

**NUCLEAR REGULATORY COMMISSION**

**[Docket Nos. 50-275 and 50-323; NRC-2009-0552]**

**Diablo Canyon Power Plant, Units 1 and 2**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Intent to prepare an environmental impact statement and conduct the scoping process; reopening of scoping process, public meetings, and request for comment.

**SUMMARY:** On January 27, 2010, the U.S. Nuclear Regulatory Commission (NRC) notified the public of its opportunity to participate in the scoping process associated with the preparation of an environmental impact statement (EIS) related to the review of the license renewal application submitted by Pacific Gas and Electric Company (PG&E) for the renewal of Facility Operating Licenses DPR-80 and DPR-82 for an additional 20 years of operation at Diablo Canyon Power Plant (DCPP), Units 1 and 2. The current operating licenses for DCPP, Units 1 and 2 expire on November 2, 2024, and August 26, 2025, respectively. The scoping period closed on April 12, 2010. The NRC has decided to reopen the scoping process and allow members of the public an additional opportunity to participate.

**DATES:** The comment period for the environmental scoping process published on January 27, 2010 (75 FR 4427) has been reopened. Comments should be filed no later than August 31, 2015. Comments received after this date will be considered if it is practical to do so, but the Commission is able to ensure consideration only for comments received before this date.

**ADDRESSES:** You may submit comments by any of the following methods (unless this document describes a different method for submitting comments on a specific subject):

- **Federal Rulemaking Web site:** Go to <http://www.regulations.gov> and search for Docket ID NRC-2009-0552. Address questions about NRC dockets to Carol Gallagher; telephone: 301-415-3463; e-mail: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov). For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- **Mail comments to:** Cindy Bladey, Office of Administration, Mail Stop: OWFN-12 H08, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

For additional direction on obtaining information and submitting comments, see “Obtaining Information and Submitting Comments” in the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:** Michael Wentzel, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-6459, e-mail: [Michael.Wentzel@nrc.gov](mailto:Michael.Wentzel@nrc.gov).

## **SUPPLEMENTARY INFORMATION:**

### **I. Obtaining Information and Submitting Comments**

#### **A. Obtaining Information**

Please refer to Docket ID NRC-2009-0552 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document by the following methods:

- **Federal Rulemaking Web site:** Go to <http://www.regulations.gov> and search for Docket ID NRC-2009-0552.

- **NRC's Agencywide Documents Access and Management System (ADAMS):**

You may obtain publicly-available documents online in the NRC Library at

<http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "ADAMS Public Documents" and then select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov). The ADAMS accession number for each document referenced in this document (if that document is available in ADAMS) is provided the first time that a document is referenced. The application for renewal of the DCPD licenses can be found in ADAMS under Package No. ML093340125.

- **NRC's PDR:** You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

## B. Submitting Comments

Please include Docket ID NRC-2009-0552 in the subject line of your comment submission, in order to ensure that the NRC is able to make your comment submission available to the public in this docket.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at <http://www.regulations.gov> as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that

they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment submissions into ADAMS.

## II. Discussion

On January 27, 2010 (75 FR 4427), the NRC notified the public of its opportunity to participate in the scoping process associated with the preparation of an EIS related to the review of the license renewal application submitted by PG&E for the renewal of the operating licenses for an additional 20 years of operation at DCPD. The application for license renewal, which included an environmental report (ER), dated November 23, 2009 (ADAMS Package No. ML093340125), was submitted pursuant to part 54 of Title 10 of the *Code of Federal Regulations* (10 CFR). A separate notice of receipt and availability of the application was published in the *Federal Register* on December 11, 2009 (74 FR 65811). A notice of acceptance for docketing of the application and opportunity for hearing regarding renewal of the facility operating license was published in the *Federal Register* on January 21, 2010 (75 FR 3493). The scoping period closed on April 12, 2010. By letter dated April 10, 2011 (ADAMS Accession No. ML111010592), PG&E requested the NRC to delay final processing of the license renewal application to allow time for the completion of certain seismic studies to address concerns raised during the State of California's Coastal Zone Management Act consistency review. On May 31, 2011 (ADAMS Accession No. ML11138A315), the NRC delayed all further milestones associated with the safety and environmental reviews of the DCPD license renewal application.

