



## ORA

Office of Ratepayer Advocates  
California Public Utilities Commission

Dana S. Appling, Director

505 Van Ness Avenue  
San Francisco, CA 94102  
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<http://ora.ca.gov>

1 November 2004

Mr. Nicholas Procos  
California Public Utilities Commission  
c/o Aspen Environmental Group  
235 Montgomery St., Ste. 935  
San Francisco, CA 94104, via email: [diablocanyon@AspenEG.com](mailto:diablocanyon@AspenEG.com)

RE: Pacific Gas and Electric Company, Diablo Canyon Power Plant, Steam Generator Replacement Project, A.04-01-009

Dear Mr. Procos,

The Office of Ratepayers Advocates (ORA) requests that you consider as either a mitigation measure or alternative, the immediate disposal of Diablo Canyon's old steam generators, as opposed to Pacific Gas and Electric Company's (PG&E) current proposal to store the old steam generators on-site. According to PG&E,

The Projects' estimate includes approximately \$8 million in direct costs (not including overheads, AFUDC, escalation or contingency) for the storage of the eight old steam generators on site in a storage facility designed and constructed by the installation contractor. The building would only need to be rated to store class A low level radwaste and would not need remote monitoring equipment or special design features other than to provide enough shielding to meet dose rate regulations on the outside of the building. Once the retired steam generators are placed inside, the maintenance and security of this storage facility will be negligible because it will be essentially a locked concrete vault.

Demark, one of the consultants used in developing the Projects' cost estimate, advised that, if immediate disposal off-site were required, it would likely cost \$22 million in direct costs in 2003 dollars (\$14M more than on-site storage). Demark also noted that off-site disposal costs are

very volatile, and are contingent upon numerous issues, including the political climate within the disposal site states. At this time, it is uncertain which off-site disposal locations will even be available in 2008 and 2009.

PG&E response to ORA data request 3, Q.8.

The additional cost to immediately dispose of Diablo Canyon's old steam generators would be partially offset by reduced future operating and maintenance (O&M) costs since the old steam generators would be removed from the Project site. PG&E's concern that off-site disposal locations may not be available in 2008 and 2009 actually supports consideration of immediate disposal, rather than delayed disposal of Diablo Canyon's steam generators. Certainly if PG&E has concerns that nuclear waste disposal sites may be unavailable in the future, it would be reasonable to expedite steam generator disposal now, rather than wait. ORA further notes that Southern California Edison (SCE) proposes to immediately dispose of the old steam generators at its San Onofre site, as opposed to delayed disposal.

Respectfully submitted,

S/ Truman L. Burns

Truman L. Burns

Regulatory Analyst  
[txb@cpuc.ca.gov](mailto:txb@cpuc.ca.gov)  
505 Van Ness, Rm. 4102  
San Francisco, CA 94102

Attachment: PG&E response to ORA data request 3, Q.8

**PACIFIC GAS AND ELECTRIC COMPANY  
Diablo Gen Replacement  
Application 04-01-009  
Data Response**

PG&E Data Request No.:	ORA_003-08		
PG&E File Name:	DiabloGenReplacement_DR_ORA_003-08		
Request Date:	February 17, 2004	Requester DR No.:	003
Date Sent:	March 2, 2004	Requesting Party:	ORA
PG&E Witness:	David Miklush	Requester:	Truman L. Burns

**QUESTION 8**

Referring to page 3-25, Ins. 10-21, please provide a copy of any analyses done by or for PG&E regarding the cost of storing the old steam generators on-site versus sending them off-site for immediate disposal.

**ANSWER 8**

The Projects' estimate includes approximately \$8 million in direct costs (not including overheads, AFUDC, escalation or contingency) for the storage of the eight old steam generators on site in a storage facility designed and constructed by the installation contractor. The building would only need to be rated to store class A low level radwaste and would not need remote monitoring equipment or special design features other than to provide enough shielding to meet dose rate regulations on the outside of the building. Once the retired steam generators are placed inside, the maintenance and security of this storage facility will be negligible because it will be essentially a locked concrete vault.

Demark, one of the consultants used in developing the Projects' cost estimate, advised that, if immediate disposal off-site were required, it would likely cost \$22 million in direct costs in 2003 dollars (\$14M more than on-site storage). Demark also noted that off-site disposal costs are very volatile, and are contingent upon numerous issues, including the political climate within the disposal site states. At this time, it is uncertain which off-site disposal locations will even be available in 2008 and 2009.

