

ORIGINAL

# OFFICIAL TRANSCRIPT OF PROCEEDINGS

Agency: U.S. Nuclear Regulatory Commission  
Atomic Safety and Licensing Board

Title: Diablo Canyon Nuclear Power Plant,  
Units 1 and 2 Public Meeting  
(Construction Period Recovery)

Docket No. 50-275-OLA-2  
50-323-OLA-2  
ASLBP No. 92-669-03-OLA-2

LOCATION: San Luis Obispo, California

DATE: Friday, December 11, 1992

PAGES: 352 - 406

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
ATOMIC SAFETY AND LICENSING BOARD

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In the Matter of: :  
DIABLO CANYON NUCLEAR POWER : Docket Nos. 50-275-OLA-2  
PLANT, UNITS 1 AND 2 PUBLIC : 50-323-OLA-2  
MEETING : ASLBP No. 92-669-03-OLA-2  
(Construction Period Recovery) :

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City Hall, 990 Palm  
San Luis Obispo, California

Friday, December 11, 1992

The above-entitled matter came on for public  
hearing, pursuant to notice, at 9:00 a.m.

BEFORE:

JERRY R. KLINE  
FREDERICK J. SHON  
CHARLES BECHHOEFER  
ADMINISTRATIVE JUDGES

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## 1 APPEARANCES:

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4 Licensee:

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7 RICHARD LOCKE, Esquire

8 CHRIS WARNER, Esquire  
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10 On Behalf of the Commission Staff:

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12 ANN HODGDON

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14 U.S. Nuclear Regulatory Commission  
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## MEMBERS OF THE PUBLIC:

GAR SALZGEBER, Pismo Beach  
MARCEL MARTIN, San Luis Obispo  
DARRYL PHILIPS, San Luis Obispo  
FRED FRANK, Atascadero  
JACQUELINE WHEELER, San Luis Obispo  
TED HALL, San Luis Obispo  
ANDREW MOYNA, Building Trades Council of San  
Luis Obispo  
ELIZABETH JESSBERG, San Luis Obispo  
DOUG CHAPMAN, Ontario, Canada  
CAROL CHOPATHIK, San Luis Obispo  
JOE O'DONNELL, San Luis Obispo  
BILL SIEVERS, San Luis Obispo  
TERRI BOTHWELL, San Luis Obispo  
HARVEY WASSERMAN, Greenpeace

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## P R O C E E D I N G S

[9:05 a.m.]

JUDGE BECHHOEFER: Good morning, ladies and gentlemen.

We are back on the record for continuation of the limited appearance session that started last night. At that time, there were a number of people here who said they would be willing to come back today. Certainly I don't see all of them, but I think rather than call out names, we will just start with persons who wish to make a statement who are in the audience.

We have one additional name that was given to us, but I guess we will just go in any order. Anyone who wishes to make a statement, let us know, and get up and make a statement.

Is there anyone here who desires to make a statement?

MR. SALZGEBER: My name is Gar Salzgeber. I live in Pismo Beach.

I was still writing this, and I don't speak too well spontaneously, so I will read some of this, and then try to make some sense at the end where I never really finished.

I am a retired California State Park Ranger. My assignment was at Pismo Dune State Vehicular Recreation Area

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1 where I was the supervising ranger. I had twelve rangers  
2 under me and five dispatchers.

3 Pismo Dune State Vehicular Recreation Area is  
4 known in the State Park system as the heaviest law  
5 enforcement state park in California. I was there for 16  
6 years, and part of my responsibilities, I feel, relate to  
7 probably the Diablo Canyon operation. I feel that Diablo  
8 Canyon is just a bigger bureaucratic brother that has taught  
9 us a lot about our own personal operation.

10 If I were to put a philosophy into effect about  
11 how we did things, and I strongly suspect how Diablo does  
12 it, the philosophy in the short phrase would be, what the  
13 public doesn't know can't hurt us.

14 During my first five years at Pismo Dune State  
15 Vehicular Recreation Area, we were considered to be a war  
16 zone. Almost every day we had major incidents. It was  
17 extremely crazy. At least once a month a pedestrian would  
18 get run over by either a drunk driver, or occasionally  
19 people that were run over by people in dune buggies who  
20 laughed at the victim, and just said, "Tough luck, you are  
21 in the wrong place at the wrong time."

22 It was real crazy, and my job was to not get a lot  
23 of this out to the public because we felt if the local  
24 public knew what was happening, they would be highly  
25 motivated to want to close us down.

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1 I was motivated by my superiors when I made press  
2 releases, and they would occasionally critique some of the  
3 comments I made, and I learned that there were some things I  
4 just didn't discuss.

5 I feel there is one major difference between the  
6 operation at Diablo Canyon and Pismo Dune State Vehicular  
7 Recreation Area. The difference is that we knew that in the  
8 operation of Pismo Dunes, our budget would catch up to us,  
9 and we would eventually have the manpower and the equipment  
10 to do that job.

11 I retired, as I mentioned, because I felt I had  
12 met all my challenges and goals, and I really got bored, and  
13 I feel that I have other things to contribute.

14 I don't feel that Diablo Canyon can ever meet  
15 these challenges or goals. They were designed 20 or 30  
16 years ago, and I don't feel that the designs were able to  
17 keep up with the modern times, and current information that  
18 we have.

19 I had an experience with Diablo Canyon. I found  
20 that -- I had a direct experience with the operation of the  
21 plant in dispatch. One of the things that really scared us,  
22 we had to have an evacuation plan, along with other public  
23 agencies in the state, and the thing that scared us is that  
24 frequently we had, on a major holiday weekend, we would have  
25 five to ten thousand vehicles leaving our beach. We had two

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1 exit points, and it would take three hours to get these  
2 vehicles off the beach in a random order as they wanted to  
3 go when the traffic is relatively decreased, just like an  
4 L.A. traffic jam, you want to go out there when the traffic  
5 is least heavy. So these people would go out at times when  
6 it was least heavy, but even there we had three to four  
7 hours of bumper to bumper traffic leaving our beach after a  
8 holiday weekend.

9           The thing that really scared us was, what is going  
10 to happen if we have to get these people off the beach  
11 really fast, and they get word of what is really going down.  
12 It would be very similar to perhaps a movie theater that  
13 gets caught on fire, and then you have the major stampede at  
14 the door where people stomp each other into the ground, only  
15 this is much heavier because we are talking about anything  
16 from motorcycles up to 33-foot motor homes.

17           There is another problem that I was exposed to,  
18 which is, I was really disenchanted with the system, and  
19 that was that we were given a handy-talkie that was a direct  
20 communications with the command center of the sheriff's  
21 office. It was a California Highway Patrol handy-talkie. I  
22 had that when we first came up with an evacuation plan. It  
23 sat in our dispatch office, and for two years we would  
24 occasionally try to test it. We never got an answer on the  
25 other line.

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1           We said, "Well, obviously, they are on the other  
2 frequency, and they don't monitor this one." There was  
3 never any testing provision made to find out if it worked or  
4 not. Finally, a local highway patrolman stopped in the  
5 office, and it really bothered me, and I thought about this  
6 handy-talkie, and I asked him to just go out in the field  
7 and call us back when he gets to the different locations,  
8 and find out what our range was.

9           We found our range was one mile, and it went from  
10 our main office at Pismo Dunes to approximately the theater  
11 in the middle of town at Pismo Beach that is currently  
12 closed right now. The range had to go through Avila Beach,  
13 over these mountains, to the sheriff's communication center  
14 to be effective, and it was even effective.

15           At that point, I tried to get a different radio or  
16 exchange this radio. Nobody really cared, nobody wanted to  
17 listen to it, they just sort of put it off. It took me two  
18 years to get rid of this radio, give it back to CHP, and  
19 currently I retired this last Summer, and we never had a  
20 replacement to that point.

