SONGS CEP Compilation of Public Email Communications

June 12 thru July 21, 2025

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1. For Awareness: Orange County Register article by Teri Sforza: Another nuclear renaissance, even as San Onofre is torn down?

From: Lorraine Quinn Sandstrom
Sent: Thursday, June 12, 2025 7:21 AM
To: Daniel T. Stetson; Victor Cabral; Martha McNicholas; Michelle Anderson;; Mike Balsamo; Garry Brown; Jim Desmond; Katrina Foley; Rob Howard; Daniel Whitley; Scott Kibbey; Val Macedo; Marni Magda; Lisa Davis; Ted Quinn; John Taylor; Mel Vernon; Michael Villar; Alyssa Napuri; Mark Enmeier; Hunter McDonald; John Gabbard; Mike Sappingfield; Ken Schultz
Cc: Manuel Camargo
Subject: For Awareness: Orange County Register article by Teri Sforza: Another nuclear renaissance, even as San Onofre is torn down?

Dear CEP Members and Alternates,

I write to share last night's Orange County Register article by Teri Sforza on the latest demolition work and the upcoming CEP meeting.

We look forward to seeing you at tonight's CEP meeting from 5:30 – 7:30 pm via Microsoft Teams.

Best Regards,

Lorraine Sandstrom
Community Affairs and Relations, Senior Specialist
Community Engagement Panel (CEP) Management and Stakeholder Engagement (DA Complex B)
Southern California Edison, San Onofre Nuclear Generating Station (SONGS)

NEWS

Another nuclear renaissance, even as San Onofre is torn down?

COLUMN: Emergency preparedness, canister scratches, earthquake safety on Community Engagement Panel agenda



Structures beside the containment domes at San Onofre Nuclear Generating Station come down (Courtesy Southern California Edison)



By **TERI SFORZA** | tsforza@scng.com | Orange County Register
PUBLISHED: June 11, 2025 at 5:30 PM PDT



A recent emergency drill at San Onofre (Courtesy Southern California Edison)

Before we delve into detail on the teardown of the San Onofre Nuclear Generation Station (and the community meeting on same slated for Thursday, June 12), let's pull back for an ironic wide shot, shall we?

In May, as workers were cutting the machinery inside San Onofre's iconic domes to pieces, President Donald Trump was signing four executive orders to goose the growth of nuclear power in the United States.

The EO titled "Reinvigorating the Nuclear Industrial Base" aims to secure energy independence and strengthen national security by speeding up reactor licensing and expanding the domestic nuclear fuel supply chain.

Another, "Deploying Advanced Nuclear Reactor Technologies for National Security," requires "the rapid development, deployment and use of advanced nuclear technologies" such as next-generation, small modular- and micro-reactors, including at U.S. military bases.



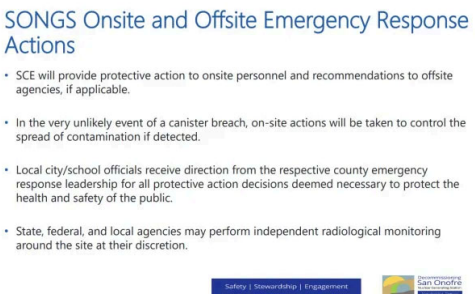
"Ordering the Reform of the Nuclear Regulatory Commission" launches a top-to-bottom review of regulations, attacking the agency and, one could argue, the science it's built on: "Instead of efficiently promoting safe, abundant nuclear energy, the NRC has instead tried to insulate Americans from the most remote risks without appropriate regard for the severe domestic and geopolitical costs of such risk aversion…."

And, finally, "Reforming Nuclear Reactor Testing at the Department of Energy" seeks to jump-start the national laboratory process for testing next-generation reactors, speeding up review and approval for those under the DOE's jurisdiction.



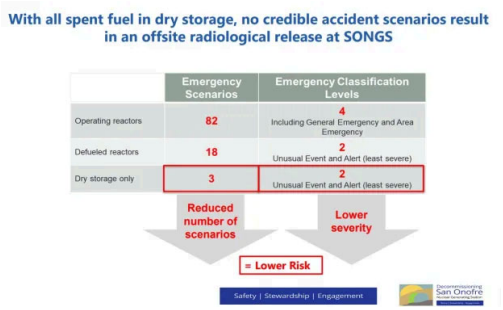
Another nuclear renaissance! A "hot industry… a brilliant industry," Trump said upon signing the orders. Don't feel too bad if you missed all this; there are far too many rings in our political circus as of late, and it's unclear if this nuclear renaissance will be any more successful than past nuclear renaissances. It may be worth noting, however, that the NRC approved NuScale Power LLC's US460 small modular reactor design just days after the executive orders were signed.

Anyway, we've been heading in the exact opposite direction since San Onofre's reactors powered down in 2012. The volunteer San Onofre Community Engagement Panel meets from 5:30 to 7:30 p.m. Thursday June 12 for an update on all that, and you can stream it via the Microsoft Teams link at https://bit.ly/44c0A4X.



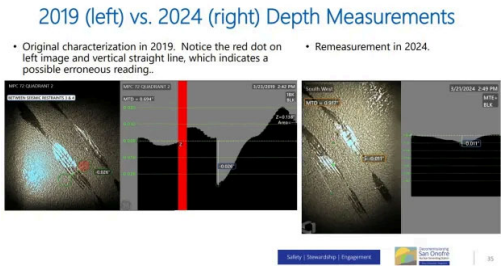
Emergency!

Emergency preparedness is top of the agenda, but since atoms are no longer being split at San Onofre — it's essentially a waste storage site — the realm of imaginable emergencies has shrunken considerably.



"With the reactors retired and all spent nuclear fuel in a passive dry storage facility, there are no credible accident scenarios that would result in an offsite release of radiological material," operator Southern California Edison says in a slide presentation released prior to the June 12 meeting. "Even with the lower risk profile, a robust emergency plan remains in place at San Onofre with support from state and local agencies."

At that meeting, officials from the Orange County Emergency Management Division, San Diego County Office of Emergency Services and Edison are expected to walk folks through response plans and April's emergency drills.

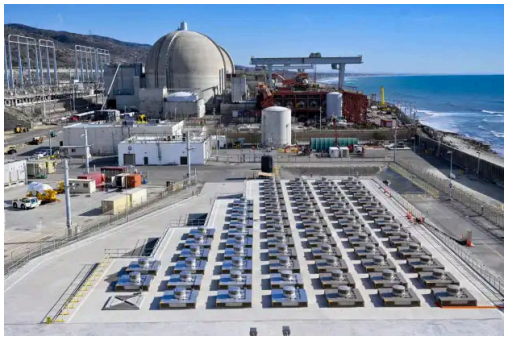


In other safety news, Edison reassessed the depth of the largest scratch on a waste canister, which is now entombed in its Holtec dry storage system. The scratch was caused by contact with seismic restraints.

Inspection back in 2019 estimated the scratch to be about 0.026 inches deep — not deep enough to require remediation. Last year, it inspected the scratch again, and found it to be less than half as deep — 0.011 inches, Edison said.

"Scratches are still bright and shiny, no evidence of corrosion or chloride-induced stress corrosion cracking precursor activity," it said. "Scratches are all shallow and not a challenge to the integrity of the canisters. No action required."

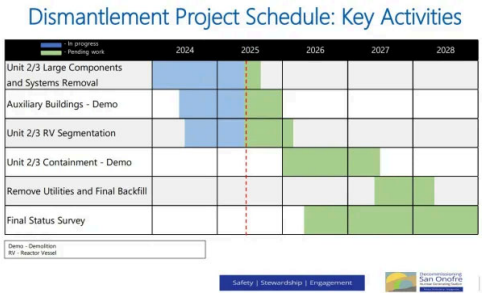
Edison will inspect its test canister, which does not contain nuclear waste, in 2027, and will inspect the test canister and two more canisters in 2029.



Dry storage of used fuel rods at the San Onofre Nuclear Generating Station on Thursday, December 16, 2021. (Photo by Jeff Gritchen, Orange County Register/SCNG)

On the seismic front, the April 14 earthquake in Julian rated 0.0135g — which is to say not much — at San Onofre, Edison said. San Onofre's dry storage system is built to withstand more than 100 times the force of that (1.5g).

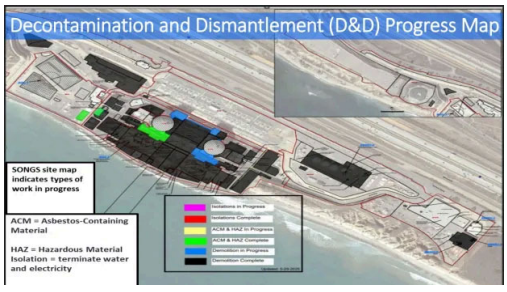
Low levels of tritium were found in ground water last year, and the latest monitoring showed that concentrations have declined along the western side of Unit 2. The suspected source is Unit 2's main steam isolation valve trench, Edison said, which is no longer used for water with tritium in it. Remediation isn't warranted, and enhanced monitoring will continue until levels fall below detection limits, Edison said.



Demolition update

The tear-down is on track to wrap up in 2028 or thereabouts.

A recent accounting showed that 46 of the site's 62 buildings have been demolished; 474 million pounds of waste have been shipped offsite; 107 million pounds of decommissioning material have been recycled; and 1,787 rail cars have been used.



Most large components inside the iconic domes have been removed, and final cut-up of steam generators and reactor vessels will be complete by year end. Then, those domes will come down, with that slated for completion in mid-2027.

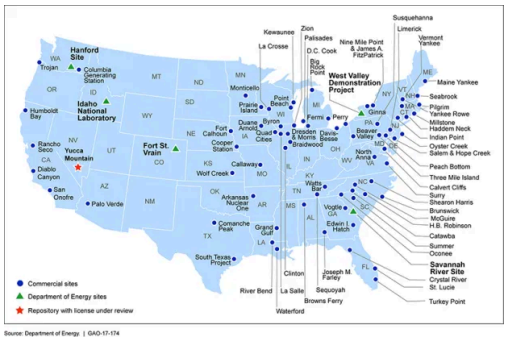
We asked Edison if it had any thoughts to share about the new push for nuclear power, even as San Onofre is dismantled.



The San Onofre Nuclear Generating Station seen from Trail 1 at San Onofre State Beach Trail 1 south of San Clemente on Tuesday, Aug. 27, 2019. The future of the San Onofre State Beach is unknown because the long-term lease agreement between the California Department of Parks and Recreation and Marine Corps ends in 2021. (Photo by Leonard Ortiz, Orange County Register/SCNG)

None of that really impacts California, spokesperson Liese Mosher said, because California's moratorium on new nuclear power includes even small nuclear reactors. While Edison does believe nuclear generation can provide a small footprint, and has the flexibility to be sited close to demand, "next-generation technologies need stronger state and federal support to scale, resolve permitting issues, and address safety concerns including waste disposal," she said.

