

## San Onofre Decommissioning Community Engagement Panel

### REGULAR MEETING

Thursday, March 24, 2016, from 6:00-9:00 p.m. PDT in Oceanside, California

#### Meeting Minutes and Action Items

#### 1) Community Engagement Panel (CEP) Member Attendance

- a) Present: Dr. David Victor (CEP Chairman/University of California, San Diego), Hon. Tim Brown (CEP Vice Chairman/San Clemente City Council), Dan Stetson (CEP Secretary/Nicholas Endowment), Ted Quinn (American Nuclear Society), Garry Brown (Orange County Coastkeeper), Hon. Jerome "Jerry" M. Kern (Oceanside City Council), Dr. William Parker (University of California, Irvine), Tom Caughlan (Camp Pendleton), Hon. Carlos Olvera (Mayor, Dana Point), Glenn Pascall (Sierra Club), Valentine "Val" Macedo (Laborers' International Union of North America, Local 89), Rich Haydon (California State Parks)
- b) Absent: Hon. Lisa Bartlett (Supervisor, Orange County, 5<sup>th</sup> District), Hon. Bill Horn (Supervisor, San Diego County), Jim Leach (South Orange County Economic Coalition), Hon. John Alpay (President, Capistrano Unified School District Board of Trustees), Donna Boston (Orange County Sheriff's Department), Hon. Pam Patterson (Mayor, San Juan Capistrano)
- c) Guests: Cy Oggins (California State Lands Commission), Marlayna Vaaler (observer, Nuclear Regulatory Commission)
- d) Southern California Edison (SCE) Representatives: Tom Palmisano (VP of Decommissioning and Chief Nuclear Officer), Linda Anabtawi (Senior Environmental Attorney)

#### 2) Meeting Convened by Chairman David Victor at 6:00 p.m.:

- a) Chairman Victor opened the meeting by reiterating that the CEP is made up of eighteen volunteers and that the role of the CEP is not a decision-making body, but is designed as a communication conduit between the local communities and SCE, as well as a forum to educate the public on the decommissioning process.
- b) Tonight's focus is on the Environmental Review and Permitting Process and will also address a number of important updates.
- c) The presentations from tonight can be found on [SONGScommunity.com](http://SONGScommunity.com), as well as live streaming, and links for signing up for public walking tours.
- d) Acknowledgement of two guests tonight: Cy Oggins from the California State Lands Commission (SLC) who is here to speak and Marlayna Vaaler from the NRC who is here to observe.
- e) SCE has set up two educational booths on nuclear processes, staffed by SCE personnel that will be open during the 10-minute break.
- f) A structured public comment period will follow the presentations. Comments may be submitted within 5 business days of the meetings on [nuccomm@songs.sce.com](mailto:nuccomm@songs.sce.com).
- g) The 2016 CEP Curriculum was provided and Chairman Victor announced that the next CEP meeting would be focused on Consolidated Interim Storage (CIS) and would be held in Dana Point on June 16, 2016 [subsequently changing to Wednesday, June 22, 2016]. CEP meetings will be held from 5:30-8:30 p.m. going forward.

#### 3) Decommissioning Update, by Tom Palmisano, VP of Decommissioning and Chief Nuclear Officer

- a) Tom Palmisano reviewed the Decommissioning Principles: safety, stewardship, and engagement (including transparency and an open dialogue).
- b) Tonight's focus is on the California Environmental Quality Act (CEQA) and the environmental permitting process.
- c) Tom Palmisano provided a review of the 20-Year Decommissioning Plan and identified the most critical activities to complete: Decommissioning General Contractor award and startup activities; completion of the Independent Spent Fuel Storage (ISFSI) pad expansion, ISFSI

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canister fabrication, and the ISFSI Offload Campaign; and CEQA Permitting which is being discussed tonight and is needed before physical work on decommissioning starts.

