing public engagement.¹³

18 The NEIMA report is silent on the issues of land use and disposition as an activity for a CAB.

19 Topics the NEIMA report establishes under the purview of existing CABs are:

20 **Topics to be Brought Before the CAB**

21 The following is a list of the topics that existing CABs routinely discuss:
22 decontamination and dismantlement; NRC regulatory filings (such as the PSDAR
23 and other licensing actions related to decommissioning); NRC inspections; spent
24 nuclear fuel; radiation monitoring; storage and disposal of spent nuclear fuel; dry

¹¹ NuclearDecomCostTri2021_DR_A4NR_Q003-004

¹² NuclearDecomCostTri2021_DR_A4NR_003-Q005

¹³ PG&E 2021 NDCTP Prepared Testimony, Volume 2 of 3, p. 3-AtchA-23

1 cask storage issues; spent fuel transportation; geologic disposal; transfer of
2 spent fuel to on-site dry cask storage; emergency planning; security; economic
3 impacts of decommissioning; effluents and discharges; environmental impacts;
4 and seismic hazards.¹⁴

5 PG&E's DCDEP has addressed some of these technical, logistical and pragmatic issues.

6 However, a panel convened to consider land disposition—pre-decommissioning—is not
7 necessarily the same panel that is appropriate to review these latter issues.

8 PG&E considered this possibility as well. On November 14, 2018 at the meeting of the DCDEP
9 where the panel was considering public comments on their draft "Vision Statement," PG&E's
10 Vice President of Safety and Health Jon Franke, who served as the PG&E representative on the
11 DCDEP, stated:

12 And I know that over time as the decommissioning process goes from a plant
13 operating and planning to plant shutdown and decommissioning, and finally an
14 independent fuel facility, that **the needs of the panel may change, so we will**
15 **continue to look at that and evolve over time, I'm sure.**¹⁵ [emphasis added]

16 A4NR agrees with PG&E's Mr. Franke: As Diablo Canyon transitions from operation to
17 decommissioning, now is the time to consider the evolution of the panel, and there are many
18 illustrative models at other sites to study. Of note: no currently decommissioning commercial
19 nuclear facility *has created or begun operation of a CAB before the plant has shut down.*

20 II. ALTERNATIVE MODELS FOR EMULATION

21 Q16: Are there alternative models to the DCDEP that are examples of precedents of what a
22 restructured and refocused CAB for Diablo Canyon might look like?

¹⁴ US NRC, BEST PRACTICES FOR ESTABLISHMENT AND OPERATION OF LOCAL COMMUNITY ADVISORY BOARDS ASSOCIATED WITH DECOMMISSIONING ACTIVITIES AT NUCLEAR POWER PLANTS, June 2020, p.6

¹⁵ DCDEP Meeting Transcript, November 14, 2018, p.22.

1 A16: Yes. One example of a facility that went through this transition from a pre-to-post
2 operation oversight panel was the Indian Point nuclear facility in New York. Like Diablo Canyon,
3 it is a twin-unit, Westinghouse pressurized water reactor. It did have a pre-shutdown panel—
4 the Indian Point Closure Task Force—under the aegis of the New York Department of Public
5 Service, with a specific pre-closure set of goals, including future site uses:

6 On April 20, 2017, Governor Cuomo signed legislation establishing the Indian
7 Point Closure Task Force (Task Force) to address the closure of Indian Point and
8 to provide guidance and support to affected local municipalities and employees.
9 The Task Force is charged with identifying issues and making recommendations
10 pertaining to property tax impacts, economic opportunities, site reuse options,
11 and workforce retraining programs and opportunities.¹⁶

12 As the neighboring town government of Cortland, NY, noted at that time:

13 “Created by Governor Andrew M. Cuomo and the State Legislature, this task
14 force of key state agencies, prominent state and local elected officials, and labor
15 union representatives, has hit the ground running to help ensure that the closure
16 process effectively addresses the needs of the communities surrounding Indian
17 Point,” said Task Force Chairman and Department of Public Service Executive
18 Deputy Tom Congdon.

19 As well as:

20 Examples of the early successes of task force members include legally
21 establishing its operating authority and scope of operation in the State Budget...
22 At the initial meeting, the task force members discussed the process that will be
23 used to hire an independent consultant to understand Indian Point site reuse
24 and reutilization options.¹⁷

25 Concerns for the gravity of the decommissioning process motivated the participation of state
26 officials from the governor’s office through the legislature, and the placing of the aegis for this

¹⁶ Indian Point Closure Task Force, Annual Report 2020, State of New York, October 14, 2020, p. 5.

¹⁷ Town of Cortland, NY, New York State Indian Point Closure Task Force Update, press release From May 31, 2017 Meeting

1 oversight panel—including its funding and authority—under the New York Department of
2 Public Service, an agency akin to the CPUC.

3 However, upon cessation of operations at both units at Indian Point, by order of the State of
4 New York Department of Public Service, the existing pre-closure task force was closed and a
5 new Decommissioning Oversight Board was “established concerning the issues pertaining to
6 the decommissioning and restoration of the Indian Point facilities and site.”¹⁸

7 “On December 31, 2020, Governor Cuomo directed the Department to establish
8 the Indian Point Decommissioning Oversight Board (Oversight Board). The
9 Oversight Board is charged with assessing how to protect the financial,
10 environmental, and physical interests of the communities affected by
11 decommissioning, including the interests of the current workforce as it relates to
12 continuing the public safety of the surrounding communities.”¹⁹

13 And the local press noted,

14 The board consists of the same mixture of state officials, elected officials and
15 worker representatives that made up the task force, with additional stipulations
16 that the board have a member of the environmental community and an expert
17 on nuclear power plants.

18
19 Those positions have been filled by Richard Webster, the legal director for
20 Riverkeeper, and Dave Lochbaum, a retired nuclear engineer who has worked at
21 Indian Point, the Union of Concerned Scientists and the federal Nuclear
22 Regulatory Commission as a reactor technology instructor.

23
24 As with the Closure Task Force, the board will have no legal power in and of
25 itself. But it consists of many members who do have legal authority, such as state
26 representatives and members of state regulatory agencies, including the
27 Departments of Environmental Conservation and Labor. Many of the laws passed
28 with regard to the closing of the plant arose out of Closure Task Force meetings,

¹⁸ State of New York, Department of Public Service, Matter 17-0994, In the Matter of the the Establishment of Indian Point Closure Task Force, June 9, 2021.

¹⁹ State of New York, Department of Public Service, Matter 21-01188, In the Matter of the Establishment of Indian Point Closure Task Force and Indian Point Decommissioning Oversight Board, June 9, 2021.

1 such as securing funding over the next several years to offset lost tax revenue
2 from its shutdown.²⁰

3 Given the added technical concerns that the recommendations in the NRC’s NEIMA CAB report
4 invoke (i.e., NRC inspections; spent nuclear fuel; radiation monitoring; storage and disposal of
5 spent nuclear fuel; dry cask storage issues) the inclusion of independent technical and
6 environmental experts as permanent members (not as guest presenters) on the
7 Decommissioning Oversight Board is a prudent measure to safeguard residents and ratepayers
8 in New York.

9 With the change in designation of the pre-and-post closure panels, a *new* Indian Point
10 Oversight Board charter was created, also under the aegis of the NY Department of Public
11 Service:

12 IV. POWERS AND DUTIES

13 (a) The Board shall assess decommissioning activities at the Indian Point nuclear
14 generating facilities and assess how to protect the financial, environmental, and
15 physical interests of the communities affected by the decommissioning of the
16 Indian Point nuclear facility, including the interests of the workforce as it relates
17 to continuing the public safety of the surrounding communities. The Board shall
18 make recommendations to the facility owner related to decommissioning and
19 spent fuel management activities and, if warranted, make recommendations for
20 regulatory actions by relevant jurisdictional bodies in local, state, and federal
21 government.

22 (b) The Board shall provide a forum for public outreach, education, and dialogue
23 on matters related to decommissioning and spent nuclear fuel management.

