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 and Modernization Act (NEIMA) Section 108

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UNITED STATES OF AMERICA
 NUCLEAR REGULATORY COMMISSION

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PUBLIC HEARING ON NUCLEAR ENERGY INNOVATION AND
 MODERNIZATION ACT (NEIMA) SECTION 108

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TUESDAY,
 AUGUST 27, 2019

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SAN LUIS OBISPO, CALIFORNIA

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The hearing was convened in the Board of
 Supervisors Chambers, County Government Center, 1055
 Monterey Street, San Luis Obispo, California, at 6:00
 p.m., Bruce A. Watson, Moderator, presiding.

STAFF PRESENT:

BRUCE A. WATSON, Moderator

LOURDES MARTIN-ROSE, Facilitator

MARLAYNA DOELL

VICTOR DRICKS

JOHN HICKMAN

JEFF JOSEY

BO PHAM

JOHAN REYNOSO

TED SMITH

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P-R-O-C-E-E-D-I-N-G-S

(6:04 p.m.)

MR. WATSON: This is an NRC public meeting. What we call a Category 3 meeting. We're here to hear your comments on citizens advisory panels. Or community advisory boards. Whatever you want to call the group that is interested in decommissioning a nuclear power plant.

As far as safety procedures, we have the exits over there, we have an exit over here should the fire alarm or whatever go off. There are restrooms in the back. I'm sure all of you have been in this building before.

I'd like to start out by introducing the NRC staff. I have Marlayna Doell. And she's a project manager in my branch, the reactor decommissioning branch.

I've got Ted Smith. He's a project manager, also in the reactor decommissioning branch. And here is John Hickman. He is a project manager, also in the reactor decommissioning branch.

This is part of my team, which is going to be providing this report to the Congress, on the best practices of community advisory boards. So, just a small part of the group, but they're the ones

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that got lucky enough to come to beautiful Southern San Luis Obispo.

Just as a matter of question. We held a webinar on August 8th. How many of you were able to listen in on that?

Okay, about a fair number. It was a fairly long webinar but it basically explained everything, what this program is all about.

There are brochures on the back table there when you came in. And also the questionnaire that we are using.

Let me go back to, step back a moment. NRC Staff, who wants to introduce yourself? I'll walk over there.

MR. PHAM: Hi, name is Bo Pham, I'm the deputy director for the decommissioning division at headquarters.

MR. WATSON: Angel Marino, he's from our office of congressional affairs. Victor was here somewhere. Victor. Victor Dricks, he's in our office of public affairs. We have Christopher Newport. He's a senior resident inspector here.

MR. JOSEY: My name is Jeff Josey. I'm the branch chief responsible for Diablo Canyon in Region IV.

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MR. REYNOSO: I'm Johan Reynoso, and these are my bosses.

(Laughter.)

MR. WATSON: Be on your behavior tonight, okay. I think that's it.

I do want you to know that Congressman Carbajal is going to be here around 7:00. Apparently he is driving up from Santa Barbara. And so we expect him at 7:00. So, wherever we are in the program, we will stop and let him make his statement and then we will resume. Okay? I just want to make sure everyone is aware of that in advance.

So, let's go to the next slide. After I finish the NRC presentation, I'm going to hand the mic over to Lourdes and she's going to be our facilitator this evening. Okay. My staff is going to be listening and taking notes.

Okay. Our decommissioning experience includes overseeing the decommissioning, which includes the licensing and inspection of almost 80 complex decommissioning sites. That includes ten nuclear power plants.

So, we are probably the world's leader in decommissioning nuclear power plants as far as the number goes. I want you to know that all of those

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sites have been released for unrestricted use.

In other words, the owner of the property can use the property for whatever purpose that they want to do. It will meet all the NRC standards for the release of the property, through the reduction of radioactive material from the site.

So, it will be available for whatever the owner wants to do for redevelopment.

The other thing I want you to know is that in all ten of those sites, seven of them still have spent fuel facilities. Three of them will be, the Department of Energy took the fuel from those sites and had not met their obligation to do that since then.

I also want you to know that it typically takes about three years for the spent fuel to cool down so it could be put in dry storage. And then it takes about seven to ten years to dismantle the plant.

There's a plant in Chicago, right near Chicago, right now is Zion. It was shut down for 15 years. And over the span of about ten years they have decommissioned the plant. They're getting ready to terminate the license this coming year.

Next slide please. One of those ten nuclear power plants that has been decommissioned is

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right here in California. The Rancho Seco plant is over by Sacramento.

And that's what it looks like today. They have not restored the site back to a greenfield. There are no NRC requirements for that.

So, all the structures are still standing, but all the radioactive material has been removed and it meets our standards for unrestricted use and can be used for whatever purpose.

Next slide please. This is Humboldt Bay. PG&E is in the, I guess, the final stages of completing the decommissioning up there.

As you can see, it's basically an open land with the exception of the dry fuel storage facility which remains on site. We are actually performing an inspection there this week.

We are doing confirmatory surveys with independent contractor, Oak Ridge Associated University. One of our Region IV senior inspectors is there, two of them actually are there this week, to conduct our own independent surveys.

Next slide please. The NEIMA legislation was issued in January that requires us to provide a report to Congress.

And it basically says, the Commission

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shall submit to the Congress a report identifying best practices with respect to establishment and operation of a local community advisory board, or CAB, to foster communication and information exchanged between a licensee, a licensee planning for and involved in decommission activities and members of the community that the decommissioning activities may effect. Including lessons learned from any such board in existence.

So, we are required to go to a minimum of ten facilities. Taking in to consider the geographical diversity of the United States.

We have 11 invitations, including the one here. So we have, so this is our, actually our second meeting. Third. Third, okay. And so we have eight more to go after tonight.

Comments can be sent to the NRC through our NEIMA website, the regulations.gov website, a letter or email. And we have a slide with all that detailed information.

Next slide please. Well, what is this, Community Advisory Board? Well, that's an organized group of citizens interested in safety commissioning practices in spent fuel management at a decommissioning facility.

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The sponsor is usually the local licensee. Or it may be by a state legislature if they mandate it.

The composition typically includes local community leaders, elected officials, state representatives and members of the licensee staff. And most CABs have a governing charter to establish their rules and responsibilities.

Next slide please. Some of the CAB responsibilities are reviewing the licensee's plans, provide some insight into the potential impact on the local community.

It's an opportunity for public education on decommissioning. And they can make recommendations to state official. It also provides input into site restoration, plans for future re-use of the site and economic development. So, they have a large task above them.

In our report to Congress we have to provide a discussion of the CAB topics, CAB recommendations to inform decision making processes, the CAB interaction with the Commission, meaning the NRC and other federal regulatory bodies, to support the board members overall understanding of the decommissioning process. And of course, promoted

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dialogue or discussions to the effective stakeholders and the licensee involved in decommissioning activities.

And of course, how a CAB can offer opportunities for public engagement throughout all phases of the decommissioning process.

Next slide. So, the CAB best practices. We're looking for our CAB membership composition, selection process and the terms of the membership. When was the CAB established and the frequency of the CAB meetings, specific logistics required to support a CAB and other identified practices or activities.

Next slide. So, here are the methods which you can provide comments to us. Like I said, we have our questionnaire back on the table if you want to take one of those and fill it out and mail it to us.

You can mail those at the bottom here. It says Kim Conway, who is a member of my staff. She'll be looking forward to receiving those.

You can scan copies and email them to it at the email address. And you can electronically submit them to regulations.gov.

Or you can fill out the questionnaire online. And we have the website. And I don't think

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you can see that very well. It's not very good color with the lights.

But we have a website for, can you see it?

(Chorus of nos.)

MR. WATSON: Okay. Maybe we'll turn the lights of later.

MR HICKMAN: It's on the cards on the table.

MR. WATSON: Oh, yes. We have the little cards on the table that has it on there. So if you got one of those, you've got possession of it right now. Okay?

