

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA**

Joint Application of Southern California Edison  
Company (U338E) and San Diego Gas & Electric  
Company (U902E) to Find the 2014 SONGS Units 2 and  
3 Decommissioning Cost Estimate Reasonable and  
Address Other Related Decommissioning Issues

Application 14-12-007  
(Filed December 10, 2014)

**DONNA GILMORE'S RESPONSE TO JOINT APPLICATION OF  
SCE & SDG&E Re: 2014 SONGS UNITS 2 and 3 DECOMMISSIONING  
COST ESTIMATES AND OTHER RELATED DECOMMISSIONING ISSUES**

January 9, 2015

Donna Gilmore  
205 La Salle  
San Clemente, CA 92672  
(949) 204-7794  
dgilmore@cox.net  
*SDG&E Customer*

Jean Merrigan  
P.O. Box 2615  
Martinez, CA 94553  
(925) 957-6070  
jnmwem@gmail.com  
*Advocate*

**DONNA GILMORE'S RESPONSE TO JOINT APPLICATION OF  
SCE & SDG&E Re: 2014 SONGS UNITS 2 and 3 DECOMMISSIONING  
COST ESTIMATES AND OTHER RELATED DECOMMISSIONING ISSUES**

DONNA GILMORE, a customer of SDG&E, responds to the Joint Application of Southern California Edison Company (U338E) and San Diego Gas & Electric Company (U902E) to Find the 2014 SONGS Units 2 and 3 Decommissioning Cost Estimate Reasonable and Address Other Related Decommissioning Issues, as follows:

There is insufficient information to find the decommissioning plan and cost estimates reasonable. There are material issues of fact which need to be addressed before releasing decommissioning funds or allowing Advice Letters for this process.

**THE NRC'S CONTINUED STORAGE DECISION IS A GAME-CHANGER:  
CONTINUED SHORT AND LONG TERM ON-SITE STORAGE NEEDS TO BE ADDRESSED**

The Post-Shutdown Decommissioning Activities Report (PSDAR), the Site Specific Decommissioning Cost Estimate (DCE), and the Irradiated Fuel Management Plan (IFMP) do not consider the cost and other impacts of the NRC's August 26, 2014 Final Rule on Continued Spent Fuel Storage ("NRC Continued Storage Decision")<sup>1</sup>, regarding potential indefinite continued storage of spent fuel at nuclear power plants around the country, including San Onofre.

The NRC Continued Storage Decision recognized there may not be a geological repository or consolidated interim storage site(s) for the foreseeable future. Southern California Edison (SCE) ignores this fact in their PSDAR, DCE and IFMP. Instead, they assume the Department of Energy will start picking up spent fuel from San Onofre in 2024. The NRC itself recognizes that this is unlikely to happen. SCE's current plans provide no contingency for the likelihood that nuclear waste will remain onsite long past 2024. The requirements have changed. Cost effective planning for use of the Decommissioning Trust Fund must recognize these new requirements, and plan accordingly.

---

<sup>1</sup> NRC Approves Final Rule on Spent Fuel Storage and Ends Suspension of Final Licensing Actions for Nuclear Plants and Renewals, August 26, 2014 <http://pbadupws.nrc.gov/docs/ML1423/ML14238A326.pdf>

**Contingency funding and planning should be included by SCE to address the storage periods defined in the NRC Continued Storage Decision:** short-term (60 years), long-term (160+ years) and indefinite storage at San Onofre. This includes aging management, such as inspection, maintenance, replacement or repair of failed spent fuel storage canisters or other storage systems, and radiation and early warning monitoring for aging dry storage systems.

**The spent fuel pool and transfer pool systems should remain** until another method is in place for reloading spent fuel assemblies into another canister/cask. No “hot cells” [dry spent fuel transfer facilities] exist that are large enough for reloading spent fuel into another canister/cask. Detailed cost estimates and plans for inspection, maintenance and replacement of canisters/casks need to be included in the decommissioning and waste management plans.

