

RAS 4879

DOCKET NUMBER
PROD. & UTIL. REG. 72-26-1SFS1

DOCKETED
USNRC

September 12, 2002

September 24, 2002 (11:14AM)

Dr. and Mrs. Garry Eister
815 Willow Lane
Arroyo Grande, CA 93420

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Nuclear Regulatory Agency
Washington, D.C. 20555

SERIALIZED SEP 27 2002

Dear Chairman Meserve,

We are writing to express our deep concern regarding the proposal by Pacific Gas and Electric to build dry-cask storage units for the storage of radioactive fuel at the Diablo Canyon Nuclear Power Plant in San Luis Obispo County, California. We believe that this proposal poses several grave dangers to our well-being and ask that full hearings be held on all contentions recently filed by San Luis Obispo community interveners.

Sincerely,


Garry Eister


Mary Eister

Template = SECY-038

SECY-02

RAS 4880

9/12/02

Hear Judge Bollwerk,

Re: Hear on Diablo 9/10 + 9/11 2002

See reverse side for my concerns
See petition for others concerns

I suggest the dry-casks be
placed in the backyards of the
CEO's of PG&E that received
big bonus money + claimed
the material not dangerous.

DOCKETED
USNRC

September 25, 2002 (2:28PM)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

SERVED SEP 27 2002

William Dennen
Emeritus Professor of Biol.
Retired



Mr William L Dennen
1040 Cielo Ln
Nipomo, CA 93444

EnviroNotes



RP
5/24/02
Bill
Denneen

Close down Diablo plant

Nipomo is downwind from Diablo Canyon Nuclear Power Plant. The wind comes from that direction 85 percent of the time. The Radiation and Public Health Project research group has investigated radiation near nuclear power plants in California and has found operations at the seven nuclear reactors (including Diablo) have added considerable radioactivity to the local environment. This disturbs me.

Diablo has requested they be permitted to store more nuclear waste at their plant near Avila Beach. The present storage facilities will soon be inadequate for accumulation of their "waste."

An obvious answer to me is to stop producing it.

In 1978, I along with 500 others were concerned enough about this nasty legacy to be arrested. At the following protest there were 2,000 arrested (and 25,000 people demonstrated). It's not a pleasant experience for a college professor to be arrested. However, in the tradition of Henry David Thoreau, concerned responsible citizens have an obligation to speak out when their government is doing wrong.

This was our tradition when we broke off from England with the Boston Tea Party. This duty of responsible citizens was established as the Nuremberg Principles after the Nazi Holocaust.

As a concerned citizen back in 1978, I felt an obligation to ask a straightforward question: "What do you plan to do with this dangerous material that will be around longer than civilization?"

They had no answer then and they have no answer now. Storage on site next to an earthquake fault is not an answer in my opinion. Citizens in our democracy do not want to leave a legacy like this for thousands of generations.

According to a recent Union of Concerned Scientist's report: "Spent fuel pools contain more radioactivity than do reactor cores." These storage pools and dry-cask sites are outside the reactor's more secure containment structure.

A suggestion I presented last month to the Nuclear Regulatory Commission when they met in San Luis Obispo was that the dry casks be stored on the back patio of the homes of people in control of PG&E who recently received large bonuses. This would disperse the material and provide an excellent conversation piece at cocktail parties.

The Price-Anderson Act is a form of subsidy for the nuclear industry which privatizes industry and socializes costs by placing caps on liability (responsibility) in the event of an accident. No other industry enjoys such an exemption from the consequences of its actions. If a nuclear power plant like Diablo were actually "safe," regular insurance would insure them — they aren't.

If you even hint that "we need" the energy, ask yourself how you dry your laundry (I use a line). The only way to stop producing it: Close down Diablo!

If you agree, let the County Board of Supervisors know (County Government Center, San Luis Obispo, CA 93408) or send an e-mail to: jcaruso@co.slo.ca.us or jeuphrat@co.slo.ca.us.

**PG&E'S PROPOSAL FOR A HIGH LEVEL RADIOACTIVE WASTE
REPOSITORY AT DIABLO CANYON
MUST HAVE FULL PUBLIC HEARINGS IN
SAN LUIS OBISPO**

**Full Hearings Must be Held on Safety and Financial Issues that will Seriously Impact the
Lives of the Residents of San Luis Obispo County, the Central Coast and the 7 million
People who Live within One Mile of PG&E's Proposed Transport Route for High Level
Radioactive Waste.**