So with that, we'll go to the summary slide please. Excuse me, if you have other questions, you can contact our Office of Public Affairs in Rockville, Maryland.

And Dave McIntyre is a member of our group and he will be happy to respond to your questions. You can get a hold of him by phone or website. And that's his contact information.

So, let's go to the website. The last slide. So, the purpose of our meeting, and again, let me iterate this, is to obtain public comments on the best practices for community advisory board at

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decommissioning.

So, we want to stick to that subject matter and how it works here at Diablo Canyon, and strictly to that. So, with that, that's the end of my presentation.

I'd like to start by asking any elected officials that would like to make a statement?

Hearing none, we will go to, are there any Native American tribe representatives? Come on up.

Anna here is transcribing the meeting and the transcription will be on the, will be made publicly available on our website. So when you get the microphone, please state your name. And if your name is not easy to spell, we're going to have to ask you to spell it for her, okay?

MS. LUCAS: Thank you. Wendy Lucas.

(Pause.)

MS. LUCAS: (Native language spoken.)
I'm a tribal member and vice president of the non-profit organization --

PARTICIPANT: Microphone is not working.

(Off-microphone comments.)

MS. LUCAS: (Native language spoken.)
My name is Wendy Lucas, and I'm a tribal member and

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vice president of the non-profit yak tityu tityu yak
tilhini Northern Chumash Tribe of San Luis Obispo
Canyon region.

And I have a two-minute video, with a message from
our tribe to share with you.

(Video playback started.)

PARTICIPANT: (Native language spoken.)

PARTICIPANT: In our language our name
means the people of the full moon.

PARTICIPANT: -- the people of the full
moon.

PARTICIPANT: Our families have lived in
this one region --

PARTICIPANT: Region for more than 10,000
years.

PARTICIPANT: And this is our ancestral
homeland. The place where our story began.

PARTICIPANT: The place where our story
began.

PARTICIPANT: We love our homeland and
we want you to love it too.

PARTICIPANT: And we want you to love it
too. Because when you fall in love with something -
-

PARTICIPANT: You will do everything you

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can to care for and protect it.

PARTICIPANT: This land --

PARTICIPANT: And the future of this land

--

PARTICIPANT: -- and the future of this
land --

PARTICIPANT: -- is our shared legacy.

PARTICIPANT: -- is our shared legacy.

PARTICIPANT: A legacy that lives within
us all --

PARTICIPANT: And is cast from one
generation to the next. And the next.

(Native language spoken.)

(Video playback stopped.)

MS. LUCAS: So, this has been our
homeland for over 10,000 years and we are excited
about the opportunity to return there and to no longer
be guests in our homeland. So I wanted you to have
an idea of who the first people were, are, and the
first environment of this area.

And Mona Tucker, our tribal chair, will
be speaking next.

But in our language, we have another word
for goodbye, so we say (Native language spoken), which
means always. So, (Native language spoken), thank

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you for hearing me.

It's been a long time, several hundred years, since our voices have been heard regarding the ongoing legacy of our homeland. (Native language spoken.)

Now, I'm going to introduce Mona Tucker, our tribal chair.

MS. TUCKER: Thank you, Wendy. (Native language spoken.) Hello, my friends, my name is Monal Olivas Tucker and I'm the tribal chair for yak tityu tityu yak tilhini Northern Chumash Tribe San Luis Obispo County and Region.

We are the indigenous people of this place. And our membership is comprised of families whose ancestries date back to this one region for over 10,000 years.

And the indigenous people of this region, we have a unique concern for Diablo lands as they are part of our ancestral homeland. We have cemeteries, ceremonial sites, building sites, gathering places, abundant cultural materials and cultural landscapes.

These places are in need of appropriate treatment and preservation throughout the decommissioning process. It's our responsibility to assure this happens, and this is the task we're ready

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to accept.

Decommission of a nuclear power plant comes with immense regulatory oversight, complicated planning for known and unknown problems and consideration of community wants and needs. Including the future of Diablo lands.

Decommissioning is no less complicated for our tribe and we need a friendly and accessible open conduit so that we may try to understand massive amounts of information.

We have found that the Diablo Canyon decommissioning engagement panel has stepped into this role in bringing information to the San Luis Obispo community. As well as our tribal community.

Scott Lathrop, the tribal member, was selected to serve on the decommissioning panel. And this selection we feel is a good example of who should serve on a community advisory board. And now maybe it will be called an advisory board or an engagement panel, but either way, we need Mr. Lathrop to participate in that.

And this panel participation has allowed other panel members, and members of the public, to hear the local tribal communities' concerns regarding decommission issues, and as the panelist on this key

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community group, his selection has been on our tribe, a voice in the process. And as a marginalized community, we don't always have that.

We also want to recommend that the decommissioning panel, or a newly formed CAB, should be a standalone group. This would be to avoid the perception of any conflict of interest.

It also should be funded to meet its needs and allow them to continue their work as a community conduit. They should be able to establish rules and guidelines for its conduct and public engagement.

So, perhaps it will be community advisory board that will replace the panel, or rename a panel. But in either case, it's very important that Scott Lathrop stay a member, as he has unique ability to represent our indigenous community.

In addition, he has an impressive background as the chief business officer for our public school district. He's a local land developer, and in the past, he's worked for the County of San Luis Obispo planning and building department for over ten years.

So, not only does he have the ability to deliver the tribal perspective, but he would be an asset to helping the entire region navigate what could

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be choppy waters, pre and post shutdown and decommissioning.

In by saying that the panelist, or the CAB members, should not necessarily be political appointees. If that were to happen, there will be citizens who may not be fairly represented. And we look to the NRC to be cautious of that possibility. Thank you all for your time.

MS. LUCAS: Thank you.

MR. WATSON: Second chances on, any of our elected officials would like to speak? If not, I'm going to turn the microphone over to Delores, who is going to facilitate the facility.

MS. MARTIN-ROSA: Okay. Now I'd like to introduce some of the folks from the community advisory boards, CAB, which is a word that you're going to be hearing a lot today.

Linda, I think you're --

MS. SEELEY: Three of us are going to be speaking from our engagement panel. Thank you very much for coming here to San Luis Obispo NRC. We appreciate your long distance that you travel to be here.

My name is Linda Seeley and I'm a member of the Diablo Canyon decommissioning engagement

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panel. And I'm speaking today representing the panel.

The panel would like to take this opportunity to share with you an overview of our mission and role, how we performed, what we have accomplished so far and our agenda going forward.

We were asked by the NRC to fill out a comprehensive questionnaire about our panel, prior to this meeting. This questionnaire was completed and submitted to you.

The panel has already held multiple public meetings on an array of decommissioning topics. Tonight, we are focusing on community advisory, or engagement panel, so we ask that all comments be addressed to that topic.

Could you put up the next slide please? The formation of our panel dates back to February of 2018. PG&E initiated the process by establishing a formation committee made up of six highly regarded community leaders from around the county.

The formation committee advised PG&E on the desired qualifications of future panel members. The formation committee and the PG&E both felt the panel should reflect the diversity.

A diversity in interest areas, knowledge

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and background and come from differing geographic locations within the county in order to understand the broad range of community interests and concerns.

A public announcement requesting interested applicants was made with a significant amount of publicity. Including local print and TV news. Over 100 applications were received.

The formation community used a facilitate process to select a group of 20 applicants. And based on that recommendation, PG&E announced the 11 panel members chosen.

Slide 3 please. We first came together as a formal engagement panel in May 2018. In the past 15 months it's become very apparent that as a panel we care deeply about the issues surrounding decommissioning and are willing and dedicated to working together to listen to the public, solve problems and make recommendations that reflect what we are hearing at our public meetings and workshops.

The panel members come from all areas of the county and come from various backgrounds. I am from Los Osos, which is on the coast. And I am anti-nuclear activist with San Luis Obispo Mothers for Peace, and a retired nurse midwife.

Frank Mecham, who is here, oh, there he

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is, right there, was a past mayor of Paso Robles and a member of the board of supervisors.