**The railroad tracks and related systems should not be removed** so that the fuel can eventually be transported without incurring additional costs for rebuilding these systems.

**Provision for and costs for long term radiation monitoring need to be included,** preferably a system with on-line access by the public. The current system requires only quarterly radiation monitoring by an employee with a “monitor on a stick”. This is no longer acceptable given the new long term storage requirements.

**The NRC has not completed their analysis of the impacts of the NRC Continued Storage Decision on current NRC regulations and guidance.** Revised regulations and guidance from the NRC should be completed prior to a CPUC decision on Edison’s PSDAR, DCE and IFMP. The NRC still needs to fully comprehend the long-term performance of dry storage systems under multiple hazards (e.g. earthquakes, tornados, tsunamis, and marine and other corrosive environments combined with aging effects) before relying on these systems for extended storage. The cost of the longer term storage needs to be addressed in decommissioning plans, including but not limited to the following NRC NUREG’s:

- NUREG-1536, “Standard Review Plan for Spent Fuel Dry Storage Systems at a General License Facility,” Final Rev. 1, July 2010  
<http://pbadupws.nrc.gov/docs/ML1010/ML101040620.pdf>
- NUREG-1567, “Standard Review Plan for Spent Fuel Dry Storage Facilities,” Final Report, March 2000 <http://pbadupws.nrc.gov/docs/ML0036/ML003686776.pdf>

- NUREG-1927, “Standard Review Plan for Renewal of Spent Fuel Dry Cask Storage System Licensees and Certificates of Compliance”, Final Report, March 2011  
<http://pbadupws.nrc.gov/docs/ML1110/ML111020115.pdf>
- NUREG/CR-6407, “Classification of Transportation Packaging and Dry Spent Fuel Storage System Components According to Importance to Safety, February 1996  
<http://www.nrc.gov/reading-rm/doc-collections/nuregs/contract/cr6407/>

**The decommission trust funds were collected to fund only decommissioning of the San Onofre facility** and not to fund short and long term storage of spent nuclear fuel. With the recent NRC Continued Storage Decision, this issue needs to be addressed by the NRC, CPUC and SCE. Where will the funds come from, if current funds are depleted given the current SCE plan?

**Priority spending of funds should be for dry cask storage systems designed for long term storage.** The NRC has not completed their analysis on this issue. No funds should be approved for destruction of the facility or to fund dry cask systems until this issue is adequately resolved.

Due to the new requirement of continued on-site storage, there are many uncertainties as to the viability of storage and transporting of fuel after short and long term dry storage that need to be addressed, especially for high burnup fuel (>45 GWd/MTU). These issues should be addressed before approving any decommissioning plan or funds. For example:

**1. Lack of inspection for cracks and corrosion.**

- In January 2014, a Diablo Canyon thin (1/2”) Holtec canister (located at the Pacific Coast) was found to have conditions for stress corrosion cracking after only two years of use.<sup>2</sup> The NRC thought conditions for cracking would not occur for at least 30 years.<sup>3</sup> They were wrong.
- No one knows if this or any other U.S. thin canisters have cracks or how deep the cracks are, since there is no technology to inspect for corrosion and cracks. All California dry storage facilities use thin steel canisters: 1/2” thick Holtec canisters at

---

<sup>2</sup> Diablo Canyon: conditions for stress corrosion cracking in 2 years, October 23, 2014  
<https://sanonofresafety.files.wordpress.com/2011/11/diablocanyonscc-2014-10-23.pdf>

<sup>3</sup>

Humboldt Bay and Diablo Canyon, and 1/2" to 5/8" thick Areva NUHOMS canisters at Rancho Seco and San Onofre.

- c. We learned what lack of inspection and maintenance of metal pipes did in San Bruno, where people were killed and there was major property damage. The CPUC has a responsibility to make sure that even worse consequences do not happen in California. If you don't, who will? The NRC is not planning to deal with long term storage and transport requirements until sometime in 2015 and they only plan to consider thin canister designs unless SCE or another utility requests a longer lasting proven thick cask design.