24 (c) Each member of the Board is allowed one vote for purposes of approving any
25 Board recommendation.²¹

²⁰ Cronin, Brian, New Indian Point Oversight Board Forms, The Highlands Current, July 10, 2021; accessed on April 27, 2022 at: <https://highlandscurrent.org/2021/07/10/new-indian-point-oversight-board-forms/>

²¹ Indian Point Decommissioning Oversight Board, New York Department of Public Service, Bylaws, Adopted 2021.

1 There are significant distinctions between the Indian Point Board and the DCDEP’s current
2 incarnation. First, the Indian Point Board is charged to assess the various physical and fiscal
3 processes of decommissioning. Second, they may make recommendations to the utility, but if
4 they feel necessary, they may “*make recommendations for regulatory actions by relevant*
5 *jurisdictional bodies in local, state, and federal government.*” Third, and perhaps most
6 significantly, there is no member or representation from the decommissioning facility’s owners
7 on the Board.

8 In contrast, the authority granted the DCDEP by its charter: “[s]hall function solely in an
9 informational capacity and will provide public input to inform and improve PG&E’s
10 decommissioning-planning activities. PG&E will retain discretion to accept, modify or decline
11 recommendations made by the Panel, as PG&E is responsible for ensuring the health and safety
12 of the public and is the financial and land steward of these assets.”²²

13 Thus, the Indian Point Board has a pro-active mandate to perform *assessments* and make
14 recommendations for *regulatory actions*. At no place in the Indian Point charter is the utility (or
15 facility owner) given any authority to override or modify the recommendations voted by the
16 Board---they are not present on the Board. Unlike the DCDEP, there is genuine independence
17 from the utility: Indian Point’s charter gives it the tools so *the Board may assume the role of*
18 *decommissioning oversight on behalf of the community*. Unlike the DCDEP, only secondarily, at

²² Diablo Canyon Decommissioning Engagement Panel, Revised Charter, August 27, 2020, p. 1. Accessed on May 5, 2022 at: <https://diablocanyonpanel.org/wp-content/uploads/2020/08/Revised-Panel-Charter-8-27-2020.pdf>

1 item (b) in their charter, does the Indian Point Board “provide a forum for public outreach,
2 education, and dialogue.”

3 Furthermore, the composition of the Indian Point Board is significantly different from the
4 DCDEP. As voting members, it includes local state senate and assembly representatives,
5 members from nine state agencies with nexus to decommissioning activities, environmental
6 and technical experts, legal counsel, and local city and county elected officials.²³

7 Q17: Indian Point represents one example of a differently structured CAB. Are there others
8 that follow suit?

9 A17: Yes. There are at least three other CABS in the Northeast that operate on a similar basis
10 to Indian Point, with small modifications:

- 11 • Maine Yankee, Wiscasset, ME
- 12 • Vermont Yankee, Vernon, VT
- 13 • Pilgrim, Plymouth, MA
- 14

15 Common to all three is a membership roster similar to the one at Indian Point, with a mixture of
16 relevant state oversight agencies, elected officials at the state and local level, and also lay-
17 persons that include community representatives appointed at the behest of a state or local
18 agency or elected official. Unlike Indian Point, the charters of these organizations do allow a
19 representative of the utility/facility owner on the panel.

20 At Maine Yankee, the decommissioning is fully completed, but a panel remains to deal only
21 with the ISFSI and fate of the stored high-level waste.

²³ The full list can be accessed at:
<https://www3.dps.ny.gov/W/PSCWeb.nsf/All/898692DF060AF5DA85258807006D6E77?OpenDocument>

1 Common features of these panels:²⁴

- 2 • The creation and/or aegis of these CABs was either through state legislative action or
- 3 M.O.U. with the utility/facility owner and state department of public services (or
- 4 equivalent agency).
- 5 • Panels meet on a quarterly basis.
- 6 • Panels are specifically chartered as having “*advisory*” capability.
- 7 • Election of a chair and vice chair; conduct meetings using Roberts Rules of Order.
- 8 • Minutes are taken and reviewed and approved at successive meetings.
- 9 • Their meetings are held in person (prior to and post-Covid pandemic) and are also made
- 10 accessible to the public via webcast or web conference technology.
- 11 • Their meetings are recorded and made available to the public over the internet.
- 12 • These CABs have websites that were built and administered under the auspices of their
- 13 state departments of public service or the state government.
- 14 • These websites provide links to the webcasts of the meetings and serve as repositories
- 15 for documents, presentations, minutes, reports, public comments and other pertinent
- 16 documentation.
- 17 • Administrative support is provided by the authorizing state agency or authority.
- 18 • Panels conform to the “open meeting laws” of their respective state.

19 In October 2019, by administrative order of the New Jersey Department of Environmental
20 Protection, an “Oyster Creek Safety Advisory Panel” was created. This is not a community-
21 based panel, but as noted in their mandate, it provides state-level oversight with opportunity
22 for public input:

23 The Panel, consisting of the Commissioner, the Superintendent of the State
24 Police, the President of the Board of Public Utilities and the Director of the Office
25 of Homeland Security and Preparedness, **will provide an additional avenue for**

²⁴ The charters, member lists and websites for these CABs were accessed on April 28, 2022 at:

<https://publicservice.vermont.gov/electric/ndcap>

<https://www.mass.gov/orgs/nuclear-decommissioning-citizens-advisory-panel>

<https://maineyankee.com/cap/>

1 **the public to raise concerns regarding the decommissioning of the site.** The
2 Panel will meet at least twice annually to review decommissioning activities and
3 ensure compliance with the requirements of the January 2018 Administrative
4 Consent Order to which Holtec became subject after purchasing the plant from
5 Exelon in July 2019.²⁵ [emphasis added]

6 Q18: Did PG&E conduct any benchmarking of these CABs in the creation of the DCDEP?

7 A18: No. In response to A4NR’s data request, PG&E noted that they benchmarked their own
8 Humboldt Bay Power Plant (HBPP), the San Onofre Nuclear Generating Station (SONGS), the
9 Chevron Burnaby Refinery (British Columbia), and the Chevron-Texaco Filmore Works (a
10 California Superfund site of an abandoned former refinery and oil pumping station
11 respectively).

12 Taken as a whole, unlike the four Northeastern CABs previously cited, two of these
13 benchmarking examples seem woefully stale, and three of them short on implementation of
14 democratic processes and procedures. With the exception of the SONGS site, there is no
15 indication that there was use of parliamentary procedures or structure. At the two refineries,
16 third party consultants hired by the company were brought in to make recommendations on
17 choice of participants. At HBPP the meetings were theoretically open to the public but this
18 option was “never exercised” and “unofficial notes” were taken, but there was “no
19 distribution” of said notes.²⁶

²⁵ NJDEP OYSTER CREEK NUCLEAR REACTOR DECOMMISSIONING FAQs, Updated 10/15/2019, accessed on April 28, 2022 at: https://nj.gov/dep/docs/oyster_creek_decommissioning_faqs.pdf

²⁶ NuclearDecomCostTri2021_DR_A4NR_003-Q006Atch01

1 A notable exception for the SONGS site was in its constituents, “mainly elected officials; one
2 representative of environmental NGO.”²⁷

3 Q19: Why is it a notable exception that the SONGS CAB is comprised of elected officials?”

4 A19: Because the presence of elected officials on a CAB is in line with the majority of the other
5 CABs we have noted and represents the composition of the majority of CAB membership
6 criteria now in use around the nation, and is diametrically opposed to PG&E’s policy at the
7 DCDEP. Unlike the other CABs profiled herein, per data response from PG&E,

8 There are no designated seats for any organization or interest group on the
9 panel. ...Elected officials are encouraged to participate in the meetings of the
10 DCDEP, however, **per the Panel Charter, sitting elected officials are ineligible to**
11 **serve as one of the 8-11 regular members of the Panel.** However, ex-Officio
12 members may include elected officials as selected by the Panel and PG&E to
13 represent local interests.²⁸ [emphasis added]

14 Unlike PG&E, other CABs have written persuasive justifications for their inclusion of elected
15 officials, among them the Maine Yankee Decommissioning Advisory Panel:

16 To help guide the process Maine Yankee enlisted the help of State Senator
17 Marge Kilkelly who represented Lincoln County, was very involved during the
18 PECO negotiations, and was aware of many of the local concerns. Senator Kilkelly
19 provided insight about the necessity of management commitment and openness
20 to any process that included the community.²⁹

21
22 Marge Kilkelly, State Senator representing Lincoln County, was very involved on
23 behalf of the community during the PECO negotiations and was aware of many
24 of the local concerns. **Senator Kilkelly supported the idea of the community**
25 **panel and agreed at Maine Yankee’s request to serve as the panel’s first**
26 **chairperson. Senator Kilkelly, by virtue of her many years of service in the**

²⁷ NuclearDecomCostTri2021_DR_A4NR_003-Q006

²⁸ NuclearDecomCostTri2021_DR_A4NR_003-Q007

²⁹ The Maine Yankee Decommissioning Advisory Panel, A Report by the Maine Yankee Community Advisory Panel on Decommissioning, Catherine Ferdinand, editor, February, 2005, p.3.

