

RCNFPP Draft Minutes 11/4/2013 Meeting

Committee Members	
David Asti	Southern California Edison (SCE)
Melissa Jones	California Energy Commission
Mark Krausse	Pacific Gas and Electric (PG&E)
David Barker	San Diego Regional Water Quality Control Board
Tom Luster	California Coastal Commission
Peter Von Langen (on the phone)	Central Coast Regional Water Quality Control Board
Rochelle Becker (one the phone)	Alliance for Nuclear Responsibility (A4NR)
Staff in Attendance	
Shuka Rastegarpour	State Water Resources Control Board (SWRCB)
Marleigh Wood	SWRCB
Mariela Carpio-Obeso	SWRCB
Paul Hann	SWRCB
Public in Attendance	
Dan Williams	Bechtel Power Corp.
Doug Dismukes	Bechtel Power Corp.
Bryan Cunningham	PG&E
Joan Walter	California Energy Commission
Joe Dillon	NMFS West Coast Region
John Geesman	A4NR
Kathy Jones	PG&E
Eric Wilkins	California Dept. of Fish & Wildlife
Sean Bothwell	California Coastkeeper Alliance
Daniel Hirsch	Friends of the Earth
Fred Collins (on the phone)	Northern Chumash Tribal Council

1. Welcome, Introductions and Updates

Bechtel: We are still working on the response to the Committee comments on the Draft Final Report. Bechtel did not receive public comments sent to the Committee.

Group: Let's review and discuss public comments after lunch once there are printed copies for everyone to review.

Bechtel: There are several report comments that deal with utility costs that were not defined in the report. Bechtel agrees that they were excluded as noted in section 7.12 of the report. Bechtel has an open request with PG&E for the costs and PG&E had indicated that without having the benefit of the design details and the projected schedules it could not determine costs. The Utility now has a good feel for the costs that need to be included and has included them in the comments. Bechtel has requested PGE provide a table providing the Utility costs for each technology. When received, Bechtel will add them to the cost of each technology as a Utility cost. PG&E committed to send the Utility costs to Bechtel within 2 weeks (November 18, 2013).

2. Review and approve Meeting Notes – 10 minutes

Edits to be changed per comments, meeting notes 8/13/2013 not approved.

3. Discuss Draft Final Report – 2 hours

Bechtel: Many comments related to permitting. What is currently in the schedule is what Bechtel believes is a realistic permitting time schedule. Bechtel has talked to permitting agencies and we believe the timelines Bechtel is presenting are feasible. We are looking for some guidance if the Committee thinks that the permitting schedule is too short. The Committee agreed that the time lines are reasonable and need not be modified.

John Geesman: DCISC disagreed with Bechtel on the need for a NRC license amendment.

Bechtel: Designs have to meet specific criteria and design basis. Bechtel has closely reviewed Criterion 10 and does not believe that the responses to Criteria 10 would lead to the requirement for a Licensing amendment Request (LAR). Looked at tech safety specifications, if environmental aspects are changed, a LAR will be required by that technical specification, ultimately, if a LAR is required for the cooling tower options, we believe that it could occur during the permitting phase and not extend the project schedule

Bechtel does agree that the installation of the Emergency intake gate structure may require NRC review but believes that since the ESW flow rate it is so low (22,000 GPM) it will be able to be justified that the gate feature is a "defense in depth" structure not required for safety.

John Geesman: Did you respond to Diablo Canyon Independent Safety Committee (DCISC) regarding their LAR comments?

Bechtel: The letter was written to the State Water Board and Bechtel has not been requested to respond to it.

Mariela Carpio-Obeso: Expert Review Panel (ERP) was willing to review the report. It was critiqued and noted that there were missing citations, and it wasn't clear how the numbers were reached. The October Tenera report clarified the methodologies and showed how they did their work. The numbers that are in the current Bechtel draft report will have to be changed to reflect the lower efficacy reflected in the October Tenera report.