## 2. **Better dry storage system needed**

- a. The NRC only certifies canisters for high burnup fuel for 20 years. This may or may not be renewed and the NRC will not certify that these canisters will last even short-term (60 years). Where is the funding for replacement canisters?
- b. Is it acceptable to procure canisters designed for short-term use, that cannot be inspected or repaired when the CPUC has the option of insisting on a dry cask system designed to last longer term and that can be inspected, repaired, maintained and has an early warning remote monitoring system?<sup>4</sup>
- c. There are proven cask systems used and certified internationally, such as the up to 20" thick German ductile cast iron cask systems,<sup>5</sup> that can be certified by the NRC.
- d. NRC's Mark Lombard, NRC Director of Spent Fuel Management Division, stated the certification process is 18 to 30 months. However, no vendor will take the time or expense to apply for certification unless they have a customer, such as SCE. And, unfortunately, the NRC does not proactively certify better dry casks systems.
- e. The spent fuel needs to cool in the pools for years, so there is sufficient time to certify and procure a better dry storage system.

---

<sup>4</sup> Reasons to buy thick nuclear waste dry storage casks and myths about nuclear waste storage, December 8, 2014 <https://sanonofresafety.files.wordpress.com/2014/10/reasonstobuythickcasks2014-12-08a.pdf>

<sup>5</sup> Experience with Ductile Cast Iron Fuel Casks, Wolfgang Steinwarz, Executive Vice President, Siempelkamp <http://youtu.be/mGJfve6ecIU>

- f. At the Fukushima nuclear plant in Japan, the dry casks were not damaged. However, these are thick forged steel casks that are very different from the thin canisters SCE plans to procure.<sup>6</sup>
- g. The thick cask systems are housed in concrete reinforced buildings which provide additional environmental protection and remote monitoring.
- h. SCE has chosen to reject these proven thick dry cask systems, even though they would eliminate the major technical problems of the thin canister designs, such as Holtec's UMAX system.
- i. The German thick cask designs have American Society of Mechanical Engineers (ASME) cask certification for storage and transport. The Holtec UMAX canisters do not, and even require NRC exemptions from some of the ASME standards. ASME canister/cask certification ensures independent inspectors rather than vendors performing their own quality control inspections.

**3. No inspection or repair capability for thin canisters**

- a. There is currently no technology in place to inspect for corrosion or cracks in the current Areva thin steel canisters or the proposed Holtec thin steel canisters.
- b. There is no technology to repair thin canisters filled with spent nuclear fuel assemblies. Dr. Krishna Singh, CEO and President of Holtec clarified this at the October 14, 2014 Southern California Edison's Community Engagement Panel meeting held in San Juan Capistrano.<sup>7</sup> He stated "...It is not practical to repair a canister if it were damaged... if that canister were to develop a leak, let's be realistic; you have to find it, that crack, where it might be, and then find the means to repair it. You will have, in the face of millions of curies of radioactivity coming out of canister; we think it's not a path forward. ...A canister that develops a microscopic crack (all it takes is a microscopic crack to get the release), to precisely locate it. ...And then if you try to repair it (remotely by welding)...the problem with that is you create a rough surface which becomes a new creation site for corrosion

---

<sup>6</sup> Integrity Inspection of Dry Storage Casks and Spent Fuels at Fukushima Daiichi Nuclear Power Station, November 16, 2010, Yumiko Kumano, Tokyo Electric Power Company  
[http://www.nirs.org/reactorwatch/accidents/6-1\\_powerpoint.pdf](http://www.nirs.org/reactorwatch/accidents/6-1_powerpoint.pdf)

<sup>7</sup> Dr. Singh October 14, 2014 CEP statements regarding repair technology <http://youtu.be/euaFZt0YPi4>

down the road. ASME Sec 3. Class 1 has some very significant requirements for making repairs of Class 1 structures like the canisters, so I, as a pragmatic technical solution, I don't advocate repairing the canister."

