Responses to Comment Set CC6
San Luis Obispo Mothers for Peace, Sierra Club, Public Citizen, and Environment California (the "Joint Parties")

CC6-1 The Draft EIR, which contains an analysis of the project's potentially significant environmental effects, mitigation measures to address impacts identified as significant, and a reasonable range of alternatives, fully complies with the requirements of CEQA. Some minor clarification of information presented in the Draft EIR has been provided in the Final EIR. However, none of the revisions contained in the Final EIR constitute significant new information requiring recirculation of the Draft EIR.

CC6-2 It is the EIR preparer's understanding that consistent with the CPUC's statements in the Interim Opinion, no final decision on PG&E's application will be made until the EIR is fully considered, and that the CPUC remains free to deny the application if it so chooses. The EIR is limited to providing disclosure of the potential environmental impacts associated with the Proposed Project. The commenter's opposition to the Interim Opinion is noted; however, CEQA and the EIR do not provide an avenue by which the commenter can challenge the intent or effect of the CPUC's Interim Opinion as the Interim Opinion is simply beyond CEQA's scope and capability. Concerns expressed in that regard may be more appropriately brought and addressed in the general proceeding docket or other CPUC procedural avenues.

The Draft EIR as prepared is specifically intended to provide relevant information to decision-makers on the environmental effects of the Proposed Project. The CPUC considers the scope and analysis of issues analyzed in the Draft EIR to be appropriate and fully compliant with the intent and requirements of CEQA. The comment asserts that fundamental changes to the Draft EIR are required, but does not specify what changes are needed, which does not allow for a fuller response to the commenter's concerns. Please see the responses to specific comments that follow.

CC6-3 The Proposed Project consists of replacing the original steam generators in DCPP Units 1 and 2, a series of activities that would be funded by a rate-making action to be decided upon by the CPUC. Since CEQA requires evaluation of both direct and indirect environmental effects of public agency discretionary decisions, the Draft EIR considers the fact that approval of the rate-making proposal would lead to replacement of the steam generators. Therefore, the Draft EIR evaluates the impacts on the physical environment of steam generator replacement activities. The comment raises concerns regarding economic effects, cost-effectiveness, public interest, energy policy and California long-term resource planning. The economic effects of a project may not be treated as significant impacts in an EIR; only economic effects that lead to a physical change are to be considered in an EIR, and in that context, they may be considered in determining whether the physical change is significant (see 14 CCR §15131, and Draft EIR Section D.1.2.5). The purpose of the EIR is solely to evaluate the potentially significant environmental impacts. Therefore, the EIR does not evaluate the economic consequences of the Proposed Project. The economic consequences of PG&E's rate-making proposal are considered in the general proceeding, and are beyond the scope and requirements of CEQA. Cost-effectiveness, broad energy policy issues, and the balancing of public interest concerns are policy factors properly considered by the decision-makers as part of the rate-making proceeding, but not as part of the EIR designed to analyze the environmental impacts of such action.

Existing licenses for the power plant allow Units 1 and 2 to operate through September 2021 and April 2025, respectively. Those licenses and the ongoing environmental conditions that have developed at and near the project site as a result of the implementation of the licenses constitute the baseline environmental conditions against which potential impacts of the Steam Generator Replacement Project must be measured. *CEQA Guidelines* Section 15358(b) indicates that environmental "effects analyzed under CEQA must be related to a physical change." Power plant operations, a baseline condition, will not cause a physical change in the baseline environment and, therefore, are not subject to the environmental review requirements of CEQA as they pertain to the Steam Generator Replacement Project. Please refer to Master Responses MR-1 (Baseline) and MR-2 (License Renewal) for further discussion and analysis of this issue.

CC6-4 See the Response CC6-3 above. Also, please refer to Master Responses MR-1 (Baseline) and MR-2 (License Renewal). As indicated by these responses, the analysis timeline used in the Interim Opinion and the Draft EIR are the same. In accordance with CEQA, the Draft EIR evaluates the potential environmental impacts of the Proposed Project as compared to the baseline environmental conditions.

CC6-5 Please refer to Master Response MR-3 (Jurisdiction) for a discussion of the NRC and the CPUC jurisdictions. In terms of jurisdiction over safety issues, San Luis Obispo County is similarly pre-empted by the NRC from imposing any safety conditions as referenced in Master Response MR-3 (Jurisdiction).

CC6-6 As the Lead Agency for CEQA review, CPUC has authority for project approval and will ensure that the project will comply with all applicable regulations consistent with its jurisdiction. The CPUC has the authority to implement all alternatives and mitigation measures listed in the EIR in Section C.4 and the tables at the end of Sections D.2 through D.14 (and compiled all together in Section H.6 [p. H-6]). Section H describes the mitigation monitoring, compliance, and reporting program (MMCRP), including the authority and purpose of MMCRP. Federal, State, and local standards that apply to the Proposed Project are discussed under the section entitled Applicable Regulations, Plans, and Standards, which is located under each issue area in Section D. Please refer to Master Response MR-3 (Jurisdiction) for a discussion of the NRC and the CPUC jurisdictions.

CC6-7 The Draft EIR consistently treats safety issues by noting that the CPUC is preempted by federal law from imposing any regulatory requirements concerning radiation hazards and nuclear safety. The EIR discusses the baseline safety conditions associated with existing operations, (e.g., the risk associated with reactor operations and spent fuel storage discussed in Draft EIR Section D.12.1), as well as an analysis of potential safety and radiological impacts associated with steam generator replacement activities. Please also see Responses PG-3 and PG-198 below, which discusses the efforts taken by CPUC to disclose environmental effects regardless of jurisdiction in order to fully inform the public and decision-makers.

DCPP Units 1 and 2 have current operating licenses until September 2021 and April 2025, respectively, and are considered part of the environmental baseline. Ongoing operation of DCPP under these licenses is considered part of the environmental setting (i.e., the baseline described in Draft EIR Section D.1.2.1). The incremental changes to this pre-existing environment caused by the Proposed Project are the subject of this EIR, except under the No Project Alternative. For the No Project Alternative, a continuation of the current envi-

ronmental conditions would occur, with DCPP ceasing operations approximately 11 years before the end of the current licenses. Based on the baseline safety conditions described in Section D.12.1 of the EIR, it was concluded that the No Project Alternative would result in some beneficial safety and environmental impacts.

CC6-8 The Draft EIR analyzes alternatives relevant to accomplishing various aspects of the Proposed Project. Section C.2 of the Draft EIR describes the alternatives development and screening process. The alternatives were developed consistent with *CEQA Guidelines*, Section 15126.6(a), which states that "*an EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decisionmaking and public participation. An EIR is not required to consider alternatives which are infeasible. . . . There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.*" The CPUC screening process eliminates infeasible alternatives. However, possible replacement power options, which are at this time uncertain and undefined, are nonetheless considered under the No Project Alternative. These options would likely reflect market forces and private investment decisions to provide replacement power. Please see Master Response MR-3 (Jurisdiction) for a discussion of the CPUC and NRC respective jurisdictions and authorities.

The Draft EIR also identifies impacts attributable to the Proposed Project and provides information to illustrate the limits of CPUC jurisdiction, as in Master Response MR-3 (Jurisdiction). Ongoing operation of DCPP Units 1 and 2 is an aspect of the environmental baseline that is not a consequence of the Proposed Project [see Master Responses MR-1 (Baseline) and MR-2 (License Renewal)]. Although the CPUC is preempted from imposing any regulatory requirements concerning radiation hazards and nuclear safety on nuclear power plant operators, the baseline safety conditions associated with existing operations (i.e., the risk associated with reactor operations and spent fuel storage) are described in Section D.12.1. In addition, the EIR also provided information related to ongoing DCPP cooling water system issues (see Section D.3.1.5) in order to fully disclose environmental issues associated with the cooling water intake, even though these issues are not a consequence of the Proposed Project.

CC6-9 With respect to general safety issues, the Draft EIR notes that the CPUC is preempted from imposing any regulatory requirements concerning radiation hazards and nuclear safety on nuclear power plant operators. As noted above, the EIR provides the baseline safety conditions associated with existing operations and an analysis of potential safety and radiological impacts associated with the steam generator replacement activities, in Section D.12 of the Draft EIR. Please also note that under the No Project Alternative, beneficial safety and environmental impacts are identified in Section D.12.5 of the Draft EIR due to the shutdown of the power plant before the licenses expire.

The comment states that the CPUC should consider as an economic matter whether it is prudent to enable continued operation of DCPP and that the CPUC has authority to consider environmental effects, economic uncertainties, and reliability in evaluating PG&E's application. The Draft EIR was prepared in order to enable the CPUC to consider the potential environmental effects of the Replacement Steam Generator Project. Economic uncertainty and reliability issues are beyond the scope of CEQA. However, these policy issues may be considered by the CPUC as part of its action or the overall ratemaking proposal.

CC6-10 Please refer to Master Responses MR-1 (Baseline) and MR-2 (License Renewal). As explained in Master Response MR-1 (Baseline), DCPP operation through the current license terms is part of the environmental baseline and not a future action as suggested by the comment by reference to the *Laurel Heights* case. Please also see Master Response MR-2 (License Renewal), which explains that license renewal in 2021/2025 is not a reasonably foreseeable project under the test established by the Court in *Laurel Heights* and interpreted by subsequent case law.

CC6-11 Please refer to Master Response MR-1 (Baseline) for a complete discussion of the distinction between the environmental baseline and description of the No Project Alternative. The Draft EIR acknowledges that plant operations would cease if the steam generators are not replaced and appropriately describes the associated beneficial effects of early shutdown (which represents a change to the baseline) in the analysis of the No Project Alternative. Discussion of the effects of possible replacement power options under the No Project Alternative at a lesser level of detail than those of the Proposed Project is appropriate under *CEQA Guidelines* (§15126.6(d)). The analysis of potential impacts that could be associated with the implementation of the No Project Alternative is also consistent with direction provided by Section 15146 of the *CEQA Guidelines*, which states: "The degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity which is described in the EIR." In other words, CEQA does not require detailed environmental impact evaluation of hypothetical energy generation projects for which no sites have been identified and no planning has been conducted.

CC6-12 The comment confuses the purpose of the EIR with the responsibilities of the Commission in regard to the rate-making proposal in the general proceeding. The purpose of the Draft EIR is to inform decision-makers and the public about the significant effects of the Proposed Project on the physical environment and possible ways to minimize these effects (14 CCR §15121(a)). The Draft EIR does not attempt to evaluate the merits of PG&E's rate-making proposal and it makes no recommendation as to whether PG&E's application should be approved or denied. As required by CEQA, the Draft EIR is limited to describing the significant environmental effects of the Proposed Project and was developed for informational purposes only. The Draft EIR properly includes PG&E's project objectives as a basis upon which to analyze feasible alternatives to the Proposed Project. The Draft EIR is not intended to evaluate whether the Proposed Project is needed or whether approval of PG&E's application is consistent with the CPUC's regulatory responsibilities. Regulatory mandates associated with the State's Energy Action Plan, State environmental policies or the CPUC's resource procurement proceeding may be considered by the CPUC in the general proceeding. However, these issues are outside the scope of environmental review under CEQA.

