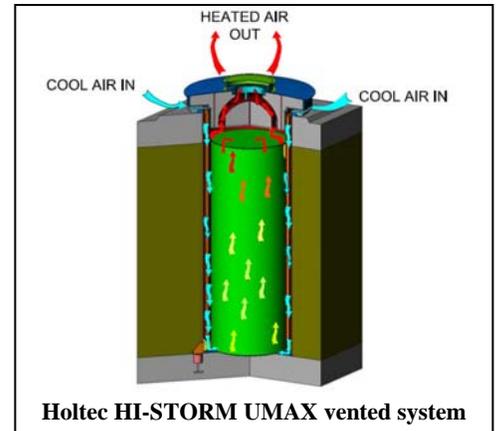


Request Coastal Commission REVOKE Nuclear Storage Permit

The California Coastal Commission granted a Coastal permit for the San Onofre Holtec nuclear waste storage facility with **“Special Conditions”** that are unlikely or impossible to meet.

Special Conditions require a storage system that can be inspected, repaired, maintained, monitored, and transported without cracks – **but only after 20 years**. The Coastal Commission recognizes the Holtec system does not currently meet these requirements, but have been convinced by Edison and others there are no other reasonable options and someday these problems will all be solved. However, there is insufficient evidence to support that and evidence to the contrary.



Reasons to revoke SoCal Edison Coastal Development Permit #9-15-0228

- **Coastal requirements for nuclear waste storage should be met now, not deferred 20 years.** The Coastal Commission may not have the jurisdiction to choose casks, but can require their special conditions be met now. Thin (1/2" to 5/8" thick) stainless steel canisters can crack, cannot be inspected, repaired, maintained or adequately monitored. Cracked canisters cannot be transported. The Coastal Commission should require a system that does not have these flaws and not accept promises of future solutions.
 - **Edison can meet Coastal requirements with thick casks.** For example, Areva sells thick (over 10" thick) metal casks to the U.S. market, and to most of the rest of the world for storage and transport. The Areva TN-32 and TN-40 are licensed by the NRC. The TN-24 used at Fukushima survived the massive earthquake and tsunami. **Spent fuel must cool in the pools for a few years, so choosing proven thick storage casks will not significantly delay removing fuel from pools.**
 - **Canisters cannot be repaired.** Holtec President says these canisters cannot be repaired.
 - **Partially cracked canisters cannot be transported.** NRC Regulation 10 CFR § 71.85.
 - **Canisters may crack.** The NRC states it takes about 16 years for a crack to go through the wall of thin stainless steel canisters and canisters are vulnerable to cracking from marine environments. A similar component at the Koeberg nuclear plant failed in 17 years with numerous cracks. A Diablo Canyon canister has all the conditions for cracking in a 2-year old canister.
 - **No funds are available to relocate this system.** Once the system is installed, there are no funds to rebuild and move it to a different site, so it is not reasonable to expect it will be relocated (even on-site). Edison's \$1.3 billion Spent Fuel Management Plan to the California Public Utilities Commission assumes nothing will go wrong and they will not need to pay to move the fuel on-site or elsewhere. Edison's plan assumes the Dept. of Energy will start picking up the fuel in 2024, which Edison admitted to the CPUC is unlikely.
 - **Vaporware is not a solution.** The Coastal Commission should not base decisions on "vaporware" – promises of solutions that do not exist with no guarantee they will exist in the future. Even State of California procurement rules do not allow procurement of "vaporware".
- **Edison plans to destroy the spent fuel pools.** Pools are the only method to replace canisters. The Commission should add a special condition to not destroy pools unless a better plan is in place.
- **Existing 51 thin canisters may have cracks.** Fuel loading into thin canisters began in 2003, so "special conditions" for aging management and related issues should be addressed now.