"The executive orders do include direction for the relevant agencies to develop a national strategy to deal with spent nuclear fuel, which could aid in the eventual removal of spent fuel from SONGS (San Onofre Nuclear Generation Station) and restoring the site and returning it to the Navy and Marines."



The U.S. Government Accountability Office's map of sites storing spent nuclear waste in the United States.

Coast Lines: All about what's happening, changing, and important news along Southern California's coast.

SIGN UP

By signing up, you agree to our Terms of Use, Privacy Policy, and to receive emails from The Orange County Register.

The sooner that 3.6 million pounds of waste leaves the bluff over the blue Pacific the better. But we won't hold our breath.

The Trust Project

2025 June 11

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2. FYA: Four Recent Articles on the Supreme Court's Decision Regarding the Federal Government's Power to License Privately Operated Waste Storage Sites

From: Lorraine Quinn Sandstrom
Sent: Friday, June 20, 2025 1:50 PM
To: Daniel T. Stetson; Victor Cabral; Martha McNicholas; Michelle Anderson; Mike Balsamo; Garry Brown; Jim Desmond; Katrina Foley; Rob Howard; Daniel Whitley; Scott Kibbey; Val Macedo; Marni Magda; Lisa Davis; Ted Quinn; John Taylor; Mel Vernon; Michael Villar; Alyssa Napuri; Mark Enmeier; Hunter McDonald; John Gabbard; Mike Sappingfield; Ken Schultz
Cc: Manuel Camargo
Subject: For Awareness: OC Register, San Diego Union Tribune, Associated Press, and Odessa American publish articles regarding the Supreme Court's decision regarding the federal government's power to license privately operated waste storage site

Dear CEP Member and Alternates,

I write to share four recent articles from the Orange County Register, the San Diego Union Tribune, Associated Press, and the Odessa American on the Supreme Court's decision regarding the federal government's power to license privately operated nuclear waste storage sites. According to the U.S Supreme Court, Texas has no standing to intervene.

Below is a statement issued by Southern California Edison regarding the announcement.

SCE views the Supreme Court decision on the Texas private consolidated interim storage facility as positive for the US spent nuclear fuel management program. While the Court ruled on standing and did not decide on the matter related on the NRC's authority, the majority opinion strongly supports the validity of the NRC's regulatory framework for the storage of spent fuel.

At the same time, consolidated storage is only part of what should be an integrated spent fuel management program that includes permanent disposal in a deep geologic repository. That's why, in 2021, SCE teamed with local governments to form the Spent Fuel Solutions coalition that advocates for policy reform that can deliver a more durable and integrated spent fuel management program.

https://enewspaper.ocregister.com/infinity/article_popover_share.aspx?guid=406b5c95-6443-47b8-95c7-8224b14ef456&share=true

POWER PLANTS

High court OKs nuclear waste storage in Texas
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No, no, hell no, and no again! said Texas and its powerful oil industry, in a legal challenge to the federal government's power to license privately operated nuclear waste storage sites in the Lone Star State over their objections. Um, you have no standing to intervene, the U.S. Supreme Court said in an eagerly awaited decision that was made public on Wednesday.

This is important to you, California, and the entire United States of America, because it might make it easier to build temporary homes for the radioactive waste that's piling up at nuclear power plants from coast to coast.

At San Onofre — just yards from the shore break, on a bluff over the blue Pacific, in an active earthquake zone and close to 8 million residents — millions of pounds of waste are stranded, entombed in concrete, waiting for the federal government to figure out what the bloody heck to do with it.

The problem: A long time ago the feds agreed to start taking commercial waste into permanent storage by 1998. We ratepayers pumped billions into a fund to pay for it. But it's 2025, not an ounce has been accepted for permanent storage, and there's no solution in sight.

This costs us taxpayers some $2 million every single day. That's because We The People must pay the utilities to store the stuff, even though we've already paid the federal government to dispose of it.

Temporary nuclear waste storage sites run by private companies have emerged as a stopgap solution while the federal government searches for a permanent one.

The Supreme Court opinion — 6-3, with a blistering dissent — was greeted with relief by some, because it seems to acknowledge the authority of a federal regulator to, you know, regulate.

"It confirms the ability of independent agencies to make decisions that are well within their statutory authority," said David Victor, professor at UC San Diego's School of Global Policy and Strategy and former chair of the San Onofre Community Engagement Panel.

"Normally, this decision would be pretty routine, but these days there are a lot of questions being raised about whether independent agencies can remain

independent, and so sensitivities were particularly high. Had the Supreme Court allowed the Nuclear Regulatory Commission to be overruled, it would've put a question to all kinds of decisions about nuclear fuel, and perhaps to other decisions about the NRC more generally."

U.S. Rep. Mike Levin, D-San Juan Capistrano, has proposed numerous bills aimed at fixing the unresolved back end of the nuclear fuel cycle. While he appreciates the court's decision, it's not enough to address "the broader societal challenges of spent nuclear fuel," he said in a statement. Instead, he believes, Congress must act.

The Supremes' decision does not sweep away all obstacles. Texas et al have other legal avenues to explore to block storage sites, and they surely will.

"Texas will not become America's nuclear waste dumping ground," Texas Gov. Greg Abbott tweeted after the Nuclear Regulatory Commission granted the license. Abbott, and his attorney general, were conspicuously silent Wednesday.

The fight

On Sept. 13, 2021, the NRC granted a license to Interim Storage Partners, a joint venture of Waste Control Specialists and Orano USA, to build and operate a "consolidated interim storage facility" in Andrews, Texas.

It would rise beside a low-level storage site that already exists there, and its license would expire in 40 years, but with the possibility of being renewed. The site would close whenever the federal government brings a permanent disposal site online.

(You can understand Texas's skepticism here, no?)

So, the state of Texas and Fasken Land and Minerals, a private business that grazes cattle and operates oil and gas wells in West Texas, registered their objections with the NRC. They cited possible environmental contamination, harm to endangered species and expressed concern that an accident or an act of terrorism at the storage facility could harm the entire country. As a legal matter, they also tried to gain official party standing to the proceeding, but were denied because intervenors must have "sufficient information to show

that a genuine dispute exists … on a material issue of law or fact," but they did not have the goods.

They sued, arguing that federal law does not authorize storage of spent nuclear fuel at private off-site facilities. They prevailed in the 5th U.S. Circuit Court of Appeals in New Orleans, where the court concluded that the NRC lacked authority to issue the license based on the federal Atomic Energy Act of 1954.

The government appealed to the Supreme Court. And, on Wednesday, it won.

"The threshold question here is whether Texas and Fasken may maintain this suit," the Supremes said. "The Court of Appeals said yes. We disagree."

It's a technical disagreement, though: Under the law, only an aggrieved "party" may obtain judicial review of an NRC licensing decision, the court said. To qualify as a party, the majority wrote that you must be the license applicant — or have successfully intervened in the proceeding.

"In this case, however, Texas and Fasken are not license applicants, and they did not successfully intervene in the licensing proceeding. So neither was a party eligible to obtain judicial review in the Fifth Circuit. For that reason, we reverse the judgment of the Court of Appeals and do not decide the underlying statutory dispute over whether the Nuclear Regulatory Commission possesses authority to license private off-site storage facilities."

Regulators

In fact, spent fuel storage is currently licensed at "about 10" privately owned storage sites where there are no active nuclear reactors, including the GE Morris facility in Morris, Illinois, the opinion said. San Onofre would be among them.

The NRC is viewing this as a win.

"The Supreme Court decision upholds the NRC license issued to Interim Storage Partners to construct and operate the ISP facility and explains why the NRC has this authority," it said in a statement.

But Justice Neil Gorsuch, joined by Justices Clarence Thomas and Samuel Alito in a blistering dissent, couldn't disagree more.

"Texas and Fasken are right," Gorsuch wrote. "The law does not permit the NRC to license private companies to store spent nuclear fuel at private, away-from-reactor facilities… (T)here are obvious and grave risks associated with transporting highly radioactive material across the country and entrusting it to a private company operating on private property. And it belongs to Congress, not the agency, to assess those risks in the first instance."

Expect more litigation along these lines.

"There are lots of opponents to spent nuclear fuel facilities, which is why the strategy for building them needs to look at multiple options simultaneously, and needs to get communities focused on the benefits from hosting spent fuel, not just the costs," said UC San Diego's Victor.

"What we see in this case are motivated groups focused on the costs, and trying to raise objections and block permitting," he added.

"If we follow the approach taken in Canada or Finland or other places, then we will have communities more focused on the benefits and they will get mobilized to defend those benefits. It doesn't mean that it will be automatically possible to build anything anyone wants to build, but it shifts the odds a lot."

Nuclear renaissance?

Nuclear power provides about a fifth of America's electricity, and the Trump Administration hopes to dramatically increase that.

It has issued executive orders aimed at speeding up reactor licensing, expanding the domestic nuclear fuel supply chain, and, on point here, "reforming" the NRC. "Instead of efficiently promoting safe, abundant nuclear energy, the NRC has instead tried to insulate Americans from the most remote risks without appropriate regard for the severe domestic and geopolitical costs of such risk aversion," a Trump executive order said.

For Levin, that underscores the need for Congress to up its game.

“As the current Administration seeks to unleash a nuclear renaissance, there remains no solution to the back end of the fuel cycle—both existing and future. With or without the Administration’s efforts, our nation already has 90,000 metric tons and growing of spent nuclear fuel with no permanent management plan.

“Congress must act to pave the way for the successful siting and community acceptance of storage and disposal facilities,” Levin added. “We must end a top-down approach to spent nuclear fuel and pass legislation — like my bipartisan Nuclear Waste Administration Act — to empower negotiations between all levels of government.”

The Nuclear Waste Administration Act would essentially yank responsibility from the Department of Energy (which has spent more than $10 billion on moribund Yucca Mountain, once seen as a potential national repository) and create a new organization, devoted solely to solving the nuclear waste storage and disposal problem.

This was recommended a dozen years ago by the Blue Ribbon Commission on America’s Nuclear Future, and by at least a gazillion experts both before and since. The concept has been hailed by Republicans and Democrats alike.

Meantime, the DOE pursues both temporary and permanent storage on public land through its “consent-based siting” initiative, but it’s at the whim of changing administrations.

Wouldn’t it be wildly irresponsible to site scads of next-generation nuclear reactors with nowhere to put the waste, which remains dangerously radioactive for thousands of years? Reprocess it. Stick it miles below ground in deep bore holes. Do. Something. Please!

Levin said he won’t stop until the job’s done. Good luck with that Congressman. Good luck.

>>>

By: **Niina H. Farah**
| 06/20/2025 06:28 AM EDT



Cooling towers are seen at the nuclear reactor facility at the Alvin W. Vogtle Electric Generating Plant in Waynesboro, Georgia.
Mike Stewart/AP

ENERGYWIRE | The Supreme Court ruled this week that Texas Attorney General Ken Paxton does not have legal standing to sue over the federal license for a nuclear waste storage facility in his state.

