



LISTENING SESSION
RELATING TO THE
DIABLO CANYON
POWER PLANT
PURSUANT TO SB 846

February 10, 2023



Agenda

- 9 AM: Welcome
- 9:30 AM – 12: 15 PM: Session 1
 - Overview of Land Conservation and Economic Development Plan Requirement
 - Public Comment on Session 1
- 12:15 PM – 12:45 PM: Break
- 12:45 PM – 3:30 PM: Session 2
 - Overview of State Regulatory Actions Needed to Extend Operations of the Diablo Canyon Power Plant
 - Public Comment on Session 2



Meeting Participation

1. If those individuals physically present have questions about meeting logistics or need other assistance, please speak to one of the facilitators.
2. If you are on-line and having difficulty with meeting logistics or need other meeting support, please contact the facilitators using the Q&A Button
3. If you have written questions and comments related to SB 846 and the role of the agencies, please direct those to sb846outreach@resources.ca.gov.



Appreciation





Secretary Crowfoot



Director Myers



Chair Esquivel



Exec. Officer Lucchesi



SB 846 (Dodd, 2022): Requirements For CNRA

- Provide a detailed description and plan that identifies all the actions that are necessary for the extension of the operations of the Diablo Canyon power plant to the Legislature.
- Submit a Land Conservation and Economic Development Plan to the Legislature.
- Facilitate a joint public process to consider public input concerning the environmental impacts and mitigation of extended operations of the Diablo Canyon power plant.



Session 1

Overview of Land Conservation and Economic Development Plan Requirement



SB 846 Requirement

“By March 23, 2023, the Natural Resources Agency shall submit the Land Conservation and Economic Development Plan to the Joint Legislative Budget Committee and the chairs of the relevant policy committees of the Legislature.”

Next Steps:

1. Submit written comments by 5:00 PM on March 3, 2023 to sb846outreach@resources.ca.gov.
2. Future availability of document: <https://resources.ca.gov/Initiatives/Transitioning-to-Clean-Energy>



Public Comment on “Overview of Land Conservation and Economic Development Plan Requirement”



Public Comment

1. Public Comment Period – 3 minutes per speaker, time may be adjusted to accommodate all speakers, and other related topics.
2. Order of Comments – Session 1- Priority:
 1. Physically present & speaking directly to the land use agenda item
 2. On-line & speaking directly to the agenda item
 3. Physically present & speaking to other related topics
 4. Remaining on-line commenters
3. Written comments may be submitted to sb846outreach@resources.ca.gov.
 1. Written comments must be submitted by 5:00 PM on March 3, 2023 for consideration in the CNRA's development of a Land Conservation and Economic Development Plan as required by SB 846.



Break

We will resume at 12:45 PM.



Afternoon Agenda

- 12:45 PM – 3:30 PM: Session 2
 - Overview of State Regulatory Actions Needed to Extend Operations of the Diablo Canyon Power Plant
 - Public Comment on Session 2



Meeting Participation

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Secretary Crowfoot



Director Myers



Chair Esquivel



Exec. Officer Lucchesi



SB 846 (Dodd, 2022): Requirements of CNRA

- Provide a detailed description and plan that identifies all the actions that are necessary for the extension of the operations of the Diablo Canyon power plant to the Joint Legislative Budget Committee.
- Submit a Land Conservation and Economic Development Plan to the Joint Legislative Budget Committee.
- Facilitate a joint public process to consider public input concerning the environmental impacts and mitigation of extended operations of the Diablo Canyon power plant.



Session 2

Overview of State Regulatory Actions Needed to Extend Operations of the Diablo Canyon Power Plant



SB 846 Requirement

“At least 30 days before issuing any permit, lease, license, certification, concurrence, plan, decision, or other approval, some or all of the members of the State Lands Commission, the California Coastal Commission, the State Water Resources Control Board, and any other agency invited to participate by the Secretary of the Natural Resources Agency, shall participate in a joint public process facilitated by the Secretary of the Natural Resources Agency to consider public input concerning the environmental impacts and mitigation of extended operations of the Diablo Canyon powerplant. The Natural Resources Agency shall conduct at least one public hearing, and shall receive written comments, upon which to base any findings and recommendations.”



