

DIABLO CANYON
INDEPENDENT SAFETY COMMITTEE (“DCISC”)
(www.dcisc.org)

Committee Members: Robert J. Budnitz
Peter Lam
Per F. Peterson

* * * * *

Wednesday & Thursday
June 28-29, 2023
Avila Lighthouse Suites

Point San Luis Conference Room
First and San Francisco Streets
Avila Beach, California

PUBLIC MEETING AGENDA

This public meeting will be webcast in real time at:
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PARTICIPATION

You may participate in the DCISC’s public meeting in person or in real-time by accessing the Zoom webinar meeting via the weblink and the meeting ID given above or by calling any of the phone numbers provided at the top of this agenda. Instructions on how to access, view and participate in remote meetings are also provided by visiting the DCISC’s home page at <http://www.dcisc.org>. Attendees can make oral comments or ask questions of the Committee Members during the webinar meeting by using the “Raise Your Hand” feature or by pressing *9 on your telephone keypad if joining by telephone only. If you are unable to participate in real-time, you may email to dcsafety@dcisc.org with the subject line “Public Comment Item# ____” (insert the agenda item number relevant to your comment) or “Public Comment – Non Agenda Item.” Comments will be reviewed and distributed before the meeting if received by 5:00 p.m. on Tuesday, June 27, 2023. Comments received after that will be addressed during the item and/or at the end of the meeting. All comments received will be read into and become part of the record, subject to a time limit determined by the presiding officer. The Committee will have the option to modify its actions on items based on comments received.

Morning Session - 06/28/2023 – 9:00 A.M.

- I CALL TO ORDER - ROLL CALL
- II INTRODUCTIONS

ADVISEMENT

The Committee may consider at any time requests to change the order of a listed agenda item. Information distributed to the Committee at a public meeting becomes part of the public record of the DCISC. A copy of written material, pictures, etc. must be provided to the Committee's Legal Counsel for this purpose. Correspondence received and sent by the Committee is on file with the Office of the DCISC Legal Counsel and copies are available upon request. Devices for attendees who may be hearing impaired are available upon request. The meeting will be webcast in real time.

III PUBLIC COMMENTS AND COMMUNICATIONS

Anyone wishing to address the Committee on matters not appearing on the Agenda may do so only at this time. The public may comment on any matter listed on the Agenda immediately following the time the matter is considered by the Committee. *There will be a time limit for each speaker as designated by the presiding officer. No action will be taken by the Committee on matters brought up under this item, but they may be referred to staff for further study, response or action.*

IV ACTION ITEMS

- | | | |
|----|--|-------------------|
| A. | Update on Administrative and Financial Matters and Committee Activities during 2023. | Discussion/Action |
| B. | Nomination and Election of Chair and Vice-Chair for the July 1, 2023 - June 30, 2024 Term. | Discussion/Action |
| C. | Discussion of Open Items List. | Discussion/Action |

V TECHNICAL CONSULTANT & LEGAL COUNSEL REPORTS; RECEIVE, APPROVE AND AUTHORIZE TRANSMITTAL OF FACT-FINDING REPORT TO PG&E

- | | | |
|----|---|---------------------|
| A. | Ratify Approval of Fact Finding Reports Accepted at the September 28-29, 2022 Public Meeting. | Approve Resolutions |
| B. | Consultant R. Ferman Wardell: Fact-finding Topics; Report on and Approval of March 14-15 & 27, 2023, Fact Finding Report. | Approve Resolution |

VI ACCEPTANCE OF MINUTES

- | | | |
|----|--|--------|
| A. | Minutes of February 15-16, 2023, Public Meeting. | Accept |
|----|--|--------|

VII ADJOURN MORNING MEETING

Afternoon Session – 06/28/2023 – 1:30 P.M.

VIII RECONVENE FOR AFTERNOON MEETING

IX COMMITTEE MEMBER COMMENTS

X PUBLIC COMMENTS AND COMMUNICATIONS

Anyone wishing to address the Committee on matters not appearing on the Agenda may do so only at this time. The public may comment on any matter listed on the Agenda immediately following the time the matter is considered by the Committee. *There will be a time limit for each speaker as designated by the presiding officer. No action will be taken by the Committee on matters brought up under this item, but they may be referred to staff for further study, response or action.*

XI COMMITTEE MEMBER REPORTS AND DISCUSSION

- A. Public Outreach, Site Visits and Other Committee Activities; Scheduling and Confirmation of Future Fact-Finding Visits and Public Meetings
- B. Documents Provided to the Committee.

XII TECHNICAL CONSULTANT REPORTS; RECEIVE, APPROVE AND AUTHORIZE TRANSMITTAL OF FACT-FINDING REPORTS TO PG&E (Cont'd.)

- C. Consultant Richard D. McWhorter Jr. Approve/Resolution
Fact-finding Topics; Report on and Approval of the April 18-19-20, 2023, Fact Finding Report.
- D. Consultant R. Ferman Wardell: Approve/Resolution
Fact-finding Topics; Report on and Approval of May 2-3, 2023, Fact Finding Report.

XIII INFORMATION ITEMS BEFORE THE COMMITTEE

- A. Informational Presentations Requested by the Committee of PG&E:
 - 1) Update on the Status of License Renewal Application Preparation, Submission, Interactions with the NRC, and Preparation/Initiation of Aging Management Plans and Inspections.

XIV ADJOURN AFTERNOON MEETING

Evening Session – 06/28/2023 – 5:15 P.M.

XV RECONVENE FOR EVENING MEETING

XVI COMMITTEE MEMBER COMMENTS

XVII PUBLIC COMMENTS AND COMMUNICATIONS

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XVIII INFORMATION ITEMS BEFORE THE COMMITTEE (Cont'd.)

- B. Informational Presentations Requested by the Committee of PG&E:
 - 2) Update on Activities for Reviewing, Approving, and Implementing Extended Operations Corrective Maintenance Plans, Preventative Maintenance Plans, and Projects Needed to Support Extended Operations (the PMO++ Program).

XIX COMMITTEE MEMBER & TECHNICAL CONSULTANT REPORT & RECEIVE, APPROVE AND AUTHORIZE TRANSMITTAL OF FACT-FINDING REPORT TO PG&E (Cont'd.)

- E. Committee Member Dr. Robert J. Budnitz & Consultants
R. Ferman Wardell and Richard D. McWhorter Jr.: Fact-finding Topics –
State of California Independent Peer Review Panel Public Meeting
and Seismic Safety Comprehensive Update; Report on and Approval
of May 5, 2023, Fact Finding Report. Approve/Resolution

XX ADJOURN EVENING MEETING

Morning Session – 06/29/2023 – 9:00 A.M.

XXI RECONVENE FOR MORNING MEETING

XXII COMMITTEE MEMBER COMMENTS

XXIII PUBLIC COMMENTS AND COMMUNICATIONS

Anyone wishing to address the Committee on matters not appearing on the Agenda may do so only at this time. The public may comment on any matter listed on the Agenda immediately following the time the matter is considered by the Committee. *There will be a time limit for each speaker as designated by the presiding officer. No action will be taken by the Committee on matters brought up under this item, but they may be referred to staff for further study, response or action.*

XXIV DISCUSSION AND DIRECTION, AS APPROPRIATE, BY THE COMMITTEE,
CONSULTANTS & COUNSEL

- A. Status of Governmental Agency Interactions, Response to California Senate Bill 846 Directives, a Third Restatement of the Committee's Charter and other Regulatory Matters Including Committee Funding Issues Addressed in Phase 1 Track 1 of Proceeding R. 23-01-007, an Order Instituting Ratemaking Before the California Public Utilities Commission. Discussion/Direction

XXV INFORMATION ITEMS BEFORE THE COMMITTEE (Cont'd.)

- C. Informational Presentations Requested by the Committee of PG&E:
3) Presentation on the State of the Plant: including Key Events, Outages, Highlights, Organizational Changes and other Station Activities Since the Committee's February 2023 Public Meeting.
4) Update on the Status of NRC Performance Indicators, Licensee Event Reports, NRC Inspections Reports and NRC Current Issues and Current and Future License Amendment Requests.
5) Plans, Scope and Schedule for Refueling Outage 1R24.

XXVI ADJOURN MORNING MEETING

Afternoon Session - 06/29/2023 - 1:30 P.M.

XXVII RECONVENE FOR AFTERNOON MEETING

XXVIII COMMITTEE MEMBER COMMENTS

XXIX PUBLIC COMMENTS AND COMMUNICATIONS

Anyone wishing to address the Committee on matters not appearing on the Agenda may do so only at this time. The public may comment on any matter listed on the Agenda immediately following the time the matter is considered by the Committee. *There will be a time limit for each speaker as designated by the presiding officer. No action will be taken by the Committee on matters brought up under this item but they may be referred to staff for further study, response or action.*

XXX INFORMATION ITEMS BEFORE THE COMMITTEE (Cont'd.)