The 6-3 decision could limit who can challenge decisions by the Nuclear Regulatory Commission and a handful of other agencies. And according to at least two legal experts, it may also limit *ultra vires* review, a legal process where parties challenge illegal executive action when a statute wouldn't otherwise offer a path to the courtroom.

The majority decision "narrowed a path that has been used to challenge government actions that exceed government authority," said Keith Bradley, co-chair of the appellate and Supreme Court practice at the firm Squire Patton Boggs.

President Donald Trump has favored executive orders to quickly advance his policy agenda, signing far more orders in his first few months than any other president in U.S. history. Those orders have faced numerous legal challenges.

Wednesday's opinion gives "little guidance" on how to challenge presidential action and instead affirms the high court's reluctance to allow *ultra vires* claims when there is a statute that could provide another way to bring a case to court, said Jennifer Neumann, counsel at the firm Holland & Hart.

The Supreme Court's decision reverses a lower court ruling that had struck down an NRC license for a nuclear waste facility in Texas' Permian Basin. Interim Storage Partners, a private company, planned to build the above-ground facility to store waste shipped in from nuclear power plants around the country. Paxton, the Republican attorney general, and for-profit organization Fasken Land and Minerals opposed the facility.

The Supreme Court was asked to focus on an exception to *ultra vires* review that the 5th U.S. Circuit Court of Appeals used in its decision — one that allows nonparties to an agency's proceedings to challenge an action that exceeds an agency's authority or is unconstitutional.

The Supreme Court, however, did not apply that exception. Instead, the majority opinion, penned by Justice Brett Kavanaugh, found that Paxton and Fasken did not have the legal authority to bring their case to federal court because they were not official parties to the facility's licensing proceedings.

"That exception has been more and more important in recent years, but now the Court says it can only be used when there is some specific statutory prohibition that the government action violates," Bradley said in a statement.

The decision in *Nuclear Regulatory Commission v. Texas* stopped short of deciding whether the NRC has the legal power to authorize privately run facilities to store waste far removed from nuclear reactors.

Several legal experts said the court's ruling was narrowly tailored to define when challenges to the NRC and a small cohort of similar agencies can go forward under the Hobbs Administrative Orders Review Act — more commonly referred to as the Hobbs Act.

The Supreme Court's majority found that Texas and Fasken did not meet the requirements to be a "party aggrieved" who could bring their dispute to court. But the justices also "did not make any broad pronouncements about what might constitute a party for the purposes of agency proceedings operating under other statutes," wrote Andrew Lyonsberg, a partner at the firm McDermott, Will & Emery in an emailed statement.

However, the decision did clarify that the standard for bringing a lawsuit was narrower under the Hobbs Act than for suits under the Administrative Procedure Act, he said.

William Yeatman, a senior legal fellow at the Pacific Legal Foundation, said the decision could provide grist for the Justice Department and solicitor general to defend government actions against legal challenges.

The opinion "seems to throw new wrinkles into *ultra vires* review that weren't on anyone's radar," said Yeatman, who penned a friend of the court brief on the procedural issues in the case.

But Varu Chilakamarri, a partner at the firm K&L Gates LLP, said the court's holding on *ultra vires* review was "heavily qualified, suggesting that it may ultimately have a fairly narrow scope."

"The Court did not take *ultra vires* review off the table for cases where there is no viable path for judicial review, but that category of cases is going to be extremely narrow," she wrote in an email.

A narrow decision

The Supreme Court's decision could make it harder to raise challenges before agencies like the Federal Communications Commission and the Surface Transportation Board, also covered by the Hobbs Act.

But ultimately, experts said, the brunt of the ruling's effects will fall on those opposing NRC actions.

"Under the Court’s decision, outside parties won’t be able to simply jump in and challenge these agencies’ orders without first establishing themselves as viable parties in the agency proceeding," said Chilakamarri.

She suggested the decision could also affect agencies like the Federal Maritime Commission, which are governed by similarly worded statutes.

"The Court’s decision underscores the importance for interested businesses and outside parties to take an active role in agency proceedings and remain engaged throughout the lengthy appellate process — if they want to have a real say in the matter," Chilakamarri said.

The decision would mostly only apply to the Nuclear Regulatory Commission, unless other agencies decide to re-write their rules, because the commission has

"thrown up all sorts of barriers to anyone participating" in licensing proceedings, said Yeatman of the Pacific Legal Foundation.

The Supreme Court majority found the Atomic Energy Act and the Hobbs Act provided a narrow path for legal challenges.

"In light of the statutory text and context, those who were not license applicants or granted intervention in the Commission's licensing proceeding do not qualify as parties who can obtain judicial review under the Hobbs Act," Kavanaugh wrote.

The decision rejects Texas' argument that it could be considered a party to the proceeding because the state had filed public comments on the agency's National

Environmental Policy Act review for the project, even though it never sought to be a party to the commission's licensing proceedings.

"Where judicial review of an underlying agency action is not otherwise available, an entity cannot bootstrap its way into judicial review of that action simply by commenting on a draft [environmental impact statement], even if invited to do so," Kavanaugh wrote.

Fasken, meanwhile, had tried to intervene in the NRC proceedings, but had been rejected from the commission. The U.S. Court of Appeals for the District of Columbia Circuit later upheld the commission's decision.

Kavanaugh noted that Fasken did not challenge the legality of the NRC's rules for establishing intervention, and did not pursue further appeals before the D.C. Circuit or the Supreme Court.

"Fasken cannot now use a new Hobbs Act suit to collaterally attack the D.C. Circuit's prior ruling on intervention," he said.

In a dissenting opinion, Justice Neil Gorsuch said Texas and Fasken should have been able to pursue their case against the commission.

"Both Texas and Fasken participated actively in other aspects of the NRC's licensing proceeding," said Gorsuch, who was joined in his dissent by Justices Samuel Alito and Clarence Thomas.

"No more is required for them to qualify as 'parties aggrieved' by the NRC's licensing decision," he continued. "Both are entitled to their day in court — and both are entitled to prevail."

Gorsuch agreed with Fasken's contention that federal law only allows spent nuclear fuel to be stored near nuclear reactors, or in storage facilities owned by the federal government.

Although the court did not rule on NRC's licensing authority, Kavanaugh noted that the commission's history and precedent provided "significant support" for NRC to authorize storage of spent nuclear fuel off site at privately-owned facilities.

Wallace Taylor, a private attorney who wrote a friend of the court brief on behalf of the environmental group Don't Waste Michigan, said it wasn't a surprise the court had decided to punt on the substance of the arguments and instead ruled on the procedural part of the case.

Don't Waste Michigan was among the groups that the NRC prevented from intervening in the licensing proceedings.

"What it amounts to is the agency, which frankly wants to keep the public out, can arbitrarily say your contentions don't satisfy our regulations so we won't let you in as a party, and that means you can't challenge the agency's actions," Taylor said.

He argued that federal law does not allow the type of away-from-reactor facilities that the Supreme Court had allowed to go forward. While nuclear power plants have been able to store their waste near reactors in the absence of a federal repository, that isn't much waste, so it isn't as risky to contemplate storing it in above-ground containers, he said.

Interim Storage Partners' planned facility put thousands of tons of highly radioactive nuclear waste in one place, Taylor said.

"That's a real danger, when there's no real protection," he said.

A state law signed by Texas' Republican Gov. Greg Abbott currently blocks the state from issuing permits for the Interim Storage Partner's facility, but the legal battle over a larger proposed nuclear waste storage site owned by Holtec International in New Mexico remains ongoing.

Beyond Nuclear, the organization currently challenging the Holtec project in the D.C. Circuit, said their case follows the requirements to raise a lawsuit laid out Wednesday by the high court.

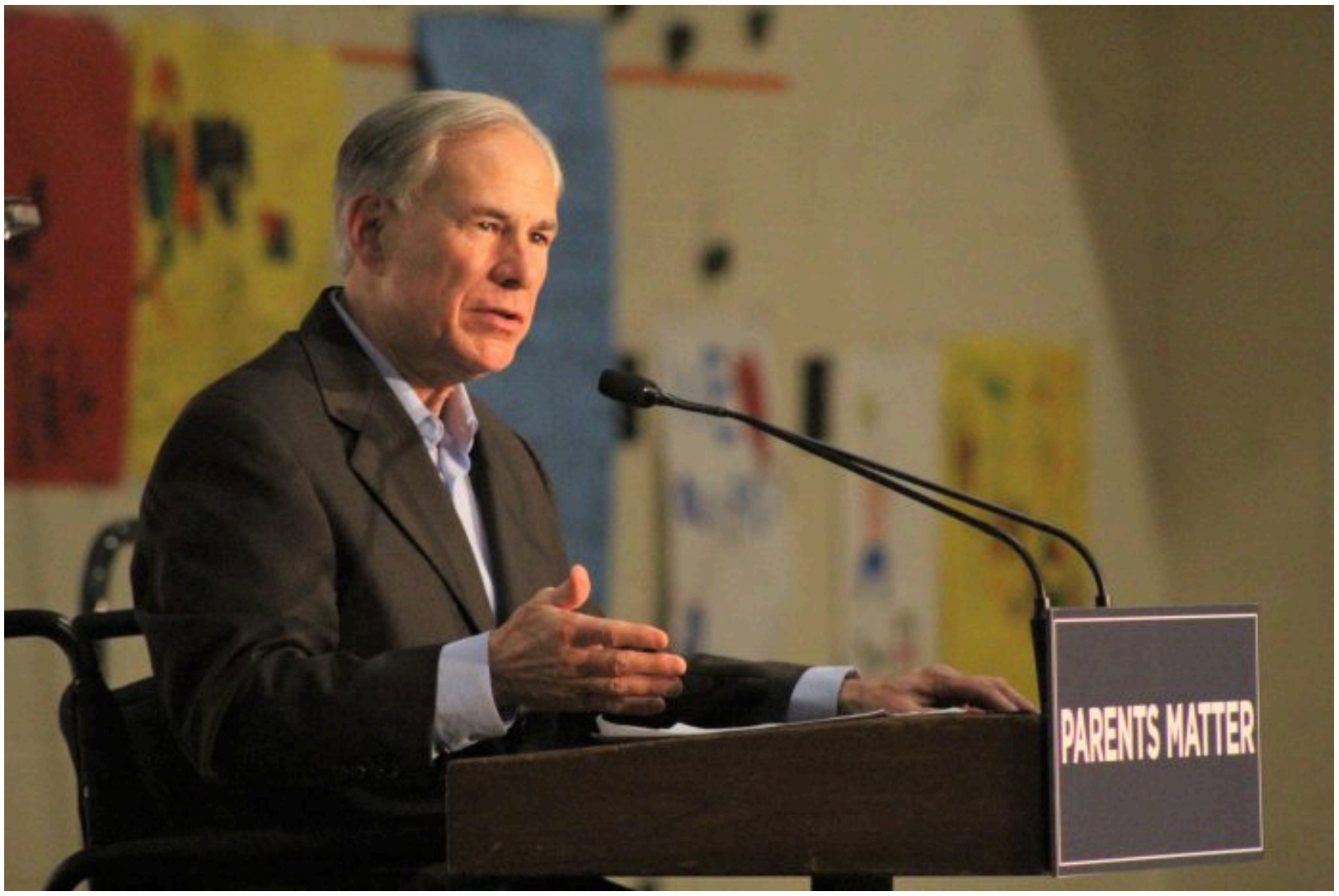
"We have raised the right issues in the right court," Diane Curran, co-counsel for Beyond Nuclear, said in a statement. "We look forward to resuming our litigation in the D.C. Circuit, where we will demonstrate that the law unequivocally prohibits Holtec's private storage of federally owned spent fuel."

