David Victor Responds to Questions from Diablo Canyon Independent Safety Committee

From: David G. Victor
Sent: Wednesday, October 10, 2018 8:39 AM
To: Rochelle Becker
Cc: PER PETERSON; Jerry Kern; Daniel T. Stetson; Manuel Camargo; Steve Carlson
Subject: (External):Re: Thank you and a few questions

Dear Rochelle

Thanks for your note with the questions you are keen to explore when I visit the Diablo Committee later this month, which I attach. I copy Bob Rathie and Per for their awareness, with the hope that Bob can share your letter and these replies with the larger group. I also copy Jerry Kern and Dan Stetson—leadership of the SONGS CEP along with me—and ask Manuel Camargo to include our letter/email thread in the next circular of correspondence with the CEP.

Some of your questions entrain politically sensitive or complex issues that can't be fully outlined in a letter, but below are some initial replies for each that can help start the conversation.

1: I have not done a statistical analysis of the questions raised during general public comment. That said, my impression is that the number one topic raised has been, in various ways, the integrity of the spent fuel canisters. Some of this is, in my view, the result of an active misinformation campaign by some folks who have been advocating impractical and unwise alternatives, but it has generated lots of comments. Second, most common are comments about low levels of trust in institutions—the operator and the NRC (and a long list of other institutions, including me and the CEP). There is a longer history prior to decommissioning involving a debacle with steam generator replacements and the aftermath of Fukushima that really soured relations for many in the local community. After that, we have had lots of comments on how to get the spent fuel away from the site. The focus of comments varies a lot with what's in the news.

2: I think we have at least three major accomplishments. First, the CEP has become the central institution for engaging the public—even when criticized, the

CEP is a regular, central fixture in the decommissioning process. Second, we have helped to shift the debate and focus attention on building political support for moving the spent fuel to interim storage. When the CEP began the outlook for moving the spent fuel was seemingly hopeless. Today it isn't—for lots of reasons, of course, but the CEP has put massive attention and energy into focusing that debate. A lot more work still needed to build the coalition required for a change in federal law. Third, I think we have played a central role in framing the "defense in depth" discussions for an ISFSI-only site. We helped reframe the debate around the choice of stainless canisters and helped get the debate focused on long-term stewardship of the ISFSI, including research and demonstration of key technologies.

3: The CEP is not a decision-making body, so we can't formally "strongly support" actions by Edison or anyone else. That said, nearly all CEP members and most CEP discussions are highly supportive of the safest, rapid offloading of the spent fuel from the pools. That's based on lots of discussions about a) what is safest; b) the benefit from shrinking the size of the site; and c) the benefit from having spent fuel ready and in line—ready to ship.

4: The CEP membership is a mix, but most members are elected officials. The elected officials are a vital resource—perhaps the most important because they are immersed into local politics, which gives them special insight into what is feasible and also judgement about where/how to focus. Also helpful to have representatives from environmental groups and at least a few people (or one) who has technical knowledge relevant to decommissioning.

5: I don't have a comment on this—since I have not observed a pre-decommissioning CEP. I can see advantages, mostly, but also the disadvantage that the CEP needs to have a clear vision for what it wants to do. Having meetings without clear action items might undermine confidence and also generate skepticism.

6: We did not rely much on the PSDAR. It was discussed periodically and we have regular update briefings from SCE management (in public) that draw on the same information that goes into the PSDAR, but the CEP has drawn on a much wider array of information and analysis.

7: We discussed the DCE a couple times, and there has been some attention in particular to the question of how "saved" money (e.g., from avoiding removal of ocean conduits) should be shared with local communities or devoted to earmarked projects (e.g., reef restoration). Still early days for those discussions.

8: See response to question 4. These experts are invaluable—not just in meetings but also outside the meetings for two reasons. First, they can help organize and understand the range of stakeholder opinion. That has been very important on the topic of conduit removal, for example. Second, at times topics arise that have high technical content and it is really important for the CEP to be able to rely on its own members to wade through the details and help it formulate an opinion. An advantage of a larger panel (we have 18 members) is that we can represent the wide array of local communities and also allow for cross-cutting and technical expertise.

I very much look forward to our discussions and to follow-up on these replies and other questions that may arise.

All best
David

From: Rochelle Becker
Date: Tuesday, October 9, 2018 at 4:19 PM
To: David G. Victor
Subject: Thank you and a few questions

Hi David,

We were delighted to hear that you've found time to attend the Diablo Canyon Independent Safety Committee meeting later this month. We are hoping that we can expedite your appearance by sending a few questions in advance that we believe will help focus both the DCISC and PG&E's Engagement Panel. Your experience in guiding the SONGS Panel will hopefully provide a bit of direction and insight locally.

I look forward to seeing you later this month and hopefully, you will have time to respond to our questions beforehand.

