



RULES AND DIRECTIVES
BRANCH
USNRC

2014 DEC 23 PM 2: 20

December 19, 2014

Cindy Bladey, Office of Administration,
Mail Stop: 3WFN-06-A44M
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001.

10/14/2014
79 FR 61668
⑩

RECEIVED

Re: City of Laguna Beach Comments and Resolution on the Post-Shutdown Decommissioning Activities Report for the San Onofre Nuclear Generating Station (NRC-2014-0223)

Dear Ms. Bladey,

As Mayor for the City of Laguna Beach, I am forwarding you a Resolution adopted by the City Council on December 16, 2014 unanimously as the City's formal comments on the Post-Shutdown Decommissioning Activities Report for the decommissioning of the San Onofre Nuclear Generating Station Nuclear (NRC-2014-0223). The attached Resolution urges the Federal Government take the following actions as soon as possible:

- Request the Department of Energy complete creation of a permanent spent nuclear fuel repository and that San Onofre spent fuel receive priority storage;
- Request our federal representatives help identify a remote, secure, interim site, such as a military facility to store San Onofre's spent fuel until a permanent repository is available;
- Urge the California Public Utilities Commission and Nuclear Regulatory Commission to stringently require the safest possible dry cask system at San Onofre and hold Southern California Edison responsible for the safety and security of the site until the spent fuel is removed;
- Urge legislative support of S2326 to provide State and local consultation and approval of decommissioning activity reports; and
- The City supports the 1976 California legislative moratorium on new nuclear plant development in California, until the Federal Government provides a repository for spent nuclear fuel.

Please accept and consider these comments regarding (NRC-2014-0223).

Sincerely,


Bob Whalen, Mayor

SUNSI Review Complete
Template = ADM - 013
E-RIDS= ADM-03
Add= T. Wengert (TSW2)
J. Burkhardt (JCB2)

Attachment- Resolution #14.082

cc: The Honorable Barbara Boxer; the Honorable Dianne Feinstein; and the Honorable Dana Rohrabacher



December 19, 2014

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Mail Stop: 3WFN-06-A44M
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A handwritten signature in black ink, appearing to read "Bob Whalen".

Bob Whalen, Mayor

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RESOLUTION NO. 14.082
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA BEACH, CALIFORNIA, DECLARING THE CITY'S POSITION ON VARIOUS ISSUES RELATING TO THE CLOSURE OF THE SAN ONOFRE NUCLEAR GENERATING STATION

WHEREAS, the City of Laguna Beach and its citizens have previously expressed concerns to the Nuclear Regulatory Commission and the California Public Utilities Commission over potentially hazardous conditions related to the operation of the San Onofre Nuclear Generating Station; and

WHEREAS, the City of Laguna Beach Emergency Management Plan includes nuclear accidents from the San Onofre Nuclear Generating Station as a potential safety hazard to Laguna Beach; and

WHEREAS, the City of Laguna Beach is located outside of the 10-mile radius mandated by the Nuclear Regulatory Commission for emergency evacuation planning and is not included in San Onofre Nuclear Generating Station (SONGS) nuclear release accident evacuation planning and practice drills; and

WHEREAS, in June 2013, Southern California Edison submitted notice of its decision to permanently decommission the nuclear plant; and

WHEREAS, the Nuclear Regulatory Commission is the regulatory agency for decommissioning of nuclear facilities; and

WHEREAS, operators for the nuclear plant decommissioning indicate there will eventually be 1.609 metric tons of spent nuclear fuel stored at the San Onofre site until a federal repository is available to accept the spent fuel; and

WHEREAS, Congress assigned the Department of Energy with the task of creating an underground repository for nuclear waste as a result of the Nuclear Waste Policy Act of 1982, which has yet to be completed; and

WHEREAS, notwithstanding assurances of safety for stored nuclear waste, incidents of waste leaks at nuclear facilities have occurred and reinforce concern that accidental leaks of stored, nuclear materials are possible; and

1 WHEREAS, it is critical that the Nuclear Regulatory Commission exercise its authority
2 in the decommissioning process to require Southern California Edison to provide a detailed
3 plan for monitoring, repairing, and securing the dry storage casks from potential leaks or
4 attacks; and

5 WHEREAS, the City of Laguna Beach supports Senate Bill 2326 to amend the Atomic
6 Energy Act of 1954 to provide for consultation with State and local governments, the
7 consideration of State and local concerns, and the approval of post-shutdown decommissioning
8 activities reports by the Nuclear Regulatory Commission.