1 **Maine State Legislature, was experienced in conducting and facilitating**
2 **meetings in a public forum.**³⁰ [emphasis added]

3
4 The strength of leadership demonstrated by the panel chairperson, Senator
5 Marge Kilkelly, has made a large contribution to the smooth working relationship
6 this group has experienced. **Senator Kilkelly came to the panel with 16 years of**
7 **legislative service. In addition, Senator Kilkelly had served as a selectman in the**
8 **town of Wiscasset for four years. She was skilled and experienced at running**
9 **public meetings and at facilitation, and has run the panel in a fair, evenhanded**
10 **and even-tempered manner.** Whether the meeting audience was large and
11 disgruntled as in the case of the residents affected by the noise of the spent fuel
12 pool cooling fans or few and content, Senator Kilkelly has run the meetings in an
13 orderly, open-minded and organized manner, respectful of the effort made by
14 any public to attend and respectful of the time commitment of panel
15 members.³¹ [emphasis added]

16 Echoing the statements from Maine, and closer to home, one finds a similar enthusiasm for the
17 membership of elected officials on the SONGS Community Engagement Panel (CEP), from their
18 chairperson, Dr. David Victor. PG&E used SONGS as a benchmark, but seems to have ignored
19 this attribute of the SONGS CEP membership. In October, 2018, the Diablo Canyon
20 Independent Safety Committee (DCISC)—itself an oversight panel chartered by the CPUC—
21 invited Dr. Victor to discuss the SONGS CEP at one of their meetings. Here, his transcribed
22 comments are augmented by DCISC member, Dr. Per Peterson:

23 **Dr. Victor:** ...most of the panel members are elected officials. As a professional
24 political scientist, I have learned more about politics from this process than
25 anything else I've done in my career, and it's mainly because of the systematic
26 engagement of local elected officials, because they are in the business on a
27 constant basis of weighing costs and benefits and different interests and so on in
28 the community that's worried about lots of other things at the same time. And
29 so a panel that doesn't have that systematic input as a panel has a harder time,
30 in my view, staying tethered to what the community really cares about and how
31 it's weighing those concerns against other things that are omnipresent in the
32 political decision making process. I think that's actually been a very important
33 part of our process...

³⁰ Ibid, p.4.

³¹ Ibid, p.10.

1
2 **Dr. Peterson:** The thing that I found really interesting is how that structure and
3 having that kind of membership essentially brings... results in representation of
4 public interest—and whether it's a credible representation...**The idea that**
5 **elected officials are playing a significant role in a process actually is really**
6 **comforting to me, simply because that is the purpose of representative**
7 **democracy,** is for people to collectively identify individuals who will...they trust
8 to represent their interest, the opinions of those people is quite important, I
9 think.³² [emphasis added]

10 Q20: Dr. Peterson expresses support for “representative democracy” as an embedded precept
11 of a functioning CAB. Are there other examples of governance procedures for democratic
12 institutions like CABs, and how do they compare with the PG&E DCDEP?

13 A20: In terms of governance and procedure, the DCDEP seems to be an outlier among CABs.
14 By data response, PG&E indicates that the DCDEP is the only such body that uses a utility-hired
15 facilitator to run its public meetings, a decision PG&E based on benchmarking two refinery
16 panels, one of which is Canadian.³³ All other domestic nuclear CABS use a chair and vice chair
17 format; some have a secretary position for recording of the minutes. The aforementioned
18 northeastern CABs also use parliamentary procedure when setting agendas. PG&E’s chosen
19 facilitator and the utility have discretion over the DCDEP agenda items, limiting member input
20 to the process, per their charter:

- 21 (V) iv. PG&E will contract a local community member with expertise in facilitation
22 to serve as Facilitator for the group.
23
24 xiv. The Facilitator shall perform the following duties:
25 1. Work with PG&E to convene, create agendas and facilitate all
26 meetings of the Panel and schedule additional meetings, educational
27 workshops, as appropriate.³⁴

³² DCISC meeting transcript, October 25, 2018, accessed on April 28, 2022 at: <https://youtu.be/ql6qBqZxtRo>

³³ NuclearDecomCostTri2021_DR_A4NR_003-Q011

³⁴ Diablo Canyon Decommissioning Engagement Panel Revised Charter, August 27, 2020, pp. 2-3.

1 One of the DCDEP’s original members, Alex Karlin, who served as an enforcement attorney at
2 the USEPA and an Administrative Law Judge with the USNRC in Washington, DC noted this
3 shortcoming in his contribution to the DCDEP Vision Statement:

4 As to DCDEP’s actual meetings - they are not run by the Panel but are instead,
5 plainly, PG&E meetings. They are run by the facilitator appointed by PG&E. The
6 meetings commence with a PG&E safety moment. PG&E representatives make
7 the opening remarks and closing remarks. PG&E and the facilitator draft the
8 agenda, the timetable for the meetings, and develop the power-point slides that
9 are presented to the public at the meeting.³⁵

10 Likewise, the other U.S. nuclear facility CABs referenced herein operate under Roberts Rules of
11 Order, which PG&E’s DCDEP does not.³⁶ A search of the printed transcripts of the public
12 meetings held by the DCDEP since 2018 for the word “vote” or the word “motion” in the
13 context of procedural votes amongst the DCDEP members does not reveal any issues or matters
14 having been subjected to or approved by standard voting protocols under Roberts Rules of
15 Order. Likewise, review of the past minutes (or transcripts, in the case of the DCDEP) at the
16 start of the subsequent meeting is absent from their protocol.

17 If the DCDEP *did* take votes on issue, for instance, regarding their “Vision Statement” document
18 in non-public meetings, these remain unrecorded. As a utility sponsored and operated panel,
19 this might be expected. But for a panel funded by all PG&E ratepayers, this puts the DCDEP at
20 odds with other Diablo Canyon oversight committees and boards which are subject to
21 California’s Brown Act and/or Bagley-Keene Open Meetings Act. These state mandates are
22 designed to increase public confidence in the open and transparent conduct of official business,

³⁵ DCDEP, “A Strategic Vision,” Revised March, 2021, p. A-2

³⁶ NuclearDecomCostTri2021_DR_A4NR_003-Q010

1 and to create a documentable record of the proceedings. PG&E does not consider the DCDEP to
2 be subject to either of these state acts.³⁷

3 As well, members of other California agency (and CPUC) affiliated advisory committees are
4 required to complete conflict-of-interest statements. This also applies to local and municipal
5 government advisory panels—regardless of whether or not the participant is an unpaid
6 volunteer. PG&E has not asked any members of the DCDEP to disclose any potential conflict of
7 interest. PG&E’s justification of this policy is that, “A conflict of interest statement for panelists
8 is not necessary, as the DCDEP functions solely in an informational capacity and the members
9 are volunteers.”³⁸ However, the members of the CPUC’s authorized Disadvantaged
10 Communities Advisory Group (DACAG) are also volunteers, but must complete a form 700
11 conflict of interest statement.

12 PG&E’s description of the role of the committee also puts it at odds with the other CABS
13 benchmarked by A4NR in this Testimony. PG&E states that the DCDEP “functions solely in an
14 informational capacity.” The charters of the CABS in Maine, Vermont, New York and
15 Massachusetts all specifically use the word “advise” or “advice” when referring to the actions of
16 the CABS. The very acronym CAB, as promulgated by the NRC in its NEIMA report, has
17 “Advisory” as its central word.