21           I don't know what kind of communications that they  
22 have planned for us in case the regular channels breakdown,  
23 but it was not working, and nobody really cared. That is  
24 something that concerns me about this evacuation plan, that  
25 it is off the hot burner, and people in the system, just

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1 doesn't care any more. They are saying, "Don't bug me, I  
2 have other things to do," and the evacuation plan is still,  
3 I feel, a real disaster.

4 Thank you.

5 JUDGE BECHHOEFER: Thank you.

6 As I mentioned earlier, at the moment, at least,  
7 we are not calling people from any list, but we would like  
8 people who wish to make a statement to do so. There were a  
9 number of people who signed up yesterday, and who said they  
10 would be back, but I am not sure about any of the people  
11 here.

12 Feel free, if you wish, to make your statement  
13 right now.

14 MS. MARCEL: My name is Marcel Martin. I am a  
15 retired teacher, 67 years old. Usually people do not  
16 believe it, but it is true.

17 I am a docent in the museums. I am also a docent  
18 at the Jack House where I should be putting up the  
19 decorations. I could not stay late last night because of my  
20 age because I was tired, exhausted, actually because I  
21 danced too much on the plaza to celebrate.

22 Seriously, I was invited to go to Diablo Canyon as  
23 a docent of the museum. The museum has about 150 docents  
24 with only one ranger, if I may say so, and a half. I mean  
25 with a part-time ranger for one day-and-a-half during the

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1 week.

2           Invited to Diablo Canyon, I was greeted by a young  
3 biologist who had studied at Cal Poly, and who said that she  
4 had been against Diablo Canyon in the past. We did not see  
5 what we were promised to see, the tide pools which are  
6 mentioned so much when the children visit Diablo Canyon, for  
7 security reasons that I do not understand, maybe some  
8 scientist will explain, we were not allowed to see the tide  
9 pools. We were promised also many sea mammals that we did  
10 not see, with the exception of a few otters.

11           My point is, why is it that the children have to  
12 be taken to Diablo Canyon, exposed -- I do not know if they  
13 are exposed to the radiation, I do not doubt the scientists,  
14 but I cannot demonstrate that. What I can very well  
15 demonstrate is to use their own words on the green sheet,  
16 the propaganda that they put in the brains of those little  
17 ones, fourth grade, fifth grade, and the propaganda would  
18 not happen if the children would be taken to park and  
19 recreation at Montana de Oro, at Cayucos on the strand of  
20 Morro Bay where I have seen much more marine life in nature  
21 with beautiful background of their own houses, or the city  
22 of Morro Bay, not the plant of Diablo Canyon.

23           Since we saw half of what had been promised to us,  
24 there was time for other things, and this is the other thing  
25 that I wanted to mention. There was time for the biologist

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1 to put in our brains of adults the fact that whatever was  
2 tried in the Carrizo Plain was completely inefficient. You  
3 see, I am not a scientist, but you know what was tried in  
4 the Carrizo Plain, it is solar energy, completely  
5 inefficient. This is what she tried to demonstrate and to  
6 prove to all the adults who were there. Please, sir, you  
7 can imagine how it works on the minds of the little ones.

8 I will conclude with something that changes a  
9 little bit the subject. Five years ago, when I came, I knew  
10 about the danger of those nuclear plants, the one that I had  
11 seen in France where I was born, they look beautiful, but  
12 they are very dangerous.

13 But also, I lived near the Savannah River in  
14 Georgia. I did not know even the name of the fault when I  
15 was invited to attend the hearings five years ago at Avila  
16 Beach, however, I knew that there was a fault. All that I  
17 knew was that I had been given a very beautiful but very  
18 expensive calendar, the calendar of PG&E giving the  
19 direction of an evacuation that everybody has already  
20 demonstrated that it is not adequate. So I have returned  
21 the calendars that I have received in great numbers in my  
22 mailbox to PG&E. I do not accept their programs. I do not  
23 accept their calendars.

24 However, I accept, and I have accepted the bulb  
25 that a young lady by the name Jane, that is all I know, has

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1 been passing to seniors. That I accept because that is for  
2 saving the consumption of power. I wish they would  
3 concentrate on better programs.

4 Thank you very much.

5 JUDGE BECHHOEFER: Thank you.

6 AUDIENCE PARTICIPANT: Question, how do I get my  
7 name on the list?

8 JUDGE BECHHOEFER: Well, you are on it, if you  
9 want to make your statement.

10 MR. PHILIPS: My name is Darryl Philips. I am a  
11 little out of breath because I walked kind of fast to get  
12 here, but I am a local. I was born in the area, and raised  
13 in the area. I own an electronic engineering firm, and I  
14 also took part in the protest in 1980 and '81.

15 But, unlike many of these people, I took the  
16 trouble to go out and work for PG&E at Diablo Canyon for a  
17 while because I wanted to see for myself if the plant was  
18 being run safely, if it was being run cleanly, and in my  
19 opinion, after working there on three occasions, after  
20 working in the Formed Trails Exclusion Program, after  
21 working around the spent fuel pool, after working around the  
22 reactor cavity area, after serving with the dosimetry  
23 equipment in the areas in the RCA, and doing nuclear  
24 decontamination, my opinion after all these things is that  
25 the plant is being run well. It is clean. I have not found

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1 any excessive levels of contamination that we need to be  
2 concerned about or dealt with.

3 In fact, my worst case of contamination came not  
4 from working in the RCA in the plant, but from working in a  
5 concrete building here in town. That day I just so happened  
6 to come in for a dosimetry on the last day of my job, did  
7 not work in the plant, and they scanned my body, and found  
8 out that I was contaminated with radon. So that  
9 contamination exceeded anything that I had picked up inside  
10 the plant.

11 If anything, from working in the plant, I found  
12 that the most common form of contamination that the workers  
13 get stopped with when they leave the radiologically  
14 controlled area is radon from the concrete building, and not  
15 contaminates from the nuclear process. So, up to this  
16 point, I am very pleased.

17 As I have said, I have used the survey equipment,  
18 and I have not detected any appreciable levels of radiation  
19 outside of the RCA. I have walked down areas doing tool  
20 control, and have seen the construction. I have seen the  
21 repair work that is going on inside the plant, and I am  
22 please with the way it is going on. I think that ultimately  
23 the decision on whether to extend the license of the plant  
24 or not is an engineering issue based on such issues as  
25 embrittlement with the steel in the reactor, and things like

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1 this.

2 Based on those issues, I believe that the license  
3 of the plant should be extended because the operation of the  
4 plant was delayed, and because of that, the steel has not  
5 embrittled up to the point that would be expected at this  
6 time.

7 So my opinion is that the plant is safe, the plant  
8 is clean, and the license should be extended. For all of  
9 those who feel that I may have a vested interest in this,  
10 let me tell you that my engineering firm is currently  
11 working on a design for a power inverter for a solar system.  
12 I have a vested interest in solar energy. I stand to make a  
13 lot of money from solar energy, but my current opinion is  
14 that solar energy is not right yet as a viable replacement  
15 for nuclear power for several reasons.

16 One is that we are still dependent on the lead  
17 acid battery as a primary form of power storage; and, two,  
18 the efficiency of solar cells at this time on a commercial  
19 market was only 7 to 10, maybe 12 percent, if you want to  
20 shell out a lot of bucks for it, but that kind of efficiency  
21 and dependency on lead acid batteries does not make solar  
22 energy right yet. I feel that nuclear energy produced at  
23 Diablo Canyon is still a viable solution for our current  
24 needs.

25 Thank you.

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1 JUDGE BECHHOEFER: Thank you.

2 Any other person in the audience who wishes to  
3 make a statement?

4 MR. FRANK: My name is Fred Frank. I live in the  
5 City of Atascadero, and I was born in the City of  
6 Atascadero. I would like to thank you for your patience in  
7 attending this. Yesterday was a long day, and you showed  
8 remarkable endurance. I don't think I showed the same.

