

## **Responses to Comment Set 16**

### **Russell D. Hoffman**

16-1 As noted in Sections B.3.4.2 and D.12.3.4 of the Draft EIR, there are several steps and components required to create a temporary opening in the containment structure. The relative impact on overall containment structure integrity is a function of the procedures to remove and replace each component.

As noted in the Draft EIR Section B.3.4.2, the SONGS 2 & 3 containment buildings are composed of reinforced concrete walls over four feet thick with an interior steel liner and tensioned with horizontal and vertical tendons. To perform steam generator replacement, an opening approximately 28 feet by 28 feet would be created in each containment building above the existing equipment hatch. The process of creating the opening would begin with the de-tensioning and removal of the structural tendons. There would be no loss of structural integrity when these tendons are replaced since they will be reinstalled in the same manner as they were originally when the structures were constructed.

Removal of the 28-foot-by-28-foot concrete section would require cutting the concrete and rebar. This is the area where the containment would have the most potential to lose structural integrity. Replacement of this section of concrete and rebar would require that the rebar associated with the replacement section be tied in to the existing rebar in the containment structure. This is a common procedure that involves removal of enough of the concrete from the edges of the opening to securely attach the new rebar to the existing containment structure rebar array. Typically, this would result in a considerable amount of rebar overlap and a section of concrete and rebar that is as strong as or stronger than the original design.

Removal of a section of the steel liner will also be required. Little or no loss of structural integrity would occur as a result of removing a section of the steel liner since the re-installation of the liner would result in sections of the liner that are stronger than the original liner.

The NRC recognizes that cutting the temporary opening and closing it would involve modifying the most important safety-related structure in the nuclear power plant. Comprehensive NRC inspection and oversight would occur as described by NRC Inspection Procedure 50001. This procedure will ensure that strict quality assurance and quality control practices are followed (NRC, 2000), and that the potential safety impacts would be less than significant as a result. See Sections B.3.4.2 and D.12.3.4 of the Draft EIR for more information on NRC oversight and inspection.

As noted in the comment, the Proposed Project would allow ongoing power plant operations within only the currently approved license period. SCE has stated that it has no plans to extend the life of the power plant beyond the current license periods. Please also see Master Response MR-2 (License Renewal).

16-2 The Proposed Project is replacement of steam generators, not the operating power plant. Safety issues associated with the operating plant are part of the baseline condition, and the Proposed Project would cause no significant change to this baseline condition. CEQA states that the purpose of an EIR is to provide public agencies and the public in general with detailed information about the effect that a proposed project is likely to have on the envi-

ronment; to list ways in which the significant effects of such a project might be minimized; and to indicate alternatives to such a project (Pub. Resources Code § 21061). In the area of safety, the Draft EIR (see Sections A.4.1 and D.1.2.5) has made it clear that this is the sole jurisdiction of the NRC. See also Master Response MR-3 (Jurisdiction). However, in order to meet the intent of CEQA as discussed above, issues associated with safety and radiological health have been addressed in the Draft EIR as they have the potential to impact the environment.

The CEQA Guidelines clearly limit the ability of an agency to require mitigation measures consistent with expressed or implied limitation provided by other laws (CEQA Guideline Section 15040(e)). This provision of CEQA limits the ability of the CPUC to impose any project changes that would affect nuclear safety and radiological health, as the CPUC is preempted in this area by federal law. However, there are no provision in CEQA that limit the scope of the EIR to only those issue areas where the Lead Agency has legal authority to impose mitigation measures.

CEQA Guidelines Section 15002(a) clearly states the purposes of the Act are to:

1. Inform governmental decision-makers and the public about the potential, significant environmental effects of proposed activities.
2. Identify the ways that environmental damage can be avoided or significantly reduced.
3. Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible.
4. Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

Thus, CEQA requires the CPUC to fully disclose potential environmental effects associated with the Proposed Project, identify mitigation measures to avoid or lessen potential impacts and to disclose this information to the public. In areas where the CPUC does not have jurisdiction over the implementation of a mitigation measure, the agency with responsibility can take the measure under consideration. For example, mitigation measures identified for biological resources or cultural resources within Camp Pendleton are recommended for implementation by MCBCP.

- 16-3 Steam generator replacement only allows for SONGS to continue operation as presently allowed in the baseline conditions, through the end of the existing license periods. As explained in Master Response MR-2 (License Renewal), relicensing is only in the preliminary feasibility and planning stages, and thus is not a reasonably foreseeable consequence of the Proposed Project. All available studies that have been prepared for SONGS indicate that the potential health risks associated with routine emissions from SONGS meet applicable regulatory health risk thresholds. It is clear that prolonged exposure to substantial levels of radioactive materials can cause cancer; however, studies and radiological monitoring for SONGS indicates that potential health risks, as defined by the U.S. EPA and NRC fall within acceptable limits.

