

Comment Set CC1
Physicians for Social Responsibility



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May 18, 2005

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Re: Southern California Edison's San Onofre Nuclear Generating Station
Proposed Steam Generator Replacement Project (Application No.
A.04-02-026)

Dear Mr. Barnsdale:

I write in opposition to the Southern California Edison (SCE) application to replace steam generators for Units 2 and 3 at San Onofre Nuclear Generating Station, (SONGS). By way of introduction, I served on Governor Schwarzenegger's transition team on environmental issues (2003-2004), and on Governor Davis' committee on the disposal of radioactive waste (1999-2001).

Among the applicant's chief errors, SCE mischaracterizes the process of decommissioning and disposal of the steam generators and related waste.

The Environmental Impact Report (EIR) states, "The original steam generators would be classified as Class A low-level radioactive waste (LLRW, defined in 10 CFR 61), and they would require disposal at a licensed facility," (p. B-34). Yet, it is highly premature for SCE to assert that the used generators would wholly be comprised of Class A waste.

In the course of operation, a nuclear reactor creates highly radioactive fission products which in turn leak into pipes and pumps and contaminate the steam generators. Some of the radioactive waste may classify as Class A waste – but by no means exclusively. Filters and resins, and the surface metal of the generator will be classified as more dangerous Class B or C waste.

As Edison envisions steam generator replacement in 2008-2009, and preparing

CC1-1

Comment Set CC1, cont. Physicians for Social Responsibility

the radioactive material for disposal takes a considerable amount of time, there will not be an available licensed disposal facility for Class B and C waste. I repeat, in 2008-2009, sections of the radioactively-contaminated steam generators will likely have no place to go. Yet the EIR states on page B-34,:

“SCE prefers immediate offsite disposal for the original steam generators because it conserves use of the limited space at the site and removes uncertainty concerning future disposal costs. The activities of preparing the OSGs for offsite transport and disposal would be similar regardless of disposal location. SCE has not specified a disposal location, but the likely destination would be Envirocare of Utah, Inc., at Clive, Utah (SCE, 2004d).”

California-generated Class B and C waste has only one place to go in the United States. The only licensed radioactive waste dump currently accepting such classified waste is South Carolina’s Barnwell facility. Yet, after June 30, 2008, Barnwell will no longer accept waste from California and the rest of the country but only that of the Atlantic Compact – consisting of the states of South Carolina, Connecticut and New Jersey.

The only other radioactive waste facility open to California is the privately operated Envirocare facility in Clive, Utah – which is permitted to accept Class A waste only, and is now foreclosed by a law to accept the more toxic material. In February 2005, Utah signed into law, S.B. 24, a ban stopping the disposal of Class B and C waste at Envirocare.

Therefore, SCE’s claim that the used steam generators will be immediately disposed offsite is highly dubious. In the off-chance SCE miraculously beats the June 2008 deadline and can dump at Barnwell, it must be noted that the South Carolina facility charges fees that are triple those of Envirocare.

The Public Utilities Commission should also be appraised of federal efforts to deregulate the disposal of certain radioactive materials. Despite SCE assurances in the EIR that all waste will be sent to a licensed facility, Edison will likely take advantage of these new rules.

The Commission should be aware of the Nuclear Regulatory Commission’s (NRC) current rule-making process, as the new rules will not merely impact disposal costs – but also the controversial rules could potentially result in legal appeals, resulting in a delay in the disposal of waste. For more information on the new rulemakings, please see <http://www.nrc.gov/materials.html>, and then the section on “Controlling the Disposition of Solid Materials.”

In brief, NRC seeks to release industry from the cost of properly disposing of radioactive waste in licensed dumps. Radioactive iron, steel, copper and aluminum may soon be sent to scrap yards for

CC1-2

Comment Set CC1, cont. Physicians for Social Responsibility

recycling into consumer products as well as disposed, not at licensed facilities but at municipal landfills. The NRC rule, NUREG-1640, minimizes health impacts from low-dose radiation, and offers ludicrous scenarios where radioisotopes do not traverse from landfill to drinking water wells. The California experience shows otherwise. The Bradley Landfill (19-AR-0008), in the City of Los Angeles, shows that gross beta measurements in the leachate exceed the state's drinking water maximum-contaminant-level (MCL), and radioactive tritium from exit signs is also found in the leachate.

