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**Community Engagement  
Panel Public Meeting  
Transcript of Proceedings**

**Date: 03/24/2016**

**Job #: 599728**

Court Reporting – Videoconferencing – Trial Presentation – Nationwide Networking

**Hermosa Beach - Irvine - Riverside - San Diego - Las Vegas**

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SAN ONOFRE DECOMMISSIONING  
COMMUNITY ENGAGEMENT PANEL MEETING  
STATE OF CALIFORNIA, COUNTY OF ORANGE

TRANSCRIPT OF PROCEEDINGS  
OCEANSIDE, CALIFORNIA  
THURSDAY, MARCH 24, 2016

Reported by:  
CARLOS R. HICHO  
CSR No. 13111  
Job No. 599728

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SAN ONOFRE DECOMMISSIONING  
COMMUNITY ENGAGEMENT PANEL MEETING  
STATE OF CALIFORNIA, COUNTY OF ORANGE

Transcript of proceedings, taken at  
1938 Avenida Del Oro, Oceanside, California  
92056, commencing at the hour of 6:03 P.M.,  
THURSDAY, MARCH 24, 2016, before  
CARLOS R. HICHO, CSR No. 13111.

1 COMMUNITY ENGAGEMENT PANEL MEMBERS PRESENT:

2 DR. DAVID G. VICTOR  
3 CEP CHAIRMAN  
4 UNIVERSITY OF CALIFORNIA, SAN DIEGO

5 TIM BROWN  
6 CEP VICE CHAIRMAN  
7 SAN CLEMENTE MAYOR

8 DAN STETSON  
9 CEP SECRETARY  
10 OCEAN INSTITUTE

11 TOM PALMISANO  
12 VICE PRESIDENT, DECOMMISSION  
13 AND CHIEF NUCLEAR OFFICER AT SONGS

14 TED QUINN  
15 AMERICAN NUCLEAR SOCIETY  
16 SAN DIEGO CHAPTER

17 JEROME M. "JERRY" KERN  
18 OCEANSIDE CITI COUNCILMEMBER

19 DR. WILLIAM PARKER  
20 UNIVERSITY OF CALIFORNIA, IRVINE

21 GLENN PASCALL  
22 SIERRA CLUB

23 CARLOS OLVERA  
24 MAYOR DANA POINT

25 TOM CAUGHLAN  
CAMP PENDLETON

GARRY BROWN  
ORANGE COUNTY COASTKEEPER

21  
22  
23 (Continued.)

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COMMUNITY ENGAGEMENT PANEL MEMBERS PRESENT :

VAL MACEDO  
LOCAL 89 SAN DIEGO

RICH HAYDON  
CALIFORNIA STATE PARKS

GUESTS PRESENT :

LINDA ANABTAWI  
SENIOR ATTORNEY  
SCE LICENSING & ENVIRONMENTAL LAW

CY R. OGGINS  
CHIEF  
STATE LANDS COMMISSION  
ENVIRONMENTAL PLANNING & MANAGEMENT

1 THURSDAY, MARCH 24, 2016

2 OCEANSIDE, CALIFORNIA

3 6:03 P.M.

4 \* \* \*

5 CHAIRMAN DR. VICTOR: Well, welcome this  
6 evening. I want to thank again the people of Oceanside  
7 for welcoming us back. And, I guess, we're not too  
8 rowdy a crowd and so we continue to be welcomed back in  
9 Oceanside and we'll continue to move the meetings  
10 around to other cities in the -- in the area affected  
11 by the plant.

12 My name is David Victor. I'm chairman of the  
13 Community Engagement Panel. And tonight we're going to  
14 be focusing on the environmental issues, in particular,  
15 along with a number of other important updates.

16 A reminder of safety, there are two exits from  
17 this room, one is the door that you came in, the other  
18 exit, to my surprise, is through this magic curtain.  
19 You go past the Wizard of Oz and then there's an exit  
20 out the back there.

21 We have two officers from the Oceanside Police  
22 Department in attendance tonight. I want to thank them  
23 for their service. They're here for your safety.

24 I want to remind everybody that this is --  
25 this panel was set up by Edison, a group of volunteers,

1 18 volunteers; our purpose is to create a two-way  
2 conduit between the co-owners of the plant, as they're  
3 engaging in the decommissioning process, and the  
4 various communities affected by this, so that the  
5 communities can learn more about what's going on in the  
6 decommissioning process and so that the co-owners can  
7 learn more about what people care about.

8           So this is an engagement and informational  
9 group that has done already quite a lot to help focus  
10 this process, but we are not a formal decision-making  
11 body.

12           www.SONGScommunity.com is your favorite  
13 website and you can go there to get livestreaming of  
14 this event plus copies of previous meetings. All  
15 meeting materials and the agenda are posted there.

16           You can also sign up for Email Blasts, which  
17 was sent out on 20th of January and on the 11th of  
18 March, too, and you can opt in so that you can get  
19 notices of future meetings. You can also do that, I  
20 believe, at the table in the back of the room here.

21           There are hard copies of the agendas on all  
22 the chairs as well as copies of hard-to-read --  
23 hard-to-read PowerPoint slides. We have a competition  
24 underway, to you have the hardest-to-read PowerPoint  
25 slide, and the winners of that competition are on your

1 chair.

2           You can also go to the website to sign up for  
3 tours of the site. The upcoming tours are on  
4 April 23rd, from 9:00 to 11:00 a.m., and May 14th, from  
5 9:00 to 11:00 a.m., those are both Saturdays.

6           I want to acknowledge two guests -- guests in  
7 the room today: Cy Oggins, who is Chief Environmental  
8 Planning and Management from the California State Lands  
9 Commission, who will give us a presentation later on  
10 the California State Lands Commission process.

11           And so, Cy, welcome you here.

12           And, Marlayna Vaaler, from the Nuclear  
13 Regulatory Commission, who is right there, who's  
14 waving. She is here as an observer, but you can find  
15 her during the break and after the meeting if you have  
16 any questions that relate to the Nuclear Regulatory  
17 Commission; she can either answer them or help you find  
18 places to get them answered.

19           There are two booths back there. So, during  
20 the break you can go get more information on various  
21 processes and we will continue to do that at these  
22 meetings. I think that's been a terrific part of the  
23 meetings, to give people a chance to get additional  
24 information.

25           The public comment period at near the end of

1 our meeting, which will be at 7:55 tonight, public  
2 comment period, if you want to make a comment, please  
3 sign up at the registration table, which you can do  
4 during the break.

5 As before, Tim Brown, Vice-Chairman, and Dan  
6 Stetson, Secretary of the Community Engagement Panel,  
7 will keep track of all the comments and identify some  
8 major comments for responses near the end of the  
9 meeting and we will also put out a list of topics that  
10 came up and questions and answers and -- and so on.

11 If you do not want to make a public comment  
12 but you do want us to know about it, you can send an  
13 email to this address here, at nucomm@SONGS.sce.com and  
14 those comments will become part of the official record  
15 of the meeting and will also be flagged in the -- in  
16 the materials that Dan Stetson puts together that get  
17 answers as a result of the Community Engagement Panel  
18 process.

19 Please do make sure that you send those  
20 comments within five business days at the end of this  
21 meeting so that we can develop the public record in a  
22 timely and efficient manner.

23 A couple of more items before we get started,  
24 which is, we have our own version of Daylight Savings  
25 Time here at the Community Engagement Panel, so,

1 starting with the next meeting, the next meeting will  
2 be June 16th and we'll focus on Consolidated Interim  
3 Storage, and you see a list here in front of you, up on  
4 the screens, of the major topics and dates for future  
5 meetings.

6 We may have to have a discussion about whether  
7 getting everybody together the third week in August is  
8 a good idea, but we'll talk about that off-line and be  
9 back in touch on that topic. Those meetings will begin  
10 at 5:30 and run to 8:30, so that's kind of our version  
11 of Daylight Savings Time.

12 And then, Panel Members, when you ask  
13 questions during the meeting today, please state your  
14 name for those watching on the Livestream and so we get  
15 a good record. Along the way, I'll call out various  
16 items. Dan -- Dan and Tim will call out various items  
17 to make sure that they're captured for the public  
18 record.

19 So those are the main items I wanted to --  
20 informational items before we begin. As it's our  
21 custom, we're going to begin with an update on the  
22 decommissioning process from Tom Palmisano, who is  
23 Vice President and Chief Nuclear Officer for Edison.

24 And, Tom, the floor is yours.

25 MR. PALMISANO: Thank you, David.

1 (Background noise.)

2 Let me get the mic repositioned.

3 Well, good evening, everybody. Thank you to  
4 the panel members for coming out tonight. It's an  
5 important topic. And thank you to the members of the  
6 public. It's important that we talk regularly about  
7 decommissioning, what is planned, and what is going on,  
8 and we appreciate the opportunity to talk.

9 So can I have the next slide, please?

10 So our decommission principles that we  
11 established a couple of years ago as we entered the  
12 decommissioning process are important to continually  
13 reinforce with ourselves, with the panel, and with the  
14 public: Safety, Stewardship, and Engagement.

15 And Steward -- and Engagement, in particular,  
16 that's what tonight is really about. As David said  
17 when he opened the meeting, this is meant to be a  
18 two-way conduit to allow the panel and the public to  
19 understand what's going on, question what's going on,  
20 provide input to it. So this is part of our engagement  
21 principle. So we appreciate your attendance.

22 What I'll do is try to give a fairly short  
23 overview. The main topic tonight is, really, starting  
24 to talk about the California Environmental Quality Act  
25 and the associated permitting process. We've touched

1 on this just lightly in the last couple of years  
2 because most of the last two years the focus has been  
3 on the Nuclear Regulatory Commission requirements, now  
4 we're moving past that into the California specific  
5 requirements as we prepare for decommissioning.

6 Next slide, please.

7 So this is our 20-year plan. This, I think,  
8 is one of the winners in the eye-test chart, so that  
9 there is a larger copy on your chair. I won't try to  
10 ask you to read a lot on -- on the screen. What I have  
11 done is highlighted in green what is completed, that  
12 will help us talk quarter to quarter in terms of what's  
13 been completed.

14 In yellow is generally what are the most  
15 critical activities to completing the decommissioning  
16 in 20 years. Remember, over the last couple of years,  
17 we've talked about a 20-year plan to decommission the  
18 plant, to terminate the NRC license to where it is  
19 reduced to just the spent fuel storage facility, which  
20 will remain for a period of time until DOE removes fuel  
21 from the site, currently expected to be 2049, and then  
22 we would remove that facility by 2052.

23 So, what's in yellow, in the center of the  
24 page is ISFSI, the Independent Spent Fuel Storage  
25 Installation. We have the permits. We -- I'm going to

1 give you a milestone in a minute where we're going to  
2 start construction, but that would take about the next  
3 year to year and a half to build the new facility and  
4 then start off-loading the pools.

5 Down, on the bottom of the chart, you see  
6 CEQA, the California Environmental Quality Act  
7 permitting, that's really going to be the subject of  
8 tonight's discussion, that, really, now is needed  
9 before we actually start any dismantlement activities  
10 as part of decommissioning.

11 And then DGC is the Decommissioning General  
12 Contractor. We've gone out for a bid. We're in the  
13 evaluation stage of selecting the contractor who would  
14 ultimately be responsible to the owners to do this  
15 work. That's the big picture on the 20-year plan.

16 Next slide, please.

17 So the NRC, typically I've talked about NRC  
18 submittals; most of those are coming to an end, so I'm  
19 going to start talking a little more broadly about the  
20 NRC.

21 Next slide.

22 So this is a typical chart on the submittals.  
23 Everything that's shaded in gray is now complete and  
24 approved. We're down to some insurance and records  
25 exemptions. The requirements are really built for

1 operating plants, so these are exemptions to configure  
2 the requirements for decommissioning plants.

3 And you can see the dates. I expect those to  
4 be approved by the NRC. They're under review now.

5 Next slide.

6 NRC Inspections: This is something we have  
7 not talked about a lot that we'll talk about every  
8 quarter. You know, the NRC, out of Region 4, is the  
9 inspection arm and they come in regularly.

10 They have an inspection protocol for  
11 decommissioning plants, so they continue to conduct  
12 regular, intrusive inspections to ensure that all our  
13 activities comply with our license and with the other  
14 requirements the NRC has.

15 Particularly, they look at any changes we're  
16 making to the plant. They look at the controls we have  
17 in place to make sure we control activities. As we,  
18 someday, start decommissioning, they'll -- they'll  
19 actually look at the physical work, they'll look at  
20 effluent environmental monitoring and protection of  
21 radioactive material.

22 The NRC has looked at this regularly through  
23 plant operation, so this is not new to them or us, but  
24 these are modules really tailed for -- tailored for  
25 decommissioning environment.

1           Next slide.

2           And the last thing I want to call your  
3 attention is, the NRC has started some early work on  
4 potential rule-making for decommissioning. The NRC  
5 commissioned, about a year ago, and chartered the NRC  
6 staff with proposing some rule-making for  
7 decommissioning to clarify the rules.

8           They issued an advanced notice of public  
9 rule-making and they took public comments to that and  
10 that period closed on March 18th. This is about a  
11 five-year process, so it's expected somewhere about  
12 2019. And as final rules are proposed and published,  
13 there will be additional opportunities for comments.

14           So I know a number of people in the audience  
15 and on the panel are aware of this and had  
16 opportunities to comment. I just want to make sure we  
17 keep that in front of ourselves.

18           Next slide, please.

19           So Site Activities Update: A little more  
20 detail in terms of what is actively going on on site  
21 currently.

22           Next slide.

23           So we're preparing for decommissioning. We've  
24 talked over the last year about Cold and Dark; this is  
25 really de-energizing unused plant systems, isolating

1 systems that are no longer required with the reactors  
2 de-fueled and permanently out of service. Probably, 90  
3 percent of the equipment out there is no longer in  
4 service.

5 So it is systematically de-energizing that  
6 equipment, draining that equipment, and preparing for  
7 decommissioning.

8 Removing the Remaining Hazards From the Plant:

9 That is basically done with respect to acids  
10 and caustics and oils, things that an operating plant  
11 needed we have no need for, so all that has been  
12 shipped off site and disposed of.

13 Placing the Plant in a Safe Condition for the  
14 Non-Operating Configuration: That really means turning  
15 off the power for unneeded equipment.

16 And, then, Preparing the Plant for Eventual  
17 Safe Decommissioning While Protecting Used Nuclear  
18 Fuel: So we have spent fuel or used nuclear fuel  
19 stored in two fuel pools and a third of it is already  
20 in the dry cask storage system from the last decade.

21 So, as we prepare for decommissioning, it's  
22 important we protect that and that's our responsibility  
23 to manage that properly and protect the health and  
24 safety of our workers and the public and, eventually,  
25 we will empty the spent fuel pools, so it will all be

1 in dry cask storage and further assures protection as  
2 the decommissioning takes place.

3 Then, I expect this work to be done -- the  
4 spent fuel pools won't be emptied for a couple of  
5 years, but this work to be done by July of 2016.

6 Next slide, please.

7 Yes?

8 MR. QUINN: Ted Quinn.

9 Tom, I wanted to ask you, you could describe  
10 lessons learned from earlier plants that are ahead of  
11 us, like Zi -- Zion is an example.

12 MR. PALMISANO: Cert -- certainly.

13 MR. QUINN: Could you give an example of how  
14 you see lessons learned?

15 MR. PALMISANO: So, what we have done in the  
16 last two years, we have visited every plant currently  
17 entering decommissioning, in particular, the Zion  
18 Plant, which is in similar size 2 Unit plant just north  
19 of Chicago, in quite a dense population area, as well.

20 They are ahead of us in decommissioning, but  
21 they are actively decommissioning. In the last two  
22 years, they've emptied their spent fuel pool, they've  
23 removed their major components, and they're preparing  
24 for the major structure removal. So we have visited  
25 them quite a bit and they've been very gracious in

1 hosting our various teams.

2 So the things we've learned are really  
3 embedded in some of this Cold and Dark activity; the  
4 need to remove hazards as soon as you can, the need to  
5 de-energize the plant as soon as you can, get the plant  
6 in a Cold and Dark condition, the need to make sure  
7 that the NRC is well aware of what we're doing so we  
8 have good communications.

9 And then as we mobilize contractors, the need  
10 to be clear on expectations and that the contractors  
11 understand and perform effectively.

12 There are some very specific technical things  
13 we've learned but, generally, it has been very helpful  
14 to get us off to a good start with our planning and  
15 preparations.

16 MR. QUINN: Thanks.

17 CHAIRMAN DR. VICTOR: Tim Brown, do you have a  
18 question?

19 MR. PALMISANO: Okay. Yes, Tim.

20 MR. BROWN: You know, one thing, Tom, that I  
21 wanted to ask, you have the NRC inspections on the  
22 decommissioning process.

23 MR. PALMISANO: Right.

24 MR. BROWN: But there's also separate  
25 inspections on the storage, on the fuel that's being

1 stored on site, as well.

2 MR. PALMISANO: Sure.

3 MR. BROWN: Or and -- and could you just, just  
4 so that everyone understands, you know, how -- how  
5 those inspections work, because it's --

6 MR. PALMISANO: Yeah.

7 MR. BROWN: I would imagine it's a different  
8 process.

9 MR. PALMISANO: Well, it is. Different  
10 inspectors with different skill sets. So, think about  
11 it this way: The NRC knows exactly where we are and  
12 what we're doing on site, we have phone calls every two  
13 weeks, we provide them our schedules.

14 So the NRC has an inspection plan for  
15 San Onofre that they lay out nominally a year in  
16 advance, identifying some key things. They have some  
17 things they must inspect regularly, like they would  
18 come in and look at radiological protection controls  
19 regularly, I believe, say, on a two-year basis.

20 They'll come in and inspect emergency planning  
21 because we still have an emergency plan. They'll come  
22 in and inspect security. So there are a lot of  
23 non-decommissioning topics, if you will, that they  
24 would do routinely.

25 They would come in and inspect spent fuel

1 stored in the pools as well as spent fuel stored in the  
2 dry cask storage system on a regular basis. In fact,  
3 over the last two weeks, we had recent inspections,  
4 looking at spent fuel looking at how we're caring for  
5 spent fuel and our recordkeeping.

6 So they have a full regime of inspection  
7 activities that they implement. Then they will have  
8 some decommissioning-specific things as I'm doing a  
9 major activity, they will come out and periodically  
10 inspect as we build the new dry cask storage system,  
11 for example. So that's generally how it works.

12 MR. BROWN: Thank you.

13 CHAIRMAN DR. VICTOR: We should let you go on.

14 I just want to say, I know many members of  
15 this panel and the public are concerned about how we  
16 speed up the removal of fuel and that will be the main  
17 update item right after the break when we come back.