- D. Informational Presentations Requested by the Committee of PG&E:
- 6) Update on Plans for Future Spent Fuel Management, Transfers from Spent Fuel Pools to Dry Storage, and Decommissioning Planning.
- 7) Update on Unit 1 Reactor Vessel Integrity, Coupon Withdrawal Plans, Integrity Analyses, and Associated Regulatory Submittals.

XXXI CONCLUDING REMARKS & DISCUSSION BY COMMITTEE MEMBERS OF FUTURE DCISC ACTIVITIES

- A. Future Actions by the Committee.
- B. Further Information to Obtain/Review.
- C. Confirmation of Future Site Visits, and Public Meetings.

XXXII ADJOURNMENT OF THE ONE HUNDRED AND FIFTH PUBLIC MEETING

The DCISC's policy is to schedule its public meetings in locations that are accessible to people with disabilities and to remain in compliance with state guidelines on COVID-19 prevention. The Avila Lighthouse Suites Point San Luis Conference Room is a wheelchair accessible facility. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting the DCISC office (in CA 800-439-4688 or (831) 647-1044) or by sending a written request to the DCISC office at P.O. Box 4523, Carmel-by-the-Sea, CA 93921-4523. Providing your request at least five business days before the meeting will help ensure availability of the requested accommodation.

DIABLO CANYON INDEPENDENT SAFETY COMMITTEE

AGENDA TRANSMITTAL FORM

MEETING DATE:

June 28, 2023

AGENDA ITEM:

IV-A

AGENDA TITLE:

Update on Administrative and Financial
Matters and DCISC Activities During
2023

CONSENT []

ACTION []

INFORMATION [X]

Staff Summary: It is expected that the Committee Members will hold a discussion regarding Committee administrative and financial matters and DCISC planned activities during 2023.

The Actual and Proposed DCISC Fact-Finding and Public Meeting Items, with Key Dates, prepared by Committee Consultant Ferman Wardell is provided for your use in reviewing and planning Committee activities.

RECOMMENDED COMMITTEE ACTION: As appropriate

DCISC Fact-Finding and Public Meeting Agenda Items for 2022-2023

July 20-21, 2022 Fact-finding Meeting (PL, RDM) (AR Exhibit D.1)

1. Nuclear Safety Oversight Committee Exit Meeting (Remote)
2. Observe Plant Health Committee Meeting (Remote)
3. Annual Radioactive Effluent Release and Radiological Environmental Operating Reports
4. Health of 4kV Electrical Systems and Tour
5. Containment Ventilation and Hydrogen Mitigation Systems
6. Meet with Nuclear Regulatory Commission (NRC) Senior Resident Inspector
7. Performance Improvement Program
8. Containment Liner Inspections
9. Radiation Monitoring Systems
10. Meet with DCPD Officer
11. Access to Technical Information for the New Spent Fuel Storage System
12. Industry Efforts to Evaluate the Radiological Consequences of a Release of Radionuclides from a Spent Fuel Storage Cask
13. Response to State Government Interest in Extending Power Operations Beyond 2025

August 16-17, 2022 Fact-finding Meeting (PFP, RFW) (AR Exhibit D.2)

1. Greater Than Class C Waste Storage Plans
2. License Renewal Status
3. Emergency Preparedness During Decommissioning
4. Feedwater Heater Tube Failure Follow-up
5. Tsunami Warning Response
6. Meet with NRC Senior Resident Inspector
7. NRC Resident Inspectors Access to PG&E Computer System
8. Observe Plant Health Committee Meeting
9. Equipment Reliability Update
10. Condensate Polisher Resin Issue
11. Meet with DCPD Officer
12. Large Motors Program
13. Radiation Surveys of Independent Spent Fuel Storage Installation
14. Observe Receipt and Inspection of New Fuel

September 13-14, 2022 Fact-finding Meeting (RJB, RFW) [EP Exercise] (AR Exhibit D.3)

1. Probabilistic Risk Assessment (PRA) Program Review
2. Safety Culture Update
3. Observe All Hands Meeting with PG&E Chief Executive Officer and Board of Directors
4. 2R23 Outage Safety Plan
5. Long-Term Seismic Program Update
6. Core Exit Thermocouple System Update
7. Cyber Security Update
8. Meet with Adam Peck, Site Vice-President
9. DCPD License Extension Update
10. Observe Evaluated Emergency Preparedness Exercise

September 28-29, 2022 Public Meeting (AR Exhibit B.3)

1. Consider Dr. Andrew Kadak as a Technical Consultant
2. Consider Approval of the DCISC 32nd Annual Report
3. Review Open Items List
4. Acceptance of Minutes of June 22-23, 2022 Public Meeting
5. Future Fact-finding and Public Meetings
6. Reports by Technical Consultants on Three Fact-finding Meeting Reports
7. State of the Plant
8. Preparations for Refueling Outage 2R23
9. Potential Extended DCPD Operation
10. Remarks by the NRC Senior Resident Inspector
11. Update on DCPD Decommissioning Plans
12. Procurement of a New DCPD Spent Fuel Storage System
13. Emergency Preparedness September 14, 2022 Evaluated Exercise

September 29, 2022 Fact-finding Meeting (RJB, RDM, RFW, ACK) (AR Exhibit D.4)

1. Decommissioning Planning and Funding
2. Planning for Spent Fuel Storage
3. ISFSI Tour

November 9-10, 2022 Fact-finding Meeting (RJB, RDM) (AR Exhibit D.5)

1. Independent Peer Review Panel Meeting on October 26, 2022
2. Meet with San Luis Obispo County Emergency Services Director
3. License Renewal
4. Comprehensive Review of the Seismic Safety Program
5. Emergency Diesel Generators
6. Meet with Nuclear Regulatory Commission (NRC) Senior Resident Inspector
7. Plant Tour
8. Operations Department
9. Meetings with DCPD Officers
10. Technical Review of New Spent Fuel Storage System
11. Tour of Orano TN Fabrication Facility in Kernersville, NC, on November 9, 2022
12. Tour of Orano TN Training Facility in Aiken, SC, on November 10, 2022

December 6-7, 2022 Fact-finding Meeting (PFP, RFW) (AR Exhibit D.6)

1. Meet with NRC Resident Inspector and NRC PI&R Inspection Team
2. Outage 2R23 Results
3. Troubleshooting Program Update
4. Revised Capital Plan
5. Nuclear Fuel Performance and Plans
6. Plant Staffing Planning
7. Safety-Security Interface Update
8. License Extension Update
9. Observe Plant Health Committee
10. Meet with Site Vice-President, Adam Peck, and Industry Benchmark Results

11. Equipment Qualification Program Update
12. Transmission System Health Update
13. Sea Water Reverse Osmosis (Desalination) Plant Tour

January 31 – February 1, 2023 Fact-finding Meeting (PL, RDM) (AR Exhibit D.7)

1. SB846 Requirements Regarding Deferred Maintenance
2. Plans for Reviewing and Restarting Capital Projects
3. Meet with NRC Senior Resident Inspector
4. Engineering Department
5. Technical Review of New Spent Fuel Storage System
6. Auxiliary Saltwater System
7. Turbine and Generator
8. Cyber Security Update
9. FLEX Program Capabilities During a Seismic Event
10. Plant Tour
11. Plant Health Committee
12. Meetings with DCPD Officers
13. Licensee Event Report Review
14. SB846 Requirements Regarding an Updated Seismic Assessment
15. Self-Assessment Program
16. Motor Operated Valve Program

February 15-16, 2023 Public Meeting (AR Exhibit B.6)

1. Receive and Accept PG&E's Response to DCISC 32nd Annual Report
2. DCISC Financial Matters
3. Discussion of Open Items List
4. Future Fact-finding and Public Meetings
5. Reports by Technical Consultants on Four Fact-finding Meeting Reports
6. Manager of the San Luis Obispo County Office of Emergency Services
7. DCISC Reporting & Matters Affected by SB-846
8. Update on Planning for Both Decommissioning and Extended Operations, Including Plans for License Renewal
9. Plans for Reviewing, Approving, and Implementing Capital Projects and Changes to Maintenance Programs Needed to Support Extended Operations
10. Status of Retention Programs, Attrition, and an Update on the Efforts to Retain Qualified Staff in Support of Extended Operations
11. Plans for Spent Fuel Management in Support of Extended Operations and a Brief Update on the Status of the Orano System Procurement

March 14, 15 & 27, 2023 Fact-finding Meeting (RJB, RFW) (AR Exhibit D.8)

1. Meet with DCPD Officer, Site Vice-President Adam Peck
2. September 14, 2022 Emergency Exercise Critique
3. Equipment Long Range Plan Reviews (PMO++)
4. Meet with Nuclear Regulatory Commission (NRC) Senior Resident Inspector
5. Radiation Monitoring and Eagle-21 Systems
6. Switchyard DC Control Power
7. Aging Management Plans for Extended Operations

8. Seismic Safety Issues
9. Review of the 2010 Enercon Services Report Regarding Seismic Vulnerabilities
10. Review of Proposed Changes to NRC Regulation 10 CFR 50.59
11. Maintenance Department Update
12. Observe DCPM Management Review Meeting (Remote)