CC1-2

In 2002, Governor Davis issued an executive order (D-62-02) directing water boards to impose a moratorium on disposing decommissioned materials above background radiation levels. Industry is diligently worked to reverse the executive order. Your sister agency, the California Integrated Waste Management Board, has in fact written a letter of opposition to the promulgation of NRC's NUREG-1640.

CC1-3

The NRC is further proposing the use of radioactive concrete in road building. Removing SONGS' steam generators will entail cutting a 28' x 28' block in each containment vessel. The resulting irradiated concrete rubble will be massive and substantial. The hauling and disposal of these many tons of radioactive concrete would be very expensive. To lower costs to industry, the NRC is seeking to allow release of radioactive concrete debris for use in road construction. Thanks to new NRC rules, San Onofre's concrete domes may wind-up becoming part of the Pacific Coast Highway.

CC1-4

The National Academy of Sciences (NAS) reviewed NRC's proposed regulations. The report, of the Committee on Alternatives for Controlling the Release of Solid Materials from Nuclear Regulatory Commission-Licensed Facilities, published in 2002, as "The Disposition Dilemma, Controlling the Release of Solid Materials from Nuclear Regulatory Commission-Licensed Facilities" cited numerous problems with NRC's proposed deregulation scheme.

CC1-5

The NAS committee emphasized the important of consistent, protective, health-based standards. NRC failed in this regard. The reports chides NRC as having "no specific standards or regulations for clearance of volume-contaminated slightly radioactive solid material," (p. 172). NAS recommends that NRC re-tool its rules so that "a dose-based standard should be employed as the primary standard," (p. 173). The committee also emphasized the importance of public involvement. "Stakeholder involvement will be important and worthwhile, as well as a prerequisite for making progress," (p.171).

CPUC should also be aware that radioactive materials are treated differently than toxic materials. The U.S. Environmental Protection Agency traditionally legislates contaminants so that it will create a fatal cancer in no more than one-in-a-million (1×10^{-6}) exposed. In special circumstances,

Comment Set CC1, cont. Physicians for Social Responsibility

fatal exposure may rise to 1×10^{-5} and 1×10^{-4} – no contaminant is permitted to kill more than one in ten thousand exposed. By comparison, NRC permits radiation to kill one in every 2,500 individuals, and, at times, NRC allows public exposures to be reduced to 1-in-60. Industry routinely takes advantage of these Cold War vestigial regulations. SCE will surely do so if CPUC gives them the opportunity to dump outside a licensed facility. CPUC should therefore be extra cautious, even vigilant, in not allowing SCE to take advantage of these lax regulations and thereby place the public at risk.

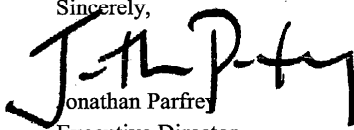
CC1-5

In summary, Physicians for Social Responsibility-Los Angeles recommends to the California Public Utilities Commission:

- CPUC should deny SCE's request for replacing SONGS' steam generators, a naked first step towards relicensure. Additional decades of operation would place Californians at great risk.
- If CPUC permits the replacement of steam generators, CPUC should then legally bind SCE to send all waste to a licensed facility, as stated in the project EIR. CPUC must not be lax and allow SONGS to place radioactive concrete on California's roadways and allow other dangerous materials in proximity to the public.
- If CPUC fails to require SCE to send all waste to a licensed facility, and SCE subsequently seeks to recycle radioactive scrap metal or dispose of waste, CPUC should require SCE to conduct extensive well-publicized public hearings – allowing the public a say in their being further exposed to radiation.

Thank you for your consideration of our organization's views. Physicians for Social Responsibility is American recipient of 1985 Nobel Peace Prize, and has over 5,000 members in Southern California. I can be reached to further discuss these matters at (213) 689-9170 x107, or at parfrey@psr.org.