Act now: Email Joseph.Street@coastal.ca.gov More info & references at SanOnofreSafety.org

Southern California Edison Coastal Development Permit #9-15-0228

SUMMARY OF SPECIAL CONDITIONS

In order to address these uncertainties, and assure that the ISFSI facility remains safe from geologic hazards and avoids adverse impacts to coastal resources over the actual life of the project, the Commission adopts **Special Condition 2**, which authorizes the proposed development for a period of twenty years and **requires SCE to return for a CDP Amendment to retain, remove or relocate the ISFSI facility**, supported by: (i) an alternatives analysis, including locations within the decommissioned Units 2 and 3 area; (ii) assessment of coastal hazards and managed retreat; (iii) **information on the physical condition of the fuel storage casks and a maintenance and monitoring program**; and (iv) proposed measures to avoid/minimize visual resource impacts.

The Commission also adopts **Special Condition 7**, which requires SCE to submit, as soon as technologically feasible and no later than October 6, 2022, a **maintenance and inspection program designed to ensure that the fuel storage casks will remain in a physical condition sufficient to allow both on-site transfer and off-site transport**, for the term of the project as authorized under Special Condition 2.

The Commission also adopts **Special Condition 3**, which requires SCE to agree to not enlarge or replace the existing NIA seawall for purposes of protecting the proposed project from coastal hazards. Additionally, the Commission attaches **Special Conditions 1, 4, 5, and 6** which require evidence of the Applicant's legal ability to undertake the development as conditioned by the Commission, assumption of risk, liability for attorney's fees, and restrictions on future development.

III. SPECIAL CONDITIONS (pages 6 – 8 of Coastal Commission permit approval)

This permit is granted subject to the following special conditions:

1. **Evidence of Landowner Approval.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and approval evidence of their legal ability to undertake the development as conditioned by the Commission.
2. **Duration of Approval.** This coastal development permit authorizes the approved project for a period of twenty years from the date of approval (i.e., until October 6, 2035). No later than six months prior to the end of this authorization period, the Permittee shall apply for an amendment to this coastal development permit to retain, remove or relocate the ISFSI facility. This application shall be supported by:
 - a. An evaluation of current and future coastal hazards based on the best available information;
 - b. An analysis examining the merits and feasibility of off-site and on-site alternatives, including potential locations that are landward and/or at a higher elevation within areas made available by the decommissioning of SONGS Units 2 and 3;
 - c. A plan for managed retreat, if retention of the ISFSI facility beyond 2051 is contemplated and coastal hazards may affect the site within the timeframe of the amended project;
 - d. Evidence that the fuel storage casks will remain in a physical condition sufficient to allow off-site transport, and a description of a maintenance and inspection program designed to ensure that the casks remain transportable for the full life of the amended project.
 - e. An evaluation of the effects on visual resources of retaining the project, an analysis of available project alternatives and their implications for coastal visual resources, and proposed mitigation measures to minimize adverse impacts to coastal views.

Provided the application is received no later than six months prior to the end of the twenty-year period of development authorization, the date of development authorization shall be automatically extended until the time the Commission acts on the application. Failure to obtain an amendment to this coastal development permit by the specified deadline shall constitute a violation of the terms and conditions of this permit.

3. No Future Shoreline Protective Device(s) to Protect the Proposed Development.

A. The existing shoreline protective devices (rock revetment, concrete retaining wall, and steel sheet-pile seawall) located seaward of the North Industrial Area shall not be extended, expanded, enlarged or replaced for purposes of protecting the development approved by this coastal development permit. As used in this condition, replaced is defined to include either an alteration of 50% or more of a shoreline protective device or an alteration of less than 50% or more of a shoreline protective device wherein the alteration would result in a combined alteration of 50% or more of the structure from its condition on October 6, 2015.

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Applicant shall submit evidence of the condition of each of the shoreline protective devices adjoining the North Industrial Area.

B. No new shoreline protective device(s) shall ever be constructed to protect the development approved pursuant to Coastal Development Permit #9-15-0228, including the ISFSI facility, associated ancillary structures and any future improvements, in the event that the development is threatened with damage or destruction from erosion, landslides, waves, storm conditions, flooding, sea level rise or other natural coastal hazards in the future. By acceptance of this permit, the applicant hereby waives, on behalf of itself and all successors and assigns, any rights that may exist under Public Resources Code Section 30235 to augment, enlarge and/or replace any of the existing shoreline protective devices adjoining the NIA in order to protect the development approved by this coastal development permit.

