

DiabloCanyonCEM Resource

From: Rochelle [beckers@thegrid.net]
Sent: Friday, February 12, 2010 3:24 PM
To: Stuyvenberg, Andrew
Subject: Follow up NRC Diablo License Renewal Proces meeting Feb 9th
Attachments: 2 9 10 NRC outline put in questions.doc; 021010+NRC Follow+up+que#4EEC6A.doc
FINAL.doc; 2 10 10 SB NEWSPRESS.doc

Hello Drew,

Attached are both follow-up questions from the NRC's license renewal "process" meeting in San Luis Obispo this week and our corrected presentation from that evening in electronic form so you can share with appropriate staff.

As stated at the NRC meeting we find this process to be premature and believe the March 3rd meeting is not only premature, but a costly waste of resources until the NRC recognizes that the state's required seismic studies must be completed and reviewed before this process goes forth.

The Alliance requests that all responses be sent by email if possible or regular mail if not.

cc's have been sent to all California oversight and elected repretatives within PG&E's service territory.

PS: my first message bounced (used "Drew" not "Andrew", so here is the cc list from that message: "Dedrick Kathy (EPW)" <Kathy_Dedrick@epw.senate.gov>, Jennifer Tang <Jennifer_Tang@boxer.senate.gov>, Hillary Pearson Bishop <Hilary_Bishop@boxer.senate.gov>, Haas Greg <greg.haas@mail.house.gov>, Levenshus Jonathan <Jonathan.Levenshus@mail.house.gov>, Kay Sally <Sally.Kay@asm.ca.gov>, Byron Barbara <Bbyron@energy.state.ca.us>, Rachel MacDonald <rmacdona@energy.state.ca.us>, Marlana Elliott <Melliott@energy.state.ca.us>, Adams Gina <Gina.Adams@asm.ca.gov>, adam hill <achill29@hotmail.com>, Jim Patterson <jpatterson@co.slo.ca.us>, bgibson@co.slo.ca.us

And just to you I included an article from the Santa Barbara Independent

In Peace

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Recipients:
"Stuyvenberg, Andrew" <Andrew.Stuyvenberg@nrc.gov>
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ALLIANCE FOR NUCLEAR RESPONSIBILITY

February 9, 2010

The Alliance for Nuclear Responsibility believes that this panel may be unaware of historical information that has heavily influenced California's perception of PG&E's license renewal application. The utilities application blatantly defied the state's recommendations and requirements to update seismic and other studies for Diablo Canyon. Absent this information the acceptance of PG&E's license review panel was an incomplete application. The missing information -- the significance of two major active earthquake faults less than three miles offshore of Diablo Canyon -- to the economy of California, was an "omission" that has been extremely costly in the past:

In 1988, after a three-year ratepayer funded review of construction costs, the Public Staff Division of the California Public Utilities Commission wrote:

"Because of PG&E's failure to discover the Hosgri Fault and later design errors [related to seismic retrofits], the Diablo Canyon plant had to be constructed and reconstructed three times."

"The plant was essentially complete in 1976 at a total cost of about \$1 billion when the NRC required PG&E to redesign and reconstruct it to withstand severe shaking that could occur as a result of a large earthquake on the Hosgri Fault. By 1981 the plant had been redesigned and reconstructed a second time to correct the deficiencies in the original seismic design, increase sit the total cost of the plant to \$2.4 billion."

"From 1981 to 1985 the plant had to be redesigned and reconstructed a third time to correct the errors made in the earlier second redesign ...increasing it [costs] from \$2.4 billion to \$5.518 billion.

For the last five years the state has held workshops, instituted an in depth analysis of the costs, benefits and risks of reliance of aging reactors, submitted recommendations and issued requirements and has made it clear to PG&E that it expected the utility to complete all recommended AB 1632 studies before filing for a license renewal. Unfortunately, PG&E again decided that a seismic review

could wait until after the NRC had spent time and resources on a license renewal application that dedicated a single page to the collection and independent review of new seismic information.

Just this month the NRC's Chair quoted Benjamin Franklin:

“it takes many good deeds to build a good reputation, and only one bad one to lose it.” The NRC has done many good deeds – recruited, developed, and retained top-notch staff, developed strong regulatory, inspection, and enforcement programs, and many others that I will discuss later this morning – to build its good reputation. But Ben Franklin's insight about one bad deed has particular resonance in the nuclear field. Few civilian technologies – if any – have the ability of nuclear energy to attract public attention and elicit public concerns. As a nuclear safety regulator, I am sensitive to the fact that a single accident or lapse can significantly harm public health and safety and undermine public confidence in the agency in a lasting way.