Lorraine Sandstrom
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Southern California Edison, San Onofre Nuclear Generating Station (SONGS)

Abbott says ‘no’ to high-level Andrews County nuke dump

Governor won’t allow Wednesday’s Supreme Court ruling to prevail

By **Bob Campbell** - June 19, 2025



Texas Governor Greg Abbott speaks at Parent Empowerment Night Thursday, March 23, 2023, at First Odessa Christian Academy. Michael Bauer|Odessa American

Gov. Greg Abbott says the U.S. Supreme Court was supremely wrong when it ruled Wednesday that high-level nuclear waste can be stored 32 miles west of Andrews.

Speaking for Abbott Wednesday night, Press Secretary Andrew Mahaleris said the 6-3 ruling to let a company called Interim Storage Partners store such waste alongside Waste Control Specialists’ low-level radioactive waste repository would controvert Texas state law.

“The Supreme Court got this decision wrong,” Mahaleris told the Odessa American. “Of course Texas is aggrieved if it becomes the dumping ground for the nation’s nuclear waste.

“Federal law requires nuclear waste to be safely deposited at Yucca Mountain in Nevada and Gov. Abbott will not allow illegal dumping of ultra-hazardous spent nuclear fuel near the world’s largest producing oilfield.

“Current law prohibits the disposal of off-site nuclear waste in Texas.”

Referring to a recently passed bill by Odessa Rep. Brooks Landgraf that prohibits the U.S. Nuclear Regulatory Commission from disposing of or storing high-level radioactive waste in Texas, Mahaleris said, “Gov. Abbott looks forward to signing House Bill 4112 into law to underscore that any effort by Interim Storage Partners to dump such waste here is clearly illegal.”

Having represented Andrews County till 2021 redistricting, Landgraf noted Wednesday that he had written another bill that “clearly and unequivocally prohibits the storage or disposal of imported high-level radioactive waste in Texas.

“House Bill 7, which I authored and passed in 2021, is still the law in Texas,” he said. “That prohibition is binding, enforceable and remains in full effect.

“I want to be clear about what the decision does and what it doesn’t do. The Court did not invalidate Texas law nor did it directly authorize the disposal of high-level radioactive waste in our state.

“Instead it simply found that the plaintiffs could not challenge a specific permit in a Hobbs Act proceeding.”

Addressing expectations that a license may now be OK'd for Holtec International of Jupiter, Fla., to put a similar repository 40 miles away near Carlsbad, N.M., in Lea County, New Mexico Gov. Michelle Lujan Grisham said Wednesday that the ruling endangered her state.

"It authorizes the storage of dangerous nuclear waste in New Mexico even though we don't have a single nuclear reactor in our state," Lujan Grisham said. "Holtec is not welcome in New Mexico, but we've been preparing for this and I'll do everything I can to prevent them from storing radioactive waste here.

"It is a dangerous and irresponsible approach."

Signing HB 7, Abbott said then that he "will not let Texas become America's dumping ground for deadly radioactive waste.

"That is why I signed HB 7 at a special session to ban the disposal or storage of high-level radioactive waste in Texas," he said.

Interim Storage Partners is a joint venture of Waste Control Specialists, which has operated its low-level repository in Andrews County since 2011 for protective clothing and other material that has been exposed to radioactivity. The WCS plant is the first and only licensed commercial facility in the U.S. for the disposal of certain classes of low-level radioactive waste.

It stands over a layer of red clay that lies between it and the Ogallala Aquifer, which is the region's main fresh water supply.

The Andrews County license would let Interim Storage Partners store up to 5,500 tons of spent nuclear fuel rods from power plants and 231 million tons of other high-level radioactive waste for 40 years or longer while a permanent solution is sought.

Plans for a permanent underground storage facility at Yucca Mountain northwest of Las Vegas have been delayed because of strong opposition throughout Nevada.

Business

The Supreme Court just issued a ruling on nuclear waste. What does that mean for San Onofre?

The San Diego Union-Tribune: Web Edition ,
Rob Nikolewski,
20 June 2025,
1295 words,
English,
SDUTWEB,
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A place to perhaps store at least some of the 3.55 million pounds of waste sitting at the San Onofre Nuclear Generating Station remains in play after a ruling by the U.S. Supreme Court (javascript:void(0);) — but plenty of hurdles loom before the spent fuel ever gets moved off the beach.

In a 6-3 decision issued Wednesday, the high court said the Nuclear Regulatory Commission (javascript:void(0);) was within its rights to grant a 40-year lease to a private company in West Texas that wanted to build a facility to store spent fuel that's accumulated over the years at various nuclear power plants across the country.

The Supreme Court overturned a decision by a federal appeals court in New Orleans that sided with the state of Texas and a company with land near the proposed site.

Pitched by Interim Storage Partners, the project in a remote portion of Andrews County, Texas, is designed to store 40,000 metric tons of nuclear waste.

The 3.55 million pounds of spent fuel stored in dozens of canisters at San Onofre equals 1,610 metric tons, so at least in theory, the project in West Texas would certainly be large enough to take the waste at the now-shuttered power plant known as SONGS for short.

"Yes, (the Supreme Court decision) is definitely a positive step," said Dan Stetson, chair of the SONGS Community Engagement Panel, the volunteer, non-regulatory body organization that holds public meetings about issues concerning the plant. "We are cautiously optimistic … It's a good sign — one of many steps we have to go through."

SONGS is operated by Southern California Edison (javascript:void(0);). Jeff Monford, a spokesperson for the utility, said, "We view the Supreme Court decision on the Texas private consolidated interim storage facility as positive for the U.S. spent nuclear fuel management program."

The Supreme Court decision may give a shot in the arm for a group in New Mexico that wants to build its own storage facility.

"We are very happy about that," said John Heaton, board member of the Eddy-Lea Energy Alliance. "It's a good decision … That ought to at least be the end of complaints by the people who were actually involved with the licensing process."

But the state of Texas is not giving up.

Gov. Greg Abbott has long opposed building the West Texas facility, in part because of fears of an accident disrupting oil and gas drilling in the state's lucrative Permian Basin.

"The Supreme Court got this decision wrong," a spokesman for Abbott told the Odessa American. "Of course Texas is aggrieved if it becomes the dumping ground for the nation's nuclear waste."

The Texas Legislature recently passed a bill that prohibits the Nuclear Regulatory Commission (javascript:void(0);) from disposing or storing high-level radioactive waste in the Lone Star State and Abbott says he will sign it into law.

And in a twist, Interim Storage Partners says it will back away from building the project until the company sorts things out with the state government.

In a statement to a Texas television station shortly after the Supreme Court ruling, Interim Storage Partners said, "we will not proceed with any development … without the consent of the state of Texas."

The governor of New Mexico, who has spoken out against the Eddy-Lea Energy Alliance project, also dug in her heels after learning of the Supreme Court decision.

"Congress has repeatedly failed to secure a permanent location for disposing of nuclear waste, and now the federal government is trying to force de-facto permanent storage facilities onto New Mexico and Texas," said Gov. Michelle Lujan Grisham (javascript:void(0);), according to The Associated Press (javascript:void(0);). "It is a dangerous and irresponsible approach."

Lujan Grisham (javascript:void(0);) and the New Mexico Legislature in 2023 passed a law prohibiting the storage and disposal of radioactive waste without the state's consent.

For decades, Yucca Mountain in Nevada had been slated as a permanent site to take the waste that has stacked up over the years at the nation's commercial nuclear power plants.

But the Obama administration cut off funding for the site in 2010, following years of protests from lawmakers in the Silver State who had long opposed the project. The project's costs came to at least $15 billion before getting shelved.

With Yucca off the table, federal officials have gone back to the drawing board, looking at potential sites to accept some or all of the country's commercial spent fuel, either on an interim (still-to-be determined number of years) or permanent basis.

Both the West Texas and New Mexico proposals are designated as interim storage facilities.

If fully constructed, the Eddy-Lea Energy Alliance project in New Mexico would be huge.

The first phase of the facility would store 500 canisters holding about 8,680 metric tons of nuclear waste, later expanding to hold as many as 10,000 canisters holding roughly 120,000 metric tons of spent fuel.

That's more than the roughly 91,000 metric tons of waste that's been accumulated by all the nuclear power plants in 35 states across the country.

Heaton said "it's clearly advantageous" that preliminary shipments to the Eddy-Lea project come from the West Coast because of their proximity to New Mexico. "So it makes sense that we could do what we could to help you at San Onofre as one of our primary receiving sites."

But Heaton also acknowledged New Mexico's state law prohibiting the project may end up in court.

"We're anxious to get through all the legal gyrations," he said.

Some 73 stainless steel canisters sit on a storage site at the north end of SONGS.

Loaded with spent fuel assemblies, the canisters of waste have been lowered into vertical cavities behind a seawall a little more than 100 feet from the Pacific. An additional 63 canisters of waste rest horizontally nearby.

Edison officials say more than 80% of the canisters could be taken off-site now if a permanent or interim storage facility existed and 100% of canisters will be ready to be shipped by 2030.

In an email, the Samuel Lawrence Foundation, a sharp critic of nuclear power and Southern California Edison (javascript:void(0);)'s oversight at SONGS, said the Supreme Court decision "sidelines state impact where storage risks public health and the environment. We need decisions made yesterday, and solutions now."

Some point out that the high court ruling was issued on narrow grounds, saying the larger issue of granting licenses is still open to legal challenges.

Others reiterated concerns that communities where interim facilities are built may get stuck with them for decades if a federally approved permanent site to store the waste never materializes.

"As a result of the Supreme Court decision new, allegedly-temporary nuclear waste dumps can proceed that are not designed to store waste forever, but will end up keeping it forever," said Wally Taylor, an attorney for the Sierra Club (javascript:void(0);).

SONGS is in the process of being decommissioned. It has not produced electricity since 2012, after a leak in a steam generator tube led to its closing.