**CALIFORNIA COASTAL COMMISSION**

45 FREMONT, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
VOICE AND TDD (415) 904-5200  
FAX (415) 904-5400



November 1, 2004

Nicolas Procos  
California Public Utilities Commission  
c/o Aspen Environmental Group  
235 Montgomery Street, Suite 935  
San Francisco, CA 94104

**VIA FACSIMILE (805) 888-2750**

**RE:** Comments on Notice of Preparation for proposed Steam Generator Replacement Project at Diablo Canyon Nuclear Power Plant (Application No.04-01-009)

Dear Mr. Procos:

Thank you for the opportunity to comment on the above-referenced Notice of Preparation (NOP) for the proposed steam generator replacement (SGR) project at Diablo Canyon Nuclear Power Plant, located within the coastal zone north of Avila Beach, San Luis Obispo County. At this time, we have only the brief comments below and would appreciate you incorporating them into the Draft Environmental Impact Report (DEIR). We will provide more detailed comments on the proposed project after our review of that document.

**Jurisdiction:**

- 1) The proposed project will require a Coastal Development Permit (CDP). It is located in the coastal zone and will require a CDP from either San Luis Obispo County or the Coastal Commission, or both, depending on the eventual project configuration. We recommend that the DEIR evaluate the proposed project for conformity to applicable sections of the County's Local Coastal Plan and the California Coastal Act.

**Land Use:**

- 2) We recommend the DEIR describe the existing opportunities and restrictions on land use on PG&E's Diablo Canyon lands, both within the approximately 760-acre high security zone and the approximately 11,000 acres of its remaining nearby holdings. This description should also include opportunities and restrictions that may be required by the PUC or other agencies as part of this proposed project.

**Alternatives Analysis:**

- 3) The DEIR should consider a wide range of alternatives related to all aspects of the proposed project that could have a significant adverse effect on coastal resources. These should include, but not be limited to, the following:
- Alternative forms of energy production that would be feasible, result in fewer or equivalent overall costs, and cause fewer adverse environmental impacts.
  - Alternative methods to transport the new SGRs and to store or transport the used SGRs. The NOP mentions, for example, two options to bring the SGRs to the project site – transporting via Port San Luis or to the Diablo Canyon Intake Cove. These and other options should be evaluated for conformity to provisions of the Coastal Act and the LCP.
  - Alternative cooling methods for the new generating units. The new units are proposed to continue using hundreds of millions of gallons per day of seawater for cooling. This type of cooling kills millions of marine organisms each day and creates significant impacts to local and regional marine ecosystems. The DEIR should evaluate feasible alternatives such as dry cooling, hybrid wet-dry cooling, or other methods that would avoid or minimize the substantial adverse effects on marine biology (also see our comment on Biology and Water Quality below).

**Biology/Water Quality Impacts:**

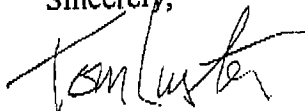
- 4) The NOP states that the proposed project would use once-through cooling water through a modification of the existing facility's cooling system and that the DEIR will evaluate potentially significant biological and water quality impacts related to the use of coastal waters for cooling. We note that the existing cooling water use at Diablo Canyon is resulting in exceedances of the state water quality standards for thermal pollution, and that the Regional Board and PG&E are currently working to resolve these violations.

We also recommend the DEIR describe how the proposed project will conform to new federal rules regulating cooling water structures at thermal power plants. The U.S. EPA recently established new rules under Section 316(b) of the Clean Water Act that would apply to the proposed project, and the DEIR should evaluate how the new generating units would conform to these new requirements.

**Conclusion**

Thank you again for the opportunity to comment. We look forward to reviewing the DEIR. Please contact me at (415) 904-5248 or [tluster@coastal.ca.gov](mailto:tluster@coastal.ca.gov) if you have any questions.