³⁷ NuclearDecomCostTri2021_DR_A4NR_003-Q009

³⁸ NuclearDecomCostTri2021_DR_A4NR_003_Q008

1 As early as 2017, when the US NRC was first posting a request for comments on improvements
2 for decommissioning policies at nuclear reactors, those same four northeastern states provided
3 a joint comment:

4 While the States strongly support the formation of Citizen Engagement Panels
5 for fostering communications between the licensee and the public, the States do
6 not recommend that NRC regulations mandate the formation of such advisory
7 panels. **The States are concerned that by doing so, the formation of these**
8 **panels would become largely dictated by the licensees, which could produce**
9 **inadequate representation of all stakeholders on the panel...**These panels need
10 to be formed at the State and local level by a means most appropriate for the
11 communities surrounding the decommissioning power reactor. Hence, the NRC
12 regulations and guidance for community engagement panels need to remain
13 flexible regarding their creation and continuation. [emphasis added]
14

15 ...The States encourage the NRC to use the Vermont Nuclear Decommissioning
16 Citizens Advisory Panel (formed by State law and incorporating an independent
17 survey to identify key stakeholders) as one example of how to compose and
18 create an engagement panel.³⁹ [emphasis added]

19 Q21: What would examples of advice promulgated and actions taken by truly independent
20 CABs look like in practice?

21 A21: There are CABs actively using their authority with regard to immediate issues, i.e., in
22 response to the utility/facility they are overseeing, and in a broader sense in response to the
23 national issues involving timelines for radioactive waste disposal that affect the stored nuclear
24 fuel in their communities.

³⁹ Comments of the State of Vermont, the Commonwealth of Massachusetts, the New York Office of the Attorney General and the States of Connecticut and New York to NRC dated June 13, 2017. (Emphasis added). (ADAMS ML17165A385).

1 For example, in Vermont, the CAB participated in the “Request for Information on Using a
2 Consent-Based Siting Process to Identify Federal Interim Storage Facilities” put forth by the US
3 Department of Energy to send the following letter:

4 The Vermont Nuclear Decommissioning Citizens Advisory Panel submits the
5 enclosed comments (**Advisory Opinion**) in response to the Department’s
6 December 2021 ‘Request for Information on Using a Consent-Based Siting
7 Process to Identify Federal Interim Storage Facilities.’ These comments were
8 approved by the Panel at a Special Meeting held on February 28. Presentations
9 and other details from this meeting are available at the Panel website:
10 <https://publicservice.vermont.gov/electric/ndcap> ⁴⁰ [emphasis added]

11 In addition, the SONGS CEP also provided comments to the DOE Consent Based Siting RFI,⁴¹
12 and their submission along with fully detailed attachments tracing all their internal
13 discussions and communications on the subject leading up to the final draft of their comment
14 letter.⁴²

15 The DCDEP was fully aware of this opportunity to comment on the DOE RFI, as relevant an issue
16 at Diablo Canyon as it is at those other facilities with regard to the longevity of storage of high
17 level radioactive waste on site. This item was never placed on an agenda or brought before the
18 DCDEP for discussion before the DOE deadline for comments expired—even though, by the
19 DCDEP’s own metrics for “engagement” the long-term spent fuel storage (and possibility of off-
20 site storage) issues has been a recurring concern of commenters.

⁴⁰ State of Vermont, NDCAP, letter to US Department of Energy, March 3, 2022

⁴¹<https://s3.amazonaws.com/cms.ipressroom.com/339/files/20222/CEP+Leadership+Response+to+RFI+3+March+2022.pdf>

⁴²https://s3.amazonaws.com/cms.ipressroom.com/339/files/20222/Attachments_CEP+response+to+DOE+RFI+4+March+2022.pdf

1 Q22: What is an example of action by a CAB with a more direct nexus to the decommissioning
2 of the facility?

3 A22: The Indian Point Decommissioning Oversight Board is chaired by Thomas Congdon, who is
4 Executive Deputy of the New York Department of Public Service. On March 8, 2022 he notified
5 the facility owner of Indian Point, Holtec Decommissioning International,

6 On behalf of the Department of Public Service and the Indian Point
7 Decommissioning Oversight Board, I request that Holtec review certain Nuclear
8 Regulatory Commission violations that have occurred at various Holtec sites
9 outside of New York and report back to us on actions the company is taking to
10 ensure such violations do not reoccur in or affect New York.⁴³

11 It is difficult to know if the DCDEP, configured as it currently is, could (or would) 1) be cognizant
12 of such safety concerns as NRC violations as may occur during decommissioning—or at similar
13 facilities, and 2) request of PG&E an investigation into such incidents requiring a report and
14 analysis like the one requested in New York. It should be reiterated that the diverse structure of
15 the Indian Point CAB included by charter an expert in nuclear power, and their current expert
16 was both a licensed nuclear operator and later an employee of the US NRC.

17 **III. PRECEDENTIAL MODELS FOR PANEL STRUCTURE IN CALIFORNIA**

18 Q23: In advocating for the creation of a Diablo Canyon CAB with the beneficial structures and
19 charter of those in other locales, does the CPUC and the State of California have a precedent for
20 establishing an independent community advisory board using the models that A4NR provides?

⁴³ Cogdon, Thomas, letter to Richard Burrone, Site Vice President, Indian Point, Holtec Decommissioning International, March 8, 2022. Accessed on April 29, 2022 at: <https://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId={79BF29E0-0C7D-4142-BC76-AFDA72B9D1B0}>

1 A23: Yes. As in the examples cited from New York, Vermont, Massachusetts and Maine, the
2 various “Public Service Agencies” (CPUC equivalents) of those states have convened Community
3 Advisory Boards of both experts from internal state agencies, external consultants and lay
4 people to review their nuclear decommissioning activities.

5 Spanning the last three decades, there are three examples of such oversight boards solely
6 created by the CPUC, one jointly administered by the CPUC and the California Energy
7 Commission, and one from the State Water Resources Control Board (SWRCB) which also
8 included the California Coastal Commission (CCC) and the California Energy Commission, a
9 member from PG&E and SONGS, and three members from the environmental community:
10 A4NR, the Center for Environment and Energy Resources, and the Natural Resources Defense
11 Council.

12 These state-sanctioned precedents demonstrate that it is possible to convene a panel of
13 independent experts and individuals to field input, conduct analyses, and monitor oversight of a
14 utility’s operations; the key factors being their *independence* from the utility’s influence when
15 conducting their review, and their adherence to parliamentary procedures and the state’s
16 Bagley-Keene Act for insuring transparency and democratic processes that allow for public
17 participation, and the inclusion of lay-persons on the committee.

18 **1. The Diablo Canyon Independent Safety Committee (DCISC), which began convening**
19 **their thrice-annual meetings in 1990, and continue through the present day:**

20 The Commission created the Safety Committee in D.88-12-083, 30 CPUC2d 189,
21 as one part of the overall settlement of the ratemaking issues for the Diablo
22 Canyon Nuclear Generating Station [Diablo Canyon], which is owned and

1 operated by Pacific Gas and Electric Company [PG&E]. The settlement
2 agreement established the Safety Committee as an independent three-member
3 committee responsible for monitoring the safety of PG&E's operation of Diablo
4 Canyon. Its budget is paid from PG&E's revenues and is thus charged to the
5 ratepayers. [D.88-12-083, App. C, Paragraph 16.] A statement setting the
6 qualifications and procedures for appointment of members to the Safety
7 Committee, and defining the scope of the Committee's operations and
8 responsibilities was attached to the settlement agreement and approved by the
9 Commission. [D.88-12-083, App. C, Att. A.]⁴⁴

10 Per the DCISC charter, "Members of the Committee shall file a Statement of Economic Interest
11 at the same time and in the same manner as designated employees of the CPUC must file under
12 the Political Reform Act and CPUC Conflict of Interest Code."⁴⁵ In addition, "The Committee
13 may contract for services, including the services of consultants and experts, to assist the
14 Committee in its safety review."⁴⁶ As well, "The Committee shall undertake outreach
15 concerning matters within its purview with other review committees established by the CPUC
16 (e.g., the Independent Peer Review Panel for Seismic Studies at Diablo Canyon Power Planet...")
17 and, "The Committee shall undertake public outreach in the affected community, including, but
18 not limited to, assuring that the Committee meetings are conducted in accordance with the
19 Bagley-Keene Open Meeting Act and videotaped and broadcast."⁴⁷ Further, the committee has
20 a "chair" who is selected by a vote of the three members and that position rotates on an annual
21 basis.