On December 22, 2014 (ADAMS Package No. ML14364A259), and February 25, 2015 (ADAMS Package No. ML15057A102), PG&E amended its ER to provide additional information

identified by NRC staff as necessary to complete the review of the DCP license renewal application. By letter dated April 28, 2015 (ADAMS Accession No. ML15104A509), the NRC staff issued a schedule for the remainder of the DCP license renewal review. The purpose of this notice is to (1) inform the public that the NRC has decided to reopen the scoping process, as defined in 10 CFR 51.29, "Scoping-environmental impact statement and supplement to environmental impact statement," and (2) allow members of the public an additional opportunity to participate. The comments already received by the NRC will be considered; reopening of the scoping process provides additional opportunity for the public to comment on issues that may have emerged since completion of the last scoping period.

As outlined in § 800.8 of Title 36 of the *Code of Federal Regulations* (36 CFR), "Coordination With the National Environmental Policy Act," the NRC plans to coordinate compliance with Section 106 of the National Historic Preservation Act (NHPA) in meeting the requirements of the National Environmental Policy Act of 1969 (NEPA). Under § 800.8(c) the NRC intends to use its process and documentation for the preparation of the EIS on the proposed action to comply with Section 106 of the NHPA in lieu of the procedures set forth in § 800.3 through 800.6.

In accordance with 10 CFR 51.53(c) and 10 CFR 54.23, PG&E submitted the ER as part of the application. The ER was prepared pursuant to 10 CFR part 51 and is publicly available in ADAMS under Accession No. ML093340123 (original) and Package Nos. ML14364A259 (amendment 1) and ML15057A102 (amendment 2). The ER may also be viewed on the NRC Web site at <http://www.nrc.gov/reactors/operating/licensing/renewal/applications/diablo-canyon.html>. In addition, paper copies of the ER are available for public review near the site at the San Luis Obispo County Library, 995 Palm Street, San Luis Obispo, California 93403 and at the Paso Robles City Library, 1000 Spring Street, Paso Robles, California 93446.

This document advises the public that the NRC intends to gather the information necessary to prepare a plant specific supplement to the NRC's "Generic Environmental Impact

Statement (GEIS) for License Renewal of Nuclear Plants” (NUREG-1437, Revision 1), related to the review of the application for renewal of the DCPD operating licenses for an additional 20 years.

Possible alternatives to the proposed action (license renewal) include no action and reasonable alternative energy sources. The NRC is required by 10 CFR 51.95 to prepare a supplement to the GEIS in connection with the renewal of an operating license. This notice is being published in accordance with NEPA and the NRC's regulations found at 10 CFR part 51.

The NRC will first conduct a scoping process for the supplement to the GEIS and, as soon as practicable thereafter, will prepare a draft supplement to the GEIS for public comment. Participation in the scoping process by members of the public and local, State, Tribal, and Federal government agencies is encouraged. The scoping process for the supplement to the GEIS will be used to accomplish the following:

- a. Define the proposed action, which is to be the subject of the supplement to the GEIS;
- b. Determine the scope of the supplement to the GEIS and identify the significant issues to be analyzed in depth;
- c. Identify and eliminate from detailed study those issues that are peripheral or that are not significant;
- d. Identify any environmental assessments and other EISs that are being or will be prepared that are related to, but are not part of, the scope of the supplement to the GEIS being considered;
- e. Identify other environmental review and consultation requirements related to the proposed action;
- f. Indicate the relationship between the timing of the preparation of the environmental analyses and the Commission's tentative planning and decision-making schedule;

g. Identify any cooperating agencies and, as appropriate, allocate assignments for preparation and schedules for completing the supplement to the GEIS to the NRC and any cooperating agencies; and

h. Describe how the supplement to the GEIS will be prepared and include any contractor assistance to be used.