Sincerely,



Tom Luster  
Energy and Ocean Resources Unit

Cc: State Clearinghouse

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JAY K. ELDER *Harbor Manager*  
THOMAS D. GREEN *Legal Counsel*  
PHILLIP J. SEXTON, CPA *Treasurer*

October 27, 2004

Nicolas Procos, Regulatory Analyst  
California Public Utilities Commission  
C/O Aspen Environmental Group  
235 Montgomery St., Suite 935  
San Francisco, CA 94104

RE: Diablo Canyon Nuclear Power Plant  
Steam Generator Replacement Project  
Application No. 04-01-009

Port San Luis Harbor is one alternative for ship off-loading the replacement steam generators. These generators would then be moved from Port San Luis to the Power Plant via Diablo Canyon Road. The other alternative for ship off-loading is at the Power Plant's *Diablo Cove*. In 1988, PG&E used the Harbor District property to off-load heavy equipment and then moved it to Diablo Canyon. Regardless of the alternative chosen, the Harbor District learned how to facilitate future off-loadings and our concerns are listed below:

- Include the Harbor Districts environmental and permit regulations in the EIR so that we do not have to duplicate the California Environmental Quality Act process for our approvals.
- Review weather seasons, including swell conditions for both sites. For example, November is a high swell month and it would not be advisable to off load heavy cargo at either location.
- Study closely the effects to the road system – Avila Beach Drive Bridge over San Luis Creek will be under construction and closed sometime in the near future.
- Include the land use permit and the cargo discharge license that the Harbor District would issue if the operation occurred at Port San Luis Harbor. These two actions are considered a “project” under CEQA.
- Consider allowing temporary RV & Tent Camping on the Harbor Terrace Lands, located at the intersection of Avila Beach Drive and Diablo Canyon Road. This would accommodate the transient labor force, minimize road traffic, lessen the impact on local traffic and lessen the impact on local housing. Some improvements would have to be made and permits from the county would be necessary.
- Consider plant operation life expectancy being extended by this project. The short and long term effects and by products of this project, including an increase in spent fuel rods needs to be addressed.
- Consideration of a Joint lead agency program with the County of San Luis Obispo would also be necessary to insure that the local concerns and requirements are fully explored and mitigated.

- Effects of the project, including barge and tug traffic on the home port fleet, fishing and dry dock operators is required. Off setting mitigation to measure these operations is critical for local acceptance and would become part of any special conditions in a Harbor District issued license or permit.
- California Coastal Commission and/or US Army Corps of Engineers permits and environmental review may be required. Confirmation and inclusion of these agencies required environmental review should be included in this EIR.

Thank you for the opportunity to submit our concerns. We look forward to working with you and the applicant in developing mitigation measures for this project. The Harbor District believes that this heavy cargo could be off-loaded successfully here on the Central Coast if careful planning and prudent safety measures are followed.

Contact our office should you require any additional input on this project. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Jay K. Elder". The signature is fluid and cursive, with the first name "Jay" and last name "Elder" clearly distinguishable.

Jay K. Elder  
Harbor Manager



**AIR POLLUTION  
CONTROL DISTRICT**  
COUNTY OF SAN LUIS OBISPO

November 8, 2004

Nicolas Procos, Regulatory Analyst  
State of California Public Utilities Commission  
Energy Division  
Analysis Branch  
505 Van Ness Avenue, 4<sup>th</sup> Floor  
San Francisco, CA 94102

**SUBJECT: PG&E Diablo Canyon Steam Generators Replacement**

Dear Mr. Procos,

On September 9, 2004, I represented the San Luis Obispo County Air Pollution Control District (APCD) at the public agency scoping meeting for PG&E's proposed project to replace the steam generators for the two reactors at the Diablo Canyon Power Plant (project) and the construction of a holding facility for the old steam generators. I also presented comments during the San Luis Obispo public scoping meeting on October 27, 2004. The APCD applauds the early efforts to identify the potential issues that other agencies and the public consider important to the environmental review process. The following are APCD's official comments for the Notice of Preparation for the proposed project's environmental impact report (EIR):

**1. NAME OF CONTACT PERSON**

Andy Mutziger, Air Quality Specialist  
Air Pollution Control District  
3433 Roberto Court  
San Luis Obispo, CA 93401  
(805) 781-4654

**2. PERMIT(S) OR APPROVAL(S) AUTHORITY:**

The Diablo Canyon Plant has eight (8) stationary source APCD permits and it is not anticipated that they will be impacted by this project. Based on the information provided, we are unsure if equipment present during the project will require statewide portable equipment registration or an APCD permit. The following list of equipment requiring registration with the California portable equipment registration issued by the California Air Resources Board or APCD permits is provided as a guide, but should not be viewed as exclusive. For a more detailed listing, refer to page A-5 in the District's CEQA Handbook.

- Portable generators
- Boilers
- Tub grinders trommel screens
- Power screens, conveyors, diesel engines, and/or crushers.

