

Comment Set PM2

Public Meeting – San Luis Obispo, 1:00 p.m. April 20, 2005

Baseline

- One failures/omission with the Draft EIR
 - Baseline - does not estimate the amount of (1) uranium mined or (2) waste and air/water pollution caused by the extraction of the uranium for DCP

PM2-1

NRC License Renewal/Extension of Life

- One failures/omission with the Draft EIR
 - Extension of life – The Draft EIR states that the Proposed Project does not extend the life of DCP, but it does say that DCP will not operate if the No Project Alternative is chosen.
- DEIR does not appropriately consider extension of life
 - Not remote or speculative – DCP already has long-term fuel storage in place
 - Should be considered under cumulative impacts because the signs indicate that a formal license renewal application will be brought forth after the project is approved.
- CPUC Commissioner, Geoffrey Brown, stated in his hearing in San Luis Obispo that DCP would file for NRC license extension.
 - How can you say that it is not a foreseeable event, or it is not likely
- CPUC has a responsibility to area residents and ratepayers, not to assure PG&E profits
 - Must evaluate alternatives and EOL

PM2-2

Alternatives

- The Alternatives section should reflect the use of alternative energy sources
 - Use the \$800 million for solar panels

PM2-3

No Project Alternative/Use of Alternative Energy sources

- With appropriate funding alternative energy sources can be improved to the point where they can provide power.
 - Nuclear power is not necessary
 - The nuclear industry is corrupt
- Draft EIR is deficient in presenting alternatives to continued nuclear operations, especially for the No Project Alternative
 - Need more alternative energy sources
 - Germany is shutting down all of their plants

PM2-4

Comment Set PM2, cont.

Public Meeting – San Luis Obispo, 1:00 p.m. April 20, 2005

- SLO and CA have plentiful sun and wind, therefore you should consider these as alternative energy sources to replace DCPD
 - Advocated wave power to produce energy
- PM2-4**

Procedural Issues

- Must redraft the DEIR due to failures/omissions in baseline, extension of life, and marine biology sections.
 - This community has a healthy distrust and therefore wants answers given in a more formal Q&A session where statements are documented and everyone hears the same thing on the record.
 - The informational workshop allows one-on-one conversations to exist where different answers may be dispensed.
 - Must produce another Draft EIR, not just fill holes in the Final EIR
 - Certified FEIR will be used to evaluate applications by PG&E to SLO County for steam generator transport and storage
 - Provided contact info for questions the public may have regarding the County's involvement
 - Concerned that the February scoping meeting was not taped
- PM2-5**

Cost

- Draft EIR states that an objective of the project is to ensure continuation of low-cost power
 - Operating DCPD is not low-cost
- PM2-6**

Air Quality

- Air Quality: increased traffic congestion and increased commuter trips to DCPD will mean increased air pollution
 - Air quality section adequately addressed comments made by SLO ACPD in scoping period
 - Spoke to Aspen representative about deficiencies in the air Quality section of the DEIR – will submit written comments.
- PM2-7**

Marine Biology Issues

- One failures/omission with the Draft EIR
 - RWQCB – The Draft EIR deliberately attempts to mislead regarding the settlement agreement with the RWQCB; there was no consent judgment because the NPDES permit was not approved.
- PM2-8**

Comment Set PM2, cont.

Public Meeting – San Luis Obispo, 1:00 p.m. April 20, 2005

- Marine Biology – beneficial impact of No Project Alternative is based on a settlement agreement with RWQCB that has been thrown out
 - There is a cumulative effect with nearby Morro Bay Power Plant
 - Effects from DCPP have been found near the Morro Bay Power Plant; the area is more like a “river” than an ocean
 - The fishing industry is being destroyed by the impingement/entrainment of marine invertebrates and juvenile organisms
- DCPP sucks in 1.3 billion gallons of water for 2200 MW of power, while Morro Bay PP sucks in 370 million gallons of water, and produces 1200 MW of power.
- Must restore marine biology data that was edited out of the document

PM2-8

Safety

- There is toxicity in radioactive material that causes danger to families and children.
 - Radioactive material threatens the planet and is a lethal material
- Recently declassified National Academy of Science report states the increased risk of nuclear power plants to terrorist attacks, which increasing the danger
 - Additional handling of waste could cause additional dangers
 - Security measures must be increased
- CPUC should contact NRC to discuss/address the new hazards and new potential costs brought up the NAS report
- CPUC has a responsibility to area residents and ratepayers, not to assure PG&E profits
 - Must not allow the continuation of deadly nuclear waste
 - The once-held promise that nuclear power would be cheap and clean is just not true.
 - Do not extend the life of this aging and unsafe nuclear power plant
 - Dangerously sited – a new plant would never be sited along a fault.