In peace
Rochelle

Rochelle Becker, Executive Director

Alliance for Nuclear Responsibility
PO 1328
San Luis Obispo, CA 93406

Attachment:
1 – Alliance for Nuclear Responsibility – Letter to David Victor, October 9, 2018
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Nuclear Waste Management

From: David G. Victor]
Sent: Monday, December 10, 2018 9:38 AM
To: Manuel Camargo >
Cc: Daniel T. Stetson; Jerry Kern
Subject: (External): please circulate

Dear CEP Members (Manuel, pls include in the next circular),

Attached is the "reset" report—a multiyear effort by Stanford University, Allison Macfarlane, and many others to take a fresh look at what might be done with the nation's spent nuclear fuel. A big push to put these ideas into reality is now under way. The report is well-informed and big picture.

My sense is that what they recommend—which is more or less a complete overhaul—will be too hard to organize politically and administratively. But elements of what they propose are viable and will be part of legislation that takes shape in the new Congress. Among other things, I note that they directly call for a revision of the "standard contract" which is something we have all been pushing for—so that fuel at decommissioned sites gets shipped to a consolidated storage facility or permanent repository first.

Best
David

Attachment:
2 – Reset of America's Nuclear Waste Management - *Strategy and Policy*, 2018 – October 15, 2018 - Stanford University Center for International Security and Cooperation, George Washington University Elliott School of International Affairs

From: Tom Palmisano
Sent: Wednesday, December 05, 2018 2:52 PM
To: Doug Bauder; Kevin Walker; Manuel Camargo; Liese Mosher; John Dobken
Subject: NEI letter on used fuel management:

All,

The following is a notice from NEI on a recent letter they have sent to leaders of Congress. I've attached a PDF copy of the letter.
~~~~~~

Manuel, let's provide this to the CEP. Liese, please make it available on the web site.

Tom

From: Maria Korsnick
Date: Wednesday, December 5, 2018 at 1:45 PM
To: Tom Palmisano
Subject: (External): Used Fuel

IMPACT

AN EXCLUSIVE MESSAGE FOR MEMBERS OF THE NUCLEAR ENERGY INSTITUTE

DEC. 5, 2018

Used Fuel: Letter to Congressional Leadership

NEI is hopeful that Congress can make progress on ending the used fuel stalemate in the final days of the 115th Congress. Sufficient funding for both interim storage and resumption of the Yucca Mountain licensing process would be a welcome change of course.

Yesterday, NEI delivered a letter to Congressional leaders urging immediate Congressional action to revitalize the federal used fuel program. The letter to Congressional leadership is the latest in NEI's efforts working with the Executive Used Fuel Task Force and member company Washington Representatives to ensure that used fuel legislation is included as part of a lame-duck spending package. Consistent with the NEI Used Fuel Principles, the letter supports both consolidated interim storage and Yucca Mountain. It was signed by a broad coalition of labor unions, state public service commissioners, clean energy organizations, and energy trade associations, including the U.S Chamber of

Commerce, National Association of Manufacturers, NARUC, the International Brotherhood of Electrical Workers, North America's Building Trades Unions, and the United Association. We continue to drive for action before Congress adjourns later this month.

COALITION LETTER (click here)

NUCLEAR ENERGY INSTITUTE

1201 F Street NW, Suite 1100, Washington, DC 20004 | 202.739.8000
www.nei.org

Unsubscribe from these messages.

powered by HIGHER LOGIC

Attachment:
3 - Used Fuel Coalition Letter to Congress 2018 – Issued December 4, 2018

Shipment of Spent Nuclear Fuel (SNF) and High Level Waste (HLW)

From: David G. Victor
Sent: Tuesday, November 13, 2018 1:09 PM
To: Justin Cochran
Cc: Marni Magda; Daniel T. Stetson; Jerry Kern; Manuel Camargo; David G. Victor
Subject: (External): western policies with regard to shipping spent nuclear fuel

Dear Justin

Thanks for your note and for the links to the Western Interstate Energy Board approved policy papers concerning shipment of spent nuclear fuel (SNF) and High

Level Waste (HLW). I copy Jerry Kern and Dan Stetson who lead the CEP at SONGS with me. I also copy Manuel Camargo at SONGS for awareness and with request that he include this email thread with the next CEP circular so that all CEP members can see the exchange and look at the documents.

I think it is particularly important that folks look at the "ship oldest first" policy document since it concerns an issue of paramount importance for SONGS: getting the spent nuclear fuel from shutdown sites moved to interim storage (and eventually permanent repository) earliest. That document is at: https://westernenergyboard.org/wp-content/uploads/2017/12/12-20-17-HLRW-Policy-Paper-3-Oldest-Fuel-First-final.pdf

The second policy recommendation—putting a priority on decommissioned sites—is vitally important. I remain concerned that folks will focus too much on the headline policy recommendation—to ship old fuel first—and not recognize that shipping fuel from decommissioned sites is an even higher priority. (The National Academy of Sciences panel, which focused on radiological decay and not the larger environment of the social contract and political imperatives at decommissioned sites, has also offered recommendations that can lead to a similar misunderstanding. While technically older fuel is safer, the imperatives of dealing first with decommissioned sites is even greater.)

I don't know if the Board revisits these policy statements, but if that happens it would be great to have a sharper statement about priority for decommissioned sites—perhaps even putting that into the headline. When we get to the point of debating legislation that could modify the NWPA we in California will have a strong interest in getting changes to fuel shipment order, ideally, enshrined into law. We will need all the help we can get.

Marni Magda on the CEP has paid close attention to the issues around the standard contract and I copy her.

All best
David

From: Justin Cochran,
Date: Thursday, November 8, 2018 at 4:27 PM
To: David G. Victor

Subject: HLRW Transport Policy Papers

Good day Dr. Victor.

The approved policy papers related to SNF and HLW transport, split into two batches December 2017 & November 2018, can be downloaded here: https://westernenergyboard.org/library/hlrwc/.

These are the policies that received unanimous consensus from the committee. If you have questions or wish to further discuss please let me know.

Best Regards,
Justin Cochran
California Energy Commission

Attachment:
4 – Western Interstate Energy Board – "High-Level Radioactive Waste Committee Position Paper" – Ship Oldest Fuel First Number 2017 -3, Version: Final, September 2017, Date Adopted by WIEB: December 20, 2017

Nuclear Regulatory Commission (NRC) Related Communications

Date: December 24, 2018 at 10:08:28 AM PST
To: Manuel Camargo
Subject: (External): for the CEP (to be included in next circular)

Dear CEP

In mid December I was asked by the NRC to speak about our experiences with decommissioning and community engagement at SONGS.

In case you are interested in what I said and the discussions, here is a link to the video from the day when I spoke (day two):

https://nrc.rev.vbrick.com/#/videos/8d577c12-0e50-4eb2-8dcb-515e0af535e2 - Day two video: I am introduced at 3h13m

And here are my slides:
https://www.nrc.gov/docs/ML1835/ML18353A749.pdf

And here is a link to the whole event's agenda, attendee list and video from the other day of the conference:

https://www.nrc.gov/public-involve/conference-symposia/dsfm/2018/agenda.html - Final agenda with presentations
https://www.nrc.gov/public-involve/conference-symposia/dsfm/2018/attendee-list.html - Attendee list
https://nrc.rev.vbrick.com/#/videos/86056da2-4715-4bf3-8a5a-745eed786691 - Day one video

all best wishes for the New Year,

David

No Attachment

From: David G. Victor