The plant is in the sixth year of dismantling above-ground structures, which is scheduled to wrap up by the end of 2028.

Once the dismantlement is complete, all that is expected to remain at SONGS will be the storage facilities holding the canisters; a security building with personnel to watch over the waste; a seawall 28 feet high, as measured at average low tide at San Onofre Beach; a walkway connecting two beaches north and south of the plant, and a switchyard with power lines.

Union-Tribune Publishing Company

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3. For Awareness: OC Register Article – Just a Scratch? At San Onofre, marred nuke canisters raises questions of trust

From: Lorraine Quinn Sandstrom
Sent: Monday, June 30, 2025 12:13 PM
To: Daniel T. Stetson; Victor Cabral; Martha McNicholas; Michelle Anderson; Mike Balsamo; Garry Brown; Jim Desmond; Katrina Foley; Rob Howard; Scott Kibbey; Val Macedo; Marni Magda; Lisa Davis; Ted Quinn; John Taylor; Mel Vernon; Michael Villar; Alyssa Napuri; Mark Enmeier; Hunter McDonald; John Gabbard; Mike Sappingfield; Ken Schultz
Cc: Manuel Camargo
Subject: For Awareness: OC Register Article - Just a Scratch? At San Onofre marred nuke cannisters raises questions of trust

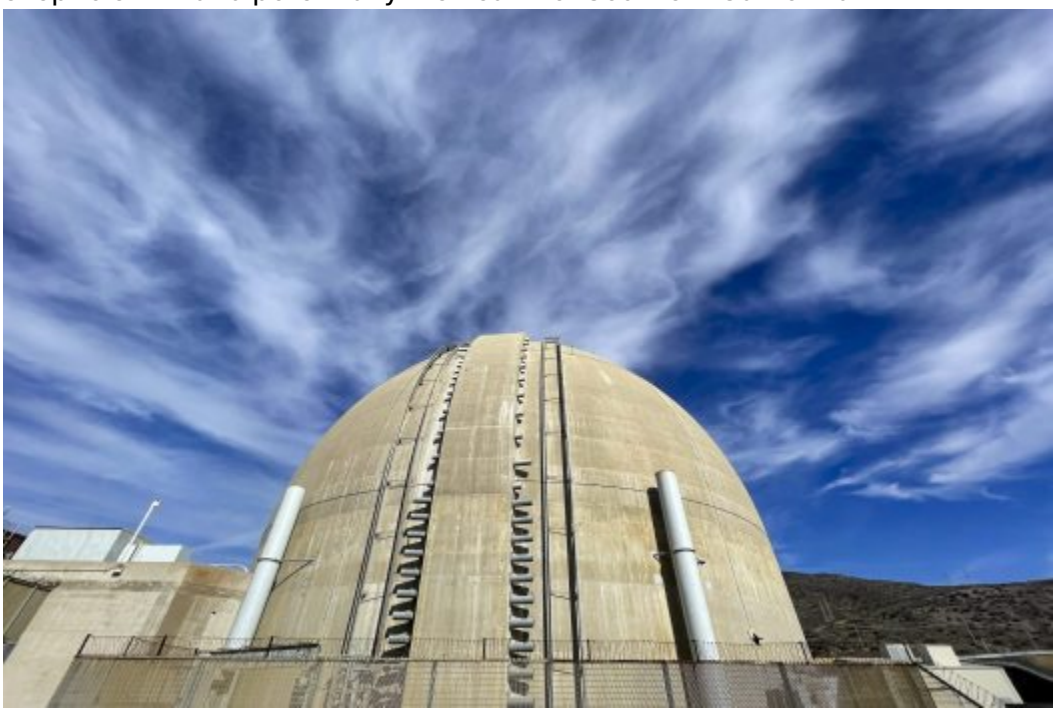
Dear CEP Members and Alternates,

I write to share a recent column by Teri Sforza in the Orange County Register, which is a follow-up to the June 12 CEP meeting and Gary Headrick's questions about canister scratches. The piece addresses questions raised by Gary, SCE's explanations, as well as thoughts from Dave Lochbaum (retired director of the nonprofit Union of Concerned Scientists' Nuclear Safety Project), and Rep. Levin, and provides NRC regulatory guidelines.

Have a fun and safe holiday weekend,

Lorraine Sandstrom
Community Affairs and Relations, Senior Specialist
Community Engagement Panel (CEP) Management and Stakeholder Engagement (DA Complex B)
Southern California Edison, San Onofre Nuclear Generating Station (SONGS)
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Just a scratch? At San Onofre, marred nuke cannister raises questions of trust
Column: The depth of a scrape a on a can of nuclear waste is about technology and skepticism … and potentially the health of Southern California



A reactor containment building at the San Onofre Nuclear Generating Station in Camp Pendleton, CA, on Thursday, December 16, 2021. (Photo by Jeff Gritchen, Orange County Register/SCNG)



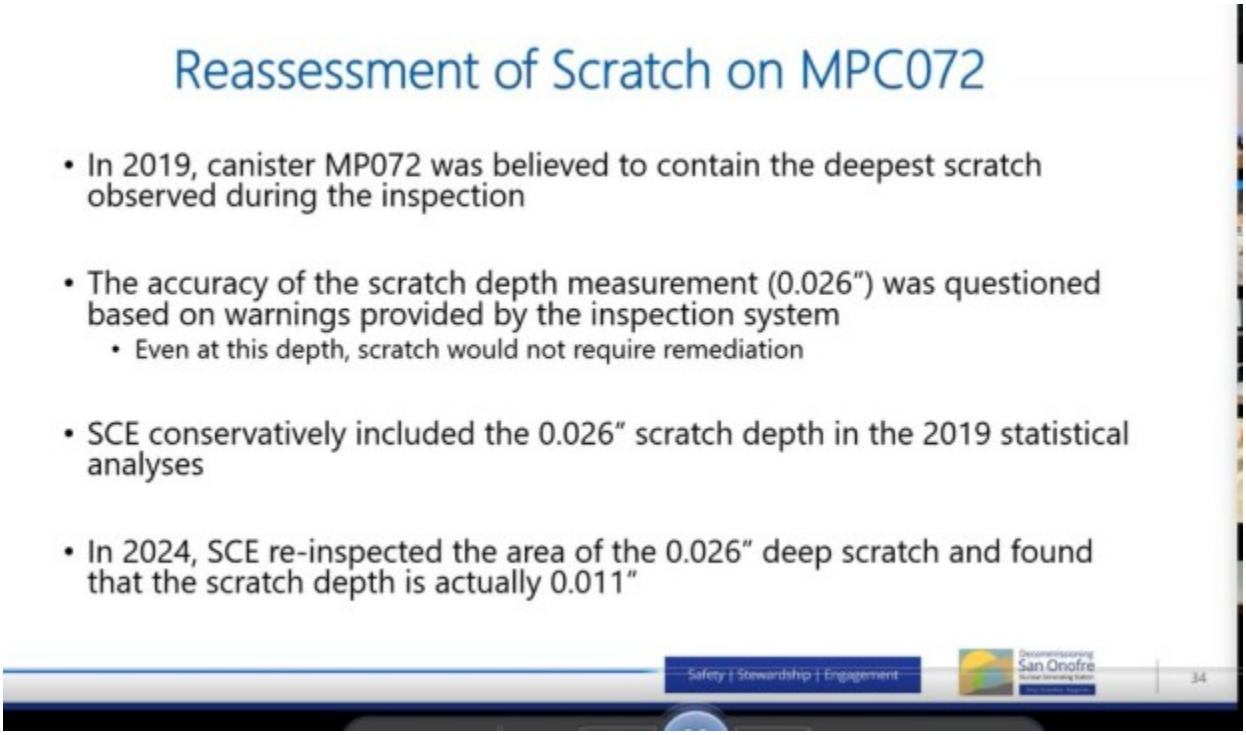
By **Teri Sforza** | tsforza@scng.com | Orange County Register
UPDATED: June 29, 2025 at 10:19 AM PDT

A few brows furrowed when Southern California Edison announced that a scratch on a nuclear waste canister at San Onofre was re-assessed — and is actually less than *half* as deep as originally estimated.

How very *convenient*!

Edison skeptics said. How's that again? Edison, actually, announced this bit of news in March, and has been reiterating its explanation ever since. Doubters, however, remain, so we'll do what we can here to suss it out — though we hold no illusions that it will satisfy all.

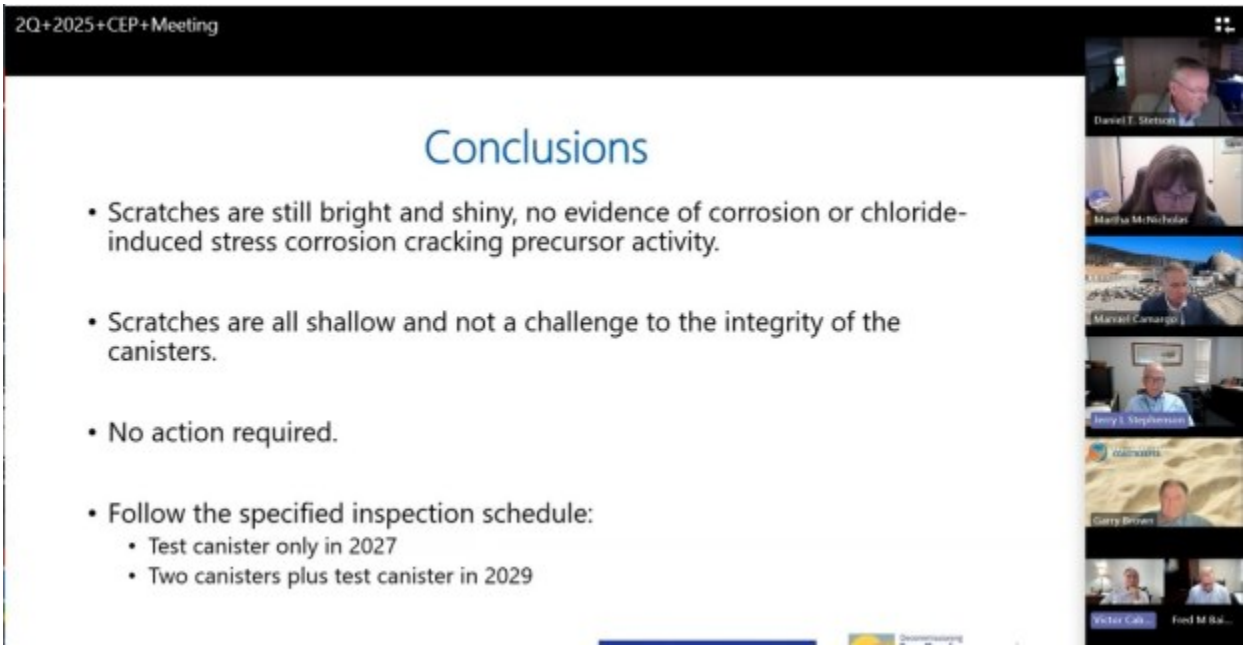
Q. How the heck does a scratch in a nuclear waste canister suddenly shrink?!