Sincerely,



Jonathan Parfrey
Executive Director

Responses to Comment Set CC1 Physicians for Social Responsibility

- CC1-1 Section D.12.1 of the Draft EIR provided a comprehensive discussion of the low-level radioactive waste (LLW or LLRW) disposal issues that will be faced by Southern California Edison (SCE) associated with the San Onofre Nuclear Generating Station (SONGS) Steam Generator Replacement Project. This section describes the limits on LLRW disposal should there be waste with a classification greater than Class A. Previous experience at other nuclear facilities of similar design have shown that the original steam generators (OSGs) would be considered Class A waste, which would allow for disposal at the Barnwell, South Carolina (until June 2008), or Clive, Utah, facilities. Draft EIR Section D.12.4.2 also evaluated an onsite storage alternative should SCE be unable to find a suitable disposal facility. The analysis concluded that the onsite storage alternative, as mitigated, would have a less than significant effect on the environment, but that the Proposed Project (offsite disposal) would be the Environmentally Superior Alternative.
- CC1-2 As noted in Response CC1-1 above, the OSGs would likely be considered Class A waste, so disposal at Envirocare of Utah (at Clive) would not be problematic. As noted in Response CC1-1, it is likely that the Envirocare facility in Clive, Utah, will be the only disposal option for SCE because of the replacement steam generators (RSGs) installation timetable beginning in 2009. Although this facility accepts Class A LLRW, the OSG Onsite Storage Alternative was also evaluated in the Draft EIR.
- In the absence of promulgated rules relaxing LLRW disposal requirements, any evaluation of the scenarios raised in the comment would be considered speculative under the California Environmental Quality Act (CEQA). The NRC's proposed rulemaking is well beyond the scope of this project, which relies on permitted LLRW landfills for disposal. The CPUC is precluded from regulating in the area of nuclear energy or waste. Please refer to MR-3 (Jurisdiction). The NRC's rulemaking process is subject to its own environmental review procedure. Should the NRC relax LLRW disposal standards, the California Department of Health Services, Radiologic Health Branch would provide additional oversight of the disposal of LLRW within California.
- CC1-3 Attempts to circumvent Executive Order D-62-02 are beyond the scope of this EIR. As noted in Response CC1-2 above, under CEQA, this scenario would be considered speculative. Please see Master Response MR-3 (Jurisdiction) for information on the jurisdiction of the NRC over the handling of radioactive materials.
- CC1-4 Please see Response CC1-2. SCE would be required to dispose of any radioactive waste in a manner consistent with NRC regulations, and it would be speculative to attempt project analysis in the context of uncertain changes to those rules. Non-radioactive waste (presumably including some portion of the concrete rubble from the containment opening) could be safely recycled, as noted in Section D.10.3.4 of the Draft EIR. Should SCE change their LLRW disposal procedures from those proposed as part of this project and the alternatives studied in the EIR (see Draft EIR Sections B.3.4.2 and B.3.4.5), the CPUC could require additional environmental review.
- CC1-5 The Proposed Project, if approved by the CPUC, would not allow SCE to dispose of NRC regulated waste outside of a licensed facility. All waste, including LLRW, would be dis-

posed of in accordance with either NRC regulations at a licensed LLRW disposal facility or in accordance with SONGS standard waste disposal procedures, depending on classification. The jurisdiction of the NRC over the handling of radioactive materials, and the limit of CPUC jurisdiction, is described in more detail in Master Response MR-3 (Jurisdiction). As noted in Response CC1-4 above, the CPUC could require additional environmental review should SCE choose to deviate from the LLRW disposal procedure analyzed in the EIR (see Draft EIR Sections B.3.4.2 and B.3.4.5). The procedure for additional environmental review, if necessary, is described in Section H.2.1 of the Draft EIR, and it would provide opportunity for public involvement.

The comment summary identifies issues related to relicensing and the risks of nuclear power plant operation. The CPUC decision would be to allow rate recovery for the steam generator replacement project, and this is not related to license renewal, as described in Master Response MR-2 (License Renewal). The baseline risks of nuclear power plant operation are described as part of the environmental setting, as noted in Master Response MR-1 (Baseline).

Comment Set CC2
The Utility Reform Network (TURN)

BEFORE THE PUBLIC UTILITIES COMMISSION OF
THE STATE OF CALIFORNIA

Application of Southern California Edison Company (U 338-E) for Authorization: (1) to Replace San Onofre Nuclear Generating Station Unit Nos. 2 & 3 (SONGS 2 & 3) Steam Generators; (2) Establish Ratemaking for Cost Recovery; and (3) Address Other Related Steam Generator Replacement Issues.