The NRC's willingness to accept PG&E's license renewal application without completion and independent review of state-required seismic studies, especially when viewed with the above historical perspective of the economic impacts of PG&E's failure to accurately and independently review seismic data in the 1970's and costly retrofits of the 1980's, would likely be frowned upon by Mr. Franklin and we hope by Chairman Jaczko.

The NRC has accepted an application to extend the life of Diablo Canyon for an additional twenty years after the current expiration of 2025. Unlike the original license, no one – not the utility, the NRC, the DOE, nor the administration – no one believes that the highly radioactive waste produced during this license extension will leave our coast in our lifetimes. So what is the hurry?

The Alliance for Nuclear Responsibility asks this license renewal panel and Region IV of the NRC to support our request to place a hold on PG&E's application. We also have requested that the Commission create a joint NRC/USGS/state seismic review panel to resolve earthquake concerns before proceeding with the renewal process. We believe this is a reasonable, responsible and cost-effective proposal to resolve an issue that could devastate this communities, this state's and this nation's economy.

We do have a list of questions for this panel *may* be able to partially answer tonight or preferably send a response that the Alliance can post on our own very open and transparent website.

This above statement and the questions that follow will be sent to California's state and federal representatives. A service list that includes all elected representatives within PG&E's service territory (and those on

energy/environmental committees), state oversight agencies, San Luis Obispo County Supervisors and all city representatives, and public participants who request to be included.

**Questions for Feb 9, 2009
NRC Relicensing Panel**

- 1) What criteria did the NRC rely upon to determine that PG&E's License Renewal Application was complete and should be accepted for review?
- 2) What departments/divisions/departments/offices at the NRC reviewed PG&E's application for license renewal?
- 3) Will contact information be available to the public?
- 4) If yes, how does the public get on the NRC's service list for reviews and public input?
- 5) Will all draft reports by NRC staff and consultants, PG&E staff and consultants, relating to license renewal be posted on the NRC's website? If, yes, will the above service list be notified when documents are posted? If yes, how to sign up? If no, why not – this is how the California Energy Commission conducted its reviews and issues its reports.
- 6) Does the NRC intend to issue a license renewal before state required seismic studies are complete and reviewed? If yes, what is your justification? If no, then another reason to support our request.
- 7) Have the NRC's independent seismic experts met with the seismic experts or lead staff of the California Energy Commission's? CPUC? California Seismic Commission? Legislature? Coastal Commission? If yes, are there summaries of these meetings? If no, do you intend to meet before finalizing scope of license renewal for Diablo Canyon?
- 8) What does the NRC require to confirm that new seismic studies mandated by the state of California are completed and resolved before approval of license renewal?
- 9) Has the NRC reviewed the cost, benefit and risk analysis mandated by our Assemblyman Sam Blakelee bill AB 1632? If yes, is that review available to the public? If no, does the NRC intend to review before finalizing the scope of license renewal for Diablo Canyon?
- 10) Given that 25% of nukes have had pipe breaks and tritium leaks due to aging, and yet some have still been approved to be relicensed, how can the NRC be sure that existing aging seismic restraints and/or pipes at Diablo are still capable of withstanding their design basis seismic event? Please provide reports citing the studies reports that the NRC depended upon.
- 11) The Alliance requests that the NRC's justify its "Aging Management" systems in any previous approvals, where tritium leaks have been discovered, since issuance of license renewal.
- 12) As an alternative to relicensing of Diablo Canyon, will the NRC consider a state-of-the-art renewable energy park at the nuclear site? The Alliance has proposed a park that generates electricity from solar, wind, wave and

tidal technologies and an onsite energy efficiency think tank and retraining center using existing transmission. Will the NRC investigate this alternative? If so, who will be leading this investigation? If not, why not?

The above questions are submitted in a sincere effort to remove the premier confrontational and controversial issue defining Diablo Canyon – two major active earthquake faults within three miles offshore of Diablo's aging reactors. Yes the steam generators, turbine rotors and reactor vessel heads may be new, but the originals did not last their full service life. Diablo Canyon was built using the technology from the 1960's and in 1967 when the state granted a permit to construct twin reactors on San Luis Obispo's pristine coast no one knew of the existence of offshore faults. There are some who would spend years denying the existence, magnitude and impacts of these faults yet again. We ask the NRC to consider this history and current state requirements for seismic studies and hold PG&E's License Renewal Application. Furthermore, the NRC should demonstrate its willingness to bring its Collaboration Process ([link](#)) to California. The Commission's creation of a joint NRC, USGS, and state seismic review panel to independently review PG&E's completed seismic studies would be a valuable contribution to the openness and transparency encouraged by Chairman Jaczko.