Tom Luster: In regards to page 28 of Bechtel Draft Report, and Table 5 of October 29, 2012 Tenera Report, the data uses an average of 8 powerplants for entrainment results, but they're similar to the Diablo Canyon entrainment results. Do the numbers happen to be similar, or should it be clarified whether this is Diablo Canyon's entrainment results or the average powerplants entrainment result?

Mariela Carpio-Obeso: Dr. Ramondi is the 1 out of 2 ERP members reviewing the Tenera report, and he has yet to provide comments. Bechtel is to wait until Dr. Ramondi provides his comments before adopting the latest October Report.

Mark Krausse: Tenera Report said the efficacy data that was based on earlier Tenera Report of larval entrainment is high. One of the ERP said the August 5, 2013 version of the Report has its numbers right. Dr. Ramondi will need to validate the August report to get confirmation on the validity of the report. The earlier October Report will become invalid.

Bechtel: Costs do not include escalation.

John Geesman: Do replacement power costs include escalation?

Bechtel: Replacement power costs in the draft Bechtel Report are not escalated as agreed by the Review Committee. Per the agreement and the direction of the Review Committee all costs in the draft report are current day 2013 costs without escalation.

John Geesman: How were the replacement power costs calculated? PG&E's cost data issued to the Energy Commission in July 2013 appear to be different than what Bechtel was directed to use by the Review Committee at the last meeting. PG&E has the action to review the two sets of data and provide an explanation to the Review Committee along with a recommendation for the final replacement power cost to be used in the Bechtel report. Needs to be resolved. Page 193 Section 7.10.8. PG&E July 3rd comment said Diablo's numbers are different. Bechtel will revise the cost referenced in the report once defined and directed by the Review Committee.

Mark Krausse: We will look into the basis for PG&E's costs.

Tom Luster: Mitigation costs are variable, should be less than 5% of the total costs. It's difficult to put a price.

Melissa Jones: Should that be caveated in the report. Language should be written up and added to the report.

Tom Luster: I will provide language to Bechtel.

John Geesman: Cooling towers need to be designed to meet soil damping requirements defined in the FSAR. Bechtel needs to clarify what seismic design was used for the cooling towers.

Public Comment -

Daniel Hirsch (Friends of the Earth) comment: Diablo Canyon is responsible for 80% of the ocean environmental impacts. If the report is accepted, it could unravel OTC requirements for the State. If exempted because costs are too high, OTC concerns will not be addressed. Peer review is necessary because Friends of the Earth believes that the estimates developed by Bechtel are inflated, the information might be arbitrary. Friends of the Earth offered to conduct a peer review of the Bechtel report. Mr. Hirsch was requested to identify the reviewing entities but declined to do so.

Committee: We would like to know what the peer reviewers have to say. We will hold next meeting on 11/21/2013 to hear a presentation on Friends of the Earth's review of the report. The peer review report will be sent out as soon as possible, target one week before the meeting date.

Marleigh Wood: The Committee is free to hear what Friends of the Earth's contractors provide. However, this is not formalized peer review as set forth under state law, but another form of public comment.

Joe Dillon (National Marine Fisheries Service West Coast Region 9 NMFS) comment: NMFS responsible for marine listed mammals and endangered species. Another permit may need to be noted in the Bechtel Report.

4. Lunch - 1 hour

5. Discuss Draft Final Report – 2 hours

Fred Collins (Northern Chumash Tribal Council) comment: Bechtel proposed designs will not impact registered and unregistered Sacred Places and Sites, burial grounds, and California Native American Cultural Landscape. They disagree with that finding.

Bechtel: The drawings used by Bechtel were the provided by PG&E. The drawings developed by Bechtel clearly annotate Cultural Areas (SLO-2) and show that the areas that are affected are designed to fall outside the noted cultural areas. There may be areas that Bechtel is not aware of. Bechtel indicated that their design objective was to not impact the architectural areas and if there are designated areas that were not provided to Bechtel and are impacted by the designs would need to be evaluated.

