

September 1, 2015

## **U.S. Nuclear Regulatory Commission Public Meeting Summary**

**Title:** Public Scoping Meetings for the Environmental Review of the Diablo Canyon Power Plant, Units 1 and 2, License Renewal Application (TAC NOS. MF4019 AND MF4020)

**Meeting Identifier:** 20151074

**Date of Meeting:** Wednesday, August 5, 2015

**Location:** Courtyard San Luis Obispo, San Luis Obispo, CA

**Type of Meeting:** Category 3

### **Purpose of the Meeting(s):**

The U.S. Nuclear Regulatory Commission (NRC) received a license renewal application (LRA) from Pacific Gas and Electric Company (PG&E), dated November 23, 2009, for the renewal of the operating licenses for Diablo Canyon Power Plant (DCPP), Units 1 and 2. The purpose of these meetings is for the NRC staff to provide an update on the status of the license renewal process and to allow members of the public the opportunity to provide comments for consideration as part of the environmental review on issues that may have emerged since completion of the last scoping period in April 2010.

### **General Details:**

The NRC held two meetings to accommodate interested persons, one in the afternoon and the other in the evening. Both meetings were preceded by an informal open house beginning one hour prior to the meeting where members of the public met with NRC staff. The afternoon meeting was held from 1:30 p.m. - 5:00 p.m. PDT. The evening meeting was held from 7:00 p.m. - 10:30 p.m. PDT. Fifteen NRC staff members were present. The meetings included a telephone bridge line and were facilitated by Mr. Bob Hagar, an NRC in-house facilitator. The meetings began with a review of meeting ground rules, followed by a presentation by Mr. Michael Wentzel on the status of and path forward for the NRC staff's review of the DCPP LRA. The presentations provided an overview of the safety and environmental reviews and emphasized that the focus of the meetings was to receive comments on the environmental review. Next, there was a question and answer period for questions about the NRC staff presentations. Finally, there was the comment portion of the meetings in which the attendees provided comments.

Approximately 200 people participated in the afternoon meeting, and approximately 100 people participated in the evening meeting. Comments were provided at both the afternoon and evening meetings. In addition to members of the public, meeting participants included representatives from U.S. Senator Barbara Boxer's and U.S. Congressman Capps's offices; a representative from California State Senator Monning's office; San Luis Obispo County Supervisors Lynn Compton and Adam Hill; representatives from various State and local agencies such as the California Energy Commission, California Department of Fish and Wildlife, and the San Luis Obispo County Office of Emergency Services; representatives from various public interest groups, such as the San Luis Obispo Mothers for Peace,

Californians for Green Nuclear Power, and the Alliance for Nuclear Responsibility; as well as representatives from PG&E and members of the press.

### **Summary of Presentation:**

The Atomic Energy Act of 1954 authorizes the NRC to grant licenses for commercial power reactors to operate for up to 40 years and allows these licenses to be renewed for up to another 20 years. The 40-year term was based primarily on economic considerations and antitrust factors, not on safety and technical limitations. The NRC has established a license renewal process that has two separate, but parallel review tracks; a safety review and an environmental review.

The focus of the safety review stems from the NRC's obligation under the Atomic Energy Act of 1954, and is performed under the regulations of Title 10 of the *Code of Federal Regulations* (10 CFR) Part 54, "Requirements for Renewal of Operating Licenses for Nuclear Power Plant." The purpose of this review is to verify that each applicant has fully analyzed the management of aging effects in sufficient detail to conclude that the plant can be operated safely during the period of extended operation. The NRC's safety review is documented in the final safety evaluation report.

Under the NRC's environmental protection regulations in 10 CFR Part 51—which implement the National Environmental Policy Act (NEPA)—issuance of a new nuclear power plant operating license requires the preparation of an environmental impact statement (EIS). The NRC performs plant-specific reviews of environmental impacts of operating life extension in accordance with NEPA and the requirements of 10 CFR Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions." As part of the environmental review, the staff consults with local, State, Federal, and Tribal officials.

PG&E submitted its application for renewal on November 24, 2009. The NRC staff accepted PG&E's application for review on January 21, 2010. On May 31, 2011, with the exception of the issuance of the safety evaluation report, the NRC staff delayed all remaining milestones associated with the review of the license renewal application to allow PG&E time for the completion of certain seismic studies to address concerns raised during the State of California's Coastal Zone Management Act consistency review. At the time of the delay, the NRC staff had documented its findings relative to the technical review of the Diablo Canyon license renewal application in a safety evaluation report that was issued on June 2, 2011. For the environmental review, the NRC had conducted a scoping period, which was completed on April 12, 2010. Although work on a supplemental environmental impact statement was in progress at the time of the delay, the NRC has not yet completed, nor issued a draft of this report.