Sent: Thursday, December 20, 2018 11:53 AM
To: Manuel Camargo
Cc: Daniel T. Stetson; Jerry Kern; Tom Palmisano; Lorraine Quinn Sandstrom
Subject: (External):Re: Scott Morris Named Region IV Administrator

Yes. Please let folks know about this

Sent from limited typing device

On Dec 20, 2018, at 11:39 AM, Manuel Camargo wrote:

Good morning CEP officers,

The NRC has named Scott Morris – our recent guest speaker – as Region IV Administrator effective Dec. 31. This appointment follows the retirement of Scott' predecessor Region Administrator, Kriss Kennedy.

We are putting together a compilation of recent communication and, with your concurrence, we can include this announcement in that compilation.

Best,
Manuel

Manuel C. Camargo Jr.
Principal Manager, Strategic Planning & Stakeholder Engagement
SONGS Decommissioning
Southern California Edison
www.SONGScommunity.com

5- Attachment – NRC Names Scott Morris New Region IV Administrator, December 20, 2018

From: Manuel Camargo
Sent: Monday, December 17, 2018 1:52 PM
To: Bill Horn, Captain Mel Vernon, Daniel T. Stetson, David G. Victor, Donna Boston, Garry Brown, Jim Leach, Jerry Kern, Marni Magda, Martha McNicholas, Paul Wyatt, Richard Haydon, Sergio Farias, Lisa Bartlett, Steve Swartz, Ted Quinn, Tom Caughlan, Val Macedo
Cc: Julie C Holt, KELLI GALLION, Kevin Walker, Larry Rannals, Liese Mosher, Lindsay Stigall, Lorraine Quinn Sandstrom, Manuel Camargo, Marisol Eaton (SD County), Mike Rose(DanaPoint.org), Mike Sappingfield, Steve Carlson (UCSD), Tanya Flink, Tom Palmisano, Victor Cao (OC), Doug Bauder, John

Dobken, ALBERT BATES, MARK MORGAN,
Subject: SCE's Choice of NRC Meeting Open to the Public

Hello CEP Members,

This morning, the NRC posted to ADAMS a note from SCE regarding our request for a Predecisional Enforcement Conference (PEC) to provide the NRC with further information regarding the Aug. 3 spent nuclear fuel canister downloading incident at San Onofre nuclear plant. The document is available here.

Recall the NRC offered SCE a choice between a PEC and mediation through a process called Alternative Dispute Resolution (ADR). Either path would allow SCE an opportunity to present additional information, such as corrective actions implemented. However, we chose the PEC because of its opportunity, through a meeting open to the public, for a more transparent process. The ADR would not include such an opportunity.

We at SCE value transparency and we have worked since the beginning of decommissioning to ensure the public's voice is heard, including the creation and ongoing support of the CEP, and that information about the decommissioning process is made available in a timely manner.

Canister downloading operations at San Onofre remain on hold and will resume only after we at SCE are satisfied that our team has successfully demonstrated fuel transfer can proceed utilizing the new procedures, training and technology, and the NRC has an opportunity to inspect practice runs in January and has reviewed our re-start plans.

Once the PEC has been scheduled, we should be able to direct the CEP and members of the public to details about the conference.

Thanks,

Manuel

Manuel C. Camargo Jr.
Principal Manager, Strategic Planning & Stakeholder Engagement
SONGS Decommissioning
Southern California Edison
www.SONGScommunity.com

No Attachment

From: Daniel Stetson
Sent: Friday, November 30, 2018 9:00 AM
To: Manuel Camargo
Cc: Donna Gilmore; David Victor; Jerry Kern; Tom Palmisano
Subject: (External): FW: NRC Inspection says all San Onofre Holtec canisters are damaged and worn

Manuel-
Per Donna's request.

Thanks
Dan

From: Donna Gilmore
Date: Thursday, November 29, 2018 at 5:40 PM
To: Dan Stetson
Subject: NRC Inspection says all San Onofre Holtec canisters are damaged and worn

Please share with CEP members.

NRC Inspection states all Holtec canisters loaded are damaged from loading system and have wear. NRC says loading must stop until this issue is resolved. See details and recommendations on weblink and handout.

Edison should return Holtec system while it's under warranty and use thick-wall casks that don't crack and can be fully maintained.

https://sanonofresafety.org/2018/11/29/11-29-2018-nrc-admits-san-onofre-holtec-nuclear-waste-canisters-are-all-damaged/

https://sanonofresafety.files.wordpress.com/2018/11/nrc-allholteccanistersdamaged2018-11-29.pdf

Holtec basket shim NRC violation
https://adamswebsearch2.nrc.gov/webSearch2/main.jsp?AccessionNumber=ML18306A853

Donna Gilmore
SanOnofreSafety.org

No Attachment

From: David G. Victor
Sent: Thursday, October 11, 2018 3:01 PM
To: Manuel Camargo
Cc: Ted Quinn
Subject: (External): FW: The NRC response to the intervention petitions on Holtec

Manuel

We should include this in the next email circular to the CEP

David

From: Ted Quinn
Date: Thursday, October 11, 2018 at 11:30 AM

To: David G. Victor
Subject: Fwd: The NRC response to the intervention petitions on Holtec

Making sure you see this

Sent from my iPhone
Begin forwarded message:
From: Chip Cameron
Date: October 11, 2018 at 5:41:41 AM MST
To: Ted Quinn
Subject: The NRC response to the intervention petitions on Holtec

Ted:
I thought you might be interested in this - the NRC OGC pleading in response to the intervention petitions on the Holtec facility. It was filed on Tuesday.

Chip

Attachment:
6 - **UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION** BEFORE THE COMMISSION
Docket no. 72-1051 - In the Matter of HOLTEC INTERNATIONAL (Consolidated Interim Storage Facility)

Nina Babiarz – Sworn Affidavit Re: July 22 Unsecured Load Event

From: Nina Babiarz
Sent: Tuesday, December 04, 2018 5:49 PM
To: David G. Victor
Cc: Charles Langley; Jerry Kern;; Daniel T. Stetson; Manuel Camargo
Subject: (External):CEP Requested Nina Babiarz Sworn Affidavit regarding July 22 'unsecured load event'

Dr. Victor – Per you request at the conclusion of my public speaking comments on Nov. 29, I've attached my legal affidavit for inclusion into the CEP public record referencing my conversation on October 10th with Eric Simpson/NRC regarding SCE's July 22nd unreported event @ SONGS. My associated testimony is provided in the testimony direct link below. – Regards, Nina Babiarz
See minute 3:28:02 for your speech

Attachment:
7 – Sworn Affidavit of Nina J. Babiarz, October 17, 2018