

I. Public Participation

This section outlines the scoping and public participation program completed by the CPUC before issuance of the Draft EIR. In the Final EIR, this section will include copies of comments on the Draft EIR and responses to comments.

I.1 EIR Scoping Process

The scoping process for the DCPD Steam Generator Replacement Project EIR consists of three elements listed below. Each element is described in more detail in the following sections:

1. Publication of a Notice of Preparation (NOP) of an EIR and Notice of Public Scoping Meetings soliciting comments from affected public agencies, and members of the public, as required by CEQA;
2. Public Scoping Meetings and meetings with agencies;
3. Summarization of scoping comments in a Scoping Report.

In order to maximize agency and public input on the DCPD Steam Generator Replacement Project, CPUC established a DCPD Steam Generator Replacement Project website, e-mail address, and a telephone hotline. Project information was posted to the CPUC's website for review by the public and interested parties.

I.1.1 Notice of Preparation

The CPUC issued the NOP of an EIR on October 1, 2004 and distributed it to the State Clearinghouse (SCH No. 2004101001) and federal, State, and local trustee and agencies that may be affected by the Proposed Project, as required by CEQA. The NOP was mailed to 304 interested or affected individuals, including residents and persons at public agencies, private organizations, and interest groups. Addressees included 48 private companies/groups, 37 public agencies/districts/groups, and 142 members of the public. There was a 30-day period for interested parties to submit comments regarding the contents of the EIR, as well as an 8-day extension approved by the CPUC. A copy of the NOP is presented in Appendix 1 and can be viewed on the DCPD Steam Generator Replacement Project website (see Section I.2).

I.1.2 Public Scoping Meetings

As part of the EIR scoping process, three public scoping meetings were conducted to solicit comments regarding the scope and content of the EIR, as well as the alternatives and mitigation measures that should be considered as part of the analysis. Approximately 110 members of the public and representatives from organizations and government agencies attended the three scoping meetings. Fifty-four individuals made verbal comments at the public scoping meetings (2 in San Francisco, 23 at the afternoon San Luis Obispo meeting, and 29 at the evening San Luis Obispo meeting). The scoping meetings were held at the following locations and times:

- October 13 – 10:30 a.m. to 1:30 p.m., California Public Utilities Commission, 505 Van Ness Avenue, San Francisco
- October 27 – 2:30 p.m. to 4:30 p.m., San Luis Obispo Library, 995 Palm Street, San Luis Obispo
- October 27– 7:00 p.m. to 9:00 p.m., San Luis Obispo Library, 995 Palm Street, San Luis Obispo

I.1.3 Scoping Comments Received

A total of 67 written and 54 verbal comments (52 individuals spoke at the scoping meetings and 2 verbal comments were received via the project voice mailbox) were received during the NOP scoping period from federal, State, local, and county government agencies, school districts, non-profit organizations, and concerned members of the public. The comments received during the scoping process were summarized in the Scoping Report, which is described in more detail in the following section.

I.1.4 Scoping Report

In December 2004, a comprehensive Scoping Report was prepared summarizing concerns received from the public and various agencies, and presenting copies of comment letters received. The Scoping Report may be obtained upon request to the CPUC using any of the contact methods outlined in Section I.2.

The majority of public comments focused on the purpose and need of the Proposed Project, most often expressing opposition to the existence of DCPP in general and to the fact the ratepayers would incur costs associated with the Proposed Project. Other common concerns dealt with the adequacy of emergency services and plant security, impacts to the marine environment, and concern about the recent seismic activity in the area.

The specific issues raised during the public scoping process are summarized below according to the following major themes:

- Purpose and Need
- Human Environment Issues and Concerns
- Physical Environment Issues and Concerns
- Alternatives
- Environmental Review and Decision-Making Process

I.1.4.1 Purpose and Need

A clear majority of comments received by members of the public and community organizations addressed the purpose and need of the Proposed Project. Many of these comments expressed opposition to the existence of DCPP and to the use of nuclear power in general. Many people stated that they preferred shutting down DCPP and discontinuing the use of nuclear power as a generation source in favor of the utilization of natural gas power plants, or alternative and renewable energy technologies such as wind, solar, and wave power. It was generally understood by persons and organizations commenting that without the CPUC's approval of the Proposed Project, DCPP would continue to operate only until the existing steam generators reached the end of their operating lives.