18 MR. PALMISANO: Right. And even before the  
19 break, I'm going to touch on a couple related topics  
20 that we've been working on.

21 So the ISFSI, this is the Independent Spent  
22 Fuel Storage Installation or the dry cask storage  
23 facility. On the picture, above the diagram, that's  
24 outlined in red, is the existing dry cask storage  
25 installation. We have 51 canisters, 50 of which are

1 loaded with spent fuel from units 1, 2, and 3.

2 The new system that has recently been  
3 permitted is outlined in red, that is the new Holtec  
4 underground system called the UMAX System. So that is  
5 the location that's been approved by the California  
6 Coastal Commission.

7 Let's go to the next slide, please.

8 So the time line, so the project initiated in  
9 the fall of 2015, really, talking about the Coastal  
10 Commission work at that point. Construction scheduled  
11 to complete in mid-2017. We will actually start  
12 construction, I'm expecting, in April of 2016.

13 It's about a 15-month construction period to  
14 build the new system, build the appropriate security  
15 system around it. I would expect us to be ready to  
16 offload fuel from the two spent fuel pools in the fall  
17 of 2017 into the new system.

18 And, then, our current plan is, all the fuel  
19 will be out of the two fuel pools into the ISFSI  
20 facility in mid-2019, potentially a bit earlier, but  
21 that's a good date right now.

22 So those are the key milestones and we'll  
23 status this every quarterly Community Engagement Panel  
24 meeting.

25 Next slide, please.

1           So one of the topics we touched on last time,  
2           which really is part of what we'll be talking about  
3           later is, you know, we're very interested. It is  
4           important to move the fuel out of San Onofre as soon as  
5           we can practically do that. We're all aligned on that.

6           It is not -- it is in our best interest to  
7           work to find an off-site location where there's  
8           Consolidated Interim Storage or permanent repository.

9           The issue is the Department of Energy, and I'm  
10          sure we're going to talk about that in a minute. But  
11          the question is, what is available today and when would  
12          the fuel be ready to be transported?

13          So there -- there's requirements on the spent  
14          fuel as to how long it sits in the spent fuel pool  
15          before I can put it in canisters. There are other  
16          requirements for how much longer it needs to wait  
17          before it can be transported off site; that's what this  
18          is talking about.

19          So, today, this is -- this is kind of a  
20          high-level view. Out of the unit 2 and 3 fuel, there's  
21          33 canisters, some of which are ready and meet the  
22          requirements to ship today, if there was a place to  
23          ship it to, and the remainder of the 33 will be  
24          qualified by 2019 to be moved off site.

25          The Unit 1 canisters are actually a little

1 different story. There are 17 canisters and they won't  
2 be ready until 2018 and some will have to wait until  
3 2030. You may ask why that is.

4 The reason is because the material in the  
5 Unit 1 fuel is stainless steel that is surrounding the  
6 uranium pellets. That's an old fuel design. Today the  
7 industry uses a different material called zirconium.  
8 Nobody try to remember that. We'll put it on our  
9 website.

10 The newer materials are able to ship much  
11 sooner because they are less active and less  
12 radioactive. The old stainless steel is more  
13 radioactive and just takes longer decay time, so that's  
14 why the Unit 1 canisters, and Unit 1 has not operated  
15 since 1992, but that's why the canisters have to wait  
16 so long until they're eligible to ship.

17 And then the remaining canisters we're going  
18 to load 73 canisters, starting in late 2017. With the  
19 newer design canister systems, they will virtually be  
20 ready to all ship by 2020 because, again, they're  
21 improved canisters, with better shielding and  
22 heat-removal designs, and they will be eligible to ship  
23 virtually as soon as they're on the pad.

24 So that's the picture in terms of when things  
25 could be shipped, that's not when -- when things will

1 be shipped, that's when they could be shipped. That is  
2 an important factor as we talk about giving priority to  
3 decommissioned plants, like San Onofre.

4 Next slide.

5 CHAIRMAN DR. VICTOR: Tom, before you go on,  
6 can I suggest, you and I have had some email exchange  
7 over the last month about exactly when the different  
8 canisters --

9 MR. PALMISANO: Right.

10 CHAIRMAN DR. VICTOR: -- will be ready to  
11 ship, assuming there's a place for them to go.

12 And this slide, I think, is very helpful.  
13 Maybe we could turn all that into a short memo of just  
14 a paragraph or so.

15 MR. PALMISANO: I'll be glad to.

16 CHAIRMAN DR. VICTOR: Along with this slide,  
17 and put this up on the website because I know a lot of  
18 people are interested in this question, that would  
19 help.

20 MR. PALMISANO: Yeah. What we're talking  
21 about, for those 33 canisters, I can show you,  
22 virtually, every day and when it's going to be  
23 eligible, same thing for the remaining 17. So we'll be  
24 glad to do that and we'll take an action and post that  
25 on the website.

1 CHAIRMAN DR. VICTOR: Bill Parker.

2 MR. PALMISANO: Yes, sir.

3 MR. PARKER: Bill Parker.

4 Tom, you talked about when the canisters are  
5 eligible to be shipped, but there's still issues of the  
6 design of the transport vehicles --

7 MR. PALMISANO: Right.

8 MR. PARKER: -- permitting for transport and  
9 so on. Can you estimate how much longer beyond these  
10 eligibility dates we'd be in a position to practically  
11 transport these canisters, assuming there was a place  
12 to transport them to?

13 MR. PALMISANO: Sure. Let me ask you to hold  
14 that thought because I'm going to talk about the  
15 railcar in a minute.

16 And, David Victor, are you going to talk about  
17 some of that after the break or your focus is mainly on  
18 storage?

19 CHAIRMAN DR. VICTOR: I'm going to talk  
20 briefly about what we've been learning at the federal  
21 level --

22 MR. PALMISANO: Okay.

23 CHAIRMAN DR. VICTOR: -- and the transport  
24 side, as well, but you should definitely talk about  
25 this and the railcar.

1           MR. PALMISANO: So I'll cover this now and  
2 we'll cover it again later after the break because it  
3 is very important. Because, the big picture, we all  
4 want to move the spent fuel out of San Onofre as soon  
5 as we practically can.

6           The canisters and the shipping transportation  
7 cask is one issue and that really is falling into  
8 place. The other issue is, really, the railcar to  
9 transport it, the transportation routes, and all the  
10 requirements for transport, and then, ultimately, where  
11 does it go to, a licensed facility for either interim  
12 storage or for final repository.

13           Big picture. The good news, and I recently  
14 talked to the DOE at fairly high levels, we're  
15 encouraging to bring up their experience outside the  
16 commercial world. The DOE has a wealth of experience  
17 with shipping spent nuclear fuel out of the government  
18 program, such as the Nuclear Navy. So they have a lot  
19 of experience and capability they can bring to bear to  
20 the commercial side.

21           Next slide.

22           So one important meeting, and there's an  
23 opportunity April 26 in San -- Sacramento, the DOE has  
24 revised its strategy following the Blue Ribbon  
25 Commission a couple of years ago to start talking about

1 consent-based siting.

2           There's been a couple of difficult lessons  
3 learned in the industry by the commercial industry and  
4 by the Department of Energy, one of which is Yucca  
5 Mountain, which really ran into a lot of state and  
6 local opposition and, ultimately, you know, essentially  
7 got put on hold in spite of being required by the  
8 Nuclear Waste Policy Act.

9           The other is private fuel storage, which was  
10 actually a facility licensed in Utah for Consolidated  
11 Interim Storage, but never got built because although  
12 there was local support by the Indian tribe, there was  
13 not sufficient support at a state level.

14           So one of the things the DOE has realized  
15 they've got to do differently as they site a facility  
16 is get more consent-based, particularly, the hosting  
17 community. So they've got a series of meetings around  
18 the country, Chicago and Atlanta are coming up very  
19 quickly and Sacramento, where they are looking for  
20 public comment and stakeholder comment.

21           And I believe this is also available on the  
22 Web, so if you -- if you can attend, if you can listen  
23 to the Web cast, it's certainly worth doing if you have  
24 a passion on this. And you can see the other meetings.

25           Next slide.

1           So, Railcar: So the good news is, the DOE has  
2 actually let a contract to develop a concept railcar.  
3 This -- this is an example of one: That would be one  
4 canister in a transportation overpack mounted on the  
5 low part of that railcar and it's designed with impact  
6 limiters and these things are tested.

7           So they're actually in the early development  
8 stage. They've set a contract with AREVA to develop  
9 the cask and the buffer railcars and the railcar  
10 itself. The other thing is private fuel storage  
11 facility, and we actually were part-owners of that. We  
12 actually engineered and built a prototype railcar.

13           So that, coupled with what DOE does in their  
14 non-nuclear commercial program, such as for the Nuclear  
15 Navy, they have railcar expertise. So -- so that is  
16 starting to move in parallel with consent-based siting.

17           Next slide.

18           This is a DOE slide. It's not my slide. So I  
19 apologize how busy it is. Their remarks on private  
20 storage. They would like -- they are supportive of  
21 this initiative.

22           They see a role and this is important because  
23 they really need to move off the permanent repository  
24 to work on interim storage, so I'll leave that for you  
25 to read.

1           But this is encouraging. That's what -- this  
2 is an encouraging development in the last year with the  
3 DOE, stepping out and taking this.

4           Next slide.

5           Before I get to these topics, coming back  
6 to -- to Bill Parker's question, so "How long will  
7 things take?" Okay. We've talked to the vendors who  
8 are proposing consolidated private storage facilities  
9 in New Mexico and West Texas; one is about to apply for  
10 the license in Texas, and the New Mexico facility will  
11 apply probably this summer.

12           Practically, with the experience in private  
13 fuel storage, they can license these in three years.  
14 These are essentially, centrally-located dry cask  
15 storage systems similar to what we already have. So  
16 there's a lot of construction experience. They could  
17 have a facility open 2020 to 2022, licensing and  
18 construction.

19           Now, the next step is you need the railcar and  
20 you need the transportation logistics worked out. You  
21 know, I will tell you, that's probably a 10-year  
22 effort, just my -- my estimation. But I would think  
23 they could be ready to accept fuel as early as the  
24 early- to mid-2020s.

25           And I think rail and transportation, with the

1 DOE's other experience brought to bear could be ready.  
2 And, then, you've heard me say it before, for us to  
3 fully empty our 120-some canisters, it's probably an 8-  
4 to 10-year process when you look at the number of  
5 trains in and out to ship the fuel. So that gives you  
6 a high-level answer, hopefully.

7 MR. PARKER: Yes.

8 MR. PALMISANO: Okay. Next -- next slide.

9 So if you remember, a couple of last meetings  
10 we were asked to do an economic comparison of the  
11 economic impact or inflow to the communities of  
12 decommissioning and compare it to when we were an  
13 operating plant. This really just closes out the last  
14 action item.

15 Effectively, in decommissioning, for part of  
16 the period, we will have about 17 percent of the  
17 numbers that we had during operation. FTEs are  
18 Full-Time Equivalence or, you know, full-time  
19 employees.

20 The labor -- the labor budget or labor income  
21 will be 12 percent of what we had during operation, and  
22 the decommissioning total output for the total output  
23 during the entire compared operation, we will  
24 contribute about 9 percent to the local communities in  
25 terms of spending versus what the plant did when it was

1 fully operating.

2 So I think that was an action item that you  
3 had asked for.

4 HON. TIM BROWN: It was. And the reason, just  
5 so that everyone is in context on this, there was a  
6 decommissioning study that was done in terms of  
7 economic impact.

8 MR. PALMISANO: Right.

9 HON. TIM BROWN: The problem was is that it  
10 existed in isolation. It simply said --

11 MR. PALMISANO: Right.

12 HON. TIM BROWN: -- "Here's all the -- here's  
13 the economic activity generated by decommissioning,"  
14 and what it lacked was context based on --

15 MR. PALMISANO: Right.

16 HON. TIM BROWN: -- full operation to  
17 decommissioning to Cold and Dark to remove. And so  
18 this is -- this is designed to give context to those  
19 numbers. If you have a plant fully operational and  
20 this -- the decommissioning activity, although  
21 significant in terms of economic impact, this helps get  
22 context in terms of what type of fraction it is based  
23 on full operating.

24 MR. PALMISANO: Right. If you would  
25 roughly -- I think it's about 10 percent of what we

1 contributed when we operated.

2 HON. TIM BROWN: Okay.

3 CHAIRMAN DR. VICTOR: Thank you.

4 MR. PALMISANO: Okay. Next slide.

5 And with that, I want to take any questions  
6 from the panel at this point, anything else that --

7 (Simultaneous colloquy.)

8 CHAIRMAN DR. VICTOR: Any questions --

9 MR. PALMISANO: -- we haven't touched on?

10 CHAIRMAN DR. VICTOR: -- from the panel?

11 (Brief pause.)

12 CHAIRMAN DR. VICTOR: Okay. So thank you very  
13 much, Tom.

14 MR. PALMISANO: Okay. Thank you.

15 CHAIRMAN DR. VICTOR: This is, as always, very  
16 helpful. Thank you also for following up on this item  
17 on the economic impact.

18 So the core topic for tonight's meeting  
19 concerns the environmental review and permitting  
20 process. We're going to have two presentations: First  
21 from Linda Anabtawi, who is with the Licensing and  
22 Environmental Law Group at SCE, and then we're going to  
23 hear from Cy Oggins, from -- from the State.

24 So, first, Linda, the floor is yours.

25 (Brief pause.)

1 MS. ANABTAWI: Okay. Thank you, David.

2 Good evening. I'm very pleased to be here  
3 today to discuss this important topic with you. As  
4 David mentioned, I'm in-house counsel with the Southern  
5 California Edison Law Department and, for the last  
6 several years, I've been working on SONGS-related  
7 environmental issues on behalf of the co-participants.

8 If we could turn to the next slide, please.

9 I will be providing a high-level overview of  
10 the permitting for decommissioning. But before we talk  
11 specifically about decommissioning, I think it's  
12 helpful to provide some context for the SONGS  
13 regulatory framework.

14 So, like all other nuclear plants, we are  
15 subject to regulation and oversight by the NRC.

16 But we are somewhat uniquely situated for a  
17 number of reasons:

18 First, we're located along the California  
19 Coast, which makes us subject to coastal zone  
20 regulations. We also don't own the land upon which the  
21 plant is located, so we have state and federal agencies  
22 acting as landowners.

23 This combination of the state and the federal  
24 agencies means that we are subject to environmental  
25 review under both CEQA and the federal equivalent,

1 which is the National Environmental Policy Act or NEPA.

2 So, as a result, we have a long and  
3 substantial permitting history at SONGS, involving  
4 numerous agencies, and that will continue to be the  
5 case as we move into the decommissioning process.

6 So, specifically for decommissioning, we have  
7 really two sets of approvals that we're looking at:

8 We have state approvals that will be subject  
9 to a CEQA review and that scope will cover the  
10 decontamination and dismantlement work, also referred  
11 to as D&D, as well as the offshore conduit disposition.

12 I should clarify here that although we say  
13 "decontamination," what we're talking about is not so  
14 much the radiological issues associated with  
15 decommissioning, what the state agencies are looking  
16 at, really, is the physical work, the physical  
17 activities that will be conducted to decontaminate.

18 In addition to the state approvals, we will be  
19 obtaining several federal approvals, which will then  
20 trigger their own environmental review process under  
21 NEPA, and that process will really be for the site  
22 restoration activities and the ultimate license  
23 termination.

24 For today, our focus is on the state process,  
25 and the reason for that is, these approvals will be

1 needed to start the D&D work and that is our priority  
2 at this time. I believe the federal approvals will be  
3 addressed at a future CEP meeting.

4 If we can turn to the next slide, please.

5 So this arial image just helps to show you the  
6 way of the land, so to speak. As I mentioned, there  
7 are several landowner agencies that are involved. So,  
8 what you see here outlined in red is the State Lands  
9 lease for the offshore conduits. These structures  
10 extend offshore. They are buried beneath the sea  
11 floor.

12 In addition, the onshore components of the  
13 facility are outlined in yellow there, that is the Navy  
14 easement area, which is approximately 84 acres. We  
15 also have a lease from the Navy that covers several  
16 parcels, including the one you see outlined in white  
17 there.

18 So, again, this just gives a big picture  
19 perspective of these various land rights that are at  
20 play here at SONGS. And I believe you have this image  
21 of the handout as a larger printout form, so you can  
22 see some of the details a little bit better.

23 So, the next slide, please.

24 To give you a better idea of the types of  
25 agencies that will be involved, this is a

1 non-exhaustive list of the state and federal agencies  
2 that will have some role in overseeing the SONGS  
3 decommissioning process.

4 As I mentioned, the key approvals we need now  
5 in order to start the D&D work are state approvals and,  
6 more specifically, the State Lands Commission and the  
7 Coastal Commission will both be issuing approvals that  
8 will be necessary to begin the work.

9 If we can please go to the next slide, I'll  
10 talk a little bit more about State Lands Commission and  
11 Coastal Commission roles.

12 As I mentioned, we have a lease for the  
13 offshore conduits for Units 2 and 3. We have requested  
14 a modification of the lease from the State Lands  
15 Commission for two reasons:

16 First, that lease will be expiring in 2023, so  
17 we are seeking to extend the term to cover the  
18 decommissioning period. In addition, we are requesting  
19 that State Lands approve an alternative that will allow  
20 for the partial removal and abandonment in place of the  
21 conduits, which is similar to what was approved for  
22 Unit 1.

23 This action by the State Lands Commission in  
24 reviewing the lease triggers the CEQA review process  
25 and, as the lead agency under CEQA, State Lands will be

1 preparing the Environmental Impact Report or EIR.

2 And although the State Lands Commission is  
3 approving the offshore component of the project, as the  
4 lead agency under CEQA, State Lands will be looking at  
5 the entire decommissioning project, which would include  
6 both the onshore as well as the offshore activities.

7 And Cy Oggins, from the State Lands  
8 Commission, has graciously agreed to participate in  
9 today's meeting so that he can provide all the details  
10 about the State Lands Commission process, including all  
11 the opportunities for public involvement.

12 In terms of the California Coastal Commission,  
13 because we are located in the coastal zone, we will be  
14 obtaining or -- sorry -- we will be applying for a  
15 Coastal Development Permit or CDP that would authorize  
16 the onshore and the offshore activities.

17 The Coastal Commission will be very involved  
18 during the preparation of the EIR and, ultimately, the  
19 Coastal Commission will prepare its own staff report in  
20 connection with the permit and that staff report will  
21 rely on the environmental analysis that's contained in  
22 the EIR.