Federal Agency

Nuclear
Regulatory
Commission

Nuclear Regulatory Commission (NRC)

October 2022: PG&E requests NRC resume review of PG&E's previous license renewal application.
January 2023: NRC informs PG&E that it will need to submit a new license renewal application in addition to a request for exemption from NRC Timely Renewal regulations.**
March 2023: NRC will act on PG&E's request for exemption.
Late 2026: NRC will act on PG&E's license renewal application.

2023

2024

2025

2026

State Agencies

California State
Lands
Commission

**California State Lands
Commission (CSLC)**

January 2023: Lease extension application submitted to CSLC. Second or third quarter of 2023: CSLC will act on the lease extension application.

California Public
Utilities
Commission

**California Public Utilities
Commission (CPUC)**

December 2023: CPUC establishes new retirement dates for Diablo Canyon.

California Coastal
Commission

**California Coastal Commission
(CCC)**

2024: Coastal Zone Management Act consistency certification submitted to the CCC. The CCC will act on the consistency certification within six months.

Central Coast
Regional Water
Quality Control
Board

Central Coast Regional Water Quality Control Board

Late 2026: After NRC acts on PG&E license renewal application, the Central Coast Regional Water Quality Control Board will act on the revised NPDES permit application.

Nov 2024: Unit 1
License Expires

Aug 2025: Unit 2
License Expires

California State Lands Commission



Executive Officer
Jennifer Lucchesi



California State Lands Commission



Diablo Canyon NPP, south of Baywood-Los Osos, Pacific Ocean

- The CSLC has leasing authority over certain DCPD facilities located on the State's filled and water covered sovereign tide and submerged lands.
- An amendment to PG&E existing lease will be required for the extension of the DCPD operations. The current lease expires on August 26, 2025.
- On January 5th, PG&E submitted an application to amend the existing lease to extend the lease term to October 31, 2030.
- On February 2nd the CSLC notified PG&E that its lease amendment application is complete.
- Pursuant to SB 846, the CSLC has 180 days to act on the application.
- PG&E's application is anticipated to be considered at a CSLC properly noticed, public meeting in the second or third quarter of 2023.





California Public Utilities Commission

Franz Cheng
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Diablo Canyon Nuclear Power Plant Extension

February 10, 2023

Franz Cheng
Supervisor, Electric Costs and Accountability
California Public Utilities Commission

SB 846 Informational Listening Session



California Public
Utilities Commission

California Public Utilities Commission

Rulemaking (R.) 23-01-007: Implementing SB 846

Concerning Potential Extension of Diablo Canyon Power Plant Operations

- On January 20th, the CPUC opened R.23-01-007 as directed by SB 846 (Dodd, 2022)
- The purpose of R.23-01-007 is to establish new retirement dates for Diablo Canyon
- Retirement dates can be no later than October 31, 2029, for DC Unit 1, and October 31, 2030, for DC Unit 2
- When establishing the retirement dates, the CPUC must consider:
 - (1) The costs of upgrades for seismic safety and deferred maintenance
 - (2) Licensing renewal expenditures required by the Nuclear Regulatory Commission (NRC)
 - (3) Status of the loan from the state
 - (4) Whether newly constructed and interconnected renewable energy and zero-carbon resources are adequate Diablo substitutes and meet planning standards for energy reliability
 - (5) Renewal of Diablo Canyon's NRC operating license
- The CPUC can choose earlier retirement dates following review of (1) – (5)
- CPUC will issue a decision by the end of 2023

California Public Utilities Commission

Public Participation in R.23-01-007

- If you would like to participate in this rulemaking, there are several ways you can become involved. You can submit a written comment on the docket card for this proceeding on our website, make a public comment at a public meeting like this one today or any of our Voting Meetings, subscribe to this proceeding on our website, or file a motion to become a party. If you would like more information on how to get involved, please visit cpuc.ca.gov, email the public advisor at **public.advisor@cpuc.ca.gov** or call us at **1-866-849-8390**.
- Guide to CPUC Proceeding Participation: <https://www.cpuc.ca.gov/-/media/cpuc-website/files/legacyfiles/u/11318-understanding-a-cpuc-proceeding.pdf>
- CPUC Public Advisor's Office Website: <https://www.cpuc.ca.gov/about-cpuc/divisions/news-and-public-information-office/public-advisors-office>