CC6-13 Please refer to Master Responses MR-1 (Baseline) and MR-2 (License Renewal).

CC6-14 Please refer to Master Response MR-1 (Baseline).

CC6-15 Please refer to Master Responses MR-1 (Baseline) and MR-2 (License Renewal) with respect to the definition of baseline and whether the element of potential equipment failure should properly be included in this definition. The comment acknowledges that an operating power plant is part of the environmental baseline. The existing operating licenses are similarly part of the baseline.

CC6-16 Please refer to Master Responses MR-1 (Baseline) and MR-2 (License Renewal). The Draft EIR does not attempt to "tier" off the previous AEC Environmental Statement. The Draft EIR (Section D.1.2.1) simply indicates that the environmental effects of the operation of the Diablo Canyon Power Plant through 2021-2025 have been previously evaluated and approved under comparable federal environmental review and that the operation of the plant through that period is a result of earlier approvals. This information is provided to explain the separate and distinct nature of the original licensing of DCPP, which was subject to environmental review and approved by the AEC, and the current Steam Generator Replacement Project, which occurs in the context of the existing licenses and is the subject of this EIR. As previously explained, discontinuing plant operations after 2013/2014 is properly considered and analyzed in the Draft EIR as it would be a consequence of the No Project Alternative. Section C.6 of the Draft EIR provides information on the No Project Alternative that the decision-makers could choose to implement by denying the Proposed Project. Because ongoing DCPP operations occur in the baseline, the Proposed Project does not provide an opportunity to reinitiate a review of the underlying plant operations. Accordingly, the Draft EIR for the Proposed Project is not tiered off any previous environmental assessment document. Furthermore, the Draft EIR does not rely on any of the information or analysis contained in the previous AEC Environmental Statement.

CC6-17 In the area of marine biological resources, the physical conditions at the time of the publishing of the Notice of Preparation were degraded, and these degraded marine biological conditions are the appropriate environmental baseline, as described in Draft EIR Section D.1.2.1. The information portrayed in Section D.3.1.5 of the Draft EIR is not based on the AEC Environmental Statement, but instead on years of environmental monitoring conducted offshore of DCPP. The specific issues associated with the benthic ecosystem of the Intake Cove and surrounding areas are characterized in Draft EIR Section D.3.1.5 based primarily on data available from the past few years. One such marine biological issue referenced in this comment, thermal discharges, is an effect of ongoing DCPP operations and not an effect of the Proposed Project.

CC6-18 Please refer to Master Responses MR-1 (Baseline) and MR-2 (License Renewal) and Response CC6-15 above. Ongoing operation of DCPP and the effects associated with existing operations are not the subject of the EIR for the Proposed Project. The Draft EIR does not rely on any of the information or analysis of the previous Atomic Energy Commission (AEC) Environmental Statement, including descriptions of existing physical conditions.

CC6-19 The environmental baseline includes the ongoing operations of DCPP as licensed to operate through 2021 and 2025. Except for changes related to steam generator replacement, such as the long-term presence of the OSG Storage Facility, the Proposed Project would not change the DCPP's permitted effects on the environment. Please see Master Response MR-1 (Baseline), which provides the reasoning for this approach to the baseline. The cases relied upon by commenter are not applicable to the Proposed Project, as those cases dealt with the use of categorical exemptions. The CPUC has not indicated that the Proposed Project is categorically exempt from CEQA.

The comment cites several cases to suggest that the Draft EIR must evaluate the impacts of the previously built DCPP facility, i.e., its underlying and existing operations. Please see Master Response MR-1 (Baseline) for a detailed discussion of why the cited cases do not apply or are distinguishable. In short, the cited cases are misleading because they do not

apply to the preparation of a full EIR. The cases cited and the rationale attendant to them apply only in the situation where an agency has considered granting an exemption from CEQA review, i.e., conducting no environmental review for a currently proposed project associated with an existing facility. In those cases the courts found that a review of impacts from the underlying facility would also be required unless the facility predates CEQA or originally received CEQA review. In this case, the CPUC is not exempting the Proposed Project from CEQA review, but is subjecting it to a full EIR analysis. Further, as noted in Draft EIR Section D.1.2.1, the environmental impacts of DCPP were reviewed under the analogous federal law, the National Environmental Policy Act (NEPA), upon which the CEQA statute is based.

CC6-20 Please refer to Master Response MR-2 (License Renewal) for a full discussion of NRC license renewal. CEQA does not require an evaluation of a potential renewal of DCPP's operating licenses. Relicensing may be more likely due to the proposed Steam Generator Replacement Project because DCPP would be more functionally capable of operating beyond 2021/2025 if the project is approved. However, 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 was considered a reasonably foreseeable project, CEQA would only require a general analysis of the environmental effects of relicensing, which has been provided in Section G.4 of the Final EIR.

CC6-21 Please refer to Response CC6-20. This comment highlights inconsistencies in the legitimacy of the commenter's request to include analysis of DCPP operations after the current licenses expire in 2021/2025 in the EIR. A review such as this would include an analysis of potential environmental impacts that may occur 16 to 20 years in the future. However, Comment CC6-16 questions the ability of an environmental review, specifically the U.S. Atomic Energy Commission (AEC) Environmental Statement that was completed 33 years ago, to adequately describe future conditions. The commenter states that the review would have had to accurately predict future conditions, which ". . .would require an extremely high degree of predictive accuracy about dozens of types of potential environmental impacts. . . ." This same degree of predictive accuracy, which the commenter suggests is a reason that the earlier Environmental Statement is inadequate to describe current conditions, would be required to sufficiently analyze conditions after 2021/2025. In addition, economic factors are not relevant to the test established by the California Supreme Court in the *Laurel Heights* case for determining when a general analysis of future actions, such as license renewal, should be included in a project EIR. See Master Response MR-2 (License Renewal).

CC6-22 Please refer to Response CC6-20. The NRC statement referenced in the comment regarding the relicensing of power plants around the nation is not relevant to the *Laurel Heights* test, as referenced in Master Response MR-2 (License Renewal), for determining when a general analysis of future actions, such as license renewal, should be included in a project EIR.

CC6-23 As discussed in Section A.1.3 (p. A-5) of the Draft EIR, the Independent Spent Fuel Storage Installation (ISFSI) Final EIR (SCH# 2002031155) was certified by the County of San Luis Obispo in January 2004. The ISFSI project consists of the construction and operation of a

dry cask spent fuel storage facility at DCPP for the onsite storage of spent nuclear fuel. The ISFSI project is entirely independent of the Proposed Project, and it will be completed in 2006 before construction activities for the Proposed Project would be expected to start. The Proposed Project is not related to the design capacity of the ISFSI, and PG&E's proposed design of the ISFSI is not relevant to determining whether relicensing is reasonably foreseeable. Neither the ISFSI project nor the Proposed Project make relicensing a reasonably foreseeable project for the reasons outlined in Master Response MR-2 (License Renewal). As noted in Section A.1.3, ISFSI capacity enables ongoing operation of DCPP through the end of its NRC licenses. In addition to being outside the environmental impact assessment requirements of the EIR for the Proposed Project, speculative analysis regarding potential environmental impacts of future power plant operations that depend on license renewal and a potential fuel storage capability would not provide decision-makers or the public with credible information regarding potential indirect environmental impacts of the Proposed Project. The Draft EIR has fulfilled its "full disclosure" requirement under CEQA by acknowledging that the Proposed Project may make relicensing more likely, but, as explained above in Response CC6-20 and more fully in Master Response MR-2 (License Renewal), that does not make relicensing a reasonably foreseeable project. Please also refer to Master Responses MR-3 (Jurisdiction) regarding the CPUC's jurisdiction regarding storage of nuclear waste materials.

CC6-24 Please refer to Master Response MR-2 (License Renewal) for a discussion of license renewal.

CC6-25 As discussed in previous responses, operation of the Diablo Canyon Power Plant through its licensed terms is properly considered to be part of the environmental baseline setting and not a future operation. Section F.3 (p. F-2) of the Draft EIR explains that the projects that comprise the cumulative impact scenario do not include existing projects that are already in operation. Existing projects, such as the operation of DCPP, which have already been approved and are operational, are considered part of the environmental setting not cumulative projects. The impacts that could occur under NRC license renewal do not qualify as cumulative impacts because no license renewal application has been submitted and relicensing is not contained in a summary of projections in any adopted plan. Additionally as in Response CC6-20, license renewal is not a reasonably foreseeable consequence of the Proposed Project. Although relicensing does not qualify as a cumulative project or a reasonably foreseeable consequence of the Proposed Project, Section G of the Final EIR includes a general analysis of environmental impacts associated with plant operations that PG&E may be required to address in the future if it were to apply for license renewal. Please also see Master Responses MR-2 (License Renewal) and MR-3 (Jurisdiction).

CC6-26 Please refer to Master Responses MR-2 (License Renewal) for a discussion of CPUC responsibility to evaluate issues related to future license renewal and MR-3 (Jurisdiction) for a discussion of the CPUC and NRC respective jurisdictions.

The description of the project, as proposed by PG&E, and much of the setting information was drawn from PG&E's Application and Proponent's Environmental Assessment (PEA) and the Final EIR for the ISFSI project that was prepared by San Luis Obispo County; however, staff site reconnaissance and research confirmed all baseline information included in the Draft EIR. The environmental assessment methodology in the Draft EIR was developed and evaluated independently and objectively by the CPUC and the EIR preparers. See Master

Response MR-1 (Baseline) for more information on how the environmental setting and baseline for the Proposed Project are defined.

The EIR does not rely on the NRC's Generic Environmental Impact Statement (GEIS) for any aspect of evaluating the Proposed Project. As stated in Master Response MR-2 (License Renewal) and Response CC6-20, license renewal is not a reasonably foreseeable consequence of the Proposed Project and therefore does not need to be evaluated in this EIR. However, to provide full disclosure, Section G of the Draft EIR included information on how the NRC could use the GEIS, and Section G has been expanded in the Final EIR to include a general analysis of plant-specific issues that PG&E may be required to address in the future if it were to apply for license renewal.

CC6-27 Please refer to Master Responses MR-1 (Baseline) and MR-2 (License Renewal) and Response A-1. The No Project Alternative is adequately and consistently discussed in Section C.6 (p. C-26) and Section D.1.2.3 (p. D.1-3) of the Draft EIR, as well as analyzed in each of the individual issue areas in Section D and in the Executive Summary of the Draft EIR. Section 4.3 (p. ES-53) and E.3 (p. E-8) of the Draft EIR compare the No Project Alternative to the Environmentally Superior Alternative. Based on this full evaluation weighing *all* issue areas, the No Project Alternative was *not* found to be environmentally superior to the Proposed Project.