April 19-20, 2023 Fact-finding Meeting (PL, RDM) (AR Exhibit D.9)

1. Corrective Action Review Board
2. Trends in Plant Status Control Events
3. Equipment Long Range Plan Reviews (PMO++)
4. Licensed Operator Simulator Continuing Training Class Observation
5. Fire Protection Program and Systems
6. Corrective Action Program and Human Performance Update
7. Meet with Nuclear Regulatory Commission (NRC) Senior Resident Inspector
8. Meet with DCPM Officer
9. Compressed Air Systems
10. Reactivity Management Program
11. Reactor Coolant System

May 2-3, 2023 Fact-finding Meeting (PFP, RFW) (AR Exhibit D.10)

1. Radiation Monitoring System
2. Buried Piping and Tanks Program
3. Refueling Outage 1R24
4. Equipment Reliability Program
5. Non-Licensed Operator Training
6. FLEX and Probabilistic Risk Assessment
7. Meet with DCPM Officer
8. PMO++ Process and Results
9. License Renewal Application and Aging Management Plans
10. Industry Efforts to Evaluate the Radiological Consequences of a Release of Radionuclides from a Crack in a Spent Fuel Storage Cask
11. Workplace Seismic Safety
12. Local NRC Meeting on DCPM Regulatory Performance and License Renewal

May 5, 2023 Fact-finding Meeting (RJB) (AR Exhibit D.11)

1. Independent Peer Review Panel Meeting on May 5, 2023
2. Comprehensive Seismic Safety Update

June 28-29, 2023 Public Meeting (AR Exhibit B.9)

1. Update on the Status of License Renewal Application Preparation, Submission, Interactions with the NRC, and Preparation/Initiation of Aging Management Plans and Inspections.
2. Update on Activities for Reviewing, Approving, and Implementing Extended Operations Corrective Maintenance Plans, Preventative Maintenance Plans, and Projects Needed to Support Extended Operations (the PMO++ Program).
3. Status of Governmental Agency Interactions, Response to California Senate Bill 846 Directives, a Third Restatement of the Committee's Charter and other Regulatory Matters

Including Committee Funding Issues Addressed in Phase 1 Track 1 of Proceeding R. 23-01-007, an Order Instituting Ratemaking Before the California Public Utilities Commission.

4. Presentation on the State of the Plant: including Key Events, Outages, Highlights, Organizational Changes and other Station Activities Since the Committee's February 2023 Public Meeting.
5. Update on the Status of NRC Performance Indicators, Licensee Event
6. Reports, NRC Inspections Reports and NRC Current Issues and Current and Future License Amendment Requests.
7. Plans, Scope and Schedule for Refueling Outage 1R24.
8. Update on Plans for Future Spent Fuel Management, Transfers from Spent Fuel Pools to Dry Storage, and Decommissioning Planning.
9. Update on Unit 1 Reactor Vessel Integrity, Coupon Withdrawal Plans, Integrity Analyses, and Associated Regulatory Submittals.

July 26-27, 2023 Fact-finding Meeting (PFP, RDM) (AR Exhibit D.1)

August 9-10, 2023 Fact-finding Meeting (PL, RFW) (AR Exhibit D.2)

August 29-30, 2023 Fact-finding Meeting (RJB, RDM) (AR Exhibit D.3)

September 13-14, 2023 Public Meeting (AR Exhibit B.3)

November 14-15, 2023 Fact-finding Meeting (RJB, RFW) (AR Exhibit D.4)

December 6-7, 2023 Fact-finding Meeting (PFP, RDM) (AR Exhibit D.5)

January 24-25, 2024 Fact-finding Meeting (PL, RFW) (AR Exhibit D.6)

February 21-22, 2024 Public Meeting (AR Exhibit B.6)

March 19-20, 2024 Fact-finding Meeting (RJB, RDM) (AR Exhibit D.7)

April 17-18, 2024 Fact-finding Meeting (PL, RFW) (AR Exhibit D.8)

May 8-9, 2024 Fact-finding Meeting (PFP, RDM) (AR Exhibit D.9)

June 26-27, 2024 Public Meeting (AR Exhibit B.9)

DCPP 2023 Key Dates

NSOC Meetings (DCISC invited only to the 2-hour exit meeting on the final days, which are shown below)

- February 23, 2023

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- July 13, 2023
- November 30, 2023

Refueling Outages

1R24 Fall 2023

2R24 Spring 2024

DIABLO CANYON INDEPENDENT SAFETY COMMITTEE**AGENDA TRANSMITTAL FORM**

MEETING DATE:	June 28, 2023
AGENDA ITEM:	IV-B
AGENDA TITLE:	Nomination and Election of DCISC Chair & Vice-Chair for the July 1, 2023 - June 30, 2024 Term

CONSENT [☐] ACTION [☒] INFORMATION [☐]

Staff Summary: Pursuant to the Committee's Policy No.1, a Chair shall be selected from the Committee at the second public meeting of the calendar year, to serve for the next annual report period and shall preside at all meetings, coordinate the activities of the Committee and its members, as required, and execute all documents in the name of the Committee during that period. When appropriate, the Chair shall designate a DCISC members to execute consultant contracts and contract documents on behalf of the chair. A Vice-Chair shall also be selected at the second public meeting and shall act in the absence of the Chair.

RECOMMENDED COMMITTEE ACTION: On motion by a member, Committee members should be nominated and elected to the offices of DCISC Chair and Vice-Chair.

DIABLO CANYON INDEPENDENT SAFETY COMMITTEE	
AGENDA TRANSMITTAL FORM	
MEETING DATE:	June 28, 2023
AGENDA ITEM:	IV-C
AGENDA TITLE:	Review and Discussion of Open Items List.
CONSENT [☐] ACTION [☒] INFORMATION [☒]	
Staff Summary: It is anticipated that the committee will hold discussion concerning the items appearing on its Open Items List prepared by Committee Technical Consultant Ferman Wardell.	
RECOMMENDED COMMITTEE ACTION: As appropriate, review and provide direction.	

Diablo Canyon Independent Safety Committee Open Items List – 2022-2023

Open Item Type: M= Monitor F = Follow-up I = Issue Items in *Red Italics* are new or revised
Items in *Yellow* are for the next 3 FF Meetings

ITEM NO.	TYPE	OPEN ITEM CATEGORY/DESCRIPTION	Last Actions	Next Action
CO		Conduct of Operations (CO)		
CO-7	M	Review DCCP storm response experience and strategy every two years [or as necessary] during or after annual winter storm season.	5/17FF 3/21FF	As necessary
CO-8	M	Monitor all reactor trips – automatic and manual – and forced outages. (review trip LERs at public meetings).	11/21FF 2/22PM	Post-trip FFs & PMs
CO-9	F	Reactivity Management – review every 18-24 months. [Reviewed Reactivity Management 5/16FF, 4/18FF, and 11/19FF – satisfactory.]	List end of OIL <i>4/23FF</i>	Regularly
CO-10	M	Mispositioning Errors (Equipment Status) – monitor the status of mispositioning errors and actions to resolve.	12/21FF <i>4/23FF</i>	<i>2Q24FF</i>
CO-11	M	Operator concerns and issues – review periodically the status of operator concerns and issues.	<i>11/22FF</i>	<i>Close to HS-6</i>
CO-13	M	Review any initiatives to operate DCCP in different modes, such as load following due to renewable energy fluctuations, during its final years of operation. Include 230kV voltage stability issues. Dr. Peterson observed there is potential that an increase in the risk of transmission problems or outages might affect the availability of alternate off site power sources for DCCP due to increasing incentives to curtail power output because of production or grid-related reasons. Mr. Peck and Dr. Peterson agreed this might be a suitable topic for a future DCISC fact-finding which should include representatives from the PG&E transmission organization.	12/19FF 12/21FF	As necessary <i>4Q23FF</i>
CO-14	F	The DCISC team found the operator retention project to be effectively managed but the Committee should follow this issue closely with reference to licensed operators and well as the station in general. Review operator staffing. (Also see EO-5.)	<i>11/22FF</i> <i>2/23PM</i>	<i>9/23PM</i> <i>4Q23FF</i>
CM		Conduct of Maintenance (CM)		
CM-7	I	Review PG&E's progress in complying with (1) the amendment to 10CFR50.55a, which provides the requirements for ISI of containment structures (degradation) and (2) ASME Code requirements for steel liner weld inspections.	5/22FF 7/22FF	Each Pair of RFOs