In addition, depending on the duration the marine vessel is in operation for this project and type of engines that may be employed (e.g., crane on the barge), the applicant may need to obtain a permit with the APCD. Please contact David Dixon of the APCD's Engineering Division at (805) 781-5912 for specific information regarding permitting requirements for your project.

3433 Roberto Court • San Luis Obispo, CA 93401 • 805-781-5912 • FAX: 805-781-1002  
info@slcleanair.org ♦ www.slcleanair.org



*PG&E Diablo Canyon Steam Generators Replacement*  
*November 8, 2004*  
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**3. ENVIRONMENTAL INFORMATION:**

A complete air quality analysis should be included in the DEIR to adequately evaluate the new air quality impacts associated with the proposed project. This analysis should address both short-term and long-term emissions impacts from the project. The following is an outline of items that should be included in the analysis:

- a) A description of existing air quality and emissions in the impact area, including the attainment status of the District relative to State Air Quality Standards and any existing regulatory restrictions to development. The most recent Clean Air Plan (CAP) should be consulted for applicable information.
- b) A thorough emissions analysis should be performed on all relevant emission sources, using emission factors from the EPA document AP-42 "Compilation of Air Pollutant Emission Factors", EMFAC2000, or other approved sources. The emissions analysis should include calculations for estimated emissions of all criteria pollutants and toxic substances released from the anticipated project. Documentation of emission factors and all assumptions (i.e. projects, average daily trip rate from trip generation studies, etc.) should be documented in the appendix to the DEIR.
- c) The DEIR should include a range of alternatives to the proposed project that could effectively minimize air quality impacts. A thorough emissions analysis should be conducted for each of the proposed alternatives identified. The DEIR author should contact the District if additional information and guidance is required. All calculations and assumptions used should be fully documented in an appendix to the DEIR.
- d) A cumulative impact analysis should be performed to evaluate the combined air quality impacts of this project and impacts from existing and proposed future construction in the area. This should encompass all planned construction activities within one mile of the project.
- e) The data analyses requested above should address local and regional impacts with respect to maintaining applicable air quality standards. Authors should consult the District to determine if a modeling analysis should be performed and included in the EIR.
- f) Temporary construction impacts, such as fugitive dust and combustion emissions from construction and grading activities, should be quantified and mitigation measures proposed. In addition, naturally occurring asbestos may exist at the site. A geological survey is required for the site, and if naturally occurring asbestos is found, the EIR should indicate that a plan will be developed to comply with the requirements listed in the Air Resources Board's Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations.
- g) Mitigation measures should be recommended, as appropriate, following the guidelines presented in Sections 5 and 6 of the District's "CEQA Air Quality Handbook".

**4. PERMIT STIPULATIONS/CONDITIONS:**

The CEQA Air Quality Handbook provides various significance thresholds that should be referenced in the EIR for determining the significance of impacts and the level of mitigation necessary. The Handbook breaks the impacts into construction phase (Section 6) and operational phase (Section 2) emissions, with separate significance thresholds for each. The level of mitigation necessary will be based upon the new emissions emitted from the project.

*PG&E Diablo Canyon Steam Generators Replacement*  
*November 8, 2004*  
*Page 3 of 4*

5. ALTERNATIVES:

Any alternatives described in the DEIR should involve the same level of air quality analysis as described in bullet items 3.b and 3.c listed above.

6. REASONABLY FORESEEABLE PROJECTS, PROGRAMS OR PLANS:

An important component of an EIR is a consistency analysis of a proposed project with respect to pertinent planning and environmental guidance documents (i.e. general and specific plans, clean air plans, etc.). The District's CAP is such a document. Projects, with potential size and character to impact the assumptions made in the CAP, can impede the District's attempts to maintain the State ozone standard. Therefore, the consistency analysis obtained through the DEIR process is very important from a decision-making standpoint. Please refer to the District's CEQA Air Quality Handbook, Section 2.2, for additional instructions on performing the consistency evaluation.

7. RELEVANT INFORMATION:

As mentioned earlier, the Handbook should be referenced in the EIR for determining the significance of impacts and level of mitigation recommended. Additionally, emission factors from AP-42, EMFAC2000, or other approved sources should be used when performing emission calculations.