CC6-28 Risks associated with ongoing operation of DCPP through the current license term are not a consequence of the Proposed Project as explained in Master Response MR-1 (Baseline). These risks are clearly characterized as an aspect of the environmental baseline in Section D.12.1 of the Draft EIR. As also explained in Master Response MR-1 (Baseline), the baseline and the No Project Alternative are not identical pursuant to *CEQA Guidelines* Section 15126.6(e)(1). The No Project Alternative reflects impacts that are likely to occur if the Proposed Project is not approved. In this instance, the No Project Alternative would likely result in early shutdown of DCPP and a cessation of the risks and impacts that occur under the baseline condition. These beneficial impacts are thus correctly described under the No Project Alternative.

CC6-29 Please refer to Responses CC6-27 and CC6-28. The environmental impacts likely to be associated with the cessation of power plant operations under the No Project Alternative have been evaluated in accordance with the requirements of CEQA. An evaluation of impacts associated with extending power plant operations is not required to allow a comparison between impacts of the Proposed Project and the No Project Alternative because the continuation of power plant operations beyond the existing licensing periods is not a reasonably foreseeable consequence of the Proposed Project. In accordance with the requirements of CEQA, the EIR analyzes the impacts of both the Proposed Project and the No Project Alternative against the existing environmental conditions, i.e., the baseline. As previously noted, the baseline consists of the operating DCPP, fully permitted and licensed to operate through 2021 and 2025, as explained in Master Response MR-1 (Baseline). The common baseline allows a meaningful comparison of the No Project Alternative and the Proposed Project. Moreover, the analysis of the No Project Alternative does provide the decision-makers with information related to the shutdown of DCPP plant operations, such that the decision-makers could choose to implement the No Project Alternative by denying the project if they decided that its environmental effects were preferred to those of the Proposed Project.

CC6-30 The Draft EIR contained an extensive discussion of DCPP baseline risk in Section D.12.1, including the risk associated with the onsite storage of both low and high level radioactive waste. These conditions exist on the project site, are permitted to occur through 2021/2025, and are part of existing baseline conditions. As explained in Master Response MR-1 (Baseline), the Proposed Project would not result in a change in existing baseline conditions as they exist on the project site, except for the addition of the OSG Storage Facility analyzed in the EIR. Steam generator replacement would be an equipment replacement that is intended only to allow DCPP to operate at existing levels, which have previously been permitted to occur. The Draft EIR identified beneficial risk-related impacts associated with the No Project Alternative in Section D.12.5. In that discussion, the Draft EIR clearly establishes that the No Project Alternative would reduce risk from spent fuel handling and terrorist attacks.

CC6-31 The storage of radioactive wastes occurs in the baseline conditions and involves facilities within NRC jurisdiction, such as the ISFSI, which was designed with the intent of DCPP operating up to the expiration dates of the current licenses. Federal standards pertaining to the design of nuclear power plant facilities to minimize potential geological and seismological impacts are under the jurisdiction of the NRC and are described in Section D.5.2 of the Draft EIR. Additional information regarding the jurisdiction of the NRC is provided in Master Response MR-3 (Jurisdiction). A component of the Proposed Project that would increase structural development at the project site, thereby having the potential to result in an incremental change of the existing seismic risk, is the development of the OSG Storage Facility. This Final EIR includes revisions to Mitigation Measure G-3a, which addresses how structural design of the OSG Storage Facility should be based on consideration of recent earthquake data, but as noted in Section D.1.2.5, the seismic safety of the remainder of the DCPP in its current design is within the jurisdiction of the NRC. See also the Master Responses MR-1 (Baseline).

CC6-32 Please see Master Response MR-1 (Baseline) regarding the determination of the environmental baseline for the Proposed Project. The storage and transportation of uranium fuel, spent fuel, and nuclear waste is regulated by the NRC and the federal Department of Transportation, respectively. The role of those agencies in regard to the Proposed Project is described in Section D.12.2 of the Draft EIR, and in Master Response MR-3 (Jurisdiction). The CPUC does not have jurisdiction over nuclear material management issues, and those issues are beyond the scope of this CEQA document. The Draft EIR contained an extensive discussion of DCPP baseline risk and the benefits of the No Project Alternative to reduce risk.

CC6-33 Section D.12.1, Environmental Setting for the Proposed Project, contains a detailed discussion of the consequences associated with catastrophic accidents at the DCPP from reactor operations and spent fuel storage. The EIR clearly identified worst-case consequences associated with a wide variety of accidents, regardless of the specific initiating event, and estimated that the probability of such an event exceeded the NRC's accepted probability for defining significant risk, thus implying a significant baseline risk. Implementation of the Proposed Project would not significantly change the existing baseline risk levels associated with existing power plant operations that were reported in the Draft EIR. Please also see Responses PG-3 and PG-198 below, which discusses the efforts taken by CPUC to disclose environmental effects regardless of jurisdiction in order to fully inform the public and decision-makers.

CC6-34 Please see Master Response MR-1 (Baseline) for a discussion of the environmental baseline for the Proposed Project. The Draft EIR Section D.3.1.5 clearly identified the baseline conditions and impacts that the DCPP cooling water system creates on the marine environment, as well as potentially affected endangered species. These conditions currently exist, and the Proposed Project would not result in any physical changes in existing environmental conditions that would increase the existing impacts. However, as noted in Draft EIR Section D.3.5, cessation of the DCPP cooling water system under the No Project Alternative would result in a beneficial impact to the marine environment, including endangered marine species.

CC6-35 The DCPP currently has an Emergency Response Plan in place due to the baseline ongoing operation of DCPP (Draft EIR Section D.12.1). As noted in Draft EIR Section D.1.2.5, the Proposed Project would not have any impacts that would require the Emergency Response Plan to be changed. As such, the Emergency Response Plan may occasionally be updated as in the existing conditions.

CC6-36 As noted in the comment, baseline risks associated with DCPP operations were evaluated and presented in the Draft EIR. Since the Proposed Project would not extend the operating life beyond the current license periods for the two reactors, no additional extension of life risks need to be evaluated. However, as noted in the Draft EIR Section D.12.1, steam generator tube failures are a substantial contributor to overall facility risk and radioactive leak risk. Thus, the Proposed Project would serve to reduce the risk associated with this failure mode when compared to the baseline condition.

The comment states there is an inconsistency between statements regarding the relative risk of a steam generator tube rupture. The NRC noted in 2004 that the risk associated with steam generator tube ruptures in either early-model or the newer replacement steam generators is relatively low due to the effectiveness of NRC regulatory guidance and requirements, and represents only a small fraction of the facility risk. This is mainly due to the effectiveness of isolating defective tubes in the steam generators, and minimizing the potential for a tube rupture. Prior to the NRC directives for steam generator tube inspections and defective tube isolation, the risk associated with a steam generator tube failure was considerably higher. As noted in the analysis for the No Project Alternative, this alternative would result in a beneficial safety impact by allowing early shutdown of DCPP, thus avoiding the potential for any core damage-related accident scenario, including one that could be caused by a steam generator tube failure.

CC6-37 Ongoing operation of DCPP Units 1 and 2 through the existing licensed terms is part of the environmental baseline. The Proposed Project is related to the potential failure of the steam generators. While the Draft EIR notes that continued operation of the DCPP would result in an ongoing probability of other component failure, it is not appropriate for the Draft EIR to speculate about unknown equipment failure due to aging. However, as also stated in the Draft EIR, the replacement of the DCPP steam generators is in direct response to the long-term wear of these components and the concern for future failures. Similarly, other critical DCPP reactor components have serviceable lifetimes, thus requiring periodic inspection, maintenance and replacement per NRC directives and schedules. Much of this maintenance occurs in the baseline conditions and would continue to occur with NRC oversight, with or without the Proposed Project.

CC6-38 The risks and possible consequences associated with possible terrorist strikes on the DCPP exist today and are considered as part of the safety baseline, as shown in Section D.12.1 of the Draft EIR. As noted in Section D.12.5, the No Project Alternative would reduce the consequences of a terrorist attack when compared to the baseline, resulting in beneficial safety and environmental impacts from an early shutdown of plant operations. With or without the Proposed Project, the vulnerability of the spent fuel pools and ISFSI would remain. The scoping comments, which included Dr. Gordon Thompson's testimony and the information referenced by the commenter, were considered during preparation of the Draft EIR, as were previous evaluations that were prepared by Dr. Thompson related to spent fuel storage. The opinions of Dr. Thompson are consistent with many other experts that were cited in the Draft EIR, either directly, or incorporated by reference (e.g., the ISFSI EIR prepared by SLO County in 2004).

CC6-39 The Draft EIR in Section D.3.1.5 clearly identifies existing conditions and impacts on the marine environment resulting from the DCPP cooling water system. However, these conditions are considered as part of the environmental baseline for the Proposed Project since the effects of the DCPP cooling water system have been occurring since the plant commenced operations. Implementation of the Proposed Project would not change how routine operation of the power plant cooling system affects marine resources. The Draft EIR also clearly identifies the benefit associated with the early shutdown of the DCPP cooling water system under the No Project Alternative (Section D.3.5.2). Additional information related to the Proposed Project and its relationship to existing marine conditions is provided in comment responses CC2-10, CC2-11, and CC2-12.

CC6-40 The Draft EIR clearly identifies existing effects of DCPP cooling water use on the marine environment. These ongoing effects are not a consequence of the Proposed Project. The proposed Consent Judgment was not evaluated as part of the Draft EIR. The Consent Judgment was discussed in the context of baseline environmental issues associated with the DCPP, specifically in the area of marine biological resources. Regardless of the current status of the proposed Consent Judgment, the Draft EIR identified the baseline marine biological issues. Implementation of the Proposed Project would not have any effect on the impacts to marine resources that result from the operation of the power plant. Potential impacts associated with the DCPP cooling water system have been evaluated under the No Project Alternative, where impacts associated with the early cessation of the DCPP cooling water system were found to be beneficial. Any deficiencies associated with the Consent Judgment are well outside the scope of this EIR. Please also refer to Master Response MR-4 (Consent Judgment).

CC6-41 The comment provides testimony from August 2004 that was originally filed as part of the general proceeding and was subsequently resubmitted during public scoping for the Draft EIR in November 2004. The testimony was considered in the CEQA process as it is part of the public scoping process conducted for the Draft EIR (Draft EIR Section I, specifically Draft EIR p. I-4). The testimony of this comment does not provide new information for the CEQA process, nor does it specifically address the analysis or conclusions of the Draft EIR. The seismic risks associated with DCPP are part of the baseline conditions, and the EIR identifies certain risks would be somewhat reduced if the No Project Alternative is implemented. The testimony does provide information on the environmental setting for the Proposed Project. Section D.5-1 of the Draft EIR describes the geological baseline, and see Master Response MR-1 (Baseline) for more information on how the environmental setting

and baseline for the Proposed Project are defined. Mitigation Measure G-3a requires that the OSG Storage Facility design be based on consideration of all recent seismic information. See also Responses PG-124 and PG-125 for more information on how the OSG Storage Facility would be designed to safely withstand seismic effects.