4. **NUREG-1927 aging management needed:** The NRC plans to revise NUREG-1927 to allow five years for vendors to develop inspection technology.<sup>8</sup> However, this will be challenging, given the limited access to thin canisters which must remain inside the vented concrete overpacks/casks. The concrete overpacks/casks are required for gamma and neutron protection, since, unlike thick ductile cast iron and thick steel casks, thin steel canisters do not provide this protection.
5. **No early warning system:** The thin canister systems do not have early warning monitoring BEFORE a radiation leak. Welded lid canisters were never designed for this and never designed to be replaced or stored long-term.
6. **No seismic rating:** There is no seismic rating for cracked canisters, yet the NRC plans to allow up to a 75% crack (proposed for NUREG-1927).<sup>9</sup> Seismic analysis is needed for this. That is not addressed in SCE's costs and plan.
7. **No replacement canisters**
  - a. The provision for and cost of replacement canisters/casks is not included SCE's plans.
  - b. Where are the costs for disposing of failed canisters?
  - c. The inflation cost of replacement canisters/casks and other systems has not been considered. For example, the average price per cask at the Prairie Island ISFSI (dry storage facility) increased by 734% in less than 25 years – from \$812,500 in 1990 to \$5.96 million in 2013.<sup>10</sup> Actual costs have also increased for other dry cask systems used in the U.S., partly due to the cost of steel. Should SCE assume that per cask costs will increase by this same percentage every 25 years? The CPUC or SCE

---

<sup>8</sup> Memo A Hsia, Summary of August 5, 2014, Public Meeting with the Nuclear Energy Institute on Chloride Induced Stress Corrosion Cracking Regulatory Issue Resolution Protocol (TAC LA0233) w/ Encl 2 (Agenda) (9 page(s), 9/9/2014) <http://pbadupws.nrc.gov/docs/ML1425/ML14258A081.pdf> related files at <http://pbadupws.nrc.gov/docs/ML1425/ML14258A087.html>

<sup>9</sup> Ibid.

<sup>10</sup> Prairie Island Tribal Perspective on Continued Storage, November 19, 2014, Ronald Johnson, Prairie Island Indian Community <http://pbadupws.nrc.gov/docs/ML1432/ML14323B022.pdf>

should survey actual costs being paid for current canister/cask systems and compare this to the initial dry storage system costs.

- d. Edison has refused to share the cost of the new UMAX dry storage system with the public. That is not acceptable and should not be allowed, since ratepayers are funding this. SCE's "spent fuel storage and management" category totals a record \$1,276,196,000 – and this for a system that cannot be inspected, maintained, repaired or adequately monitored. No one would buy a car with these limitations. Let's don't lose our common sense just because the word "nuclear" is in the equation. This is not rocket science. We should not be spending over a billion dollars for vendor promises of "future improvements" that should have been built into the design of the product.

**8. No transport casks**

- a. Where are the costs for transportation casks?
- b. The transportation cask Holtec is proposing is the Holtec MP HI-STAR 190. It has not been licensed by the NRC.

- 9. Retrievability of fuel assemblies unknown:** Will the fuel assemblies be retrievable? If not, how will this be handled and what will that cost? The Department of Energy currently requires fuel assemblies be retrievable, so they can be transferred to another container.

**10. Holtec UMAX System is unproven**

- a. The Holtec UMAX underground dry storage system proposed for San Onofre has never been used anywhere in the world. It is unproven even for short-term storage.
- b. The only other U.S. below ground system in use is an earlier version of the Holtec system used at Humboldt Bay. It has only been used since Fall 2008 and only for five canisters filled with low burnup spent fuel (<23 GWd/MTU), and cooled for 35 years before being placed in dry storage.<sup>11</sup>

---

<sup>11</sup> Humboldt Bay Power Plant Independent Spent Fuel Storage Installation (ISFSI) Inspection Report 05000133/2013008 and 07200027/2013001, NRC, May 31, 2013  
<http://pbadupws.nrc.gov/docs/ML1315/ML13151A317.pdf>