23 If we could go to the next slide, please.

24 To give you a better idea of the scope that  
25 will be covered in the CEQA document, the area that's

1 highlighted in blue are the project areas where  
2 decommissioning activities will primarily be taking  
3 place.

4 The -- this is the same area that would be  
5 included in the Coastal Commission CDP. And I believe  
6 we also have a printout of this arial figure to show  
7 some of the details a little bit better.

8 MR. QUINN: So -- Ted Quinn.

9 Can I ask? In the relationship of this  
10 Coastal Commission to the Department of the Navy and  
11 the federal, do they both provide approvals? Or how  
12 does it work?

13 MS. ANABTAWI: That's a good question.

14 So the Coastal Commission will be playing a  
15 role both under the California Coastal Act as well as  
16 the Federal Coastal Zone Management Act. So, under the  
17 Coastal Act, the Coastal Commission is issuing the  
18 permit, which is the CDP.

19 Later on, when we undergo the federal  
20 permitting process, there will be a separate  
21 consistency review by the Coastal Commission, so they  
22 will be playing that dual role.

23 CHAIRMAN DR. VICTOR: Can I just follow up on  
24 that? Which is, I've asked when the time is right for  
25 us to have a chance to talk with the folks in the Navy

1 and I think we -- we're in the process of trying to put  
2 that together and, I think, whenever that's  
3 appropriate, I think it would be very helpful for this  
4 panel to hear from the Navy, I think, for the community  
5 to hear it from the Navy.

6 MS. ANABTAWI. Okay.

7 CHAIRMAN DR. VICTOR: Could you say something  
8 about if you leave the conduits in place, what gets  
9 removed and what gets left in place?

10 MS. ANABTAWI: So, what we did for Unit 1, I  
11 can use that as the example, for Unit 1, we were  
12 required to move all of the vertical structures, so  
13 that included the manhole access ports as well as the  
14 terminal structures.

15 And, then, the horizontal portion of the  
16 conduit, which is really the pipelines, so to speak,  
17 that remains buried underneath the sea floor.

18 The Unit 2 and Unit 3 conduits are constructed  
19 somewhat differently, but they also will have certain  
20 vertical structures. In this case, we have diffuser  
21 ports that are staggered all along the outfall conduit.

22 So we haven't really discussed the details of  
23 the proposal yet with State Lands, but similar to  
24 Unit 1, we'd be seeking to remove some or all of the  
25 vertical structures while leaving the horizontal

1 structure buried beneath the sea floor.

2 CHAIRMAN DR. VICTOR: Okay. Thank you.

3 Dan, do you want to comment on this?

4 MR. STETSON: I do.

5 CHAIRMAN DR. VICTOR: Dan Stetson.

6 MR. STETSON: A quick question, so. Thank  
7 you. With reference to your drawings here, for Unit 1,  
8 are the conduits approximately of your image, of what  
9 you have for 2 and 3 in terms so that we're seeing  
10 Units 2 and 3, but for Unit 1, not shown on this  
11 diagram?

12 MS. ANABTAWI: Not quite. As I mentioned, the  
13 Unit 2 and 3 conduits are constructed somewhat  
14 differently. They're also different lengths than the  
15 Unit 1 conduit. So I think I have the numbers here for  
16 some reference.

17 So our Unit 2 and 3 conduits extend about --  
18 the intake structures are 3300 feet long and the  
19 discharge structures are 8400 feet and 6,000 feet long,  
20 whereas our Unit 1 conduits, I think, we have the  
21 number for that and -- (brief pause)

22 We'll get that number for you, but there is a  
23 significant difference in the length of the conduits,  
24 so it doesn't look like what you're seeing there, but I  
25 think we've provided a link to the Unit 1 EIR and that

1 has a drawing that would --

2 CHAIRMAN DR. VICTOR: Maybe if that drawing  
3 can be shared with the panel, that'd be great.

4 MS. ANABTAWI: Sure.

5 MR. STETSON: So -- I'm sorry. In the initial  
6 agreement, though, with Southern California Edison with  
7 State Lands, was it these conduits would be removed; is  
8 that correct?

9 MS. ANABTAWI: Are you asking about the  
10 original agreement for Unit 1 or for 2 and 3?

11 MR. STETSON: For both.

12 MS. ANABTAWI: Okay. So the Unit 1 conduits  
13 were under a separate lease.

14 MR. STETSON: Right.

15 MS. ANABTAWI: And, yes, that lease originally  
16 contemplated for removal, but an environmental review  
17 was conducted in 2005 and that environmental review,  
18 which Cy can speak more about, evaluated several  
19 different options, and the EIR concluded that the  
20 partial removal option was environmentally preferable  
21 to full removal.

22 And so, based on that, State Lands Commission  
23 then approved an amendment of the Unit 1 lease that  
24 allowed for the ultimate disposition.

25 CHAIRMAN DR. VICTOR: Why don't we wait until

1 Cy gets his talk --

2 MR. STETSON: Correct.

3 CHAIRMAN DR. VICTOR: -- and then we'll cycle  
4 back on this topic.

5 MS. ANABTAWI: Okay.

6 MR. KERN: But where -- Hi, this is Jerry  
7 Kern.

8 CHAIRMAN DR. VICTOR: This is Jerry Kern.

9 MR. KERN: Where are the Unit 1 conduits in  
10 relationship to Unit 2 and 3?

11 MS. ANABTAWI: They are located -- I don't  
12 know if I can use the pointer, I might be able to show  
13 you here. They're located north of the Unit 2 and 3  
14 conduits, so they would be somewhere over here  
15 (indicating).

16 MR. KERN: Okay.

17 MS. ANABTAWI: And those structures have now  
18 been fully dispositioned, so we've completed the work  
19 that was required in order to comply with the State  
20 Lands Commission lease.

21 CHAIRMAN DR. VICTOR: We should let you go.

22 MR. BROWN: I just --

23 CHAIRMAN DR. VICTOR: Garry Brown.

24 MR. BROWN: I just have one quick question  
25 on -- on the difference of construction, 2 and 3 have

1 diffusers going out.

2 MS. ANABTAWI: Right.

3 MR. BROWN: Now, are those on vertical risers  
4 or are they attached to the -- are they a part of the  
5 running pipeline?

6 MS. ANABTAWI: They are attached to the  
7 pipeline. It's just that they rise above the sea  
8 floor, whereas the rest of the pipeline is  
9 approximately 6 feet beneath the sea floor.

10 MR. BROWN: Okay. In your proposal, and I  
11 know you haven't got the final details, but those would  
12 be plugged?

13 MS. ANABTAWI: We have not actually discussed  
14 the details for the diffuser ports. We just haven't  
15 gotten to that point. I can tell you that there are  
16 over 120 diffuser ports so we would really have to  
17 closely look at that before we propose an alternative.

18 CHAIRMAN DR. VICTOR: I think when we get --  
19 we should let you go on. I think when you have -- when  
20 there's a clear game plan there and this has been  
21 discussed with State Lands, it would be helpful to  
22 share with this panel and the public what that game  
23 plan looks like even if it's in draft form.

24 MS. ANABTAWI: Absolutely.

25 MR. PALMISANO: Just let me interject, what's

1 going to be covered in some public comment  
2 opportunities through the whole process, so --

3 CHAIRMAN DR. VICTOR: Okay.

4 MR. PALMISANO: Between both the CEP meeting  
5 and the designed public opportunity, you know, comment  
6 opportunities, we'll share all that, yeah.

7 CHAIRMAN DR. VICTOR: Okay. We should let you  
8 go on.

9 MS. ANABTAWI: Can we turn to the next slide,  
10 please? All right. Okay. Thank you.

11 So in terms of the progress we have made to  
12 date, since retiring SONGS, we have obtained state  
13 approvals for various projects.

14 First, we went into the California Coastal  
15 Commission last year and obtained approval for certain  
16 interim activities, these include the Cold and Dark  
17 project that you've heard Tom talk about.

18 Most recently, the Coastal Commission approved  
19 our Spent Fuel Pool Island Project, that was approved  
20 in August of 2015. This project helped us to eliminate  
21 our reliance on the ocean water for cooling fuel.

22 In addition, the Coastal Commission approved  
23 our ISFSI expansion, that was approved last fall and,  
24 as you've also heard from Tom, that project is now  
25 underway.

1           Most recently, we applied to the State Lands  
2 Commission to modify the conduits lease for Units 2 and  
3 3; that application was submitted in November and that  
4 is the application that is triggering the CEQA review  
5 now.

6           We have not yet submitted our CDP application  
7 to the Coastal Commission, but we plan to do so, most  
8 likely mid-2017 or so.

9           Can we go to the next slide, please?

10           This time line really shows you the sequencing  
11 of the various permitting efforts and the  
12 decommissioning work. So, I'd like to point out a  
13 couple of things on this time line: So, first of all,  
14 these are all approximate time frames. This is our  
15 ideal schedule, but it is a tentative schedule.

16           And you'll see there there's also the dotted  
17 or dashed line, that's the demarcation in terms of the  
18 time period. So to the left of that line, these are  
19 quarterly intervals; to the right of the line, you'll  
20 see annual intervals or longer periods of time.

21           So, in the short term here, what we're looking  
22 at, starting at the top with the red bar, the ISFSI  
23 expansion project is underway. Over the next couple of  
24 years the fuel will be off-loaded and then we'll enter  
25 this period of storage until the eventual off-site

1 shipment of the fuel.

2 Jumping down to the blue bar, that represents  
3 the State Lands and Coastal Commission regulatory  
4 processes that are associated with the lease and the  
5 CDP. That process has been initiated through the  
6 filing of the application with State Lands last year.

7 And in parallel with those processes, the  
8 State Lands Commission will conduct its CEQA review,  
9 the output from the CEQA review will be the EIR and  
10 that will help inform decision-makers at the State  
11 Lands Commission and the Coastal Commission.

12 And once we obtain the necessary approvals,  
13 it's our goal to be able to commence the D&D work at  
14 the end of 2017, if all goes well, and that will  
15 continue on for a number of years.

16 In the meantime, probably sometime, again,  
17 around the middle of 2017, we will initiate the federal  
18 approval process that will trigger its own NEPA review  
19 that will look at the site restoration activities.

20 So, again, that will be something we'll likely  
21 discuss in a future meeting, but the time line really  
22 serves as a road map of where we're headed in the  
23 short-term as well as the long-term for permitting  
24 efforts.

25 CHAIRMAN DR. VICTOR: And you're telling us

1 that the NEPA review, the federal environmental review,  
2 the NEPA review is triggered by the Navy, the Navy  
3 relationship, could run through 2020.

4 MS. ANABTAWI: It actually could -- yes, it  
5 could run through 2020. And this is only just a very  
6 tentative projection. We're still working with the  
7 Navy early on to determine how long they think their  
8 NEPA process will take, so I don't think we have a very  
9 good idea of that yet, so we've just kind of mapped out  
10 what we think would be a reasonable scenario.

11 CHAIRMAN DR. VICTOR: Ted Quinn?

12 MR. QUINN: Yeah, it's Ted Quinn.

13 I have one, very quick, there are a number of  
14 facilities along the California Coast that have been  
15 decommissioned that are not nuclear, that are coal or  
16 oil or some kind of fire. Do you see precedent in your  
17 review, you see precedent cases that can apply on and  
18 help this process?

19 MS. ANABTAWI: As I mentioned, I think we're  
20 actually in a very unique situation --

21 MR. QUINN: Okay.

22 MS. ANABTAWI: -- in terms of, again, the  
23 landowner agencies, so we've got a whole different  
24 permitting regime that involves landowner rights and  
25 landowner requirement that, I think, will be likely

1 precedent-setting here, so.

2 MR. QUINN: Thanks.

3 MS. ANABTAWI: Can we go to the next slide,  
4 please?

5 So, finally, I wanted to just discuss very  
6 briefly a few other SONGS-related environmental  
7 initiatives. These are not decommissioning projects,  
8 but they are noteworthy environmental projects. First,  
9 we have the Large Organism Exclusion Device or the  
10 LOED.

11 This is a barrier that will be placed around  
12 the intake structures for the conduits and it is  
13 intended to prevent marine organisms from entering the  
14 conduits. This is a requirement under California's  
15 Once-Through Cooling Policy or OTC Policy.

16 Once we ceased operations, we actually  
17 drastically reduced our withdrawals of ocean water. I  
18 think, the number is something to the effect of 96  
19 percent reduction in ocean water intake and discharges.

20 So we already achieved substantial compliance  
21 with the OTC Policy through these reduced discharges,  
22 and the LOED, really, is the last step to achieve full  
23 compliance with the OTC Policy.

24 So we've submitted the permits that are  
25 required for that project and they are currently under

1 review by the Coastal Commission and other agencies.

2 And, then, very importantly, we have the  
3 Marine Mitigation Program at SONGS, so these are the  
4 mitigation projects that are intended to offset the  
5 impacts from the operation of SONGS, and so we have the  
6 Wheeler North Reef and the San Dieguito Wetlands.

7 The reef is 178 acre artificial reef that was  
8 constructed by SCE and San Dieguito is a 151 acre  
9 wetlands restoration project. These projects are  
10 independent from decommissioning, so they will continue  
11 on despite the plant's decommissioning status.

12 And if you're interested in learning more  
13 about these projects, the Coastal Commission holds  
14 annual public workshops for the reef and for the  
15 wetlands, the next workshop will be on April 4th and  
16 it's at the Ocean Institute in Dana Point.

17 And that concludes my presentation. I'm happy  
18 to answer any questions.

19 CHAIRMAN DR. VICTOR: Garry Brown.

20 MR. BROWN: I just have a question on the  
21 LOED. And, basically, it's -- you know, with a lot of  
22 agencies that have outfall pumps, they're going to  
23 wedge wire screens, if they have operational ones.

24 But I'm curious about the name large organism.  
25 I would think that you would want to block it off a

1 hundred percent. Large organism means that impingement  
2 entrainment could possibly go on.

3 MS. ANABTAWI: So that is the terminology  
4 that's actually in the policy itself.

5 MR. BROWN: Right.

6 MS. ANABTAWI: And as you know, the policy  
7 requires spacings of no more than 9 inches. I can tell  
8 you that we monitor the intakes. Even now, there have  
9 not been any marine mammal entrapments at the plant.

10 MR. BROWN: But our concern is the larvae and  
11 everything. I mean, I would assume you would put a  
12 hundred percent blockage.

13 MS. ANABTAWI: It's actually a completely  
14 different situation now than we were -- when we were  
15 operating. And, Tom, you can probably step in here,  
16 but I know our flow rates have changed drastically  
17 since.

18 CHAIRMAN DR. VICTOR: Let's comment on this  
19 briefly and then I want to see the other comments.

20 MR. PALMISANO: Yes, I'll keep it brief, and I  
21 won't jump into gallons per minute. But with the  
22 plants off-line permanently, we -- we take only 3 to 4  
23 percent of the intake we used to take.

24 MR. BROWN: Right.

25 MR. PALMISANO: And, you know, with the spent

1 fuel pool cooling islands in place we've reduced that  
2 further so, eventually, we'll get to virtually zero  
3 intake. This -- this system, the Large Organism  
4 Exclusion Device, is not for larvae, for example, it's  
5 for marine mammals.

6 And, operationally, we would've had to do  
7 this, and even in decommissioning, we will still do  
8 this for the period where these are still active, and  
9 we can provide more information off-line.

10 MR. STETSON: And, Tom, you're working towards  
11 a closed system anyway; right?

12 MR. PALMISANO: We are, yeah. So that's the  
13 step to taking the plant Cold and Dark, although, we  
14 will get to virtually a zero intake, so.

15 MS. ANABTAWI: Okay.

16 CHAIRMAN DR. VICTOR: Other comments or  
17 questions?

18 Can I suggest that we send a reminder around  
19 to this panel and to people who have asked to be kept  
20 informed of the community engagement process about  
21 these workshops here because I think they'd be helpful?

22 And the other thing is, I've seen some -- some  
23 materials in my inbox, my inbox is very full with a lot  
24 things that people have to say about this, but -- about  
25 the performance of Wheeler North Reef.

1           And I think it would be helpful for this panel  
2 to understand, you know, what's worked, what hasn't  
3 worked, what's been the actual performance of these  
4 projects, and how do we make sure that, if it's an  
5 ongoing obligation, how is that funded and -- because I  
6 think that would be important for the communities to  
7 understand and maybe there's some feedback that the  
8 communities can give to Edison as to how to -- how to  
9 do that well.

10           MR. PALMISANO: So if it's okay, what I'd like  
11 to do, not to get us off track tonight, since we have  
12 the April 4th workshop where we'll be talking about the  
13 reef performance --

14           MS. ANABTAWI: Right.

15           MR. PALMISANO: -- we can bring it into the  
16 second quarter meeting following that workshop.

17           CHAIRMAN DR. VICTOR: That would be great.

18           MR. PALMISANO: Do you think that would be  
19 okay?

20           CHAIRMAN DR. VICTOR: And even share the  
21 materials.

22           MR. PALMISANO: I'd be happy to do that.

23           CHAIRMAN DR. VICTOR: To post the materials to  
24 those workshops on the [SONGScommunity.com](http://SONGScommunity.com).

25           MR. PALMISANO: Yeah.

1           CHAIRMAN DR. VICTOR: Or .net or whatever we  
2 are and -- and then share them with this panel. Thank  
3 you.

4           MR. PALMISANO: So we'll take that action for  
5 the next meeting.

6           CHAIRMAN DR. VICTOR: Okay. Thank you.

7           MS. ANABTAWI: Okay.

8           CHAIRMAN DR. VICTOR: Thank you, Linda.

9           MS. ANABTAWI: All right. Great.

10          CHAIRMAN DR. VICTOR: That was very helpful.

11          MS. ANABTAWI: So I'm going to turn it over to  
12 Cy Oggins, from the State Lands Commission.

13                 And this is the really interesting part of the  
14 presentation.

15          CHAIRMAN DR. VICTOR: Thank you.

16                 So, Cy Oggins, who's Chief of the  
17 Environmental Planning and Management Group at the  
18 California State Lands Commission.

19                 Cy, thank you very much for spending the  
20 evening with us and for helping us understand what's  
21 about to happen.

22          MR. OGGINS: I hope I do.

23                 Thank you, Chair Victor and members of the  
24 panel and members of the public.

25                 Again, I'm Cy Oggins. And the focus of my

1 presentation today will really be on public, both on  
2 Public Trust and on CEQA public review.

3 So in good, old-time journalistic tradition, I  
4 hope to leave you with a quick understanding of who,  
5 what, when, where and why -- who the State Lands  
6 Commission is, what we do, why we're the lead agency,  
7 and Linda mentioned it briefly but I will go into it in  
8 a little bit more depth, and then when, where and how  
9 the public will be involved in the CEQA process.