- **Costs to Ratepayers.** Many private citizens were opposed to incurring the additional cost associated with steam generator replacement. These commenters generally expressed the belief that the community should be given more electricity source options and that their utility payments to PG&E should not be used to support the continued operation of DCPP. In addition, some comments alleged that the costs of the Proposed Project were severely and deliberately understated by PG&E by neglecting to include future financial and human health/safety costs created by approval of the project.

I.1.4.2 Human Environment Issues and Concerns

Nearly all of the public and agency comments raised strong concerns regarding the potential impacts of the project on the human environment, most often expressing concerns regarding the security of the power plant, adequacy of emergency services in the event of an accident, and the public health and safety risks associated with the onsite storage of nuclear waste. Other concerns dealt with transportation and traffic issues.

- **DCPP Security.** Extensive comments were received on the security of DCPP. Many comments identified DCPP as a potential terrorist target and questioned the adequacy of current security measures in place at the plant. These security concerns centered on the existing facility, as well as the dry cask spent fuel storage facility that is scheduled to be built in the next couple of years.
- **Public Health and Safety.** Many of the comments received from private citizens and community organizations expressed concerns regarding public health and safety in the event of a hazardous materials release following a terrorist attack or other incidents that might result in the release of radioactivity. The public was concerned about the immediate and long-term effect of a radiation release to the public from fuel currently being used in the reactors, spent fuel stored in high-densities in the storage pool, and spent fuel that will be stored onsite in dry casks in the future. Other comments identified the need for testing onsite DCPP employees for exposure to radioactivity stemming from daily work activities.
- **Emergency Services.** Numerous public comments expressed concern regarding the adequacy of DCPP's emergency alert system and emergency response services. Some local residents expressed concern that the DCPP Early Warning System sirens were inaudible at certain locations. The effectiveness of San Luis Obispo County's disaster evacuation plan was addressed in several comments. Concerns were raised about those members of the public that could be especially affected by inadequacies in the evacuation plan such as those without immediate access to transportation, including prison inmates, the homeless, and hospital patients. Comments submitted by County agencies addressed the importance of coordinating with the California Department of Forestry and Fire Protection (CDF) and San Luis Obispo County Fire Department to install or update emergency protection and response equipment. In addition, an evaluation of the project impacts on fire, hazardous materials release, or other emergency potential was requested.
- **Transportation and Traffic.** Comments regarding transportation and traffic were submitted by public agencies. Concerns were expressed regarding the impact of replacement steam generator offloading at Port San Luis on marine traffic, including the homeport fleet and fishing vessels. Potential project impacts on Avila Beach Drive were also addressed in agency comments. A traffic analysis to assess road fees and to develop a trip reduction plan was requested. Public comments also expressed concern about increased traffic in the Port San Luis area, particularly on Avila Beach Drive, and suggested the establishment of a busing program to bring workers from offsite parking locations to DCPP using low-emission vehicles.

I.1.4.3 Physical Environment Issues and Concerns

The comments from public agencies, community organizations, and private citizens expressed concerns about the potential impacts that the project may have on the physical environment, particularly impacts to air quality and marine biology. In addition, concerns were also raised about the geologic stability of the area and whether the Proposed Project or its associated facilities would be negatively affected in the event of an earthquake.