In Peace

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February 2, 2010

Andrew L. Stuyvenberg
Andrew.stuyvenberg@nrc.gov

Dear Andrew,

The follow are questions that arose during the February 9, 2010 License Renewal Process meeting

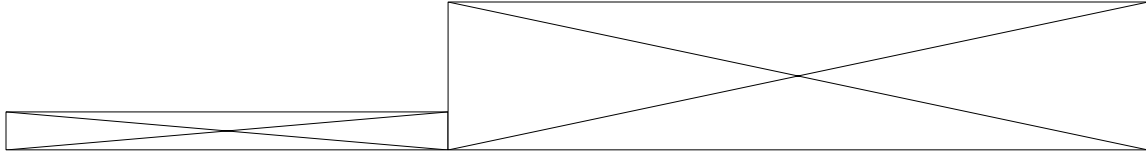
1. Are transmission lines at Diablo (both outgoing, and those returning offsite power back to the facility for emergencies) seismically qualified to the same standards as the plant's "nuclear safety-related" structures? Have or will seismic studies be completed to insure that these transmission lines are also engineered to withstand the effects from an earthquake on the new Shoreline fault? If not, when are such studies and results expected?
2. Diablo has been granted over 200 waivers, amendments, and temporary orders to its operating license. Therefore, what exactly *is* the design basis for license renewal if there have been hundreds of changes to the original rules, regulations and policies? Please provide the design basis that the NRC will be relying on to approve or disapprove license renewal.
3. A statement was made at the Feb 9th meeting that the NRC does not approve a license renewal application until it is "happy" with all utility responses. Please define "happy."
4. During responses to questions at the public meeting, the NRC provided an example of "refurbishment" being a contention proposed as new information by intervenors, and added to the Indian Point License Renewal Proceedings. Please explain why the new seismic studies and detailed analysis required by our state would not be considered as valid a contention as "refurbishment" and therefore require satisfactory resolution before application goes forth?
5. What seismic studies has the NRC reviewed to ensure that highly radioactive waste that will likely be stored at Diablo's earthquake active site will remain intact – both pools and casks? Please provide copies of all these studies.
6. The FEMA representative mentioned a drill at Mercy Medical Center – where is this Center located and why is it relevant to San Luis Obispo?
7. It was difficult to hear seismologist Dr. Kammerer, but believe she mentioned a "large seismic team." Is this team all made up of NRC staff? If no, who else is on the "team"? Why was no other member of this "large" team able to attend the

- SLO meeting? In fact, as Ms. Kammerer was in the state of California during the public meeting, what other event could have (and did) merit more attention than this public meeting in the reactor community that is being asked to an additional twenty years of operation, production and storage of highly radioactive waste?
8. Ms. Kammerer mentioned that, “both an NRC independent and an in-house review will be done” regarding the Shoreline fault. Please provide identifications of team members as well as their credentials and affiliations for this review.
 9. The NRC’s License Renewal panel mentioned operating experience of reactors after they reach forty years. How many reactors have operated beyond 40 years? For how long after 40 years? What has been their post-license renewal operating record?
 10. When does the NRC expect the “Hazard” model mentioned by Dr. Kammerer to be released?
 11. The NRC panel mentioned several times that the plant could be shutdown after approval of license renewal if seismic information warranted. PG&E is requesting \$85 million for the license application process; are the NRC’s costs included? If not, please request that PG&E provide this information to both the NRC and all interested parties. Please provide the full billable NRC license renewal costs for: Oyster Creek, Indian Point and to date for Vermont Yankee.
 12. Please ask PG&E to provide for the record the claim their representative made that “The California Public Utility Commission requested that PG&E file their license renewal to the NRC in November 2009.”
 13. As a matter of public record, please send us documents or links that tabulate, to date, the NRC’s billable costs to PG&E for the license renewal process since the application was filed in November, 2009. This should include all NRC labor, human resources, travel, per diem, hotel, airfare, meeting room rentals and audio-visual resources, consultants, printing and publication, and the cost of security required for the five uniformed San Luis Obispo police officers (as well as any overtime costs) that were present at the public meeting of February 9, 2010.

Please let me know when the Alliance will receive a response to our questions, so that we may be prepared for the upcoming scoping meeting. I have also attached our questions stated, but not answered at the Feb 9th meeting so you can more easily circulate for complete answers.