CM-10	M	On-line Maintenance: review the implementation of on-line maintenance bi-annually, including the 12-week Rolling Maintenance Schedule about how well it is working & impacting risk. Review trend of amount of on-line maintenance. DCCP Assessment of Maintenance Risk and On-Line Maintenance Risk Procedures have been substantially upgraded with the addition of an Integrated Risk Review Team.	See list at end of OIL	Regularly
CM-13	M	Review Maintenance Department performance measures, staffing, etc. approximately annually.	3/23FF	2Q24FF
EN		Engineering Programs (EN)		
EN-16	F	DCCP Systems – review a system (or structure or component), system health, long-term plan, Maintenance Rule performance & walkdown with System Engineer at FFs. [Note: Systems reviewed are listed with dates at the end of this Open Items List.]	See list at end of OIL	Regularly
EN-19	F	Review every 12-18 months major Engineering Programs, including Configuration Management, Management, System Engineering (system health & long-term plans), Valve Testing, Margin Management, Staffing, etc. [Note: Programs reviewed are listed with dates at the end of this Open Items List.] Review Engineering reorganization 1Q23FF.	See list at end of OIL	Regularly 1Q24FF
EN-20	F	Each Member should review or observe Plant Health Committee, Notification Review Team, Corrective Action Review Board, Performance Review Quarterly Meeting, and other regular meetings.	See list at end of OIL	Regularly
HP		Human Performance: Human Errors and Improving Safety & Efficiency of Plant Performance		
HP-1	M	Review human performance & human behavior items (including error reduction programs, HP Pls, aberrant behavior statistics, FFD, stress reduction programs, Personnel Accountability Policy, Human Performance Steering Committee & Subcomm, Centers of Excellence, Org. Development). [Review biennially operator aging, physical fitness, “no solo” issues, attention enhancement, stress management, & incentives for operator focus. Further observations and improvements in the Management Observation Program should be reviewed by DCISC.	4/22FF 3/23FF	2Q24FF
HP-25	M		4/19FF 7/21FF	3Q23FF
HS		Health, Nuclear Safety and Safety Conscious Work Environment		
HS-6	F	Follow DCCP progress in establishing/improving its safety culture (and its subset Safety Conscious Work Environment, including Safety Culture Monitoring Panel, and including Employee Concerns & Differing Professional Opinion Programs).	8/21FF 10/21PM 9/22FF	8/23FF#2
PI		Performance Improvement Programs		
PI-1		DCCP Performance Improvement Programs: Corrective Action, Self-Assessment, Operating Experience, Benchmarking, etc. Programs reviewed are listed with dates at the end of the Open Items List. [CAP reviewed 4/23FF – satisfactory.]	See list at end of OIL	At least once per year
EP		Emergency Preparedness (EP)		
EP-2	M	Attend and observe DCCP emergency drills and exercises annually [including Hostile Action Based Exercises], paying special attention to JIC communications to the media and public, including radiation release communications to the public, use of social media, coordination of information release with SLO County, and extension of drills to better exercise FMTs & JMC. [Next-evaluated exercise 9/14/22.] Talk with new SLO County OES Director 9/22FF.	9/22FF 3/23FF	Next evaluated exercise (9/23 full scope) 4Q23FF

EP-3	M	DCISC drill attendees should assure the confidentiality of the drill scenario by Keeping the scenario hidden and under their control at all times.	2/23PM	Ongoing
RA		Risk Assessment and Management (RA)		
RA-5	M	Review overall [non-seismic] PRA program annually. Include Fire PRA Upgrade & Shutdown Analysis in next review. Much work underway (including plant specific shutdown risk analysis). Review PRA Group resources/capabilities. Turbine Bldg. (CCW & Condenser) internal flooding. Include external flooding and tsunami risk (see SC-6).	9/20FF 9/21FF 9/22FF	11/23FF RJB
RA-6	F	Review DCCP response to NRC re: 10CFR50.59 risk-informed rule changes. Review in FF.	3/23FF	4Q24FF
NS		Nuclear Safety Oversight and Review (NS)		
NS-5	M	Monitor NSOC meetings periodically to observe their processes and their review of nuclear safety issues. [Observe remotely 7/13/23 NSOC exit meeting.]	7/21FF 7/22FF	Next meeting [see FFPM] 7/13/23FF
NS-9	M	Monitor DCCP's program to track industry-benchmark INPO Areas for Improvement. Review with DCCP Coordinator. Review DCCP August 2022 industry-benchmark INPO evaluation.	1/21FF 8/21FF 12/22FF	4Q23FF
RP		Radiation Protection (RP)		
RP-3	M	Regularly review outage RP performance.	4/22FF 5/22FF 12/22FF	Each RFO
RP-12	M	Review annual DCCP radioactivity release report each year. Review at Summer or Fall FFs.	7/21FF 7/22FF	8/23FF#1
QP		Quality Programs (QP)		
QP-3	M	Review the activities, organization and results of QV audits as well as PG&E's outside biennial audits, including timeliness of corrective actions. Review annually – include 4 th quarter QPAR with yearly results.	3/21FF 5/21FF 3/22FF	4Q23FF
QP-9	F	Software QA Program	See list at end of OIL	Regularly
NF		Nuclear Fuel Performance (NF)		
NF-9	M	Nuclear Fuel Performance & Issues (review after RFOs). Observed new fuel receipt and inspection 8/22FF.	5/22FF 8/22FF 12/22FF	Each RFO
ER		Equipment Reliability and Life Cycle Management (ER)		
ER-5	M	Monitor the Equipment Reliability Process approximately annually. The indicators for Deficient Critical Components Backlog and Operational Work-arounds rated as needing improvement and the DCISC should continue its review of this item in the future.	See list at end of OIL	Annually
OE		Organizational Effectiveness & Development (OE)		

OE-1	F	Review DCCP Operating Plan each January after development.		2/23PM	2/24PM
OE-2	F	Station Excellence Plan & Management Review Meeting		3/23FF	1Q24FF
SE		System and Equipment Performance/Problems (SE)			
SE-39	F	Review and tour the inspections and repairs of concrete Intake Structures following selected refueling outages.		12/19FF 8/21FF	Next RFO
SE-26 <i>Return ed</i>	<i>F</i>	<i>Review reactor pressure vessel compliance status after next set of surveillance samples is analyzed and effective vessel lifetime projections are updated. [Reviewed specimen status at 10/10 FF: satisfactory.] [RV Coupon status 5/13FF.] [Reviewed Pressurized Thermal Shock Rule 8/13FF – satisfactory.] [Reviewed 1/15FF – satisfactory.]</i>		8/13FF 1/15FF	4Q23FF
SE-40	F	Monitor the status of transformers & leakage, failures, corrective actions. Follow status of transformer protection barrier. [Barrier project placed on hold.]		See list at end of OIL	Regularly Close to EN-19
SE-49	F	Emergency Diesel Generators (EDGs)		See list at end of OIL	Regularly
SE-50	F	Maintenance Rule Functional Failures [Change from SSFFs to MRFFs beginning 3/21FF.]		11/22FF	Regularly 4Q23FF
OM		Outage Management (OM)			
OM-3	M	During outages, monitor Outage Coordination Center, Control Room, and containment walkdown/inspection (end of outage). Review outage turbine work. Review Steam Generator performance metrics and inspection results.		5/22FF 11/22FF	Each RFO
OM-4	M	Review Outage Safety Plan, safety margin trends, outage results, including clearances, following each outage at FFs and PMs.		5/22FF 9/22FF	Each RFO 8/23FF#2
OM-5	F	Review FME Program Performance.		See list at end of OIL	Each RFO 4Q23FF
OM-6	F	Monitor Changes in 1R24/2R24 Outage Scopes Needed to Support Extended Operations		2/23PM 5/23FF#2	6/23PM 8/23FF#2
SEC		Security (SEC)			
SEC-3	M	Monitor interaction of Security and Operations, Engineering, Maintenance, and Emergency Preparedness for effects on nuclear safety. Plant security per se not reviewed but reviewed only in the context of impact on plant operation.		12/19FF 12/20FF 12/22FF	2Q24FF

