

DOCKETED

Docket Number:	15-IEPR-12
Project Title:	Nuclear Power Plants
TN #:	204492
Document Title:	Michael Phillips Comments to April 27th Nuclear Workshop
Description:	N/A
Filer:	Raquel Kravitz
Organization:	City of Laguna Beach
Submitter Role:	Public Agency
Submission Date:	5/4/2015 2:25:45 PM
Docketed Date:	5/4/2015



RECEIVED MAY 04 2015

April 27, 2015

Andrew McAllister, Commissioner
California Energy Commission
1516 Ninth Street, MS-34
Sacramento, CA. 95814

Subject: Docket 15-IEPR workshop scheduled for April 27, 2015 and Management of Spent Nuclear Fuel at San Onofre Nuclear Generating Station

Dear Commissioner McAllister,

The City of Laguna Beach and its citizens are concerned about potential safety risks resulting from the operation of the San Onofre Nuclear Generating Station (SONGS). In spite of current activities underway by plant operator Southern California Edison to decommission SONGS, there are still many risks associated with SONGS' operations, most notably the potential release of radioactive material from the storage of spent nuclear fuel assemblies in the plant's fuel pool, which is located in a seismically active area adjacent to the ocean and a busy interstate highway.

Additionally, the spent fuel is proposed to be transferred by 2019 to a dry storage cask system, where it could be stranded on site indefinitely because there is no federal repository available to accept permanent transfer. It is the feeling of the Laguna City Council that the situation and conditions requires an alternative to waiting for a federal repository.

I am submitting to the California Energy Commission on behalf of Laguna Beach Mayor Bob Whalen and the City Council the following attachments for inclusion to Commissioners for the Docket 15-IEPR workshop scheduled for April 27, 2015 regarding spent nuclear fuel management at San Onofre and Diablo Canyon:

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Subject: [Illegible text]

California Energy Commission
1515 Franklin Street, Suite 100
Sacramento, CA 95834

Subject: [Illegible text]

California Energy Commission

The City of Laguna Beach and its citizens are concerned about potential safety risks resulting from the operation of the San Onofre Nuclear Generating Station (SONGS) in Laguna Beach, California. The City of Laguna Beach is currently in the process of reviewing the SONGS safety assessment report and will take appropriate action to ensure the safety of the community. The City of Laguna Beach is currently in the process of reviewing the SONGS safety assessment report and will take appropriate action to ensure the safety of the community.

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- Laguna Beach City Council Resolution 14.082, stating the City's opposition to long-term storage of spent nuclear fuel at SONGS; and
- Letter from Mayor Bob Whalen to Governor Edmund G. Brown Jr., asking the State to work with California's federal representatives and agencies to facilitate a safe, interim storage site in a remote and secure location – potentially a military base – for storing SONGS's spent fuel, until a permanent, federal repository is created and accepts the spent fuel.

Laguna Beach was one of the first cities in Orange County to adopt a statement on the need to remove the spent fuel from SONGS to a safe, remote interim site as quickly as possible.

The Mayor and City officials also extend their availability to provide public testimony on this subject at future Commission meetings. Thank you for the opportunity to provide public comment on this important issue. Please contact me with any questions at (949) 497-0390.

Regards,

A handwritten signature in blue ink that reads "Michael Phillips". The signature is written in a cursive, flowing style.

Michael Phillips, Environmental Specialist
City of Laguna Beach

...and of ... Resolution 14 083, stating the City's opposition to ...
... from ... of ... and ...
... from Mayor Bob Wilson to Governor Ronald D. Reagan in ... the ...
... with California's federal representatives and agencies to ...
... in a ... and ... - ...
... (with ...), until a permanent federal repository is created and
... the ...

... was one of the first cities in Orange County to adopt a statement ...
... from ...

The Mayor and City officials also extend their ... to provide public testimony on this
subject at future Commission meetings. Thank you for the opportunity to provide public
comment on this important issue. Please contact me with any questions at (949) 437-0390.