- c. We already had experimental steam generators fail. Do we need another billion dollar experiment?
- d. SCE's public fact sheet on "Continued Safe Storage of San Onofre Used Nuclear Fuel" attempts to justify the Holtec system, but excludes critical information. See "Myths about Continued Storage of San Onofre Used Nuclear Fuel" for critical details.<sup>12</sup>

#### **GOVERNMENT PERMITS – TIME FRAMES AND ISSUES NOT FULLY ADDRESSED**

SCE needs to obtain federal and state permits. Some of these may significantly impact the decommissioning plan, funds and timeline. Examples:

1. **What if the State Lands Commission (SLC) does not approve leaving the once-through cooling conduits in the ocean?** This will significantly change the costs and may trigger the need for a major environmental impact analysis. The Unit 1 conduits were approved to stay at the bottom of the ocean, but the reasons and case may not apply for the Unit 2 and 3 conduits. The SLC holds SCE liable for future potential costs for Unit 1 conduit removal, if a decision is made later that the Unit 1 conduits must be removed. Where is the cost provision for this for the Unit 2 and 3 conduits? "Paragraph 14 of the Easement Lease P.R.C. No. 3193.1 with the California State Lands Commission for the site of the offshore circulating water conduits was amended effective October 20, 2005 to no longer require the complete removal of the conduits. Under the amended agreement, SCE and SDG&E will be required to remove all vertical structures that protrude above the seafloor, and to install mammal barriers over each resulting opening. The remainder of the conduits located below the seafloor will remain in place. Upon termination of the Easement Lease, SCE and SDG&E will enter into a Lease Termination Agreement that will include a requirement to provide sufficient financial

---

<sup>12</sup> Myths about Continued Storage of San Onofre Used Nuclear Fuel, January 2, 2015  
<http://sanonofresafety.files.wordpress.com/2015/01/holtecsanonofrebrochure.pdf>

assurance to respond to remove all or part of the remaining conduits to the extent that they become a public safety hazard at any time in the future.”<sup>13</sup>

2. **Where are partial conduit dismantlement costs?** The Unit 1 cost for partial dismantlement of the Unit 1 conduit was \$10,157 2008 dollars, plus 340 man hours, plus 7776 cubic feet of clean waste.<sup>14</sup> Where are the cost estimates for Unit 2 and 3 for the partial dismantlement option?
3. **Edison proposes a new cooling system for the spent fuel pools.** However, there are no details (even high level details) on this system and none has been approved at the NRC. What permits will be required for this system? Is this an experimental system? SCE has submitted testimony to the CPUC on the Nuclear Decommissioning of SONGS 2 and 3, 12/10/2014.<sup>15</sup> It states:

SCE plans to install stand-alone cooling systems for the SONGS 2 and 3 spent fuel pools. The installation of these stand-alone cooling systems will transition the pools into “spent fuel pool islands” and allow SCE to de-activate their original plant cooling systems, and thereby isolate the pools from the Pacific Ocean. SCE plans to complete the Spent Fuel Pool Islanding project by mid-year 2015. The completion of this project will eliminate the need and cost to continue to operate and maintain the original plant cooling systems, and allow them to be decommissioned.

This is insufficient detail to know the impacts of this new system. It also doesn't address any contingency for reloading fuel.

4. **The California Coastal Commission must approve a permit.** Edison has chosen the Holtec UMAX below ground system. This requires a major geological change to the dry storage system installation. No details have been provided on the layout of this system. No geological study has been done for this sensitive area for this new system. The coastal cliffs are subject to erosion and slides. This is a major design change from the current above-ground Areva NUHOMS horizontal storage system. The NRC plans to

---

<sup>13</sup> SCE Testimony On SONGS 1 Decommissioning Work Completed And Remaining Work Scope, 12/21/2012 [https://www.pge.com/regulation/NuclearDecomCostTri2012/Testimony/SCE/2012/NuclearDecomCostTri2012\\_Testimony\\_SCE\\_20121221\\_257992.pdf](https://www.pge.com/regulation/NuclearDecomCostTri2012/Testimony/SCE/2012/NuclearDecomCostTri2012_Testimony_SCE_20121221_257992.pdf)

