



City of San Clemente Planning Division

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May 24, 2005

Mr. Andrew Barnsdale
c/o Aspen Environmental Group
California Public Utilities Commission
235 Montgomery Street, Suite 935
San Francisco, CA 94104

Re: Comments on DEIR for the Proposed SONGS Steam Generating Station Replacement

Dear Mr. Barnsdale:

The City of San Clemente appreciates the opportunity to comment on the Draft EIR. Our comments provided on the Project NOP requested that the DEIR adequately address potential public health hazards. As I am sure you can understand, this is particularly a concern to the City of San Clemente's 65,000 residents who live four miles north of SONGS.

Our overall comment on the EIR is that several key aspects of the proposed project are not adequately described or evaluated for purposes of CEQA review.

- The DEIR fails to provide the level of information necessary to inform the CPUC and other decision makers of the likely environmental consequences of their decision and fully identify measures that will mitigate adverse potential significant impacts.
- The DEIR states that one of the key considerations used to establish the document's environmental baseline is the remaining term of the power plant's NRC license for Unit 2 and 3 which are licensed until the year 2022. The EIR, therefore, evaluates only those incremental changes that would be caused by replacing the four steam generators, e.g. moving equipment in and out of the power plant, performing the related construction, etc. and fails to analyze any impacts related to the extended operation of the plant.
- The remaining term of the license is not an appropriate foundation for this proposed project's environmental baseline, especially since the baseline selected in this EIR leaves out a much more significant physical baseline condition- the degraded state of the existing generators. The cracked condition of the existing generators and associated infrastructure is a far more relevant baseline physical condition that the

remaining term of the SONGS license and in fact the degraded condition of the steam generators is the primary reason the project is being proposed.¹

- Section 3.1.1 **Environmental Baseline** of the DEIR, suggests that the Federal environmental review was completed during the licensing of SONGS Units 2 and 3 which included analysis on the operation of the power plant through 2022 and is thus considered a part of the project baseline. This reasoning is faulty because the analysis was based on conditions that were conducted over twenty four years ago, not the conditions at the time of the Notice of Preparation. It is probably that these conditions and the state of the art in the analysis of these conditions have significantly changed to the point that they no longer accurately reflect or predict the actual environmental impacts of the project through the year 2022.
- The DEIR (pg B-33) confirms that the conditions have changed, in that it states, that the NRC recognizes that the steam generator replacement is a modification that can affect the plant safety analysis, the containment structure and plant operational characteristics. Also, since 9/11, conditions have changed regarding the threat of terrorist attacks which has prompted the NRC to impose greater safety standards for Nuclear Power Plants throughout the country. The original project had not considered that the long term storage of radioactive material be stored on site which is now taking place. To date, the NRC has not approved a location to accommodate high grade radioactive material. These are changes of conditions that could not have been envisioned in any of the previous environmental analysis and should be recognized as part of the project baseline.
- Under Section D.1.2.2 **Beyond the NRC License**, the DEIR concludes that it is not necessary to evaluate the impacts that could occur if the SONGS facility is operated beyond the license expiration date of 2022 because the applicant, SCE, has not formally proposed to renew the license, nor is license renewal a reasonable foreseeable outcome of the Proposed Project. This conclusion seems counter intuitive given that the new steam generators, if they had a similar life expectancy of the OSG of 26 years, would extend the life of the plant to 2035. The EIR should identify the potential extended life expectancy of SONGS based on the installation of the new generators. It also seems likely that the live of the plant will extend beyond 2022 given that 800 million dollar public investment in this project.
- Section D.6 **Hazardous Materials** considers the environmental and safety hazards associated with non-radioactive hazardous material used, stored, and generated during the transport and installation of the replacement steam generators at SONGS, as well as the dismantling, staging, and offsite transport and disposal of the original steam

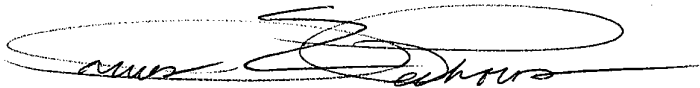
¹ §15126.2. **Consideration and Discussion of Significant Environmental Impacts.** (a) The Significant Environmental Effects of the Proposed Project. An EIR shall identify and focus on the significant environmental effects of the proposed project. In assessing the impact of a proposed project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published, or where no notice of preparation is published, at the time environmental analysis is commenced. Direct and indirect significant effects of the project on the environment shall be clearly identified and described, giving due consideration to both the short-term and long-term effects. The discussion should include relevant specifics of the area, the resources involved, physical changes, alterations to ecological systems, and changes induced in population distribution, population concentration, the human use of the land (including commercial and residential development), health and safety problems caused by the physical changes, and other aspects of the resource base such as water, historical resources, scenic quality, and public services. The EIR shall also analyze any significant environmental effects the project might cause by bringing development and people into the area affected.

generators. The DEIR fails to consider the potential impacts related to long term storage of radioactive material on site or any potential risk related to the sites storage areas as a possible terrorist target.

- In the City's comments on the NOD the City requested that the EIR examine the structural integrity of the containment vessel relating to its opening and resealing to maintain acceptable integrity standards for both containment of the reactor and potential terrorist attacks. The EIR states that SCE expects the containment to maintain acceptable integrity with the construction opening in place based primarily on industry experience. The DEIR lacks sufficient analysis to draw this conclusion.

For all the reasons stated above, we recommend that the EIR use the actual existing physical condition of the generators as the foundation of the environmental baseline rather than use the remaining term of the NRC license. In addition the analysis should also be based on the likely life of the plant, not the term of the current NRC license. The revised baseline should be applied to the relevant sections in the EIR, particularly those related to public health and safety. This would conform to the CEQA requirement and would provide a more accurate and suitable basis for comprehensively evaluating the proposed project and comparing its effect with the alternatives.

Sincerely,



James E. Pechous
Senior Planner

cc: George Scarborough, City Manager
James S. Holloway, Community Development Director
David N. Lund, Public Works & Economic Development Director
George Buell, City Planner
Jim Russell, Emergency Planning Officer