9 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAGUNA**
10 **BEACH HEREBY RESOLVES** as follows:

11 **SECTION 1.** The City of Laguna Beach requests that the Department of Energy move
12 forward expeditiously with the creation of a permanent spent nuclear fuel repository as
13 assigned by the Nuclear Waste Policy of 1982.

14 **SECTION 2.** The City of Laguna Beach does not support long-term or indefinite
15 storage of spent nuclear fuel at SONGS, and formally requests that federal representatives
16 coordinate with the appropriate agencies as soon as possible to take whatever regulatory action
17 necessary to identify a safe and secure interim location in an unpopulated area to store
18 SONGS' spent nuclear fuel.

19 **SECTION 3.** If an interim storage site cannot be identified for moving the spent fuel,
20 the City of Laguna Beach requests that the Department of Energy give priority to SONGS'
21 spent nuclear fuel when a permanent spent nuclear fuel repository is completed, given its
22 proximity to densely populated areas and the ocean and the risks of earthquake, tsunamis and
23 other unforeseen events.

24 **SECTION 4.** The City of Laguna Beach strongly urges that the method of storage of
25 spent fuel rods at SONGS be the safest possible, that public safety be given priority in the
26 allocation of funds available, that the California Public Utilities Commission and the Nuclear
27 Regulatory Commission reject any expenditure for any dry cask system until the safest system
28 has been determined, and that Southern California Edison be held responsible for the safety,
security, and any damage resulting from the storage of spent nuclear fuel at SONGS for as
long as the spent fuel rods remain at San Onofre. The City of Laguna Beach further urges
that Southern California Edison be required to evaluate the method of storage periodically
and to make changes to improve the safety of the storage as technology improves.

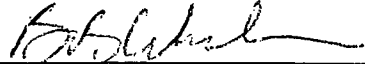
SECTION 5. The City of Laguna Beach supports U.S. Senate Bill 2326 to amend the
Atomic Energy Act of 1954 to provide for consultation with State and local governments, the
consideration of State and local concerns, and the approval of post-shutdown decommissioning
activities reports by the Nuclear Regulatory Commission.

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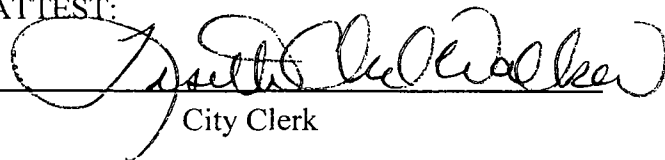
SECTION 6. The City of Laguna Beach supports the State of California's 1976 legislative moratorium on new nuclear power plant development until the federal government can demonstrate the existence of an approved and safe waste disposal technology for high level nuclear waste.

SECTION 7. The City Clerk is hereby directed to forward certified copies of this resolution to the Nuclear Regulatory Commission, California Public Utilities Commission, Southern California Edison, Governor Jerry Brown, Senator Barbara Boxer, Senator Diane Feinstein, and Congressman Dana Rohrabacher accompanied by a letter from the Mayor urging them to join immediately in the effort to develop a plan to locate the spent nuclear waste at SONGS at a secure, interim site in the near term and to expedite the creation of a permanent spent nuclear fuel repository.

ADOPTED this 16th day of December, 2014.



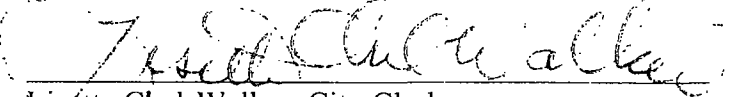
Bob Whalen, Mayor

ATTEST:


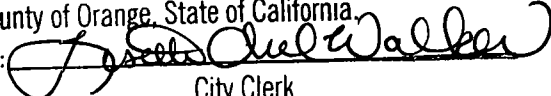
City Clerk

I, LISETTE CHEL-WALKER, City Clerk of the City of Laguna Beach, California, do hereby certify that the foregoing **Resolution No. 14.082** was duly adopted at a Regular Meeting of the City Council of said City held on December 16, 2014, by the following vote:

- AYES: COUNCILMEMBER(S): Boyd, Iseman, Zur Schmicde, Dicterow, Whalen
- NOES: COUNCILMEMBER(S): NONE
- ABSENT: COUNCILMEMBER(S): NONE
- ABSTAIN: COUNCILMEMBER(S): NONE



Lisette Chel-Walker, City Clerk
of the City of Laguna Beach

The foregoing instrument is a correct copy of the original on file in this office.
Attest December 19, 2014
City Clerk of the City of Laguna Beach,
County of Orange, State of California.
By: 

City Clerk