David Baldwin, who is sitting over there in the cap waiving his hand, lives in Atascadero and has a labor union background.

Sherri Danoff, who couldn't be here this evening, is a retired land planner.

Nancy O'Malley, sitting right there, is also from Avila Beach. And she's a retired, she's an internal medicine physician.

Dena Bellman, who couldn't come tonight, has a background in the state parks.

You already heard about Scott Lathrop. Is there anybody else?

PARTICIPANT: Alex.

MS. SEELEY: Oh, Alex Karlin, is a former, there he is right there, ASLB Judge with the Nuclear Regulatory Commission.

Oh, and there's Lauren. Lauren Brown, who is a retired biologist?

MR. BROWN: Organic chemist.

MS. SEELEY: Organic chemist, right. Who has had many successful businesses in this county. And actually, was named citizen of the year of San Luis Obispo County. I know that about you.

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(Laughter.)

MS. SEELEY: Let's see. Kara Woodruff, I almost forgot about her. Where is she? Oh, there she is. She is an attorney and works with land conservation groups.

Is that it? Oh, Trevor Keith is now, was a member of our panel, but he is an ex officio member now because he's the director of county planning department in San Luis Obispo County.

Slide 4. Oh, and that shows, if you saw that, that showed where we lived. Where we live I mean.

The engagement panel is made up of volunteers and was created to foster and encourage open communication and public involvement to provide education to the public on decommissioning plants and activities and to serve as a forum for the community, to provide direct input to PG&E and regulatory agencies that will inform decisions about the decommissioning of the Diablo Canyon plant.

Now, I'd like to address speaker number two. This is Frank Mecham.

MR. MECHAM: Good morning, my name is Frank Mecham, I guess I'm a recovery elected official. I'm going to speak a little bit about what we've done

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so far as far as an engagement panel.

In our first year, the panel held eight public meetings as well as six full day public workshops. With various topics covered for the decommissioning process, including decommissioning funding.

In addition, we've held numerous engagements working meetings. Also discussed for the land that surround Diablo Canyon, facility we use, emergency planning, spent nuclear fuel management and a review of our own engagement panel structure.

This fall we will be collaborating with the county of San Luis Obispo, as well as other stakeholders when we address the important topic of economic impacts and opportunities.

This will be taken up in October with a wide range of panel discussion. Next year we'll be addressing further issues related to decommissioning, which will include transportation concerns.

Today, we've received well over 1,000 comments, the next slide, on a wide range of topics that were that were discussed. As a panel, we don't, it was important to create a written document that reflects what we've heard from the public, as well as comments from the individual panel members.

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To this end we've created our strategic vision document. This document is a living document that contains visions, goals and specific recommendations regarding each of the topics that have been discussed.

It's the panel's formal mechanism for conveying recommendations that also incorporates input received from the public at meetings and workshops. In addition, it includes online comments and emails.

The vision document will be amended and refined as public outreach and the decommissioning process continues.

This document, next slide please, this document contains long-term visions as well as goals and specific recommendations. It's written in a way that we hope and that will be readily understood by the public.

The strategic vision is another opportunity to further provide information in the public regarding the decommission process, and to provide the regulatory agencies information about community and concerns, and what the communities wants and needs are relative to decommissioning.

As an example, throughout the various

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meetings, it has been increasingly clear that once the plant shuts down, the community wants to see the plant immediately decommissioned through the DECON process and not SAFSTOR.

In addition, they've expressed the desire that the land surrounding the power plant be conserved and available to the public, as well as the possibilities of re-purposing and reuse of some of the existing power plant facilities.

The highest priority expressed is the safe storage of spent nuclear fuel. The ideas expressed in the vision document will require the completion of a complex planning process as well a continuation of a strong public engagement program.

Next slide please. The strategic vision document is available on the engagement panel's website, and it has been submitted to the PG&E and the CPUC.

As updates to the document are made, they too will be submitted to the CPUC. We feel that the strategic vision can assist the regulatory agencies in determining what the citizens of San Luis Obispo County warrant, relative to the decommissioning of California's last operating nuclear power plant.

I thank for your allowance to speak to

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you tonight, and I'd like to introduce Kara Woodruff, a lands conservation lawyer and a panel member.

MS. WOODRUFF: Okay, do you mind if I stand here or is that okay?

MR. WATSON: Make yourself at home.

MS. WOODRUFF: Thank you. Good evening, everyone.

So, our engagement panel was in existence for about a year and we decided it was time to evaluate how things have been going and whether we were on the right track. And so, if we can go to the next slide.

We engage in review of how we have been performing. In so doing, we did some benchmarking. We looked at about a dozen other community engagement panels and learned some lessons from them.

We also sought out the opinions of our local elected officials. So, members of our panel met with all the mayors, two of the board of supervisors. Even a member of the coastal commission.

And after discussing these issues and hearing some input from the outside, we came to an agreement. And all of the panel members, except for one agreed, that we wanted to support the concept of

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keeping the engagement panel in largely the same format as it original began a year ago.

But we discovered where that there is at least three ways where some modifications were really appropriate. And the first one, right up there, talks about creating a Memorandum of Understanding.

As it now stands, PG&E funds all panel activities. And what we as a panel prefer, is that on an annual basis we would reach some kind of an agreement with PG&E and enlarge our budget, our appropriate budget, would be turned over to the panel so that we would have the discretion about how those monies are spent.

So, for example, if we wanted to hire experts or other advisors or host the meetings ourselves, or create public materials, we would have the discretion to use those funds to do so, according to the panel's opinion. Rather than money coming from PG&E directly.

The second area that we thought was very important was, number two, to create an independent panel website. As it now stands, all the materials relating to decommissioning and our panel, are carried on the PG&E website.

We wish to create something that was

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independent of PG&E. A repository of all the information related to decommissioning. So, it would include the strategic vision that you just heard about. Then again, the meeting materials, their supporting documents, links to other panel projects or other decommissioning activities.

Next slide please. And then finally, we sought to change a charter. The original charter was drafted by PG&E. When we first met as a panel, we took a look at it and overall, we adopted it mostly as it was. We've made some minor changes. But after a year of operating we decided that some more significant edits were necessary for the charter.

So, first and foremost, we learned and practiced our panel wasn't just about providing input to PG&E it was more than that. It was providing input to regulatory agencies and other stakeholders, and including their communities.

So, for example, when we prepared the strategic vision, we not only provided that to PG&E we made it available to the public. And it was also on file with the California public utilities commission.

Number two, of amended the charter, we confirm that elected officials and PG&E employees are

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generally not eligible for panel membership. Interestingly, when we talk to elected officials I think there was large consensus that they really didn't want to be on the panel anyway, so that worked out well.

But we also know that the decommissioning involves obtaining permits, especially from the county of San Luis Obispo. And they would be involved in the process regardless.

And so, in order to accommodate the views of maybe the elected officials, we did create three, up to three non-voting ex officio members who would serve on the panel. But other than that, it would be populated by elected officials.

And in fact, our first ex officio member we have already proposed, he's a director of planning for San Luis Obispo County.

Next slide please. So, four other ways we sought to amend the panel. As it had stood, most of the meetings that we had for the public were prepared by, the materials were prepared by PG&E. PG&E hosted those meetings.

And we have opted to take on more of those responsibilities ourselves. Including adopting our own logo, preparing materials for the meetings,

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hiring our own, not hiring, but bringing on experts and advisors that we deem to be reasonably appropriate.

Next, we concluded that members of the panel should be reimbursed for their reasonable travel expenses. But in general, our time is voluntary. We're not being paid to be part of the panel.

We also asserted that we would like to more input on future charter amendments, because as it now stands the charter really doesn't expect the panel to make these amendments, so we would like to create a precedent for that.

And finally, maybe one of the most important elements is that membership on the panel is not just up to PG&E. In fact, they would have to approve who's on the panel, but the same goes for the panel itself.