22 The DCISC members are *not* appointed by the utility. A recap of the selection process for
23 members of the DCISC can be found at:

⁴⁴ ENERGY DIVISION RESOLUTION E-4109, CPUC, September 6, 2007

⁴⁵ Second Restatement of Charter for the Diablo Canyon Independent Safety Committee, approved February 12, 2020, p. H-4 (as sourced from PG&E Advice Letter 6361-E, filed December 9, 2021)

⁴⁶ Ibid, p. H-8

⁴⁷ Ibid, p. H-10

1 [https://www.cpuc.ca.gov/news-and-updates/all-news/cpuc-seeks-applications-for-diablo-](https://www.cpuc.ca.gov/news-and-updates/all-news/cpuc-seeks-applications-for-diablo-canyon-independent-safety-committee-12-16-2021)
2 [canyon-independent-safety-committee-12-16-2021](https://www.cpuc.ca.gov/news-and-updates/all-news/cpuc-seeks-applications-for-diablo-canyon-independent-safety-committee-12-16-2021)

3 The budget for the DCISC is publicly available by request to the counsel for the DCISC. The
4 DCISC has a webpage at the CPUC, hosted and administered by the CPUC, which then links to a
5 specific DCISC website from which videos, documentation and public outreach can be found.

6 **2. The Independent Peer Review Panel (IPRP) for the seismic studies at the Diablo**
7 **Canyon Nuclear Power Plant**

8 In A.10-01-014 PG&E requested approval of funding to complete seismic studies at Diablo
9 Canyon in response to the recommendations of the CEC's AB1632 report.

10 In CPUC D.10-08-003 the CPUC declared that:

11 In addition to PG&E's proposal to employ outside consultants and subject its
12 seismic studies to peer review, this Commission will convene its own
13 Independent Peer Review Panel (IPRP). The Commission will invite the CEC, the
14 California Geologic Survey, the California Coastal Commission, and the California
15 Seismic Safety Commission to participate on the panel. Under the auspices of the
16 California Public Utilities Commission (CPUC), the panel will conduct a peer
17 review of the seismic studies including independently reviewing and
18 commenting on the study plan and completed study findings.⁴⁸

19 And in Conclusions of Law:

20 3. It is reasonable to provide for independent peer review of the study plans and
21 of the findings/results of the seismic studies approved and funded through this
22 decision. Therefore, the Commission will convene its own IPRP to conduct a
23 review and provide written comments on the study plans prior to
24 implementation and to conduct a review and provide written comments on the
25 findings and/or results of the studies.⁴⁹

⁴⁸ CPUC D.18-08-003, August 12, 2010, pp 9-10.

⁴⁹ Ibid., p. 15.

1 The IPRP convened its first meeting on August 31, 2010, at the CPUC in San Francisco. CPUC
2 staff from the Energy Division attended, as well as staff from the CEC, the California Coastal
3 Commission, the California Geologic Survey, the California Seismic Safety Commission.⁵⁰
4 Subsequently, through CPUC D.12-09-008, the County/City of San Luis Obispo became a
5 member of the IPRP in order to provide local input from the immediately affected community,
6 and their chosen representative was Dr. Bruce Gibson, *a sitting, elected supervisor from the*
7 *County of San Luis Obispo.*⁵¹ In addition to representing the local community as an elected
8 official, Dr. Gibson has a Ph.D in the field of geologic science, enhancing his credentials and
9 expertise to the IPRP.

10 At its inception, all the rules and procedures for the implementation and protocol of the IPRP
11 had not been finalized among the participating entities. However, by their first meeting of
12 calendar year 2012, these issues had been resolved:

13 Previous reports by the IPRP were completed prior to completion of Interagency
14 Agreements between CPUC and IPRP participating agencies in late 2011. Because
15 the structure was not in place, meetings and reports were less formal and
16 rigorous. After the Interagency Agreements were finalized in December 2011,
17 CPUC convened and publicly noticed the first official meeting of the IPRP on
18 January 23, 2012.⁵²

19 The subsequent reports of the IPRP, from Report Number 3 through Report Number 13 of May
20 23, 2018, summarizing the last public meeting before the Covid pandemic, serve as detailed
21 minutes of the meetings, recapitulating presentations, discussions, issues, analysis, conclusions,

⁵⁰ IPRP Report No. 1, Comments on PG&E's Enhanced Seismic Study Plans for Diablo Canyon Power Plant, CPUC Independent Peer Review Panel for Diablo Canyon, September 30, 2010, p. 2.

⁵¹ D.12-09-008, p. 14.

⁵² IPRP Report No. 3, Comments on PG&E's Enhanced Seismic Study Plans for Diablo Canyon Power Plant, CPUC Independent Peer Review Panel for Diablo Canyon, March 22, 2012, p. 2.

1 and setting agendas for future topics and meetings. These reports are publicly accessible at
2 web portal maintained by the CPUC: [https://www.cpuc.ca.gov/industries-and-topics/electrical-
energy/electric-costs/diablo-canyon-independent-peer-review-panel](https://www.cpuc.ca.gov/industries-and-topics/electrical-
3 energy/electric-costs/diablo-canyon-independent-peer-review-panel) The website also includes
4 any incoming comments and letters from PG&E to the IPRP.

5 The CPUC also recognized, in a subsequent decision, that the Commission lacks expertise in
6 specific technical areas, and approved a budget for hiring of external experts:

7 Because of the highly specialized technical knowledge required, A4NR states that
8 it is essential to an informed review of the proposed seismic studies that the
9 IPRP be afforded access to outside experts. This need was recognized by us in
10 D.10-08-003, which declared, “The IPRP may employ consultants and experts.
11 Costs incurred by the PRP shall be reimbursed by PG&E and recovered in the
12 DCSSBA.” [footnote omitted] We have no in-house scientific or technical
13 expertise to review seismic studies or perform analyses. Outside help is needed
14 to ensure that the enhanced seismic studies are scoped out properly at the front
15 end and reviewed properly during the course of the studies pursuant to the
16 recommendations in AB 1632. To further that goal, the assigned Commissioner
17 and the Administrative Law Judge (ALJ) granted the motion of San Luis Obispo
18 County, a member of the IPRP, to approve a budget, not to exceed \$210,000 to
19 retain a seismic expert on behalf of the IPRP. That Ruling was issued May 16,
20 2012 and is confirmed. We agree with A4NR that the IPRP should have an
21 outside expert, and have provided the resources to obtain them.⁵³

22 **3. An Independent Peer Review Group (IPRG) for the San Onofre Nuclear Generating**

23 **Station (SONGS)** was also advocated by A4NR in the proceeding for seismic study funding (A11-
24 04-006) and established in D.12-05-004. Ordering paragraph 5 states:

25 5. The Energy Division Director will coordinate with the California Energy
26 Commission, the California Geologic Survey, the California Coastal Commission,
27 the California Emergency Management Agency, and the California Seismic Safety
28 Commission, as well as outside experts, to review and provide written comments
29 on the study plans prior to implementation and to conduct a review and provide
30 written comments on the findings and/or results of the studies. The Energy

⁵³ D.12-09-008, CPUC, p.23.

1 Division Director shall periodically hold publicly noticed workshops, and post
2 relevant materials on the Commission’s website.⁵⁴

3 The SONGS IPRG met once each in 2012 and 2013, and issued two related reports, but with the
4 premature retirement of SONGS in 2013, the IPRG is no longer active.

5 With the announcement of the retirement of Diablo Canyon, the IPRP met only intermittently
6 during the Covid pandemic, however it is still considered an ongoing committee by the CPUC.