<sup>14</sup> NRC Docket Nos. 50-206, SCE Response to Request for Additional Information - Unit 1 Decommissioning Funding, SONGS, Unit 1, August 31, 2012 <http://pbadupws.nrc.gov/docs/ML1224/ML12248A273.pdf>

<sup>15</sup> SCE-01: Testimony On The Nuclear Decommissioning Of SONGS 2 & 3, December 10, 2014 [https://www.sdge.com/sites/default/files/regulatory/SCE-1\\_0.pdf](https://www.sdge.com/sites/default/files/regulatory/SCE-1_0.pdf)

review and inspect the system only AFTER it is installed, so there is no planning oversight from the NRC, according to NRC's Mark Lombard.

5. **The SCE reports mention digging is needed below 3 feet** for the decommissioning, but does not say how deep. What is the depth and what are the implications from a cost, timeline and potential government approvals that may be needed?

### **ADDITIONAL UNRESOLVED ISSUES**

These additional issues need to be addressed before releasing funds.

**Eliminate Black Box estimates:** In SCE testimony to the CPUC on the Nuclear Decommissioning of SONGS 2 and 3, 12/10/2014,<sup>16</sup> costs should be broken out in more detail. "Black box" estimates are considered poor project management.

**Unrealistic DOE assumptions:** On Page 25 of the SCE testimony it states the DOE has not committed to accept SCE's canistered spent fuel. But for purposes of this estimate, it is assumed that an SCE-funded dry storage facility will not be necessary. This is not a reasonable or conservative assumption.

Southern California Edison has not demonstrated they have an adequate plan or adequate funding based on the plans submitted (and as required under NRC regulation (10 CFR 50.54(bb)), and as needed due to the August 26, 2014 NRC continued on-site storage decision for possible indefinite on-site storage).

**Holtec UMAX issues:** According to Michele Sampson, NRC Licensing Branch Chief, the Holtec UMAX system SCE plans to procure has not been certified by the NRC and Mark Lombard, NRC Director of Spent Fuel Management Division, states it will only be certified for 20 years. What is the warranty or insurance on this system, if any? Is it adequate? What are the details of those? Are funds available to replace failed canisters? If it's determined that the canisters the NRC certifies for very short term storage are inadequate for longer term storage, where are the funds for this for the next 30, 60, 100, or 150 years?

---

<sup>16</sup> Ibid.

**Holtec HI-STAR 190 transport cask issues:** The NRC has not approved the HI-STAR 190 Off-Site Transportation Cask that would be required to transport this fuel. Funds have not been allocated for this.

**Humboldt Bay lowered decommission standards the new normal?** Is the recent NRC decision to reduce safety standards for Humboldt Bay nuclear facility an indicator of what's to come for San Onofre and other California nuclear waste storage facilities? Is that why SCE shows a cost savings by expediting fuel out of the pools and into dry casks?

At Humboldt Bay, PG&E is no longer required to notify state and local officials within 15 minutes of a radiation leak. No other time period is specified, so it's not clear they even need to notify them. Only on-site radiation monitoring and on site evacuation planning is required. Off-site emergency planning is not required. No warning sirens are required. There is no radiation monitoring of the Holtec thin canisters except occasionally a person walks around the cask system with a "monitor on a stick". This is only required once a quarter. San Onofre claims they will do this once a week. They didn't do their fire watches for 5 years, and that's when they had more staff and supervisors.

And what will plants do if they find a canister leak? There is no plan in place for that. SCE should not be allowed to destroy the spent fuel and transfer pools until another plan is in place. The NRC has already allowed the destruction of the pools at Humboldt Bay and Rancho Seco.

Off-site radiation monitoring can be shut down. It appears on-site monitoring systems can also be shut down.