- **Air Quality.** Public agency comments conveyed substantial concern for impacts to air quality during the transport and construction phases of the steam generator replacement project. Potential air quality impacts mentioned included fugitive dust, air emissions due to increased commuter vehicle trips, and combustion emissions from equipment. It was suggested that an air quality analysis be completed in order to properly evaluate potential short- and long-term impacts from the Proposed Project. These comments also identified the need to avoid or minimize adverse impacts of the Proposed Project through mitigation measures such as a trip reduction program, use of California Air Resource Board certified fuel and equipment, and limitation of engine idling. The San Luis Obispo County Air Pollution Control District (SLOAPCD) stated that its preferred delivery location for the replacement steam generators would be the DCPP Intake Cove, which would reduce the risk to residents of Avila Beach. Comments noted that use of Port San Luis for steam generator delivery would require the completion of a Human Health Risk Assessment to evaluate the inhalation risks due to the Proposed Project and other cumulative risks in the area.
- **Marine Issues.** A major concern conveyed by community organizations and members of the public was the perceived continuous violations of the National Pollution Discharge Elimination System (NPDES) by DCPP and the resulting impact on the marine environment. Other concerns addressed in the comments included the impacts of DCPP's once-through cooling system on marine organisms and habitat quality. The major impacts mentioned included impingement and entrainment of marine organisms, as well as loss and degradation of marine habitat due to the outflow of warm water from the DCPP cooling system. Other comments indicated that the environmental analysis should consider recent, more stringent USEPA regulations regarding outflow of thermal cooling water from power plants.
- **Geology and Seismic Activity Issues.** Members of the public asserted that there is greater potential for an earthquake in the vicinity of DCPP, and higher risk of damage to DCPP infrastructure due to design standards that are now outdated. They referred to two recent seismic events and the existence of new seismic information and technology. Other comments asked that the results of recent PG&E-conducted seismic studies be included and evaluated in the EIR, that the document be peer reviewed by an independent expert geologist or geologic agency, and that all studies be released to the public.

I.1.4.4 Alternatives

Comments from individuals, community organizations, and government agencies suggested a variety of alternatives, including the No Project Alternative and alternate transport routes for the steam generators.

- **No Project Alternative.** Many comments from private citizens and community organizations supported the No Project Alternative. Suggestions were made for alternative generation methods in the event the Proposed Project is not approved by the CPUC. These suggestions included re-purposing the facility to be a combined-cycle natural gas power plant, supplementing natural-gas powered electricity generation with renewable energy sources such as wind, solar, and wave power. Other comments suggested using a combination of renewable energy generation techniques to replace the generation from DCPP. Some of the comments submitted were supplemented with case studies of other nuclear power plants that had been re-purposed, or written testimony and other informative media illustrating the feasibility and efficiency of renewable generation.
- **Steam Generator Transport and Storage Alternatives.** Due to PG&E's extensive investigation of feasible project alternatives, there were few suggestions for different steam generator transport or storage alternatives. The only new alternative proposed was the idea of using bunkered storage of the OSGs instead of constructing an aboveground facility. General comments addressed the need to fully analyze all of PG&E's proposed options.

I.1.4.5 Environmental Review and Decision-Making Process

Scope of Environmental Review

Concerns regarding the scope of the environmental review were frequently addressed in the written comments submitted. The comments overwhelmingly identified the extension of the operating life of DCPP and the associated cumulative impacts of long-term operations as a critical issue that should be included in the environmental review. This issue is discussed further in the following section. In addition to the inclusion of extension of DCPP operating life, those that submitted comments identified other issues that should be included in the environmental review. Some comments stated that the steam generator replacements should not be isolated from other DCPP maintenance repairs that may need to be conducted in the future. These comments often asserted that evaluating only the replacement of the steam generators would serve to ignore the potential cumulative impacts of other plant projects and maintenance procedures. Other issues requested for inclusion in the environmental analysis were:

- New seismic information regarding faults in the vicinity of DCPP
- Evaluation of potential enhanced security requirements
- Possibility of NRC license renewal
- Long-term effects of nuclear waste storage onsite
- Effect of 39 percent of PG&E's workforce becoming eligible for retirement during the Proposed Project

Extension of Life and Cumulative Impacts. A major issue addressed in the comments was the extension of life issue and associated cumulative impacts from long-term operation of DCPP. The public expressed concern that the Proposed Project is generally viewed by the public as a means to extend the operating life of DCPP. Many comments requested that the environmental review include the long-term impacts associated with potentially enabling the plant to operate until the expiration of the NRC license in 2021 and 2025 instead of 2013, which is the date the first steam generator is estimated to cease operations should the project not be approved. Cumulative impacts associated with the extension of power plant life included the disposal of additional increments of spent fuel and other waste, and the additional costs required to operate the plant beyond the life of the original steam generators.