8. FURTHER COMMENTS:

**Project's Construction Phase Air Quality Impacts and Impact Mitigations**

a. **Emissions from Additional Worker Commutes and Proposed Mitigation**

During the September 9, 2004 meeting, Jay Elder of the Port San Luis Harbor District noted that current traffic from the power plant can induce significant congestion, particularly when there is even a mild accident. With 2,000 additional workers per day over the entire project timeline (estimated to be 40 days), it will be crucial to develop and implement an effective Trip Reduction Program to minimize congestion and air quality impacts. Please consult with the APCD to define appropriate traffic emission model assumptions to adequately evaluate the impacts in the EIR, including the following analyses:

1. The estimated baseline vehicle emissions for the two phases of the current plant operation, identifying which phase of operation the plant will be in when this steam generator project takes place;
2. A baseline estimation of the vehicle emissions associated with 2,000 additional workers;
3. An estimation of the emission reductions that will be achieved by implementing the proposed Trip Reduction Program (TRP) for existing and additional employees working at the plant. Monitoring and reporting methods should also be identified to track the effectiveness of the proposed trip reduction measures implemented during the project. Please see the APCD's TRP guidelines that are attached to this letter (Attachment 1).

b. **Emissions from the Steam Generator Replacement and Proposed Mitigation**

The PG&E NOP identifies two locations for ocean delivery of the steam generators: 1) Port San Luis, and 2) PG&E's Inlet Cove. The EIR will need to estimate the emissions from all project emission sources for each option, including maximum and average daily and quarterly emissions of all criteria pollutants and toxic diesel particulate matter (Diesel PM). Diesel PM has no identified threshold level below which there are no known health effects. The scale of this project could result in significant exceedances of our construction phase emissions thresholds as defined in our 2003 APCD CEQA Handbook.

*PG&E Diablo Canyon Steam Generators Replacement*  
*November 8, 2004*  
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The APCD believes use of the Inlet Cove rather than Port San Luis would significantly reduce diesel exhaust health risks to Avila residents since it is located seven (7) miles north of town. If the Port San Luis option is pursued, the EIR needs to include a Human Health Risk Assessment (HHRA) that estimates the inhalation risk associated with this option. This risk assessment will need to address the cumulative risk of the project option when added to the modeled risk from Unocal's previous Front Street Remediation efforts.

Once the emissions estimates and HHRA are accomplished, PG&E is urged to review the work with APCD and propose measures they will implement to mitigate the air quality impacts of the project options. Some examples of mitigation the APCD will want to see in the EIR include:

1. Development of a trip reduction plan that significantly reduces commute trips for the typical plant staff and for the additional construction staff for the duration of the project.
2. Maintain all construction equipment in proper tune according to manufacturer's specifications.
3. Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
4. Maximize, to the extent feasible, the use of diesel construction equipment meeting ARB's 1996 and newer certification standard for off-road heavy-duty diesel engines.
5. Limit the allowed diesel engine idling time to 5 minutes.
6. To the extent feasible, use a biodiesel blend in the project's diesel engines that will work around Port San Luis.
7. Use best available control technology on the diesel engines that can be controlled.
8. For those diesel engines that can not be controlled, mitigation could include implementation of a long-term Trip Reduction Plan that is mutually agreed upon by APCD and PG&E that would remain in place after the project and provide verifiable emission reductions for the length of time needed to mitigate the unmitigable project emissions. A long-term Trip Reduction Plan would need to be evaluated and updated at least every 3 years to improve its efficacy where ever possible. After this measure has been satisfied, the APCD urges PG&E to maintain the plan through the plant's life to provide continued emission and congestion benefits.
9. PG&E is encouraged to work with the APCD to define other acceptable off-site mitigation. Section 5.9 of APCD CEQA Handbook should be referenced as a list of possible off-site mitigation options.

**c. APCD Fees**

Given the substantial scope of this project, PG&E may need to establish a Memorandum of Agreement with the APCD to reimburse staff costs associated with development and ongoing monitoring of mitigation measures required to reduce project impacts.