Application 04-02-026

COMMENTS OF THE UTILITY REFORM NETWORK ON
THE DRAFT ENVIRONMENTAL IMPACT REPORT



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May 31, 2005

Comment Set CC2, cont.
The Utility Reform Network (TURN)

**COMMENTS OF THE UTILITY REFORM NETWORK ON
THE DRAFT ENVIRONMENTAL IMPACT REPORT**

In response to the April 15, 2005, notice of availability of the Draft Environmental Impact Report (DEIR) on the San Onofre Nuclear Generating Station (SONGS) Steam Generator Replacement Project (SGRP), The Utility Reform Network (TURN) hereby submits comments on the sections addressing replacement generation needs resulting from the "no project" alternative. TURN believes that the DEIR is deficient, fails to properly examine the impacts of alternative resources as required under law, and mischaracterizes both the scope and type of resources that are available to replace SONGS in the event of an early shutdown.

**I. THE CHARACTERIZATION OF NEED FOR, AND TYPE OF,
REPLACEMENT POWER IN THE EVENT OF THE "NO PROJECT"
ALTERNATIVE FAILS TO CONSIDER RELEVANT INFORMATION**

CC2-1

The DEIR states that the no project alternative assessment must assume "that, at the very least, 2,150 MW of power generation, the amount of capacity at SONGS, must be replaced through other methods when SONGS shuts down...it is assumed that the likely method of replacing this power generation is through the construction of at least four combined cycle gas turbine power plants."¹ The DEIR also accepts, without question, the presumption that replacement generation must mimic the baseload characteristics of SONGS.

There is no evidence to support the assertion that SCE needs 2,150 MW of baseload generation in the event that SONGS is shuttered. In SCE's application seeking authority to continue investments at the Mohave Generating Station, its own witnesses noted that SCE currently has an excess of baseload capacity and a need for peaking resources,

¹ DEIR, page C-31.

Comment Set CC2, cont.
The Utility Reform Network (TURN)

concluding that “we don’t have [capacity] when we need it the most and we have an excess when we don’t need it.”² This view is consistent with TURN’s understanding of SCE’s current resource portfolio, and suggests that the loss of SONGS could lead to the acquisition of some peaking, rather than baseload, resources. The DEIR does not conduct any inquiry into SCE’s blanket assertion of need for baseload replacement power and is therefore deficient in its analysis.

CC2-1

The DEIR also does not consider the possibility that the creation of a core/noncore retail market structure, or the departure of loads resulting from community choice aggregation, could reduce SCE’s capacity and energy needs. If SONGS is subject to early shutdown, and SCE procures 2,150 MW of replacement baseload capacity, a non-trivial amount of these “replacement” resources could prove to be unnecessary for serving bundled retail customer loads. This outcome would leave SCE in the position of selling substantial amounts of excess baseload energy into the market. The DEIR must therefore grapple with the prospect that SCE could actually procure less than 2,150 MW to replace SONGS.

Another omission relates to current activities surrounding SCE’s Mohave Generating Station (MGS). As the Commission is well-aware, MGS is scheduled to close at the end of 2005 and the 885 MW allocated to SCE was excluded from its resource portfolio used in this proceeding to model capacity and energy needs in 2009 and beyond. In D.04-12-016, the Commission directed SCE to conduct an investigation into alternatives to Mohave, including a 1,000 MW solar dish stirling deployment and the construction of an Integrated Gasification Combined Cycle (IGCC) generation facility which could include the use of carbon sequestration to make it a zero-carbon resource.³ Neither a Mohave restart, nor the replacement solar or IGCC resources, were identified as possible SONGS replacements in the DEIR.

CC2-2

² Cross-examination testimony of SCE witness Stuart Hemphill, A.02-05-046, Reporter’s Transcript Vol. 4, 456-57.

³ D.04-12-016, Conclusion of Law #19.