So, in order for anybody to serve on the panel going forward, they would have to have the approval of both the utility and members of the panel themselves.

Next slide please. And so, in summarizing our changes, they're all reflecting in general our comfort with the panel as it now stands,

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but additional measures to ensure our independence. Which I think is important, not only substantively, but how our community will have our credibility if we're deemed as independent.

And so, I'm just going to summarize with, with the modifications that we proposed, we believe that the Diablo Canyon Decommission Engagement Panel represents an effective model for community advisory boards in representing communities, as well as the local workforce and our environment. And we do hope that they'll take into consideration our experiences and some of our lessons learned and create a report that's valuable to decommissioning efforts across the country.

So, thank you very much for being here, we all very much appreciate it.

MR. WATSON: Thank you.

MS. MARTIN-ROSA: Thank you very much.

PARTICIPANT: Do you want to take a break?

MR. WATSON: Yes. Let's just take a short --

MS. MARTIN-ROSA: Okay.

MR. WATSON: Yes, Tom is just walking in from his car, so let's take a short break and when he

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shows up we'll restart with his statement. Okay?

Is that agreeable to everybody? Thank you.

(Whereupon, the above-entitled matter went off the record and resumed following a brief recess.)

MR. WATSON: Well, I'd like for everybody to, Congressman Carbajal is here.

PARTICIPANT: Microphone.

(Laughter.)

MR. WATSON: Okay, now it's working. I'd like to introduce Congressman Carbajal. He's your District Congressman, Representative, to the House of Representatives.

And he's been here before with you. We attended your town hall. So, he's been on top of all the issues, I think, with the decommissioning. And I would like you to welcome him tonight to give us a few words.

(Applause.)

CONGRESSMAN CARBAJAL: Thank you. Thank you, Bruce. Good evening, everyone.

I have a couple of staff members here that I would like to stand up so you can see who they are. Nancy, our legislative director from Washington

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is up today. She's right there.

Great house with our district representative and he's a staple, a signature here in this community. So, I think that's all we have from the office.

Well, first of all, Bruce, let me thank you for granting my request to have this public meeting. Certainly it's not something you're required to do, but you stepped up and I'm very gratefully to you and all the NRC staff who came here today to have this very important meeting.

I also want to recognize a few people. Tom Jones, Maria Zamerick and Loren Sharp from PG&E that are here. If you can raise your hands? Just want to make sure we know who to write our concerns to.

And certainly to the engagement panel members. The Diablo Decommissioning Panel Members that have been doing a lot of work on this very important issue over the past year. If you can stand up. I know there is a good number of you here.

(Applause.)

CONGRESSMAN CARBAJAL: I want to thank you for all the good work you've been doing. I'm going to read a few notes, ultimately because I have

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a staff person who spent a lot of time on them, so I want to make sure we give him his due.

(Laughter.)

CONGRESSMAN CARBAJAL: Late last year Congress passed a Nuclear Innovation and Modernization Act, which requires the NRC to put together a report on the community advisory boards.

As you look towards identifying best practices from the establishment and operation of local community advisory boards, I believe it is important that communities like ours be at the forefront of these conversations.

Currently the NRC does not require, as I mentioned earlier, the establishment of a community advisory or engagement boards. However, this has been a best practice adopted by PG&E and the Humboldt Bay Nuclear Power Plant and by the Southern California Edison, Southern California Edison at the San Onofre Generating Station.

I am glad we have worked with PG&E to ensure our community also established an advisory panel in 2017. They provide an important platform to communities to help disseminate information and affirm the relationship between the local host community and the nuclear power plant owner. Of

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which we have representatives here today.

Although Diablo Canyon isn't slated to be closed until 2025, the decommissioning of a nuclear power plant has a tremendous impact, which I don't have to tell you, on the local communities that hosts these facilities.

Therefore, it is essential that any decommission process be done in partnership with the families and the residents and stakeholders, who will be impacted by the closure, cleanup, waste disposal and remediation of the plant.

As we move forward with this process, I hope the NRC will continue to engage the public on these important issues. With that said, I would be remiss if I did not raise concern with the recent reports regarding the NRC looking to making fundamental changes to the reactor oversight process, also known as ROP.

The ROP is the program that monitors and manages the performance and safety measures of nuclear power plants. I am concerting with a proposal to replacing the NRC inspector assessments with industry south assessments and arbitrarily reducing core safety inspections.

Before any changes are made to the

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agency's regulatory process, I believe more public engagement is necessary. And I sure hope all of you agree with me.

I would urge the NRC to educate the public about these changes and allow for an opportunity for the public to engage with the NRC on these proposals. I appreciate the time you have set aside to come to San Luis Obispo and the NRC and engage with many of my constituents on these very important issues that will continue to be important for years to come.

Thank you again for coming here, for engaging our community and for your time. So thank you so much.

MR. WATSON: Thank you.

(Applause.)

MR. WATSON: Well, thank you for all you've done.

CONGRESSMAN CARBAJAL: One last thing. My wife is here. Where is my wife? There she is. I just wanted to recognize my wife.

(Laughter.)

CONGRESSMAN CARBAJAL: She rarely makes an event, besides --

(Applause.)

MR. WATSON: Congressman, thank you very

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much. And we're going to resume with our meeting. And thank you, again, for coming to attend our meeting. And also, to hear comments.

CONGRESSMAN CARBAJAL: I almost left with your microphone.

(Laughter.)

MS. SEELEY: Thank you, Congressman. And now I'd like to ask Nancy O'Malley, would like to say a few comments.

MS. O'MALLEY: Hello. My name is Dr. Nancy O'Malley and I'm a local practicing physician, member of the Diablo Canyon Decommissioning Engagement Panel and the resident of Avila Beach, the town where Diablo County is located.

I'm speaking tonight as an individual, even though I'm a representative of the panel. I want to give you an example of how our panel functions and how it's been able to inform some of PG&E's decisions and processes.

During decommissioning, decommissioning, PG&E plans to truck out all the waste through the town of Avila Beach, since this is the main route exiting the area. This road is a narrow two-lane road going through a resort community.

Many residents are concerned about the

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safety, traffic, congestion, noise, dust and contaminants, to name a few.

While serving as a panel member, I have been able to express all of those concerns to PG&E directly as I hear them. Local residents want to know why barging cannot be used instead of trucks.

They want to know why PG&E may have to truck in water when there's a functioning desalinization plant right there at the facility. They want to know all the risks and what to expect.

They are concerned about local roads and bridges. They want to know how the ambulance will make it to their home when all the trucks are on the road. They want to have a voice in this process.

As a result of hearing all this, and all these concerns, PG&E has commissioned a risk analysis study through the UCLA Garrick Institute of Risk Sciences. And this will be done, this analysis will be comparing barging with trucking.

And the panel, the engagement panel, was able to give input on the parameters of this study. Because our panel has been formed well in advance of decommission, we've been able to bring issues like these to their attention early, while there is still time for community concerns to inform their

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decisions.

In 2020, when the results of the transportation risk analysis are back, we plan to hold a public meeting in which the results are presented to the public and discussed. Detailed maps for the transportation routes will be presented to the public. And possible mitigation options will be discussed.

They may also invite, or we may also invite, other outside experts as needed, especially the transportation engineer. This gives the community a chance to hear, not just from PG&E, but from other neutral third parties. The public will have a chance to comment and ask questions at the meeting, or online from home. Since many residents watch the meetings from home by live stream or video.

At our follow-up administrative meeting, the panel will then discuss these public comments and come up with recommendations. The panel will then write up a report on transportation and add this to our strategic vision.

Once approved by the panel, this strategic vision will then be sent to PG&E, the public utilities commission, local government and posted on our website for the public.

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Any panel members with a minority view, they submit a minority report, which will also be submitted along with a strategic vision. So, I hope that this example helps paint a clearer picture of how the Diablo Canyon Decommission Engagement Panel actually functions.

And thank you again to the NRC for coming to San Luis Obispo. Thank you.