16-4 Please refer to Master Response MR-2 (License Renewal) for a discussion of NRC license renewal. Relicensing may be more likely due to the proposed Steam Generator Replacement Project because SONGS would be more functionally capable of operating beyond 2022 if the project is approved. Master Response MR-2 (License Renewal) explains that under the test established by the *Laurel Heights* case, relicensing is not a reasonably foreseeable consequence of the Proposed Project nor would future relicensing change the nature or scope of the proposed Steam Generator Replacement Project. In addition, the CPUC does not have jurisdiction over relicensing. See Master Response MR-3 (Jurisdiction). Even if relicensing were considered a reasonably foreseeable project, CEQA would only require a general analysis of the environmental effects of relicensing, and this has been added as Section G.4 to the Final EIR.

The ongoing operations at SONGS include risks that are part of the environmental baseline. See Master Response MR-1 (Baseline). The baseline risks and safety hazards are described in Section D.12.1 of the Draft EIR, and the benefits of the No Project Alternative, under which renewable energy sources could contribute a portion of the replacement power generation, are discussed in Section D.12.5. Please also see Responses CC2-1 and CC2-2 regarding the use of alternative energy technologies as sources for replacement generation under the No Project Alternative.

16-5 The comments provide information on the existing dangers of nuclear power production, and a news article reporting on the effects of ongoing SONGS operation on the local community is attached. The baseline risks of ongoing operation at SONGS are characterized in Section D.12.1, and Master Response MR-1 (Baseline) provides information on these risks. The information in the EIR is sufficient to inform decision-makers about the baseline risks and risks associated with project-related activities.

16-6 The comments dispute the information provided by SCE as part of the proceeding on the Proposed Project and assert the severity of baseline safety hazards including those of steam generator tube rupture, spent fuel handling, the risk of terrorism, tsunami, and accidents related to routine reactor operations. As noted in Section D.1.2.1 of the Draft EIR, the existence of the operating nuclear power plant at SONGS and its ongoing effects to public safety are aspects of the environmental baseline, and not a consequence of the Proposed Project. Please see Response PM1-11 for information on baseline tsunami hazards. Please also refer to Master Response MR-1 (Baseline). The comment also expresses support for the No Project Alternative on the basis that it would provide beneficial effects by reducing these hazards, as noted in Section D.12.5 of the Draft EIR.

It is also noted that the commenter provides copies of many statements and articles from individuals and news sources that primarily reiterate the general risks of nuclear power. None of these relate to the adequacy of the Draft EIR and, therefore, no response is needed.

16-7 The comment consists of a report prepared by the commenter on nuclear and radioactive waste generated by SONGS and the nuclear industry in general. No response is necessary because the report does not refer directly to the adequacy of the Draft EIR, nor is it a comment on the Draft EIR. It forecasts the actions of the decision-makers as approving the Proposed Project, and it incorrectly asserts that baseline risks of the facility, hazardous and radioactive waste creation, and replacement power from renewable energy sources are not considered. Another concern raised by the report is that the costs of the proposed Steam

Generator Replacement Project are improperly considered, given the baseline safety hazards. The scope of this EIR is defined by CEQA, which focuses on physical changes attributable to the Proposed Project. Economic considerations, such as costs, are not relevant for CEQA purposes, but may be considered by the CPUC as part of the General Proceeding for the project.

The Executive Summary to the Draft EIR clearly notes that the purpose of the Draft EIR (Section ES.1) is to inform the decision-makers and public on the setting and impacts of the proposed Steam Generator Replacement Project. The Proposed Project is not the replacement of power plant operations or power generation. The decision-makers will use the EIR in conjunction with other non-environmental (e.g., economic) information to act on SCE's application for recovery of costs. No decision on the Proposed Project has yet occurred.

Please see Master Response MR-1 (Baseline) for more information on why impacts of ongoing SONGS operation through license expiration are included in the EIR as aspects of the baseline conditions. This means that the potential consequences of a large meltdown release of radioactive materials, which is a risk of the existing operating nuclear power plant, are appropriately described in the Draft EIR under Section D.12.1. The discussion notes that ". . . it is clear that the consequences associated with worst-case nuclear power plant accidents would be substantial" (Draft EIR p. D.12-5). Similarly, there are known risks related to spent fuel handling and the handling of other hazardous and radioactive wastes that occur as a result of ongoing SONGS operation, and these are also described as aspects of the environmental setting (Section D.12.1).

Under the No Project Alternative, no specific replacement generation scenarios are identified because there is no way to predict exactly how market forces, private investment decisions, etc., would provide replacement power. The comment correctly notes that substantial investments in wind power resources and other renewable technologies are planned to occur in California. However, similar to most renewable technologies, wind power is intermittent, which means it is not an equivalent direct replacement for the base-load power presently produced by SONGS. Despite the nature of intermittent power, the No Project Alternative does not preclude the potential use of intermittent power as part of the replacement generation scenario. Replacement power could be provided by any mix of fossil fuel-fired power, renewable energy, or conservation, as described in Section C.6. The beneficial aspects of the No Project Alternative, including its ability to reduce the baseline risks associated with major accidents and radioactive materials handling, is described in Section D.12.5 of the Draft EIR. As described further in Responses CC2-1 and CC2-2, the analysis is adequate to promote informed decision-making related to the Proposed Project compared to the possible consequences of the No Project Alternative.