A. It doesn't. But technology evolves, Edison said.
We're talking about Canister 72 here, which was scratched in 2018 by seismic restraints as it journeyed into its steel-and-concrete vault in the Holtec dry storage system.

In 2019, Edison sent robots and remote cameras inside that vault to inspect 72's scratch. The camera system had some trouble locking on to it — flagged by a red dot beside the image, like trying to take a picture before autofocus has engaged, said San Onofre's head of engineering. At that time, the tech estimated the scratch to be about 0.026 inches deep. That's not deep enough to require any sort of remediation, but it was by far the deepest of several scratches observed on the canisters.

Engineering head Jerry Stephenson had his doubts about the measurement. It looked like bad data. But tossing it out would be "nonconservative," he said, and he knew Edison would be criticized if it ignored the bigger number. It's best to err on the side of caution anyway, so he decided to keep the measure and to check again at the next opportunity.

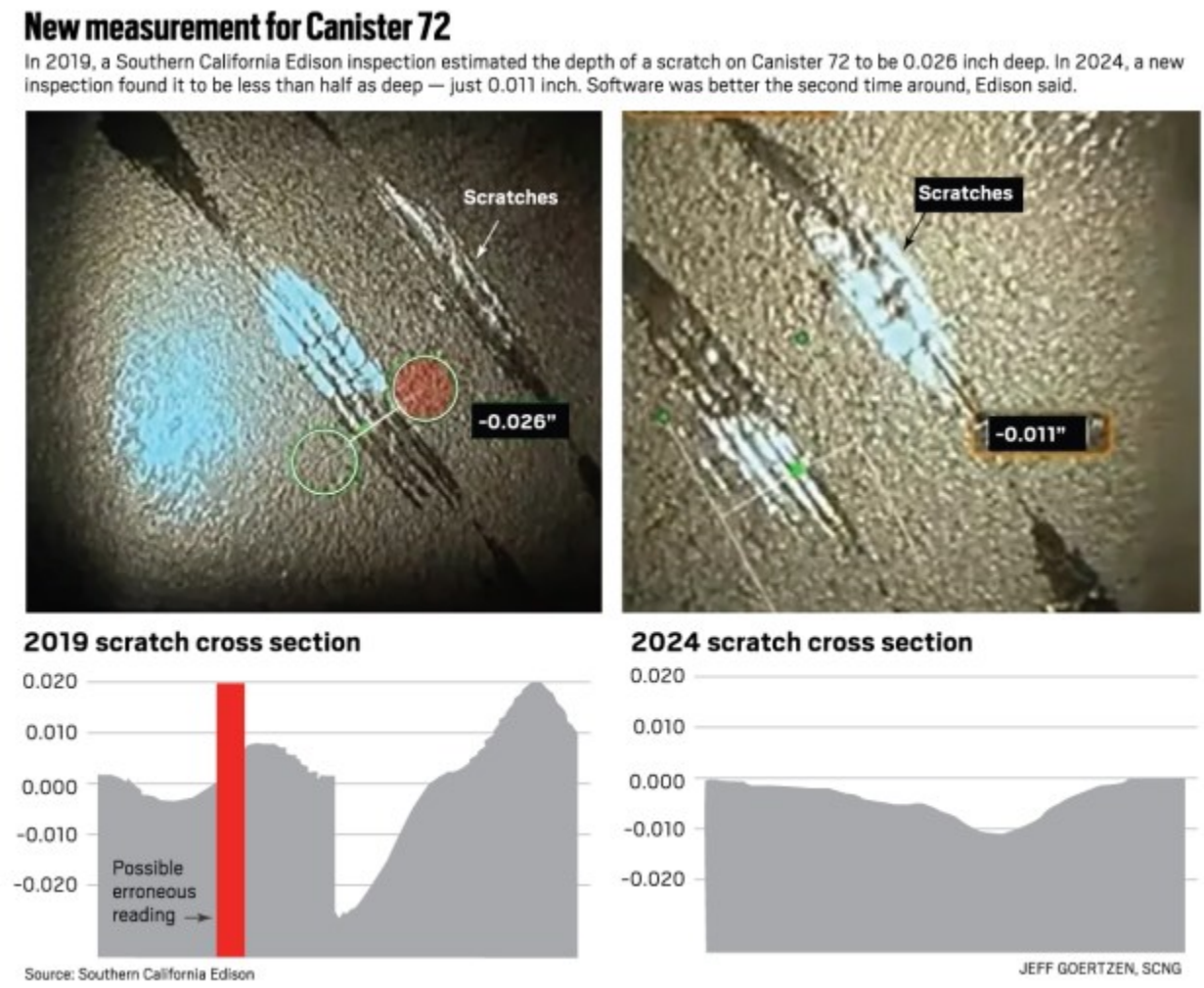


That came in March 2024, at the five-year inspection mark required by the state (not the Nuclear Regulatory Commission, mind you; the NRC doesn't require inspections until the 20-year-mark). This time, Edison sent the camera back and forth over the area, giving it time to take a solid reading and make a good map. This time, 72's scratch was found to to be less than half as deep as the original estimate — just 0.011 inches.

Puh-lease! some of Edison's critics groaned.

Stephenson explained that, by 2024, the software locking in on the scratches and recording data to measure depth had improved. You can see it in the image of the scratch, he said — the dot that was red in 2019 was green in 2024. The scratch, it turns out, is actually small, about as thick as three or four human hairs, or one-third as thick as a credit card, he said.

Overall, last year's inspection found the three canisters in good condition, with no corrosion in any of the scratched areas. Visible scuff marks caused by the shield ring — a radiation barrier — had minimal or no depth, Edison said.



Q. Do folks believe this?

A. The NRC declined comment on the remeasurement issue (thanks!), but David Lochbaum, retired director of the nonprofit Union of Concerned Scientists' Nuclear Safety Project, said he had no reason to doubt it.

Improved tech has worked similar miracles when nuclear plant operators were required to monitor actual cracks — not just scratches — in steam generators and steel containment liners. As cracks got closer to the threshold requiring plugging or replacement, the industry developed more sensitive detection methods to more accurately measure them (and stave off expensive remediation, at least for a while).



The long scratch on Canister 72

Lochbaum, for his part, thinks Edison had ample justification for tossing the 2019 measure, and isn't sure he would have kept it had he been in Stephenson's shoes. Edison's explanation for the change between 2019 and 2024 is, indeed, plausible, Lochbaum said.

Gary Headrick, founder of San Clemente Green and a regular thorn in Edison's side, doesn't buy it. On Canister 72, "Our photos show a large gouge the length of the canister and a patch of corrosion which can lead to 'Chloride Induced Stress Corrosion Cracking', the Achilles heel of nuclear waste storage containment throughout the United States," Headrick wrote. "Their photo shows a shallow, shiny scuff mark with no corrosion, not requiring any sort of remediation."



The blotch on 72

Edison responds: That picture of the long scratch on 72 is not trying to measure depth. The blotch on 72 is from a paint defect on the transfer cask (used to get waste out of spent fuel pools and into dry storage canisters). That allowed iron oxide to affix to 72. It was photographed in 2019 and reinspected in 2024, and the pictures are identical, Edison said.

Here's the situation, according to spokeswoman Liese Mosher: The American Society of Mechanical Engineers code allows a defect up to 0.062" deep before requiring any analysis.

The deepest scratch identified on any San Onofre canister is far shallower — 0.016" deep — and most are less than 0.010" deep.

While a scratch deeper than 0.062" would require engineering analysis, it would not challenge the safety and integrity of the canister because of its robust design, Mosher said. "Edison added 0.125" of extra thickness beyond what is credited in the design analysis. We have tremendous margin."

Q. Edison is inspecting the "oldest and coldest" waste canisters in its dry storage systems, not necessarily the hottest or scratchiest. Why?



Jeff Carey, of Southern California Edison, takes a radiation reading from one of the inlet air vents on an Areva NUHOMS dry storage container for spent fuel on site at the decommissioned San Onofre Nuclear Generating Station in San Clemente, CA on Monday, March 18, 2019. (Photo by Paul Bersebach, Orange County Register/SCNG)

This isn't an Edison edict, but NRC and industry guidance.

Here's the logic: The hottest and/or scratchiest canisters could well be the most recently loaded ones, which you'd expect to show the *least* degradation and wear-and-tear. The oldest canister, obviously, has had the most time to develop issues.

The coldest canister is likely to be among the oldest as well, but is of interest for another reason: Moisture won't evaporate off cooler canisters the way it does off hotter canisters. That means condensation can accumulate, making the cooler canisters more susceptible to chloride-induced stress corrosion cracking. Over time, those cracks could present issues.

Q. Issues?!

A. Breathe. Sixty spent fuel canisters at 25 sites nationwide have been inspected to date, Edison said, and all were in good condition, with none showing precursors to chloride-induced stress corrosion cracking.



Right here at San Onofre, we have canisters that are more than 20 years old. San O was among the nation's first to be licensed by the NRC to build a dry storage system (because feds don't have a disposal site yet). The Orano TN-NUHOMS sits a bit inland from the Holtec pad, and started loading waste in 2003. It holds 50 canisters.

As its 20th birthday approached a few years ago, the NRC's aging management requirements kicked in. Two canisters were inspected in 2021. "Not only did it look fine, but it was shiny," Stephenson said. "It looked brand new. We were giggling at how good it looked."

The NRC relicensed the NUHOMS for 40 more years.

Q. How do we head off problems over the coming decades?

By looking for them. Some, however, think inspections don't happen frequently enough, and/or don't examine enough canisters when they do.

As we mentioned, the NRC doesn't require inspections — or an aging management plan — for dry storage systems until they're approaching 20 and must be relicensed. San Onofre's more rigorous inspection protocol is required by the California Costal Commission, not the feds.



The Holtec Hi-Storm Umax dry storage system for spent fuel at San Onofre Nuclear Generating Station. (Courtesy of Southern California Edison)

Edison peers at two loaded canisters every 5 years, and examines the test canister — weighted and heated to mimic a real nuclear waste canister, though devoid of radioactive waste — every 2.5 years. The test canister can be easily pulled out and pored over for defects; is positioned closest to the harsh ocean conditions; and serves as the canary in the coal mine, said Edison. If problems arise, officials expect to see them in the test canister first.

And they haven't. "Scratches are still bright and shiny, no evidence of corrosion or chloride-induced stress corrosion cracking precursor activity," Edison reported out of last year's inspection. "Scratches are all shallow and not a challenge to the integrity of the canisters. No action required."

Edison will inspect the test canister again in 2027, and will inspect the test canister and two more loaded canisters in 2029.