In Peace

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Cleanliness Is Next to Dogliness

Poodle Barks at Pacific Gas & Electric

<http://www.independent.com/news/2010/feb/04/cleanliness-next-dogliness/>

Thursday, February 4, 2010

By [Nick Welsh](#) ([Contact](#))

IT'S MY OWN FAULT: The big shots running Pacific Gas & Electric must have been weeping with joy over President Barack Obama's call for new nuclear power plants during last week's State of the Union speech. For them, the timing could not have been better. But for us—and anyone else who happens to live downwind from an existing nuclear power plant—the timing could not have been much worse.



Angry Poodle

I say that because PG&E is now applying to renew its license for the Diablo Canyon Nuclear Power Plant, located in Morro Bay just outside San Luis Obispo. For the geographically challenged out there, that's just a few miles up the road. If something bad were to happen at Diablo, rest assured that your day would be ruined. In fact, the Nuclear Regulatory Commission (NRC) is hosting the first of many public hearings on Diablo's relicensing application this coming Tuesday, February 9, at S.L.O.'s Embassy Suites. For those itching for a novel way to witness government inaction, this is a day trip worth taking. PG&E's timing in this, however, is not merely curious; it's downright suspicious. First, Diablo Canyon's permits with the NRC do not expire for another 12 years. So why the sudden rush to get relicensed?

The answer to this not-so-rhetorical question lies somewhere near the fact that in November 2008, scientists with the United States Geological Survey determined that Diablo Canyon lies no more than 1,800 feet off an offshore earthquake fault line that until then no one knew for certain

really existed. This is the sort of news that might require most mere mortals to run out of the room to change their underwear. But not the executives at PG&E or the regulators with the NRC.

These guys flinch at nothing. Hell, they knowingly located—and approved—the Diablo Canyon plant within four miles of an active fault line known as the Hosgri Fault. They have reassured us that the presence of the “new” fault line—known as the Shoreline Fault—is hardly cause for alarm. That’s because it’s believed the Shoreline Fault, about which little is actually known, is capable of delivering only a 6.0-6.5 jolt on the Richter scale. Not to worry. Diablo Canyon was engineered to withstand a seismic uppercut of 7.5.

Not all of us, however, can be so Zen about things. When it comes to building nuclear power plants in earthquake country, I tend to get a little frantic. To be otherwise requires Botox to the brain. It turns out that the California Energy Commission and the Public Utilities Commission share my skittishness. In fact, the state regulators notified PG&E that before they could apply to the NRC—the feds—to renew their license at Diablo Canyon, PG&E needed to conduct a complete seismic analysis of the area, complete with a report on the environmental and economic impacts if the plant were to be shut down by some sort of seismic incident. In addition, the state regulators wanted a study on the available alternatives if, all of a sudden, Diablo Canyon went dark. Given that Diablo Canyon supplies up to 10 percent of California’s total electricity demand, that’s not an idle question. But given that there’s a gigantic solar plant proposed just north of the Carrizo Plain—capable of providing more than half of Diablo Canyon’s mega-wattage—there may be some intriguing answers as well.

Guess what? PG&E hasn’t gotten a study started, let alone finished. But that didn’t stop them from submitting its application with the NRC to renew its license anyway. To be fair, PG&E just got around to asking the Public Utilities Commission for permission to charge its rate-payers for the \$16-million bill that the high-tech 3-d study on the new Shoreline Fault will cost. At the very soonest, that study will be complete sometime in 2013. By contrast, the NRC license renewal process is expected to take only 22 months. That takes us to 2012. Translated, that means PG&E will get its new license to operate Diablo Canyon for another 20 years well before the seismic studies are complete. One might think such information could prove vital to the NRC’s deliberations, let alone our own personal safety. But then, one might also have thought no one in their right minds would ever build a nuclear power plant within four miles of a known earthquake fault.

The last line of defense in this scenario, of course, is the NRC itself. That’s not good news. Even in the aftermath of 9/11, the NRC refused to require PG&E to conduct additional anti-terrorism studies when the company sought permission to build a de facto nuclear waste storage facility at Diablo Canyon. It should be noted that when the plant initially was approved, no permanent waste storage facility was envisioned. As changes go, that’s big. (Prior security analysis assumed that the plant would never be attacked by more than five would-be assailants, and plant security strategies were calibrated accordingly.) Mothers for Peace had to sue the NRC to make that agency require additional analysis. Ultimately, the lawsuit went all the way to the Supreme Court. Although Mothers for Peace “won” in court, it’s not really clear what their victory achieved. That’s because the new plant security analysis is deemed confidential, so no one really knows for sure what’s in it.

The good news is that Santa Barbara has no shortage of Botox bars. Next time I get nervous about Diablo Canyon, I’ll order a shot straight to the pre-frontal lobe. Then you’ll see all those worry lines disappear