- d) Tom Palmisano provided an update of the Nuclear Regulatory Commission (NRC) licensing activities.
  - i) The following exemptions are currently under review by the NRC: Records Retention, Offsite Insurance and Onsite Insurance.
  - ii) The NRC continues to conduct inspections to ensure compliance, look at what changes have occurred, review what controls are in place, and ensure that Decommissioning activities are being conducted safely and compliantly.
  - iii) The NRC is amending its current regulations to support a more efficient decommissioning process. This NRC Decommissioning Rulemaking effort will take about five years.
- e) Site Activities Update
  - i) The Cold & Dark project prepares the plant for decommissioning by de-energizing the plant and draining and isolating plant systems not required for shutdown condition. Cold & Dark removes remaining hazards from the plant, places the plant in a safe condition for non-operating configuration, and prepares the plant for its eventual safe decommissioning while protecting the used fuel. Cold & Dark will be complete by July 2016.
    - (1) Ted Quinn asked what lessons have been learned from other plants in the decommissioning process.
      - (a) Tom Palmisano responded that a number of decommissioning plants were visited and in particular the Zion plant was benchmarked and the lessons learned are embedded in the Cold & Dark project.
    - (2) Hon. Tim Brown asked for an explanation of what NRC ISFSI inspections were occurring.
      - (a) Tom Palmisano explained that the NRC has an inspection plan (e.g., radiological, security, etc.) and that over the last few weeks the NRC has been on site inspecting the spent fuel, how SONGS is caring for the spent fuel, and that record-keeping is in compliance.
- f) ISFSI Project Update
  - i) Tom Palmisano provided an update of the key ISFSI project milestones: project initiated in the fall of 2015, construction scheduled to be complete in mid-2017, and all fuel expected to be in the ISFSI by mid-2019.
  - ii) A timeline for Fuel Readiness for Transportation was provided. Fuel transfer is estimated at 10 years from start to finish; some fuel qualified for transportation now, but other fuel qualifies over time. Following is information regarding when the canisters could be shipped, not when the canisters will be shipped:
    - (1) 33 canisters of Units 2&3 fuel are ready to go at this time;
    - (2) 17 canisters of Unit 1 fuel will start to be ready in 2018, but some won't be shippable until 2030;
    - (3) Units 2&3 wet fuel will be ready to ship in 2020.
      - (a) Chairman Victor asked that the "Fuel Readiness for Transportation" information be turned into a short memo, including the timeline, for posting on SONGScommunity.com.
      - (b) Dr. Bill Parker asked what other timing issues were associated with transportation, such as permitting, transportation casks, rail cars, routes, etc.

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- (i) Tom Palmisano shared that based on discussions with vendors the actual transportation of SONGS fuel to a centrally located private fuel storage will likely take ten (10) years. The transportation and railcar issues need to be resolved first and that could take years.
  - iii) Department of Energy (DOE) Consent-based Siting public meetings have been scheduled at eight (8) locations to obtain public and stakeholder comments. One of those meetings will be held in Sacramento on April 26, 2016. See <http://energy.gov/ne/consent-based-siting>.
    - (1) The DOE has awarded an \$8.63 million fixed price contract to AREVA Federal Services on August 21, 2015 for the development of a cask and buffer railcars.
    - (2) In the past year, DOE remarks on Private Storage have shown encouraging development.
  - iv) Decommissioning vs Operations Economic Output
    - (1) Tom Palmisano provided a follow-up from the Economic Impact Study that was shared at a prior CEP meeting:
      - (a) Decommissioning staff full time equivalents are 17% of those employed during operation;
      - (b) Decommissioning labor income is 12% of the labor income during operation;
      - (c) Decommissioning total output is 9% of the total output during operation.
- 4) **San Onofre Environmental Review & Permitting Process, by Linda Anabtawi, SCE Senior Environmental Attorney**
  - a) Linda Anabtawi provided an overview of the CEQA process, including the identification of state and federal agencies involved in the process and what agency approvals are required. Also discussed was progress made to date with the California Coastal Development and the SLC. A permitting timeline was provided showing the ISFSI Coastal Development Permit (CDP) Amendment, CEQA review, the SLC lease and California Coastal Commission (CCC) CDP, and the Navy's National Environmental Policy Act (NEPA) review and easement.
  - b) Important to note is that in addition to NRC regulation and oversight by the NRC, SONGS is located on the coast and therefore subject to coastal zone regulations, and SONGS is located on land leased from the federal government (i.e., the US Navy), therefore SONGS has both state and federal agencies as landowners. This combination means that SONGS falls under both state (CEQA) and federal (NEPA) environmental reviews. Today's focus is on the state process for which approvals are needed before starting the physical decontamination and dismantlement work. Overseeing the SONGS Decommissioning process are the following agencies:
    - i) Primary state agencies include the SLC, Coastal Commission, Public Utilities Commission, State/Regional Water Boards, Air Resources Board, and Department of Fish & Wildlife.
    - ii) Primary federal agencies include the NRC, Department of the Navy, Army Corps of Engineers, and Fish & Wildlife/National Marine Fisheries Service.
    - iii) The following approvals are needed:
      - (1) California SLC
        - (a) Lease modification for Units 2&3 conduits;
        - (b) Lease modification triggers CEQA review for the entire decommissioning project (both onshore and offshore);
        - (c) CEQA Lead Agency for Environmental Impact Report (EIR).
      - (2) California Coast Commission