Of course, there are more than 70 canisters in the Holtec system.



A robot is lowered into a vault in the Holtec Hi-Storm UMAX dry storage system at San Onofre. (Courtesy Southern California Edison)

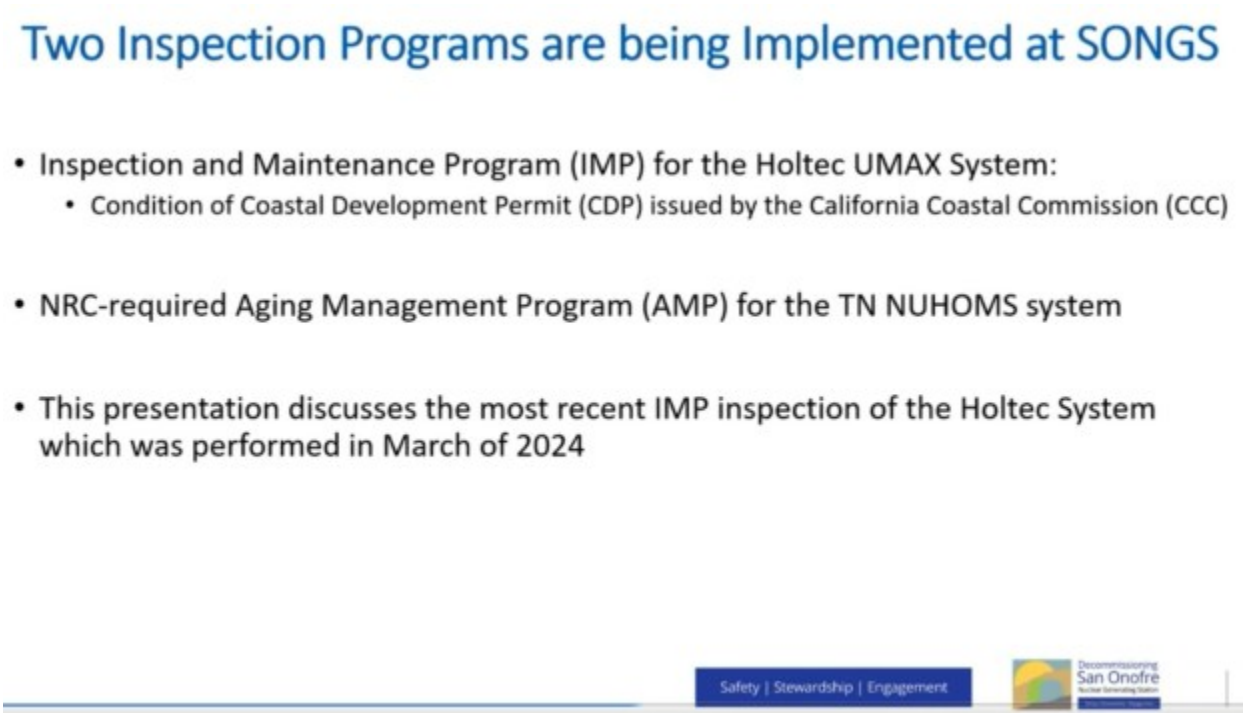
Q. Should we be inspecting more?

Lochbaum isn't a big fan of current protocols, which are less a "safety spotlight" than an "infrequent safety strobe light," flashing every once in a while, he has said.

Rather than picking just a couple canisters, inspections should focus on flawed canisters and a "reasonable subset" — say, 10-15% — of the total. If results show that some are less susceptible to degradation than others, "that knowledge can be used to responsibly reduce the scope of canisters inspected," he wrote.

You want the "Goldilocks" spot — not too much, and not too little, but just right. Lochbaum's not sure we're there now.

Edison's Stephenson heartily disagrees. "All of the assessments, nationally and worldwide, have never found anything," Stephenson said. "Not corrosion. Not precursors to corrosion."



To wit: Scientists at the Argonne National Laboratory examined spent fuel rods that were in dry storage at the Surry nuclear plant in Virginia for more than 15 years. They examined fuel pellets and fuel rods, finding that 15 years of dry storage caused no discernible degradation.

“We’re doing more than what’s required,” Stephenson said.

Q. But we’re talking decades before a permanent repository is built. If problems *are* found, then what?

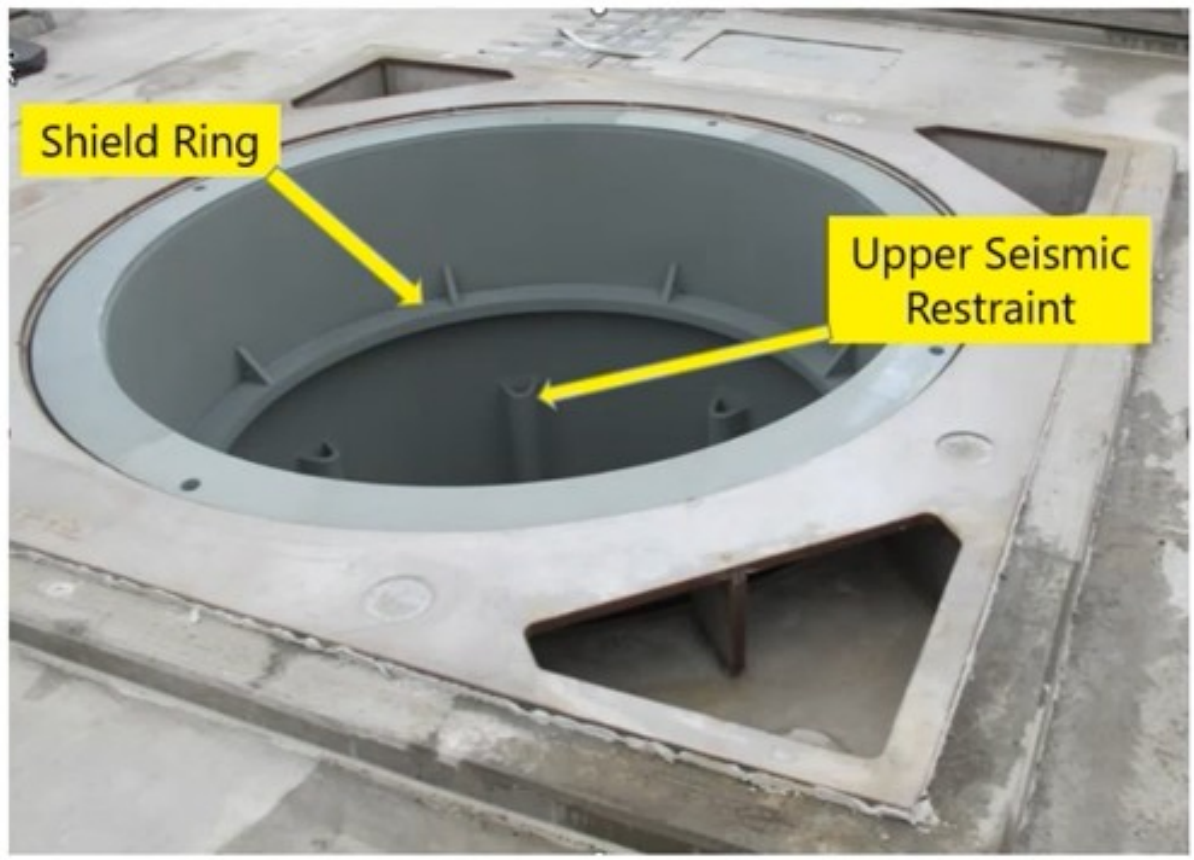
Nature will degrade all canisters sooner or later, Lochbaum has said. The good news is that a dry cask experiencing a through-wall crack isn’t like a balloon popping — all the contents would not be swiftly ejected. But the safety margins protecting the public would be reduced, and that would be bad.

The industry’s solution: Repair robots — sort of like high-tech St. Bernards — aiming to find and fix defects long before they become serious.

In a test run in 2019, robots were set upon a Holtec canister with two “mock” defects, like pock marks on its outer skin. One robot carried inspection cameras. The other, a nozzle mounted on a movable arm. Using magnetic wheels to crawl around, they found the trouble spots and applied a metallic overlay of nickel, effectively sealing them, Edison said.

Q. What now?

A. Activists want Edison to release all the inspection images, which are technically not public documents, to the public, as other plants have. But Edison has no plans to do that.



Why? Because when technical questions arise at other plants, experts explain and folks move on; while here, expertise is often rejected and misinformation often spreads, officials said.

Environmental activists like Headrick of San Clemente Green fear that, by the time the feds are ready to take possession of the waste (if that day ever comes), the canisters will be too degraded to safely move. “We need a plan to repair or repackage the waste before it can be shipped even a short distance,” he said. “Edison would rather deny the problem even exists.”

There *is* no problem, officials have said repeatedly. The tech to repair damaged canisters exists and could be easily employed if it were ever necessary (hot cells — heavily shielded enclosures — allow folks to handle radioactive materials remotely and could be set up pretty quickly, they’ve said).

People aren’t keen to trust industry or the government these days. The bottom line, we can all agree, is that nuclear waste should not be kept on a bluff in an earthquake zone a

couple of hundred feet from the ocean and near 8 million people. The only way to change that, though, is to demand that the federal government finally find the permanent home it has promised us, and get nuclear waste the heck out of here. The Spent Fuel Solutions coalition, including Edison, lawmakers and officials, is dedicated to doing just that.


This Google Earth image shows how close the expanded dry storage area for spent nuclear waste will be to the shoreline at San Onofre Nuclear Generating Station. (Image courtesy of Google Earth)

“Spent fuel on beach is the symptom. The problem is far greater. We’ve lacked a robust policy to address this,” said U.S. Rep. Mike Levin, D-San Juan Capistrano.

Levin has introduced numerous bills to push the ball forward, and several communities have expressed interest in hosting a permanent disposal site and reaping the economic benefits. “I don’t think we need to sound the alarm immediately,” he said of dry storage. “I always say I want to get this done before I qualify for Medicare.”

Levin, incidentally, is 46.

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4. Update on Canister Images Following 6/12 CEP Meeting

From: Lorraine Quinn Sandstrom
Sent: Monday, July 21, 2025 3:51 PM
To: Daniel T. Stetson; Victor Cabral; Martha McNicholas; Michelle Anderson; Mike Balsamo; Garry Brown; Jim Desmond; Katrina Foley; Rob Howard; Daniel Whitley; Scott Kibbey; Val Macedo; Marni Magda; Lisa Davis; Ted Quinn; John Taylor; Mel Vernon; Michael Villar; Alyssa Napuri; Mark Enmeier; Hunter McDonald; John Gabbard; Mike Sappingfield; Ken Schultz
Cc: Fred M Bailly; Manuel Camargo; Liese Mosher; Jerry L Stephenson
Subject: Update on Canister Images Following 6/12 CEP Meeting

Hello CEP members,

I write with an update on spent fuel canister inspection images and community member Gary Headrick's written (much of it HERE) and oral comments during Q&A at the June 12 CEP meeting. As CEP members, we want to ensure you have the facts. Below are a range of assertions made in writing or during public comment and the facts.