Comment Set CC2, cont.
The Utility Reform Network (TURN)

TURN urges revisions to the DEIR that address these uncertainties and alternatives. The need for 2,150 MW of baseload power is not supported by the evidence presented in SCE's filings. Moreover, if the Commission decides to order SCE to refurbish Mohave, require replacement IGCC or solar thermal resources to be constructed, or mandate the pursuit of both options, the procurement of 2,150 MW of baseload resources would prove to be wholly unnecessary and contrary to the interests of SCE's ratepayers. Failure to even acknowledge these facts would leave the DEIR divorced from the realities confronting SCE in the coming years.

CC2-2

**II. RENEWABLE RESOURCE OPTIONS ARE NOT SATISFACTORILY
ADDRESSED**

The DEIR assesses a number of renewable resource alternatives but fails to accurately characterize their suitability and ignores the potential for significant growth in certain technologies (such as solar thermal and photovoltaics) that would reduce SCE's need to replace SONGS. TURN urges revisions to correct these omissions and misperceptions.

CC2-3

As explained in the previous section, the DEIR errs in assuming that SCE can only replace SONGS with baseload generation. The conclusion that wind, solar thermal, and photovoltaics are "not acceptable for baseload applications" is therefore of minor relevance to the assessment. At the very least, the DEIR should note that peak-weighted deliveries from solar technologies will be more valuable to SCE in the future than baseload resources.

Other omissions from this section include the following:

- The section describing solar thermal does not include any description of the dish stirling technology that has been proposed for a 1,000 MW facility to replace or augment the Mohave Generating Station.

CC2-4

Comment Set CC2, cont.
The Utility Reform Network (TURN)

- The description of photovoltaic technology describes land use requirements without noting that rooftop space is typically used to host such systems. It is entirely possible to install thousands of MWs of photovoltaics without requiring any new land usage.

CC2-5

- There is no description of the Governor's proposed "million solar roofs" initiative intended to result in 3,000 MW of rooftop photovoltaics in California over the next decade. To the extent that deployments are accelerated due to this program, SCE would have a reduced need for resources to replace SONGS.

CC2-6

Perhaps most importantly, the entire section never attempts to provide any meaningful comparison of the environmental impacts of continued SONGS operations with the consequences of reliance on alternative resources. Because this analysis is missing, it is not possible for the Commission to evaluate whether the "no project" alternative is environmentally preferable. The DEIR must be enhanced and augmented so that the findings can be used for this purpose.

CC2-7

Respectfully submitted,

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Dated: May 31, 2005

Responses to Comment Set CC2

The Utility Reform Network

CC2-1 The comment disputes the No Project Alternative's discussion of the need for and type of replacement power (i.e., base-load generation). The base-load performance of SONGS in its existing condition is part of the environmental setting that would not be changed by the Proposed Project, and thus the No Project Alternative properly analyzes replacement base-load energy sources. Please also see Master Response MR-1 (Baseline).

Section C.6 of the Draft EIR provides an adequate description of the No Project Alternative and the major replacement power generation sources or replacement transmission facilities that could be deployed. Although no specific scenario of construction is defined, the No Project Alternative includes several scenarios and demonstrates that the technologies or enhancements in the scenarios could cause positive and negative impacts when compared to the impacts of the Proposed Project. It would be unduly remote and speculative to forecast exactly how any replacement power would be provided given the wide range of possibilities, including type, size, or location. Therefore, a detailed analysis of specific projects would not be possible or meaningful. Section 15126.6(d) of the CEQA Guidelines indicates that alternatives shall be discussed in less detail than the significant effects of the project. This level of analysis is adequate to promote informed decision-making related to the Proposed Project compared to the possible consequences of the No Project Alternative.

The Draft EIR recognizes that the replacement generation occurring in the event of a SONGS shutdown under the No Project Alternative may not require that all of SONGS' 2,150 MW be replaced with strictly base-load generation, and it is possible that SCE may not need to replace all 2,150 MW. The EIR conservatively assumes that all of the existing energy produced by SONGS would probably be replaced if SONGS were to shut down, and additional transmission facilities would be needed. As such, the EIR complies with CEQA Guidelines Section 15126.6 by providing a discussion of what would reasonably be expected to occur if the project were not approved. The No Project Alternative does not preclude the potential use of intermittent power, such as that from alternative energy technologies (Draft EIR p. C-31), but rather notes that it would be unlikely for intermittent technologies to serve as the sole replacement generation. Because there is no way to predict exactly how market forces, private investment decisions, etc., would provide replacement power, the Draft EIR does not analyze any specific scenarios for providing replacement generation or transmission system upgrades (Draft EIR Section D.1.2.3). The EIR is focused on alternatives to the proposed steam generator replacement project, not alternative sources of energy to nuclear power.