CC6-42 The comment asserts that a broader range of scientific literature or data should be used in the description of the environmental setting for the Proposed Project. Environmental documents prepared by other agencies were considered by the CPUC during the CEQA process for the Steam Generator Replacement Project, including the Final EIR for the ISFSI project that was prepared by San Luis Obispo County. The information relevant to the Proposed Project is summarized with the description of the setting and the applicable standards in Sections D.5.1 and D.5.2. See Master Response MR-1 (Baseline) for more information on how the environmental setting and baseline for the Proposed Project are defined.

CC6-43 The exposure of existing DCPP facilities, including the nuclear reactors, to known seismic hazards is one facet of the environmental setting (as described in Draft EIR Section D.5.1.4), and whether existing facilities might be damaged by an earthquake is also relevant to the environmental setting. The proposed Steam Generator Replacement Project involves no change to existing facilities, including the reactors that would substantially alter their resistance or susceptibility to earthquake-induced impacts. See Master Responses MR-1 (Baseline) regarding the Proposed Project's relation to baseline conditions and MR-3 (Jurisdiction) for an explanation of CPUC authority to impose mitigations regarding seismic safety issues.

CC6-44 Draft EIR Section D.12.1 describes a variety of existing safety-related conditions associated with the operation of the DCPP, including: emergency planning, reactor risk, spent fuel, low level radio active waste, security and terrorism. These conditions establish baseline conditions for the existing power plant. The Draft EIR also evaluated potential impacts to workers resulting from residual contamination that could be present on the OSGs. The risks of radiation-related health effects on project workers during a seismic event would be identical to the risks that would occur during a routine refueling outage, a baseline activity that would be conducted per NRC requirements. OSG removal and transport would similarly be conducted as per NRC requirements (Draft EIR Section B.3.3.3). The impact of potential radiation exposures during OSG removal and transport is described in Impact S-3, Section D.12.3.4 of the Draft EIR, and was found to be less than significant. Additional discussion of radiation-related risks to workers would be beyond the scope of the EIR because it would relate to nuclear materials handling and storage. These activities are exclusively regulated by the NRC (Draft EIR page ES-5). See also Master Response MR-3 (Jurisdiction).

CC6-45 The CCC comments provided on the Draft EIR do not mention the ongoing process identified by this comment. The need for an update to the Long Term Seismic Program is identified in the Draft EIR (page D.5-12), and Mitigation Measure G-3a addresses how structural design of the OSG Storage Facility should be based on consideration of recent earthquake data.

CC6-46 The Draft EIR Section D.12.1 contains a comprehensive discussion of the terrorism risk as it relates to existing baseline conditions associated with the DCPP. The risk of a large-scale radiological release resulting from a successful terrorist attack against a nuclear reactor facility is not dismissed. The Draft EIR summarizes steps taken by the NRC and PG&E

to minimize the risk of a successful terrorist attack. The Draft EIR also notes that the baseline risk of a successful terrorist attack on the DCPP is substantial, and the analysis for the No Project Alternative notes that early shutdown of DCPP operations would result in a beneficial impact as it relates to potential terrorist attacks on the reactor. Implementation of the Proposed Project would neither increase nor decrease the potential for a terrorist attack on the DCPP.

The comment also notes that specific types of attacks and the types of security measures that the NRC is likely to have required should have been evaluated in the Draft EIR. The Draft EIR identifies a variety of terrorist events that could occur at the DCPP. Please note that it would be well beyond the scope of the CEQA process for the Proposed Project (as described in Section D.1.2.5) to evaluate the NRC Design Basis Threat (DBT) for the DCPP and the DCPP security plans, both of which are not publicly available. Please also refer to Master Response MR-1 (Baseline) regarding the baseline risks and the study of underlying existing plant operations. See also Master Response MR-3 (Jurisdiction) regarding CPUC authority regarding nuclear safety issues.

CC6-47 The Draft EIR contains descriptions of a variety of potential terrorist attack modes, as well as discussions of studies that have been conducted to evaluate potential impacts of terrorist attacks. The Draft EIR also clearly identifies the baseline worst-case consequences associated with a successful terrorist attack. Given the existing threat level for the currently operating DCPP, risks of a terrorist attack are part of the environmental baseline under CEQA. With the Proposed Project, the risk of a terrorist attack would continue as it is today. However, even if the Proposed Project were to not move forward (i.e., the No Project Alternative), the risk of a terrorist attack at the DCPP would continue in some respect for the foreseeable future given that there are currently no plans to remove spent fuel from the DCPP.

Regardless of the specific mode of attack, Section D.12.1 of the Draft EIR clearly identifies the potential risks and consequences associated with a successful terrorist attack, and evaluates the significance associated with existing risk levels. The evaluation of existing terrorism risk impacts was based on a variety of sources, including studies conducted by the NRC, the Electric Power Research Institute, and the ISFSI Final EIR prepared for San Luis Obispo County by Marine Research Specialists (MRS). The Draft EIR also identifies the benefit of the No Project Alternative in reducing some risk associated with a terrorist attack. The analysis of the existing terrorism risk does not attempt to speculate on every conceivable manner of sabotage. By focusing on widely accepted attack modes that are considered credible, the Draft EIR avoids excess speculation of these baseline issues.

CC6-48 Decommissioning is defined by 10 CFR 50.2 as the safe removal of a facility from service and reduction of residual radioactivity to a level that permits termination of the NRC license. This activity must eventually occur irrespective of the Proposed Project, as discussed in the Draft EIR Section B.5 (p. B-37). As noted in the Draft EIR, the OSGs and the proposed OSG Storage Facility would be decommissioned with the rest of the Diablo Canyon Power Plant in compliance with NRC requirements. A detailed discussion of the OSG decommissioning process is not necessary because adding the replacement steam generators to DCPP would not substantially change the DCPP decommissioning process. Further, decommissioning is a separate activity that will eventually occur at a future undetermined time. Decommis-

sioning is not part of the Proposed Project studied in this Draft EIR, and it would be subject to its own environmental review and NRC approval process with public involvement.

CC6-49 It is correct that the refueling event would be prolonged by the Proposed Project. The additional time necessary during the refueling outage is part of the Proposed Project, and it is considered in the impact analyses in Draft EIR Section D. Impacts that would occur due to a prolonged refueling event include additional project-related traffic, which is discussed in Section D.13, and the local effect on temporary housing, which is discussed as a potential impact to Socioeconomics (in Section D.11).

CC6-50 Section D.1.2.1 of the Draft EIR discusses the environmental baseline of the Proposed Project, which includes the activity of refueling, including removing spent fuel at DCPP. The spent fuel risk baseline is likewise described on p. D.12-7 of the Draft EIR. During each DCPP refueling outage *all* reactor fuel assemblies (i.e., 193 assemblies) are transferred from the reactor to the spent fuel pool for a "defueled" maintenance period lasting approximately one to three weeks. Upon its return to the reactor, the spent portion of the fuel (76 assemblies) are replaced and the remaining 117 unspent assemblies are placed back into the reactor for continued use. This has been the practice since the first refueling outage, and PG&E plans to continue this for all future refueling outages.

The proposed Steam Generator Replacement Project would occur during regularly scheduled refueling outages, wherein the same procedure, albeit for a slightly longer period of time, would be followed. The steam generator replacement work conducted within the containment structures would take place during the period the reactor is defueled. No special or different impacts due to fuel transfer will be created during the steam generator replacement outages. The radioactive source term during the steam generator replacement outages will be the same as during other refueling outages.

Refueling operations, operation of the DCPP spent fuel pools, and requirements for non-normal situations during refueling operations, including prolonging a refueling outage in order to accommodate activities such as the Proposed Project, involve radiologic health and safety operational matters which are under the sole and exclusive jurisdiction of the NRC pursuant to the Atomic Energy Act and are controlled by the DCPP NRC licenses. The steam generator replacement outages will not create any non-normal refueling situations. Refueling operations during the two steam generator replacement outages will be conducted using the same procedures and controls as those used during all other refueling outages.

CC6-51 Emissions from the Proposed Project are described by phase. Both quantitative and qualitative approaches were used to characterize the impacts in the Draft EIR, and this Final EIR includes revisions to provide additional quantification. Because certain detailed information about project activities is not available at this time, determination of ultimate control devices is dependent on consultation, review, and approval of mitigation with SLOAPCD (see SLOAPCD CEQA Air Quality Handbook p. 6-5). Consistent with CEQA Guideline Section 15126.4 the Draft EIR need not impose every possible measure. The EIR need only identify feasible mitigation measures that would reduce an identified impact to a less than significant level. This *CEQA Guidelines* section also indicates that "*formulation of mitigation measures should not be deferred until some future time. However, measures may specify performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way*." The mitigation measures proposed to reduce

air quality impacts from construction-related activities are consistent with these CEQA requirements in that they would be feasible to implement, would reduce identified impacts to a less than significant level, and each measure specifies performance standards that must be achieved and monitored to ensure achievement of the required impact reduction consistent with SLOAPCD recommendations. See also Response F-1.

CC6-52 The comment concerns activities and emissions that would occur outside the air basin in which the proposed project is located. Emissions of marine vessels importing RSGs from overseas and along the coast to Port San Luis would occur largely offshore, outside the 3-nautical mile boundary of State waters where no local California air district standards would apply, including those of the San Luis Obispo County Air Pollution Control District. Emissions of tugboats at the southern California port of entry and emissions from transferring the RSGs from a heavy-load ship to barges would occur within the scope of routine port operations at the southern California location, and are therefore, part of the "baseline" conditions for regular port operations. Therefore, an evaluation of project-related emissions from this project component using SCAQMD thresholds is not required. Regulations governing the traditional shipping methods are identified in the Draft EIR (page B-12). These shipping activities would not be unique to the Proposed Project, nor would they occur within the air basin affected by the project. Emissions from tugboats that occur within the air basin affected by the project are described in Section D.2.3.2.

CC6-53 Daily project-related emissions are not underestimated because many activities would not overlap. The definition of the Proposed Project supplied by PG&E includes the sequencing of major phases, avoiding most overlap. PG&E's responses to CPUC's requests for information, illustrate the major phases of activities and how overlap is avoided (described on Draft EIR p. D.2-11 and Data Response to AQ-1, October 21, 2004). For example, construction of temporary facilities would occur before RSG transport, and RSG transport would occur while relatively little other activity occurs. The Final EIR includes additional quantification of emissions from each phase including sources that were not quantified in the Draft EIR, and where appropriate, activities that could occur concurrently are quantified together. Tables D.2-7 through D.2-13 each include additional quantification to respond to these comments, based on assumptions of project-related activity and use of agency recommended models. Compared with the information in the Draft EIR, the additional quantification did not identify any substantial increase in impacts that were already disclosed. Further discussion of the revisions is provided in the responses below. See also Response F-1.