MS. MARTIN-ROSA: Thank you, Nancy. And now I'd like to ask Rochelle Becker to say a few words.

MS. BECKER: Thank you. Rochelle Becker, Alliance for Nuclear Responsibility.

Okay. I am here to bring up several issues. One is trust. The NRC is here to state that they're going to create a new policy. Well, we've had the NRC fail over the past year in California.

There are examples at Diablo Canyon, there are certainly recent examples at San Onofre, when NRC decisions have been made that the state relies on, and the rate payers pay for, and those decisions ended up being inaccurate. It is the public, the rate payers of the California utilities that ended up paying.

So, when you're considering your new

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policy for CABS, I think you need to look at people that have responsibility to the state of California, responsibility to this community. Elected officials have staff, and they're elected to have responsibilities.

State officials are appointed and have staff that can actually look for an independent people.

There are several things said tonight that I would like the transcript for. And our proceedings at the public utilities commission on decommissioning meeting September 23rd.

So I'm hoping that the transcript is available before then because it won't be particularly helpful if we've already gone through proceedings. So I'd ask that this be done.

I have great admiration for the people who currently sit on this engagement panel. They have worked very hard, put in lots and lots of hours.

My criticism is not of them as individuals. My concern is that the length of time the decommissioning will go on, the amount of meetings can't be sustained. And new goals for the committee may not fit in with PUC regulation.

So, I think all those things need to be

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considered as you move forward. I thank you for your time, I'm glad you're here, for a change, I'd like to hear you're listening.

MS. MARTIN-ROSA: Thank you, Rochelle. Before we break into public comment, I'd like to see if there are any panel members from the CAB that would like to speak? No additional --

MR. KARLIN: We already have.

MS. MARTIN-ROSA: No, I mean, additional panel members that didn't have a chance to speak.

MR. KARLIN: Oh, oh. We'll, I've signed up, I'm a panel. Lauren Brown has signed up, I think. Others. Let's just go in order.

MS. MARTIN-ROSA: Okay. Would you like to speak? Would you like to speak as a panel member right now, sir?

MR. KARLIN: I'll speak as a member of the public.

MS. MARTIN-ROSA: Okay. Well, now I'm going to turn it to public comments. And we have just about ten minutes for public comments.

We do want to -- I'm sorry?

(Off-microphone comments.)

MS. MARTIN-ROSA: Per person, sorry.

(Laughter.)

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MS. MARTIN-ROSA: We do have ten minutes per person. And we do want to stay on topic.

Please, we have a stenographer, so please state your name and also who you're with. And I will come to you and hold the microphone, just please raise your hand.

Any comments right now? Do you want to go in the order of the sign-up sheet?

(Off-microphone comments.)

MS. MARTIN-ROSA: Excuse us for technical difficulties. So now I'd like to ask Alex Karlin to speak please.

MR. WATSON: They got to you anyway.

(Laughter.)

MR. KARLIN: If I may just come to the front?

MR. WATSON: Yes, come on up.

CDR KIRKBY: Thank you. Yes, my name is Alex Karlin and I am a member of the Diablo Canyon Decommission Engagement Panel, but I'm not speaking for the panel tonight or talking for them, I'm speaking strictly for myself.

I'm an environment attorney and I live in San Francisco. I'm retired from the NRC a few years ago.

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I want to thank NRC for coming here today, Mr. Watson and the entire team. You have a grueling schedule in front of you over the next two months or so, and this is sort of just the beginning, and thank you for coming. Because you did not need to be here, this is not one to attend that were required.

And I also want to thank Congressman Carbajal for his leadership in this thing. And he urged the NRC to come and he then in fact, he himself came here and talked. So that was great.

Prior to this meeting I have submitted three emails to the NRC team. Mr. Watson and his team. And I would like them to be included in the record of the comments on this matter.

That includes an August 12th, 2018 email to Mr. Watson, which attached a nine-page document called preliminary comments on best practices.

The other second document I've already submitted is an August 19th email to Mr. Watson, including five questions that I've asked orally, during the webinar. And they asked me to put it in writing, and so I did.

And I hope you will include that in the record and give us the answers to those five questions somewhere soon.

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The third is an August 22nd email to Mr. Watson and the NRC urging that they publicize these meetings a little bit better. There's been almost zero publicity when a press release covered 11 different meetings. And there hasn't been enough.

These meetings are important. If you could include those in the record, I would appreciate it.

So, as you said, the agenda tonight is, the topic is, what constitutes best practices for the establishment and observation of local community advisory boards. That's what the statute calls for, and that's what Mr. Watson and his team are going to try to address in this report.

On that topic I have four comments. Four main comments. In addition to the documents that I refer to and submitted.

The first one is that "best practices" for a "community advisory board" the board must be established and operated to be advisory. That is, to have advice, giving good advice and recommendations is its primary function. And that's, by definition, the function of the advisory board to give advice.

I thought it was Federal Advisory

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Committee Act, the California Brown Act, and even the municipal code of tiny San Luis Obispo. The charter and mission of every advisory board or entity is to give advice.

That is not to "foster communications" it is not to "engage the public," it is not to "exchange information," it is to render advice and recommendations to the entity that created it. Thus, when the NRC issues its report to Congress as to what constitutes best practices for an advisory board, I would urge you to focus on the best way to charter and create an advisory board.

Second point, best practices for a community advisory board must benefit the community. Community advisory board, not the nuclear plant operator.

By definition, the CAB should be created by the community and for the community. NRC's best practices report should recognize this essential point when you evaluate the entities that exist around this country.

And you put them on some sort of scale of which ones are best and which ones are not so good.

Third point. If the purpose of a local panel is merely to "engage the community" or to

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"foster communications" or to "educate the community," then it is not an advisory board. It is not a best practice for our community advisory board.

Throughout this country there are two main types of decommissioning boards. Some are created by the state and local community to advise and serve the community. Some are created by the nuclear plant operator for the nuclear plant operator.

The former, I suggest, are best practices. The latter are wittingly or not, essentially public relations tools for the nuclear plant operator and should be avoided as an inferior practice.

Engagement panels are not really staged where the public invent its spleen, have a public catharsis and go home. These kinds of board have no discernible impact on any decision maker.

After a bit of public fireworks and public venting, the NRC and the plant operator can go ahead and do what they plan to do anyway.

Fourth and final point. The Diablo Canyon Decommission Engagement Panel, which I am a member, is not an advisory board and it is not a best practice.

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We've done hard work, we're good people, we've worked hard. And as Rochelle Becker has said, we need something better and more important.

I can tell you as a member of the board, by direct experience, it is basically a public relations tool, in my opinion, for PG&E. It was created by PG&E for PG&E.

PG&E wrote the charter. We are to serve under the charter as a conduit from information to help PG&E with public engagement.

The word advisory is never found in the charter. The word advice and recommendations are never found in the charter. And they're not any, relied, proposed, revised charter either.

You've heard that there are some proposed changes to the charter. All of them are essentially cosmetic.

For example, our website used to be on PG&E's website, now we're going to have our own. It looks better to the community.

For example, PG&E selected, can select all the members of the panel. Now we're going to have a say in recommendation, but they can veto. They pay all the money and we have to negotiate from them to get any money.

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All the changes are only proposed. And even if PG&E does propose our suggested changes, it still retains a veto over everything we do and the purse strings.

In conclusion, in addition, my conclusion is, in addition to the documents I've already submitted, I now wish to submit into the record, in this proceeding, three additional documents as follows.

One, three examples of best practices for the establishment and operation of local community advisory boards.

Two, 22 best practices for the establishment and operation of local community advisory, decommissioning advisory boards.

Three, preliminary comments to NRC and best practices for the establishment and operation of the local community advisory boards.

And I'll give you that document now in a hard copy. And if you want it electronically, I can also submit it.

And I thank you for coming here. I know you've got a long schedule in front of you, so thank you.

MS. MARTIN-ROSA: Thank you. Thank you

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for those comments.