Sincerely,



Andy Mutziger  
 Air Quality Specialist

cc: James Caruso, San Luis Obispo County Department of Planning and Building  
 Tom Murphy, Aspen Environmental Group

cc: David Dixon, APCD Engineering Division



## Developing a Trip Reduction Program

Required elements of the Trip Reduction Program are as follows:

1. Hire or assign an Employee Transportation Coordinator (ETC).
2. Conduct annual commuter surveys to monitor the program. Commit to achieve a 20% increase in annual vehicle ridership (AVR) as compared to the countywide average. The current countywide average is 1.2. Therefore, AVR at the facility must be 1.4. The APCD can assist with implementation of the annual commuter surveys.
3. A Trip Reduction Plan must be developed to achieve the necessary AVR goal. Elements included in the plan will be directed toward specific options identified as viable through the surveying process. Elements to include in the Trip Reduction Plan and Program include:
  - \* **Mandatory:**
    - Provide Emergency Ride Home services to ensure that employees who utilize alternative transportation on a given day will be able to get home in the event of an emergency
    - Provide funding for an employee trip reduction incentive program, which rewards employees who use a shuttle service with park and ride lots, carpool, vanpool, take public transportation, telecommute, walk, bike, etc.
    - Implement a Transportation Choices Program. The applicant should work with the Transportation Choices Coalition partners for free consulting services on how to start and maintain a program. Contact SLO Regional Rideshare at 541-2277.
  - \* **Optional:**
    - Provide onsite eating facilities or a lunchtime shuttle to reduce employee lunchtime trips
    - Provide secure bike parking
    - Provide on-site shower and locker facilities
    - Work with SLO Rideshare to provide carpool matching information
    - Provide employee vanpool services
    - Provide transportation alternative information to employees (i.e. bus schedules, bike maps, teleworking information, etc.)
    - Establish a teleworking program
    - Participate in an employee "flash-pass" program, which provides free travel on transit buses.
    - If the project is located on an established transit route, improve public transit accessibility by providing transit turnouts with direct pedestrian access to the worksite.
5. Submit annual updates to the Trip Reduction Plan based upon the updated survey results. The Trip Reduction Plans will be submitted to the APCD and the authorizing Planning Agency.
6. The facility owner must abide by an agreement with the APCD that specifies the mutually established conditions of the Trip Reduction Program to be implemented at the proposed facility. The agreement must be signed by the owner of the facility. In the event of a change in responsible personnel or ownership of the facility, the original agreement signee remains liable for implementing the conditions on the agreement until the new responsible party is issued a new agreement with the same terms and conditions. Conditions in the agreement shall be enforceable by the District.

Based upon the facility's commitment to the program, the Air Pollution Control District will submit a letter of support to the authorizing Planning Agency for the air quality mitigation. The above 6 conditions will be recommended for placement in the development permit by the Planning Agency.



SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING  
VICTOR HOLANDA, AICP  
DIRECTOR

November 8, 2004

Nicolas Procos  
California Public Utilities Commission  
c/o Aspen Environmental Group  
235 Montgomery St; Ste 935  
San Francisco, CA 94104

Dear Mr Procos:

**SUBJECT: NOP COMMENTS FOR DIABLO STEAM GENERATOR REPLACEMENT PROJECT**

Thank you for the opportunity to comment on the Notice of Preparation for this project located in San Luis Obispo County. As we have mentioned in the past, the Diablo Canyon Nuclear Power Plant is a very important facility located in San Luis Obispo County. We offer the following comments on the NOP:

1. The NOP states that the CPUC is the lead agency for CEQA purposes. As previously discussed with CPUC staff, the County should be the lead agency or co-lead agency with the CPUC.

Section 15051 of the CEQA Guidelines identifies the possible methods to determine lead agency status:

“If the project is to be carried out by a public agency, that agency shall be the lead agency even if the project would be located within the jurisdiction of another public agency.”

The CPUC will not carry out this project, so cannot be the lead agency based on this paragraph.

“If the project is to be carried out by a non-governmental person or entity, the lead agency shall be the public agency with the greatest responsibility for supervising or approving the project as a whole.”

As PG&E falls in to the category of a non-governmental agency, this section applies to the determination of lead agency. The CPUC’s responsibility extends only to rate-making. This is very narrow responsibility. The County, on the other hand, is required to review and

consider Coastal Development Permits, plancheck and issue building permits and inspect the facilities constructed as part of the project. Therefore, the County has the greater responsibility for the project and should be the lead agency.

“The lead agency will normally be the agency with general governmental powers, such as a city or county, rather than an agency with a single or limited purpose such as an air pollution control district or a district which will provide a public service or public utility to the project”.

According to this section of the Guidelines, the County should act as lead agency.

The County is considering taking this issue to the Office of Planning and Research as provided for in the State CEQA Guidelines (Section 15053). The County does not want to see a situation created that will require the preparation of two EIR's; one for the rate making process and one for the land use permitting process.