4. Assumption of Risk, Waiver of Liability and Indemnity. By acceptance of this permit, the Permittee acknowledges and agrees:

- a. That the site may be subject to hazards from coastal erosion, storm conditions, wave uprush, and tsunami runup;
- b. To assume the risks to the Permittee and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development;
- c. To unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and,
- d. To indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

5. Restriction on Future Development. This permit is only for the development described in the project description set forth in this staff report. Pursuant to Title 14 California Code of Regulations (CCR) Section 13253(b)(6), the exemptions otherwise provided in Public Resources Code (PRC) Section 30610(b) shall not apply to the development governed by this permit. Accordingly, any future improvements to this structure shall require an amendment to this permit from Commission, including but not limited to an increase in storage capacity of spent fuel. In addition, a permit amendment shall be required for any repair or maintenance of the authorized development identified as requiring a permit in PRC Section 30610(d) and Title 14 CCR Sections 13252(a)-(b).

6. Liability for Costs and Attorneys Fees: SCE shall reimburse the Coastal Commission in full for all Coastal Commission costs and attorneys fees -- including (1) those charged by the Office of the Attorney General, and (2) any court costs and attorneys fees that the Coastal Commission may be required by a court to pay -- that the Coastal Commission incurs in connection with the defense of any action brought by a party other than SCE against the Coastal Commission, its officers, employees, agents, successors and assigns challenging the approval or issuance of this permit, the interpretation and/or enforcement of permit conditions, or any other matter related to this permit. The Coastal Commission retains complete authority to conduct and direct the defense of any such action against the Coastal Commission.

7. Inspection and Maintenance Program. [New condition added at the 10/6/2015 meeting]

A. As soon as technologically feasible, and no later than October 6, 2022, the Permittee shall provide for Commission review and approval an inspection and maintenance program designed to ensure that the fuel storage casks will remain in a physical condition sufficient to allow both on-site transfer and off-site transport, for the term of the project as authorized under Special Condition 2 (i.e., until October 6, 2035). The program shall include a description of:

(1) the cask inspection, monitoring and maintenance techniques that will be implemented, including prospective non-destructive examination techniques and remote surface inspection tools;

(2) what data will be collected and how often the results of the inspection and maintenance program will be reported to the Commission;

(3) all available evidence related to the physical condition of the casks and their susceptibility to degradation processes such as stress corrosion cracking, and

(4) remediation measures that will be implemented, including the submission of a coastal development permit amendment, if the results of the cask inspection and maintenance do not ensure that the fuel storage casks will remain in a physical condition sufficient to allow on-site transfer and off-site transport for the term of the project as authorized under Special Condition 2.

B. If the Commission determines that the inspection and maintenance program required by Subsection A is not sufficient to assure cask transportability over the term of the project authorized under Special Condition 2, the Applicant shall submit an amendment to this coastal development permit proposing measures to assure cask transportability. [bold added]

C. The Permittee shall implement the inspection and maintenance program approved by the Commission. If the Permittee wishes to propose changes to the program approved by the Commission, it shall submit the proposed changes to the Executive Director. No changes to the approved program shall occur without an amendment to this coastal development permit unless the Executive Director determines no amendment is legally required.

Ref: California Coastal Commission Adopted Findings, Application 9-15-0228, October 6, 2015

Without exhibits: https://sanonofresafety.files.wordpress.com/2015/10/9-15-0228-adopted-findings_no-exhibits.pdf

With exhibits: <https://sanonofresafety.files.wordpress.com/2015/10/9-15-0228-adopted-findings.pdf>

Addendum: <https://sanonofresafety.files.wordpress.com/2015/10/tu14a-10-2015-addendum.pdf>

Additional references and information
SanOnofreSafety.org