SEC-4	M	Review status of DCCPP cyber security (but not physical security) program in compliance with NRC requirements.	9/22FF <i>1/23FF</i>	<i>1Q24FF</i>
SF		Independent Spent Fuel Storage Installation – ISFSI (SF)		
SF-1	F	Monitor ISFSI operations, including the development of new procedures by Orano for the loading of new Dry Storage Canisters (DSCs), movement of DSCs from SFP to ISFSI, and loading of DSCs into new Horizontal Storage Module (HSM).	10/20PM 5/21FF	<i>4Q23FF</i>
SF-2	M	Follow technical advances of relative risks of existing (Holtec) casks and pool storage. Follow relicensing of ISFSI including seismic adequacy reviews and the implementation of aging management plans.	3/22FF 5/22FF 6/22PM	<i>6/23PM</i> <i>4Q23FF</i>
SF-4	F	Review the adequacy of the design for new (Orano) spent fuel storage system focusing on items of safety significance including seismic adequacy, criticality control, storage of damaged fuel, thermal analyses, effects of extreme environmental conditions, long-term (>100 years) integrity assurance, radiation/neutron shielding, and accident analyses.	6/22PM 11/22FF <i>1/23FF</i>	<i>4Q23FF</i>
SF-5	F	Monitor the submittal and approval of license amendment(s) for the Orano spent fuel storage system.	<i>1/23FF</i>	<i>6/23PM</i> <i>4/Q23FF</i> <i>4/Q23FF</i>
SF-7	M	Monitor Plans for Storage of Greater than Class C Waste		
SC	M	Seismic, Tsunami and Other External Events		
SC-3	M	Long-Term Seismic Program: review periodically. Review significant seismic events as they occur. (See also EO-8.)	9/22FF 11/22FF	4Q23FF
<i>SC-4 Return ed</i>	<i>M</i>	<i>Monitor new DCCP risk-based Probabilistic Tsunami Hazard Analysis or other new tsunami information from the License Renewal process.</i>	<i>3/15FF</i> <i>6/15PM</i>	<i>Ongoing</i>
SC-12	F	Workplace seismic safety – review annually.	<i>5/23FF#1</i>	<i>7/24FF</i> PFP
SC-14	M	Monitor the Work of the Independent Peer Review Panel	11/22FF 3/23FF 5/23FF#2	<i>Next mtg</i>
<i>SC-15</i>	<i>F</i>	<i>The DCISC should review post-earthquake procedures for the fire department and for security personnel with respect to FLEX equipment and plant access.</i>	<i>5/23FF</i>	<i>7/23FF</i> PFP
FP		Fire Protection (FP)		
FP-5	M	Review NFPA-805-based Fire Protection Program and Systems every two-three years, including QV audits and NRC triennial inspections. Review the health and correction of degraded systems every six months. Monitor fire doors (Plant Door Life Cycle Management Plan) for correction of impairments.	See list at end of OIL <i>4/23FF</i>	Regularly <i>3Q24FF</i>
LD		Learning & Development Programs (LD)		
LD-3	M	Review non-license technical, operations & accredited training programs at least annually.	<i>5/23FF#1</i>	<i>3Q24FF</i>

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LD-6	F	Observe operator license, re-qualification, classes periodically in FF meetings. [Reviewed licensed operator simulator training 11/21FF & 12/21FF – satisfactory.]	4/23FF	3Q24FF
NR		Nuclear Regulatory Commission Items (NR)		
NR-3	M	Monitor the Non-Cited Violation Tracking & Trending Program annually at the Jan/Feb Public Meetings.	3/year	Each PM
NR-4	F	Meet with NRC Resident Inspectors regularly.	Most FFs	Regularly
DEC	F	Decommissioning		
DEC-1	F	Review DCCP decommissioning plans periodically as a result of the Joint Proposal plant shutdown in 2025. Review the timing of spent fuel transfer from wet to dry storage and when the spent fuel pools are decommissioned the plant will lose the capability to open multipurpose canisters for inspection. DCISC should actively review the decommissioning plans for DCCP because of the potential impact on staffing and future options with respect to managing spent fuel.	3/22FF 10/22PM 2/23PM	6/23PM
DEC-4	F	Emergency preparedness during decommissioning. [Met with SLO OES 11/22FF.]	11/22FF 2/23PM	4Q24FF
DEC-5	F	DCCP's approach to submitting LAR requests for decommissioning appears appropriate and the DCISC should continue to follow from a safety perspective all the regulatory activities which will define the reduction in requirements which will occur at shutdown.	9/22FF 9/22PM	4Q23FF
EO		Extended Operations (EO)		
EO-1	M	Monitor the Purchasing of New Fuel [12/22FF fuel performance & future purchases satisfactory for 2030 operation.]	12/22FF	Close
EO-2	M	Monitor the Procurement of New Spent Fuel Canisters to Support Extended Operations and Changes to the Schedule for Fuel Movement from SFP to ISFSI	1/23FF 2/23PM	6/23PM
EO-3	M	Monitor the State and Local Permitting Process	-	4Q23FF
EO-4	M	Monitor the NRC License Renewal Application and Review Process	11/22FF 3/23FF 5/23FF#1	6/23PM 8/23FF#2
EO-5	M	Monitor Staffing for Extended Operations	11/22FF 12/22FF 2/23PM	9/23PM 4Q23FF
EO-6	M	Monitor Reviews of Preventive and Corrective Maintenance Schedules and Deferred Capital Improvement Projects	1/23FF 2/23PM 3/23FF 4/23FF 5/23FF#1	6/23PM 7/23FF 8/23FF#1
EO-7	F	Independently Look for Needed Improvements and Enhancements (Use PRA to Guide) [In-depth review of PMO++ process, results & decision bases. Extended operation PM/CM review of process, results & decision bases.] Consider having a vendor update the ASW calculation for ultimate heat sink maximum temperature.	-	6/23PM 7/23FF 8/23FF#1
EO-8	F	Independently Review Seismic Programs; Report Results to IPRP and State Authorities	3/23FF 5/23FF#2	8/23FF#2

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EO-9	F	Monitor and review the updated seismic assessment required by SB846 (PG&E reported at 5/23 IPRP that completion is expected in 9/23 unless additional study required.)	-	4Q23
EO-10	F	Monitor and review the maintenance study by independent consultants required by SB846 (PG&E reported at 4/23 FF that completion is expected in 10/23.)	-	4Q23
O		Other Items (O)		
O-1	F	Perform observations of evolutions (work processes) within the plant periodically. Continue with these about annually. Work process observations: Observe in the plant work processes important to nuclear safety, such as operator rounds, Control Room shift turnover, surveillance tests, preventive and corrective maintenance, system modifications, system walk downs with system engineers; outage activities, etc.	3/22FF 11/22FF	Regularly
O-2	F	COVID-19 responsibilities/practices.	9/21FF 1/22FF	As appropriate
		Public Meeting Items (PM) (Reference: Public Meeting Minutes Pages)		
6/22 PM 13	F	Mr. Jones stated he would need to check and get back to the Committee on how the Orano licensing approach may affect DCCP's 10 CFR Part 50 license. <i>[Done 2/23PM – Close.]</i>	6/22PM	Close
14	F	Mr. Jones committed to provide the difference in time between 23 months and the time which would be required under an unmodified general license and commented that the number would be somewhere between 23 and 48 months. <i>[Done 2/23PM – close.]</i>	6/22PM	Close
9/22 PM 1	F	Dr. Budnitz remarked it is difficult to project the cost for the additional scope of review, to include the safety of the Orano spent fuel system, the potential license extension and the review of decommissioning and he suggested these matters and the format for a request of the CPUC for additional funding would be properly before the Committee at its public meeting in February 2023. He suggested and Dr. Peterson agreed that the Legal Counsel's Office should open an inquiry with the CPUC staff concerning the format for a request for additional funding and to develop a possible projection for the cost of Committee operation in 2023. Mr. Wardell volunteered to assist the Counsel's office with an estimate for Committee operations during 2023.	9/22PM <i>2/23PM</i>	<i>6/23PM</i>
2	F	Dr. Budnitz remarked that when the DCISC reviews the Performance Improvement Department in the future inquiry should be made concerning whether the scope has changed in light of continued operation after 2025.	9/22PM	Future FFs
4	F	Mr. McWhorter reported the EPRI study [Radiological Consequences of a Release of Radionuclides from a Spent Fuel Storage Cask] has not yet finished although some supporting studies have been concluded regarding source term and what flow rate should be estimated for use in the study. He reported EPRI plans to issue its study in early spring of 2023 and the DCISC should review it at that time. <i>Update 5/23 – study completion deferred until 2025 to obtain additional research data from DOE.</i>	<i>5/23FF#1</i>	<i>4Q25FF</i>
13	F	The FFT did not observe the critiques which followed the exercise and the DCISC will review the report of the critiques and the NRC evaluation when they are approved. <i>Reviewed 3/23FF – satisfactory. Close.</i>	9/22PM <i>3/23FF</i>	Close
16	F	Ms. Seeley stated DCCP was scheduled to conduct testing of a coupon from the reactor vessel to assess the extent of embrittlement of the Unit 1 vessel in March 2021 or 2022, but that test did not take place. She inquired if the DCISC were following up on the matter and whether the public could get answers about the embrittlement issue for Unit 1 which she stated PG&E claims as proprietary information. Dr. Peterson replied that the issue raised by Ms. Seeley is one the Committee should review in context of continued operation as it represents a key aging management question and a central part of the license extension review.	9/22PM	<i>6/23PM Awaiting 1R24 RFO 4Q23FF</i>