2. There are many references to “temporary facilities” in this NOP. For example, at the bottom of page 2, the term is used several times. Please provide a description of these temporary facilities including but not limited to: length, width and height of all buildings, materials, foundations, grading, colors, and exact uses. Also, there appears to be no information available regarding exact locations of these facilities, provisions for drainage, utilities, lighting, water or other services. This information is critical to ensure that the entire project is adequately addressed in this EIR.

Please be advised that “temporary facilities” in the Coastal Zone of this County, by definition, can only include temporary construction trailer parks, temporary construction yards, temporary dwellings and temporary events. The facilities briefly described in this NOP do not meet the definition for any of these temporary uses. Please amend the description of the facilities to be consistent with the County's Local Coastal Program.

3. There is a reference at the bottom of page no. 2 regarding existing permits and approvals. Please be advised that in the Coastal Zone of the County, the definition of development is very inclusive. Development meeting the definition requires the review and approval of a land use permit and also requires CEQA review. Provide a list of activities that the applicant believes are already permitted and will be used for the steam generator replacement project. The County will determine which of the activities, if any, are currently permitted. If these activities are not currently permitted, the CEQA document will have to take them into account.
4. The NOP states on page 3 - Storage of Original Steam Generators - that activities will be “...in accordance with all applicable NRC regulations”. The proposed storage of the original steam generators is not covered under any NRC regulations. The storage location is outside

of the area that the NRC regulates. Please remove this paragraph's reference to NRC regulations unless there is a citation for such applicable regulations. Please be advised that the County's experience with NRC regulations during the Dry Cask Storage project found that NRC regulations were often not applicable outside the direct nuclear area of the plant.

5. Similarly, on page 4 under Alternatives, it is cited "...will need to comply with existing NRC programs." What programs are these and how did they lead to the finding that primary alternatives would consist only of alternative routes? If meaningful programs that are germane to the replacement and storage of radioactive steam generators cannot be identified, please remove this paragraph from the NOP and acknowledge that a reasonable range of alternatives will be studied in the EIR.
6. The NOP does not include enough of a project description to adequately determine potential impacts of the project. For example, no information is available regarding the exact size, shape, height, design, construction materials of the proposed facilities.

We also have the following comments regarding the environmental issue areas:

7. The Aesthetics analysis will need to consider the project and all of its components from the ocean side of the property. Views from the water are an important part of Coastal Plan considerations.
8. A large portion of the 12,000 acres surrounding the plant is designated Agriculture in the County's General Plan. A large amount of this acreage is in agricultural production. Agricultural impacts from increased truck and employee traffic on access roads and, potential conflicts with grazing animals shall be considered.
9. The site is located in an area of seismic activity. A comprehensive analysis of geologic impacts and hazards needs to be included in the EIR.
10. Please ensure a full discussion of Coastal policies is included in the land use section of the EIR. Research regarding the issue of whether on site storage of the original steam generators is allowed on site should be completed.
11. The California Dept of Forestry/County Fire Dept is the first responder to the power plant. The Public Services section should also include an analysis of the shortcomings of the emergency response system and mitigation measures to address fire response in the new buildings.
12. The replacement of the steam generators will lead to longer operational life for the plant. As long as the plant is in operation, no public access is practicable on this coastal site. The EIR should assess the impacts of continued plant operation on foregone recreational

opportunities.

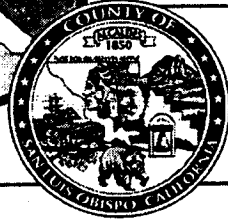
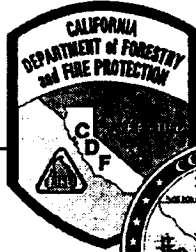
13. The traffic analysis should be formulated so that an assessment can be made of required road fees for the project.
14. Please consider conducting local hearings during the review of the Draft EIR.

Please contact me at (805) 781-5702 if you have any questions regarding these comments.