Mariela Carpio-Obeso: There is a meeting set up between the Water Board and the Chumash Tribe this week to review the information they have on the affected area. The Water Board will make sure that they have the maps that were provided by PG&E to Bechtel clearly define areas that encompass the project area.

Eric Wilkins (California Department of Fish and Wildlife) comment: A permit of organism take will be required, during the insitu testing if they will be taken for scientific analysis or research. Information regarding the scientific collecting permit will be sent to Bechtel.

Items that will be changed in the Report:

- More details cost estimates, supporting detail for cost estimates. Bechtel pointed to report section 7.4 in the reports which satisfied the Committee so other than adding the Utility costs no additional cost data is necessary.
- Tenera's numbers will be incorporated once we get confirmation from Dr. Raimondi
- Bechtel will add renderings for the 4 additional cooling tower technologies and renderings showing the spoils areas.
- Bechtel will add the Mitigation explanation provided by Tom Luster
- Bechtel will use a 0.9 availability factor for replacement power
- Bechtel to consider the impact of moving the Morro Bay water Treatment Plant and the changed piping quantities.

Mark Krause: It is worthwhile to compare the Bechtel Report and the Tetra Tech report. A summary of the two that would go to the Board would be helpful. Water Board staff will write up the summary that would go along with the Committee comments/recommendation on the Bechtel Report.

John Geesman: Suggestion for a comments/recommendation to be drafted by the Coastal Commission, Energy Commission, and possibly the Regional water Board, as the public agency members of the Committee.

Action Item: Melissa Jones/ Tom Luster: Draft of the comments/recommendation will be done by December 16. The draft will be submitted 7 days in advanced for the committee to review before the December 16 meeting.

Bechtel: Would like to clarify that this has been an independent effort. There has been no utility influence in the Report.

Melissa Jones: It is very important in this sort of public process that any bias or potential conflict of interest is openly dealt with, including the appearance of conflict. The report must be viewed as truly independent to retain the credibility of the Report's findings and the process used to develop it.

Public Comments to the Bechtel Draft Report that were not formally provided to Bechtel for response:

Comments were received from the Friends of the Earth – Daniel Hirsch representing the Friends of the Earth indicated that their organization believes the Bechtel Report presents inflated costs for the various Technologies. Friends of the Earth has two consultants studying the report and requests the opportunity to present their findings. The Review Committee agreed and set up on November 21 to consider the findings.

Comments were received from Mr. Crow White expressing his opinion that the cooling tower technologies should not be approved for installation at Diablo Canyon.

Comments were received from the Northern Chumash Tribal Council expressing a concern that the construction of the cooling tower technologies would infringe on sacred ground. Bechtel indicated that the preliminary designs were derived specifically to not impact sacred ground that we were aware of. As noted above a conference call was arranged between Mr. Collins and the Review Committee on November 5 and if any impacts are identified the Review Committee will advise PG&E who will advise Bechtel of any additional evaluations necessary.

Comments were received from the City of Morro Bay indicating that they are moving the location of their Wastewater Treatment Facility and informing the Review Committee that the City Council would have to approve the uses of the recycle water. Bechtel indicated the report would be modified to recognize the new location of the Wastewater Treatment Facility and also indicated that we recognize that there would be a permit and approval process that would be accommodated to gain approval for the use of the reclaimed water.

Comments were received from the City of San Luis Obispo advising that the City would have to approve the use of the recycled water. Bechtel indicated that we recognize that there would be a permit and approval process that would be accommodated to gain approval for the use of the reclaimed water.

6. Public comments – 20 minutes

None.

7. Next meeting (group)/ next steps – 20 minutes

~~11/21/2013~~ meeting confirmed to review Friends of the Earth comments on Bechtel Report. Meeting will start at 1 p.m.

~~12/16/2013~~ meeting confirmed to review Final Bechtel Report as presented. Timing of the meeting not confirmed. **New date of 12/18/2013**

7. Adjourn