PG&E submitted updates to its license renewal application in December 2014 and February 2015 that provided information identified by the NRC staff in May 2014 as necessary for the staff to complete its review. For the safety review, the NRC staff intends to issue a supplement to its 2011 safety evaluation report to address the information provided in the December 2014 and February 2015 submittals, as well as the planned December 2015 submittal of the technical items required to be completed for the reactor vessel internals aging management program. For the environmental review, the NRC staff intends to review the updates to PG&E's environmental report that have been provided since December 2014, as well as the input received from the public received during the scoping period. Once that is complete, the NRC staff will issue a draft of the supplemental environmental impact

statement for public comment. The staff will then issue a final supplemental environmental impact statement that takes into consideration the public comments received on the draft.

The environmental review begins with a scoping process, which is an assessment of specific environmental impacts associated with renewing the DCPD operating licenses. Some environmental impacts are similar, if not identical, at all nuclear power plants, so to improve efficiency, the NRC staff developed a generic environmental impact statement, [NUREG-1437](#), "Generic Environmental Impact Statement for License Renewal of Nuclear Plants" (GEIS), that addresses a number of impacts common to all or a subset of nuclear power plants. The NRC staff supplements the GEIS with a plant-specific EIS (SEIS), in which all issues that are specific to DCPD will be addressed. The NRC staff reviews available information to determine if there is any new and significant information that would change the generic conclusions reached in the GEIS. The NRC staff will make a recommendation on whether or not the environmental impacts are so great that they preclude maintaining the option of license renewal for energy-planning decisionmakers.

The closing date for submitting scoping comments is August 31, 2015.

#### **Public Participation Themes:**

During the question and answer session of each of the meetings, the NRC staff addressed questions on the following topics:

- Why the NRC is resuming its review of the DCPD LRA – Based on the availability of information provided in PG&E's December 2014 and February 2015 LRA amendments, the length of time since the application was originally submitted, and the length of time necessary to complete the review, the NRC staff determined that it was appropriate to move forward with its review of the DCPD LRA.
- How seismic issues are considered in the license renewal process – For the safety review, the seismic licensing basis for the plant helps to determine the scope of license renewal review. Structures, systems, and components (SSCs) that are relied upon to remain functional during and after design basis events, such as seismic events, are within the scope of license renewal. For the environmental review, the risk from external events such as earthquakes is evaluated as part of the review of severe accident mitigation alternatives, referred to as SAMAs.
- Whether or not there would be an additional opportunity for hearing – A notice for an opportunity for hearing was published on January 21, 2010, in conjunction with the notice of acceptability for docketing of the DCPD LRA. The NRC staff did not issue a new notice for an opportunity for hearing as part of reopening the environmental scoping process. Although the opportunity for hearing deadline has passed, interested members of the public can still submit petitions to admit new contentions in this proceeding based on new, previously unavailable, or materially different information; however, petitioners must demonstrate that they meet the requirements for timeliness, standing, and contention admissibility codified at 10 CFR 2.309.
- Various questions as to which issues will be considered as part of the environmental review.

Public comments at both meetings included topics such as support for and against license renewal, seismic safety, climate change impacts of not renewing the DCPD licenses, impacts to aquatic biota from the operation of the DCPD cooling system, and spent fuel safety. A complete accounting of the comments provided can be found in the meeting transcripts which are available in the NRC's ADAMS public electronic reading room under the accession numbers listed below, <http://www.nrc.gov/reading-rm/adams.html>.

**Action Items/Next Steps:**

NRC staff will address the comments provided during this meeting as part of the LRA review process for DCPD. A record of how each comment was addressed will be included in the Scoping Summary Report or draft SEIS.

A public meeting to discuss the draft SEIS will be conducted near the plant in approximately 12 months.

**Attachments:**

- Meeting description and agenda – ML15202A590
- NRC staff presentation – ML15202A098
- Meeting transcripts – ML15243A554 and ML15243A558

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**ADAMS Accession Nos.:**    **ML15243A560 (PKG)**  
   **ML15233A491 (MEMO)**

**\*concurring via email**

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<b>DATE</b>	8/25/2015	9/1/2015	9/1/2015

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