9 I would, however, want to address some of the  
10 comments that were made previously by the engineer, and I  
11 don't profess to be an engineer, but I think the perspective  
12 that he reflected is rather narrow. Perhaps, also, even  
13 your perspective in terms of the way you store energy is  
14 rather narrow, because Diablo Canyon itself is required to  
15 store energy in the Helms Pump Storage Capacity, and it is  
16 certainly more efficient than lead acid batteries. That is  
17 an aside.

18 My wife wanted to testify as well today, but we  
19 have a business in Atascadero, and she had to stay there. I  
20 would like to convey some of the words that she would like  
21 to have said. She has worked to develop a sustained energy  
22 system on our tree farm, and we have a solar house, and we  
23 would like to pursue energy independence ourselves, and she  
24 wanted me to suggest that she would like to see PG&E work  
25 toward a sustainable energy future, and rather than granting

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1 an extension of the license at this time, she would like to  
2 see the NRC work with PG&E to ensure an effective transition  
3 from nuclear power to sustainable energy sources.

4 I would like to go on to my statement, and I am  
5 speaking as a retired fire chief. I was the State County  
6 Fire Chief in San Luis Obispo from 1982 to 1988. I spent 32  
7 years responding to and planning for major fire emergencies.  
8 I was deeply involved in the planning and development of the  
9 Fire Emergency Response Plan for Diablo Canyon. I was  
10 involved with the Emergency Response Preparedness Plan, and  
11 I would have to say that the people I worked with on the  
12 ground were very cooperative and professional. I would have  
13 liked to have said the management were equally cooperative.

14 I would like to talk about three major issues,  
15 technology, emergency response and planning, and the  
16 extension of the license.

17 I am a technology buff myself, and I am not  
18 intimidated by new technology. I think that we are going to  
19 be required to take advantage of technology in the future in  
20 order to pursue a more sustainable energy source. I am  
21 afraid that Diablo Canyon represents technology taken to its  
22 extreme.

23 The plant itself has been retrofitted on numerous  
24 occasions. It is very difficult to walk through the plant  
25 for the retrofit for seismic safety which, evidently, has

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1     been redesigned about three times. It makes difficult  
2     conditions for emergency response within the plant. There  
3     are many, many concerns I had as a fire chief in responding  
4     to the plant. We had standard operating procedures, and  
5     there were accidents. They were euphemistically called  
6     "unusual events." We responded to several fires in the  
7     plant, some of which could have developed into serious  
8     problems.

9             The SOPs were not always followed rigorously, and  
10     despite the professional competence of the people involved,  
11     we didn't have exactly the level of response from management  
12     that I would have preferred.

13            Just to give you an example of the changes, the  
14     redundancies and the changes in the methods of building fire  
15     protection, I was quite concerned when I came down here in  
16     1982 because I had read about Browns-Ferry and the problems,  
17     the fire burning in the main conduits that controlled the --  
18     that actually contained all the conduits for the mechanisms,  
19     and sensors within the plant.

20            The fire burned in Browns-Ferry for seven hours  
21     out of control, and it was only by some remarkable ingenuity  
22     on the part of the operators that they were able to control  
23     the plant because they had no idea what was going on in that  
24     reactor core because all the sensors had been burned, and  
25     all the supply of power to the recoolant system had been

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1 destroyed by this fire that had been burning out of control  
2 for seven hours.

3 I was told on many occasions that we would never  
4 have any problem like that at Diablo Canyon because we had  
5 thermolag and, of course, there would be no problem. I am  
6 sure thermolag is much better than styrofoam which was used  
7 at Browns-Ferry but, again, we are looking at a relatively  
8 narrow perspective in terms of the engineering.

9 I am not a fire protection engineer, but I do  
10 recognize that there are some serious concerns with regard  
11 to emergency response at Diablo Canyon, and there have been  
12 accidents. It is an extremely complex huge facility with  
13 redundancy on top of redundancy. Most of these redundancies  
14 are for safety concerns, but often, if you put redundancy on  
15 top of redundancy on top of redundancy, you make the system  
16 so complex that it is very difficult to manage in an  
17 emergency situation.

18 I am afraid that we have gotten ourselves to the  
19 point where we really have a technology that has overrun our  
20 capabilities for management.

21 I would like to speak to the issue of emergency  
22 response and planning now. We are involved very deeply in  
23 the development of the emergency response plan, and we went  
24 through a number of exercises. The scenarios that were  
25 provided by the NRC were diligently followed, and every

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1 exercise was considered to be a success.

2           However, these scenarios were, in some way,  
3 superficial, since it is very costly to operate or run an  
4 emergency scenario with a depth necessary to really test its  
5 capabilities. It was done basically tabletop, and there  
6 were a few field observers in place, but it was never really  
7 tested under true emergency conditions, and conditions that  
8 would prevail during a natural emergency. The real problem  
9 was the lack of ground up communications. During the four  
10 or five exercises I participated in, I was very concerned  
11 that the system would break down under actual emergency  
12 conditions.

13           Since I have had experience in a number of major  
14 emergencies, the only thing that you can really say for sure  
15 in dealing with a major emergency is that Murphy's Law will  
16 apply. If it can go wrong, it will go wrong. The buses you  
17 were going to use for evacuation at the time of the  
18 emergency will not have batteries because they were in for  
19 maintenance, and on and on and on. If you don't have a  
20 system that tracks that, and brings that information back to  
21 the decisionmaking people managing the emergency, the system  
22 will break down, and I expect that that is what will happen  
23 if, indeed, there is a major emergency.

24           I am not so arrogant as to think that we can  
25 manage a plant of that complexity in a situation that is

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1     fraught with risk. We do live in a state where we have  
2     seismic problems, whether it be the Hasgri or the San  
3     Andreas or an unknown fault that has not been discovered  
4     yet, we do have earthquakes and the plant is vulnerable for  
5     many reasons, not necessarily the reactor itself, but there  
6     are certainly a lot of subsidiary systems essential to the  
7     operation of that plant that could be affected by an  
8     earthquake. I personally am glad I am not going to be  
9     involved in the management of that incident.

10           My final comment on the extension. I think it is  
11     totally premature to be considering the extension of the  
12     operating permit at this time. We ought to wait until such  
13     time as we have better information on what has actually  
14     taken place out there. There is more just embrittlement of  
15     the reactor vessels to be concerned with, and I think it is  
16     absolutely premature at this point, with a limited amount of  
17     information as to the operating capabilities of that plant,  
18     to make a decision.

19           I think also, as was mentioned last night by many  
20     of the people who testified in favor of the extension, that  
21     San Luis Obispo is dependent economically on that plant. It  
22     is very true. There are thousands of people employed out  
23     there, and largely they are professional people, they are  
24     well paid, and they are doing a good job.

25           However, this plant is eventually going to be

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1 shutdown one way or another. I suspect it will be shutdown  
2 because it is uneconomic to operate when the maintenance  
3 problems become greater as the plant ages.

4 I think the NRC should be working with PG&E to be  
5 planning the transition and moving towards a sustainable  
6 energy future with PG&E, and ensuring that when this  
7 transition occurs that employees will not be displaced, and  
8 if they are displaced, they are trained and moved into an  
9 area that they would be capable of handling in a sustainable  
10 energy mode.

11 We also are very dependent upon Diablo for taxes  
12 in this county, and I think that that kind of complicates  
13 and clouds the decisionmaking perspective on the part of  
14 local government because we are so dependent upon this tax  
15 base. That tax base is going to disappear anyway because  
16 the depreciation schedule that is being used is  
17 inappropriate, and it is gradually disappearing.

18 There should be something done to ensure that  
19 there is a method to sustain the services necessary that are  
20 going to be required to service that plant in perpetuity, it  
21 appears, or I don't know how they are going to decommission  
22 or what they are going to do with that plant when it is  
23 shutdown, but it is going to require services as far as the  
24 eye can see, and it is not going to be paying for itself.