CC6-54 Emissions during RSG installation are described qualitatively, and emissions from construction of staging facilities and the OSG Storage Facility have been quantified with revisions in the Final EIR. As shown in the Final EIR, emissions during construction of the OSG Storage Facility would not occur during a single day. The additional quantification addresses sources that were not quantified in the Draft EIR and confirms that construction of temporary RSG staging and preparation facilities contributes to potentially significant NOx emissions as noted by this comment, but this does not indicate a new impact because Sections D.2.3.3 and D.2.4.2 of the Draft EIR stated that these impacts would be potentially significant. This is now quantified in Tables D.2-8a and D.2-8b of the Final EIR.

Mitigation Measures A-1a and A-1b, which would reduce temporary mobile emissions from project-related worker vehicles and reduce emissions from diesel construction equipment, respectively, identified in the Draft EIR address this potentially significant impact by imple-

menting the SLOAPCD recommendations for these activities. The Final EIR includes clarifying information that shows how these measures are adequate to reduce the now quantified impacts to a less than significant level. The SLOAPCD CEQA Air Quality Handbook, page 6-4, illustrates that these NOx impacts require the Best Available Control Technology for construction (CBACT), which would be required by Mitigation Measure A-1b. The method of impact characterization and recommended measures have been established by the SLOAPCD in its CEQA Air Quality Handbook and comments on the EIR, and the SLOAPCD staff must review and approve the measures during project implementation. These guidelines specify that the definition of CBACT and development of a Construction Activity Management Plan (CAMP) must occur in consultation with SLOAPCD staff. Therefore, the effectiveness of these measures depends not on quantification of emission levels, but on consistency with SLOAPCD recommendations, which would be ensured with agency participation required by the mitigation measures.

CC6-55 The Final EIR includes revisions to illustrate the quantities of emissions expected from the batch concrete plant in Section D.2.3.3. This source was included in the Draft EIR discussion of Impact A-2 in Section D.2.3.4, although its emissions were not previously quantified. About 2,300 cubic yards of concrete could be needed for OSG Storage Facility construction, to replace the excavated area (Draft EIR p. B-34), and an estimated 10,000 cubic yards could be needed for the temporary staging area facilities, to provide a foundation for the temporary staging facilities. Total uncontrolled PM_{10} emissions for the concrete batch facility would be approximately 0.058 lb/yd^3 (U.S. EPA, AP-42, Section 11.12), or a total of 713 lb or 0.36 ton PM_{10} over all construction phases. This is shown in Table D.2-8b of the Final EIR, and as with other staging and preparation activities, the additional quantification does not indicate that any new potentially significant impact is identified. Although no emissions thresholds would be exceeded as a result of this activity, the batch concrete plant would need to be registered as required by Mitigation Measure A-2a. No additional mitigation, beyond that identified for registration in Mitigation Measure A-2a, would be needed to ensure that these emissions are less than significant. Please also see Response PG-85.

CC6-56 As described above, the major project activity phases would not overlap. This applies to daily as well as quarterly activity. The Final EIR includes additional quantification showing quarterly emissions of all criteria pollutants, confirming that PM_{10} emissions with the Applicant's best management practices would not be significant. The quantification of daily and quarterly emissions confirms that construction of temporary RSG staging and preparation facilities contributes to potentially significant NOx emissions as was previously identified in Sections D.2.3.3 and D.2.4.2 of the Draft EIR. As shown in the Draft EIR Mitigation Measures A-1a and A-1b, which would reduce temporary mobile emissions from project-related worker vehicles and reduce emissions from diesel construction equipment, respectively, along with the best management practices identified for dust control (Draft EIR p. D.2-11) would reduce the emissions in a manner consistent with SLOAPCD recommendations, which would ensure that short-term construction-related air quality impacts would be less than significant. See also Response F-1.

CC6-57 Worst-case daily activity and the greatest quantities of project emissions per day would occur during the RSG transport phase. The sum of daily emissions from all project activities during RSG transport is presented in Draft EIR Table D.2-7. The table indicates that only emissions of NOx would exceed daily significance criteria. As indicated in Response CC6-56, proposed Mitigation Measures A-1a and A-1b would reduce the identified impact to a less

than significant level. According to the project phase activities and plans proposed by PG&E other activities would not overlap with the transport phase (as described above), such that no prohibition on phasing would be necessary. No other phase would involve more intense daily levels of emissions. No significant impact is identified for VOC because no project phase would cause VOC emissions exceeding the criteria.

CC6-58 The Draft EIR (page B-40 and page D.2-11) indicated that PG&E has committed as part of the Proposed Project to the implementation of dust control measures at the project site such as: reducing the extent of disturbed area, watering areas to control dust emissions, sweeping paved surfaces, stabilizing disturbed areas, and monitoring the effectiveness of required control measures. The Draft EIR concluded that with the implementation of these measures, potential dust-related impacts associated with RSG staging and preparation, and the construction of the OSG Storage Facility, would be less than significant and no additional mitigation measures were required. Although dust sources were considered in the Draft EIR, the Final EIR includes revisions to further quantify the fugitive dust emissions expected from transport activity on paved roads resulting from the delivery of the RSGs to the project site. As the comment points out, the calculation depends not on vehicle speed, but on vehicle weight (U.S. EPA, AP-42, Section 13.2.1). The analysis in the Final EIR has been revised to reflect this. The quantification of potential dust entrainment impacts in the Final EIR confirmed that the fugitive dust emissions would not exceed any significance threshold and the impact would be less than significant. The additional quantification did not indicate that any previously undisclosed impacts would occur. Therefore, as was shown in the Draft EIR, there is no need for additional mitigation of fugitive dust emissions.

CC6-59 The Final EIR includes revisions to quantify the fugitive dust emissions expected from construction of the temporary staging facilities and the OSG Storage Facility, including dust from earthmoving activities for the OSG Storage Facility (Section D.2.3.3). Combustion emissions from construction equipment are also quantified through the use of the URBEMIS 2002 program provided by California Air Resources Board, as recommended by SLOAPCD in CEQA Air Quality Handbook Section 6.0. Compared with the information in the Draft EIR, the additional quantification of fugitive dust and combustion emissions did not indicate that any additional impact would occur nor would there be a substantial increase in the severity of the already disclosed impact. To address the previously disclosed impact, Mitigation Measures A-1a and A-1b were identified in the Draft EIR. Therefore, as was shown in the Draft EIR, no mitigation other than Mitigation Measures A-1a and A-1b would be needed to ensure that the impacts would be less than significant.

CC6-60 Contrary to the comment and Table D.2-4 of the Draft EIR, San Luis Obispo County attains the state standard for ozone (see Response F-6). The Final EIR includes revisions to this table to accurately reflect the state-level ozone designation as "attainment" in the setting. The Final EIR also notes that although the area attains the ozone standard, it is still appropriate to manage ozone precursors to maintain the attainment status. Furthermore, the Final EIR shows that emissions of ozone precursors and PM_{10} would be either below the significance thresholds or mitigated by reducing the emissions in a manner consistent with SLOAPCD recommendations and Best Available Control Technology for construction equipment (CBACT). The measures that would be implemented with CBACT and the CAMP would likely include many of the best management practices identified in the Draft EIR under the discussion for Impact A-1 in combination with activity phasing or scheduling to minimize the amount of large construction equipment operating during any given time.

With the mitigation identified in the Draft EIR, the Proposed Project would comply with all recommendations made by the San Luis Obispo County Air Pollution Control District, the agency with regulatory jurisdiction over air quality. The comment incorrectly implies that air emissions must be reduced to zero. Section D.2.3.1 of the Draft EIR notes that the SLOAPCD recommends using the CEQA process to mitigate emissions that exceed quantitative thresholds. Mitigation to less than significant levels can occur through emission control plans as in Mitigation Measure A-1b or through a program of offsets as in Mitigation Measure A-1c. These measures would reduce the emissions exceeding the quantitative thresholds to less than significant levels.

CC6-61 The project area attains all air quality standards for CO and SO_2, and the SLOAPCD CEQA Air Quality Handbook (page 6-4) does not dictate significance thresholds for short-term (construction-type) emissions of these pollutants. The effects of SO_2 as a particulate matter precursor are limited by regulations on sulfur content in diesel fuel (Draft EIR p. D.2-4), and CO is not a notable participant in the cycle of ozone formation. Although no significant emissions of CO or SO_2 occur, Mitigation Measures A-1a and A-1b would minimize these emissions during all phases of the Proposed Project by minimizing emissions from construction worker vehicle trips and diesel emissions, respectively.

CC6-62 According to the SLOAPCD CEQA Air Quality Handbook (page 2-7), an analysis of consistency with an air quality plan is generally required only if a project could cause permanent changes in emissions, permanent increases in regional vehicle trips or vehicle miles traveled, vast changes in population, or altered land use and transportation management strategies. None of these changes would occur under the Proposed Project.

Draft EIR Tables D.2-7 and D.2-8, et al., describe whether the project would violate air quality standards by comparing project emissions to established significance thresholds, as per the SLOAPCD CEQA Air Quality Handbook (p. 6-4). Cumulative air quality impacts are described in Draft EIR Section F.4.1. Substantial pollutant concentrations are addressed in the Draft EIR discussion of TAC impacts, including Mitigation Measure A-1d, which requires that a health hazard screening analysis be conducted for the toxic diesel component acrolein. The mitigation measure specifies health risk performance standards that must be demonstrated by the screening analysis for the project-related diesel exposure impact to be considered less than significant. Mitigation Measure A-1d also describes additional measures that can be implemented (i.e., restricting site access) should it be determined that project-related diesel emissions would exceed the prescribed performance standards. The proposed mitigation measure would reduce potentially significant impacts associated with the exposure of sensitive receptors to substantial pollutant concentrations to a less than significant level. The potential for objectionable odors is described on Draft EIR page D.2-9. The analysis concluded that due to the short potential for exposure to odors resulting from transportation activities to deliver the RSGs to the project site, potential odor-related impacts would be less than significant.

CC6-63 Diesel particulate matter and acrolein are identified as TACs from diesel exhaust, and impacts are described on Draft EIR page D.2-9. A potentially significant health risk impact was identified by the EIR because RSG transportation activities would occur in proximity to homes in Avila Beach and Port San Luis, where sensitive receptors may reside. Because of the identified potentially significant health risk impact from exposure to diesel exhaust, the Draft EIR included Mitigation Measure A-1d, which requires further assessment and quan-

tification of potential diesel exposure health risks and restricting access to impacted areas if necessary. Please refer to response CC6-62 regarding the requirements of Mitigation Measure A-1d. Other EIR recommended mitigation measures to reduce diesel emissions, including Mitigation Measure A-1b, which requires the preparation of diesel emission control plan and implementation of CBACT, would also minimize the potential impacts of TACs to sensitive receptors by providing a reduction in overall project-related diesel emissions in a manner consistent with SLOAPCD recommendations. See also Response F-11, which adds clarifying text to the Final EIR.