Now I'd like to address Lauren Brown.
Brown.

MR. BROWN: Hi, good evening. My name is Lauren Brown. I'm also a member of the Diablo Canyon Decommissioning Engagement Panel.

I want to spend a few minutes to share some of my personal views. For your information, our friend Alex Karlin and I have been going back and forth on this issue for well over six months.

I have to say that Alex puts an awful lot of work into coming up with his recommendations. But I fundamentally disagree with some of this premises.

I'd like to begin by asserting that I believe that there is more than one model that the NRC could identify as best practices. Second, I would like to assert that the model represented by our Diablo Canyon Decommission Engagement Panel does indeed represent some best practices that could be recommended to other communities.

There are so many different situations that I don't think that one model is going to fit all of them. So, let me comment a little bit about the environment that we're working in.

I really have a problem with Alex

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characterizing our panel as just window dressing and that we are only public relations maneuver for Pacific Gas & Electric.

I've been on this panel now for a year and a half and I do not feel that way. I have not experienced PG&E trying to push a particular viewpoint. They have been, in my opinion, bending over backward to enable us to develop our own viewpoints. And I do believe we are an advisory panel.

Maybe their word is not specifically in there, but if you read our vision document you will see on every topic that we have covered to date, that there is one recommendation after the other. And those recommendations do not come just from our own discussions and study, they come from a process that actively engages the public.

And how can we give a valid representation of what this community would like to see during decommissioning if we don't engage with the public, then we do see it as a valid exercise for the communication to be two-way. The public can't understand what preferences they have if they don't understand the premises.

How am I on time?

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MS. MARTIN-ROSA: You're good.

MR. BROWN: I'm good, okay.

MS. MARTIN-ROSA: You still have about four more minutes.

MR. BROWN: Four more minutes, okay. We do have to engage the community so that we learn from them. And they need to understand what's going on.

PG&E is a fountain of all kinds of information. And we appreciate that they have continually provided whatever information we want.

Now, another point, if we were to be replaced, let's say by an entity that operates under the auspices of the California public utilities commission, we'd look an awful lot like the Diablo Canyon Independent Safety Committee.

And such, it's a quasi-governmental body. And it certainly comes under the guidelines of the Brown Act here in California. It's a rigorous process. You can't have an administrative meeting, which is what we have right now.

We collect information on a topic, we engage the public, we get a lot of information and we end up mowing it over. Everything that we recommend ends up in the public vending. We don't hide it. It comes up in our vision document.

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So, a final point that I would like to assert is, however you engage with the community through a formal community advisory board that is a quasi-governmental entity or if it's more like what we have, I'll tell you what, what in the end, what is going to make it work is the integrity and the efforts and the carrying of the individuals who are on that panel.

And the people who are on this panel are all of that. The process that was conducted, recruited people who care. Not because it's part of their job as an elected official but because they care, because we are members of this community and we want to see the decommission go very well.

Thank you all for coming tonight. Thanks for listening.

MS. MARTIN-ROSA: Thank you. Now I'd like to ask David Baldwin.

MR. BALDWIN: Good evening. My name is David Baldwin. I am a member of the Decommissioning Engagement Panel.

I just want to make a couple comments just from some of the speakers I have heard here tonight. The first is that I would just like to point out that I think that me and the panel sort of

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agree that we are a very diverse group.

The formation of this group was made by a diverse group as well and that is reflected in the panelists that you see on the panel right now and of which my colleague, Alex, is an important part of that and all of us have had great input into this panel.

I know myself I have learned a lot here from the different experts in their areas that are parts of this panel and that has made all the difference for me.

As far as elected officials being a part of these engagement panels I have not seen or heard anything yet that would make me believe that that's a good idea.

I do have some experience of attending another advisory board down at San Onofre and I didn't feel like they got anything for that other than maybe a few elected officials that seemed to dominate the discussion.

Elected officials by nature of the political election cycles that they run through aren't always able to be there for the long term and they come and go and I think that would be hurtful to the discussions that we have here, the ongoing

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discussions that we have and the way that we replace panelists on this panel.

There are strong opinions on this panel. There are many discussions that go with a lot of disagreements. The democratic process is alive and well here in many of our discussions.

But I think out of that comes that advisory capacity that maybe there is some debate about whether or not we operate in that capacity or not, and I believe strongly that we do, otherwise these discussions would be squashed or not followed through by PG&E, and many of them have been already.

As you heard from some of the panelists we have a group here, and when I say diverse, you know, we go all the way from an anti-nuclear activist, you know, and all the way through land use planners and everything else in between, and that's a diversity that is hard to recreate, in my opinion.

Our discussions on land conversation, our discussions on spent nuclear fuel, some things I brought up, you know, from the labor side on the workers at nuclear facilities, PG&E has taken us up on many of those items and if it were only up to PG&E to do whatever they might want to do that wouldn't have happened, and so to me that is proof that this

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process works well.

I encourage you, the NRC folks, to look closely at this engagement panel when you make your decisions about best practices.

I think this is a good model, I think it's working well, and I look forward to continuing the work there and I appreciate everyone on the panel and the work they are doing. Thank you.

MS. MARTIN-ROSA: Thank you so much. Now I would like to invite a member of the public that would just like to say a few words.

(Off-microphone comments.)

MS. M. BROWN: Good evening. My name is Marnie Brown. I am a member of the community and I live in Atascadero.

I wish to thank the members of the Diablo Canyon Decommissioning Engagement Panel for the tremendous job they have done and will continue doing voluntarily representing the public's views, interests, and concerns with regards to strategic planning in the decommissioning of the two nuclear reactors at Diablo Canyon.

The panel of volunteers are respected valuable members of our community and their altruistic contribution is laudable and should

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continue. Their service to us has been invaluable.

Decommissioning of Diablo Canyon affects all of us and the panel's public outreach should continue and be supported.

The decisions made by PG&E and the NRC will have far-reaching consequences for not only the citizens of this county but anywhere that transport and final destination of the radioactive waste is made.

In the meantime, it rests with us. We need the oversight and careful attention that is given by the Decommissioning Engagement Panel now and for the future. Thank you.

MS. MARTIN-ROSA: Thank you very much. I would like to take any additional comments from the public. Just remember you only have ten minutes and be careful with all my cords here.

MS. SEELEY: I am Linda Seeley and I am a member of the panel, but I am speaking as an individual now.

I have conflicting opinions and feelings about our panel. I feel we have a valuable panel, number one. It is comprised of people who are very ethical, who are committed, who work hard, who, you know, are invested in this community for years and

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years and just have a tremendous amount of integrity.

We are trying to, like Kara talked about, we have changed the charter. We are starting out -- We do need to be more independent, we do need to have our own budget.

We need to be above suspicion for members of our community, like Rochelle, because there is a -- it's a fine line that you trek when you are working like this and, indeed, maybe our panel doesn't have legal authority.

We are not, as Alex says, an official advisory panel because the advisory panels have certain criteria that are legally defined, and we don't meet that definition.

What we do have is influence and that is a rather intangible value because it's not something that can be codified, but because of how our panel is constituted and particularly I think for you when you are talking with other communities to this process that we have it's a facilitated process with our facilitator, Chuck Anders.

We do not have a chair. We come to -- We try to come to consensus in our decision making, and sometimes we can't, and Alex wrote a dissenting opinion, I wrote a dissenting opinion.

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His was about -- What was it?

MR. KARLIN: Changing the structure --

MS. SEELEY: Oh, right, changing the structure of the panel. That's what started this whole thing. Mine was about nuclear waste, that I don't think it should be taken away from here.

I think we need to take care of it ourselves because we made it. So those two opposition papers are published in our Strategic Mission. I hope you have looked at our Strategic Mission.

I hope you have looked at the recommendations. They are solid. It's -- I am proud of the document. I think it's a good one. I don't know if other panels do that or not.