7 **4. The Disadvantaged Communities Advisory Group (DACAG) to the California Energy**
8 **Commission (CEC) and the California Public Utilities Commission (CPUC)**

9 The purpose of the DACAG pursuant to Pub. Util. Code § 400(g), is to advise the
10 California Public Utilities Commission (CPUC) and the California Energy
11 Commission (CEC) (Commissions) regarding the development, implementation,
12 and impacts of proposed programs related to the Clean Energy and Pollution
13 Reduction Act of 2015 (also known as Senate Bill 350) in disadvantaged
14 communities.¹ In consideration of proposed programs, the DACAG may at times,
15 also need to consider existing programs.⁵⁵

16 This 11-member committee, with a diverse, statewide composition, was established in 2018.
17 Per its mandate, it included attorneys working with environmental and justice advocacy groups,
18 native community representation, civil rights organizations and a director of a Sacramento
19 housing agency. The DACAG has submitted three reports (2018; 2019-2120; 2020-21). The
20 CPUC and CEC will post solicitations and applications for memberships via their public websites

⁵⁴ D.12-05-004, CPUC, pp. 20-21.

⁵⁵ Disadvantaged Communities Advisory Group Charter, Updated May, 2020, p.1. Accessed on April 25, 2022 at:
https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/energy-division/documents/infrastructure/disadvantaged-communities/dacag-charter-updated-march-2020.pdf?sc_lang=en&hash=9237213411E88653040D370D055DC2C5

1 (all application packets are made public) and the Commissions will select 10 members with the
2 final member being an appointee of the Governor’s tribal liaison.

3 Key in that description is the mandate to “advise” the two affiliated state regulatory bodies
4 under whose aegis DACAG falls: the CPUC and CEC. It should be noted that the CEC *has* been
5 involved in the decommissioning of Diablo Canyon, as described in the Decision approving the
6 Settlement in the 2018 NDCTP:

7 5.6 In the 2021 NDCTP, PG&E will provide documentation, as determined
8 appropriate by the CEC, from the Executive Director of the CEC, or his/her
9 designee, affirming that the CEC participated in PG&E's vendor solicitation, had
10 an opportunity to review and provide input into the choice of vendor, considers
11 PG&E's coordination and collaboration with the CEC to have been satisfactory;
12 and believes the choice of vendor by PG&E will achieve transfer of spent fuel to
13 the ISFSI as promptly as reasonably practicable.⁵⁶
14

15 Among the other guidelines for the DACAG members are:

- 16 • All meetings noticed and held in accord with Bagley-Keene Open Meetings Act
- 17 • Meetings will be held at least quarterly
- 18 • Roberts Rules of Order are provided to all members
- 19 • A conflict of interest policy that requires members to complete Statement of Economic
20 Interest (Form 700)
- 21 • A Chair and Vice Chair that are elected by the members
- 22 • Minutes shall be taken by a recording secretary and provided for review by the
23 members before the next meeting
- 24 • All records are public documents under the California Public Records Act
- 25 • The CPUC and CEC will assign staff liaisons to inform and assist DACAG

⁵⁶ Joint Motion for Adoption of Settlement Agreement Among Pacific Gas and Electric Company (u39E), the Utility Reform Network, et. al., CPUC A.18-07-013; Appendix A, August 6, 2021, pp. 9-10.

- 1 • Members are unpaid (unless employees of the Commissions) and entitled to reasonable
2 travel and expense per diem per Pub. Util. Code § 400(g)(2) and may submit the state’s
3 Travel Expense Claims form⁵⁷

4 DACAG website portals are hosted by both the CPUC and the CEC, and include all documents,
5 an official docket with all filed and received comments and correspondence, all presentations
6 given or received by the committee; minutes of meetings and links to the recorded Zoom
7 “public” meetings. The on-line meetings are coordinated by the CPUC/CEC. As well, the
8 website provides links and information for:

- 9 • Process for submitting DACAG recommendations to the CPUC and CEC
- 10 • Handy Guide to Bagley-Keene Open Meeting Act and Simple Guide to Bagley-Keene
11 Open Meeting Act
- 12 • Robert's Rules of Order

13 The first link, “Process for submitting DACAG recommendations to the CPUC and CEC” provides
14 a direct method for assuring that their recommendations do appear on the dockets of the
15 appropriate proceedings at each regulatory agency:

16 Mechanism to Comment on Existing and Emerging Programs:
17 At the September 28, 2018 DACAG meeting, the DACAG identified three priority
18 areas, including “review existing and emerging programs and proceedings and
19 determine how to review, engage, and comment on issues.” The DACAG
20 subsequently requested CEC and CPUC legal staff recommendations on how to
21 do so in active, pending, or contemplated proceedings. CPUC and CEC staff
22 recommended the following mechanism:

- 23 • A DACAG member may raise any proceeding or program for the full DACAG to
24 consider commenting upon.
- 25 • The DACAG member must then request that this item be placed on the agenda
26 for subsequent deliberation, and if applicable, action by the full DACAG subject
27 to Bagley-Keene Open Meetings Act requirements.
- 28 • If the DACAG member proposes a written comment, the written comment
29 should also be placed on a subsequent meeting agenda, subject to Bagley-Keene
30 requirements.

⁵⁷ Disadvantaged Communities Advisory Group Charter, pp. 3-6.

- 1 • At the subsequent meeting to deliberate submission of a comment, the DACAG
2 may edit the proposed comment in “real-time,” and subject it to public
3 comment.
4 At the October 30, 2018 DACAG meeting, the DACAG clarified with CPUC staff
5 that this mechanism is appropriate. Further, the DACAG confirmed that there
6 was no need for the DACAG to formally join an active proceeding as a party, and
7 could send (via email) its comments to the presiding Administrative Law Judge(s)
8 and Assigned Commissioner(s) through the CPUC Public Advisor’s Office for
9 CPUC proceedings.⁵⁸

10 DACAG’s dedicated CPUC website can be accessed at: <https://www.cpuc.ca.gov/dacag/>

11 And also from the CEC: [https://www.energy.ca.gov/about/campaigns/equity-and-](https://www.energy.ca.gov/about/campaigns/equity-and-diversity/disadvantaged-communities-advisory-group)
12 [diversity/disadvantaged-communities-advisory-group](https://www.energy.ca.gov/about/campaigns/equity-and-diversity/disadvantaged-communities-advisory-group)

13

14 **5. The State Water Resources Control Board (SWRCB) creation of the OTC Nuclear**
15 **Review Committee**

16 The Statewide Water Quality Control Policy On The Use Of Coastal And Estuarine Waters For
17 Power Plant Cooling, issued May 4, 2010, included the following provision:

18 D. No later than [three months of the effective date of this Policy the Executive
19 Director of the State Water Board, using the authority under section 13267(f) of
20 the Water Code, shall request that Southern California Edison (SCE) and Pacific
21 Gas & Electric Company (PG&E) conduct special studies for submission to the
22 State Water Board.

23 (1) The special studies shall investigate alternatives for the *nuclear-fueled power*
24 *plants** to meet the requirements of this Policy, including the costs for these
25 alternatives

26 And further, established an independent review committee for this purpose:

27 (3) The special studies shall be overseen by a Review Committee, established by
28 the Executive Director of the State Water Board no later than [three months of

⁵⁸ Disadvantaged Communities Advisory Group 2018 Annual Report, California Energy Commission Docket # 16-OIR-06, April 2, 2019, p.6.

1 the effective date of the Policy], **which shall include, at a minimum,**
2 **representatives of SCE, PG&E, SACCWIS, the environmental community, and**
3 **staffs of the State Water Board,** Central Coast Regional Water Board, and the
4 San Diego Regional Water Board. [emphasis added]
5

6 (5) No later than [three years after the effective date of this Policy] the Review
7 Committee shall provide the final report and the Review Committee’s comments
8 for public comment detailing the results of the special studies and shall present
9 the report to the State Water Board.
10

11 **(6) Meetings of the Review Committee shall be open to the public and shall be**
12 **noticed at least 10 days in advance of the meeting. All products of the Review**
13 **Committee shall be made available to the public.**⁵⁹ [emphasis added]

14 The “Nuclear Review Committee” was convened, per the order. Public meetings were held and
15 all procedures followed the Bagley-Keene Open Meetings Act including 10-day advance notice
16 of meetings to the public. Public comment was taken at their meetings. The diverse members
17 included advocates with special knowledge in areas specifically related to energy, water and
18 environmental policy, including a designated Chairperson (and alternate) and a representative
19 of the California Public Utilities.⁶⁰

20 Public members of the panel (A4NR, the Center for Environmental and Energy Resources, and
21 the Natural Resources Defense Council) served as volunteers and were reimbursed by the
22 SWRBC for travel and hotel expenses via the agency’s standard practices. As their meeting
23 notes (minutes) of November 2, 2011 indicate, a candidate from among the group was “voted
24 in as chair.”⁶¹ Their first public report to address their scope of work summarizes not only their

⁵⁹ Statewide Water Quality Control Policy On The Use Of Coastal And Estuarine Waters For Power Plant Cooling, State Water Resources Control Board, May 4, 2010, pp. 10-11.

