

San Onofre Decommissioning Community Engagement Panel

REGULAR MEETING

Thursday, March 28, 2019 from 5:30 – 8:30 p.m. PDT in Oceanside, California

Meeting Minutes and Action Items

1) Community Engagement Panel (CEP) Member Attendance:

- a) Present: Dr. David Victor (CEP Chairman/University of California, San Diego), Dan Stetson (CEP Vice Chairman/Trustee-Executive Director, Nicholas Endowment), Jerome “Jerry” M. Kern (CEP Secretary/Oceanside City Representative), Tom Caughlan (Camp Pendleton), Donna Boston (Orange County Sheriff’s Department), Ted Quinn (American Nuclear Society), Hon. John Taylor (San Juan Capistrano City Council), Dan Bane (Mayor Pro Tem, San Clemente City Council), Rich Haydon (California State Parks), Hon. Paul Wyatt (Dana Point City Council), Hon. Lisa Bartlett (Supervisor, Orange County, 5th District), Hon. Jim Desmond (Supervisor, San Diego County, 5th District), Jim Leach (South Orange County Economic Coalition), Martha McNicholas (Capistrano Unified School District Board of Trustees) and Marni Magda (Sierra Club)
- b) Absent: Garry Brown (Orange County Coastkeeper), Valentine “Val” Macedo (Laborers' International Union of North America, Local 89), Captain Mel Vernon (San Luis Rey Band of Mission Indians), and Hon. Steve Swartz (San Clemente City Council)
- c) Guest Speaker: Scott Morris (NRC Regional Administrator, Region IV) and Linda Howell (NRC Deputy Director, Region IV)
- d) Southern California Edison (SCE) Representative: Tom Palmisano, Vice President External Engagement

2) Welcome & Opening Comments: (Meeting Convened by Chairman Victor at 5:40 p.m.)

- a) Chairman Victor welcomed guest speaker, Scott Morris, NRC Administrator, Region IV and Linda Howell, NRC Deputy Director, Region IV; who are from the division that has been dealing with the enforcement actions and other issues surrounding the fuel downloading event. He also recognized Doug Bauder, SCE Vice President and Chief Nuclear officer.
- b) Chairman Victor reminded the audience that the engagement panel is a two-way conduit between the communities affected by the decommissioning process and Southern California Edison. SCE education booths are available to the public with a variety of information related to decommissioning. The meeting is being live-streamed on SONGScommunity.com. Members of the public interested in making a public comment were instructed to complete a public comment card, which are sequentially numbered in order of receipt. The public was invited to submit questions anytime via e-mail nuccomm@songs.sce.com.
- c) Chairman Victor welcomed new CEP members Hon. John Taylor, (San Juan Capistrano City Council), Hon. Jim Desmond (Supervisor, San Diego County, 5th District), his alternate Juanita Hayes, (Director of Community Relations, San Diego County, 5th District), and Dan Bane (Mayor Pro Tem, San Clemente City Council and alternate for Steve Swartz, Mayor, San Clemente). Chairman Victor also thanked Sergio Farias (former San Juan Capistrano City Council member) and Bill Horn (former Supervisor, San Diego County, 5th District) for their contributions.

NOTE: VIDEO OF THIS MEETING, SPEAKER PRESENTATIONS, AND TRANSCRIPTS ARE AVAILABLE ON SONGScommunity.com AND THEREFORE THIS DOCUMENT CONTAINS SUMMARY CONTENT

3) CEP General Updates, Chairman Victor, Jerry Kern and Dan Stetson [Please refer to the *CEP General Community Update* presentation on SONGScommunity.com]

- a) **Community Initiatives & Engaging Local City Councils:**
 - i) Jerry Kern discussed CEP panel member efforts to reach out to cities in North San Diego County and Orange County by attending council meetings and providing presentations with

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representatives from SCE. He offered his services to attend council meetings and provide information on the CEP and SCE decommissioning.