See NRC Safety Evaluation Report for Humboldt, justifying the lowered safety standards and outlining the exemptions.<sup>17</sup> See final rule for Humboldt exemption from certain emergency plans.<sup>18</sup>

---

<sup>17</sup> Safety Evaluation Report by Office of Nuclear Security and Incident Response Related to Humboldt Bay Power Plant, Unit 3 Exemption Request for Portions of 10 CFR Part 50 Appendix E, and 10 CFR 50.47 DOCKET NO. 50-133, November 14, 2014 <http://pbadupws.nrc.gov/docs/ML1301/ML13016A210.pdf>

<sup>18</sup> NRC issuance of exemption from certain emergency planning requirements in response to an August 14, 2012, request from the PG&E, Federal Register Volume 79, Number 232 Docket No. 50-133; NRC-2014-0225, December 3, 2014 <http://www.gpo.gov/fdsys/pkg/FR-2014-12-03/html/2014-28423.htm>

**Funding changes for emergency planning unresolved:** California receives funding from the nuclear utilities for emergency planning. Will this now stop? What is the source of funding if some or all of this is still needed? About \$5.4 million annually is paid by taxpayers and ratepayers, under the California Emergency Services Act (Article 10, pages 67-72) for state and local emergency service preparedness in the event of a nuclear power plant accident.<sup>19</sup> \$2,047,000 annually to California state agencies (\$1,094,000 to California Emergency Management Agency (CalEMA) and \$953,000 to State Department of Public Health) and \$3,332,000 annually to local government agencies (\$1,732,000 for the Diablo Canyon site and \$1,600,000 for the San Onofre site).

**New NRC decommissioning rulemaking on the horizon:** The NRC is planning to have decommissioning rule making that will apply to all decommissioning plants. Is this an indicator of what's to come? ***California government needs to be proactive in this process.*** Where is the responsibility for this? Is it with the CPUC or another state agency?

Given the new NRC decision for indefinite on-site storage and the vulnerability of thin canisters to potential cracking within 30 years (or maybe sooner, since conditions for cracking were found on a Diablo Canyon canister less than two years old), the NRC Humboldt decision needs to be reversed. What government agency has responsibility for this? Is it the CPUC?

**Should radiation monitoring be funded from the decommissioning fund?** In California, the state only has a few outdated radiation monitors and these have no remote monitoring capability. They require volunteers to visit them occasionally and send filters to a lab in Northern California. A state Department of Health official, Roger Lupo, stated the NRC stopped funding these monitors and the function is now an unfunded state mandate that has low priority for resources. Former Chairman Allison Macfarlane said Illinois requires the nuclear facility utility companies to fund this. Should this option be pursued for California?

The few U.S. Environment Protection Agency (EPA) RADNET radiation monitors in California are not reliable and are not located within 100 miles of our nuclear plants. EPA said it is not their responsibility to find radiation from U.S. nuclear plants. Apparently, now it is no

---

<sup>19</sup> California Emergency Services Act (Article 10, pages 67-72)  
<http://www.calema.ca.gov/PlanningandPreparedness/Documents/2011%20ESA.pdf>

one's responsibility and there is no funding for it once a plant shuts down and leaves us with tons of highly radioactive waste, indefinitely.

State and local agencies currently rely on the nuclear plants to alert them of any radiation leaks. Will this no longer be the case for decommissioned plants?

### **CONCLUSION**

The CPUC needs to address the utilities' plans in light of the NRC Continued Storage Decision that waste may need to stay on-site indefinitely. The decommissioning funds and plans were originally never intended to address that eventuality, but the CPUC and SCE must do that now given the issues outlined in this document. Advice letters should not be used for these critical issues. The public must have an opportunity to provide informed input on these critical decisions.