Name	address	e-mail
1. Bill Hilton	Los Osos	BILLHILTON@YAHOO.COM
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3. Bill Denneen	1040 Cielo Ln, ⁹³⁴⁴⁴ Morano	<BDenneen@SLONET.org>
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5. Judy Neuhauer	531 Highland	Los Osos, CA judyne@slonet.org
6. Joe Gollmig	220 Madera way,	LOS OSOS, CA ^{Mt. View} _{of mt. v}
7. Samuel Hall	1214 Perrett St.	SL SLO, CA 93401
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6. Jeff Pienack	2225 Well Lane	Oceanview CA 93445
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2. Phyllis Cutbush	2335 Black Walnut	SLO. 93405
3. John [unclear]	P.O. Box 2	Pismo Beach Ca 93448
4. Jake Anderson	138 Whiteley St	AG. 93420
5. Elaine Bowers	PO Box 23,	Pismo Beach 93448
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RAS 4881

September 26, 2002 (4:45PM)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

1840 Hope Street
San Luis Obispo, CA 93405

September 16, 2002

SERVED September 27, 2002

U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Re: Diablo Canyon Nuclear Power Plant's
License for Dry-Cask Storage

ATTENTION: A.S.L.B.

Gentlemen:

I attended the 9-10-02 and 9-11-02 hearing in Shell Beach, CA and would like to register my support of the contention of the Pacific Gas & Electric Company (PG&E) that additional hearings regarding the issuance of a License for dry-cask storage of the spent fuel rods at its Diablo Canyon Nuclear Power Plant (DCNPP) ARE NOT needed.

I was born in San Luis Obispo, CA and have lived here all of my life, as did my Father, and have no intention of leaving the area. Therefore, I have a vested interest in the health and safety of all of us living in this area. You bet I would have preferred that the DCNPP would not have been located near Avila Beach, BUT IT IS THERE!!

While I was employed by the Regional Water Quality Control Board for approximately 25 years, including when the Wastewater Discharge Requirements were adopted for the DCNPP, I was exposed to much information regarding its needs, including using large amounts of cooling water and then returning it to the ocean, and I have accepted the fact that it is located in as desirable an area as possible and with proper safeguards, I know of no adverse effects that have occurred to residents and the environment in general since the DCNPP was placed into operation. Unlike the information distributed prior to construction of the DCNPP by the Mothers for Peace (MFP) the sky has not fallen and I do NOT support the agenda of the MFP and Green Peace (GP) to end operation of the DCNPP.

There is no doubt that electricity generated at the DCNPP is needed and had it not been operating during our recent power shortage, problems would have been exacerbated. It has been acknowledged that nuclear generated power is one of the "cleanest" methods available. Although both the MFP and GP acknowledge that dry-cask storage of the spent fuel rods is an improvement over the present storage method, it is inconceivable that they would not accept this improvement, rather than attempting to delay such improvement in the hope that their ultimate agenda of closing down the DCNPP will occur. It is my opinion that any information concerning closing the plant should not be taken into consideration by the NRC and wasted everyone's time at the hearing by having to listen to this type of information.

I heard no evidence that additional spent fuel rods will be produced during the present License of DCNPP as a result of changing the storage method and accepting testimony on anything to do with the current facility should not be applicable and the earthquake risk concerning the present facility should not be a matter under consideration with regard to the proposed change in method of storing the spent fuel rods, since it would appear that the dry-cask storage method would apparently be superior in the event of an earthquake to the present method of storing these spent fuel rods.

I believe that PG&E is the only entity that could apply for the license under consideration, since it is the owner of the DCNPP and if the ownership should be changed later, as pointed out at the hearing, the proposed License would be amended together with that of the current DCNPP License. Therefore, this matter appears to be academic at this

time. Although I have little confidence in our judicial system in general and its fairness, I believe that the Chapter 11 Bankruptcy Court will satisfactorily adjudicate this matter. It might have been helpful if the difference between a Chapter 11 (Reorganization) and Chapter 7 Bankruptcies was succinctly explained at the hearing and MIGHT have obviated loss of time discussing the outcome of Chapter 7 bankruptcies rather than the appropriate Chapter 11 bankruptcy in which PG&E is at this time.

As to being able to finance the proposed method of storage of spent fuel rods, I heard no testimony as to whether maintaining the dry-casks after the initial expenditure will be more or less expensive than the current method of storage, but it would appear to be less, so if as pointed out by Attorney Repka, the funds are available for the initial construction-type expenditure, this would appear to be a mute question. Having seen the California Public Utilities Commission's (CPUC) previous actions, except for its infinite wisdom that electric companies will not be forced into bankruptcy if they have to spend considerably more to deliver electricity than they can charge for it, which resulted in PG&E filing for Chapter 11, it has had no reluctance in increasing the rates charged to electricity customers and it would appear that such would be the case if funds are needed to construct and maintain the dry-casks at DCNPP.