⁶⁰ Scope of Work Report by the Review Committee to Oversee Special Studies for the Nuclear-fueled Power Plants Using Once-through Cooling, November 7, 2011, State Water Resources Control Board.

⁶¹ State Water Resources Control Board, OTC Nuclear Review Committee Meeting Summary, November 7, 2011

1 adherence to democratic governance procedures, but also indicates the level of proficiency in
2 scoping and developing contracting criteria that the SWRCB expected from them:

3
4 **1.5 Nuclear Review Committee Meetings**

5 The Review Committee has met ~~four~~ three times. The first meeting was held on
6 March 28, 2011 and involved an introduction to policy and power-point
7 presentations were shown as an introduction to the San Onofre and Diablo
8 nuclear power plants. ***An overview of the public process and ground rules were***
9 ***also established and discussed.*** The second meeting was held on April 28, 2011
10 and involved working on an approach to writing the scope for the special studies.
11 The Review Committee also began developing criteria and qualifications for the
12 ~~independent third party~~ Consultant. The third meeting was held on September
13 23, 2011 and involved finalizing the draft scope and discussing a timeline for the
14 ~~Independent third party~~ Consultant to follow once chosen and contract begins.
15 The Review Committee also discussed the public comment period for this
16 report. The fourth meeting was held on November 7, 2011 and involved
17 addressing comments received on the draft scope, making the needed edits, and
18 approved the document. ***The Review Committee also discussed the next***
19 ***scheduling steps for the public process.***⁶² [emphasis in black/italics added]

20 This committee issued a final report on November 18, 2014. It represents analysis that is more
21 technical, mechanical and scientific in nature than the discussions of “land disposition” issues
22 put forth in D.18-01-022, that are societal and aspirational:

23 The Nuclear Committee met 16 times in publicly noticed meetings beginning on
24 March 2011. Several organizations provided comments and input at these open
25 meetings including the Natural Resources Defense Council, Heal the Bay,
26 Surfrider Foundation, Friends of the Earth (FOE) and Diablo Canyon Independent
27 Safety Committee (DCISC). The Final Phase 1 Reports on Diablo Canyon Power
28 Plant and SONGS were posted for public comment in November, 2012...

29
30 The first phase of the study assesses the viability of eight potential technologies
31 to meet the OTC Policy that were identified [sic] in the Review Committee’s
32 Scope of Work. These technologies were assessed against a set of evaluation
33 criteria, which included whether the technology was first of a kind to scale,
34 operability, impingement/entrainment design, environmental impacts, seismic
35 and tsunami, structural, construction, and maintenance issues. In a second phase
36 of the assessment, **technically feasible technologies were then reviewed in**

⁶² Ibid., p.2 NOTE: Editing marks were included in final, published, accessible on-line version of the document.

1 **more detail, which included developing preliminary designs, evaluating costs**
2 **and schedules, and conducting a nuclear specific assessment.**⁶³ [emphasis
3 added]

4 As Diablo Canyon proceeds with the technical and mechanical aspects of decommissioning, the
5 SWRCB OTC Nuclear Oversight Committee provides an example of a state sanctioned entity
6 that included both membership diversity (advocates, regulatory scientists, agency
7 administration) as well as the ability to receive expertise when needed (the DCISC is referenced
8 along with external issue-related advocacy organizations). The committee was self-governing
9 and the process was conducted under the Bagley-Keene requirements. The utilities were
10 allowed to provide a designated representative to the SWRCB, but their input was limited to
11 the same level of participation as the other members.

12 From a standpoint of providing two-way public outreach and information, the public facing
13 websites of the aforementioned state entities managed by the CPUC, CEC and SWRCB provide
14 links to current and past documents, video recordings of meetings, and portals for public
15 comment—the same activities available through the current DCDEP website— and similar in
16 design and appearance to the state-supported CAB website portals at the four other CABS
17 benchmarked by A4NR in this Testimony.

18 With these examples of the DCISC, the IPRP/IPRG authorized by the CPUC for seismic study
19 oversight, the CPUC/CEC DACAG and the SWRCB OTC committee, there is ample evidence of
20 the ability for a state agency such as the CPUC to create advisory boards with diverse
21 membership that includes elected officials, adherence to parliamentary procedure and state

⁶³ Subcommittee Comments on Bechtel’s Assessment of Alternatives to Once-Through-Cooling for the Diablo Canyon Power Plant, November 18, 2014, p.3.

1 public meeting requirements, and includes the mechanism to hire external consultants as
2 needed. These criteria can and should be applied to the reconstituted Diablo Canyon
3 Community Advisory Board (DCCAB).

4 **IV. PROCEDURAL PROBLEMS ARISING WITHIN DCDEP REQUIRE REMEDY**

5 Q24: What other concerns exist regarding the validity of the input of the DCDEP and faults in
6 its organizational structure?

7 A24: By one definition, the purpose of an *advisory* board is for it to provide advice to the
8 sponsor that created it, and was seeking its advice. In the five preceding examples of advisory
9 boards under the aegis of California agencies, policies and procedures were in place for the
10 recommendations, reports and other communications to be transmitted from the board to the
11 agency.

12 For example, the precise instructions given to members of the DACAG explaining how they may
13 communicate their recommendations directly with and into CPUC or CEC proceedings, dockets
14 and commissioners. This capability is lacking with PG&E's self-created DCDEP, and in one
15 significant event, this shortcoming proved to be of detriment to DCDEP cohesion and process,
16 stymying the efforts of its members.

17 In December 2018, the DCDEP completed work on their "Vision Statement"—a document that
18 included their recommendations on potential and future land use and disposition (issues of
19 concern in D.18-01-022). They were working towards a deadline that they believed would
20 enable its contents to be included in PG&E's 2018 NDCTP filing. However, confusion over the

1 timing and distribution of that statement, and thus the relevance of the DCDEP’S input, became
2 apparent during a public workshop of the DCDEP held on February 23, 2019:

3 **ALEX KARLIN, DCDEP MEMBER:** This panel decided to develop a Vision
4 Statement as to what we hoped and fought and recommended could happen
5 was regard to the lands, with regard to the decommissioning schedule, with
6 regard to reuse of materials and other things, and so we worked pretty hard on
7 that. And PG&E committed to us at that time that our Vision Statement would be
8 incorporated in their application, it was gonna be filed in December of 2018, and
9 they said it would be in that application filed in the record for PUC to see and act
10 upon. And our Vision Statement has dozens of statements, we recommended a
11 PUC do this, we recommend the PUC do that. And so we developed that and at
12 the very end of the process in December, November, PG&E said, “No, we need
13 to file this thing a little quicker than we saw, and your guys are taking a little
14 longer than we thought, so we’re gonna file our application anyway” and we got,
15 well we need to have it in there—in your application. And they said, “Oh, none
16 should worry, none should worry, we’ll file a supplemental filing with the PUC to
17 make sure your vision statement is in the record, and I think we all remember
18 them making that commitment...

19
20 [S]o it's not in the record. Maybe they're gonna do it, but it's fundamental to the
21 role of this for this panel, I think whether they're gonna file it in the proceeding
22 as they committed to do in the docket so that the PUC can base its decision on
23 that. And we're working on the Vision Statement, we're gonna ammend, we're
24 gonna file something with regard to spent nuclear fuel maybe. What are we
25 doing it for if we just off on our own? so I think this is a terrible problem.