- ii) Chairman Victor discussed his efforts to assist newly elected member of congress, Rep. Mike Levin and the new task force. The task force is being organized to provide Mike some independent information about San Onofre.
 - b) **California State Lands Commission & Reef Expansion:**
 - i) Dan Stetson provided an update on the California Coastal Commission's (CCC) approval of the expansion of the Wheeler North Reef project off the shores of San Clemente. SCE agreed to invest another \$20 million, which will double the size of the reef. Work is scheduled from May thru September 2019. Dan also shared the results of the California State Lands Commission (CSLC) meeting on March 21, 2019. The CSLC consisting of the Lieutenant Governor, the State Controller and State Controller of Finance voted unanimously to certify and approve the SONGS final environmental impact report (EIR).
 - c) **Changing National Landscape & Appropriations:**
 - i) Chairman Victor discussed the importance of changing federal law so the spent fuel can be shipped from San Onofre to an interim storage site and eventually a permanent repository. He shared his recent efforts in Washington, D.C. to get rules changed and help put spent fuel from places like San Onofre in a higher priority on the list. There are two main strategies for getting a change in federal law: 1. Try to change federal law through the authorization process with a new version of last year's Shimkus Bill, 2. Work through the appropriations process in the Senate. Senator Dianne Feinstein and Senator Lamar Alexander have been champions of consolidated interim storage and getting funding for pilot projects in Texas and New Mexico. Chairman Victor also talked about the importance of pilot project funding for consolidated interim storage sites and building a broader political coalition for changes to federal law. He applauded Senator Feinstein, Congressman Levin, Congressman Peters, and Congressman Doris Matsui and their offices, who among many others have been enormously helpful and he is encouraged by their efforts. Chairman Victor will be attending two Nuclear Energy Institute (NEI) meetings over the next couple of months. Dan Stetson will attend the EUCI Nuclear Decommissioning Symposium at Herndon, VA in April, 2019. Chairman Victor also provided updates regarding transportation planning and technologies, (railcars are currently in Pueblo Colorado for testing), new timing for CEP workshops, and the NRC efforts to obtain public comments regarding community engagement.
 - ii) Dan Stetson addressed areas of public interest and how SCE is providing answers to questions from the public through meeting presentations and the website questions & answers (Q&As) for transparency. The SONGS website provides links to information about SONGS decommissioning. Questions may be submitted anytime, asked in-person during the CEP meeting public comment period or submitted on-line in advance of the meeting and SCE will work to address them during the meeting.
- 4) Canister Downloading Event: Lessons Learned and Understanding the Incident, Tom Palmisano [Please refer to the *Canister Downloading Event* presentation on SONGScommunity.com]**
- a) Tom Palmisano provided a recap of the Aug. 3, 2019 canister downloading event, the efforts to understand the causes through evaluations, and third party peer reviews and analysis. He reviewed the corrective actions completed in the areas of training, equipment, procedures

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oversight, the corrective action program, and the new event reporting actions designed to strengthen compliance. Tom Palmisano presented additional follow-up issues and corrective actions related to the canister wear assessment, corrosion resistance and recent inspection, the Holtec HI-PORT “crawler” transporter haul path, and the vertical cask transporter (VCT) seismic restraint. He provided an update on the path forward, remobilizing and requalification of staff, the March 25 webinar, and the status of the NRC inspection activities. SCE continues to work with the NRC and will not restart fuel transfer operations until the NRC has concluded there are no further issues, and SCE final reviews are complete. Tom also addressed SCE’s commitment to radiation monitoring of the dry cask storage facility and working with local agencies who will receive the data and provide reports to the public.

- b) During the presentation, Tom addressed questions related to the drop analysis (available on the SONGS website), canister downloading alignment, canister inspections (including their selection and analysis), and the dry cask storage seismic design in relation to earthquakes.

5) NRC Update, Scott Morris and Linda Howell [Please refer to the *Canister Downloading Event presentation on SONGScommunity.com]*

- a) Scott Morris provided information on his background: he is a former resident of California. He shared the NRC’s efforts with new forms of communication such as the webinar, the NRC website, which contains information about San Onofre, and public outreach. He recently met with Congressman Mike Levin, Senators Dianne Feinstein and Kamala Harris, and other public officials. Scott discussed his NRC division responsibilities within the region, including the staff and technical resources dedicated to the issues related to San Onofre. He explained that the NRC is responsible for inspections, oversight and enforcement, but does not establish the rules. NRC inspections will continue until the license is terminated. He discussed the technical and regulatory process issues that are being reviewed by the NRC. The NRC issued the Certificate of Compliance (CoC) for the Holtec canister system and are working closely with the Callaway plant in Missouri, which has the same system. The lessons learned and information from San Onofre is being shared with the rest of the fleet and being applied to the license application by Holtec for the consolidated interim storage facility. Scott clarified that although the NRC shared their results of the Special Inspection during the webinar, the report that explains how the NRC identified, assessed, reviewed and dispositioned the downloading event had not been issued, but is expected by mid-April. In addition, there are issues identified subsequent to the webinar related to scratches that the NRC is working on, and as soon as a decision is reached, the NRC will provide that information. Scott reviewed the enforcement policy and severity level 1, 2, 3, and 4, violations, and the reason for the pre-decisional enforcement conference: SCE was provided the opportunity to explain their corrective actions and position. He discussed the fact that there was no consequence related to the Aug. 3 canister downloading event. The canister didn’t drop, scratches are not uncommon during the manufacturing process, operations and maintenance (scratches or wearing are expected to occur), and that is what the technical basis and standards are for. The American Society of Mechanical Engineering (ASME) standards and codes dictate how much scratching is permissible. Scott explained that the problem in this particular case is that the safety analysis prepared by Holtec for which Holtec received the CoC states there will be no scratches on the canisters. To change that language from no scratching to some scratching has to be rectified to the NRC’s satisfaction, before the NRC will be prepared to say SCE can move forward.