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- (a) Will apply for a CDP for onshore and offshore activities;
    - (b) Would leverage SLC EIR for CCC staff report.
  - c) Linda Anabtawi explained that the Unit 1 and Units 2&3 conduits are of different design and are of different lengths (data and drawings will be provided to CEP members).
  - d) Progress to date includes CCC approval of:
    - i) interim activities in preparation for decommissioning, such as the Spent Fuel Pool Island project to eliminate reliance on ocean water for cooling fuel;
    - ii) ISFSI expansion.
  - e) SCE submitted the Units 2&3 Conduits lease application to the SLC in November 2015.
  - f) Chairman Victor asked that the Navy be invited to a future CEP meeting.
  - g) Other SONGS environmental initiatives include the Large Organism Exclusion Device (LOED) permitting underway and the Wheeler North Reef and San Dieguito Wetlands CCC Public Workshops in April and May.
- 5) **California SLC: Public Trust and CEQA Public Review, by Cy Oggins, Chief of Environmental Planning & Management, SLC**
  - a) Cy Oggins provided an overview of the SLC, including the SLC mission statement, the Public Trust Doctrine, the Commission's role in SONGS Decommissioning, and the Commission's role as the CEQA Lead Agency:
    - i) The SLC is the Lead Agency (the public agency with the principal responsibility for carrying out or approving a project) under the CEQA for Decommissioning the SONGS Units 2&3 offshore conduits and onshore facilities. The SLC will prepare an EIR that will analyze the whole of the decommissioning project, not just the offshore conduits.
  - b) Cy Oggins provided the background for CEQA, the Commission's goal, and the steps involved in the Commission's CEQA process, including the steps involved in the public review process, and the role of the Commission engineering and environmental staff.
    - i) Under CEQA, the SLC must identify the environmental impacts of the project, and if feasible, significant environmental impacts must be eliminated or reduced (mitigated).
    - ii) Steps in the SLC's CEQA process include:
      - (1) Contract with independent 3<sup>rd</sup> party consultant to prepare an EIR following a competency-base selection process (March to April 2016)
      - (2) Release Notice of Intent (NOI) to prepare EIR and conduct public scoping (May to June 2016)
      - (3) Review proposed decommissioning operations and procedures for public health and safety and environmental concerns
      - (4) Consult with applicable federal, state, and local agencies
      - (5) Prepare Draft EIR and Analysis of Impacts to Public Trust Resources and Values
      - (6) Release and accept public comments on Draft EIR; hold local public hearings (~spring 2017)
      - (7) Prepare and release Final EIR with Responses to Comments
      - (8) Hold Commission public hearing to decide whether to certify EIR and approve project (~fall 2017)
    - iii) Commission engineering and environmental staff role includes:
      - (1) Review application materials;