25 I think the NRC has a responsibility to the local

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1 government to ensure that there is a smooth transition, and  
2 there is some compensation and offset to local government  
3 when the plant no longer generates the revenue, yet still  
4 requires constant vigilance.

5 I would like you to postpone making this decision  
6 until you have more information.

7 Thank you.

8 JUDGE BECHHOEFER: Thank you.

9 MS. WHEELER: My name is Jacqueline Wheeler. I am  
10 a 14 year resident of San Luis Obispo, and a member of San  
11 Luis Obispo Mothers for Peace, and a local vocational  
12 counsellor.

13 Before I begin my remarks, I would like to thank  
14 the members of the Board for their coming to San Luis  
15 Obispo, for their cordiality yesterday in hearing all sides  
16 of the issue. I understand you were here quite late last  
17 night, I couldn't attend, but I am sure you were as  
18 respectful to those people speaking last night as you were  
19 to us yesterday.

20 Before I begin, I would just like to say that many  
21 years ago, about six, I think, was the last time, the  
22 Mothers for Peace presented what they call -- when we had  
23 the stockholders meetings in San Francisco, we would present  
24 issues that we wanted the shareholders of the company to  
25 consider, and in order to be a party to that, you had to

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1 actually own PG&E stock.

2 They changed the rules. At the beginning, you  
3 only had to own two shares of stock. I believe they changed  
4 the rules -- not PG&E, but the SEC -- and now you have to  
5 own about a thousand shares.

6 Anyway, I wanted to thank PG&E because I think  
7 those two shares of stock was probably the best investment I  
8 ever made. I still own them, and profits are so high  
9 because of the operation of Diablo Canyon that I have made a  
10 little money on my two shares.

11 But I wonder at what expense that profit has been  
12 made for the shareholders of the company. Yes, PG&E has  
13 operated this plant at near capacity for the numbers of  
14 years it has been in operation, but scientific evidence will  
15 show that that increases the aging process of the plant.

16 We are already talking about a plant that was  
17 mostly constructed in the late 1960s, and has been  
18 retrofitted many times so that many parts of that plant are,  
19 in fact, approaching 25 years in age.

20 The fact that the plant operates at such a high  
21 capacity factor, in fact, increases the likelihood of  
22 embrittlement, and earlier opportunity than in some plants  
23 where the capacity factor is lower.

24 Those of us who are residents here in this area  
25 question the safety factor of the rate decision that awards

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1 PG&E profits based on the electricity produced. It is hard  
2 to get excited when they say in our local paper that PG&E  
3 just set a new record for being downed shorter than they  
4 were last time. The refueling took even less time than last  
5 time.

6 Great for them, they get to make more profits for  
7 the shareholders, and my two shares become more profitable,  
8 but at what cost to the safety and the implications of how  
9 long this plant can be safely operated in this community.

10 This Board, as I understand it, is charged with  
11 deciding whether any of the eleven contentions presented to  
12 you by the Mothers for Peace are worthy of a hearing. I  
13 believe that all eleven are worthy of further consideration.  
14 After all, this is not just a mere formality, as PG&E would  
15 have you believe, they are asking, in fact, for 13 to 15  
16 years more operations in this area. That means 13 to 15  
17 more years of storing spent fuel at a site which no one in  
18 this world would have chosen for a permanent waste site.  
19 After all, as you have been told by numerous speakers, it is  
20 very close to an active earthquake fault.

21 We are also talking about 12 to 15 more years of  
22 exposing the residents of this community to the possibility  
23 of an accident. That means that we have to rely on an  
24 Emergency Evacuation Plan, which while it has been passed by  
25 our local county and other officials, it has been challenged

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1 numerous times by both this group and others as being  
2 inadequate.

3 I don't know how much of an opportunity you have  
4 had to see our city and our county while you have been here.  
5 I know you had a tour, or have a tour planned later on this  
6 morning at the plant. You will notice a very long road that  
7 takes you from our one highway to the plant. It is a seven  
8 mile road. You have to realize there are thousands of  
9 people that work at Diablo, and thousands more who live in  
10 the community of Avila Beach. How will those people get  
11 evacuated?

12 How will the people get evacuated in Los Osos?

13 When we have a big heavy Winter rain, there are  
14 only two exits out of the city of Los Osos, which is about  
15 12,000 people. When there is a heavy Winter rain, normally  
16 Twin Bridges, one of the exits, is closed, which means all  
17 the people from Los Osos to evacuate have to come into the  
18 City of San Luis Obispo, and then on to 101, which is our  
19 major highway.

20 So, again, the Emergency Evacuation Plan has never  
21 been adequate to meet the needs of the population, and we  
22 are talking about a population now extending into the year  
23 2020 and beyond. Everybody knows who reads the paper that  
24 the California population growth is expanding every day.  
25 This area is ripe for expansion. That means that the

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1 population 25 years from now is going to be quite a bit  
2 bigger than it is now. There are no plans to build another  
3 major highway through this area. Therefore, the Emergency  
4 Evacuation Plan becomes even less effective as our  
5 population grows.

6 We also are a community with many elderly people.  
7 As our population ages, we will have more problems trying to  
8 deal with those people in an emergency evacuation situation.

9 As I thought about this last night after leaving  
10 here, I wondered about a government that would be so clever,  
11 and a regulatory body, such as the NRC, that would be so  
12 clever as to remove from public consideration the most  
13 important issue that faces us in this matter, and that is  
14 spent fuel.

15 It is so easy for PG&E to say to us, "Well, it is  
16 not our responsibility. It is the Federal government's.  
17 They said they will take the fuel and, by golly, we believe  
18 them." I have been involved in this issue for 13 years, and  
19 there has been very little progress made towards any  
20 permanent repository for this spent fuel. We, on our side,  
21 call it a waste dump. They call it a spent fuel storage  
22 facility.

23 You can talk about Yucca Mountain all you want,  
24 but there is nothing happening permanently in Yucca  
25 Mountain, and the Senators and the Governor of Nevada plan

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1 to fight vigorously any attempt to establish a permanent  
2 waste facility at Yucca Mountain.

3 Even if they did, we have such a backload of spent  
4 fuel all over this nation, there is not enough capacity at  
5 Yucca Mountain to take what we already have in storage, let  
6 alone to add 10, 20, 30 mores of spent fuel from this plant  
7 and plants around this country.

8 So I realize that that issue is not one that this  
9 Board can debate, but it is certainly one that the NRC  
10 should take some responsibility for. It is not PG&E's fault  
11 that they have no place to send the fuel. We understand  
12 that, but they also can't use that as an excuse for saying,  
13 "Let's go ahead and run the plant for another 13 to 15  
14 years, because we know the government is going to take that  
15 fuel off our hands."

16 It is not going anywhere. It is going to sit on  
17 that site forever, and that is what we as a group, and we as  
18 a community are trying to impress upon you as a Board, that  
19 there are many significant health and safety factors that  
20 are important, and that deserve a hearing.

21 We have evidence that we would like to submit to a  
22 full hearing to prove our case, and I believe that we have  
23 the right to that hearing.

24 I thank you so much for your attention.

25 [Applause.]

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1 JUDGE BECHHOEFER: Thank you.

2 Are there any people who wish to make a speech?

3 MR. HALL: I would like to make several comments.

4 Good morning, gentlemen. I am Ted Hall. I am a  
5 resident of this county, I live in the five cities area. I  
6 have been in the five cities area since 1974. I raised four  
7 children there. I still have one living at home, and I have  
8 a son and a daughter-in-law and a grandson that live in San  
9 Luis Obispo, so I certainly have concerns about any nuclear  
10 radiation that might be released in this area.

11 Obviously, I still live in the five cities area,  
12 so my concerns must be somewhat satisfied regarding Diablo  
13 Canyon, and they are. I have worked at Diablo Canyon in the  
14 past, and I started the first time working there in 1975.  
15 Of course, there was no radiation involved at that time,  
16 other than, of course, the radon from concrete. There was  
17 considerable construction still to be done on that plant at  
18 that time, and I wondered if I might be considering moving  
19 out of the area because of concerns about radiation once  
20 that plant went on-line.