I said this the other day to Tom Jones, I want to have our cake and eat it too. I want us to be independent and I want us also to have the financial support from PG&E because they have the money and I want us to be able to have some kind of an administrative, you know, helpers, because we can't do all of the administrative work that PG&E does now, so who is going to do it if they don't do it.

Somebody has to do it and I don't think

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that we have the capacity to do that. So it's a very -- This is a very really interesting conundrum for you and I hope you do publish a list of best practices.

I know that, I mean it sounds like there is not going to be a rule, right, there is no NRC rule?

MR. WATSON: No.

MS. SEELEY: So it will be basically you are going to go around collect what you hear from different communities and then write what you think are best practices that you have heard. Yes?

(No audible response.)

MS. SEELEY: Okay, great, because then maybe we can look at the best practices of other panels and go, oh, yes, we should do that here, and maybe, indeed, we should be part of the CPUC or created by the CPUC.

I don't know, you know, I struggle with this because I want us to be independent and yet at the same time --

MS. MARTIN-ROSA: There is two more minutes.

MS. SEELEY: -- I am afraid that, I mean I certainly don't think that people -- I mean if you

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go to, when you go to San Onofre you'll see their committee is dominated by their chair and they have a couple of other people who work and the other people just walk in and sit there blankly and don't contribute.

So I don't know, I think we're doing a good job.

MS. MARTIN-ROSA: Thank you.

MS. SEELEY: Thank you.

MR. WATSON: Yes, let me just make one thing very clear. We are chartered by Congress to provide them a report on best practices.

There is no intent to change any NRC regulations. Our policy is we don't require citizens or advisory boards or community engagement panels of anything like that for sites, decommissioning that will be a result in unrestricted use of the property.

We only require them if there is going to be restrictions on that property, and like I said all, almost 80 sites that have been decommissioned thus far have all been for unrestricted use, okay.

It's merely a use, a report that we are going to provide to the Congress for their purposes. I don't think they're going to pass any legislation on it, but that's their choice. So I just wanted to

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make that very clear, all right. Thank you.

MS. MARTIN-ROSA: Thank you, Bruce.
Please state your name.

MS. SWANSON: I'll put this down here.

MS. MARTIN-ROSA: Perfect.

MS. SWANSON: Okay. My name is Jane Swanson and I am speaking only as an individual tonight. I have a couple of comments.

Number one, I went to the website that is on that card and up there and I get a message that says, "Page not found" and then it says, "Sometimes we make changes" and so blah, blah, blah.

Anyway, so I hope you can reinstate that website.

MR. WATSON: We will. We will.

MS. SWANSON: And my understanding, did I understand correctly that the transcript of this meeting will be on that website when everything gets put back together?

MR. WATSON: Yes.

MS. SWANSON: Okay. So I have called your attention to that little problem. This is a very interesting discussion tonight. We have had various in-depth and diametrically opposed views on what constitutes independence and a meaningful

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advisory function.

I see merit in these opposing views. I mean they are diametrically opposed, but certainly each of them makes a strong case. I am speaking of Alex's Karlin's idea, which is diametrically opposed to what Lauren Brown and some others have expressed.

And I have this wild concept which I would like to throw out there without claiming to have thought it through because it just popped into my head.

I can't help but wonder if there might be a third way where you've got some elected officials appointed and also some citizens active in the community working together.

It would seem to, you know, the structure would have to be very well thought out, and, again, I do buy Alex Karlin's argument that you can't be an advisory body if nobody wants your advice.

I am a mother and a grandmother and I just saw my grandchildren last week and they are really nice but they do not want my advice. There is just no point, and I didn't give it to them either.

I just, you know, gave them unconditional love and I don't know if that would happen with a CAB. Well, anyway, so I am putting out that concept

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partly inspired by the Iroquois.

I taught 5th grade history, what can I tell you, and, you know, our founding fathers in creating our bicameral government at the federal level they got that idea from the Iroquois who did that, and this is different, but maybe the same concept.

So I am just hoping that good intentions coming from different directions might somehow be structured so that they can work together and reinforce each other.

Not that I thought it through, not that I am an expert, but a thought. Thank you very much for the opportunity.

MS. MARTIN-ROSA: Thank you. Anyone else who would like to have any comments?

MR. WEISMAN: Yes. David Weisman, Alliance for Nuclear Responsibility. And there may be someone from PG&E who can help clarify the answer to this one.

So I've heard a number of times folks were saying, you know, well PG&E is paying for this, PG&E is paying for it, and at the moment they are, but as I understand it, and were this to continue, the whole purpose of its entry into the PUC nuclear

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decommissioning triangle, as it moves forward this is going to be paid for by rate payers, am I not -- someone from PG&E want to correct me about that?

MR. MONTGOMERY: Depends on the adjudication of the rate case.

MR. WEISMAN: Right, but that's where the money is being sought, from rate payers. So they want you to understand moving beyond where we are now this is paid for by all PG&E rate payers, at least people in Bakersfield and Fresno, and other places in Northern California.

They would have to assume that were getting their value's worth out of that money, too. It's not just a local San Luis being paid for by a local San Luis for the reaction even though our community is the affected community it certainly isn't the thought of that it is all rate payers who may weigh in eventually on whether this money is worth it and delivering a value for that as well.

I just wanted to make that clear that it will be rate payer funding. Thank you.

MS. MARTIN-ROSA: Thank you. Any other comments?

MS. MARTIN-ROSA: State your name.

MR. MONTGOMERY: Yes.

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MS. MARTIN-ROSA: And be careful of the cords.

MR. MONTGOMERY: Yes, thank you. Bruce Montgomery for the Nuclear Energy Institute. Bruce, you are on an interesting journey over the next few weeks.

I am very impressed with this board tonight and the structure and energy behind this decommissioning and engagement panel.

Bruce, the only thing I would point out, and I am sure you are aware of this, is that every community is unique and good practices are really in the eye of the beholder.

So as you go from community to community, we've been to a couple already, as you go through and catalog all these things that look like good practices just keep in mind that some things work better in some places than they do in others.

So I think that depending on good practices and I do thank and hope that you will catalog them not necessarily in which panels were or boards were inferior to others or superior to others, but what are the things that really worked for that community and why so the folks can understand from, you know, select those good practices from your

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catalog and maybe build those into their charter.

Bruce, as you know, there are some folks in some places that will decommission their plant without even having a board or panel.

There are other ways to reach out to the community and get input on how to deal with the plant shutdown and the recovery site and release or unrestricted use. Thank you.

MS. MARTIN-ROSA: Thank you. Anyone else would like to comment?

(No audible response.)

MS. MARTIN-ROSA: While we welcome your comments on the cards --

MR. KARLIN: A procedural question if I may?

MS. MARTIN-ROSA: Okay.

MR. KARLIN: Which is you have reserved until 9 o'clock I think this meeting, is it permissible for people to talk a little bit and speak a second time if they wish?

MR. WATSON: Sure.

MR. KARLIN: I mean not just me, but any and all of us, okay. So I would like to say a few thoughts if I may. And we'll all talk, and, you know, I think Linda and Rochelle and Jane Swanson

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have all indicated ambivalence about the work that we have done and what's the best practice, independence and all that sort of thing.

And part of I think the essential -- But it is not just everybody, the eye of the beholder, and everyone's can be different, they're all unique, communities which are facing decommissioning have a lot of very similar problem, most of them are isolated.

They don't know what's going on, especially at the beginning in other communities and we think we're unique and we think it's all special and no one understands what our problems are but there are a lot of commonalities out there.

And, again, it's an advisory, a community advisory board and the function is to advise. Now think about that. There is here in San Luis Obispo a Diablo Canyon Independent Safety Committee which was created by the Public Utilities Commission.

I think it presents a very good model for some of the things we should be doing. First off for a best practice all of the meetings or CAVs should be public meetings.

You shouldn't make any decisions in private meetings, and that's what we do. Our panel

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meets in private and we decide what our recommendations are going to be. It's not a public meeting.