26
27 **KARA WOODRUFF, DCDEP MEMBER:** So I think on the one hand there’s what
28 the panel expected and what we were told what was going to happen, and then
29 the other hand is what actually happened. And I think I agree it was submitted
30 to the entire service list, I'm associated with Friends of Wild Cherry Canyon, I did
31 receive an email, so I can confirm that occurred. But I do agree with Alex, this
32 needs to be on the record, and I think PG&E needs to fix this... And we're asking
33 you to fix this problem and get it on the record one way or another, the other
34 thing I would say is, I think as a panel we should do more than just wait for this
35 to be on the record, I think we should actively reach out directly to the PUC
36 ourselves, maybe we need to make a formal in-person visit, and certainly to the
37 extent it's of value to the panel, while Friends of Wild Cherry Canyon is an
38 intervenor, we can certainly file something, and so if that is an option that's
39 available. That is offered to the group, but no matter what, I think our group

1 needs to do some direct discussions with the PUC rather than just relying on this
2 problem fix.⁶⁴

3 DCDEP member Karlin also referenced and read from an email he had received that morning
4 from Jennifer Post, the PG&E attorney for their 2018 NDCTP, which reads in part:

5 Procedurally, I am at a loss as to how we would do that. This is not PG&E
6 testimony. It is not PG&E's position. PG&E will not sponsor a witness to support
7 it. PG&E has committed to evaluate the recommendations in the report
8 thoroughly and we will.

9 The DCDEP is an independent entity and has created and issued this report in
10 that capacity. If a party wishes to adopt the report as its testimony and present it
11 as such in the proceeding, they may file a motion to intervene in the proceeding
12 and do so.⁶⁵

13 Addressing that confusion over sponsorship of Testimony and the need for witnesses, PG&E's
14 representative on the DCDEP, Jon Franke added at the meeting:

15 **JON FRANKE, PG&E:** ...if I were to be the witness, it wouldn't be the community's
16 voice, it would be PG&E's. So we're gonna find a way. There's lots of ways could
17 be... The CPUC is pretty generous about who is allowed to be an intervener... The
18 panel could be an intervener on their own and submit it as a witness, but we're
19 gonna try to help facilitate it, so we're taking the step back to see, is there some
20 way that we can file it without their being a PG&E Witness is... When
21 something's filed with a CPUC there has to be a witness that is sponsoring it, I'm
22 not the right witness for that sponsor, and so if it comes from me, and Alex
23 you're shaking your head, I'm just telling you what my lawyers that deal with the
24 California CPUC process is telling me. We gotta work through it, we found out
25 about your concern at five this morning, it's new now, we're gonna get to the
26 right...and that's...

27
28 **FACILITATOR:** Let's see if we can wrap this up...

29 **A4NR believes the establishment of a Diablo Canyon CAB under the aegis of a state agency, as**
30 **the CPUC and CEC have done for the DACAG—that creates the proper policies and procedures**
31 **for submission and consideration of their advice and recommendation—would clarify the**

⁶⁴ Diablo Canyon Decommissioning Engagement Panel, Spent Fuel Workshop, February 23, 2019, video accessed on May 5, 2022 at: <https://cal-span.org/unipage/?site=slo-span&owner=DCDEP&date=2019-02-23>

⁶⁵ Post, Jennifer, PG&E, email to Alex Karlin, February 23, 2019.

1 **muddled process that confused and disenfranchised the DCDEP members when PG&E was in**
2 **control of dissemination and filing of their report.** At no point since the DCDEP discussion of
3 February 23, 2019 has their charter been amended, revised or updated to offer any clarification
4 regarding the concerns raised at that time.

5 **V. RECOMMENDATIONS**

6 Q25: What model of structure and governance would you propose for the reconstituted Diablo
7 Canyon Citizens Advisory Board, (DCCAB)? What is your recommendation?

8 A25: The DCCAB should be a truly independent board, not run or administered by PG&E, but
9 chartered under the aegis of the CPUC and operating under the Bagley-Keene Act. It should
10 follow parliamentary procedure including leadership from a chairperson, vice-chairperson and
11 require participants to adhere to the state’s conflict of interest policies for members
12 governmental agencies.

13 In a synthesis of earlier models referenced in MA, VT, NY and ME, the proposed membership of
14 the DCDEP would include 16 members, with the following distribution of representatives:

15 **1)** A designated representative (1) from the CPUC; most appropriately from the Energy
16 Division. This representative would coordinate the logistics for the committee and maintain the
17 committee’s internet/web presence via a portal on the CPUC website, in a manner similar to
18 the state websites for VT, NY and MA (see earlier examples). This member would not be a
19 voting member of the panel.

1 **2)** One (1) selection of an expert in nuclear energy selected and appointed by the Chair of
2 the California Energy Commission.

3 **3)** Each one of the five (5) San Luis Obispo County Supervisors and the Santa Barbara
4 County supervisor (1) representing the city of Santa Maria and the northwesternmost border of
5 Santa Barbara County with San Luis Obispo County would appoint one elected official from
6 their district to serve on the DCDEP. Elected official is defined as any person elected through
7 general or special election administered and governed by the registrar of voters of that county,
8 and could include city council, community service district, community college district, primary
9 and secondary boards of education, judges and law enforcement.

10 **4)** One (1) representative as authorized by the recognized tribal authority for the
11 geographic region.

12 **5)** One (1) representative of the unions representing workers involved in the trades
13 encompassed by the decommissioning work.

14 **6)** One (1) representative from the staff of the California state senate district representing
15 San Luis Obispo.

16 **7)** One (1) representative from the staff of the California state assembly district
17 representing San Luis Obispo.

18 There would be four (4) members selected at large through a public application process
19 administered by the authorizing state agency:

1 **8)** One (1) representative of a non-profit environmental or conservation advocacy
2 organization.

3 **9)** One (1) representative of a local/regional chamber of commerce or economic
4 development agency.

5 **10)** Two (2) residents-at-large; one (1) from San Luis Obispo County and one (1) from the
6 northwestern Santa Barbara County supervisory district.

7 The four members at large would be solicited from an open call. The CPUC administrator would
8 initiate and publicize the call for candidates and collect the applications. Applicants meeting
9 the initial screening criteria would be submitted to the standing members of the DCCAB who
10 would vote for the final choices.

11 Q25: What other structural and procedural changes would occur with the creation of this
12 model for the DCCAB?

13 A25: At their initial meeting, the appointed members would vote to choose a chairperson and
14 vice chairperson. A charter adhering to Robert's Rules of Order would be developed and
15 followed. Board members would be required to sign conflict of interest statements.

16

17

18

19

1 APPENDIX A

2 **Qualifications of Rochelle Becker, Executive Director,**
3 **Alliance for Nuclear Responsibility**

4 Rochelle Becker is an internationally recognized nuclear energy activist who has been engaged
5 with California electric utility issues for forty-one years. Since the late 1970s, she has appeared
6 before the California Public Utilities Commission, the Nuclear Regulatory Commission, the
7 California Energy Commission, the California Coastal Commission, the California State
8 Legislature, the California State Lands Commission, and the United States Congress on matters
9 affecting California’s nuclear power plants.

10 In 2005, she co-founded and became Executive Director of the Alliance for Nuclear
11 Responsibility, having served for the previous twenty-five years as a spokesperson for the San
12 Luis Obispo Mothers for Peace. The Alliance supporters include ratepayers and residents and
13 small businesses within the service territories of PG&E’s Diablo Canyon and SCE/SDGE’s San
14 Onofre Nuclear Generating Station. She also previously served as a member of the California
15 State Water Resources Control Board’s Review Committee for Nuclear Fueled Power Plants. Ms.
16 Becker is also a former President of the Board of Directors of The Utility Reform Network (nee
17 “Toward Utility Rate Normalization”).

18 Ms. Becker was invited to represent West Coast at the U.S. Department of Commerce forum on
19 the economic impacts to communities facing nuclear plant closures, informing federal agencies

- 1 (DOE, NRC, EPA, HUD, Commerce, Agriculture and representatives from Vermont, and Illinois).
- 2 The collaboration resulted in a report back to Congress.⁶⁶
- 3 Ms. Becker has previously testified before the Commission as an expert witness in many
- 4 previous proceedings. Ms. Becker is a graduate of the University of San Francisco.

⁶⁶ 041119 Roundtable Press Release -- Final Draft -- 11 Apr 19