10 State Lands Commission was created in 1938.  
11 We manage state lands, as the name implies. We are  
12 comprised of three members, the commission is comprised  
13 of three members:

14 Two are constitutional officers, they include  
15 the controller, who this year is our Chair; Lieutenant  
16 Governor, Gavin Newsom; and then the Head of the  
17 Department of Finance, appointed by Governor Brown.

18 (Brief pause) Sorry about that.

19 The roots of our -- the Commission are really  
20 the Public Trust Doctrine, and I'll go into that in a  
21 second. As the agency, we manage 1110 miles of  
22 coastline, including offshore SONGS, 4 million acres of  
23 land of both offshore and onshore.

24 The offshore land goes out to 3 nautical  
25 miles, the inshore -- onshore we are to -- we're

1 managing 120 rivers and sloughs, 40 lakes, including  
2 Lake Tahoe, Owens Lake, which no longer has water, and  
3 thousands of miles of non-coastal shoreline throughout  
4 San Francisco Bay Delta and other areas. Also, the  
5 Colorado River is under our jurisdiction. So it's a  
6 pretty wide range throughout the State.

7 This essentially is a famous law case that  
8 provides kind of a little bit of background for what  
9 the State Lands Commission does. It means that we  
10 cannot sell our lands, it's managed for the public.

11 It's vested in health and trust for the People  
12 of the State, for originally navigation, fishing and  
13 commerce, but the courts have expanded that to a number  
14 of other issues.

15 As I said, court cases often expand our  
16 jurisdiction and mesh with Audubon, which is for  
17 Mono Lake. So we have an affirmative duty to take the  
18 Public Trust into account and to protect the Public  
19 Trust use wherever possible.

20 Again, traditionally Public Trust uses were  
21 commerce, navigation and fishing, but it also -- also  
22 includes now harbors, marinas, wharves, water-dependent  
23 and water-oriented recreation, ecological preservation  
24 and other issues.

25 Again, the roots of the Public Trust Doctrine

1 go all the way back to Roman Law, where it says the  
2 air, rivers and sea are incapable of private ownership.

3 Now, it's the English Common Law, with the  
4 Sovereigns, holds the land in trust for the public.  
5 So, again, we own the land as a state agency. It's  
6 held in trust for the public.

7 So the Trust Doctrine is also part of the  
8 California Constitution. So, again, just going back to  
9 the affirmative duty for the State Lands Commission to  
10 any actions it takes must be consistent with the Public  
11 Trust.

12 So the commission's role in SONGS  
13 decommissioning: As Linda mentioned, we own the land  
14 where the conduits are located. There is an active  
15 lease for those lands. You mentioned Unit 1 and Unit  
16 2 -- I'm sorry -- Unit 1, in 2005, the Commission did  
17 approve the decommissioning of Unit 1, in a certain  
18 manner.

19 Again, the original proposal was or the  
20 original lease required removal of the full facilities.  
21 The Commission underwent, prepared an Environmental  
22 Impact Report, much like it's going to do for Units 2  
23 and 3, and it made the decision at the time, based on  
24 the information presented in the Environmental Impact  
25 Report, to leave some of the components in place.

1           That was a decision of the Commission in 2005  
2 when this -- when this Commission reviews the project  
3 for Units 2 and 3 and they come to a completely  
4 different decision again.

5           So, what we're going to be doing, as I'll lay  
6 out shortly, is preparing an informational document for  
7 the members of the public, for the Commission to review  
8 that will look at various impacts and alternatives to  
9 the project and then the Commission itself, not me, I'm  
10 staff, I'm not the Commission, the Commission itself  
11 will make the decision on whether to leave, you know,  
12 components in place or whether to remove them.

13           So, hopefully, that answers your quick  
14 questions on Unit 1 or I can come back to that later.

15           Okay. Busy slide; I apologize for that. But  
16 you have your handouts for this, and this is on our  
17 website. It essentially is what the Commission looks  
18 like when it asks for an application for a project.  
19 Again, this is a slightly different project than we  
20 normally do because we already have a lease with  
21 Southern California Edison for Units 2 and 3.

22           Now, Southern California Edison has come back  
23 to us to remove decommissioning Units 2 and 3, so they  
24 still fill out an application. And what this is doing  
25 -- I don't think I have --

1           Well, essentially, what this is doing, it's --  
2   it's starting the process for the environmental review.  
3   Southern California Edison is filling out a whole  
4   number of questions for us that will then be -- start  
5   to be incorporated into the environmental review. What  
6   are the scenic impacts of your project? What are your  
7   impacts to plants and animals?

8           Issues that, again, as I go through this,  
9   you'll see in the environmental document. Lots of  
10   questions they have to answer.

11           CHAIRMAN DR. VICTOR: Are -- are you expecting  
12   they're just going to say yes to every one of these;  
13   right?

14           MR. OGGINS: It's totally up to the applicant.  
15   We go through these as staff. The process is simply,  
16   we receive an application, we determine whether it's  
17   complete or incomplete. It doesn't, in a sense -- I  
18   don't want to say it doesn't matter. The environmental  
19   review will flesh out all of these questions.

20           So why is the State Lands Commission the lead  
21   agency?

22           Well, lead agency is the agency with the  
23   public. It's a public agency with the principal  
24   responsibility for carrying out or approving a project.

25           Okay. CEQA is triggered in three reasons:

1           One, if the agency is -- takes an action on a  
2 project, it approves the project; it could also occur  
3 if an agency funds a project. When an agency actually  
4 does the work itself and carries out, you know, and  
5 does the work. CEQA is triggered in all three  
6 circumstances.

7           In this case, the Commission will be taking  
8 action on an application received from Southern  
9 California Edison to decommission the project. So,  
10 CEQA is triggered. We own the land for the offshore  
11 components.

12           As you mentioned, the existing lease  
13 conditions say "restore the site." The Commission will  
14 look at the environmental information to decide if  
15 that's the best alternative, the environmentally  
16 superior alternative.

17           And then the Commission will prepare an EIR  
18 that will analyze the whole of the project, as Linda  
19 mentioned, not just the offshore component but the  
20 whole of the project.

21           I hate to jump into CEQA because some of you  
22 may not know what CEQA is. So this is just a  
23 placeholder for that. It goes back to 1970. It was  
24 signed by Governor Reagan. And it basically requires  
25 us to identify the environmental impacts of a project.

1           And then if there are significant  
2 environmental impacts, it requires mitigation to  
3 mitigate for those impacts.

4           Okay. Some people think the CEQA process or  
5 the environmental process in California looks like  
6 this. They may be right. My goal that it's a more  
7 streamlined process, so at the end of the CEQA review,  
8 if it isn't more streamlined and looking like this,  
9 come find me and I'm to blame. My job is to make it  
10 streamlined.

11           This is a little bit hard to read, so the next  
12 slide is a walk-through of what the different stages  
13 are. Our first step is, I've got a small staff of  
14 about 10 people, so the Commission's primary process is  
15 to hire an outside environmental consultant. We  
16 started that process. We've gone out to bid for hiring  
17 a contractor to help us with the work, the consulting  
18 team that will earn the contract will have a lot of  
19 experts, more experts than I have on my staff, and all  
20 the issues, environmental issues, that will be reviewed  
21 in this document.

22           I want to be very clear, the contractor works  
23 for us. There is no, no -- they do not work for  
24 Southern California Edison; they work for the State  
25 Lands Commission.

1           We just went --

2           (Unintelligible colloquy.)

3           CHAIRMAN DR. VICTOR: Please.

4           MR. OGGINS: -- out to bid in March, we'll be  
5 hiring the contractor in April -- I'm sorry -- so  
6 between March and April we'll be receiving bids for the  
7 work and then, you know, reviewing the bids through a  
8 competency-based selection process, then hiring a  
9 contractor.

10           CHAIRMAN DR. VICTOR: Let me just remind,  
11 folks, that we'll have a public comment period later so  
12 we can raise questions --

13           MR. AGUIRRE: It was a comment, not a  
14 question.

15           CHAIRMAN DR. VICTOR: We will have a public  
16 question and comment period later. Thank you.

17           MR. OGGINS: Okay. So the big take-away is  
18 number one, again, is the contractor works for the  
19 State Lands Commission, who works for the public. They  
20 do not work for Southern California Edison.

21           They are paid by Southern California Edison  
22 through a reimbursement agreement with the State but,  
23 again, there's a firewall between them.

24           The next step will be to release a Notice of  
25 Intent to prepare an EIR, that's when the CEQA process

1 begins, not tonight. Tonight is just an information  
2 item, so I hope I can, you know, introduce you to what  
3 is -- what to expect as we go through.

4 That Notice of Intent will identify potential  
5 impacts, it'll give you a project description, and then  
6 through public hearings, which will also be held,  
7 public scoping meetings, we'll be back here in the  
8 local area of Oceanside or wherever we can find a  
9 location.

10 And we'll be asking for your input as into  
11 what should go into that Environmental Impact Report.  
12 So you mentioned why was Unit 1 left in place? And why  
13 should it not have been removed?

14 What we will be asking for this public scoping  
15 meeting are alternatives to the project. So, again,  
16 the application is leave in place, the EIR will look at  
17 full removal of all the conduits.

18 Any other alternatives that you want to look  
19 at, come to the scoping meeting and tell us that. Get  
20 up and speak or write us comments or whatever you need  
21 to do. We'll also be looking at, as I mentioned,  
22 potential environmental impacts.

23 If you feel that there are impacts that we did  
24 not address in the scoping document, again, tell us  
25 what impacts you -- you feel we should be adding.

1 Mitigation measures, if there are measures that you  
2 want to see in the document, again, come to the scoping  
3 meeting, not tonight, come to the scoping meeting and  
4 let us know what you would like to do.

5 We'll lay all of this out in that Notice of  
6 Intent, notice of preparation.

7 CHAIRMAN DR. VICTOR: Cy, can I just ask?

8 MR. OGGINS: Yes.

9 CHAIRMAN DR. VICTOR: This is an item for  
10 Edison, I think. We need to make sure that people  
11 involved in this process are aware of these meetings.

12 MR. OGGINS: Yes.

13 CHAIRMAN DR. VICTOR: And so we need to make  
14 sure that we get maximal opportunity for public comment  
15 in this process, so we ought to find a way to make sure  
16 that, in addition to your normal notification process,  
17 that Edison lets people know about these meetings and  
18 also circulates the -- the Notice of Intent documents  
19 and so on.

20 MR. OGGINS: Yeah, one of the ways we can do  
21 that is if you have a mailing list.

22 CHAIRMAN DR. VICTOR: Yes, we do.

23 MR. OGGINS: You can give us a mailing list  
24 and we'll make sure that everyone in the mailing list  
25 gets a notification.

1           CHAIRMAN DR. VICTOR: We'll -- we'll make sure  
2 we connect those dots.

3           MR. OGGINS: Right.

4           MR. PALMISANO: We'll be glad to, since you're  
5 the agency responsible, we're fully relieved, but we'll  
6 use our community website and our Community Engagement  
7 Panel to get that word out.

8           MR. OGGINS: And then it's on our website,  
9 too. It's got our Web address at the very end. You  
10 can always go to our website, too. We'll -- whatever  
11 we can do to help get the word out to the public  
12 because, again, the public is very important to our  
13 whole process.

14           Steps after that, we'll be reviewing the  
15 proposed decommissioning operations. We look at public  
16 health and safety and environmental concerns in that  
17 review. As Linda mentioned, there's a lot of other  
18 agencies involved. We'll be doing consultations for  
19 those, and tribal governments as well. So Department  
20 of the CEQA if there are any applicable tribes, we need  
21 to consult with them.

22           The consulting team in my staff will be  
23 preparing the draft EIR. And, then, we think, around  
24 spring -- please don't hold me to that -- we think,  
25 around spring we'll be releasing that public draft EIR.

1           And, again, back here in the community to take  
2       comments, we'll be holding hearings on the -- on the  
3       draft Environmental Impact Report. Our typical process  
4       is one in the afternoon, one in the evening so we can  
5       get people who were at work, people who can make one  
6       but not the other. Again, that we anticipate about  
7       spring.

8           Then we'll be going back, taking all of your  
9       public comments. We'll be preparing a final  
10      Environmental Impact Report with a full response to  
11      comments. So, again, the important thing is, you give  
12      us your comments, we will respond to them.

13           And then, possibly, fall 2017 the Commission  
14      will hold its hearing. Okay. So that moves it from  
15      staff, me, our staff, to our Commission, to  
16      constitutional officers, Governor Brown's appointee.

17           First thing they will do is, they'll look at  
18      the document and they'll look at me and say "Did you do  
19      your job? Can I certify this environmental impact  
20      report?" If I didn't do my job and they don't certify  
21      it, I go back to the drawing board. So I don't want to  
22      do that.

23           My goal is to get a document that can be  
24      certified by the Commission and then the Commission  
25      will take action on the project. They'll look at what

1 the Environmental Impact Report says. Again, that's an  
2 informational document.

3 So they'll be looking at the information on  
4 the alternatives, the impacts, and they'll be making a  
5 decision which, again, it could be for removal, it  
6 could be leave in place, that's totally up to our  
7 Commission.

8 Hopefully, the environmental document, if I do  
9 my job, gives them the information they can use to make  
10 that decision. That doesn't mean you can't come to  
11 this hearing. You can also ask for where, you know,  
12 tell the Commission whether or not my staff did its  
13 job, what they want the Commission to decide. So,  
14 again, it's a public hearing.

15 Typical environmental document covers a lot of  
16 issues: Aesthetics, air quality, greenhouse gases,  
17 cultural resources, hazardous materials, hazardous  
18 operations of, you know, whatever offshore vessels are  
19 going to be used to remove components, if that's where  
20 it goes, if that's to recreation.

21 And then this "Other" is very important. It's  
22 not necessarily part of CEQA, but the Commission is  
23 very proud of its impacts, looking at impacts in  
24 environmental justice, if there are any environmental  
25 justice impacts.

1 I mentioned that the State has a -- the  
2 Commission has the responsibility to look at the public  
3 trust impact -- excuse me -- public trust impacts. So  
4 there's some things in CEQA that aren't necessarily  
5 public trust related, but the Commission will be  
6 looking at those, too, public access.

7 So if work is going to be occurring on the  
8 beach, how will that affect the public's ability to  
9 access the beach at the time. And then, of course,  
10 sea-level rise, a major concern at the Commission,  
11 given the fact that the seas are rising and is  
12 affecting our land and --

13 The Commission isn't just environmental, which  
14 is my division. We also have a lot of engineers, who  
15 will be looking at this work, too, structural  
16 engineers, civil engineers. They'll be looking at the  
17 operations in a level that I don't understand, because  
18 I'm not an engineer, to make sure that all the  
19 activities are conducted in a manner that is safe to  
20 both public health and safety and the environment.

21 They'll be looking at compliance with  
22 applicable standards and codes. Again, we'll be  
23 documenting this in the Environmental Impact Report.  
24 And, then, should the project be approved, there  
25 will -- any mitigation measures that the Commission

1 imposes as part of this project, our staff will be  
2 monitoring to make sure that those measures they're  
3 designed to reduce significant impacts these measures  
4 are followed through with.

5 This picture, by the way, is during Unit 1, I  
6 believe, decommissioning.

7 To summarize, if I make it to the end, we're  
8 committed to public engagement and coordination with  
9 agencies, the public, tribes. We pride ourselves on  
10 that.

11 The Commission will not approve the projects  
12 if the CEQA requirements aren't met. The approval  
13 requires the Commission to certify the EIR and make  
14 findings both pursuant to CEQA and the Public Trust and  
15 we anticipate that that will occur in fall of 2017.

16 I don't know where that meeting will be. Our  
17 Commission meets approximately every two months. So,  
18 it's likely that they could arrange the meeting in  
19 San Diego but, again, that's not my purview. I'm just  
20 staff at the Commission. But they'll decide that and  
21 the public will be notified of when that is.

22 So I'm going to end with questions and just --  
23 I didn't put the Commission website, I put that in  
24 after you got your presentations, but if you want to  
25 write that down, that's where you'll find all of our

1 CEQA documents.

2           You'll find the Unit 1 Environmental Impact  
3 Report on that website, too, just go to our CEQA page  
4 and look under San Diego or the Southern part of the  
5 State and you'll find the full document, so you can get  
6 all the information you need about how long the Unit 1  
7 conduits are and anything else related to why the  
8 Commission decided to be that, you know, the facility  
9 in place versus removal and like that.

10           CHAIRMAN DR. VICTOR: Okay. Excellent, Cy.  
11 Thank you very much for your time.

12           MR. OGGINS: Sure.

13           CHAIRMAN DR. VICTOR: And for your insight.  
14 We have time for a few comments and questions.

15           Can I just flag that if you think there are  
16 documents related to this process that you think the  
17 public will benefit from seeing, if you could remind us  
18 of those, we can also get them up on the  
19 SONGScommunity.com site or have crosslines and so on.

20           Garry Brown, do you want to comment?

21           MR. BROWN: First off, thank you for your  
22 presentation.

23           MR. OGGINS: You're welcome.

24           MR. BROWN: Thank you for your presentation.

25           Would you describe -- my understanding, you

1 have a small staff -- that the applicant fills out the  
2 application to you and then you basically, after the  
3 scoping meeting, then you hire an outside consultant to  
4 prepare the EIR.

5           Would you describe that process on how you  
6 select an outside consultant to prepare the EIR?

7           MR. OGGINS: Sure. Actually, you can start by  
8 going -- again, going to our website, in the bottom  
9 right-hand corner of our website. Sorry I don't have  
10 that with you. But it'll include the document that we  
11 released to obtain bids for this project.

12           Okay. So, basically, it's a lengthy document  
13 that will lay out "Here is the project. This is what  
14 we're looking for in a document. We're looking for a  
15 company that has certain skills related to  
16 decommissioning." Okay.

17           So our goal is to get as many bids as possible  
18 from reputable firms, which -- and we've done this  
19 for -- I don't know. I've been with the State Lands  
20 Commission for 10 years myself. We do this on all  
21 types of projects, from liquefied natural gas  
22 terminals, offshore Oxnard to offshore oil drilling  
23 projects.

24           We're looking for expertise in, ideally,  
25 someone who's -- who's done this type of work before:

1 Remove, prepare an environmental document that looks at  
2 decommissioning, a removals project. But, also,  
3 ideally that has experts in nuclear waste contamination  
4 so that we can provide information in our document that  
5 will address the issues the public is really interested  
6 in learning about.

7 We will collect all the bids we get, which are  
8 due at the beginning of April. And, actually, some  
9 consultants are here tonight. So when you think about  
10 asking questions, the more questions you ask, they'll  
11 build that into their bid document, as well, to provide  
12 us with a -- their vision of how this Environmental  
13 Impact Report will be prepared.