PM2-9

Mitigation Measures

- Page H-3, second paragraph of the Draft EIR – renders all mitigation unenforceable, must have public input if mitigation measures are revised.

PM2-10

Specific Comments

- Son died at a nuclear power plant in England
- Submitted book (Gould, Jay, *The Enemy Within*. New York: Four Walls Eight Windows, 1996) to the CPUC
 - This book provides rationale that DCPP should not continue existing

PM2-11

Comment Set PM2, cont.
Public Meeting – San Luis Obispo, 1:00 p.m. April 20, 2005

Summary: *The Enemy Within* uses age-adjusted National Cancer Institute (NCI) county-level data for white female breast cancer patients from 1950 (the beginning of the Nuclear Age) to 1989 to illustrate that residing close to nuclear reactors causes a higher breast cancer mortality rate. The authors show that women in the approximately 1,300 “nuclear” counties, using various definitions of a “nuclear” county including counties 50 miles downwind of a nuclear reactor and those counties within 50 and 100 miles of a reactor site, are at the highest risk of dying from breast cancer. At the time of the book’s publication in 1996, the female breast cancer mortality rate in nuclear counties in the United States was almost 26 deaths per 100,000 women compared to the death rate in nonnuclear counties of 22 deaths per 100,000 women. The book shows that man-made ionizing radiation from nuclear fallout or overexposure to x-rays through fluoroscopy and mammography, is a major overlooked cause of breast cancer mortality. Higher breast cancer mortalities are seen in rural counties (the site of most nuclear reactors) where from 1950 – 1954 to 1985-1989 breast cancer deaths increased from 15 to 21 percent. Urban and suburban counties, which are also most often affected by exposure to chemical pollutants, long exposures to fallout, and overexposure to x-rays through also experienced increase breast cancer death rates.

PM2-11

Support/No Support

- Do not let this project be approved.
- The only responsible decision would be to deny this project.

PM2-12

Miscellaneous

- CPUC is the “watchdog” of the industry with responsibility to ratepayers
- CPUC is showing a great lack of imagination in addressing this project/problem (of nuclear power)
- Appreciated the access provided to the professionals at the public meetings
- Conveyed idea that the public feels helpless

PM2-13

Responses to Comment Set PM2 Public Meeting, Wednesday, April 20, 2005

- PM2-1 Please refer to Master Response MR-1 (Baseline) and Response PM1-1. The Draft EIR is required by CEQA to analyze the impacts of steam generator replacement, not ongoing DCPD operation. The Proposed Project activities (RSG transport, staging and preparation, etc.) would not involve changes to the power plant's use of uranium fuel or the uranium fuel cycle. The need for uranium fuel and the by-products of radioactive waste occur at the project site as part of baseline conditions that have been previously reviewed and permitted. Those aspects of the plant's operation would continue if the steam generators are replaced and the plant continues to operate in accordance with existing permit requirements. Please also see Response CC2-3 for consideration of the uranium fuel cycle.
- PM2-2 Please refer to Master Responses MR-1 (Baseline) and MR-2 (License Renewal). If NRC license renewal is to occur, the party responsible for initiating the license renewal process would be PG&E. Attempting to complete an environmental review of a potential licensing project that would not be completed within the next 15 to 20 years would be speculative and require an extensive amount of "forecasting," which is not required by CEQA. *CEQA Guidelines* Section 15144 states that "An agency cannot be expected to predict the future course of governmental regulation or exactly what information scientific advances may ultimately reveal" (*Laurel Heights Improvement Association v. Regents of the University of California (1988) 47 Cal.3d 376*)." The Final EIR (Section G) includes additional clarification of the environmental issues that would need to be addressed if an application for license renewal is eventually submitted.
- PM2-3 Section C.6.3 of the Draft EIR discusses alternative energy technologies. It is noted that the commenter supports the use of solar power (Sections C.6.3.1 and C.6.3.2) instead of the Proposed Project. Please refer to Response PM1-4 for additional information regarding the ability to use solar and other alternative energy sources as a replacement for the Proposed Project.
- PM2-4 Please refer to Master Response MR-1 (Baseline) and Response PM1-4. Under the discussion of the No Project Alternative (Section C.6), the Draft EIR discusses the technologies available to replace the power that would be lost with a permanent DCPD shutdown, including solar and wind technologies. However, it cannot be determined at this time how the power generated by the DCPD would be replaced if the plant were to be permanently shut down. Therefore, a detailed analysis of how the replacement power would be provided would be speculative and not meaningful. *CEQA Guidelines* Section 15145 indicates that an EIR should not engage in "idle speculation." As described in Section D.1.2.3 of the Draft EIR, the potentially adverse effects of constructing new replacement generation and transmission facilities that would be required under the No Project Alternative are described throughout the Draft EIR in a manner that is consistent with the requirements of CEQA and the evaluation of alternatives to the Proposed Project.
- PM2-5 The comment asserts that the Draft EIR is deficient in its omission of information on baseline and continued nuclear operations; please refer to Master Response MR-1 (Baseline) and Section B of the Draft EIR for a full description of the Proposed Project. Potential impacts associated with the operation of DCPD through the current license periods are considered to be part of the "environmental baseline." Section D.1.2.1 of the Draft EIR provides a sum-