The comment also asserts that a core/non-core change in the electricity market structure or the departure of loads as a result of community choice aggregation would alter SCE's dependence on base-load facilities. The market structure would not be affected by the proposed steam generator replacement project, and even if changes to the market structure would affect project economics, this would not be an environmental impact, and thus need not be addressed in the EIR. Forecasting the uncertain effects of a core/non-core retail market, or the departure of loads resulting from community choice aggregation, on SCE's capacity and energy needs would be unduly remote and speculative.

CC2-2 The comment asserts that the fate of the Mohave Generating Station would influence the need for replacement generation under the No Project Alternative. Although this may be true, as stated in Draft EIR Executive Summary Section 3.1.3 and Response CC2-1 above, the environmental assessment does not depend on any specific scenarios for providing replacement power-generating capacity or transmission system upgrades because there is no way to forecast precisely how replacement facilities would be provided.

It is important to note that the Proposed Project consists of replacement of the plant's steam generators, and 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 SONGS, 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.

The fate of the Mohave Generating Station remains uncertain, and is being addressed in the separate CPUC proceeding, A.02-05-046 and the decision of December 3, 2004, (D.04-12-016). SCE has not agreed to retrofit Mohave Generating Station and keep it in operation pending resolution of key issues regarding the cost and supply of water and coal needed for continued Mohave operation. As noted in the Comment, CPUC Decision 04-12-016 ordered SCE to evaluate the feasibility of alternatives to the Mohave Generating Station, including the construction of a massive array of solar thermal electric generators and an Integrated Gasification Combined Cycle (IGCC) generation facility. The fate of Mohave is not relevant to the Proposed Project because any alternative energy generation proposed in response to shutdown of that facility would be to replace existing energy produced by Mohave, not any energy lost by the premature shutdown of SONGS. Also, at this point both of these proposals are only conceptual in nature. There is no critical cost information on these alternative energy proposals, and the water and coal supplies needed for continued Mohave operation are uncertain. Therefore, it is not possible to compare continued Mohave operation with these alternatives, let alone analyze the position of these resources in SCE's future resource procurement plans. As stated in D.04-12-016, the analysis of alternatives proposals associated with Mohave Generating Station should eventually be integrated into the long-term planning process in the CPUC procurement rulemaking (R.04-04-003), which is the proper forum for consideration of supply, demand and resource-specific considerations. The Draft EIR does not need to be revised because these possible development scenarios for Mohave are not related to the Proposed Project. The analysis of the No Project Alternative in the Draft EIR considers a wide range of potential replacement generation scenarios including the uncertain outcome of Mohave. Response CC2-1 also provides more information on the adequacy of the No Project Alternative.

CC2-3 This comment asserts that renewable resources, which tend to provide intermittent power generation, should be considered in greater detail. As noted above, replacement energy options are possible scenarios of the No Project Alternative, but they are not alternatives to the proposed steam generator replacement project as commenter contends. Please see Response CC2-1, which explains that the level of detail provided in the No Project Alternative is sufficient to address the renewable resources.

CC2-4 Please see Responses CC2-1 and CC2-2. Solar thermal dish/Stirling technology is only one type of solar technology that is currently available. Section C.6.3.1 of the Draft EIR describes solar thermal technology as a potential replacement generation under the No Proj-

ect Alternative. Similar to other solar technologies, dish/Stirling technology still requires sunlight, which is intermittent and makes it useful only as an intermittent power source. Although this technology is not an equivalent replacement for the base-load power presently produced by SONGS, the No Project Alternative does not preclude the potential use of intermittent power as part of a proposed replacement generation scenario.

CC2-5 Neither SCE nor the CPUC have authority to require the installation of solar panels on private rooftops. Installation of this technology on a wide basis is uncertain. Despite this uncertainty, as noted in Response CC2-1, the No Project Alternative does not preclude the potential use of intermittent power from solar panels as part of the replacement generation scenario.