Notice of Preparation. Some comments expressed dissatisfaction with the scope of the project description as it was written in the NOP. The majority of these comments asserted that the issue of extension of power plant life should be included in the project description and therefore analyzed in the EIR. A few comments requested the re-issuance of a revised NOP that includes the aforementioned issues.

Jurisdiction

Many comments from public agencies provided recommendations regarding which agencies must be consulted and the permits that PG&E would be required to obtain in order to proceed with the Proposed Project. Major regulations identified as applicable to the project included the California Coastal Act, San Luis Obispo County's Local Coastal Plan, and Air Pollution Control District's Clean Air Plan. Some agency comments stated that the County of San Luis Obispo should be the lead agency or the co-lead agency with CPUC. Other comments inquired about the NRC's role in the Proposed Project.

I.2 Public Notification

This section summarizes the CPUC's program of public notice and participation to maximize agency and public input on the DCPP Steam Generator Replacement Project. In addition to public comment submission, the CPUC contact information can be used to request a copy of the Scoping Report. Con-

tact information for CPUC is provided in Section I.2.3. The CPUC's program of public notice and participation consists of three elements as described below.

1. Public Notification
2. Public Review Period
3. EIR Information

I.2.1 Public Notification

As described in Section I.1, the NOP was issued on October 1, 2004 to federal, State, and local trustees and agencies that may be affected by the Proposed Project. The NOP was mailed to 304 interested or affected individuals, including residents and persons at public agencies, private organizations, and interest groups received copies of the NOP via mail. Addressees included 48 private companies/groups, 37 public agencies/districts/groups, and 142 members of the public. The NOP and scoping meeting information was also posted on the CPUC's project website (see Section I.2.3 for website address). Notices for the two local public scoping meetings were also published in the San Luis Obispo Telegram-Times on October 18 and October 24, 2004. The same information was published in the Five City Times on October 13 and October 20, 2004.

I.2.2 Public Review Period

In compliance with CEQA Guidelines, the CPUC provides a public review period of 45 days for the Draft EIR. This public review period will commence upon release of the Draft EIR on March 21, 2005, and will terminate on May 5, 2005. Written comments on the Draft EIR may be submitted at the informational workshops, via facsimile transmission on the EIR telephone hotline at (805) 888-2750, via e mail at diablocanyon@aspenerg.com, or by mail to:

Andrew Barnsdale, Project Manager
California Public Utilities Commission
c/o Aspen Environmental Group
235 Montgomery Street, Suite 935
San Francisco, CA 94104

Written comments must be received or postmarked by May 5, 2005. Please remember to include your name and return address in whatever form you make your written comments.

Following the release of the Draft EIR, two informational workshops will be held in similar locations to the Scoping Meetings (times and dates are listed below). The purpose of these informational workshops is to help interested parties understand the Proposed Project, the Draft EIR, and how to participate in the CPUC's decision-making process, including providing comments on the Draft EIR. At these informational workshops, the EIR team and CPUC staff will be available to respond to questions and provide clarification regarding the impact analysis and conclusions presented in the Draft EIR.

Following are the locations and dates for informational workshops:

Informational Workshops on Draft EIR
April 19, 2005 5:30 – 8:30 p.m. AND April 20, 2005 1:00 – 4:00 p.m. San Luis Obispo Library - Community Room 995 Palm Street San Luis Obispo, CA 93401

I.2.3 EIR Information

Copies of the EIR documents have been made available at the CPUC office in San Francisco. In addition, copies of the Draft EIR will be available to the public on the project website.

Website. The following website will be used to post all public documents during the environmental review process and to announce upcoming public meetings:

<http://www.cpuc.ca.gov/environment/info/aspen/diablocanyon/diablocanyon.htm>.

Project Information Hotline. You may request project information by leaving a voice message or sending a fax to (805) 888-2750.