Respectfully,

Michael Philipps, Environmental Specialist
City of Laguna Beach

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**RESOLUTION NO. 14.082
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
LAGUNA BEACH, CALIFORNIA, DECLARING THE CITY'S
POSITION ON VARIOUS ISSUES RELATING TO THE CLOSURE OF
THE SAN ONOFRE NUCLEAR GENERATING STATION**

WHEREAS, the City of Laguna Beach and its citizens have previously expressed concerns to the Nuclear Regulatory Commission and the California Public Utilities Commission over potentially hazardous conditions related to the operation of the San Onofre Nuclear Generating Station; and

WHEREAS, the City of Laguna Beach Emergency Management Plan includes nuclear accidents from the San Onofre Nuclear Generating Station as a potential safety hazard to Laguna Beach; and

WHEREAS, the City of Laguna Beach is located outside of the 10-mile radius mandated by the Nuclear Regulatory Commission for emergency evacuation planning and is not included in San Onofre Nuclear Generating Station (SONGS) nuclear release accident evacuation planning and practice drills; and

WHEREAS, in June 2013, Southern California Edison submitted notice of its decision to permanently decommission the nuclear plant; and

WHEREAS, the Nuclear Regulatory Commission is the regulatory agency for decommissioning of nuclear facilities; and

WHEREAS, operators for the nuclear plant decommissioning indicate there will eventually be 1,609 metric tons of spent nuclear fuel stored at the San Onofre site until a federal repository is available to accept the spent fuel; and

WHEREAS, Congress assigned the Department of Energy with the task of creating an underground repository for nuclear waste as a result of the Nuclear Waste Policy Act of 1982, which has yet to be completed; and

WHEREAS, notwithstanding assurances of safety for stored nuclear waste, incidents of waste leaks at nuclear facilities have occurred and reinforce concern that accidental leaks of stored, nuclear materials are possible; and

1 WHEREAS, it is critical that the Nuclear Regulatory Commission exercise its authority
2 in the decommissioning process to require Southern California Edison to provide a detailed
3 plan for monitoring, repairing, and securing the dry storage casks from potential leaks or
4 attacks; and

5 WHEREAS, the City of Laguna Beach supports Senate Bill 2326 to amend the Atomic
6 Energy Act of 1954 to provide for consultation with State and local governments, the
7 consideration of State and local concerns, and the approval of post-shutdown decommissioning
8 activities reports by the Nuclear Regulatory Commission.

9 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAGUNA**
10 **BEACH HEREBY RESOLVES** as follows:

11 **SECTION 1.** The City of Laguna Beach requests that the Department of Energy move
12 forward expeditiously with the creation of a permanent spent nuclear fuel repository as
13 assigned by the Nuclear Waste Policy of 1982.

14 **SECTION 2.** The City of Laguna Beach does not support long-term or indefinite
15 storage of spent nuclear fuel at SONGS, and formally requests that federal representatives
16 coordinate with the appropriate agencies as soon as possible to take whatever regulatory action
17 necessary to identify a safe and secure interim location in an unpopulated area to store
18 SONGS' spent nuclear fuel.

19 **SECTION 3.** If an interim storage site cannot be identified for moving the spent fuel,
20 the City of Laguna Beach requests that the Department of Energy give priority to SONGS'
21 spent nuclear fuel when a permanent spent nuclear fuel repository is completed, given its
22 proximity to densely populated areas and the ocean and the risks of earthquake, tsunamis and
23 other unforeseen events.

24 **SECTION 4.** The City of Laguna Beach strongly urges that the method of storage of
25 spent fuel rods at SONGS be the safest possible, that public safety be given priority in the
26 allocation of funds available, that the California Public Utilities Commission and the Nuclear
27 Regulatory Commission reject any expenditure for any dry cask system until the safest system
28 has been determined, and that Southern California Edison be held responsible for the safety,
security, and any damage resulting from the storage of spent nuclear fuel at SONGS for as
long as the spent fuel rods remain at San Onofre. The City of Laguna Beach further urges
that Southern California Edison be required to evaluate the method of storage periodically
and to make changes to improve the safety of the storage as technology improves.


SECTION 5. The City of Laguna Beach supports U.S. Senate Bill 2326 to amend the
Atomic Energy Act of 1954 to provide for consultation with State and local governments, the
consideration of State and local concerns, and the approval of post-shutdown decommissioning
activities reports by the Nuclear Regulatory Commission.

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SECTION 6. The City of Laguna Beach supports the State of California's 1976 legislative moratorium on new nuclear power plant development until the federal government can demonstrate the existence of an approved and safe waste disposal technology for high level nuclear waste.

SECTION 7. The City Clerk is hereby directed to forward certified copies of this resolution to the Nuclear Regulatory Commission, California Public Utilities Commission, Southern California Edison, Governor Jerry Brown, Senator Barbara Boxer, Senator Diane Feinstein, and Congressman Dana Rohrabacher accompanied by a letter from the Mayor urging them to join immediately in the effort to develop a plan to locate the spent nuclear waste at SONGS at a secure, interim site in the near term and to expedite the creation of a permanent spent nuclear fuel repository.

