



March 4, 2022

Office of Nuclear Energy
Department of Energy
consentbasedsiting@hq.doe.gov

Subject: Response to Request for Information: Consent-Based Siting and Federal Interim Storage

San Diego Gas & Electric Company (SDG&E), a 20% owner of San Onofre Nuclear Generating Station (SONGS) of Units 1, 2 & 3, is pleased to provide these comments to the December 1, 2021, Department of Energy's (DOE) Request for Information on Using a Consent-Based Siting Process to Identify Federal Interim Storage Facilities. Although overall SDG&E supports an approach that prioritizes stakeholder engagement, social equity and environmental justice, SDG&E does not provide specific comments on how this can be accomplished. Instead, SDG&E's comments are more narrowly focused to questions that address key concerns of a decommissioned nuclear plant co-owner. These comments are primarily based on the conclusions and recommendations from the Strategic Plan for the Relocation of SONGS Spent Nuclear Fuel to an Offsite Storage Facility or Repository (Strategic Plan), the Conceptual Transportation Plan for the Relocation of SONGS Spent Fuel to an Offsite Storage Facility or Repository (Conceptual Transportation Plan) and the related Action Plan for the Relocation of SONGS Spent Fuel to an Offsite Storage Facility or Repository (Action Plan), dated March 15, 2021.¹

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¹ See <https://www.songscommunity.com/strategic-plan-for-relocating-spent-fuel/spent-nuclear-fuel-solutions-a-fresh-approach>.

RESPONSE TO SPECIFIC QUESTIONS:

Area 1: Consent-Based Siting Process

Question #5: How should the Department work with local communities to establish reasonable expectations and plans concerning the duration of storage at federal interim storage facilities?

Potential host communities for federal interim storage facilities will need demonstrated progress toward a permanent repository concurrent with the consent-based process for interim storage. The communities will want to know when the permanent repository will be available and in what order spent nuclear fuel will be shipped there.

Question #7: What other issues, including those raised in the *Draft Consent-Based Siting Process*, should the Department consider in implementing a consent-based siting process?

The DOE should also consider the prioritization of spent nuclear fuel from shutdown plants over operating plants. Nuclear plants that have no operating reactor, such as SONGS, cannot be fully decommissioned until there is a place to send the spent nuclear fuel.

The Action Plan identified several relevant considerations for the prioritization including a range of site-specific and systemic factors, such as:

- Status as an operating or shutdown reactor site,
- Compatibility with decommissioning activities,
- Risk reduction for spent nuclear fuel at reactor sites,
- Beneficial re-use of decommissioned sites,
- Total system cost effectiveness,
- Shortened schedules for complete site closure, and
- Facilitation and ease of transportation requirements.²

Area 3: Interim Storage as Part of a Waste Management System

Question #3: To what extent should development of an interim storage facility relate to progress on establishing a permanent repository?

The development of a permanent federal repository and any federal interim storage facility should proceed as parallel efforts. As explained above, it will be difficult to proceed with interim storage unless there is certainty regarding how long the spent nuclear fuel will remain there.

² Action Plan at page 6.

Question #4: What other issues should the Department consider in developing a waste management system?

In development of the Action Plan several key structural reforms in support of successfully resetting the federal nuclear waste management program were identified:

- Establishing a path to one or more permanent geologic disposal repositories.
- Authorizing federal interim storage by developing a federal consolidated interim storage facility and/or by allowing the DOE to contract for private storage services.
- Establishing a new single-purpose organization with mission responsibility for the safe management and final disposition of spent nuclear fuel in the United States.
- Establishing a new mechanism for consultation/collaboration between the national nuclear waste management program and state, local and tribal authorities.
- Improving access to the funds currently in the Nuclear Waste Fund to finance needed investments. Specific priorities include:
 - A new or modified mechanism to assure permanent and stable access to already collected ratepayer funds is needed to execute a large, multi-year capital investment program for integrated national nuclear waste management system.
 - Resumption of funding for a permanent geologic repository program and in support of an immediate decision (with any required changes to the Nuclear Waste Policy Act) on whether to restart the licensing process for Yucca Mountain and/or begin work to identify and develop one or more alternative repository sites for the final disposal of all commercial spent nuclear fuel.
 - Clarifying criteria for the reimbursement of costs from the Nuclear Waste Fund and/or Judgment Fund in order to encourage consolidated spent fuel storage.
 - Providing federal support for preparedness capabilities among state, tribal and local entities in connection with private spent nuclear fuel shipments, including support for safety and emergency response training.³

³ Action Plan at pages 5-6.