

DOCKETED

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Close Diablo Canyon Nuclear Power Plant in 2025!

Additional submitted attachment is included below.

To: California Energy Commission and Staff

From: Alex S. Karlin
Retired U.S. Nuclear Regulatory Commission Administrative Judge
Charter Member of Diablo Canyon Decommissioning Engagement Panel
Resident of San Luis Obispo

Date: August 16, 2022

Subject: Close Diablo Canyon in 2025. No "Temporary" Extension Needed

The proposal by Governor Newsom and/or PG&E to keep the Diablo Canyon Nuclear Power Plant open past 2025 should be condemned and rejected.

I participated in the August 12, 2022 CEC workshop on this issue. I commend Senator Laird for his leadership during that zoom meeting and of for his thoughtful synopsis and discussion of many of the troubling issues raised by this proposal. I condemn CEC's presentations during the meeting for CEC's misguided attempt to support Governor Newsom by half-hearted statistics indicating that, maybe, if a worst case scenario develops (100 year temperature event), California might find the electrical power from Diablo of value for a while.

The CEC should use its resources and leadership, not to parrot the Governor's agenda, but to stop this utterly misguided last-ditch effort to sneak this proposal through the legislature.

I am a national expert on federal nuclear and environmental law and I am one of your constituents. I am a retired US Nuclear Regulatory Commission Judge who presided over many nuclear power plant adjudications (including the challenge to PG&E's 2009 request to renew Diablo Canyon's NRC license until 2045). I have been an environmental lawyer for 50 years and I am a national expert in the field of nuclear regulatory law. I am a life-long Democrat and I live in the City of San Luis Obispo. I was a charter member of the Diablo Canyon Decommissioning Engagement Panel.

I strongly oppose Governor Newsom's bill to try to keep Diablo Canyon nuclear power plant open past 2025, its NRC mandated closure date.

The LA Times Business Columnist Michael Hiltzik wrote an excellent article against Newsom's last minute bill. I hope you will read it.

<https://www.latimes.com/business/story/2022-08-16/diablo-canyon-nuclear-plant-should-be-shut-down>

The California Energy Commission should realize that:

1. California does not face an energy emergency and Diablo's power is set to be replaced entirely by renewables,
2. Newsom's proposal would exempt Diablo from CEQA,
3. Newsom's proposal would exempt Diablo from California's uniform requirement for cooling towers,

4. Newsom's proposal would exempt Diablo from virtually all of California's state and local environmental requirements,
5. Newsom's proposal would give PG&E \$1.4 Billion in State taxpayer money,
6. Newsom's proposal would allow PG&E to renege on the 2016 agreement with no liability or responsibility for the \$350 million in ratepayer money that PG&E gave out (as "retention bonuses") to PG&E employees, or any of the other 100s of million dollars that have been spent preparing for the decommissioning in 2025,
7. Global warming was well known in 2016 and is not a surprise (despite the fact that two MIT and Stanford pro-nuclear scientists only recently seemed to discover it) and there is nothing new that has happened that would justify an 180 degree change in the PG&E/California Agreement to close Diablo,
8. Newsom's effort to keep Diablo Canyon open depends on DOE giving PG&E Billions of dollars,
9. Newsom's effort to keep Diablo Canyon open depends on USNRC exempting PG&E from important Federal environmental and Atomic Energy Act licensing laws,
10. The suggestion that the extension of Diablo would only be "temporary" is bogus. NRC renewal (if it comes at all) will be for 20 years or nothing, and
11. Because of the upcoming closure (2025) PG&E has postponed various safety repairs and upgrades. Even the DCISC has registered serious SAFETY concerns if PG&E attempts to reverse course and try to keep this old nuclear power plant, located on several significant earthquake faults, open past 2025.

The California Energy Commission should vote and speak out against the extension of PG&E's relicensing of Diablo Canyon. Newsom's proposal jeopardizes crucial safety and environmental protections, reneges on PG&E's 2016 agreement, and grants PG&E a \$1.4 billion windfall at taxpayer expense.

Respectfully submitted,

Alex S. Karlin
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Resident of the City of San Luis Obispo, California