14 We'll then review their written proposals to  
15 us and these consultants can spend five figure of --  
16 you know, five figures, and tens of thousands of  
17 dollars in preparing these documents for us.

18 We will review them and we'll select one of  
19 them. We'll, actually, select three, a minimum of  
20 three, and then we'll hold interviews with those  
21 consultants and then based on the written  
22 documentation, talking to their experts at these  
23 interviews, we'll select what we feel is the best team.

24 Then at that time we'll start negotiating the  
25 cost of document. And, again, it's totally independent

1 of Southern California Edison. They do not sit on the  
2 panel. They do not sit on the negotiations of cost.  
3 We've done this for years, so we have a general sense  
4 of what this type of project will cost.

5 We'll select the con -- the consultant and  
6 then we'll prepare our contract, that contract that's  
7 got too much detail, will go to our Department of  
8 General Services for approval. And once they put the  
9 blessing on the project, they can start work on the  
10 document.

11 CHAIRMAN DR. VICTOR: Let me get Ted Quinn and  
12 then Tim Brown.

13 MR. OGGINS: Did that answer it?

14 MR. BROWN: Thank you.

15 MR. OGGINS: Okay.

16 CHAIRMAN DR. VICTOR: Ted?

17 MR. QUINN: Very good. Cy, you did a great  
18 job. Three things or two things, really: The  
19 experience base of decommissioning San Onofre Unit 1,  
20 which is the only unit in the United States  
21 decommissioned at an operating unit site must  
22 provide -- in the last 10 years provide you tremendous  
23 experience base.

24 Can you give a percentage of -- related to  
25 Unit 2, 3, of your estimate of how much applicability

1 it is on CEQA? Is Navy land the same -- the same site  
2 that was done for Unit 1 for 2 and 3? High level of  
3 applicability, I assume?

4 MR. OGGINS: Because we are now at a point  
5 we're reviewing the whole of the project, it's going to  
6 be more complex --

7 MR. QUINN: Okay.

8 MR. OGGINS: -- in this project. Units 1 --  
9 Unit 1 is just the offshore conduits alone. Now we're  
10 reviewing the offshore, which is, again, our  
11 jurisdiction, plus an onshore component, which, you  
12 know, the federal agencies own.

13 There's a lot of preemption issues with NRC  
14 that we're not even allowed to go into because of the  
15 NRC federal preemption on nuclear power plants. So  
16 we're going to try to navigate out, you know, a path  
17 that is -- provides you with the information and  
18 members of the public and the Commission the  
19 information that it needs.

20 Again, we can't cross lines in our decision.  
21 We can't do things that we're not allowed to do as  
22 state agency, so my challenge is to make that  
23 understandable to you.

24 MR. QUINN: But it is larger? It's quite --

25 MR. OGGINS: It is larger because it covers

1 the whole onshore as well as the offshore.

2 MR. QUINN: Thank you.

3 CHAIRMAN DR. VICTOR: Tim Brown.

4 MR. BROWN: So one of the items that came up  
5 when we were chatting, while we were discussing the  
6 Environmental Impact Report previously was that the  
7 Environmental Impact Report we did on the plant for  
8 decommissioning doesn't assume a green field to  
9 build -- to a decommissioned state, it assumes an  
10 existing operating plant to a decommission status.  
11 Right? And this -- and correct me, so the scope of  
12 this document is, assume you've got an operating plant  
13 and you're then going from an operating plant to a  
14 decommissioned status. Right?

15 I would assume that's the scope of this  
16 environmental document as -- as you outlined it.

17 MR. OGGINS: That's my belief at this time.

18 MR. BROWN: Okay.

19 MR. OGGINS: If I get more information, I'll  
20 probably be refining that.

21 MR. BROWN: The reason why I bring that up is  
22 because one of the things that came up, and it was  
23 fairly -- it was a little bit controversial in some of  
24 the public comments is that one of the comments that  
25 was made very often is that there's almost no

1 environmental impact because you're going from a fully  
2 operating plant to having it removed, meaning dust from  
3 the deconstruction, but effectively you're going from  
4 what's considered to be a more of an impacted  
5 environment to a less impacted environment because the  
6 facilities and everything, all the operations, the  
7 people, are going to removed.

8           So, really, if that's the case, then, is this  
9 really just a conduit discussion? Is -- is it  
10 primarily focused around that because of the  
11 pre-exemption items you talked about the NRC?

12           It feels like it really limits to that one  
13 action or, at least, to that issue. Would that be an  
14 accurate representation?

15           MR. OGGINS: It could be. I'm not quite there  
16 yet.

17           MR. BROWN: Okay.

18           MR. OGGINS: I think, once we hire the  
19 consulting team, we'll be sitting down with them to  
20 help figure out what the process will be. But, again,  
21 my goal is to -- whatever that process is, my goal is  
22 to lay that out clearly in that, first of all, the  
23 draft, the Environmental Impact Report that you will  
24 get to review and members of the public will get to  
25 review. So at this time, right now, today, it's a

1 little bit gray for me.

2 (Simultaneous colloquy.)

3 MR. BROWN: It's wide open.

4 MR. OGGINS: Right.

5 MR. BROWN: But, eventually, it could end  
6 up -- (Simultaneous colloquy.)

7 MR. OGGINS: Right. Right. I don't know all  
8 the preemptions, for example.

9 CHAIRMAN DR. VICTOR: Yeah, so I'm mindful of  
10 time. Is it directly on this point?

11 MR. PALMISANO: Maybe I can clarify some of  
12 this. (Simultaneous colloquy.)

13 CHAIRMAN DR. VICTOR: Linda and then Dan.

14 MS. ANABTAWI: I just want to clarify, for  
15 Unit 1, the environmental review was done a little bit  
16 differently because we didn't disposition the conduits  
17 at the same time as the onshore portion.

18 MR. OGGINS: Right.

19 MS. ANABTAWI: So the onshore portion of  
20 decommissioning for Unit 1 was actually reviewed and  
21 approved by the Coastal Commission, so we have a CDP  
22 that covers Unit 1 decommissioning and that did look at  
23 the physical work that would be conducted in connection  
24 with the decommissioning of Unit 1 and associated  
25 impacts.

1           MR. OGGINS: I think the parallel here is with  
2 the interim storage facility, that was not in the State  
3 Lands Commission Jurisdiction, so we were -- we had no  
4 role in that decision that the Coastal Commission made  
5 because the environmental document is now for the  
6 offshore conduits and we're required to do the whole of  
7 the project, that's where we'll get involved, in the  
8 whole of the project.

9           So, yeah, there's layers. But, you know, I've  
10 worked for the Coastal Commission for 10 years, too, I  
11 know the -- the players there. We'll definitely be  
12 coordinating with them very, very closely so that our  
13 reviews are as close as possible.

14           CHAIRMAN DR. VICTOR: Dan Stetson.

15           MR. STETSON: Cy, thanks. Very interesting  
16 and informative.

17           Linda, you shared with us how the Navy becomes  
18 involved in this. Could you share with the audience,  
19 you know, kind of a line of demarcation with the Navy  
20 in terms of after the Environmental Impact Report is  
21 completed what's the impact and how they all would be  
22 involved in it?

23           MS. ANABTAWI: So, Cy, you can clarify here,  
24 but --

25           MR. OGGINS: Sure.

1 MS. ANABTAWI: The Navy will actually be quite  
2 involved in the CEQA process because, as the landowner,  
3 the Navy will be the decision-maker as to the end-state  
4 for the site, so that includes the substructure  
5 removal, so the Navy will determine what we have to  
6 remove, what can stay there.

7 And so from what I understand, State Lands  
8 will be consulting with the Navy throughout the CEQA  
9 process. The Navy has indicated an interest in being  
10 active throughout the CEQA process, but ultimately the  
11 NEPA process may reach different conclusions. It's an  
12 independent process.

13 The idea, however, will be that if the Navy  
14 has been quite involved in the CEQA process that that  
15 would facilitate the subsequent NEPA review.

16 MR. STETSON: Thank you.

17 CHAIRMAN DR. VICTOR: Okay. Great.

18 MR. KERN: Just a point of clarification.

19 CHAIRMAN DR. VICTOR: Jerry Kern.

20 MR. KERN: So is there going to be like a  
21 parallel NEPA document being prepared along with CEQA?  
22 Is that how it's going to run?

23 MR. OGGINS: Well, actually, for the -- do you  
24 want to?

25 MS. ANABTAWI: Oh, I can address that.

1           They -- they're not running in parallel and  
2 the reason for that is they're covering different  
3 scopes.

4           So the State Lands Commission document is  
5 looking at obviously conduit disposition, but also the  
6 D&D work, which is all of the work that's required in  
7 connection with the NRC decontamination effort, whereas  
8 the Navy NEPA document is then looking just at the  
9 land -- landowner-specific requirements.

10           So that's a whole different scope and they'll  
11 be somewhat -- there might be some overlap, but really  
12 the two processes will be conducted separately.

13           MR. OGGINS: If I could just conclude,  
14 perhaps, I need these questions that you want  
15 addressed. When we get to the scoping phase, write  
16 them out. Test me on how well I can respond to your  
17 questions.

18           So, you know, again, the Environmental Impact  
19 Report, the goal is to inform the public.

20           CHAIRMAN DR. VICTOR: Okay.

21           MR. OGGINS: So, hopefully, I can address all  
22 of those questions in that actual document.

23           CHAIRMAN DR. VICTOR: Excellent. Thank you  
24 very much.

25           So just as we close, I want to, maybe, Tom,

1 when you give the update every meeting, we could  
2 include an update on where we are in the EIR process  
3 would be helpful to --

4 MR. PALMISANO: We certainly will because this  
5 would be one of the dominant activities over the next  
6 18 months, so we'll include this in every quarterly  
7 update.

8 CHAIRMAN DR. VICTOR: Yes. And, Cy, nobody's  
9 mentioned it, but I'm sure a lot of folks will keen  
10 that when the Commission gets to the stage of holding  
11 its own hearings and meetings on this, I'm mindful that  
12 there are a lot of factors that go into where the  
13 Commission actually meets, but it would be great if  
14 perhaps they could meet in this area so that as many  
15 people could see that process as possible.

16 MR. OGGINS: I will definitely pass that on.  
17 The Commission typically has 135 items every meeting,  
18 so, again, the decision is up to the Chair at the time,  
19 but I will definitely -- I'm sure they're very aware of  
20 that right now. I will let them know that.

21 CHAIRMAN DR. VICTOR: Okay. Thank you very  
22 much.

23 MR. OGGINS: Yeah.

24 CHAIRMAN DR. VICTOR: We have a 10-minute  
25 break right now and then we'll reconvene at 7:35 with a

1 few update items related to consolidated storage and  
2 then the public comment and question period.

3 (Break taken from 7:25 p.m. to 7:35 p.m.)

4 CHAIRMAN DR. VICTOR: So we have a segment of  
5 the meeting for updates from the members of the  
6 Community Engagement Panel, things that you think will  
7 be important for the community to know that we're doing  
8 or could be doing.

9 I wanted to start that process. We committed  
10 to every single meeting get an update from panel  
11 members concerning Consolidated Interim Storage because  
12 there's a gen -- a general feeling that this could be  
13 enormously beneficial to us because the plant is  
14 decommissioned and so Yucca Mountain or some other  
15 permanent facility opens -- spent fuel needs a place to  
16 put it. And even with Yucca Mountain opened, we need  
17 some place to put it in the interim. And there's been  
18 a lot of activity in that front.

19 There's a memo that I circulated with the  
20 panel a few days ago, it's been posted on the website,  
21 as well, that updates, in particular, a picture at the  
22 federal level and I just want to make a couple of  
23 highlights from that and then ask other members of the  
24 panel to add additional comments here.

25 There's a huge amount of activity at the

1 Department of Energy on this topic. The office that is  
2 running these meetings, including the one in April in  
3 Sacramento, is now geared up and doing, I think,  
4 whatever they can, within the limits of federal law, to  
5 help promote the siting of two, or possibly more,  
6 interim storage facilities and, also, working with the  
7 Department of Transportation on the transport side of  
8 the equation and Tom Palmisano told us a little bit  
9 about that.

10 As you know, they were out here last June, a  
11 year ago in June, visiting and we're going to invite  
12 them out here again the next meeting of this panel, in  
13 fact, when we focus on consolidated storage.

14 I was in Washington a couple of weeks ago on  
15 other business and so I spent some money on Uber and  
16 went up to Capitol Hill and I had a chance to meet with  
17 staff and members of Congress on -- and also staff on  
18 the Senate side.

19 There are two pieces of legislation, one in  
20 the House, one in the Senate, that are working their  
21 way through. The politics on this are shifting a lot.  
22 This is not just a Harry Reid issue. This is not just  
23 a Republican/Democrat issue, but I think a growing  
24 number of folks recognize that if consolidated storage  
25 is presented as a complement to permanent storage

1 facilities, that you can do a political deal that would  
2 result in new -- new federal law in this area.

3 There are some open questions as to whether  
4 federal law is actually necessary and an attachment to  
5 the memo that I circulated included a transcript from a  
6 hearing about two weeks ago with Secretary Moniz, where  
7 he addressed this issue directly in response to  
8 questions from Senator Feinstein.

9 I don't think anybody is naive in thinking  
10 that Congress is going to get much done this year, but  
11 the idea right now or, maybe, ever, but the idea right  
12 now is to create an echo chamber around the wisdom of  
13 Consolidated Interim Storage so that when Congress gets  
14 back to business of actually passing laws the  
15 probability that something would emerge on -- on both  
16 the House and the Senate and get through conference  
17 that probability goes up.

18 So, what we're trying to do is -- with a lot  
19 of local support, is push eventually for hearings and  
20 get people focused on this and, crucially, to build the  
21 number of cosponsors notably on the House legislation,  
22 a draft legislation.

23 And the idea behind that is to demonstrate, in  
24 particular, to the Republican Party that there are  
25 strategies other than just talking about Yucca

1 Mountain. So that's the idea, and the logic of that is  
2 spelled out in the memo in greater detail.

3 And, I guess, I will just close my comments on  
4 this by saying one thing, which is, I think we can see  
5 a line of sight to having the Consolidated Interim  
6 Storage facilities open to maybe more facilities and  
7 there's a range of views about the wisdom of this and  
8 there's a range of views about what consent-based  
9 siting means and that's what this hearing is going to  
10 be about in Sacramento in April 26.

11 What concerns me much more is the transport  
12 and how the transport is organized and making sure  
13 there are multiple transport routes so we don't get  
14 hung up with one route and then a problem on one route.

15 And that's something, I think, we need to, as  
16 this panel spends more time on this and other people  
17 spend more on this, pay close attention to what's  
18 happening on the transport side.

19 So I'm going to stop there and see if Dan and  
20 Tim want to comment. I'll ask other members of the  
21 panel, as well, to comment. Dan?

22 MR. STETSON: Thank you.

23 Well, first of all, I'm really excited that  
24 there appears to be progress being made and I want to  
25 thank so many of you who have come up and wanted to

1 work together on this. I've had private homeowners  
2 from Laguna Beach that have offered their home for  
3 public meetings.

4 And, Garry Brown, I want to thank you. You've  
5 been -- together we've been reaching out to a number of  
6 non-profits to bring them up to speed so that they're  
7 not caught off guard as these things start to move  
8 forward.

9 A number of you, too, I want to have a shout  
10 out for Marni, she's -- she's right there. And she's  
11 been very active, going to meet with some of the  
12 different legislators and even was very successful in  
13 getting Dana Rohrabacher to sign on as a cosponsor for  
14 one of the bills.

15 So there's a lot happening now and we're  
16 really trying to do our best just to be that  
17 echo chamber to get things moving and to continue to  
18 increase the volume of this, not only at the local  
19 level, the state level, but also at the federal level.

20 Garry, do you have anything you want to add to  
21 that?

22 MR. BROWN: Yes, I would. I, too. I'm  
23 encouraged that there's kind of a whole sea change  
24 of -- of more support, more awareness for Consolidated  
25 Interim Storage. And I think, though -- you know, I

1 think everybody in this room will agree, we want to get  
2 spent fuel off San Onofre site sooner rather than later  
3 and so maybe this is a way to do it.

4 But, I guess, I always still have a caution  
5 that as much effort as we've put into to building  
6 support and getting things right and dealing with the  
7 transportation issue so we can actually get to  
8 Consolidated Interim Storage, we can't ignore fixing  
9 the broken federal process for a final biological or  
10 geological repository because if we are so successful  
11 in getting CIS, Consolidated Interim Storage, the fear  
12 is that, by default, will become the long-term  
13 permanent storage in a facility that's not designed for  
14 that.

15 And so we have to fix both the broken federal  
16 system and go down this road. And I think -- I think  
17 we're on the same page, but, you know, what we're  
18 trying to do is go out and garner public support and --  
19 and raise some awareness because the -- the public is  
20 going to have to weigh in many times going down the  
21 road.

22 CHAIRMAN DR. VICTOR: Yeah. Thank you very  
23 much. I think that's an important point.

24 And I just want to remind people that a year  
25 and a half ago, a little more than a year and a half

1 ago, we had our first workshop on this topic and  
2 Per Peterson, from Berkeley, told us about a variety of  
3 other technologies, in addition to Yucca Mountain, that  
4 are emerging so-called deep borehole technologies, one  
5 of which is plausibly being tested soon. And I think  
6 there's been a lot of movement on that front as well.

7 The other thing I want to mention is, there's  
8 a very good article in the current EPRI Journal about  
9 all the various technologies that are now being  
10 developed to monitor and inspect the canisters as part  
11 of a long-term aging management program, and that's  
12 crucial.

13 That's part of this Defense-in-Depth that this  
14 panel has been talking about on a regular basis, we  
15 will be talking about later this year, and that's  
16 crucial that that go forward, so that's part of the  
17 overall program.

18 Tim Brown, do you want to comment on this?  
19 And I want to see then if others want to comment.

20 MR. BROWN: My only comment, and it was after  
21 reviewing the memorandum is, one of the items on here  
22 says that among other things we need to signal deep  
23 support for the CIS, Consolidated Interim Storage, and  
24 also articulate why decom -- decommissioning plants  
25 should be the first line to send the fuel.

1           You know, Jerry, in Oceanside, has done a good  
2 job on getting a resolution out in support of this;  
3 San Clemente has followed suit as well as other South  
4 Orange County cities, and so I would ask that, you  
5 know, the other members of this body, whatever entities  
6 you represent, may consider similar letters of support  
7 or, at least, resolutions from whatever bodies that you  
8 happened to be with, you know, from Labor to Parks, and  
9 other things, to effectively say this -- we feel like,  
10 in our estimation and review, as a member of the CEP,  
11 this is a good idea. Frankly, the more the merrier.