20	F	In response to Dr. Peterson query Mr. Hayes stated he would review the data and report during a Committee fact-finding visit the number of nuclear plants that like DCCP are in the Licensee Response column of the Action Matrix. <i>[Reported at 5/3/23 NRC Public Meeting in SLO – 87/93 plants in Licensee Response column.]</i>	9/22PM	Close
21	F	Dr. Budnitz remarked that the requirement to prepare simultaneously for both decommissioning and extended operation creates a burden on the plant's Training Organization to ensure both reactor operators and certified fuel handlers are available, and this will be an area the DCISC will need to review.	9/22PM	9/23PM
24	F	Dr. Budnitz remarked SB 846 also explicitly requires one of the other state agencies to complete a separate seismic evaluation which the DCISC should review.	9/22PM 1/23FF	1or2Q23 FF Close to EO-9?
25 New	F	Dr. Peterson concurred with Dr. Budnitz' remarks and the focus on the Open Items List as a vehicle for undertaking the work under SB 846, but with the added context of needing to identify additional things that the Committee will need to check and review for example concerning the resumption of certain capital projects. Dr. Peterson observed that through its public meetings the Committee provides a venue for state agencies and the public to raise questions which the DCISC can then investigate.	9/22PM	Close to EO-7
26 New	F	Dr. Peterson remarked the SB 846 provides for the continued use of once-through cooling and a further extension of operation would need to consider questions about continuing that aspect of DCCP's operation.	9/22PM	Ongoing
2/23 PM 1	F	Drs. Budnitz and Peterson thanked Mr. Weisman for his comments and stated the DCISC would review this issue [EPA violation for incorrectly reporting water temperature] during a future fact finding as this error would be entered into the plant's Corrective Action Program which will include an extent of condition determination to see if and if so where similar errors could be occurring and the DCISC should review that extent of condition information. [Reviewed at 4/23FF: "The issue involved the fact that a DCCP technician incorrectly input data into the California Integrated Water Quality System by reporting the station cooling water discharge average and maximum discharge temperatures instead of the average and maximum differential temperatures (difference between cooling water intake and discharge temperatures). Once the error was identified, the data were corrected and demonstrated that all permit limits for differential temperature were complied with throughout the period. The state water authority considered this issue as a typographical error and not a violation of DCCP's National Pollutant Discharge Elimination System (NPDES) permit. The event was reviewed in accordance with the process described above and classified as an OLO (no regulatory violation or impact to station operations). The FFT also reviewed the information from the USEPA that was provided by the member of the public and confirmed that the USEPA data showed 11 non-compliances but no violations for the period. The FFT concluded that this was a very low-level HU event with no safety significance, and it had been appropriately reviewed and acted upon by DCCP."]	2/23PM	Complete Close

2	F	Dr. Lam stated his belief that it is the DCISC's duty to follow PG&E's examination practice for the issue [stress corrosion cracking of spent fuel canisters] described by Ms. Walker and Ms. Gilmore and, to date, the Committee has made several inquiries and concluded there were no major failure mechanisms that would violate the site and boundary dose calculation for DCCP and therefore the recommendation was to continue to follow the issue when appropriate.	2/23PM	Close to 9/22PM#4
3	F	He [McWhorter] reported the FFT's recommendations are to continue to monitor and review and future updates to the seismic safety analyses, to review the seismic assessment to be performed by PG&E in accordance with SB846 and to continue to review any major changes to plant configuration or operating procedures made since the 2015 and 2018 assessments including the inclusion of FLEX strategies.	2/23PM	Close to EO-9
4	F	Dr. Peterson stated he believed it to be within the DCISC's Charter to assess any life-safety risks associated with the buildings mentioned by Mr. Weisman because their complete collapse could affect the ability to conduct emergency response. He commented the likely effect of a seismic event is that life safety is preserved, the building can be evacuated, and it would be interesting to learn what continuity of operations PG&E may have considered for DCCP and across the entire company for post-seismic events.	2/23PM	12/23FF PFP
5	F	Dr Lam remarked since the term "deferred maintenance" is part of the legislative mandate he suggested PG&E be asked for a list of items that based on extended operation that PG&E would label as maintenance that has been canceled delayed or is no longer active. Dr. Peterson stated he believes it is possible to interpret the meaning of the phrase "deferred maintenance" as used in SB846 and the Committee has an additional and comprehensive mandate to review all possible impacts of an extension of the licenses for DCCP.	2/23PM	Close to EO-6
6	F	Mr. Wardell stated the Committee subsequently received a letter from Mr. Geesman, representing the Alliance for Nuclear Responsibility, and will look into the matters raised [NRC PI&R inspection report] in the letter during a fact-finding in April 2023. [Reviewed 4/23FF: The FFT inquired about the results of the NRC's recent Problem Identification and Resolution (PI&R) Inspection conducted in December 2022. Overall, the NRC PI&R Inspection concluded that DCCP was complying with the regulations and standards for problem identification and that employees appeared willing to raise nuclear safety concerns. However, one finding of very low safety significance was identified for untimely implementation of the process for prioritizing and evaluating problems."]	2/23PM	Complete Close
7	F	The FFT inquired about the results of the NRC's recent Problem Identification and Resolution (PI&R) Inspection conducted in December 2022. Overall, the NRC PI&R Inspection concluded that DCCP was complying with the regulations and standards for problem identification and that employees appeared willing to raise nuclear safety concerns. However, one finding of very low safety significance was identified for untimely implementation of the process for prioritizing and evaluating problems. The DCISC will review the PMO++ Program together with the Capital Project Program to form the basis for the safety or improved safety for a license extension of five years. This review will include corrective maintenance and preventative maintenance. Dr. Peterson commented he views the use of the term "deferred maintenance" as used in SB846 as guiding the DCISC to review all of the maintenance decisions and to confirm those which were deferred have been identified and as needed will be resumed or restarted.	2/23PM	Close to EO-6 & EO-7

8	F	In response to Consultant McWhorter's inquiry as to when certain decommissioning licensing approvals will require updating if they have not been implemented, Mr. Jones replied amendments can be made but he would need to review this question and would provide a subsequent response to the Committee.	2/23PM	Awaiting DCP
9	F	In response to Dr. Budnitz question as to whether certain portions of the License Renewal Application, even if in draft form, could be made available for DCISC review in advance of their submission to the NRC, Mr. Jones replied he would take that into consideration, and it might be a possibility.	2/23PM	Awaiting DCP
10	F	Dr. Peterson observed that by checking a sufficient range of issues a certain level of confidence can be developed and then the focus can be placed on issues or problems as they are identified, but he remarked the Committee does need to develop a prioritization schedule for its review of PMO++.	2/23PM	7/23FF
11	F	Dr. Peterson remarked the Committee needs to properly interpret the intent of the legislature's language and the correct interpretation centers on the question of what maintenance was not going to be performed due to cessation of generation operations and what are the plans to resume those maintenance activities for extended operation.	2/23PM	Close to EO-6 7/23FF
11	F	Mr. Rathie remarked as the contract is not projected to be entered into until the third or fourth quarter of 2023 and the schedule for the Order Instituting Rulemaking now provides for the Committee's evaluation of mandates under SB846 to be approved at the DCISC's September 2023 public meeting. Mr. Rathie stated this might be an appropriate topic for a fact-finding and for a discussion with the DWR.	2/23PM	7/23FF
13	F	Dr. Lam thanked Mr. Wilson for an exceptional presentation and asked that the record reflect the Committee has asked Mr. Wilson to provide a list of the 115-120 items related to the legislative mandate to the Committee expressed by SB846 relating to "deferred maintenance." Dr. Lam asked the Committee's Technical Consultants to monitor and report when the Committee receives that information. [A preliminary list of preventive and corrective maintenance items was received from DCP in the May 5, 2023 FF meeting. Review of the final list is included in Open Item EO-6.]	2/23PM	Close to EO-6
14	F	Dr. Peterson commented he favors the wider application of Wi-Fi technology in the plant and moving toward electronic procedures as both can objectively improve plant safety and these applications also create opportunities for the plant staff to acquire new skills which are beneficial to them independent of the future of DCP and he remarked creating these opportunities for plant staff make it more attractive to remain at DCP.	2/23PM	7/23FF & 12/23FF PFP
15	F	Dr. Peterson requested the Consultants to identify fact-finding reports which contain the Committee's reviews of reactor vessel in-service inspections. [To be completed by the 6/23PM.]	2/23PM	6/23PM
16	F	In response to Consultant McWhorter's inquiry, Mr. Petersen reported the post outage critique identified several dozen actions which he offered to review with the Committee during a fact finding.	2/23PM	8/23FF#1
17	F	Mr. Peterson offered to review the [capacity factor] data for each year from 2022 to 2018 with the DCISC at a fact finding and he stated the statement that the plant was down 40% of the time during that period was incorrect.	2/23PM	8/23FF#1