CC6-64 The majority of project activity that would occur around Avila Beach would result from RSG transport. Although the potential exposure period would be limited and the resulting risk of significant health effects would be low, the Draft EIR includes Mitigation Measure A-1d, which would reduce the potential for significant public exposure to toxic air contaminants to a less than significant level. Additional information regarding the requirements of Mitigation Measure A-1d is provided in Responses CC6-62 and CC6-63. Additionally, the required diesel emission control plan and CBACT under Mitigation Measure A-1b would obviate the need for comparison with a specific reduction target. The method of impact characterization and recommended measures have been established by the SLOAPCD in its CEQA Air Quality Handbook and comments on the EIR, and the SLOAPCD staff will review and approve the measures during project implementation. These guidelines specify that the definition of CBACT and development of a CAMP must occur in consultation with SLOAPCD staff. Therefore, a reduction target for diesel emissions or a relocation of potentially affected receptors, would not be required. See also Response F-11.

CC6-65 Odor impacts are addressed on Draft EIR p. D.2-9. See also Response F-11, which adds clarifying text to this Final EIR.

CC6-66 The Proposed Project is responsible only for mitigating its share of potentially significant cumulative impacts provided that share is cumulatively considerable, i.e., significant in light of the effects of past projects, other current projects, and probable future projects. Cumulative air quality impacts are described in Draft EIR Section F.4.1. Emissions from refueling outage (RFO) worker vehicles are not part of the Proposed Project because they would occur in the baseline conditions (Draft EIR page F-1). They have been analyzed and are shown here for informational purposes, but because they are part of the environmental setting and not a cumulative project (see Draft EIR Table F-1), they are not part of the cumulative analysis. These emissions occur during RFOs regardless of the Proposed Project.

Table CC6-1. Baseline Emissions from RFO Worker Vehicles

	NOx (lb/day)	VOC (lb/day)	PM_{10} (lb/day)	CO (lb/day)	SOx (lb/day)
RFO worker vehicles	35.2	23.6	37.3	317.0	0.2

Source: PG&E, 2004c, Attachment 21, adjusted for 1,285 RFO workers as in comment PG-210.

CC6-67 It would not be appropriate to apply the construction-phase significance threshold of 185 lb/day to the Proposed Project and cumulative projects together, as suggested by the comment. The 185 lb/day construction threshold applies to project-specific short-term activities, not the total combination of all past, present, and future projects throughout the region. Past

projects are included with the environmental setting for air quality, in Section D.2.1. The setting also indicates the region as being in attainment with ozone standards. SLOAPCD recommends (page 4-1 of the Handbook) consideration of existing and proposed future development within one mile of the project. No development other than the Independent Spent Fuel Storage Installation project would occur within one mile of the Proposed Project (Draft EIR Table F-1). Nevertheless, six additional projects in the Avila Beach area were analyzed, and no significant impacts identified. Draft EIR Section D.2.3.5 notes that no permanent emission sources would be associated with the Proposed Project; as such, no threshold other than the construction thresholds apply. The attainment setting, the short-term nature of project-related construction activity, the relative isolation of most proposed construction activities, and the recommended mitigation measures to reduce short-term construction-related emissions (Mitigation Measures A-1a through A-1d) ensure that the project's air quality impacts would be less than cumulatively considerable.

CC6-68 All of the air quality mitigation measures involve participation of SLOAPCD during implementation (see Table D.2-14 of the Draft EIR). As the agency responsible for managing air quality in the region, it is appropriate for the CPUC to work with SLOAPCD to ensure that mitigation is implemented effectively. This Final EIR includes revisions to the air quality mitigation measures that reflect the comments of SLOAPCD on the Draft EIR. For example, because the requirements for CBACT evolve over time, the SLOAPCD routinely provides developers with project-specific recommendations for reducing emissions during its review of pre-construction plans. Mitigation Measures A-1a, A-1b, A-1c, and A-2a require SLOAPCD approval of the Construction Activity Management Plan (CAMP), which would address trip reduction, diesel combustion control (through CBACT), offsite mitigation, and equipment registration, respectively. Each of these measures contains performance standards that are consistent with SLOAPCD recommendations for reducing the impacts, and implementing these recommendations ensures that the measures achieve the necessary efficacy. Fugitive dust impacts would not be potentially significant based on implementation of measures identified by PG&E as part of the Proposed Project, as described further in Response CC6-72. With implementation of these measures, no significant air quality impact would occur.

CC6-69 Each of the proposed mitigation plans and programs consist of reasonable requirements that can be feasibly implemented and are typical of similar programs that have been implemented as mitigation requirements for other projects. For example, the Applicant has previously identified its proposed practices for CBACT (Draft EIR p. D.2-8) and the CAMP may address activity phasing or scheduling to minimize the amount of large construction equipment operating during any given time. Each plan or program also specifies measurable performance standards or compliance milestones that must be achieved for the mitigation measure to be successfully implemented. For example, the trip reduction goals of Mitigation Measure A-1a match those of Mitigation Measure T-3a and funding of offsets must achieve a specific emission reduction target in Mitigation Measure A-1c. Monitoring and reporting provisions to ensure implementation of the mitigation requirements are also provided. All air quality mitigation measures require the CPUC to work with the SLOAPCD in determining the suitability of specific actions, but most steps for reducing construction emissions can be anticipated, and the SLOAPCD staff will review and approve the measures. Although CBACT recommendations and offset requirements are established by SLOAPCD staff on a case by case basis, the Final EIR describes the likely measures in the description of Impact A-1. In the unlikely event that it is determined that a particular plan or program is not adequate to

reduce a corresponding impact to a less than significant level or that an agency-recommended action would cause a secondary environmental impact, and a suitable replacement mitigation measure is not implemented, *CEQA Guidelines* Section 15162(3)(D) requires that a Subsequent EIR be prepared.

CC6-70 The Draft EIR includes quantitative and qualitative discussions of the project impacts. Additional quantification is included with this Final EIR to clarify the conclusions presented in the Draft EIR. Mitigation of 100 percent of Proposed Project emissions is not necessary because the analysis demonstrates that emissions would be reduced to less than significant levels with the recommended mitigation. The method of impact characterization and recommended measures have been established by the SLOAPCD in its CEQA Air Quality Handbook and comments on the EIR, and the SLOAPCD staff must review and approve the measures during project implementation. Requiring SLOAPCD approval of the diesel emission control plan and CBACT under Mitigation Measure A-1b obviates the need to quantify the reduced emissions against the significance thresholds. Cumulative effects of ozone precursors are addressed in Response CC6-67. See also Response F-1.

CC6-71 The comment claims that offsets are not adequate CEQA mitigation. This contradicts the opinion and established mitigation programs of the agency responsible for managing air quality in the region. Recommendations provided by SLOAPCD specifically identify offsite emission reductions as a preferred mechanism for reducing impacts (Draft EIR page D.2-9). In fact, offsets provide enduring mitigation by reducing existing emissions caused by excess sources in the area, sources that would otherwise escape SLOAPCD control. This approach provides essentially permanent reductions as mitigation for project-related activities that occur over a short term. This approach is especially conservative because project emissions would cease at the completion of the Proposed Project. The Final EIR includes revisions to improve the approach in Mitigation Measure A-1c in response to SLOAPCD guidance from Comments F-10 and F-12.

CC6-72 Fugitive dust emissions are described in Draft EIR Section D.2.3.3. The Final EIR includes additional quantification of fugitive dust emissions confirming the less than significant PM_{10} impacts shown in the Draft EIR, as described in Responses CC6-58 and CC6-59. With the best management practices of Draft EIR page D.2-11, fugitive dust emissions would not exceed the significance thresholds or require additional mitigation. Although not all of the dust measures identified in the comment are part of the Proposed Project, the measures proposed by the Applicant are components of the Project Description (Section B.6), and thus, are considered by CPUC to be mandatory commitments made by the Applicant for project implementation. The SLOAPCD would also review and approve the Applicant's proposed dust control measures. During project implementation, the CPUC monitoring responsibility includes these aspects of the Project Description along with the adopted mitigation measures.

CC6-73 It is unlikely that a foreign barge leaching tributyltin (TBT) compounds would be used to transport the steam generators to Port San Luis or the Intake Cove. As referenced in the Project Description of Draft EIR Section B, the generators would be brought to a southern California port on a heavy-load ship. At the Port, the generators would be transferred from the ship to one or two barges. These barges are expected to be from the southern California port, not of foreign origin. As a result, they would not contain tributyltins, which are restricted in the U.S. The half-life of TBT in water is about three months, and it has a low solubility

in water. This generally keeps TBT compounds within the water areas where they were applied (EXTOXNET, Cornell University, accessed July 2005). In the unlikely event that a foreign barge leaching TBT is used, it would be in the Port San Luis or Intake Cove for a very limited amount of time such that exposure of any organisms to the compound would be no more than a few days. Because of the unlikely presence of TBT compounds for any notable duration, adverse impacts to marine life are not expected.

CC6-74 The analysis recognizes that construction noise is of intermittent intensity and created by multiple sources simultaneously, commonly at more than one location (Draft EIR page D.9-7). Over a typical hour, equipment may sit idle or change location. Because of the unsteady nature of equipment operation and the sources distributed over a wide area, assuming a continuous and steady source level of 82 dBA at 50 feet from the activity provides a reasonable approximation of impacts.

CC6-75 The analysis takes into account the likelihood of multiple pieces of equipment operating simultaneously (Draft EIR pgs. D.9-5 to D.9-6 and D.9-7). As the comment notes, the decibel scale is logarithmic; this means that total noise levels are dominated by the loudest source. The total noise level of multiple pieces of equipment is therefore not proportional to the number of sources operating, but is largely dictated by the foreground effects of the dominating source. Fluctuating equipment noise may be annoying, but it does not itself cause a significant noise impact because significance depends on whether total levels result in "substantial" increases.

CC6-76 The comment suggests that banging and dropping noises are not included in the analysis. Such sounds would occasionally occur with any heavy duty equipment operation, and they would not appreciably contribute to total noise levels, when compared to the noise generated by equipment engines, which could be steadily around 82 dBA. The sound energy level emanating from an occasional banging or dropping noise would be small because it would be very brief or impulsive.

CC6-77 Nighttime unloading and transport are considered in the Draft EIR (p. D.9-6), and the disruption to sensitive uses is noted. The 10-dB penalty for nighttime noise, on an Ldn basis, is described in the Draft EIR (page D.9-1). Noise from transport activities near sensitive receptors is not quantified on an Ldn basis because transport trips would not affect any single location for more than about one hour per each of the sixteen one-way trips (Draft EIR page D.9-6). During all other hours, the Ldn would be dominated by the baseline levels that exist without project activities.