12           There isn't a group that can't agree with  
13 this, that shouldn't agree with this idea of removing  
14 it and having it to a better place than where it's  
15 currently at, and that's how you would show support.

16           CHAIRMAN DR. VICTOR: Yeah, thank you.

17           I think one thing that I've learned in looking  
18 at these resolutions, which is really encouraging, is  
19 we need to remember that, in addition to signaling  
20 support for particular pieces of legislation that are  
21 working through Congress right now, we know we want to  
22 signal support for the underlying idea.

23           Jerry Kern, do you want to talk about this and  
24 what you've done in Oceanside?

25           MR. KERN: Well, Oceanside, we brought forward

1 a resolution of support of HR3643 and that actually got  
2 a lot of traction. A lot of the cities around Southern  
3 California, and even the City of San Luis Obispo, have  
4 taken that resolution almost verbatim and crafted their  
5 own to show support.

6 And, also, when I sent the copy of our  
7 resolution, when they contact me, I sent up the copy of  
8 the committee members that are hearing this. So it  
9 does one thing, in isolation you pass a resolution in  
10 support, but it doesn't do you any good until you  
11 actually get it to people that are actually doing the  
12 legislation.

13 So that's the one thing that I think has  
14 gained traction back there, that the local communities  
15 are very much in this and support of this Consolidated  
16 Interim Storage to move it off of San Onofre.

17 So the City of Oceanside, City of Carlsbad,  
18 Encinitas, and I think Manuel Camargo, back there, he  
19 went with me to the City of Encinitas, and they passed  
20 their resolution. And I went up to the City of Laguna  
21 Woods a couple of weeks ago, and they passed a  
22 resolution.

23 So it is gaining a lot of traction, a lot of  
24 notice, but I think that's -- but it can't just stop  
25 with cities. I think, Garry Brown kind of said this

1 too, everybody out there needs to contact their  
2 congressman and write them and say "This is a community  
3 idea, it's not just a government/city idea, so, to do  
4 that."

5 And then I had a conversation with Senator Pat  
6 Bates. She called me a couple of days ago and, at the  
7 state level, Senator Bates and Assembly Member Chavez  
8 are bring forward the same resolution at the state  
9 level.

10 CHAIRMAN DR. VICTOR: All right. And we  
11 talked with them last -- I think, late last summer,  
12 and -- and I certainly stand ready to do whatever I can  
13 to help support that.

14 Glenn Pascall.

15 MR. PASCALL: Thank you, Mr. Chairman.

16 Being here on behalf of the Sierra Club, on  
17 this issue, I have two assignments: One is -- and I'm  
18 gratified that how often this is referenced -- to point  
19 out the ultimate goal of long term geologic repository  
20 as storage;

21 And, secondly my role is to report back to the  
22 Sierra Club about your discussions of consent-based  
23 siting and Consolidated Interim Storage.

24 And, I think, more informally I will say this,  
25 that, well, it's a new concept, and the Sierra Club

1 does not have a support position on it or, really, any  
2 position.

3 I am gratified by the renewed level of  
4 activity on this because it can only usefully uncover  
5 valuable ideas. And, then, if there are environmental  
6 justice concerns or environmental quality concerns  
7 about specific proposals, those can be vetted and  
8 corrected.

9 But I commend you all for, again, opening the  
10 spirit of possibility, of discussion, so that the range  
11 of approaches can be fully explored and we can zero in  
12 on responsible and effective ways to move forward.  
13 Hats off.

14 I also wanted to mention, the panel itself has  
15 before you a statement on Sierra Club letterhead and,  
16 since I've just spoken on behalf of the Sierra Club,  
17 I'm sorry to say that I must report to you that this is  
18 a bogus document with a Sierra Club logo.

19 The best indication is that, if you turn to  
20 the signature page, it's from Susan Corbett, who is  
21 Chair of the Nuclear Free Team, which is a national  
22 antinuclear affinity group; it does not come from a  
23 person at the level in the Sierra Club that would  
24 normally be required to send a message to the Chair of  
25 the Nuclear Regulatory Commission.

1           And, in fact, today, the Angeles Chapter,  
2           which I represent, filed a formal notice with Senior  
3           Sierra Club National Staff of a process violation.  
4           This document is dated March 18th. We learned of it  
5           only today. National assumed we were involved in  
6           developing a statement and they were surprised we were  
7           not.

8           CHAIRMAN DR. VICTOR: Okay.

9           MR. PASCALL: It's doubtful that the final  
10          Sierra Club position on Nuclear Waste Management will  
11          be what you see here, so please treat the document  
12          accordingly.

13          CHAIRMAN DR. VICTOR: Okay. Thank you for  
14          that update. Any other comments from the panel on the  
15          issue of consolidated storage?

16          Ted Quinn. And then I want to see if there  
17          are any other updates from the panel before we move to  
18          the public comment period.

19          Ted Quinn.

20          MR. QUINN: Just very quick. I wanted to  
21          reinforce the benefit of going to this consent-based  
22          siting meetings. The public meetings are to be held in  
23          a schedule, you saw, this spring and summer. The head  
24          of these meetings is John Kotek, the Assistant  
25          Secretary for Nuclear Energy.

1           He is a wonderful person. He's been in office  
2 about six months, but he's got 40 years of experience  
3 in -- in nuclear energy. He is the speaker, opening  
4 speaker, at each of these. His intent is to get as  
5 wide a range of public comment and input to carry into  
6 the next administration.

7           It's very important because this is the new  
8 program that we all want to look at and define that  
9 this is a success criteria for all of us. So I just  
10 wanted to bring that up.

11           CHAIRMAN DR. VICTOR: Thank you very much.  
12 I'm going to ask John Kotek if he wouldn't mind coming  
13 to our next meeting.

14           MR. QUINN: Good.

15           CHAIRMAN DR. VICTOR: It may be that, for  
16 protocol reasons, the DOE is not in a state to talk  
17 publicly about this, but I know that they have now all  
18 agreed to do consent-based siting and then they've got  
19 to figure out what that actually means.

20           MR. QUINN: Good idea.

21           CHAIRMAN DR. VICTOR: So that's what these  
22 hearings are about.

23           Let me just see if there are other comments on  
24 the Consolidated Interim Storage.

25           Let me see if there are any other updates from

1 the panel before we go to the public comment period.

2 (Brief pause.)

3 Okay. Excellent.

4 So we have public comment period now.

5 MR. MACEDO: I have a comment.

6 CHAIRMAN DR. VICTOR: Yeah, please. Val.

7 MR. MACEDO: I just want to address the panel  
8 and the audience here, that we engaged in a -- we took  
9 a trip out to Chicago to Zion ourselves and viewed the  
10 site out there.

11 We were very pleased with how good they  
12 treated us out there, and we wanted to stay ahead of  
13 the curve, as far as training goes, in preparing for  
14 the decommissioning and we brought back -- we were  
15 actually surprised on -- we met with the other trades  
16 out there and we were told that they wish that they  
17 would've been as far ahead of the game as us and they  
18 appreciated where we're at today.

19 So I wanted to share that with everybody. And  
20 it was -- the contractor that's out there doing the  
21 work got us on site. We looked at all the activities  
22 going on and we engaged in some good dialogue and it  
23 was good. I just wanted to share that with everybody.

24 Thank you.

25 CHAIRMAN DR. VICTOR: Excellent. Thank you

1 very much. I want to thank you, also, and your  
2 organization for sharing a letter with me a while ago  
3 on other organized labor groups concerning the role of  
4 organized labor in the decommissioning process and  
5 we've shared that, obviously, with the full panel and  
6 it's posted on the website. Thank you very much for  
7 that continued engagement.

8 Any other comments?

9 Okay. So we have a public comment period.  
10 And, as always, we allow three minutes per comment and  
11 the idea is to be as constructive as possible and to  
12 help --

13 MR. AGUIRRE: You're dictating how we have to  
14 talk?

15 CHAIRMAN DR. VICTOR: No, I'm not dict --

16 MR. AGUIRRE: Please don't do that. Don't  
17 talk about content of speech.

18 CHAIRMAN DR. VICTOR: Sir, I'm not talking  
19 about content of speech.

20 MR. AGUIRRE: Yes, you're already saying  
21 constructive.

22 CHAIRMAN DR. VICTOR: We have three minutes  
23 per comment and the first on our list is Gary Headrick  
24 and then Marilyn Fuss.

25 Gary Headrick, the floor is yours.

1           MR. HEADRICK: Good evening. I'm Gary  
2 Headrick, San Clemente Green founder and representing  
3 about 5,000 concerned citizens living in the proximity  
4 of San Onofre.

5           And, first, I'd like to start on a positive  
6 note, but I'm afraid it has to go elsewhere because I  
7 feel the obligation to represent the other side of the  
8 story here.

9           I have to remind you that everyone on this  
10 Board has a lot of integrity. The more I get to know  
11 this Board, the more I appreciate it. I think we're  
12 all in the same boat and we're trying to find  
13 commonalities so we can work together towards the same  
14 ultimate goal.

15           But I also have to remind you that we have  
16 different priorities and I have concerns about being  
17 overly optimistic about what we can achieve when the  
18 industry has a reputation in the history that we  
19 shouldn't forget.

20           When I first got involved in 2010, San Onofre  
21 was the worst safety record in the state by 20 times,  
22 25 percent in the nation. 25 percent of the employees  
23 feared retaliation if they reported safety violations.

24           And as we tried to promote, within our own  
25 community, concerns that whistle blowers brought to our

1 attention about the steam generator issue, we were not  
2 listened to until finally the steam generators failed.  
3 And the problem with that is, we're still -- we're  
4 dealing with the same entities.

5 And, although, I have tremendous respect for  
6 everyone here, including you, Tom, I think, Edison, as  
7 an industry, has -- has a lot of catching up to do in  
8 terms of our trust.

9 And what I'm concerned with, really, is what  
10 Garry Brown brought up, but in another, like, one step  
11 before that, he was saying how important is to have the  
12 permanent storage site and interim is part of that  
13 step.

14 But if we end up in a situation where we're  
15 delaying the process inadvertently because of the  
16 review process and CEQA and all those reviews, we're  
17 sitting on 80-plus storage containers that have  
18 questionable integrity and they have -- they were  
19 intended as short-term storage solution because the DOE  
20 has let us all down in this.

21 And I feel bad for all of us in this  
22 situation. And I'm not sure how we'd get out of this,  
23 but by sitting on containers that could fail and leave  
24 us in a situation where we've become the default  
25 nuclear storage site, then we're all out of luck

1 because once the cracks could appear or even a question  
2 because we can't inspect these things, we may never be  
3 able to move these.

4 So I plead with you to respect our position a  
5 little more, give us a little more credit for the  
6 documentation we found that says these storage devices  
7 are not reliable and we'll all work together as long as  
8 we can, you know, have this cooperative atmosphere and  
9 discussion ongoing because --

10 CHAIRMAN DR. VICTOR: Excellent.

11 MR. HEADRICK: -- right now, I feel like we're  
12 agreeing on things, but the things that we disagree on  
13 get ignored.

14 CHAIRMAN DR. VICTOR: Thank you very much for  
15 you comment.

16 Marilyn Fuss and then Marni Mag -- "Magna."

17 MS. FUSS: I'm Marilyn Fuss. This is the  
18 third time that I've been coming -- that I've come down  
19 here from L.A. for this meeting and each time I'm  
20 amazed that half the State of California isn't here.

21 Flimsy drums of nuclear waste, shells  
22 proportionate to a cigarette paper, right by the  
23 roaring, unpredictable sea are terrifying. We're  
24 gambling every day with tens of millions of lives of  
25 all ambience species.

1           Can't we find a place to move the 33 ready  
2 canisters inland soon within a year? Put it at first  
3 priority with Governor Brown, the Assembly, the Senate,  
4 the President. Because if an accident occurred, this  
5 is what we'd have to do. Thank you.

6           CHAIRMAN DR. VICTOR: Thank you very much for  
7 your comment. Next is Marni Magda and then Donna  
8 Gilmore.

9           MS. MAGDA: Thank you so much for all of your  
10 hard work. I did want to begin thanking Cy Oggins --  
11 Oggins from the State Lands Commission for being here,  
12 and ask everyone on the CEP panel to stay very, very  
13 vigilant.

14           I've been to all the meetings about those  
15 pipes. I'm very concerned on the outtake side that one  
16 is a mile and a half and another is a mile into the  
17 ocean. They're 18 feet of cement. They've been having  
18 radiation dumped into our ocean on only as -- it's  
19 called ALARA, As Little As Reasonably Achievable, and  
20 that means that we have had radiation for 53 years  
21 going out into the oceans from those pipes.

22           Tom has even talked about that the spent fuel  
23 pool water would go into the ocean when they're finally  
24 emptied.

25           So, please, let's have part of that looked in

1 the environment, go in and find out what that cement is  
2 doing, find out. Yes, it'll be awfully disruptive to  
3 take a 6-foot buried pipe that big out of the ocean,  
4 but we have had the ocean go to an odd-look from a long  
5 time now, 18 years ago. And we need to make sure that  
6 this isn't because of radiation.

7 So, with that, I'll turn to the real thing  
8 that I wanted to talk about. Thank you.

9 Interim storage: We really have a chance.  
10 We've got to go after the DOE to not let them --  
11 Senator Feinstein said that we have -- right now, it  
12 could go after the West Texas and the New Mexico, it's  
13 AREVA and Holtec, we could have them by 2021 and 2025.

14 And we don't even need legislation. We just  
15 need to get the DOE to do it. And I heard Moniz is  
16 kind of hedging on it. We've got to get everybody on  
17 this panel to push for that and push it at every city  
18 level.

19 We could have this fuel out of here, by 2025,  
20 moving and then, finally, out of there within the years  
21 that it takes to get the train moving. If we can have  
22 five at a time moving. Tom has talked -- I'd like to  
23 have, Tom, if you would get the information that I've  
24 been getting out to the public, we can do this  
25 together.

1           Because, it is -- it can't stay where it is  
2 and it can't be here for 20 decades. It's got to be  
3 out of here immediately. So let us work together.

4           And, Tom, I hope you'll continue getting the  
5 Navy to help us along with this too because the interim  
6 storage in Texas and New Mexico is the right place for  
7 a hundred years while we watch these canisters.

8           Find out what they do, really, test them with  
9 the nuclear, not just non-radiation testings, which is  
10 they're wasting 27 million dollars on the  
11 non-radiation. We need real data and we need to really  
12 go after it and we need to have these canisters safely  
13 away from environment that is hazardous while we find  
14 out what's going on.

15           It's a new -- it's an industry, that a man  
16 that was 91 years old, Dr. Alvin Weinberg said, "had I  
17 known --" and he's at Oak Ridge National Laboratory,  
18 "Had I known that we wouldn't have national waste, the  
19 spent fuel, figured out, I would've rethought  
20 commercial reactors."

21           CHAIRMAN DR. VICTOR: Okay. Thank you very  
22 much.

23           MS. MAGDA: So, thank you. Sorry.

24           CHAIRMAN DR. VICTOR: Thank you for your  
25 comment.

1 Donna Gilmore and then Daryl Gale.

2 MS. GILMORE: I have some new news: There's a  
3 Sandia lab report that shows, because these canisters  
4 are hotter, they could actually have, once they start  
5 cracking, through-wall cracks in five years; that's  
6 after the crack starts. This is Sandia Lab.

7 It was -- the Department of Energy have this.  
8 And I've given you all a handout. And I can give it --  
9 give it to others.

10 We're going to have -- it's likely we're going  
11 to have problems with canisters before they get out of  
12 here and we really need to focus on what we have and  
13 take this serious.

14 The canisters cannot be inspected now, and  
15 there's all these hopes that you might. We have the  
16 vendor that makes the Holtec canisters, the president  
17 of the company tell you, even if you could find the  
18 cracks, you can't -- it's not practical to repair them.

19 In the face of millions of curies of  
20 radiation, that if you try and repair them, you  
21 introduce another cracking condition.

22 So we've got an inferior product here, that  
23 we're going to buy more of, and nobody's dealing with  
24 that. And these are -- these are facts. These are --  
25 these are not hope, opinions. These are facts. And if

1 we don't deal with them, we're going to freaking lose  
2 Southern California.

3 And pretending that we're going to get this  
4 out of here soon, there's not a single community that  
5 wants them. Yeah, everybody wants it out of here.  
6 Yeah, I'd love to have it out of here, but no community  
7 wants it. And, in the meantime, we don't have time.

8 And if the canisters even have partial cracks,  
9 which since Edison can't inspect them, we have no idea  
10 how many have been corroded from the ocean environment  
11 or anything else.

12 Cracked canisters, partially cracked  
13 canisters, cannot be transported by NRC regulations,  
14 and there's no approved solution to take a leaking  
15 canister and put it in a transfer or transport cask  
16 as -- as Tom has said.

17 I've checked with Mark Lombard at the NRC.  
18 Nobody's even requested it. There needs to be a full  
19 analysis, if that is a temporary position. And they  
20 should not destroy the spent fuel pools when they're  
21 empty. That is the only approved, NRC approved, method  
22 to deal with a failed canister is those pools, and  
23 Edison's plan is to destroy them.

24 So, hopefully, maybe, the State Lands could  
25 have some influence in stopping that from being

1 destroyed or it can, at least, talk to somebody about  
2 this issue. And I'm more than happy to share my data.

3 All the data I have is scientific and  
4 government documentation. This is not opinion. This  
5 is real. And we -- and we need to focus on this as the  
6 highest priority before we do anything else.

7 And if anybody would like a handout, let me  
8 know. I have more handouts.

9 CHAIRMAN DR. VICTOR: Okay. Thank you very  
10 much for your comment.

11 Next is Daryl Gale and then Bob Belhumer.

12 MS. GALE: Good evening. I'm Daryl Gale. I  
13 came down here from L.A. on Amtrak and it took me eight  
14 hours because we had a bomb scare at the Norwalk Amtrak  
15 Station. And the second largest city in the country  
16 doesn't know how to handle a bomb scare, so. But it  
17 was very important for me to come down here.

18 It appears to me that the only viable solution  
19 to this nuclear waste is a safe, immediate interim  
20 storage. I would really ask the esteemed panel up here  
21 to use their clout, to use their influence, and beseech  
22 the NRC, the DOE, the President, the EPA, the  
23 Governate -- Governor, our senators, the Congress,  
24 whomever, to please hurry up and give us an inland  
25 militarily secured safe-ish, and I repeat, safe-ish

1 space to move this waste to, not the beach.