Sincerely,

James Caruso  
Senior Planner





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## CDF/San Luis Obispo County Fire Department

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635 N. Santa Rosa • San Luis Obispo • California 93405

November 7, 2004

Nicolas Procos  
California Public Utilities Commission  
c/o Aspen Environmental Group  
235 Montgomery Street, Suite 935  
San Francisco, CA 94104

Dear Mr. Procos,

We have reviewed the Notice of Preparation for the Environmental Impact Report for the replacement of the steam generators at PG&E Diablo Canyon Power Plant. During our review we identified several impacts created by this project. The following are our responses to the NOP:

**1. Name of Contact Person:**

Robert Lewin, Battalion Chief  
Fire Marshal  
Fire Protection Planning  
635 North Santa Rosa St.  
San Luis Obispo, CA 93405

Phone (805)543-4244 ext. 2122

**2. Permit(s) or Approval(s) Authority:**

All applicable Fire Law including the California Fire Code, California Building Code, Title 19, Public Resource Codes and Health and Safety Codes.

**3. Environmental Information:**

The EIR should address the impact the project will have on Fire Protection, Emergency Response to Emergency Medical Incidents and Rescues and Emergency Response to Hazardous Materials Incident at DCPP for the duration of the project.

**4. Permit Conditions/Mitigations:**

Specific issues which should be addressed include:

- Fire Department access requirements: road widths, roadway grades and roadway turnarounds. Particularly during transportation of new and used steam generators. The transportation procedure of the new and old steam generators should include the propositioning of emergency responders during road blockages.
- A reevaluation of the current Emergency Response Procedures for Diablo Canyon to incorporate changes as a result of this project.
- Vegetation management around the project site to protect against wildfire.
- Fire Protection Systems: sprinklers and alarms.
- Hydrant system and fire flow requirements.
- Update of the current Diablo Canyon Emergency Response Pre-Plan to include on-site responses to all types of emergencies, nuclear and non-nuclear associated with this project.
- Determine long term emergency planning and protection for the duration of the storage of the materials beyond plant operation including funding for continual fire protection services after decommissioning.
- Identify specialized training needs and requirements for on and off site fire and hazardous materials personnel for all types of emergency responses to Diablo Canyon Power Plant and then methods to mitigate needs not currently or adequately addressed.
- Identify what specialized equipment on and off site fire and hazardous materials personnel need to respond to a nuclear and non-nuclear incident at Diablo Canyon Power Plant. Determine how this equipment will be purchased and used.
- Evaluate ignition potential or other operational concerns caused by powerlines above the proposed project site and mitigation options.
- Determine potential of construction activities to damage powerlines and what mitigation options are necessary.
- Evaluate fire, hazardous materials, and other emergency potential during transportation and storage of the spent fuel and mitigation options.
- Evaluate the current emergency communications system particularly in the upper canyon where the old steam generators will be stored.
- The CDF/San Luis Obispo County Fire Department relies on the DCPD Fire Brigade for initial attack and on-site technical assistance. CDF/San Luis Obispo County Fire does not have a designated position solely responsible for activities associated with fire protection and hazardous materials; training, response procedures, liaison duties and prevention at Diablo Canyon Power Plant. This system should be evaluated for effectiveness.
- All construction and storage permits must be reviewed by CDF/San Luis Obispo County Fire Department as part of the permit process to insure compliance with state and local fire and building codes.
- The fire department must be given an updated inventory of all hazardous materials used and stored at Diablo Canyon Power Plant.
- Any security changes that may affect fire department response or access must be reviewed by the fire department.

**5. Alternatives:**

Alternate site for project away from powerlines if powerlines are a safety factor.

**6. Reasonable Foreseeable Projects, Programs or Plans:**

Review of conditions associated with the IFSTI project should be reviewed.

**7. Relevant Information:**

- National Fire Code; 482 Appendix B, 801, 802, 803, 804, others
- Diablo Canyon Response Preplan
- Nuclear Power Plant Emergency Response Plan
- MOU Between CDF/San Luis Obispo County Fire and PG&E for Fire and Rescue Response to Diablo Canyon Nuclear Power Plant
- Safety Element of the San Luis Obispo County General Plan

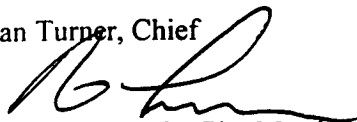
**8. Further Comments:**

This project is beyond the normal scope of this department's evaluation process. Technical assistance is necessary for CDF/County Fire to make an evaluation; this may require third party expertise.

If I can provide additional information or assistance on this matter please call me at (805)543-4244.

Sincerely,

Dan Turner, Chief



By Robert Lewin, Fire Marshal  
Battalion Chief

Cc: Greg Pisano, Division Chief  
Ben Parker, Division Chief  
Mike Harkness, Battalion Chief  
James Caruso, County Planning  
Ellen Carroll, Environmental Planner