



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

Meredith Williams, Ph.D., Director
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Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

September 19, 2023

Susan Strachan

Power Plant Decommissioning Manager

County of San Luis Obispo, Department of Planning and Building

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RE: DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR THE DIABLO CANYON POWER PLANT DECOMMISSIONING PROJECT, DATED JULY 28, 2023, STATE CLEARINGHOUSE# [2021100559](#)

Dear Susan Strachan:

The Department of Toxic Substances Control (DTSC) received a Draft Environmental Impact Report (DEIR) for the Diablo Canyon Power Plant Decommissioning Project. Based on our project review, DTSC requests consideration of the following comments.

1. DTSC requests a copy of the Historical Site Assessment (HSA) performed in 2018 be provided to fully understand the decommissioning process.
2. According to the DEIR, a Site Characterization Study (SCS) will be conducted in 2024 by Diablo Canyon Power Plant. If the SCS indicates that there is waste type (generated from the decommissioning) that was not included in the previously approved closure plan as part of the current permit, then a permit modification needs to be submitted by the facility.
3. Regarding Mitigation Measure HAZ-3 which states:

“Soil and Groundwater Site Characterization Work Plan requires the preparation of a Soil and Groundwater Site Characterization Study, which would require subsurface soil and groundwater sampling; an investigation work plan, including boring and sampling locations, to investigate where known and suspected soil and groundwater contamination may be present; Identification of the limits of contamination based on the results of the soil and groundwater testing; and a Soil Management Plan for the identification and disposal of potentially contaminated soil.”

It is recommended that DTSC Site Mitigation and Restoration Program conduct oversight for this project due to the potential for existing soil and/or groundwater contamination. It is recommended that DTSC verify the data in the “Site Characterization Work Plan” and all associated Reports or Plans to ensure that the Site is safe for future use, direct the potential need for any clean-up activities, and/or ensure that potential Land Use Restrictions are in place, if necessary.

The “Site Characterization Work Plan” and all associated Reports or Plans should be completed prior to the closure / decommissioning of the Site to document the existing conditions. It is further recommended that a subsequent Closure Report should be completed to document conditions of the Site post-closure after the decommissioning activities are completed, to determine if any soil or groundwater contamination occurred as a result of decommissioning activities.

If any decontamination of the soil did occur and importation of soil is required to backfill any areas, proper sampling should be conducted to ensure that the imported soil is free of contamination. DTSC recommends the imported materials be characterized according to [DTSC's 2001 Information Advisory Clean Imported Fill Material](#) webpage.

4. If hazardous and/or mixed waste are stored for less than 90 days in the temporary storage building during decommissioning, a permit will not be required. However, if hazardous and/or mixed waste are stored for more than 90 days, a permit modification/change in the renewal of the permit application is

required dependent upon the timing and completion of the decommissioning project.

5. During the scoping comment period for the EIR, written and verbal comments were received from agencies, organizations, and the public. These comments identified various substantive issues and concerns relevant to the EIR analysis and applicable to this issue area. These comments should be reiterated and are as follows:
 - a. Clarify the length of time that decommissioned materials would be stored on site, the method of storage, the safety measures put in place to ensure that materials would be stored safely, the travel routes that would be used to transfer materials and the days and hours that this would occur, including at locations in proximity to residential areas.
 - b. Clarify if dry cask storage will be able to withstand the impacts of routine aging, seismic risks, threats of terrorism, and impacts from the ocean environment, and how will they be monitored and repaired.
 - c. Ensure safety of stored/packaged radioactive material; describe the best transportation and storage methods for them.
 - d. Describe monitoring methods during facility dismantling for identifying contamination of land, sea, and air.
 - e. Assess the potential effect of the elements and sabotage to the existing dry casks at the Independent Spent Fuel Storage Installation.
 - f. Describe procedures to address adverse unexpected events and emergencies.
 - g. Address effects of the Pismo Beach Railyard (PBR) on the surrounding residential homes and Judkins Middle School.

- h. Continue to monitor for radiological contaminants in the surrounding lands and ocean and inform the visiting public of any on-site radiological contamination and related health concerns.
- i. Address toxic risks associated with proposed concrete batch plants and other proposed site infrastructure modifications.
- j. Evaluate use of a climate-controlled containment area to protect existing dry casks at the ISFSI, including use of the containment domes for this purpose.
- k. Describe if a hot cell or similar system will be installed.
- l. Assess use of a hardened on-site storage facility.
- m. Describe the criteria used to determine reuse vs disposal of materials.
- n. Confirm if the proposed facility to store greater than Class C waste would be within or outside the coastal zone.

DTSC appreciates the opportunity to comment on the Diablo Canyon Power Plant Decommissioning Project EIR. If you have any questions, please respond to this letter or via [email](#) for additional guidance.

Sincerely,



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cc: (via email)

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