California Public Utilities Commission

Other Venues for Public Participation

- Diablo Canyon Independent Safety Committee (DCISC)
 - Reviews Diablo Canyon operations and submits an Annual report with conclusions and recommendations regarding Diablo Canyon operational safety
 - DCISC holds three meetings each year with the next taking place February 15th and 16th in person near San Luis Obispo, and online
 - DCISC Website: www.dcisc.org
- Diablo Canyon Independent Peer Review Panel (IPRP)
 - Technical experts from state agencies and the County of San Luis Obispo who review PG&E seismic studies of Diablo Canyon and the DCISC reports
 - Next meeting: April 13th online only
 - Meeting Info found in the CPUC's Event Calendar: www.cpuc.ca.gov

California Coastal Commission

Cassidy Teufel

Manager

Energy, Ocean Resources and Federal Consistency



CALIFORNIA
COASTAL
COMMISSION

CALIFORNIA COASTAL COMMISSION'S CONSISTENCY CERTIFICATION REVIEW PROCESS

Authority: federal Coastal Zone Management Act.

Purpose: to determine whether the federal Nuclear Regulatory Commission's (NRC's) issuance of an operating license would be consistent with enforceable policies of California's federally approved Coastal Management Program.

- Enforceable policies in Chapter 3 of the Coastal Act – include protection of marine life, water quality, public access, sensitive habitats, etc.
- Review initiated by PG&E's submittal of a "consistency certification" to CCC.
- CCC may concur, conditionally concur, or object to that consistency certification.
- NRC cannot issue final approval of operating license until after CCC concurrence/conditional concurrence or action by the U.S. Secretary of Commerce to overturn a CCC objection.

Commission's consistency review process:

- Triggered by PG&E's relicensing application to NRC and submittal of consistency certification to CCC (expected late 2023).
- Starts with 30-day consistency certification completeness evaluation by CCC staff.
- Once deemed complete, CCC has up to six months to hold public hearing and make decision (anticipated mid- to late-2024).
- To prepare for hearing, staff accepts stakeholder input, carries out independent analysis of PG&E's request, and prepares recommendation for Commission.
- Recommendation out for public review and comment at least two weeks prior to public hearing and Commission decision.

Note: This process assumes no additional project development that would require a coastal development permit ("CDP"). If PG&E proposes any such development, the Commission and/or County of San Luis Obispo – depending on the scope and location of proposed work - would carry out a separate CDP review process, including public hearings.

Water Boards



Jonathon Bishop
Chief Deputy
State Water Resources
Control Board



Matt Keeling
Executive Office
Central Coast Regional
Water Quality Control Board

State and Regional Water Board Policy and Regulatory Actions

Diablo Canyon Power Plant Extension Public Listening Session



February 10, 2023

State Water Board Policy

Amendment to the Water Quality Control Policy on the Use of Coastal and Estuarine Waters for Power Plant Cooling (Once-Through Cooling or OTC Policy):

- Primarily to revise the compliance dates for four OTC power plants to support local and system-wide grid reliability
- Includes an administrative change to align the compliance date for Diablo Canyon Nuclear Power Plant with Senate Bill 846

Interim Mitigation Requirements for Impingement and Entrainment Impacts:

- PG&E will continue to make annual payments to the Ocean Protection Council and the Coastal Conservancy
- Interim mitigation funds are applied to projects that increase marine life in Marine Protected Areas
- Staff are evaluating updating the interim mitigation payment calculation

For more information, visit: https://www.waterboards.ca.gov/water_issues/programs/ocean/cwa316/

Central Coast Water Board Permitting

- Ocean discharge National Pollutant Discharge Elimination System (NPDES) federal Clean Water Act permit (cooling water, desalination brine, domestic wastewater)
- Existing NPDES permit in effect
- Revised permit issuance (~2025)
 - after approval of all other federal and state permits
 - public process 2024-2025
 - Release of draft permit for written public comment
 - Public hearing with opportunity for additional public comment
- Ongoing permit compliance assessment and coordination

Public Comment on
“Overview of State Regulatory Actions Needed to Extend
Operations of the Diablo Canyon Power Plant”



Public Comment

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Closing Comments and Adjourn

Thank You!

Additional Information: <https://resources.ca.gov/Initiatives/Transitioning-to-Clean-Energy>

Written Comments: sb846outreach@resources.ca.gov