ADOPTED this 16th day of December, 2014.



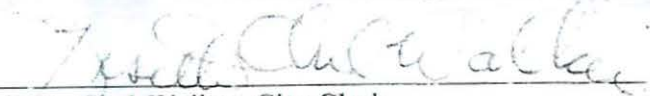
Bob Whalen, Mayor

ATTEST:


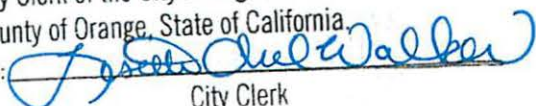
City Clerk

I, LISETTE CHEL-WALKER, City Clerk of the City of Laguna Beach, California, do hereby certify that the foregoing **Resolution No. 14.082** was duly adopted at a Regular Meeting of the City Council of said City held on December 16, 2014, by the following vote:

AYES: COUNCILMEMBER(S): Boyd, Iseman, Zur Schmiede, Dicterow, Whalen
NOES: COUNCILMEMBER(S): NONE
ABSENT: COUNCILMEMBER(S): NONE
ABSTAIN: COUNCILMEMBER(S): NONE



Lisette Chel-Walker, City Clerk
of the City of Laguna Beach

The foregoing instrument is a correct copy of the original on file in this office.
Attest December 19, 2014
City Clerk of the City of Laguna Beach,
County of Orange, State of California.
By: 

City Clerk

Attachment #2



December 18, 2014

Governor Edmund G. Brown, Jr.
Office of Governor Edmund G. Brown, Jr.
c/o State Capitol, Suite 1173
Sacramento, California 95814

Re: *San Onofre Nuclear Generating Station*

Dear Governor Brown:

On December 16, 2014, the City Council of the City of Laguna Beach unanimously adopted the enclosed resolution stating our opposition to the storage of spent nuclear fuel at the San Onofre Nuclear Power Plant (SONGS) and urging that the federal government take whatever regulatory action is necessary to identify a safe and secure interim location to store the spent nuclear fuel.

The City believes that the storage of spent nuclear fuel at SONGS presents unacceptable and unnecessary public health risks to millions of residents in Southern California. For more than 20 years the federal government has failed in its task to identify a permanent repository for spent nuclear fuel. With the risk of earthquake, tsunami, and potential acts of terrorism, storing nuclear waste at SONGS is irresponsible.

We ask for your help in convincing the Department of Energy and the Department of Defense to identify and approve an interim storage location in an unpopulated area for the SONGS nuclear waste.

Thank you for your attention to this urgent matter, and please contact me at 949-725-4166 if we can assist in the effort to achieve an interim storage location.

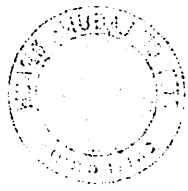
Very truly yours,

A handwritten signature in blue ink, appearing to read "Bob Whalen".

Bob Whalen
Mayor, City of Laguna Beach

Attachment – Resolution #14.082

cc: City Council
City Manager



December 16, 2014

Mr. Robert L. Brown, Jr.
Secretary, California State Board of Nuclear Power Plant (SONBPP) and arguing that the federal government take whatever regulatory action is necessary to identify a safe and secure interim location to store the spent nuclear fuel.

Re: San Onofre Nuclear Generating Station

Dear Governor Brown:

On December 16, 2014, the City Council of the City of Laguna Beach unanimously adopted the enclosed resolution stating our opposition to the storage of spent nuclear fuel at the San Onofre Nuclear Power Plant (SONBPP) and arguing that the federal government take whatever regulatory action is necessary to identify a safe and secure interim location to store the spent nuclear fuel.

The City believes that the storage of spent nuclear fuel at SONBPP presents unacceptable and unnecessary public health risks to millions of residents in Southern California. For more than 20 years the federal government has failed in its task to identify a permanent repository for spent nuclear fuel. With the risk of earthquake, terrorist, and potential acts of terrorism, storing nuclear waste at SONBPP is unacceptable.

We ask for your help in convincing the Department of Energy and the Department of Defense to identify and approve an interim storage location in an unpopulated area for the SONBPP nuclear waste.

Very truly yours,

Rob Watson
Mayor, City of Laguna Beach

Annexion - Resolution #1402

City Manager
City Council