2 This way the people in Southern California,  
3 the plants, the animals can then continue to just worry  
4 about mundane things, the usual things, you know, like  
5 earthquakes, riots, fires, climate change, drought, and  
6 our governor letting oil companies frack our aquifers.

7 Thank you.

8 CHAIRMAN DR. VICTOR: Thank you very much for  
9 your comment and for navigating Amtrak to get here.

10 Next is Bob Belhumer and then Mike Aguirre.

11 MR. BELHUMER: Bob is going to pass.

12 CHAIRMAN DR. VICTOR: He's going to pass?

13 Okay. Mike Aguirre and then after that is  
14 Maria, I believe, Severson.

15 MR. AGUIRRE: Yeah, Maria Severson has given  
16 me her time.

17 CHAIRMAN DR. VICTOR: Oh, we don't trade time.

18 MR. AGUIRRE: Okay. Well, you've already  
19 started here, so.

20 CHAIRMAN DR. VICTOR: Why don't you make your  
21 comment?

22 MR. AGUIRRE: There were two waste products  
23 generated by Southern California Edison:

24 One was the nuclear waste at San Onofre and  
25 the other is the waste product of political corruption,

1 insidious political corruption.

2 Two state court judges have concluded that  
3 Edison has engaged probable cause to believe that  
4 they've engaged in criminal behavior. I believe that  
5 criminal behavior is carrying on here today.

6 I believe that your involvement to mislead the  
7 public about the options that Edison has to dispose of  
8 the nuclear waste is part of that criminal conspiracy.

9 Edison should take responsibility for the  
10 nuclear waste that it produced, from which it derived  
11 billions of dollars of income, like every other  
12 business, every other business, they should have been  
13 required to obtain a license from the NRC and they  
14 should've had the obligation to find the site because  
15 they profited.

16 What you're doing is misleading all the good  
17 people here into thinking that somehow the federal  
18 government is responsible.

19 Now, I see these really tough corporate  
20 leaders talking about their individuality and how they  
21 don't want government regulators. But how come we now  
22 see them going to the federal government pleading for  
23 the federal government to come in and bail them out  
24 from the consequences of their own behavior?

25 If there is an ounce, an ounce of integrity

1 that any of you can find your way back to, especially  
2 people that are state officials with badges on, you  
3 should not be seated here. The State Lands Commission  
4 representative should not be here.

5 This is Southern California Edison. This is a  
6 company that has been found to have had probable cause  
7 that they engage in criminal behavior. This is a  
8 company that spreads money in gifts, campaign  
9 contributions and -- and charitable contributions in  
10 order to completely compromise.

11 And what are you playing with? You're playing  
12 with the future of our state. You're playing with the  
13 lives of our people.

14 In Fukushima, the Diet concluded, the same  
15 conclusion that they would conclude about us if this  
16 happens, is that it was a pro -- it was a manmade  
17 problem based on corruption. We need to stop it.

18 Even the idea of, "Oh, we don't trade time."

19 You are -- I want her three minutes. You  
20 don't have a right to do that.

21 (Simultaneous colloquy.)

22 CHAIRMAN DR. VICTOR: You don't have it.

23 MR. AGUIRRE: Where is that a rule?

24 CHAIRMAN DR. VICTOR: Sir, finish your  
25 comment, please.

1 MR. AGUIRRE: Wait a minute. Where's the rule  
2 that says that?

3 CHAIRMAN DR. VICTOR: The rule has been  
4 established from the very first meeting.

5 MR. AGUIRRE: Where? No. No. Where is that  
6 written -- is there a written rule?

7 CHAIRMAN DR. VICTOR: Thank you, sir, for your  
8 comment.

9 MR. AGUIRRE: Hold on. Excuse me.

10 CHAIRMAN DR. VICTOR: Our next --

11 MR. AGUIRRE: Is there a written rule?

12 CHAIRMAN DR. VICTOR: Thank you, sir, for your  
13 comment.

14 MR. AGUIRRE: No. No. I'm not done.

15 CHAIRMAN DR. VICTOR: Everybody -- Gary  
16 Headrick. At the last --

17 MR. AGUIRRE: I'm not done. I'm asking you --

18 CHAIRMAN DR. VICTOR: Sir, please sit down  
19 now.

20 MR. AGUIRRE: I'm asking you, where is the  
21 rule?

22 CHAIRMAN DR. VICTOR: Please sit down now,  
23 sir.

24 MR. AGUIRRE: No. I'm asking you, where's the  
25 rule?

1 CHAIRMAN DR. VICTOR: Everybody else has been  
2 able to follow the rules.

3 MR. AGUIRRE: Where's the rule?

4 CHAIRMAN DR. VICTOR: What is complicated  
5 about this?

6 MR. AGUIRRE: No, where's the rule?

7 CHAIRMAN DR. VICTOR: Please sit down, sir.

8 MR. AGUIRRE: Where is that rule?

9 CHAIRMAN DR. VICTOR: Sir? Sir?

10 MR. AGUIRRE: No, you don't tell me, no.

11 CHAIRMAN DR. VICTOR: Sir, sit down.

12 MR. AGUIRRE: No, I will not. You tell me  
13 where the rule is.

14 PUBLIC MEMBER: Can you please, I have my name  
15 in?

16 MR. AGUIRRE: Where is --

17 CHAIRMAN DR. VICTOR: Okay. Other people  
18 would like to speak, sir. You can sit down, please.

19 And if you have additional comments, please  
20 send them in by email.

21 MR. AGUIRRE: Okay. I will --

22 CHAIRMAN DR. VICTOR: Next.

23 MR. AGUIRRE: Okay. I will be taking it up  
24 with the Chancellor tomorrow. You should not be  
25 sitting here. You're embarrassing the University of

1 California.

2 CHAIRMAN DR. VICTOR: That's fine. It's all  
3 being videotaped and I'm sure that our counsel will  
4 view that, as well.

5 MR. AGUIRRE: Yeah, it's being videotaped as  
6 you make ridiculous comments about how you're concerned  
7 about the public welfare.

8 CHAIRMAN DR. VICTOR: Okay. Next on our list.

9 MR. AGUIRRE: Let me just say this, in our  
10 society --

11 CHAIRMAN DR. VICTOR: Next. Sir, please sit  
12 down.

13 MR. AGUIRRE: In our society, due process  
14 requires --

15 CHAIRMAN DR. VICTOR: Sir, this is not a due  
16 process issue.

17 MR. AGUIRRE: -- no notice of a rule that  
18 says --

19 CHAIRMAN DR. VICTOR: Richard Gardner has the  
20 floor. Sir, is that you? Richard Gardner?

21 MR. GARDNER: Yes.

22 CHAIRMAN DR. VICTOR: Thank you very much.

23 I thought -- I thought you had been -- your  
24 time had been ceded, so please. You have the floor.

25 MS. SEVERSON: You prevented it.

1 MR. AGUIRRE: He prevented it.

2 MS. SEVERSON: Is this even on?

3 You prevented my partner from taking my time  
4 under no rule you can establish. I'd like you, in the  
5 three minutes on my period, to identify what rule that  
6 is.

7 CHAIRMAN DR. VICTOR: This is the time when  
8 you can make comments, if you want to. Please, go  
9 ahead.

10 MR. AGUIRRE: Well, he said you can ask  
11 questions.

12 MS. SEVERSON: Yeah, you said there would be  
13 time for questions and comments later.

14 CHAIRMAN DR. VICTOR: There will be questions  
15 and, as we do at every single meeting, the questions  
16 are collected and we answer them at the end of the  
17 meeting.

18 MS. SEVERSON: No, because I don't see on here  
19 anything that says is a question period related.

20 CHAIRMAN DR. VICTOR: Please.

21 MS. SEVERSON: Now you're going to -- now  
22 you're going to restrict the content of what I'm  
23 saying?

24 CHAIRMAN DR. VICTOR: No, I'm not restricting  
25 the content. Please say whatever you want to say.

1 MS. SEVERSON: Yeah, and what I'm saying is, I  
2 would like -- there's 2 -- 27 minutes left and I would  
3 you or anyone on this panel to identify where the rule  
4 is that says that you cannot give time to the next  
5 person.

6 MR. PASCALL: Excuse me. Can I comment on  
7 that?

8 CHAIRMAN DR. VICTOR: No.

9 MS. SEVERSON: Yes, if you have an answer, I  
10 would love it.

11 CHAIRMAN DR. VICTOR: No. No.

12 MR. PASCALL: You know, we're almost always  
13 run out of time.

14 CHAIRMAN DR. VICTOR: Please.

15 MR. PASCALL: I just wanted to say that.

16 CHAIRMAN DR. VICTOR: Please.

17 MS. SEVERSON: Run out of time. What is it?  
18 Six minutes, three minutes.

19 CHAIRMAN DR. VICTOR: There will be no back  
20 and forth right now. We will answer questions at the  
21 end of the public comment period.

22 MS. SEVERSON: Three minutes. I'm speaking,  
23 sir. This is my time.

24 There's three minutes for him and three  
25 minutes for me, that's six minutes, so there's no issue

1 of running late. Six minutes is six minutes no matter  
2 who's talking. You just didn't want to hear what he  
3 had to say.

4 Now, let me say this. This is called the  
5 Community Engagement Panel. This the community  
6 dis-engagement panel. You should all be ashamed of  
7 yourself for picking this location. That poor woman,  
8 who had to travel six hours on Amtrak to get here, I  
9 don't know where she might have gotten off or how she  
10 got here because you could not find a more tucked away  
11 location away from public transit.

12 We had to go miles inland through trees and,  
13 you know, hills and whatnot to get here, through  
14 traffic at this time. This is not a public place.

15 Who even owns this facility?

16 Is this a public facility? No, this was meant  
17 to dissuade the public from being here, that's why  
18 there's so few people here.

19 Now, funny, when San Onofre and Edison would  
20 plan its meetings at other places and it used to hire  
21 its buses to have its labor workers coming there,  
22 standing in support, that was always at a place people  
23 could get to, but not here. This is shameful.

24 Now, what I hear here is some sales job, some  
25 spin job. You're saying to the other members of the

1 panel "Go and ask for letters and tell them how great  
2 this is. And go on and tell them that there's support,  
3 and your support, your support." This isn't -- that's  
4 not your job. This isn't a PR.

5 And then we have a lawsuit that is challenging  
6 the Coastal Commission and then Southern California is  
7 distributing, right as you go in, comments about it.  
8 They don't even mention it. I've heard nothing about  
9 safety here.

10 You've just had an attack over in Belgium,  
11 where they found out that there are terrorist attacks  
12 where they are trying to target nuclear facilities.  
13 There has not been word one mentioned here about safety  
14 today, nothing. You should all be ashamed of yourself.

15 Thank you.

16 CHAIRMAN DR. VICTOR: Thank you for your  
17 comment. Next is Richard Gardner.

18 MR. GARDNER: Well, I won't say that I want to  
19 use his three minutes because -- excuse me. Sorry.

20 I'm coming up here to offer, again, my  
21 suggestion that, personally, I believe that the  
22 San Onofre Nuclear Generating Station provided a -- a  
23 lot of electricity. I don't think we calculated the  
24 gigawatt over the period of 30 years, but a lot of  
25 electricity.

1           And the facilities are very valuable. Just  
2 the cost to demo the turbine buildings was listed as  
3 over 137 million dollars. So when I suggest that it  
4 may be possible to use those intake and outfalls as a  
5 source for ocean desalination, I think it should be, at  
6 least, considered.

7           Now, the first thing that the environmental  
8 community jumps up and says, and I'm speaking for Surf  
9 Rider and Coast Keeper and others, "Well, you'll just  
10 be sucking in those -- those plankton and the larvae  
11 and the small fish."

12           And I said, "Well, that 14-foot diameter pipe  
13 that they put in, I would need 2-, 3-foot diameter well  
14 casings and I could bury them in sand and I would have  
15 us completely contained," sand-filtered intake  
16 structure that would have no negative impact on the --  
17 on the ocean. Really, an excellent environmental  
18 solution.

19           I only wanted to come up with 50 million  
20 gallons a day or, say, 50,000 acre-feet a year, about  
21 the size of the plant down in Carlsbad. The Carlsbad  
22 plant cost a billion dollars.

23           The ones, if we were to use the turbine  
24 buildings, and there's actually four levels, so one  
25 turbine building would be more than adequate. We could

1 generate 50 -- 50,000 acre-feet, which would be enough  
2 water to provide 50 percent of all the drinking water  
3 needed in South Orange County and that's at in 30 -- in  
4 20 years from now, say, in the year 2035.

5 So I have a unique position here, having been  
6 a start-up engineer at San Onofre for so long, having  
7 watch them bring in those 14-foot diameter pipes and  
8 doing the initial start-up on the circ-water pumps,  
9 worked in the turbine buildings, and I've also been a  
10 water director for 20 years. So I'm saying this is an  
11 opportunity we need to look at.

12 Thank you.

13 CHAIRMAN DR. VICTOR: Great. Thank you very  
14 much for your comment.

15 Now, we're going to have Den Stetson is going  
16 to read out various questions that have come up.

17 Is there another -- one more? Okay. The  
18 podium awaits the last comment, which is from --

19 MS. GILMORE: While we're waiting --

20 CHAIRMAN DR. VICTOR: Please. Please.

21 MS. GILMORE: Glenn, Glenn, this is legitimate  
22 a Sierra Club document.

23 CHAIRMAN DR. VICTOR: Please. The next  
24 speaker please come to the floor. The floor is yours,  
25 ma'am.

1 MS. GILMORE: You may not have been kept in  
2 the loop -- (Simultaneous colloquy.)

3 CHAIRMAN DR. VICTOR: Donna, please, this is  
4 an internal Sierra Club issue. Maybe you could take  
5 this up --

6 The floor -- the floor is yours.

7 MS. GILMORE: But this does not -- yes.

8 CHAIRMAN DR. VICTOR: Ma'am, thank you very  
9 much for coming. Over here is the microphone. Thank  
10 you very much. And if you could just state your name  
11 for the record because I don't have your name in front  
12 of me.

13 MS. MUNZER: I just got here so I hope I'm not  
14 redundant. My name is Xan Munzer.

15 And, then, I ask my question?

16 CHAIRMAN DR. VICTOR: Or make your comment or  
17 say whatever you want to say in three minutes and then  
18 we'll respond.

19 MS. MUNZER: Oh, okay. I just wanted to know  
20 if the -- if Mr. Peevey from the PUC is here.

21 CHAIRMAN DR. VICTOR: I don't see him here.

22 MS. MUNZER: Okay. And is he supposed to be  
23 protecting the ratepayers? Because of what I read that  
24 he did in Poland I was just wondering, is there anyone  
25 else from the Public Utilities Commission that's

1 supposed to be protecting the ratepayers, making these  
2 decisions about us paying for the mistakes that have  
3 been made? So, that is all.

4 CHAIRMAN DR. VICTOR: Okay. Thank you very  
5 much for your comment.

6 I don't see any staff from Public Utilities  
7 Commission here, nor any of the commissioners.

8 MS. MUNZER: Okay.

9 CHAIRMAN DR. VICTOR: And the panel here was  
10 set up originally -- I think, you came in late. The  
11 panel here was set up originally to help promote flow  
12 of information related to the decommissioning process  
13 and there are other oversight mechanisms, including the  
14 Public Utilities Commission related to that.

15 MS. MUNZER: Oh, okay.

16 CHAIRMAN DR. VICTOR: Thank you very much for  
17 your comment.

18 MS. MUNZER: Oh, okay.

19 CHAIRMAN DR. VICTOR: We're going to ask --  
20 I'm going to ask Dan Stetson, as is our normal practice  
21 here, to read out the comments and questions for reply.  
22 And all of this will end up in the public record, as  
23 well. So, Dan?

24 MR. STETSON: Thank you.

25 Tom, a good number of these will come to you

1 and some have been answered at previous meetings. But  
2 the first question was, we've got 33 units right now,  
3 why can't we move them?

4 MR. PALMISANO: Well, the question is,  
5 number 1, there's no location to move them to,  
6 fundamentally; that's the really the issue. And then  
7 the additional thing is getting the transportation  
8 process infrastructure and protocol ready.

9 MR. STETSON: Okay. Another question came up  
10 and it related to radiation possibly going into the  
11 ocean through the conduits. So, I guess, the question  
12 is, has any radioactive material been going through the  
13 conduits into the ocean?

14 MR. PALMISANO: The plant is licensed and  
15 permitted for low-level radioactive release that's  
16 monitored by the NRC and we report that annually.

17 So, before the conduits are ultimately  
18 dispositioned and decommissioned, they would have to be  
19 sampled as was done on Unit 1 when they were ultimately  
20 released.

21 So we need to assure that the state of the  
22 conduits is known and there is no residual  
23 radioactivity that would pose a hazard.

24 MR. STETSON: Okay. Thank you, Tom.

25 David, a question came up with reference to

1 legislation. Would you like to --

2 CHAIRMAN DR. VICTOR: Yes. So, I think this  
3 is a very important point. Nobody really knows if  
4 additional federal legislation is necessary in order to  
5 make Consolidated Interim Storage actually happen.

6 This is why Senator Feinstein asked this  
7 question of Secretary Moniz at the hearing a couple of  
8 weeks ago and why I circulated that transcript. You  
9 may recall that almost exactly a year ago we held a  
10 meeting jointly with the Bipartisan Policy Commission,  
11 which has been doing the staff work for the Blue Ribbon  
12 Commission panel, and we talked about this issue and  
13 there was no clear answer, and their own legal advice  
14 has pointed in different directions.

15 I'd like to, though, point out something that  
16 is embedded in the comment that Secretary Moniz made in  
17 response to this question, which is, that when you get  
18 to actual firms taking delivery of canisters and taking  
19 title of them and baring legal liability and  
20 uncertainty around how that gets funded, firms are  
21 going to be wary about doing that unless there's a  
22 clearer legal basis for this, because the law was  
23 originally set up with the vision that the fuel will go  
24 from a site, like San Onofre, to Yucca Mountain and not  
25 get stopped along the way.

1           And so this is why I think most people believe  
2           that some change in federal law, not immediately but in  
3           the next couple of years, will be necessary in order to  
4           keep on track the track that Marni Magda made in her  
5           comments.

6           MR. STETSON:   Okay.   A couple of other  
7           questions -- and I'll come back to you, David -- one of  
8           them, Tom, the question came up, and I think the  
9           question came up too when Unit 1 was decommissioned, is  
10          there a possibility that the conduits could be used  
11          potentially for a desalinization plant?

12          MR. PALMISANO:   Well, you know, the previous  
13          speaker had some good comments.   I guess, theoretically  
14          anything's possible.   Whether somebody would be  
15          interested in that equipment, it was designed for the  
16          intake and outlet for power generation cooling.