21 Through the years, my concerns have definitely  
22 been dispelled. I have worked as a craftsman, as a foreman,  
23 and as a general foreman in the process of dealing with the  
24 engineering, the redundancy of checking on the engineering,  
25 the quality control procedures for checking that the work

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1 packages were properly put together, that the proper  
2 materials and proper procedures were used for installing  
3 systems, and I have also been well informed, as all people  
4 working on that site have been, of the possibility for  
5 accessing the NRC if you have any concerns about how that  
6 work is being done, and that it can be done anonymously, as  
7 everyone knows, so you have no real need to be in fear of  
8 retaliation.

9           Having been a construction worker many years, I  
10 know that construction workers do not necessarily succumb to  
11 retaliation anyway, but let me say this also from  
12 perspective that I have heard of the NRC lackey  
13 of PG&E and the utilities and the power company out there  
14 certainly is not the perspective that the people working on  
15 that job have. There is a very sincere understanding that  
16 the NRC is there to document and to deal with any  
17 infractions, any shortcomings, any disregard for the methods  
18 and the quality of installation, and work, and operation  
19 there.

20           I just wish that the NRC could enforce coffee  
21 breaks for us out there, because believe me, if you get a  
22 hold of the NRC, things get checked out. I have seen jobs  
23 be red tagged until issues were resolved, if there were  
24 shortcomings. If paperwork was not in order, or there was a  
25 concern about that sort of thing, they definitely check it

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1 out. There is no question about it. It gets resolved, and  
2 it gets resolved accurately and appropriately.

3 I have gained considerable confidence in the  
4 safety of that plant as a result of my years out there. I  
5 would also like to speak for the thousands of workers that I  
6 have worked alongside out there to say that what I am  
7 expressing here is common to most of the workers that work  
8 there.

9 In discussions, we have talked about these issues,  
10 and we have reflected on the constraints on the  
11 installations, and the work out there regarding quality, and  
12 we feel very confident in it.

13 I guess it has been a little disturbing to hear  
14 comments made that would indicate that workers would  
15 sacrifice their lives, the lives of their families, their  
16 concerns about radiation for their families and their  
17 children just for jobs. I don't know of anybody that I have  
18 ever worked with that would be willing to do that.

19 Most of the people that I have worked with that  
20 work there at Diablo Canyon are not working at Diablo Canyon  
21 now. I am personally not working there. I don't have a job  
22 to gain by being here, and making these comments. I merely  
23 wanted to come and be able to give comments that are  
24 reflective of most of the people that I work with, many who  
25 have never been at Diablo Canyon, many people who I

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1 associate with in the community that I have not seen at  
2 these hearings, that felt that the confidence in the plant  
3 is such that they didn't feel the need to be here. They are  
4 very confident living and carrying out their lives in this  
5 area.

6 I would just support the licensing of this plant  
7 to truly reflect the actual years of operation that was the  
8 original intent of the operating license.

9 I thank you very much for this opportunity to  
10 speak.

11 JUDGE BECHHOEFER: Thank you.

12 Any people who haven't made statements previously  
13 and wish to do so, we will lead off with those people.

14 MR. MOYNA: Good morning, gentlemen. I am Andrew  
15 Moyna with the Building Trades Council of San Luis Obispo.  
16 I am an elected representative for Diablo Canyon workers.

17 My remarks this morning will address several of  
18 the eleven contentions made by the intervenors as they  
19 relate to the building trades workforce employed at the  
20 Canyon. My remarks are in no special order.

21 There were any number of questions, the first of  
22 which that struck me was the availability of trained,  
23 qualified, certified, et cetera, workers into the future to  
24 sustain the quality maintenance program. I will tell you  
25 that the international unions are over one century old in

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1 this country, that the local building trades charter are a  
2 half a century old. We are in the business of providing  
3 skilled manpower to the construction industry, whether it be  
4 the construction of universities, hospitals, highways or  
5 power plants. We are here, we are going to be here ad  
6 infinitum.

7 The maintenance program has had a considerable  
8 exposure here. I am going to tell you that after 25 years  
9 in the construction industry, including the nuclear Navy,  
10 that I have never witnessed a more comprehensive program  
11 anywhere. The levels of quality assurance and quality  
12 control are incredible, and I am not aware of any nuclear  
13 related maintenance effort that has ever not gone to  
14 successful completion at that plant, or at any plant. It is  
15 a foregone conclusion that those efforts must be successful  
16 in order to operate.

17 Questions of material control and material  
18 handling are, as this other gentleman described, the Foreign  
19 Materials Exclusion Zone is something that if you work in  
20 the industry you must experience. Where you approach an RCA  
21 work area and are obliged to literally check in every item  
22 of equipment, material, compounds, whatever it may be, it is  
23 checked in, upon completion of the work, it is checked out.

24 The contention that untrained, not certified  
25 personnel are working on QA or QC related work, this is

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1 nonsense. It is not happening. You cannot gain access to  
2 the RCA unless you are fully trained, fully qualified, fully  
3 certified. The key card is the only thing that enables you  
4 to access a radiologically controlled area. The issuance of  
5 that key card is predicated on training, qualifications, and  
6 certification, and it is routinely checked at multiple  
7 levels of access. So untrained people are not doing QA or  
8 QC related work. It just isn't happening.

9 Fitness for duty, I have a personal statement that  
10 I want to make in regards to fitness for duty, which is the  
11 drug screening program. That comment would be that the  
12 general population should be obliged to the same standards  
13 of conduct that the workers at Diablo Canyon are. This, and  
14 all other communities would be much safer places to live if  
15 they were.

16 Age degradation, this concept does not exist  
17 anywhere else in any construction industry that I am aware  
18 of, and if we simply look at the material controls measures  
19 of housing, packaging, those exposure questions are negated.  
20 It is just not a valid argument here or anywhere else in the  
21 industry.

22 Based on performance of the plant which, indeed,  
23 qualifies it as a Category I plant, we have every confidence  
24 in the hardware, the procedures, the operation, and the  
25 personnel, theirs and ours, now and into the future.

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1 I want to thank you for the time. Please come and  
2 visit the plant, you are going to be amazed.

3 MS. JESSBERG: Hello, my name is Elizabeth  
4 Jessberg, and I am a resident of this county for ten years.

5 I guess I would like to talk about what happened  
6 with my family in terms of radiation related cancer. My  
7 mother was in the English Navy, and she was radiated in  
8 Cairo, Egypt, in 1942. As a result of that, we have had  
9 four immediate cases of cancer all resulting in death,  
10 leukemia, bone cancer, brain cancer, and breast cancer, and  
11 I firmly believe that this is a result of what happened to  
12 my mother due to radiation that happened to her. Just, I  
13 feel that is something that I have investigated myself, and  
14 I know that that has a lot of credence.

15 In terms of Diablo Canyon, I feel like the place,  
16 from the start, has been a very unnecessary type of  
17 situation because all these people have brought up all this  
18 information for years now. I have a lot of -- I don't know  
19 what to say. I don't want to get emotional about this, but  
20 I feel like there are enough people that are bringing to the  
21 attention of the Board some of the flagrant wrongs that have  
22 been done here.

23 Also, I am going to break my anonymity, I am a  
24 member of Alcoholics Anonymous. I was recently in Fort  
25 Worth, Texas, and there was a guy in the meeting who was on

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1 the lam from Diablo Canyon because he was wanted by the  
2 police for several drunk driving charges, and he had skipped  
3 town.

4 I think a lot of people out at Diablo have drug  
5 problems. I am not sure if this gentleman is aware of it,  
6 but I have lived with people who have worked at Diablo  
7 Canyon, lots of cocaine, lots of alcohol abuse. It is a  
8 very stressful job, and people take it out in various ways.  
9 I have two-and-a-half years sobriety, I haven't had a drink  
10 since I started the program, and I have heard a lot of  
11 different stories about people from Diablo Canyon.