### **MOTION FOR PARTY STATUS**

Donna Gilmore is a resident of San Clemente, California and customer of SDG&E since 1998. She is the founder of the SanOnofreSafety.org website, providing governmental and scientific information on critical issues at San Onofre and on nuclear waste storage. Due to her knowledge and concerns regarding nuclear waste storage issues, she was invited by the NRC to speak at their November 2014 Annual Nuclear Waste Management Conference.<sup>20</sup> The SanOnofreSafety.org website is used around the world by journalists, engineers, elected and other government officials and the general public for creditable sourced information on nuclear power and nuclear waste issues. Recent publications by Gilmore include: High Burnup Nuclear Fuel – Pushing the Safety Envelope, January 2014 (co-authored with nuclear physicist Dr. Marvin Resnikoff), Diablo Canyon: Conditions for Stress Corrosion Cracking in Two Years, October 23, 2014, and San Onofre Dry Cask Storage Issues, September 23, 2014. Donna Gilmore has over 30 years experience in information technology project management including the

---

<sup>20</sup> Donna Gilmore NRC November 19, 2014 nuclear waste presentation <http://youtu.be/KvAbDX0R2Eg>

Also, questions /answers between Donna Gilmore and other NRC conference presenters, identifying unresolved nuclear waste storage issues [http://youtu.be/ZpT\\_fHNnfc0](http://youtu.be/ZpT_fHNnfc0)

design and implementation of major technology systems for the State of California and the management of a large engineering data center.

By this Response, DONNA GILMORE makes a motion for party status. She requests that Jean Merrigan be listed as her representative in this proceeding and added to the Service List with the following information:

Jean Merrigan  
P.O. Box 2615  
Martinez, CA 94553  
(925) 957-6070  
[inmwem@gmail.com](mailto:inmwem@gmail.com)

And that DONNA GILMORE be added to the service list with the following information:

Donna Gilmore  
205 La Salle  
San Clemente, CA 92672  
(949) 204-7794  
[dgilmore@cox.net](mailto:dgilmore@cox.net)

Dated: January 9, 2015

Respectfully Submitted,  
*/s/ Donna Gilmore*

---

Donna Gilmore  
205 La Salle  
San Clemente, CA 92672  
(949) 204-7794  
dgilmore@cox.net

*/s/ Jean Merrigan*

---

Jean Merrigan  
P.O. Box 2615  
Martinez, CA 94553  
(925) 957-6070  
[inmwem@gmail.com](mailto:inmwem@gmail.com)

**ATTACHMENT**  
**ADDITIONAL REFERENCES**

Reasons to buy thick nuclear waste dry storage casks and myths about nuclear waste storage, December 8, 2014

<https://sanonofresafety.files.wordpress.com/2014/10/reasonstobuythickcasks2014-12-08a.pdf>

Diablo Canyon: conditions for stress corrosion cracking in 2 years, October 23, 2014

<https://sanonofresafety.files.wordpress.com/2011/11/diablocanyonscc-2014-10-23.pdf>

Dry Cask Storage issues, September 23, 2014

<https://sanonofresafety.files.wordpress.com/2011/11/drycaskstorageissues2014-09-23.pdf>

NRC Approves Final Rule on Spent Fuel Storage and Ends Suspension of Final Licensing Actions for Nuclear Plants and Renewals, August 26, 2014

<http://pbadupws.nrc.gov/docs/ML1423/ML14238A326.pdf>

ML14269A033 – San Onofre Units 2 and 3 Post-Shutdown Decommissioning Activities Report (PSDAR). (36 pages), 9/23/2014 <http://pbadupws.nrc.gov/docs/ML1426/ML14269A033.pdf>

ML14269A034 – San Onofre Nuclear Generating Station, Units 2 and 3, Site Specific Decommissioning Cost Estimate. (93 pages), 9/23/2014

<http://pbadupws.nrc.gov/docs/ML1426/ML14269A034.pdf>

ML14269A032 – San Onofre Unit 2 and 3 Irradiated Fuel Management Plan (IFMP), (12 pages), 9/23/2014 <http://pbadupws.nrc.gov/docs/ML1426/ML14269A032.pdf>

Comments submitted by Donna Gilmore to NRC Docket ID NRC-2014-0223, December 22, 2014

<https://sanonofresafety.files.wordpress.com/2011/11/docketnrc-2014-0223commentsdonnagilmore.pdf>