CC6-78 The comment suggests that pure tones are not included in the analysis, yet they are considered because such sounds would naturally and occasionally occur with any heavy duty equipment operation. Construction of the OSG Storage Facility would occur over one mile away from sensitive receptors (Draft EIR page D.9-8), and the occasional occurrence of backup signals within DCPP is not likely to affect any sensitive areas. In order to address the potential noise impacts associated with such signals during RSG offloading, Mitigation Measure N-1a requires that the use of back-up signals be minimized where possible in light of overall safety concerns.

CC6-79 The EIR aims to minimize the short-term impacts in a way that would be consistent with construction-type mitigation established by past CEQA documents prepared by the CPUC. Mitigation Measures N-1a and N-1b, which require coordination of project activities and

establish a nuisance complaint liaison, would accomplish this. Because of the short-term and temporary nature of the offloading activity (sixteen one-way trips, Draft EIR page D.9-6), coordinating the activities as recommended would effectively minimize the nuisance and eliminate the potentially significant impact. Sound walls and paying to relocate residents would not be appropriate because of the short-term nature of the effects and the nuisance resolution procedure that would be provided (see revisions to Mitigation Measure N-1b included in the Final EIR).

CC6-80 The CPUC expects that the nuisance liaison would be located with the offloading and transport activities at the Port; however, the location of this person is not as important as the approach used by workers to resolve the complaint. Typically, the liaison is accessible by phone with an automated answering feature, obviating the need for a backup liaison. Response procedures required by the mitigation would outline the protocol for responding to the callers in advance of complaints. This approach has been successful on past CPUC projects where construction activity occurs. The Final EIR includes revisions to Mitigation Measure N-1b to ensure that the response procedures are approved by the CPUC prior to RSG offloading.

CC6-81 Limiting noise levels to no more than 5 dBA above background noise levels is not necessary given the short-term nature of project activities and the limited scope of activities near receptors. The 5 dBA significance criteria identified in Section D.9.3.1 applies to permanent changes in ambient noise levels, and there would be no new permanent noise sources after project completion (Draft EIR page D.9-8).

CC6-82 Alternatives selected for full evaluation in the EIR were evaluated according to the following CEQA criteria: compliance with most of the basic project objectives; feasibility (economic, legal, regulatory, and technical); avoidance or substantial lessening of significant effects of the Proposed Project; and potential for effects greater than those associated with the Proposed Project (Draft EIR pages C-3 to C-5). The alternatives identified by PG&E comprise the majority of the alternatives fully examined in the Draft EIR, because other alternatives that were developed by EIR preparers or public scoping failed to satisfy pertinent CEQA criteria (Draft EIR pager C-6). Please also see Response CC6-8.

CC6-83 Please refer to Response CC6-82. In addition to an alternative being "capable of avoiding or substantially lessening any significant effects of the project," technical, regulatory, legal and economic feasibility are also considered. Many of the alternatives that were developed by persons other than PG&E were eliminated from full consideration in the Draft EIR due to a lack of feasibility and/or an inability to lessen environmental effects of the Proposed Project. Please also see Response CC6-8, and Responses C-10, E-4, and E-5 also describe how the "action" alternatives were developed.

CC6-84 CEQA Guideline Section 15126.6(a) states that an EIR "must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation." Please see Responses CC6-82 and CC6-83 regarding the criteria used to determine feasible alternatives to the Proposed Project. If an alternative is outside of the CPUC's authority but is still feasible then it may be considered as an alternative to the Proposed Project. For example, some alternatives that may be beyond the authority of the CPUC to implement are discussed under the No Project Alternative. However, at this time it is only possible to identify the range of potential replacement power projects that could be

developed in the absence of DCPP operation. Development of specific replacement power projects would be driven by various market forces and private investment decisions. Assuming that PG&E could achieve regulatory compliance with NRC and other transport and disposal requirements, there are no other feasibility constraints that would prohibit offsite disposal of the OSGs by PG&E if the CPUC were ultimately to adopt the offsite disposal alternative instead of the Proposed Project.

CC6-85 The Proposed Project's technical and environmental constraints necessitated that the TSA and OSG Storage Facility alternative locations be located in proximity to one another. Locating storage facilities offsite or at widely separated locations would likely result in additional traffic, air quality, safety, and other impacts beyond those that would occur with the Proposed Project. Therefore, all TSA location alternatives and OSG Storage Facility location alternatives have similar environmental impacts. The environmentally superior alternative, as presented in the Draft EIR is compliant with CEQA. Please also see Response CC6-94 for additional information.

CC6-86 Please refer to Responses 12-12 and 12-15 for a discussion of alternative energy technologies and demand-side management. Sections C.6.1 and C.6.2 (page C-27) of the Draft EIR discuss replacement generation (i.e., natural gas-fired power plants) and transmission facilities, respectively. The project schedule accounting for the long lead time associated with design, fabrication, testing, and transport of the steam generators is discussed in Section B.4.1 (page B-35) of the Draft EIR. In addition, the commenter fails to explain how an alternative project schedule would reduce impacts of the Proposed Project, especially considering that the current schedule incorporates phasing of steam generator replacement activities to ensure that project impacts do not overlap. Replacement generation, which would have environmental impacts of its own, could not be constructed on the DCPP site in a reasonable timeframe to provide replacement generation because among other reasons, decommissioning of the DCPP would have to occur first, and this would be a lengthy process that would prohibit completion within the time frame of the Proposed Project. Also the "alternatives" recommended in the comment, including replacement energy sources, are not true alternatives to the Proposed Project as suggested in the last sentence. They are only relevant as part of replacement generation scenarios under the No Project Scenario.

CC6-87 Other generation/transmission sources are considered as part of the No Project Alternative because replacement projects would only be required in the event that the Proposed Project is not completed and DCPP is forced to cease operations. It would be remote and speculative to forecast exactly how any replacement power would be provided given the wide range of possibilities, including type, size, or location (Draft EIR Section D.1.2.3). Therefore a detailed analysis of specific projects would not be possible or meaningful. Please also refer to Response CC2-9.

Please refer to Master Responses MR-1 (Baseline) and MR-2 (License Renewal) for descriptions and rationale of project baseline conditions and evaluation of DCPP operations through the remainder of the license terms and beyond 2021/2025.

CC6-88 While distributed generation (DG) technologies (Draft EIR Section C.6.4.2) are recognized as important resources to the region's ability to meet its long-term energy needs, DG does not provide a means for PG&E to replace DCPP's 2,200 MW of base-load generation, because of the comparatively small capacity of DG systems and their relatively high cost. Consider-

ation of DG as the sole replacement power generation source under the No Project Alternative is not feasible because no single entity has proposed implementing a substantial DG program. Broad use of distributed resources would likely require regulatory support and technological improvements. There could also be regulatory feasibility issues with lengthy local permitting including: air permits, which influence equipment selection; land use approvals including environmental review (e.g., for noise and aesthetics); and building permits.

In a report on DG (January 2002) the CEC concluded that "DG is capable of providing several Transmission and Distribution (T&D) services, but the extent to which DG can be successfully deployed to effectively supply them are limited by (1) the technical capabilities of various DG technologies; (2) technical requirements imposed by the grid and grid operators; (3) business practices by T&D companies; and (4) regulatory rules and requirements . . . some technical barriers resulting from key characteristics of the prime mover will prevent some DG technologies from providing certain T&D services." Some problems of specific types of distributed generation include the following:

- Renewable Energy Sources. The high cost and limited dispatchability of small-scale renewable energy sources, such as solar and wind power, essentially inhibit their market penetration. Biomass and wind facilities require specific circumstances for siting (i.e., near sources of bio-fuel or in high wind areas), and have their own environmental consequences (e.g., requiring large land areas, resulting in large quantities of air emissions, or impacts on avian populations).
- Fuel Cells. The present high cost and small generation capacity of fuel cells currently precludes their widespread use.
- Other Fossil-fueled Systems. Microturbines and various types of engines can also be used for distributed generation; these technologies are advancing quickly, becoming more flexible, and impacts are being reduced. However, they are still fossil-fueled technologies with the potential for significant environmental impacts, including noise. Such systems also have the potential for significant cumulative air quality impacts because individually they may be small enough to avoid regulatory requirements for air pollution control.

CC6-89 Please refer to Response 12-12 for a discussion of demand-side management. Demand-side management and distributed generation are not alternatives to the Proposed Project, as suggested in the comment. The Proposed Project is the replacement of steam generators at DCPP, not the replacement of power plant operations or power generation. Demand-side management and DG are relevant only as part of replacement generation scenarios under the No Project Alternative.

CC6-90 Please refer to Responses CC6-86 through CC6-89 for a discussion of various energy resources listed in the State Energy Action Plan and considered under the No Project Alternative. The CPUC's resource procurement Rulemaking proceeding (R.04-04-003), which was established to promote policy and program coordination and integration in electric utility resource planning, is currently underway and is independent of the general proceeding for the Proposed Project (also addressed in Response 13-5 below). As required by CEQA, the Draft EIR is limited to describing the significant environmental effects of the Proposed Project. The alternative energy resources are not alternatives to the Proposed Project, as suggested by the comment. The Proposed Project is the replacement of steam generators at DCPP, not the replacement of power plant operations or power generation. The only

relevance of these alternative energy sources and long-term resource planning processes is as part of replacement generation scenarios under the No Project Alternative. Please see Response CC5-10 for a discussion of the alternatives analysis.

CC6-91 The OSG offsite disposal alternative is adequately analyzed in each issue area of Section D of the Draft EIR, and the results of the analyses are summarized in the Executive Summary Table ES-5. Regarding the activity and environmental effects of offsite disposal for the San Onofre Nuclear Generating Station (SONGS) steam generator replacement project, the alternatives considered for SONGS, a separate power plant in different location, have no bearing on the alternatives considered for the Proposed Project. However when considering the SONGS offsite disposal alternative, the availability of sufficient OSG storage space at DCPP and the lack of a railroad path or otherwise simple disposal route for OSG disposal from DCPP cause the results to favor onsite storage at DCPP, while not favoring it for SONGS. The OSG offsite disposal alternative is feasible, and although specific details have not been developed and NRC regulations would dictate much of the activity, the Executive Summary and Section E.2.4 of the Draft EIR indicate that offsite disposal is not the Environmentally Superior Alternative. The CPUC similarly believes that the Intake Cove offloading alternative is feasible. The Intake Cove offloading alternative is shown to be the Environmentally Superior Alternative in the Executive Summary and Section E.2.4 of the Draft EIR. This demonstrates that both of the alternatives were analyzed at a level of detail sufficient to provide a meaningful evaluation of environmental impacts in comparison to the Proposed Project.