12 I would just like to bring that to your attention  
13 that I think that we need to postpone a decision, and I have  
14 to go to school right now, so I have to leave, but thank you  
15 for coming here, and I hope you enjoy your stay.

16 [Applause.]

17 JUDGE BECHHOEFER: Are there further people who  
18 wish to make a statement who have not yet made a statement?

19 MR. CHAPMAN: My name is Doug Chapman.

20 Interestingly enough, last evening a gentleman,  
21 when he was speaking, made a comment that a lot of the  
22 people who were in attendance last night were not from this  
23 area, as if that makes a lot of difference. We all know  
24 that pollution knows no boundaries.

25 The only reason I am here is, my car broke down on

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1 the highway. I am a lawyer from Canada. I worked for the  
2 Ontario government for five years prosecuting polluters, and  
3 after that I worked for Energy Probe in their Ontario Hydro  
4 Demand/Supply Hearing, which was a hearing to determine the  
5 future of the electrical needs for the Province of Ontario  
6 for 25 years.

7 At the outset of that hearing, it was the plan of  
8 the utility then to build two new nuclear power plants to  
9 add to the three that are already there. After one year of  
10 that hearing, it became so obvious that nuclear wasn't the  
11 way to go, that they completely abandoned their plans to  
12 build two nuclear power plants and, in fact, they are  
13 considering closing down the plants they have now. Canada  
14 has no place to put their radioactive waste either.

15 Finally, I would like to bring to your attention  
16 an article in the New Yorker magazine, the most recent  
17 issue, December 7th, 1992, at page 86, which is an article  
18 concerning the high cancer rates at a school in Fresno,  
19 California, called the Slater School, and the article makes  
20 it quite clear that in the case of this serious incident  
21 that PG&E was less than forthright in providing information  
22 to the public.

23 So you are dealing with a utility who has been, in  
24 the past, not forthright, and I respectfully submit that  
25 given that this particular nuclear power plant is situated

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1 in a place that can be subjected to earthquakes, and also  
2 resulting tidal waves, that this plant should not continue  
3 to operate unless there is a full and complete public  
4 hearing with intervenors, and proper intervenor funding to  
5 allow cross-examination, and an opportunity to obtain  
6 documents.

7 I submit that nuclear power plants are disasters  
8 waiting to happen, and in particular in an area like this  
9 that is subject to earthquakes.

10 Thank you.

11 [Applause.]

12 MS. CHOPATHIK: Good morning, gentlemen. I am  
13 Carol Chopathik. I have lived in this area for 13 years. I  
14 didn't plan to speak this morning, I just planned to come  
15 and listen to what other people had to say, but it is a very  
16 emotional issue.

17 I grew up in the atomic city, Oak Ridge,  
18 Tennessee. I have been around nuclear all my life. I have  
19 friends whose fathers did not live a full life because they  
20 got more than the safe dose of radiation at their jobs. I  
21 realize that this is 25 years later, and I realize that the  
22 standards have come up.

23 I am not here to judge the workmen at Diablo  
24 Canyon. I believe that the majority of those people do  
25 their job to the best of their ability and as competently as

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1 possible. What frightens me is that we have no control over  
2 nature, and we all know that spent waste does not go away.

3 Twenty-five thousand years, come on. I have  
4 children. I hope to have grandchildren, and I hope to live  
5 to see my great grandchildren, and this is not the place for  
6 nuclear. We sit on a fault. It has been spoken of. You  
7 have heard this time and again. You knew this before this  
8 plant was okayed, and it was okayed anyway.

9 We are tired of corporate who think that money is  
10 more important than life. It seems to me that more women  
11 are against nuclear because women are the bearers of life,  
12 and in this age we are the ones that raise the children,  
13 often without any help from men.

14 I am not surprised that you men don't understand  
15 the human factor involved here, and that you don't consider  
16 the fact of nature, because you are part of a corporate  
17 situation, and always money is more important than life.

18 I hope that you will open your eyes and see that  
19 life is all that matters. It is bad enough we have this  
20 plant for the length of time that we do.

21 I don't see a problem with out of the area people  
22 coming down here last night either, because actually none of  
23 us benefit from this nuclear plant, do we, the energy  
24 doesn't stay here. So this is an issue for the whole state.  
25 This is an issue for the whole nation. I hope you will take

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1 that into consideration.

2 Thank you for being here. Thank you for allowing  
3 me to speak.

4 [Applause.]

5 MR. O'DONNELL: Good morning, gentlemen. My name  
6 is Joe O'Donnell. I am a local resident. I am a chemistry  
7 student, and I also work for a local utility here in San  
8 Luis Obispo.

9 Back in the '40s, when the building I resided in  
10 was built, I wasn't around, so I don't know if PG&E was  
11 around then, but the local power company offered the owners  
12 of the building an incentive of decreased electricity rates  
13 to install only electrical capabilities and no natural gas.

14 Of course, the owners said, "Wow, that is great,"  
15 so they did it. Well, that short-sightedness costs a one  
16 bedroom apartment tenant over \$100 dollars a month to live  
17 in now, and to retrofit it to natural gas to heat the  
18 building would be an astronomical cost.

19 I, like Carol Jo here, don't want to fight PG&E.  
20 I know many of the employees, I know they do a good job. My  
21 concern is the radioactivity. It is way beyond the scope  
22 that we know how to deal with. Many scientists have stated  
23 that -- and these are men who have incredible intellectual  
24 capabilities, they have questioned whether we know what to  
25 do with the wastes.

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1 I am worried about what is going to happen after  
2 you and I and the memory of us are gone, and we have these  
3 nuclear wastes just sitting and waiting. To this day, we  
4 cannot control chemical dumps with just normal chemicals.  
5 If we start dumping radioactivity, what is going to happen  
6 to that. Is PG&E going to guarantee me that my great great  
7 great grandchildren won't become mutated? They can't do  
8 that. They can't guarantee that they are going to have the  
9 funding to clean up something like that.

10 To produce radioactive waste is insanity. It is  
11 killing people. The background radiation levels of this  
12 earth are rising. It is known to cause cancer. It is known  
13 to cause mutations, birth defects, and many other diseases.  
14 Lives are priceless. The billions of dollars that went in  
15 to build Diablo Canyon are not worth the lives that it is  
16 going to cost in the long run.

17 I urge you please, on behalf of myself and all the  
18 young people that trust you to ensure them a safe future,  
19 have a hearing, listen to the people, try to ensure  
20 everybody a safe future. There are alternatives to nuclear  
21 power. The waste is what is going to kill.

22 Thank you.

23 [Applause.]

24 JUDGE BECHHOEFER: Is there anyone else, otherwise  
25 you may get up and add to your statement, your previous

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1 statement.

2 MR. SIEVERS: Excuse my hoarse voice. My name is  
3 Bill Sievers, and I am a resident of San Luis Obispo now for  
4 19-and-a-half years.

5 My experience with welding goes back over 25  
6 years, and I have a lot of knowledge of that, and I know  
7 from experience with the Alaska Pipeline, and heavy pressure  
8 vessels that the thicker you make things, the more  
9 susceptible they are to fractures from heat changes.

10 As far as I understand, the reactor is six inches  
11 of stainless covered by 12 inches of carbon steel which  
12 makes a total thickness of roughly 18 inches. The steam  
13 generator is somewhat less in thickness, from my  
14 understanding, and I apologize if my information is  
15 incorrect, but I know that when you go through a lot of  
16 heat/cooling cycles, there are things that happen in the  
17 internal structure of the metal. When you have a real high  
18 temperature on the interior, it takes a while to pass  
19 through to the exterior. Also, when it cools, it takes a  
20 while to migrate, and when you get that change of  
21 temperature differentiation, it is more susceptible to  
22 cracking.