First, I think conflicts of interest in the selection of all the members of an advisory panel it should be a public process. The Diablo Canyon Independent Safety Committee's members are selected in a public process.

The nominees are all listed, the members of the public get to comment, and the relevant agencies get to pick which ones they choose. They have conflicts of interest.

They have to disclose their financial and organizational interests if they are members of certain advocacy groups or a certain group that wants something from PG&E, that needs to be put out there on the record, and I think that's a best practice.

Anyone who sits on these things should have, you know, conflict of interest, they should have open meetings, they should be selected in an open process.

And so I think when I had my 22 best practices that I lay out as a consequence of being a public advisory committee for the community you need to have trust, you need to have people who are

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selected through a trustful public process and who will operate in a trusted public required public process, and are funded through a public process, not to be beholding to PG&E, now Mr. Weisman is correct, PG&E is asking the rate payers to pay for our panel.

But they want it set up in a way so that the rate payers pay PG&E and then PG&E decides how much money we get each year and there's an MOU with them. That's the plan.

Well, an MOU means they can veto it. They can say no. The Diablo Canyon Independent Safety Committee, in contrast, is paid for by the rate payers but their budget is allocated by the PUC. It doesn't come through PG&E, it doesn't have PG&E veto; it's independent and PG&E does not have a role or a veto in selecting any of the members of the Diablo Canyon Independent Safety Committee.

I think that's the way a CAB should operate, too. Thank you.

MS. MARTIN-ROSA: Thank you. Please state your name.

MS. HISASUE: My name is Carole Hisasue. I will spell it out later for you. I live seven miles north of Diablo Canyon, just outside of Los Osos, on a ranch.

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So I am very happy that we have a decommissioning panel, engagement panel for Diablo Canyon, but a community engagement panel, advisory board, whatever, I think really needs to have much more independence from PG&E.

One of the biggest issues that you will be facing during the decommissioning is the nuclear waste issue and earlier this year the decommissioning panel held a public workshop on spent fuel storage management.

I was at the workshop and there was a lot of heated discussion about, you know, how the schedule for transferring spent fuel into the pools, into dry storage, and so on, and there was, you know, a heated discussion about that.

But at the end of the workshop, you know, I had the impression that PG&E are not really about to change systems, that they are going to go with the status quo, they are going to stick to their schedule despite whatever advice the decommissioning engagement panel may have.

At the August 20th meeting in San Juan Capistrano, that was last week, somebody from NRC said that no vendor had submitted an application for thicker casks in the U.S., but they are, in fact,

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already being used at Peach Bottom, Pennsylvania, and Prairie Island in Minnesota.

They are using the TN-40 and the TN-68. Now San Onofre and Diablo Canyon as you know use thin-walled Holtec canisters, which are not really suitable for transportation and so on and so forth.

If the Diablo Canyon Decommissioning and Engagement Panel concludes that these thin canisters being used now are totally inadequate and will become a huge problem for decommissioning can it make PG&E/NRC change systems and use a thicker cask?

Because if the advice that this engagement panel gives is not worth anything than just words, you know, I kind of do have to agree with Mr. Karlin that it seems to be more like window dressing.

I mean I don't want to say this because I think, you know, everybody on the engagement panel is doing a fantastic job spending so much, you know, time, it should have more access to technical experts.

I think, you know, the people should be compensated for the time in some form or another. But, you know, really my biggest concern is that it's not independent enough and I don't really trust PG&E because it's a business, you know, the bottom line

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profits are going to be way more important to them than our public safety.

I think the NRC, although, you know, you are supposed to be the regulatory commission, reading things like how you are going to be decreasing the number of inspections at Diablo Canyon and so on and so forth makes me feel like I don't really trust you either, and so what I really want is a way more independent advisory board. Thank you.

MS. MARTIN-ROSA: Thank you for your comment. Anyone else who would like to comment?

MS. O'MALLEY: Nancy O'Malley. I am speaking as an individual here. I just want to address your comments about wanting to have some influence over PG&E.

We did hold 2-day workshops on spent nuclear fuel, but I don't think that we were just speaking to the air at that time.

As a result of that PG&E did decide to do a risk analysis. They are not doing it actually, but they have hired UCLA, one of the nation's foremost departments there on risk analysis, and they will be doing that on spent nuclear fuel because the public has questions about how long a spent nuclear fuel should be kept in wet storage versus going to dry and

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what type of casks should be used and, also, the public has questions about transportation.

So they will be addressing all those issues. The panel was able to give input on the parameters for that study. So that is just one example of how this panel has been able to be effective and able to have some influence upstream before all the decisions are already made and written in stone.

And so when you are looking at best practices I think that's a very concrete example that you can look at. The other thing I encourage you to look at is you are comparing different community engagement panels is who does the local permitting, because I feel like the local scenario has a lot to do with how a panel functions.

In this case locally in San Luis Obispo where the plant is located in an unincorporated area so the county will be doing the permitting process most likely.

There will be many opportunities for government involvement there and for community involvement. So that makes our situation unique from perhaps some other plants here in California.

Up in Humboldt I think it's the Coastal

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Commission is doing the permitting and in San Onofre the plant is located on federal land and so they need to have all the cities on their panel so that they can have a voice.

So every plant is unique, every community is unique, and I think, therefore, every panel should be crafted to meet the needs of the local community. Thank you.

MS. MARTIN-ROSA: Thank you. Any other comments?

(No audible response.)

MS. MARTIN-ROSA: Well, all of your comments are very important to the NRC and we will be correcting the website for comments, but also please look at the other ways that you could submit your comments. And now going to turn it back over to Bruce.

MR. WATSON: Well, again, thank you for coming tonight. I did write down a few summary comments just to show, you know, I was listening even though I did have my back to you a little bit.

What I heard was that the local community should form a CAB or a CEP early before decommissioning starts. This allows the licensee, in this case PG&E, to sponsor studies to gather

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information to informed decision making.

An example is the barge versus the truck issue. I guess another one would be the risk analysis on the casks and the transportation.

Some other things that the membership should consider would be representative of the local community, it should include the local Native American tribes, and maybe not elected officials, they seem to be too busy is what I heard, but they are on other CABs.

The CAB should have more independence with a budget to self-direct some information gathering and to have access to technical experts. The CAB is decommissioning a long-term project and there is concerns that the CAB will basically get lost with time.

One of the benefits that the CAB have is that the membership allows for differing opinions. It helps to have those dialogues with each other.

It fosters either understanding or not necessarily an agreement, but it fosters understanding, the understanding of positions.

MR. KARLIN: Isn't that true of all of them?

MR. WATSON: Yes, but not necessarily.

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MR. KARLIN: Across the whole country?

MR. WATSON: Yes. The strategic vision plan documents the CAB's focus for everyone to see appears to be a valuable document is what I heard, and I also heard that every panel is unique and that overall the PG&E model is valuable to the community.

I think Linda Seeley may have said it best when she said that value is influence and it's a benefit to try and get consensus but allow citizens to have opinions, so there is value in that, I agree with that.

So with that those are just my general consensus of what I heard, so with that I would like to thank you for coming. Like I said this meeting will be transcribed and available when we do get the website working again. A comment?

MR. KARLIN: A procedural question. You had the slides up there earlier that said that comments will be receive by NRC until November 15th?

MR. WATSON: Yes. We are publishing a Federal Register notice on that.

MR. KARLIN: Great. Thank you.

MR. WATSON: So public comments will be available, or we'll accept comments through February, excuse me, November 15th. I'm getting my months

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messed up now, but November 15th and we are in the process of putting together a Federal Register notice now.

MR. KARLIN: Okay. And could you make sure that what I have given you will go into that public comment process or do I have to resubmit it?

MR. WATSON: No, we can scan it in.

MR. KARLIN: Okay. Thank you.

MR. WATSON: Okay. We got it. Okay, with that I thank you again for coming and have safe travels home and another meeting has been completed by us. Thank you.

(Whereupon, the above-entitled matter went off the record at 7:55 p.m.)

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