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- (2) Review operations and procedures to ensure that decommissioning is performed in a way that protects public health and safety and the environment;
  - (3) Ensure Applicant's compliance with applicable standards and codes;
  - (4) Conduct mitigation monitoring during decommissioning if Commission approves project.
- c) Cy Oggins' contact information: email [cy.oggins@slc.ca.gov](mailto:cy.oggins@slc.ca.gov), phone # 916-574-1880
  - d) Garry Brown asked about the SLC's selection of the EIR Consultant.
    - i) Cy Oggins advised that on the bottom right hand side of the SLC website ([www.slc.ca.gov](http://www.slc.ca.gov)) there is a link to the request for proposal and the requirements contained therein. Click on "The Commission is seeking an environmental services consultant to assist in preparing an Environmental Impact Report for the San Onofre Nuclear Generating Station (SONGS) Decommissioning Project."
  - e) Dan Stetson asked about the line of demarcation between the SLC and the US Navy.
    - i) Linda Anabtawi said the US Navy will be very involved in the CEQA process because as the landowner the Navy will be the decision maker as to the end state of the land. SLC will be interacting with the Navy, and this interaction will ultimately facilitate the subsequent NEPA process.
    - ii) Linda Anabtawi added that the CEQA and NEPA processes do not run in parallel and cover different scopes.

#### 6) CEP CIS Discussion

- a) Chairman Victor advised that the 2<sup>nd</sup> quarter CEP meeting will be focused CIS. Recent meetings with the House Senate Staff showed shifting views towards a recognition of CIS as a complement to permanent storage. Secretary Moniz has suggested that Congress will not make progress on this topic in 2016 but will create an "echo chamber" around the concept of CIS. Chairman Victor recently distributed a memo on this subject, however, has concerns regarding the transportation issues.
- b) Dan Stetson commented that he believes progress is being made in the area of CIS and that Marni Magda has been very active getting the word out.
- c) Garry Brown stated that he is encouraged to see an increased awareness regarding CIS, however, cautions against neglecting the need to fix the broken Congress process and continuing to seek a final repository; if not, the CIS will become the long-term permanent storage and will have not been designed as such.
- d) Chairman Victor mentioned a recent article in the current EPRI Journal that addresses the various technologies that are being developed to monitor the canisters as part of aging management programs.
- e) Hon. Tim Brown advised that Hon. Jerry Kern has had great success obtaining resolutions in favor of CIS and that everyone on the panel should be doing the same.
  - i) Hon. Jerry Kern explained the process he went through in Oceanside where the resolution was passed and has been copied by a number of other communities (e.g., Carlsbad, Encinitas, Laguna Woods, etc.). Hon. Jerry Kern urged that the public contact their Congressman and added that California State Senator Pat Bates and California Assembly Member Chavez are bringing the issue to the State Level.
- f) Ted Quinn encouraged the public to attend the Consent-based Siting meetings.

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#### 7) Chairman Victor Facilitated the Public Comment Period