CC6-92 The Draft EIR's analysis of the No Project Alternative for issue areas such as impacts to marine resources provides a suitable level of detail regarding the beneficial impacts that would be achieved by terminating power generation at the DCPP. The beneficial safety impacts of shutting down the plant were also described (Section D.12.5). Additional information has been added to the Final EIR's evaluation of the No Project Alternative to provide further clarification of possible beneficial effects for other issue areas. For example, the existing seismic hazards, water quality degradation, land use restrictions, traffic conditions, and visual resources may be impacted beneficially from the cessation of power generation operations at the DCPP. However, the No Project Alternative must also provide realistic information about what is likely to occur if the project is not approved (i.e., that replacement energy generation would be needed from existing and/or new sources). Please see Master Response MR-1 (Baseline), and Responses CC2-5, CC2-9, and CC6-8 also address the level of detail for the No Project Alternative.

CC6-93 Please refer to Responses CC2-9, CC6-11, and CC6-87.

CC6-94 In developing the project alternatives, the EIR preparers conducted a comprehensive review of PG&E's proposals, as described in Draft EIR Section C.4.1. Alternative locations for the TSA and OSG Storage Facility were considered, and because use of the project site would be consistent with the general plan, it is not required that the EIR consider offsite locations for the TSA or OSG Storage Facility. However, to be conservative, this EIR did evaluate such locations and determined that none were environmentally superior. It was determined that there are limited alternative locations to construct the TSA and OSG Storage Facility within DCPP because of a variety of environmental and technical constraints. As such, all onsite TSA and OSG Storage Facility alternative locations are clustered geographically, which leads to similar environmental impacts.

The Intake Cove alternative offloading location is significantly different in geographical location when compared to the proposed offloading location at Port San Luis. Since two significantly different locations for replacement steam generator offloading were analyzed, it was determined that each area would have different degrees of impacts to the surrounding environment. Based on the analyses (summarized in Draft EIR Table ES-2), the Intake Cove was deemed the environmentally superior alternative location for replacement steam generator offloading.

The Environmentally Superior Alternative as presented in the Draft EIR is compliant with CEQA. Contrary to the commenter's suggestion, impeding project objectives, increased costs, and/or reduced profits were not criteria used in the determination of the Environmentally Superior Alternative. The Intake Cove was determined to be the environmentally superior offloading location alternative because it would reduce significant environmental impacts when compared to the Proposed Project (Draft EIR p. E-2, 3). Please also see Responses CC2-5, CC2-9, and CC6-8, which address the scope of the No Project Alternative including replacement power options.

CC6-95 The comparative impacts of all alternatives are provided in the summary tables of the Executive Summary of the Draft EIR (Tables ES-2 through ES-5), and Executive Summary Section 4.3 describes how the No Project Alternative compares with the Environmentally Superior Alternative. The long-term operational impacts of the Proposed Project are taken into account. For information on treatment of the ongoing operational effects of DCPP, please refer to Master Responses MR-1 (Baseline) and MR-2 (License Renewal).

CC6-96 Please see Response CC6-92. In addition, Section D.1.2.3 of the Draft EIR clearly indicates that local surroundings would experience beneficial impacts with the shutdown of DCPP; however, Executive Summary Section 4.3 notes that these effects would be substantially outweighed by long-term impacts related to construction of new power plants and transmission facilities at numerous locations outside of DCPP. Section E of the Draft EIR (Comparison of Alternatives) provides a detailed evaluation of the relative benefits and drawbacks of each evaluated alternative when compared to the environmental impacts of the Proposed Project. As requested by the commenter, Section E.3 provides a comparative analysis of the Environmentally Superior Alternative and the No Project Alternative.

CC6-97 Design of the OSG Storage Facility and determining design-specific features would ultimately be within the jurisdiction of the NRC. This Final EIR includes revisions to Mitigation Measure G-3a that clarify the information that PG&E must provide in order to ensure appropriate design review and development of specifications for withstanding seismic effects. Revisions to Mitigation Measure G-4a clarify that an engineered design (or bunker-type construction) may be an option. The engineering phase of the project would lead to more specific design measures that must satisfy the standards of the mitigation. The CPUC has limited jurisdiction in dictating the design of the facility, as described in Master Response MR-3 (Jurisdiction). See also Response CC5-20 for more information on how supplemental CEQA review of OSG Storage Facility locations could be necessary. The comment also asserts that mitigation is deferred, but CEQA provides flexibility in terms of when and in what manner mitigation measures will be implemented, provided that performance standards are specified. This issue is addressed in Response E-4 above.

CC6-98 Please see Response CC6-69.

CC6-99 The Final EIR includes revisions to Mitigation Measure A-1d to clarify the timing of the health hazard analysis required by this measure. PG&E must perform the assessment at least 60 days prior to the start of transport activities, and PG&E would be required to restrict all public access from any location where the acute health hazard index would exceed 1.0. Mitigation Measure A-1d requires the protocol for the health hazard screening analysis to be developed by the Applicant in consultation with SLOAPCD, the public agency responsible for managing air quality in the region. This is appropriate given the recommendations for including this measure from SLOAPCD. The screening analysis in Mitigation Measure A-1d is specifically recommended for addressing diesel exhaust, which includes acrolein. Analyzing acrolein serves as a surrogate for other contaminants with acute effects. The Final EIR includes revisions to clarify that the carcinogenic effects of diesel particulate matter would not be significant because of the very limited duration of the dose to sensitive receptors adjacent to proposed transportation routes. The clarification of the TAC and odor conclusions is to be consistent with SLOAPCD recommendations, as noted in Response F-11.

CC6-100 Although Section F.3 of the Draft EIR only lists future projects and anticipated future growth in the area, this does not mean that past projects were not considered in the cumulative impact analysis. It would be impossible to list all past projects that have been implemented in the study area and the Draft EIR does not attempt to do so. Instead, the Draft EIR acknowledges that the effects of past projects are reflected in environmental baseline conditions, which are described in detail in Sections D.2 through D.14. The Draft EIR is particularly comprehensive in its description of the cumulative project scenario in that it utilizes both methods described in the *CEQA Guidelines* for defining this scenario — a listing of other projects with the potential for producing related or cumulative impacts, and a summary of projections in adopted planning documents describing regional or area-wide conditions (14 CCR §15130(b)(1)).

An EIR need only discuss the cumulative impacts of a project when the project's incremental effect is cumulatively considerable, as defined in *CEQA Guidelines* Section 15064(h)(1). When a project's incremental effect is not cumulatively considerable, the EIR need not consider that effect significant. This makes the definition of the project important in determining the necessary extent of the cumulative impact analysis. Since the analysis of the Proposed Project is limited to the direct and indirect effects associated with physical replacement of the steam generators, the potential for significant cumulative impacts is confined by the effects of those actions. Therefore, the analysis of cumulative impacts in the EIR is limited to those incremental effects of the Proposed Project that are capable of combining with the effects of past or foreseeable future projects to produce significant cumulative effects. An EIR should not discuss impacts that do not result in part from the project evaluated in the EIR (*CEQA Guidelines* Section 15130(a)(1)).

CC6-101 Please see Response CC6-67. The health risks of past projects and ongoing activities in the vicinity of the Proposed Project are considered to be an aspect of the environmental setting. The Proposed Project would not alter ongoing use of Port San Luis by ships, except for the delivery of the RSGs addressed by the Draft EIR, and the Proposed Project would not alter the exposure of the local population to risks from Avila Beach remediation activities. Limiting project-specific risks to levels below established screening thresholds, as required by Mitigation Measure A-1d, would ensure that the project's health risks would be less than cumulatively considerable.

CC6-102 Please see Master Response MR-1 (Baseline) regarding discussion of baseline and analysis of operations through the end of the current license term. Please also see Master Response MR-2 (License Renewal) for methodology regarding analysis of operation beyond 2021/2025.

CC6-103 Consistency with existing plans is relevant only to those policies that pertain to the activities that would occur during the Proposed Project and only with respect to policies contained in those plans adopted for the purpose of avoiding or mitigating a significant environmental effect. Contrary to commenter's assertions, the Draft EIR provides evaluations of consistency with applicable plans, as appropriate. Although specific section headings pertaining to plan consistency are not necessarily present in each of these sections, these evaluations are contained with the individual issue area analyses presented in Sections D.2 through D.14 of the Draft EIR.

CC6-104 The descriptions of applicable regulations, plans, and standards in Sections D.2 through D.14 are presented to help the reader understand existing requirements applicable to the Proposed Project, or to identify how some typical regulations may not apply to the Proposed Project due to federal preemption over regulation of nuclear power plants and radiological materials. In many cases, existing regulations, plans, and standards serve to reduce or avoid environmental impacts and may contribute to the basis for determining that certain types of impacts either would not occur or would be less than significant. In this way, it helps the reader understand why mitigation may not be necessary for certain impacts since existing requirements already serve to minimize the impacts.

CC6-105 The CPUC consulted with each Responsible Agency, including the SLOAPCD, San Luis Obispo County, Port San Luis Harbor District, and CDF/San Luis Obispo County Fire Department, and requested that it provide input on the types of information it needed to have included in the Draft EIR for its permitting purposes. The CPUC has included the appropriate types of information and analysis requested by each Responsible Agency that provided feedback to the CPUC. Therefore, the EIR should provide the environmental information needed for Responsible Agencies to issue permits.

CC6-106 As described in the Local Ordinances and Policies section under Draft EIR Section D.8.2 (page D.8-18), the County of San Luis Obispo, as a Responsible Agency under CEQA, indicated that detailed analysis of the project consistency with the County's plans and ordinances would occur as a part of the CDP and the CUP application review and approval processes. As also described in the Local Ordinances and Policies section of Section D.8.2, the CPUC encourages cooperation with local governments to ensure compatibility between proposed projects and the surrounding jurisdictions. As the Lead Agency for CEQA review, however, CPUC has authority for project approval and will ensure that the project will comply with applicable regulations. The Applicant's compliance with local regulations must be assumed. Comment C-9 from the San Luis Obispo County Department of Planning and Building reiterates the County's role in determining ordinance and policy consistency through the land use permit process. Response C-9 further addresses the County of San Luis Obispo's consideration of the effects of the project as a Responsible Agency. Please note that consistency with existing plans is relevant only to those policies that pertain to the Proposed Project and that were adopted for the purpose of avoiding or mitigating a significant environmental effect.

CC6-107 The CPUC is fully aware that the Draft EIR is intended to provide the environmental evaluation of the Proposed Project for the approvals to be issued by the Responsible Agencies and

the Draft EIR was prepared with this purpose in mind. See Responses CC6-105 and CC6-106 above.

CC6-108 The CPUC believes the Draft EIR fully complies with the requirements of CEQA. Some minor clarifications of information presented in the Draft EIR have been provided in the Final EIR. However, none of the revisions contained in the Final EIR constitute significant new information requiring recirculation of the Draft EIR.

CC6-109 The viewgraph illustrates some aspect of ongoing plant safety procedures, and it indicates that PG&E may seek license renewal to extend the life of the plant. The treatment of ongoing safety issues at DCPP is described in Response CC6-7. Please also see Master Response MR-2 (License Renewal).

CC6-110 Please see Response CC6-41.

CC6-111 Please see Response CC6-38.