The NRC invites the following entities to participate in scoping:

a. The applicant, PG&E;

b. Any Federal agency which has jurisdiction by law or special expertise with respect to any environmental impact involved or which is authorized to develop and enforce relevant environmental standards;

c. Affected State and local agencies, including those authorized to develop and enforce relevant environmental standards;

d. Any affected Indian tribe;

e. Any person who has requested an opportunity to participate in the scoping process; and

f. Any person who has petitioned for leave to intervene in the proceeding or who has been admitted as a party to the proceeding.

### **III. Public Scoping Meeting**

In accordance with 10 CFR 51.26, the scoping process for an EIS may include a public scoping meeting to help identify significant issues related to a proposed activity and to determine the scope of issues to be addressed in an EIS. The NRC has decided to hold public meetings for the DCPD license renewal supplement to the GEIS. The scoping meetings will be held on August 5, 2015, and there will be two sessions to accommodate interested persons.

The first session will convene at 1:30 p.m. and will continue until 4:30 p.m., as necessary. The

second session will convene at 7:00 p.m. with a repeat of the overview portions of the meeting and will continue until 10:00 p.m., as necessary. Both sessions will be held at the Courtyard by Marriott San Luis Obispo, 1605 Calle Joaquin Road, San Luis Obispo, CA 93405. Both meetings will be transcribed and will include: (1) an overview by the NRC staff of the NEPA environmental review process, the proposed scope of the supplement to the GEIS, and the proposed review schedule; and (2) the opportunity for interested government agencies, organizations, and individuals to submit comments or suggestions on the environmental issues or the proposed scope of the supplement to the GEIS. Additionally, the NRC staff will host informal discussions one hour prior to the start of each session at the same location. Written comments on the proposed scope of the supplement to the GEIS will be accepted during the informal discussions. To be considered, comments must be provided either at the transcribed public meetings or in writing, as discussed above.

Persons may register to attend or present oral comments at the meetings on the scope of the NEPA review by contacting the NRC Project Manager, Michael Wentzel, by telephone at 1-800-368-5642, extension 6459, or by e-mail at [Michael.Wentzel@nrc.gov](mailto:Michael.Wentzel@nrc.gov), no later than July 31, 2015. Members of the public may also register to speak at the meeting within 15 minutes of the start of each session. Individual oral comments may be limited by the time available, depending on the number of persons who register. Members of the public who have not registered may also have an opportunity to speak if time permits. Public comments will be considered in the scoping process for the supplement to the GEIS. Michael Wentzel will need to be contacted no later than July 22, 2015, if special equipment or accommodations are needed to attend or present information at the public meeting so that the NRC staff can determine whether the request can be accommodated.

Participation in the scoping process for the supplement to the GEIS does not entitle participants to become parties to the proceeding to which the supplement to the GEIS relates.

Matters related to participation in any hearing are outside the scope of matters to be discussed at this public meeting.

At the conclusion of the scoping process, the NRC will prepare a concise summary of the determination and conclusions reached; including the significant issues identified, and will send a copy of the summary to each participant in the scoping process. The summary will also be available for inspection in ADAMS and the Federal Rulemaking Web site. The NRC staff will then prepare and issue for comment the draft supplement to the GEIS, which will be the subject of a separate notice and separate public meetings. Copies will be available for public inspection at the addresses listed in the ADDRESSES section of this *Federal Register* notice. After receipt and consideration of the comments, the NRC will prepare a final supplement to the GEIS, which will also be available for public inspection.

Dated at Rockville, Maryland, this 22<sup>nd</sup> day of June, 2015.

For the Nuclear Regulatory Commission.

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Brian Wittick, Chief,  
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