17          I guess, potentially, it could be used.   I  
18          think the real issue is the land is owned by the  
19          Department of the Navy.   As we heard in the NEPA  
20          discussion, they're going to determine the end-use.

21          So if somebody was interested in the site for  
22          the desalinization, whether to use the intake, the  
23          current piping or not, it's really up to the Navy.  
24          It's their land.

25          MR. STETSON:   So then the contact should be to

1 the Navy to see if this is -- that'll be the first  
2 step?

3 MR. PALMISANO: Yes, that's what I would  
4 think. We -- we lease the land or have an easement for  
5 the land. We don't have the authority to determine  
6 what to do with the end-state; that rests with the  
7 Navy, and that will be dealt with through the review  
8 processes.

9 MR. STETSON: Okay. Thank you.

10 A question came up --

11 MR. OGGINS: And --

12 MR. STETSON: I'm sorry. Yes?

13 MR. OGGINS: Can I jump in on this one?

14 MR. STETSON: Absolutely.

15 MR. OGGINS: The conduits themselves are in  
16 State Lands Commission land, so the State Lands  
17 Commission will have to make the decision. You're  
18 correct that any onshore component associated with the  
19 desalinization facility, if the Navy says no to that,  
20 there's -- that will weigh into the Commission's  
21 decision.

22 But right now the Commission's lease says  
23 everything should be removed, the environmental impact  
24 report will evaluate leaving in place, which SCE has  
25 applied for, and other alternatives.

1 MR. PALMISANO: Yeah.

2 MR. OGGINS: So I just wanted to be very  
3 clear, the conduits themselves are on States land.

4 MR. PALMISANO: And I appreciate that because  
5 that points out the complexity if I had a new piece of  
6 land and wanted to build such a facility, I'm dealing  
7 with the landowner, whether it's me or somebody else,  
8 I'm dealing with the State Lands Commission, the  
9 Coastal Commission. So it's not just as simple as  
10 saying we ought to use it for that.

11 MR. STETSON: Right. So one of the steps  
12 would be come of your -- to come to one of your scoping  
13 meetings and address this to State Lands as well as  
14 additionally addressing it with the Navy.

15 Is that accurate, then?

16 MR. OGGINS: That's correct, yes.

17 MR. PALMISANO: Okay.

18 MR. STETSON: A question came up with  
19 reference to the location selection.

20 CHAIRMAN DR. VICTOR: Yes. So I just want to  
21 remind folks that our first meeting was in San Clemente  
22 and we've had several meetings in San Juan Capistrano.  
23 I believe we met twice in San Clemente.

24 And the point was made at the first meeting, I  
25 believe, by Jerry Kern asking us to have some meetings

1 in San Diego County --

2 MR. PALMISANO: Right.

3 CHAIRMAN DR. VICTOR: -- and, in particular,  
4 in Oceanside since Oceanside has really been affected  
5 by the closure of this plant and, in particular, on the  
6 labor front. And so that was the logic.

7 And so, I'm sorry that every meeting is not  
8 equally easy to attend, but the idea was to move the  
9 meetings around and then within that process of moving  
10 meetings -- meetings around, we had to find a site  
11 that's available --

12 MR. PALMISANO: Right.

13 CHAIRMAN DR. VICTOR: -- that is capable of  
14 handling the size crowd that may or may not attend and  
15 which has facilities that allow us to do AV and, also,  
16 frankly assure security to the public.

17 And within those constraints, very quickly,  
18 you don't have an unlimited number of sites.

19 Jerry Kern.

20 MR. KERN: Just to add on to that, you know,  
21 when I first thought of doing that, I offered Oceanside  
22 City Hall, but we have had meetings where our city hall  
23 has been way too small to accommodate the number of  
24 people that were coming in.

25 So this is probably one of the larger

1 facilities that we have in Oceanside that can  
2 accommodate the number of people that actually  
3 attended. Because, I know the last time we had a  
4 packed house.

5 MR. PALMISANO: Correct.

6 CHAIRMAN DR. VICTOR: Thank you.

7 Dan?

8 MR. STETSON: Thank you.

9 I know that all of us up here are volunteers,  
10 and I know, when we were told that we were being  
11 involved in criminal activity, that that kind of was  
12 like a stake in our hearts. I wondered if, Tom, or,  
13 David, if you'd like to --

14 CHAIRMAN DR. VICTOR: Oh, I'd like --

15 MR. STETSON: -- make a comment.

16 CHAIRMAN DR. VICTOR: As chairman, I'd like to  
17 comment on this. People are free to say whatever they  
18 want and there's no effort to try and control content.

19 And Exhibit A is every single one of these  
20 meetings has a public comment period where people say  
21 things that nobody -- not everybody can agree with and  
22 that's the idea, so there is no effort to control  
23 content.

24 If someone honestly believes that there is --

25 And I see that Mr. Aguirre doesn't seem to be

1 here, nor is his colleague, Mrs. Severson, although,  
2 they have left and the television cameras left, so that  
3 maybe that that was a question not seeking an answer.

4 But if people actually believe that folks are  
5 engaged in a criminal conspiracy, which is a very  
6 special term, it has a very special legal meaning, then  
7 I will welcome that information and I will welcome  
8 those claims in writing, and if they don't actually  
9 believe that and that the purpose of that claim is to  
10 generate television time, and I'm not trying to control  
11 content, but that is quite an accusation, if they don't  
12 believe that, then folks should cease and desist from  
13 such claims.

14 MR. PALMISANO: Right.

15 MR. STETSON: I do have --

16 MEMBER OF PUBLIC: Well, why haven't you  
17 responded to the PRA Request, sir?

18 MR. STETSON: I do have a --

19 CHAIRMAN DR. VICTOR: My Public Records Act  
20 request?

21 MEMBER OF PUBLIC: Yes.

22 CHAIRMAN DR. VICTOR: My university has, in  
23 fact, and our legal counsel reviewed it and responded  
24 to you. We have also responded to the inquiry that was  
25 made with the Chancellor of my -- my university, asking

1 the Chancellor to remove me from this panel and that  
2 has been reviewed by counsel, as well.

3 Our internal counsel discussions do not need  
4 to be revealed to you, sir.

5 And I think it's pretty incredible that for a  
6 panel of volunteers to come in and say that you're  
7 going to go back and talk to the guy's boss because  
8 he's somehow engaged in a criminal conspiracy is quite  
9 extraordinary.

10 Tim Brown, do you want to comment?

11 MR. BROWN: Yeah, I do. I actually have our  
12 charter here; it's something we take very seriously as  
13 part of our being volunteer here, one of the pieces of  
14 the charter has been renumerated for any of our  
15 activity here on any level.

16 Within the charter, under Meetings, there's a  
17 public comment period in each that says, "Regular  
18 meetings shall include a public comment period in  
19 accordance to procedures determined at the discretion  
20 of the chairperson; in general, comments are limited to  
21 approximately three minutes per person and the comment  
22 period will not exceed one hour, subject to the  
23 discretion of the chairperson."

24 I've been attending these meetings, it's been  
25 two years since we've been in existence, and there's a

1 lot of familiar faces here, people that I know and that  
2 we've agreed and not agreed with on certain things over  
3 the past.

4 As matter of fact, in San Clemente, I think me  
5 and The Headricks spend more time together than some of  
6 my family members in some of these meetings.

7 And there's a lot of familiar faces, a lot of  
8 people have passion about this issue, and I certainly  
9 can't question your motives. I think they're very  
10 pure. I can't say that about all the attendees tonight  
11 because I've never seen them before. They've never  
12 bothered to attend a single meeting in San Clemente or  
13 one of the CEP meetings until tonight and for only a  
14 extremely limited period of time.

15 So, from my part, one of the things I've  
16 learned to appreciate in my tenure in political office  
17 is sincerity. You know, no matter where you're coming  
18 from, if you're sincere, I can respect that.

19 One of the things I also do really respect is  
20 the rule or law and also some semblance of order;  
21 without it, we end up in very heated discussions, but  
22 no light.

23 And so one of the things I do commend to those  
24 who are making public comments is to adhere to what  
25 would be the rules of decorum that allow us to operate

1 without having to digress in screaming matches.

2 And so, you know, the rules, the charter, all  
3 these things is for a purpose. We're doing our best.  
4 Frankly, we're not professional CEP members, we're all  
5 volunteers, and we'll be rotating at some point up  
6 here, and there will be other people up here, trying to  
7 do the best they can.

8 But I think, in a very small period of time, I  
9 think we've communicated a lot of information and,  
10 frankly, I'm more encouraged by our path than I ever  
11 thought I could ever be sitting on this panel because I  
12 really thought it would be an exercise in frustration.

13 And I actually see some progress, heaven  
14 forbid, we actually do something positive with our  
15 tenure on this. And so I think the Consolidated  
16 Interim Storage -- the Consolidated Interim Storage  
17 solutions a lot of things we have going are positive.

18 I do think there's still concern that exist,  
19 which is why our meetings are focused on  
20 Defense-in-Depth, security, and the canister issue,  
21 which continues to surface, that we're working to  
22 address.

23 But I do appreciate those who adhere to the  
24 decorum. I know we don't always share the same  
25 opinions, but at least we share the same respect.

1 CHAIRMAN DR. VICTOR: Thank you.

2 Dan Stetson, other comments or questions that  
3 come up?

4 MR. STETSON: Yes. I'm sorry. There was one  
5 that came up that, Tom, I think that maybe you could  
6 address. There was a new study that came out, that  
7 Donna brought up, that said cracks could take place in  
8 five years. Are you familiar with that study at all?

9 MR. PALMISANO: Just briefly. We received a  
10 copy of it. It's a fairly recent study, I believe.

11 MS. GILMORE: Actually, it's March 2015. I  
12 just haven't sent it.

13 MR. PALMISANO: Yeah. And I know Donna has  
14 posed the question to the NRC in terms of what this  
15 means and they -- they committed to respond to you.  
16 You copied me on the email you sent to the spent fuel  
17 office, which I think is appropriate.

18 MS. GILMORE: Right. To clarify, it's five  
19 years after the cracks start.

20 MR. PALMISANO: Yeah.

21 MS. GILMORE: It's five years.

22 MR. PALMISANO: Yeah, so --

23 CHAIRMAN DR. VICTOR: Well, maybe we can take  
24 it as an action item. We need to have --

25 (Unintelligible simultaneous colloquy.)

1 MR. PALMISANO: And --

2 CHAIRMAN DR. VICTOR: -- to look at that and  
3 respond.

4 MR. PALMISANO: We can discuss it at the next  
5 meeting. We've been in touch actually with the  
6 authors, so we've got some insights. So rather than  
7 give it a sound bite, I think it works in a more  
8 appropriate discussion, so I'll be glad to do that.

9 CHAIRMAN DR. VICTOR: Right. I think these  
10 are important issues.

11 MR. PALMISANO: Right.

12 CHAIRMAN DR. VICTOR: And they need to be  
13 analyzed.

14 MR. PALMISANO: Right. Yeah. So, thank you.

15 CHAIRMAN DR. VICTOR: Can you talk -- I just  
16 want to add to Dan's notes here. The question has also  
17 been raised and has appeared at many other meetings  
18 about whether cracks can be detected, and the issue of  
19 whether the canisters can be repaired.

20 I personally reviewed the video from the  
21 workshop where the CEO of Holtec made this comment and  
22 he made this comment on the context of favoring a  
23 different option from repair, namely --

24 MR. PALMISANO: Right.

25 CHAIRMAN DR. VICTOR: -- favoring replacement

1 of the canister. Can you just talk about where we  
2 stand and what's likely to happen? Because the  
3 technology and -- (Simultaneous colloquy.)

4 MR. PALMISANO: Yeah, let me give you a short  
5 update. And if we can load this into the next meeting  
6 because there's a lot of activity going on and this is  
7 one where Donna and I might agree on some things in  
8 terms of there is no tooling today that can effectively  
9 inspect and repair.

10 You know, in my view, there's technology, but  
11 not tooling developed. Donna may characterize it  
12 differently, but I think the operative point is,  
13 tooling needs to be developed and deployed.

14 The industry and EPRI and the NRC is working  
15 on that. We have tested robotic instruments at  
16 Palo Verde that go into the vents on the canisters and  
17 can traverse up and down the outside of the canisters,  
18 inside the overpacks or in the UMAX system.

19 So that techn -- that tooling has been  
20 developed. Now they're testing the transducers to  
21 actually examine the canisters. So that work is  
22 underway. It's a high priority for the industry. It's  
23 a high priority for us.

24 It will be part of the renewed license for the  
25 current system and it's been part of, you know,

1 inspection techniques and requirements are part of the  
2 renewed licenses that have already been issued, for  
3 example, at requests and others.

4 So it's a topic we need to bring in with,  
5 quite frankly, a good 30-minute discussion, not just a  
6 sound bite.

7 CHAIRMAN DR. VICTOR: Yeah, this is the major  
8 part of the Defense-in-Depth that this panel asked for  
9 as part of the review.

10 MR. PALMISANO: And the EPRI article that you  
11 referenced talks about some of the EPRI-related  
12 activities, it was part of that.

13 CHAIRMAN DR. VICTOR: Okay.

14 MR. PALMISANO: So I think it's important to  
15 come back and talk about that.

16 CHAIRMAN DR. VICTOR: Okay. Yeah. Thank you.

17 MS. GILMORE: David mentioned the repair part.  
18 Can you address that part of the question?

19 MR. PALMISANO: Well, I'm thinking the same  
20 thing. You know, the next step past inspection will be  
21 repair capability. I have talked to the president of  
22 Holtec to clarify.

23 And his thinking is, as you look at it, if you  
24 detect a crack, you could repair. His thinking would  
25 be you simply put it in an overpack and not spend the

1 effort to repair when an overpack would be as  
2 effective, and I'll be glad to talk about that further  
3 in a session.

4 CHAIRMAN DR. VICTOR: Yeah, I think when we  
5 have the session that's on Defense-in-Depth --

6 MR. PALMISANO: Right.

7 CHAIRMAN DR. VICTOR: -- we need to talk about  
8 this in-depth.

9 Is that the full list, Dan?

10 MR. STETSON: Yes. And there was the one  
11 question about the PUC.

12 CHAIRMAN DR. VICTOR: I think I addressed  
13 that.

14 MR. STETSON: I think you did already. Thank  
15 you.

16 MR. PALMISANO: Can I mention one thing? One  
17 of the commentors mentioned the attacks in Belgium, the  
18 terrorist attacks, you know, just to tell people what  
19 happens at a commercial nuclear plant, even a  
20 decommissioned plant, when something like that happens,  
21 we immediately go to a heightened awareness in terms of  
22 just if there's any threat, we check with the NRC,  
23 which we have done, we check with the FBI, no credible  
24 threats to nuclear facility in the U.S.

25 So the individual licensees and the -- the

1 industry through our NEI organization respond  
2 immediately to collaborate with the NRC, Homeland  
3 Security, and the FBI to see if there are any credible  
4 intelligence and then to step up heightened levels of  
5 security, should it be necessary. So it's not ignored  
6 by any means, quite frankly.

7 CHAIRMAN DR. VICTOR: Okay. Thank you very  
8 much.

9 I want to see if there are any other members  
10 of the panel who -- I've called out Dan. Dan has  
11 called out a number of items to follow up, I believe  
12 we've answered the major questions raised.

13 Anything that we're missing? Jerry Kern.

14 MR. KERN: Well, just one quick thing, you  
15 know, we talked about the location and public  
16 transportation, there's a Sprinter stop, probably,  
17 within about a 10-minute walk of here, which is our --  
18 the east-west line.

19 So if you rode the Coaster down, you can  
20 transfer from the Coaster or Amtrak to the Sprinter  
21 Line and the Sprinter Line runs parallel to Oceanside  
22 Boulevard, so there's a stop.

23 CHAIRMAN DR. VICTOR: I think that's an  
24 important point. We should -- as these meetings are  
25 announced, we should make sure there's a footnote on

1 the announcement page, a conspicuous footnote or  
2 something, that tells people how to get here by public  
3 transportation.

4 MR. PALMISANO: We'll take that action since  
5 we do the administrative support.

6 CHAIRMAN DR. VICTOR: Yeah, I know that's --

7 MR. PALMISANO: To identify public  
8 transportation options for the venue.

9 CHAIRMAN DR. VICTOR: That would be great.  
10 Thank you very much.

11 Let me see if there are other comments.

12 Ted Quinn?

13 MR. QUINN: Yeah, very quick. I wanted to  
14 just -- if Mr. Aguirre was here, I wanted to offer to  
15 give him a copy of the Waste Policy Act of 1982 that  
16 documents actually who owns the fuel at the different  
17 stages and I would've liked to have provided, but he  
18 left too early.

19 CHAIRMAN DR. VICTOR: Okay. The reason, I  
20 think, you're referring to that because the reason that  
21 people are going to the federal government asking for  
22 help here is that the law of the land, whether you like  
23 it or not, it is the law of the land, that the federal  
24 government ultimately owns the fuel and, in fact, the  
25 operators of all these facilities have paid the federal

1 government to take the fuel, so a contract has been  
2 signed and honored on the utility side and not on the  
3 government side.

4 But, look, I think what's so interesting, to  
5 echo something that Tim Brown said, what's so  
6 interesting about the consolidated storage topic is,  
7 while there's a range of views, this looked like an  
8 impossible problem two years ago and now it's not  
9 trivial by any means and it could have all kinds of  
10 problems, it will have all kinds of problems along the  
11 way, but you can start to see how you make progress.

12 And I think that's a contribution that this  
13 community has made in an organized way in more than any  
14 other community in this country, so we should be proud  
15 of that.

16 I want to see if there are any other comments.  
17 I checked on that side.

18 Any other comments here?

19 (Brief pause.)

20 Okay. Well, thank you very much.

21 I want to remind everybody to submit any  
22 additional comments you may have to the Web -- to the  
23 email address, that just disappeared from the screen,  
24 so that's not a conspiracy, it's just a technical  
25 error. It's back. No conspiracies.

1           And I want to thank all of you for  
2 participating here, especially mindful of the  
3 difficulties of getting here in public transport. I  
4 want to thank Edison and the Edison staff and the  
5 police officers here with us tonight.

6           And I particularly want to thank members of  
7 the Community Engagement Panel. You are volunteers.  
8 You have come to many meetings and you have done  
9 service and I am grateful for that. Thank you.

10           We are adjourned.

11

12           (Whereupon, the Community Engagement Panel  
13 meeting concluded at 8:34 p.m.)

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IN WITNESS WHEREOF, I have subscribed my name on this date, TUESDAY, MARCH 12, 2016.

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CARLOS R. HICHO  
CSR NO. 13111