18	F	In response to Consultant McWhorter's query concerning DCCP response to comments in that NRC [PI&R Inspection] report concerning nuclear safety culture Mr. Tyman responded DCCP has evaluated the feedback provided by the NRC which found that, although a strong safety culture exists, there was a need for continued focus as the plant moves forward to continued operation. He stated efforts are under review for corrective action by DCCP's Safety Conscious Work Environment Monitoring Panel. Mr. Garcia and Mr. McWhorter agreed that this issue and employee safety culture should be reviewed during a future fact finding. Mr. Wardell reported the Committee received a letter from Mr. John Geesman, representing the Alliance for Nuclear Responsibility, concerning comments made by the NRC in its recent report [PI&R Inspection Report] and Mr. Wardell commented the NRC concluded in that report DCCP's staff performance in each of the areas reviewed by the NRC adequately supported nuclear safety and employees appeared to be willing to raise nuclear safety concerns through at least one of the several means available to them. [Close to Item 6 above.]	2/23PM	Complete Close
19	F	Mr. McWhorter stated the FFT recommended the Committee should review the plant's conclusions concerning the restart of capital projects when it is complete, likely by or before the May 2023 fact finding.	2/23PM	7/23FF 8/23FF#1
20	F	Mr. McWhorter reported the Committee has plans to follow up on the PI&R Inspection during a future fact-finding.	2/23PM 4/23FF	Complete Close
21	F	The FFT concluded the Engineering Department's performance is strong and the DCISC should review the Department's performance again in one year.	2/23PM	Close to EN-19
22	F	The seismic review is expected to be complete in the second quarter of 2023 and the FFT recommended the Committee review the site-specific analysis when it is complete.	2/23PM	Close to EO-9
23	F	Mr. McWhorter stated the Committee should continue to follow any technical issues on an as needed basis as well as the final site-specific seismic evaluation.	2/23PM	Close to SF-4
24	F	Consultant McWhorter reported the FFT found the Auxiliary Saltwater System to be in good health with no major issues. The team does believe that using available funds to have a vendor update the calculation for ultimate heat sink maximum temperature would be appropriate if operations are extended and this would be reviewed in the context of the Committee's review of future projects.	2/23PM	Close to EO-7 (revised)
25	F	Dr. Peterson recommended, and Mr. McWhorter confirmed the Fact Finding Report suggests, that FLEX be an area of focus for the Committee in the future both in general and for use of FLEX in post-seismic events. [Reviewed at 3/23FF and 4/23FF – satisfactory.]	2/23PM	7/23FF
26	F	Dr. Lam suggested the Committee conduct fact-finding and make further inquiry concerning the parameter or the magnitude for such seismic movement for the four dominant beyond design basis seismic event. Dr. Lam commented that a facility cannot be designed against a very low frequency initiator and perhaps these scenarios can be dismissed on probability considerations. Dr. Lam observed if his recollection was correct the forces involved may be only two or three times bigger than the Hosgri plus 25% and he asked that Drs. Budnitz or Peterson make that inquiry as to what forces were discussed.	2/23PM	8/23FF#2 RJB

27	F	Dr. Lam then suggested that during future fact-finding the Committee confirm what Dr. Budnitz indicated, and he stated he remembered hearing about 2g to 3g. Dr. Budnitz stated the DCISC should inquire concerning which are the important seismic sequences of concern and for each whether the Committee can answer the question FLEX exists but is not in the analysis yet, is there some FLEX intervention that could reduce each one of those sequences. He remarked the conclusion of the FLEX inquiry is to see if FLEX capabilities will or perhaps will not substantially improve the safety of the plant even if the Committee judges the plant is safe enough as it is. Dr. Lam requested a future fact-finding team to confirm or deny the 5g or 6g observation as that was not the number the January FFT was briefed on, and Dr. Lam stated the FFT was told for forces of two or two and one-half times the margin in the design basis could result in the four scenarios he described.	2/23PM	8/23FF#2 RJB
28	F	Mr. McWhorter reported the DCISC should review the root cause evaluation of a previous [boric acid leak on a 2" vacuum fill line coming off the Loop 1 Reactor Coolant System cold leg] once it is complete.	2/23PM	8/23FF#2
29	F	... the answer from Orano was that if a crack were to occur addressing it was out of the scope of the regulations in Orano's current license basis and Mr. McWhorter commented the Committee's path forward should be to monitor industry activity in this area and he stated a report is expected to be issued soon by the Electric Power Research Institute (EPRI) on the probability and the consequences of a through-wall leak from a spent fuel storage canister.	2/23PM	Close to 9/22PM, #4

DCPP Systems/Components Reviewed Periodically [Yellow = Upcoming FF]

4 kV – July 2022
 230 kV & 500 kV – Dec 2022
 Aux Feedwater – Sep 2021
 Aux Saltwater – Jan 2023
 Aux Bldg Ventilation – Apr 2021
 Chemical & Volume Control System and High Pressure Injection – Jan 2021
 Component Cooling Water – **Mar 2023**
 Compressed Air – **Apr 2023**
 Condensate & Feedwater – Nov 2021
 Containment Structure – July 2022
 Containment Spray – May 2022
 Containment Ventilation and H₂ Purge – July 2022
 Control Room Simulator – Nov 2020
 Control Room Ventilation – Jan 2021
 Digital Systems – Nov 2021
 DC Power – Mar 2022
 EDG – Nov 2022
 Fire Protection & Detection Systems – **Apr 2023**
 Nuclear Instrumentation & In-core Instrumentation – Sep 2022
 Plant Protection System – **Mar 2023**
 Radiation Monitoring – **May 2023**

June 28-29, 2023 Public Meeting

Third Draft 6/18/23

Radwaste Processing – Nov 2020
 Reactor Coolant System & Pumps – **Apr 2023**
 RCS Process Control System – May 2020
 Refueling Equipment – Jan 2022
 RHR – Jan 2021
 Rod Control & Indication – Sep 2020
 Safety Injection Pumps – Jan 2021
 Spent Fuel Pool Cooling & HVAC – July 2021
 Steam Generators – Aug 2020
 Special Protection System – Mar 2020
 Turbine-Generator – Jan 2023

DCPP Programs Reviewed Periodically [Yellow = Upcoming FF]

10CFR50.59 Program – July 2021
 ALARA – May 2022
 Air Operated Valves – Dec 2020
 Benchmarking – Mar 2022
 Boric Acid Corrosion Control – Apr 2021 (review biennially)
 Buried Piping & Tanks – **May 2023**

PM = Public Meeting

Q = Quarter

FF = Fact-finding Meeting

Chemistry – Aug 2021	Transformers, Large – Jan 2021
Cranes – Dec 2021	Troubleshooting – Dec 2022
Configuration Management – Apr 2022	Tsunami Hazard Analysis – August 2022
Corrective Action – CARB – Apr 2023	Vibration Monitoring – Mar 2021
Emergency Preparedness– Sep 2022	
Employee Concerns Program – Aug 2020	
Equipment Environmental Qualification – Dec 2022	
Equipment Reliability – May 2023	
Fire Doors & Door Life Cycle Mgm't. Plan – Jan 2022	
Fire Protection Program (NFPA-805) – Apr 2023	
FLEX Program – Jan 2023	
Flow Accelerated Corrosion – May 2022	
Foreign Material Exclusion – May 2022	
Greater Than Class C Waste – Aug 2022 PFP	
In-service Inspection Program – Apr 2019	
Integrated Risk Assessment Program – Mar 2022	
Large Motors – Aug 2022	
Long-Term Capital Planning Process – May 2023	
MIDAS – Dec 2021	
Maintenance Rule – Apr 2021	
Margin Management Program – May 2020	
Motor Operated Valves – Jan 2023	
Notification Review Team – Mar 2022	
Nuclear Fuel Program – May 2022	
On-Line Maintenance – May 2022	
Operating Experience – Nov 2021 (review biennially)	
Operability Assessment Program – Jan 2022	
Operational Decision Making – Sep 2020	
PRA Programs (non-seismic) – Sep 2022	
Performance Improvement – July 2022	
Performance Review Quarterly Meeting – Apr 2021	
Plant Health Committee – Jan 2023	
Reactivity Management – Apr 2023	
Safety-Security Interface – Dec 2022	
Self-Assessment – Jan 2023	
Single Point Vulnerabilities – Jan 2022	
Seismic PRA – Sep 2022	
Seismically Induced System Interactions – Nov 2020	
Software QA - Aug 2021	
Spent Fuel Management – May 2022	
System Engineering – Mar 2022	
June 28-29, 2023 Public Meeting	PM = Public Meeting
Third Draft 6/18/23	Q = Quarter
	FF = Fact-finding Meeting

DIABLO CANYON INDEPENDENT SAFETY COMMITTEE**AGENDA TRANSMITTAL FORM**

MEETING DATE:	June 28, 2023
AGENDA ITEMS:	V-A, V-B, XII-C, XII-D, and XIX-E
AGENDA TITLE:	Consultant & Member Reports; Ratify, Receive, Approve and Authorize Transmittal of Fact Finding Reports.

CONSENT [] ACTION [X] INFORMATION [X]

Staff Summary: Fact finding reports accepted by the Committee at the public meeting in September 2022 will be submitted for ratification as to approval.

It is expected that oral or written reports will be presented at the meeting by Technical Consultants Mr. Wardell and Mr. McWhorter and the DCISC Members. These reports may be received by the Committee, approved as to form and content and be authorized for transmittal to PG&E for its consideration and response. In accordance with the CPUC's Order Instituting Rulemaking (R.23-01-007) a ruling will issue noticing these fact finding reports in that proceeding on or about July 3, 2023, with comments served as amended testimony by August 8, 2023 limited to any new or revised recommendations provided by the Committee. The Committee reserves the right to revise any fact-finding report prior to its inclusion in an Annual Report. Fact finding reports in their final "as approved form" become a part of the next DCISC Annual Report.