23 I was just curious of what kind of X-rays have  
24 been done on the reactor and the steam generators since it  
25 has been in operation, or does everyone expect that it is

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1 just going to last without checking periodically?

2 I know it probably would be very expensive to take  
3 it apart, and take everything out, and remove all that  
4 radioactive material, and drain all the coolant, and put it  
5 somewhere to do a test like that, so it is probably not  
6 going to be done. That is what my concern is.

7 Beyond that, what I really wrote last night is  
8 what I would like to go through now, the worry instilled in  
9 most Americans over the last 30 years has been, will we have  
10 enough energy for our needs. If we use more than our  
11 sustainable renewable energy supply, we are in an energy  
12 deficient situation. The current method by which we buy and  
13 sell energy is predominantly this method, a very bad  
14 position to be in since it cannot be sustained.

15 Our energy policies are, unfortunately, controlled  
16 and manipulated by questionable political and big money  
17 entities, and an example of a similar abuse is our U.S.  
18 economy and our outrageous deficit abuse.

19 Another far more serious is worldwide  
20 environmental deficit abuse caused by mankind. One example  
21 being accelerated radiation exposure. Soon to be Ex-  
22 President Bush has misplaced priorities, all deficit abuses  
23 should be our most important problems to tackle, not the  
24 contrived war on drugs.

25 Quick-bucks lifestyles are damaging the world, and

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1 benefit only a limited few. We are borrowing on the future  
2 technically, morally, and spiritually. We do not have the  
3 right, and must ultimately pay, the cost being the future  
4 our descendants, the incarceration and extinction of many  
5 other plant and animal life forms, this modern age has some  
6 benefits, but it is Kiana Scotsi, Life Out of Balance.  
7 Paraphrasing the Bible, "Go out and subdue the earth. Be  
8 fruitful and multiply. Let there be Light." All those  
9 phrases, I am sure you all recognize.

10           Nowhere does the Bible say, plunder the earth's  
11 riches, pollute the skies, land, river and oceans, reproduce  
12 until judgment day; or make the entire earth glow.

13           We take from the earth every day, 24 hours a day,  
14 even on Christmas and Super Bowl Sunday, we leave a gigantic  
15 energy deficit.

16           Biblically, people need rest every seven days.  
17 The earth's soil needs rest every seven years. The sun does  
18 not need rest. It has been there for us consistently. When  
19 we will realize the sun's power that helped develop us to  
20 this modern age should be allowed to save us.

21           Historically, solar has proven to be reasonably  
22 safe. We would not be here if that wasn't true. Presently,  
23 solar power's real power is suppressed by those who  
24 subscribe to quick money gains and short-sighted views.  
25 Solar in the future can provide a well balanced environment.

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1     What is the most important aspect of living on earth, making  
2     money, which I think is a selfish view, or living a better  
3     balanced world?

4             The question of proximity to nuclear facilities is  
5     moot. Everywhere on earth is becoming increasingly unsafe  
6     to life as we know it. Anywhere can be downwind or  
7     downstream or down current. We are polluting our oceans day  
8     by day. Every day additional tons of radiation are released  
9     routinely from nuclear power plants worldwide, rapidly  
10    changing the world's environment. Continuing this trend is  
11    short-sighted.

12            Unfortunately currently debatable, but ultimately  
13    destructive to the environment as we know it, the U.S.  
14    should be an initiator and an admirable example for others  
15    to not make the same mistakes we have, and are currently  
16    making. Human rights around the world are becoming more  
17    recognized, widespread and accepted. We must be a leader in  
18    use, distribution, sustainability and efficiency of energy  
19    and power, solar must be a significant portion.

20            Our weather as we know it would be nonexistent  
21    without solar energy. We would be nonexistent without solar  
22    energy. If anyone wants a head start for the future of us  
23    all, listen up, solar thermal energy conversion, wind energy  
24    conversion, tidal energy conversion, solar electric,  
25    hydrogen economies, methane collection, plus many others are

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1 attainable now, if the political and money people would just  
2 open their eyes and take a serious look.

3 The sun is out there every day. See the light and  
4 make use of it. As Mr. Spock would probably say, "It is the  
5 only logical choice." Is the U.S. going to become a second  
6 rate competitor in energy use and production, is the fantasy  
7 of nuclear energy going to be perpetuated still longer?

8 U.S. automakers and economists still can't believe  
9 they goofed up. How could such a thing happen?

10 It is simple, they turned on the high beams while  
11 driving the Mercedes in the fog. They were blinded by the  
12 fancy technology. It is time for a serious reevaluation of  
13 our path as humans.

14 Doesn't the Bible say, "Money is the root of all  
15 evil, and the earth will be destroyed by fire." Diablo, as  
16 we all know, is a perfect place for a plant capable of  
17 melting to Hades. Take a stand for the future, recommend  
18 nuclear facilities worldwide be replaced with sane renewable  
19 energy sources as quickly as possible. Say, wouldn't that  
20 generate quite a few jobs as well as sustainable power for  
21 the future.

22 Please research any aspects of what I have briefly  
23 mentioned to you, and I hope your hands are more reliable  
24 than Allstate, although they did cover the \$770 million  
25 underestimated costs from Andrew.

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1           As well know, nuke plant insurance is unavailable,  
2           as far as I know. No one will touch it. The odds in Las  
3           Vegas, Atlantic City, the Lotto, even Ed McMahon gives you a  
4           chance to win, why can governments rig the game and say we  
5           must all play, is that some new form of democracy I have  
6           never heard of yet?

7           It is a rigged game, and there are no winners. It  
8           is like playing Russian Roulette, it is not a game you want  
9           to play for very long, and it is time to change to a  
10          winnable game. I hope the honorable members of the NRC and  
11          PG&E will give thoughtful consideration to the earth and all  
12          its inhabitants.

13          Thank you very much, and happy holidays.

14          [Applause.]

15          MS. BOTHWELL: My name is Terri Bothwell, and I  
16          live in San Luis Obispo, and excuse my grumbling voice as  
17          well.

18          I look at you men, and I hope that you are wise  
19          enough to see that nuclear power does not have a positive  
20          future. I am not a public speaker, and I am not very  
21          articulate, so I have written down just five points that I  
22          want to bring to your attention -- nuclear waste,  
23          catastrophic potential, alternative energies, short-  
24          sightedness, and energy versus death.

25          [Applause.]

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1 JUDGE BECHHOEFER: Why don't you supplement your  
2 statement?

3 MR. PHILIPS: My name is Darryl Philips. I spoke  
4 earlier. I am resident of San Luis and a homeowner here.

5 Some people have raised some questions concerning  
6 such issues as thermolag, and I have heard of things that  
7 have been done at the plant concerning these issues.  
8 Thermolag was examined and brought into conformity with  
9 specifications in Unit 1 during the last maintenance outage  
10 there, and those areas where it was not safe it was removed.

11 As far as concerns about the reactor vessel, I do  
12 know that in the last maintenance outage that PG&F went to  
13 the expense of having the core of the reactor pulled up and  
14 examined by underwater cameras, so they are examining those  
15 kinds of issues. I don't know precisely what they did, but  
16 I do know that they did bring it up. I wasn't working in  
17 that area, but I do know that they brought it up and  
18 examined it thoroughly.

19 As far as evacuation from Diablo Canyon is  
20 concerned, there is more than one exit. There are two  
21 official, and then there is a third exit that I know about,  
22 but people cannot only leave through the seven mile road  
23 down through Avila Beach, they can also evacuate North into  
24 Montana de Oro, and a group that I was with last time was  
25 one of the groups that was supposed to go North through

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1 Montana de Oro.

2 As far as stereotypes concerning our concern as  
3 men for our children, though this is not relevant to  
4 relicensing of Diablo, I should say that I supported two  
5 teenage brothers while putting myself through engineering  
6 school because my mother ran off on them, and I think that  
7 we men also care for our children, and love them also. I  
8 don't think that our testimony on behalf of Diablo Canyon  
9 should be disqualified on the basis of claims for any lack  
10 of concern for the future.