mary of the existing environmental baseline conditions at the project site. Potential impacts associated with the operation of the power plant, including the potential for impacts to marine resources, were previously evaluated as part of the environmental review prepared for the permitting, construction and operation of the plant. The proposed steam generator replacement project would not alter the conclusions of the previous analysis, and would not result in any new potentially significant operation-related impacts. Therefore, CEQA does not require a reevaluation of potential plant operation-related impacts.

Please see Response PM1-4 for information on how the public participation efforts of the CPUC were conducted. The format of the workshops conducted after release of the Draft EIR allowed one-on-one conversations. The CPUC recognizes that San Luis Obispo County agencies would use the Final EIR to evaluate PG&E's Proposed Project, but are not bound by the Final EIR's findings. Responses to Comment Set C in this Final EIR also address involvement of the County.

PM2-6 Issues related to the cost of energy produced by the DCPP are not required to be addressed under CEQA, as described in the Executive Summary of the Draft EIR, Section 3.1.5. These issues are addressed in the General Proceeding for the Proposed Project.

PM2-7 Emissions from increased commuter trips to DCPP during the Proposed Project were quantified in Draft EIR Tables D.2-7, D.2-8, and D.2-10, with revisions that have been included in the Final EIR. Comments from SLOAPCD were articulated in a separate letter; see Responses to Comment Set F in this Final EIR.

PM2-8 Section D.3.1.5 of the Draft EIR outlines issues associated with the DCPP cooling water system that are considered to be part of the environmental baseline for the Proposed Project, including the effects of operating the Morro Bay Power Plant. Please also see Draft EIR Section D.1.2.1 for a description of the baseline, and see Master Response MR-4 (Consent Judgment) and Response PM1-6 above for information on the RWQCB action.

Cumulative effects of the DCPP and Morro Bay Power Plant cooling water systems are considered to be part of the existing environment and form the CEQA baseline against which potential project impacts are evaluated. Since both power plants have been in operation for some time, the interactions of the two power plants in the marine environment are also considered to be part of the baseline conditions. Given this determination, the Draft EIR found that early shutdown of the DCPP cooling water system would result in a beneficial impact to marine biological resources (Section D.3.5.2). However, early shutdown is considered under the No Project Alternative and is unrelated to the RWQCB Consent Judgment. Please refer to Master Response MR-1 (Baseline)

PM2-9 Potential hazards associated with risk of terrorist attacks at the DCPP were discussed in Section D.12.1 of the Draft EIR. Since the DCPP is an operating power plant, the risks of sabotage are considered to be part of the environmental baseline, or setting, as described in Draft EIR Section D.1.2.1. In evaluating alternatives to the Proposed Project, the Draft EIR shows that the No Project Alternative would lead to beneficial impacts for safety and a much lower probability of terrorist attack, as described in Section D.12.5. However, the risk of a terrorist attack on the DCPP ISFSI would still exist, with or without the Proposed Project, since the DCPP spent fuel storage facility would remain onsite. Therefore, the risk of a terrorist attack on the DCPP spent fuel facilities will continue for the foreseeable future

- regardless of the outcome of the Steam Generator Replacement Project. Please see Master Response MR-3 (Jurisdiction) for information on state authority regarding issues related to safety, plant operations and radiological materials.
- PM2-10 Please see Response PM1-9 for a description of how the public would be involved in the development and implementation of mitigation measures.
- PM2-11 The comment is noted. The book, *The Enemy Within*, by Jay Gould, was received and is acknowledged. The comments do not address the adequacy of the analysis provided by the Draft EIR and no additional response is required.
- PM2-12 The commenter's opposition to the Proposed Project is noted.
- PM2-13 The commenter's opinion of the CPUC and its role is noted.