Please let me know if you have questions.

Gary's June 13, 2025, blog post	Facts
"We have access to a photo of canister #72 in serious decline, provided by people we can trust, because they believe the public has a right to know."	Multi-Purpose Canister (MPC) 072 is NOT in any state of decline. Photos are from 2019 (as indicated on their face) and have been public since 2019 (per attorney Michael Aguirre declaration in a public legal action; acquired from NRC via Aguirre Freedom of Information Act request). Photos also were posted to the SONGS website in 2019. The photos show some of the normal scratching on the canisters from downloading into the tight UMAX system, as discussed circa 2018 following the 08/03/2018 downloading event. Red staining was discussed at a September 2023 "engineer-to-engineer" meeting at SONGS that Gary attended and was documented in a 10/25/2023 "SCE Notes and Follow-up Items." SCE, the industry, and the NRC all agree that the canisters are adequate for storage and transportation.
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	The NRC determined that the scratches present no issue to storage or to transportability. A 2019 NRC report states, in part, "the licensee's evaluation also demonstrated that American Society of Mechanical Engineers Section III code tolerances for wear were met" and "the NRC concluded that the conclusion presented by the Southern California Edison Company was conservative and reasonably bounded the maximum anticipated scratch or wear depth resulting from routine operational activities." At a 10/17/2019 CCC hearing, the NRC's John Lubinski stated, "The current condition of the canisters with the scratches that have been discussed already would meet the current certificate of compliance for those canisters for shipment."
"Due to my insistence that we should re-inspect this damaged canister's current condition, Edison agreed to make it part of their agenda for a virtual meeting on Thursday, June 12."	We chose MPC072 for three reasons: (1) it was among the oldest canisters, (2) because it gave us a chance to re-inspect the scratch for which we knew the 2019 results were questionable due to issues with the camera, and (3) because it has an iron stain. As explained by SCE at the 06/12/2025 CEP meeting, it was the right canister to inspect.
"These original photos from 2019 compared to the recent inspection could not be shown during the virtual meeting, for some reason that escapes me."	In 2024, we inspected the entire surface of MPC072, just as we did in 2019 – including all scratches and stains. No differences in condition between 2019 and 2024 were observed. At the 06/12/2025 CEP meeting, we showed the scratch on MPC072 that was measured to be the deepest scratch observed during the 2019 inspections. Through re-inspection, we now know that scratch was not as deep as indicated in 2019 (again, due to issues with the camera measurement in 2019). Remeasurement shows a less-deep scratch than we originally thought. In 2024 we re-inspected the longer scratch shown in picture (MPC072 Quadrant 2 03/23/2019 1107 AM). There was no change in its condition. We also re-inspected the stain on MPC072. The stain was created during the loading, welding, and drying process, because the transfer cask had a defect in

	its paint. This allowed free iron to transfer to the outside of the canister – a smear. This is not a scratch or even a rub; it is the superficial transfer of a very thin layer of iron. Many Holtec canisters in the industry have this stain. There has been speculation that this free iron could be a corrosion initiation site. Our inspection found no change in the stain, which provided the industry with confidence that these stains are not a corrosion initiation site. We will continue periodic inspections of the stain. None of the canister inspections have identified an issue that requires mitigation (repair). Canister inspection photographs that were part of a first draft of an SCE proprietary report shared with the NRC were released in October 2019 through a FOIA request to the NRC. Nine photos and a technical description of what is depicted in each were posted to the SONGS website on 10/12/2019.
"Edison selected a different kind of container than the rest of the world uses, because it was only intended for temporary storage." [Table of "Safety Features" of "Thin canisters" and "Thick casks"]	This is false. We have addressed this publicly. Edison uses the same permanently sealed canisters that are used around the world when canisters are not intended to be opened onsite but rather transported to an offsite storage or disposal facility. Ours are multi-purpose canisters designed for onsite storage and offsite transportation. At the onset of dry storage, the US Department of Energy (DOE) investigated various spent fuel container systems and, in 1994, found multi-purpose canister (MPC) systems to be the most suitable. The so-called "thick" canisters have bolt-on lids (not welded) and are used for *temporary* storage of spent fuel when that fuel is to be later removed for recycling. We have explained the selection of the canister technology on numerous occasions, including: 1. CEP meetings on 05/06/2014, 05/22/2014, 07/17/2014, 10/14/2014, 07/23/2015

	2. CCC meetings on 10/6/2015, 10/17/2019, 07/16/2020,10/13/2022.
"Currently, the industry is being handsomely rewarded for overseeing this stranded nuclear waste to the tune of two million dollars a day."	This is false. Every commercial nuclear-electric plant operator in the United States has entered into a contract with DOE, per the terms of the Nuclear Waste Policy Act of 1982, for the DOE to begin removing fuel from commercial plants for permanent disposal by 01/31/1998. Because of DOE's partial breach of contract, each operator periodically sues the DOE (federal government) to recover damages – that is, to be reimbursed for expenses incurred by the operator that would not have been incurred, had the DOE fulfilled its obligations. The $2 million-per-day figure is a round figure of the damages that the federal government pays out to all operators for its breaches – across all utilities and all damages that the government is paying. Utilities attempt in these lawsuits to recover damages. $2 million per day is reimbursement – sometimes less than 100% reimbursement – and certainly NOT profit of any kind.
In a scenario where canisters are not suitable for transportation, "Every canister would need to be repackaged into the thick walled casks, before they can be transported by rail, barge or truck."	This is false. Canisters in use at SONGS (and all other U.S. commercial nuclear-electric generating stations' ISFSIs) are transportable. In fact, the DOE's recently certified Atlas rail car can accommodate the canisters that are in storage at SONGS. Conversely, so-called "thick-walled casks" are too heavy for the Atlas rail car and are not licensed for transportation in the U.S. SCE has led the industry in demonstrating techniques exist that could repair cracks (if one ever occurred). If ever needed, the contents of canisters could be placed in a new canister. Recall that per the NRC the canisters are good for 100 years or more with aging management.
"If this is not done in time, over 70 locations with stranded nuclear waste will eventually and almost	This is false.

simultaneously fail to contain nuclear waste.”	As discussed at the 03/20/2025 CEP meeting, inspections at 25 sites including SONGS have found all canisters to be in good condition, with no precursors to SCC. None require remediation. Inspections that are part of an NRC-mandated aging management program are designed to identify issues early on and address them as needed, all well before any postulated failure. Again, recall per the NRC these canister systems are good for 100 years or more with aging management.
From Gary’s public comments during the 06/12/2025 CEP meeting Q&A	
Canister #19	Dry Storage Canister (DSC) 019 is in the TN NUHOMS system, not the UMAX system. Shims in UMAX canisters are internal and would have no effect on the canister shell. The NUHOMS system is designed such that DSCs are installed on rails that create minor scratches, and the scratches on DSC019 have been evaluated to be within the normal range. During the 03/20/2025 CEP meeting, we explained that we analyzed the shavings from the installation of DSC019 to understand the depth of the scratches. American Society of Mechanical Engineers (ASME) Code Section III that governs canister design allows 0.062" before a code analysis. These scratches are on the order of .010" which is about 3x the thickness of a human hair. Recall we have tremendous margin in the design as we added 125 thousandths of an inch beyond the design (.125 of an inch extra margin).
From Gary’s 06/18/2025 email to Orange County Register reporter Teri Sforza and SCE	
why only the "coldest and oldest" canisters are to be inspected	We follow NRC guidance per NUREG 2214 and inspect the oldest and coldest canisters as part of our aging management program. Guidance is such because older canisters have had more time to be exposed to a corrosive environment. In addition, colder canisters are more susceptible to CISCC since SCC requires a wet environment, which cannot exist on a warm/hot canister. Simply put, the oldest and coldest canisters provide the limiting conditions for the limiting failure mechanism. Prioritizing their examination is conservative and focuses on the limiting scenarios

	of possible long-term issues. Focusing on warmer and newer canisters would be the opposite of that.
why is it that the recent photos are proprietary ("company confidential") but #72 is not?	All inspection photos are company confidential, including MPC072. Based on Gary's request, we made an exception and shared two images of MPC072. The point is to illustrate the ability of the high-resolution camera to measure indications as minute as 1/1000th of an inch in depth.
Why is it that the technical difficulties have still not been addressed for speakers to be heard? Can you switch to Zoom?	We addressed technical issues between the March and June CEP meetings. An updated audio/video troubleshooting document is on the CEP web page. All members of the public who participated in public comment were able to be heard at the June meeting. SCE does not support Zoom for cybersecurity reasons, only Teams.
Why is the public not allowed to show photos or videos during the CEP meetings and why can't there be follow up questions if there is time left in the hour for public comment? The Coastal Commission allows groups like SCG to have up to 10 minutes and full media presentations.	That is not the practice of the CEP. Rather, photos and other material provided by members of the public in connection with a CEP meeting are posted to the webpage for that meeting. The CEP provides for a full hour for public comment, after which the vice chair and secretary facilitate Q&A. All questions are consistently answered during meetings.
Would you consider having just one CEP meeting run by concerned citizens and experts who may have contrasting views but similar objectives?	No. CEP members include a diverse range of local stakeholders and is led by a volunteer Chair, Vice Chair, and Secretary.
I don't expect SCE to play fair when there would be such a huge cost to them if a problem canister is discovered on their watch	As we have mentioned many times during CEP public meetings, there is no profit that accrues to SCE. Decommissioning costs are covered by Decommissioning Trust Funds. At the end of decommissioning, any unexpended funds will be returned to customers. Plus, if there ever were a costly issue with the fuel storage, SCE will consider what actions to take to recover those costs from the Government through periodic partial breach of contract litigation.
I still believe there is a way to work together collaboratively so we can all get what we need and still provide a	The main topic of the June CEP meeting was emergency planning with participation by offsite agencies. With all spent fuel in passive dry storage

secure future for generations to come. That's what I am committed to and I hope that SCE will become willing partners in making San Onofre the example others can follow across the nation, before it is too late.	there are no credible accident scenarios that result in an offsite release of radiological material. Spent fuel is safely stored and secure. Still, we want to clear SONGS of spent fuel so that the land can be restored and returned to the Navy. In 2023, SCE released the "Strategic Plan for the Relocation of Spent Nuclear Fuel to an Offsite Storage Facility or a Repository." SCE concurrently teamed with local governments to form Spent Fuel Solutions that, today, is a leading advocacy coalition.

Best Regards,

Lorraine Sandstrom

Community Affairs and Relations, Senior Specialist
Community Engagement Panel (CEP) Management and Stakeholder Engagement (DA Complex B)
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