11 MR. WASSERMAN: My name is Harvey Wasserman. I am  
12 the Senior Advisor to Greenpeace. I spoke last night.

13 I will be brief this morning, and I appreciate  
14 your indulgence to speak again. The reason I want to speak  
15 this morning is, I spoke with Robert Pollard of the Union of  
16 Concerned Scientists this morning. We think Robert Pollard  
17 will make an excellent commissioner on the Nuclear  
18 Regulatory Commission, stranger things have happened, and we  
19 look forward to his presence on the Board.

20 He faxed me this morning another event  
21 notification, Event No. 24695, seismic trip clips were not  
22 installed on the reactor trip breakers at Diablo Canyon Unit  
23 3. They have been missing for several weeks. The licensee  
24 has informed the resident inspector. We are glad to hear  
25 that, but the reality is, there continues to be an on-going

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1 stream of incidents that call into question the ability of  
2 PG&E to operate this plant.

3 I recall a moment on August 2, 1991, where I  
4 testified in front of Congressman Kostmayer's committee on  
5 the Yankee Rowe case. I actually had the honor of sitting  
6 next to Chairman Selin.

7 I saw Chairman Selin in that hearing agree with  
8 Congressman Kostmayer that Yankee Rowe would not reopen if  
9 the NRC staff found sufficient concern with the  
10 embrittlement question to not reopen the plant as a result  
11 of safety questions, and we were delighted to find that the  
12 NRC staff did agree with Robert Pollard's contentions and,  
13 as you well know, the Chairman then did agree to shutdown  
14 Yankee Rowe, and Yankee Rowe is shut permanently.

15 We hope that similar leeway will come from your  
16 erstwhile Board of Judges on this particular issue of Diablo  
17 Canyon here, and I am sure you understand, as people  
18 concerned with the legalities, that although most of the  
19 testimony has been to whether or not Diablo Canyon should  
20 continue to operate, what we are really asking for here is a  
21 hearing.

22 We have been in a situation, I think you have seen  
23 the tremendous support for the Mothers for Peace in this  
24 community, and we have heard from a number of people who are  
25 supporters of continued operation at Diablo that they are

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1 grateful to the Mothers for Peace for having raised these  
2 issues over the years.

3 We hope that you will understand that, first of  
4 all, this case has great generic ramifications for future  
5 complex undertakings. I am not a lawyer, and I haven't read  
6 your decision on Vermont Yankee. I am sure it is quite  
7 fair, but we are at an extreme disadvantage here. The  
8 Mothers for Peace are not lawyers, they have not had the  
9 financial access capability to come up with the kinds of  
10 legal resources that PG&E has had, and that the NRC has  
11 provided on the opposite side of the case.

12 One of our major concerns at Greenpeace, and the  
13 other major environmental organizations is that dangerous  
14 precedent could be set, essentially through the backdoor, on  
15 plant life extension through the use of this recapture idea.  
16 As you know, of course, Yankee Rowe has been withdrawn from  
17 the plant life extension.

18 There was talk of using Monticello as a lead case  
19 in plant life extension, but since Northern States Power is  
20 up to its neck with the dry cask issue at Prairie Island, it  
21 doesn't look like that is going to happen.

22 What we are concerned about here is that generic  
23 law, or at least precedent that will be cited in future  
24 recapture and plant life extension cases may be made here  
25 without adequate resources to counteract the immense

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1 resources that have been put up against us.

2 So we want to emphasize, please, that what we are  
3 asking for is a hearing, and that if you choose to exclude a  
4 significant number, or all of the contentions that have been  
5 made by the Mothers for Peace, you may be setting very  
6 dangerous precedent which will be referred to in future  
7 cases on this recapture issue and, by connection,  
8 unfortunate connection, on plant life extension.

9 So we hope that you will look back on the good  
10 work that Chairman Selin did at Yankee Rowe, and be  
11 flexible, take into account the lack of resources, compare  
12 the resources that have been available to the Mothers for  
13 Peace, and please be very aware that excluding contentions  
14 at this stage of the litigation may set a very dangerous  
15 generic precedent for future recapture cases and for plant  
16 life extension cases.

17 I am sure you are well aware of that, but I wanted  
18 to emphasize that because this is more than just a single  
19 case involving a single nuclear plant here. You have the  
20 power, as you stated at the very top of the hearings, among  
21 other things because you are the Judge, of course, but also  
22 because there is such limited precedent to pretty much act  
23 at your discretion.

24 There isn't much precedent in this kind of case,  
25 and what you do here will have tremendous ramifications over

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1 the coming decades in terms of the recapture and plant life  
2 extensions.

3 So we hope you will grant, first of all, the  
4 fervent desires of this community, of which I think you have  
5 seen the tip of the iceberg, but also the immense personal  
6 credibility that has been garnered over the years by the  
7 Mothers for Peace, which has been hampered in these  
8 proceedings by a lack of the necessary resources to  
9 counteract the very formidable resources put up by the NRC  
10 staff and PG&E. So please think of that as you make these  
11 deliberations.

12 Thank you very much.

13 [Applause.]

14 MR. SALZGEBER: May I make a comment also?

15 JUDGE BECHHOEFER: Yes. We were going to close up  
16 because it doesn't appear that there are any new people.  
17 You may make one very short comment.

18 MR. SALZGEBER: It is about two minutes, probably.  
19 Gar Salzgeber, and I am a retired Supervisory Ranger of  
20 Pismo Dune Vehicular Recreational Area.

21 As a professional law enforcement administrator, I  
22 was given two VIP tours to the Diablo plant. I feel -- and  
23 both times -- the first time I was completely overwhelmed,  
24 and impressed with the information they gave me. The second  
25 time, I left with the feeling that I was given a major dose

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1 of propaganda that had all the appearances of a razzle-  
2 dazzle smoke and mirrors show. I have to believe that on  
3 daily basis the PG&E administrators are giving their  
4 employees this type of information every day to keep them  
5 highly encouraged to support the plant and the program. I  
6 think they are doing an excellent job of that.

7 I am still very concerned about some of the little  
8 chinks in the program. When we were developing some of the  
9 emergency operations, or the evacuation plan, there were  
10 many times, in fact, I talked to Mr. Floyd, the ex-fire  
11 chief, and there were many times when we felt that we had  
12 additional inputs in the Emergency Operation Plan or the  
13 Evacuation Plan, but we were afraid to pursue them because  
14 our careers are in jeopardy.

15 Diablo provides an excellent tax base for the  
16 county, and we are highly encouraged by county officials to  
17 support that program. I wonder how many other  
18 administrators in this county have other information that  
19 they would like to input in the program, but they are afraid  
20 to follow it up because their own careers are in jeopardy.

21 Thank you.

22 JUDGE BECHHOEFER: Thank you very much.

23 With that, I think we will close the session, and  
24 the Board and the parties have been invited to go on a site  
25 tour. I guess all those arrangements are made.

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1 With that, we thank you all for appearing, and  
2 participating, and with that we will close the session.

3 [Whereupon, at 10:30 a.m., the hearing was  
4 closed.]  
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REPORTER'S CERTIFICATE

This is to certify that the attached proceedings before the United States Nuclear Regulatory Commission

in the matter of:

NAME OF PROCEEDING: Diablo Canyon Nuclear Power Plant, et al.

DOCKET NUMBER: 50-275-OLA-7, et al.

PLACE OF PROCEEDING: San Luis Obispo, California

were held as herein appears, and that this is the original transcript thereof for the file of the United States Nuclear Regulatory Commission taken by me and thereafter reduced to typewriting by me or under the direction of the court reporting company, and that the transcript is a true and accurate record of the foregoing proceedings.

Leann L. Ladd

Official Reporter  
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