CC2-6 The Million Solar Roofs Initiative (SB 1) is a bill that could provide ten years of incentives to install one million solar energy systems (approximately 3,000 MW of intermittent power) on homes and businesses by 2018. However, this bill has not yet been passed, is incentive-based, SCE would have no way to implement the program or guarantee its effectiveness in the intervening time period before SONGS would need to shut down. Please also see Response CC2-5 above.

CC2-7 The purpose of this EIR is to evaluate the potential environmental impacts expected to result from the Proposed Project, which is the replacement of steam generators in SONGS Units 2 and 3, and provide this information to decision-makers. The Draft EIR's analysis of the No Project Alternative provides a suitable level of detail regarding the likely effects of terminating power generation at SONGS. For example, the beneficial safety impacts of shutting down the plant were described (Draft EIR 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 affected beneficially from the cessation of power generation operations at SONGS (e.g., Executive Summary Sections 3.5.2 and 3.7.2). However, the analysis of 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).

The No Project Alternative is adequately discussed in Sections C.6 and D.1.2.3 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. Executive Summary Section 4.3 and Section E.3 of the Draft EIR compare the No Project Alternative to the Environmentally Superior Alternative. Based on this full evaluation and weighing *all* issue areas, the No Project Alternative was *not* found to be overall environmentally superior to the Proposed Project. The Environmentally Superior Alternative is the Proposed Project with the MCBCP Inland Route Alternative. Please also see Response CC2-1 for more information regarding the scope of the No Project Alternative analysis. Please also see Master Response MR-1 (Baseline) for information on the baseline conditions that create the context of the No Project Alternative analysis.

Comment Set CC3
Los Osos Community Advisory Council

LOCAC

Los Osos Community Advisory Council

May 31, 2005

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Re: The Draft EIR for Steam Generator Replacement at the San Onofre Nuclear Generating Station and the Diablo Canyon Nuclear Power Plant

On May 26, 2005, the Los Osos Community Advisory Council (LOCAC) reviewed the Draft EIR for the Diablo Canyon Nuclear Power Plant Steam Generator Replacement Project. LOCAC is responsible for reviewing land use decisions in the Los Osos area. Los Osos is located within 10 miles of the Diablo Canyon plant; therefore, the Los Osos Community has a compelling interest in its future. We, as a Council, are concerned that the proposed projects at both Diablo and San Onofre fail to analyze the additional years of life that the replacement steam generators will provide, and that the steam generator replacement projects likely will affect the license renewal at both facilities. Under the California Environmental Quality Act (CEQA), an applicant is required to review all components of a project at the earliest possible time. The draft EIRs for both projects do not appear to be consistent with CEQA. LOCAC requests that the license renewal issue be discussed within the same EIR as the Steam Generator Replacement Project.

CC3-1

Thank you for the opportunity to comment.

Sincerely,



Carole Maurer, Los Osos Community Advisory Council, Chairperson

CC: Shirley Bianchi, San Luis Obispo County Board of Supervisors
James Caruso, San Luis Obispo County Planning Department
LOCAC Board Members

Responses to Comment Set CC3

Los Osos Community Advisory Council

- CC3-1 Please refer to Master Responses MR-1 (Baseline) and MR-2 (License Renewal). The environmental setting includes ongoing operation of SONGS and the existence of the NRC licenses that allow operation until 2022 (Draft EIR Section D.1.2.1). CEQA does not require an evaluation of a potential renewal of the SONGS 2 & 3 operating licenses because relicensing is not a reasonably foreseeable consequence of the Proposed Project. Section D.1.2.2 of the Draft EIR acknowledges that the Proposed Project could provide an incentive for SCE to apply to extend the licenses, but SCE has stated that it currently has no plans to apply to the NRC for renewal of the operating licenses. Attempting to complete an environmental review of a potential licensing project that has not been determined to be feasible and that would not be completed within the next 15 to 20 years would require an extensive amount of “forecasting,” which is not required by CEQA. However, to provide full disclosure, Section G in the Final EIR has been expanded to include a general analysis of plant-specific issues that SCE may be required to address in the future if it were to apply for license renewal. Please also see Response E-6 above.