It would appear that the matter of transporting the spent fuel rods to a permanent storage facility should not be a matter under consideration in the issuance of a license to change the storage method. The NRC might wish to furnish PG&E with any information available regarding whether placing the spent fuel rods in the dry-casks would be the best method available to prepare them for shipment to a permanent storage facility (hopefully Yucca Mountain). From testimony given at the hearing, it would appear that transporting this radioactive material to its permanent storage facility will be under the jurisdiction of the Department of Energy, so why the MFP brought this matter up at the hearing also seemed inappropriate.

As to terrorism, sabotage, and other risks, it would appear that the dry-cask method of storage would be at least slightly superior to the present method of storage in the event of such events. I am pleased that President Bush's administration is thoroughly investigating such problems and working with the appropriate NRC officials and it would appear that this would not be a deciding factor in the issuance of the proposed license to PG&E for an improved method to store spent fuel rods.

In summary, it does not appear that the parties opposing the proposed DCNPP License had any evidence that would mitigate against its issuance and even admitted that the dry-cask method of storing spent fuel rods was superior to the present method. I do not see how holding additional hearings would accomplish anything meaningful and expanding on matters that are not of significance in determining the desirability of the NRC issuing a license with all safeguards necessary to protect the safety and welfare of affected residents would NOT be fruitful. Holding additional hearings seems unreasonable. Again, those opposing a superior method of storing this radioactive material in the hope of closing down the DCNPP is inconceivable, especially since they are supposedly attempting to safeguard the safety and health of all affected persons. After speaking to many persons regarding this matter, it is safe to say that the persons presenting testimony at your hearing opposing the NRC issuing the proposed license to PG&E without additional hearings by no means speak for all interested persons in this area.

Respectfully submitted,

Margaret L. Sigerson
MARGARET L. SIGERSON

1840 Hope Street
San Luis Obispo, CA 93405

September 16, 2002

U. S. Nuclear Regulatory Commission (Re: 9-10-02--9-11-02 Public
Washington, D. C. 20555 Hearing at Shell Beach, CA

ATTENTION:A.S.L.B

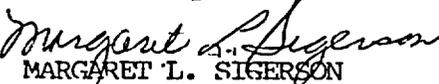
Gentlemen:

I was very disappointed that your Commission chose to hold a public hearing on September 11, 2002, because of the national and personal significance of 9-11-01 and caused those attending your hearing to not be able to watch and/or participate in some real memorial services on the second day of your hearing. There may have been good reason, but taking a 2.5 ± lunch hour did not help and resulted in some of us being unable to see said hearing to its conclusion.

Having attended many hearing-type activities and worked for a State of California regulatory agency for many years, I would respectfully like to make a few suggestions on ways to improve your hearings, i.e.:

1. Have a roster of the members of the Commission and its staff, as well as other interested persons and who they represent that will be giving testimony at the hearing. This listing should also contain the address to which written comments to the NRC should be submitted.
2. Have someone familiar with the license under consideration explain the type of testimony that is appropriate, as well as the jurisdiction of NRC representatives at the hearing. It certainly appeared that much time was wasted with the NRC accepting the type of information that was not appropriate for the matter under consideration by Atty. Diane Curran, S.L.O. Co. representative Templeton and others; and rather than NRC representatives "getting them back on the right track" immediately, it was first up to the applicant's attorney and then the NRC staff to confirm it. It could have been pointed out immediately that only concrete, appropriate testimony would be accepted.
3. Within reason, abide by the time established for each "contention" and not let someone like Ms Curran over-extend her time by a lot with extraneous data.
4. Allow or even suggest that experts, such as seismic experts, present their own testimony. It appeared that something was lost in the "translation" when the experts spoke through the attorneys on both sides. It certainly caused a delay in the hearing when Ms Curran was consulting with her expert while presenting testimony. When the license for dry-cask storage was being considered, taking testimony regarding the location of the Nuclear Power Plant itself did not appear to be appropriate.
5. Although it is difficult, when a time-certain recess is called, enforce the resumption of the meeting.
6. Have an attendance register available for those who wish to sign it.

Respectfully submitted,


MARGARET L. SIGERSON

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
PACIFIC GAS AND ELECTRIC CO.) Docket No. 72-26-ISFSI
DIABLO CANYON POWER PLANT)
)
(Independent Spent Fuel Storage)
Installation))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing THREE LIMITED APPEARANCE STATEMENTS have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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Docket No. 72-26-ISFSI
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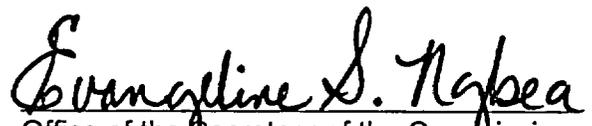
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Docket No. 72-26-ISFSI
THREE LIMITED APPEARANCE STATEMENTS

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Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 27th day of September 2002