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- b) Linda Howell shared how the NRC understands the public's interest in the results of the independent assessment and the NRC's efforts to encourage the NRC engineers, Holtec and SCE to provide reports and analysis in plain language to the fullest extent possible. She added that this inspection has been a learning opportunity. The NRC is constantly performing lessons learned and have identified information that can be applied to the vendor inspection programs for Holtec. She discussed the NRC and Holtec public meeting on April 10, adding that the purpose of the meeting is to discuss the changes that Holtec has made in their licensing design basis in an open dialog and public form.
- c) Scott addressed questions related to increased NRC oversight, inspections performed during SCE dry-runs of fuel transfers, if scratching has been identified at the Callaway plant, and clarified for Chairman Victor, panel members and the audience that the information provided during a January news cycle on extreme events at San Onofre and the possible catastrophic economic consequences was simply not credible.

6) Chairman Victor Facilitated the Public Comment Period

- a) Public Comments were made by the following individuals:
 - i) Joe Moros (Safecast): Independent 3rd part radiation monitoring
 - ii) Amy Foo (Surfrider Foundation): Decommissioning SONGS
 - iii) Mandy Sackett: (Surfrider Foundation): NRC Ruling
 - iv) Denise Erkeneff (Surfrider Foundation): Federal solution for long term siting
 - v) Tara Covington (local resident): Radiation and exposure risk assessment
 - vi) Roger Johnson (local resident): San Onofre - Convey a sense of urgency
 - vii) Ray Lutz (Citizens Oversight): Corrective actions for planning & design changes
 - viii) George Allen (San Clemente resident): No credible accident mechanism exists
 - ix) Mike Aguirre (Aguirre & Severson): San Onofre / NRC
 - x) Elijah Gaglio (local resident): NRC reporting requirements
 - xi) Torgen Johnson (Samuel Lawrence Foundation): Nuclear waste storage
 - xii) David Whiston (local resident): Scratched canisters
 - xiii) Christa Gostenhoffer (local resident): Damaged canisters
 - xiv) Rich Van Every (local resident): What is common sense safety?
 - xv) Charles Langly (Public Watchdogs): NRC Rules and enforcement of 72.75
 - xvi) Nina Babiarz (Public Watchdogs): NRC's preliminary inspection reports 3/18 & 3/25
 - xvii) Madge Torres (Citizens Oversight): Condition of casks
 - xviii) Bert Muldow (Laguna Woods): Nuclear waste
 - xix) Christine Gorman (local resident): Safety regarding downloading design and damaged fuel
 - xx) Donna Gilmore: (San Onofre Safety): Thick walled casks
 - xxi) Gary Headrick (San Clemente Green): Nuclear waste
 - xxii) Jeff Steinmetz (San Clemente resident): Holtec System
- b) Scott Morris, Linda Howell and Tom Palmisano addressed questions related to; whether the NRC is changing rules to accommodate what happened at San Onofre, how the NRC determined the amount (\$116,000) for the fine, the NRC's enforcement of the law, SCE's misinterpretation of the regulatory reporting requirements, the status of the SONGS Expert Team and work being performed, if the SONGS waste is ready for transport, NRC alternatives for holding Holtec responsible, why there was no notice of violation for the download, inspection of the bottom of

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the canisters, extraction of distorted canisters from the dry cask storage (if distorted from a drop), high Holtec staff turnover and if the turnover was related to radiation exposure, and what the public can do to expedite the transfer of spent nuclear fuel out of San Onofre.

7) Closing Remarks:

- a) Chairman Victor shared his recent discussions with Expert Team Chairman, Tom Isaacs, his expectation that the public document regarding the analysis and scratches will have a large amount of detail about the depth of scratches, actual ASME codes and compliance, and his efforts to make information more transparent and helpful to the public. He also thanked Scott Morris and Linda Howell for their participation in the meeting.

8) Meeting adjourned at 9:04 p.m.

9) Action Items:

#	Action Item Description	Comments
1	Provide John Taylor new seismic analysis and work done to translate the difference between peak ground acceleration and the Richter scale readings during an earthquake, and how they apply to San Onofre design basis (Time: 1:45:26)	
2	Provide the "full picture" regarding scratch evaluations/analysis, e.g.; create SCE documents that can be released on the NRC docket (Time: 2:14:35)	
3	Provide an update on the Expert Team (Time: 3:45:06)	
4	Discuss Holtec design changes (Time: 3:49:17)	
5	Discuss how canisters could become distorted, e.g.; if dropped, and how a distorted canister would be retrieved (Time: 3:51:37)	
6	Provide an update on the Radiation Monitoring system (Time: 1:47:46)	