- a) Public Comments were made by the following individuals:
  - i) Gary Headrick, San Clemente Green – Safety and Consolidated Interim Storage
  - ii) Marilyn Fuss, LA Resident – Public awareness for Consolidated Interim Storage
  - iii) Marni Magda – Government push Consolidated Interim Storage
  - iv) Donna Gilmore, San Onofre Safety – Sandia Lab Report
  - v) Daryl Gale, Los Angeles resident – Government push Consolidated Interim Storage
  - vi) Bob Belhumer – No comment made
  - vii) Mike Aguirre – Permanent Repository
  - viii) Maria Severson – CEP charter, CEP meeting locations
  - ix) Richard Gardner – Desalination Plant
- b) Dan Stetson facilitated dialogue based on themes conveyed during the Public Comment Period:
  - i) Why can't the 33 canisters that are ready to be moved now, be moved?
    - (1) Tom Palmisano responded that there is no place to move them to and no transportation protocols in place.
  - ii) Does the NRC monitor the amount of radiation flowing into the ocean through the conduits?
    - (1) Tom Palmisano stated the plant is licensed for a low level radioactive releases into the ocean. The conduits will be sampled to make sure there is no residual radioactivity that would pose a hazard.
  - iii) Is Federal Legislation required for CIS?
    - (1) Chairman Victor responded that it is unclear what is needed and that Secretary Moniz has commented that some change in Federal law would be necessary to protect the firms that undertake CIS.
  - iv) Can the conduits be used for a desalinization plant?
    - (1) Tom Palmisano responded that theoretically anything is possible, but the issue is complex as the onshore land is owned by the Navy which will make the decision on the end state.
    - (2) Cy Oggins added that the conduits are on State land and the SLC would need to weigh in.
  - v) Who is deciding on the CEP meeting locations?
    - (1) Chairman Victor responded that the CEP was asked to hold some of the meetings in North San Diego County as well as South Orange County and that there are not a lot of venues to choose from considering the requirements (e.g., space, audio-visual, safety of the public, etc.)
  - vi) Dan Stetson addressed the comment made by a member of the public who accused CEP members as being part of a "criminal conspiracy"
    - (1) Dan Stetson stated that the CEP members are volunteers.
    - (2) Chairman Victor requested that if someone honestly believes the CEP members are engaged in criminal conspiracy then he welcomes those claims in writing
  - vii) Hon. Tim Brown read the charter of the CEP pertaining to the 3-minute rule for public comment period and asked that the public adhere to the rules of decorum and that the panel is doing its best.
  - viii) Marni Magda requested feedback on a March 15 Holtec document on stress corrosion cracking.
    - (1) Chairman Victor asked that SCE respond to the document at the next CEP meeting.

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- (2) Tom Palmisano commented that tooling would need to be developed and deployed for repair of canister stress corrosion cracking; inspection techniques are part of the NRC license renewal.
- ix) SONGS' reaction to attacks in Belgium was mentioned during the public comment period.
  - (1) Tom Palmisano explained that when a terrorist attack of this nature occurs the SONGS site goes into heightened awareness and contacts the Federal Bureau of Investigation, Homeland Security, and the NRC.

#### 8) Meeting adjourned at 8:35 p.m.

#### 9) Action Items:

	Action Item Description	Comments
1	Chairman Victor asked that the "Fuel Readiness for Transportation" information be turned into a short memo, including the timeline, for posting on SONGScommunity.com	Related to Tom Palmisano's update on the ISFSI project
2	Chairman Victor requested the Navy be invited to a future CEP meeting to discuss NEPA, when the time is right	Related to Linda Anabtawi's environmental review and permitting process
3	Chairman Victor requested that data and drawings for the Unit 1 and Units 2&3 conduits be provided to the CEP members and that the plan for the Units 2&3 conduits be shared with the CEP panel	Related to the discussion of the design differences between U1 and U2&3 conduits and questions pertaining to the handling of the diffuser ports
4	Chairman Victor requested that SCE post reminders on SONGScommunity.com of any LOED-related Public Workshops coming up	Related to Linda Anabtawi's discussion on the LOED
5	Chairman Victor requested a Wheeler North Reef and San Dieguito Wetlands performance update at the 2 <sup>nd</sup> Quarter CEP meeting	Related to Linda Anabtawi's discussion on these topics; include funding discussion
6	Chairman Victor asked Cy Oggins to advise if there were any important documents that should be shared with the public regarding the LOED and for SCE to load those documents on SONGScommunity.com or provide SLA links	Reach out to Cy Oggins to ascertain
7	Chairman Victor requested that Tom Palmisano include an EIR Process Update in the quarterly Decommissioning Update going forward	
8	Provide feedback on the Holtec 3/15/16 document on stress corrosion cracking at the 2 <sup>nd</sup> quarter CEP meeting	Marni Magda submitted this request in writing prior to the 3/24/16 meeting
9	Chairman Victor asked that the CEP meeting notices include public transportation options for the venue	