Fact Finding Reports are made available for public inspection immediately following their approval by the Committee at a public meeting.

RECOMMENDED COMMITTEE ACTION: Approve resolutions ratifying approval of fact-finding reports for July 20-21, August 16-17, and September 13-14, 2022 accepted at the September 2022 public meeting.

Receive and approve reports by Consultants and Members, and approve resolutions certifying approval, concerning fact-finding conducted on March 14-15 & 27, April 18-19-20, May 2-3, and May 5, 2023.

RESOLUTION NO. 2023- 05

**RESOLUTION OF THE DIABLO CANYON INDEPENDENT SAFETY COMMITTEE
RATIFYING THE APPROVAL OF THE REPORT ON FACT-FINDING MEETING
AT DIABLO CANYON POWER PLANT (DCPP)
ON JULY 14, 20 &-21, 2022**

**THE DIABLO CANYON INDEPENDENT SAFETY COMMITTEE HEREBY
RESOLVES AS FOLLOWS:**

WHEREAS, the above-caption draft report having come regularly before the Committee on the agenda for consideration for acceptance at the Committee's public meeting on September 28, 2022; and

WHEREAS, the Committee Members received and discussed the report;
and

WHEREAS, an opportunity was provided for public comment on the report.

NOW, THEREFORE, the Diablo Canyon Independent Safety Committee hereby ratifies its approval of that certain report entitled "Report on Fact-Finding Meeting at DCPD on July 14, 20-21, 2022 by Peter Lam, Member, and Richard D. McWhorter, Consultant," copy on file in the office of the Committee's Legal Counsel, and a copy of the approved report was made available to the public at the public meeting, posted on the Committee's website at www.dccsc.org and is attached to this resolution as Exhibit A.

THE FOREGOING RESOLUTION WAS ADOPTED at a regular meeting of the Diablo Canyon Independent Safety Committee held on the 28th day of June, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Peter Lam, Chair

ATTEST:

Robert Rathie, Asst. Legal Counsel

RESOLUTION NO. 2023- 06

**RESOLUTION OF THE DIABLO CANYON INDEPENDENT SAFETY COMMITTEE
RATIFYING THE APPROVAL OF THE REPORT ON FACT-FINDING MEETING
AT DIABLO CANYON POWER PLANT (DCPP)
ON AUGUST 16-17, 2022**

**THE DIABLO CANYON INDEPENDENT SAFETY COMMITTEE HEREBY
RESOLVES AS FOLLOWS:**

WHEREAS, the above-caption draft report having come regularly before the Committee on the agenda for consideration for acceptance at the Committee’s public meeting on September 28, 2022; and

WHEREAS, the Committee Members received and discussed the report;
and

WHEREAS, an opportunity was provided for public comment on the report.

NOW, THEREFORE, the Diablo Canyon Independent Safety Committee hereby ratifies its approval of that certain report entitled “Report on Fact-Finding Meeting at DCPD on August 16-17, 2022 by Per F. Peterson, Member, and R. Ferman Wardell, Consultant,” copy on file in the office of the Committee’s Legal Counsel, and a copy of the approved report was made available to the public at the public meeting, posted on the Committee’s website at www.dccsc.org and is attached to this resolution as Exhibit A.

THE FOREGOING RESOLUTION WAS ADOPTED at a regular meeting of the Diablo Canyon Independent Safety Committee held on the 28th day of June, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Peter Lam, Chair

ATTEST:

Robert Rathie, Asst. Legal Counsel

RESOLUTION NO. 2023- 07

**RESOLUTION OF THE DIABLO CANYON INDEPENDENT SAFETY COMMITTEE
RATIFYING THE APPROVAL OF THE REPORT ON FACT-FINDING MEETING
AT DIABLO CANYON POWER PLANT (DCPP)
ON SEPTEMBER 13-14, 2022**

**THE DIABLO CANYON INDEPENDENT SAFETY COMMITTEE HEREBY
RESOLVES AS FOLLOWS:**

WHEREAS, the above-caption draft report having come regularly before the Committee on the agenda for consideration for acceptance at the Committee’s public meeting on September 28, 2022; and

WHEREAS, the Committee Members received and discussed the report;
and

WHEREAS, an opportunity was provided for public comment on the report.

NOW, THEREFORE, the Diablo Canyon Independent Safety Committee hereby ratifies its approval of that certain report entitled “Report on Fact-Finding Meeting at DCPD on September 13-14, 2022 by Robert J. Budnitz, Member, and R. Ferman Wardell, Consultant,” copy on file in the office of the Committee’s Legal Counsel, and a copy of the approved report was made available to the public at the public meeting, posted on the Committee’s website at www.dccsc.org and is attached to this resolution as Exhibit A.

THE FOREGOING RESOLUTION WAS ADOPTED at a regular meeting of the Diablo Canyon Independent Safety Committee held on the 28th day of June, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Peter Lam, Chair

ATTEST:

Robert Rathie, Asst. Legal Counsel

RESOLUTION NO. 2023- 08

**RESOLUTION OF THE DIABLO CANYON INDEPENDENT SAFETY COMMITTEE
APPROVING REPORT ON FACT-FINDING MEETING
AT DIABLO CANYON POWER PLANT (DCPP)
ON MARCH 14, 15 & 27, 2023**

**THE DIABLO CANYON INDEPENDENT SAFETY COMMITTEE HEREBY
RESOLVES AS FOLLOWS:**

WHEREAS, the above-caption draft report having come regularly before the Committee on the agenda for consideration at the Committee’s public meeting on June 28, 2023; and

WHEREAS, the Committee Members received and discussed the report;
and

WHEREAS, an opportunity was provided for public comment on the report.

NOW, THEREFORE, the Diablo Canyon Independent Safety Committee hereby approves that certain report entitled “Report on Fact-Finding Meeting at DCPP on March 14 ,15 & 27, 2023 by Robert J. Budnitz, Member, and Richard D. McWhorter and R. Ferman Wardell Consultants,” copy on file in the office of the Committee’s Legal Counsel, and a copy of the approved report was made available to the public at the public meeting and is attached to this resolution as Exhibit A.

THE FOREGOING RESOLUTION WAS ADOPTED at a regular meeting of the Diablo Canyon Independent Safety Committee held on the 28th day of June, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Peter Lam, Chair

ATTEST:

Robert Rathie, Asst. Legal Counsel

RESOLUTION NO. 2023- 09

**RESOLUTION OF THE DIABLO CANYON INDEPENDENT SAFETY COMMITTEE
APPROVING REPORT ON FACT-FINDING MEETING
AT DIABLO CANYON POWER PLANT (DCPP)
ON APRIL 18, 19, 20, 2023**

**THE DIABLO CANYON INDEPENDENT SAFETY COMMITTEE HEREBY
RESOLVES AS FOLLOWS:**

WHEREAS, the above-caption draft report having come regularly before the Committee on the agenda for consideration at the Committee's public meeting on June 28, 2023; and

WHEREAS, the Committee Members received and discussed the report;
and

WHEREAS, an opportunity was provided for public comment on the report.

NOW, THEREFORE, the Diablo Canyon Independent Safety Committee hereby approves that certain report entitled "Report on Fact-Finding Meeting at DCPP on April 18, 29, 20, 2023 by Peter Lam, Member, and Richard D. McWhorter and R. Ferman Wardell Consultants," copy on file in the office of the Committee's Legal Counsel, and a copy of the approved report was made available to the public at the public meeting and is attached to this resolution as Exhibit A.

THE FOREGOING RESOLUTION WAS ADOPTED at a regular meeting of the Diablo Canyon Independent Safety Committee held on the 28th day of June, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Peter Lam, Chair

ATTEST:

Robert Rathie, Asst. Legal Counsel

**RESOLUTION OF THE DIABLO CANYON INDEPENDENT SAFETY COMMITTEE
APPROVING REPORT ON FACT-FINDING MEETING
AT DIABLO CANYON POWER PLANT (DCPP)
ON MAY 2-3, 2023**

**THE DIABLO CANYON INDEPENDENT SAFETY COMMITTEE HEREBY
RESOLVES AS FOLLOWS:**

WHEREAS, the above-caption draft report having come regularly before the Committee on the agenda for consideration at the Committee’s public meeting on June 28, 2023; and

WHEREAS, the Committee Members received and discussed the report;
and

WHEREAS, an opportunity was provided for public comment on the report.

NOW, THEREFORE, the Diablo Canyon Independent Safety Committee hereby approves that certain report entitled “Report on Fact-Finding Meeting at DCPP on May 2, 3, 2023 by Per F. Peterson, Member, and Richard D. McWhorter and R. Ferman Wardell Consultants,” copy on file in the office of the Committee’s Legal Counsel, and a copy of the approved report was made available to the public at the public meeting and is attached to this resolution as Exhibit A.

THE FOREGOING RESOLUTION WAS ADOPTED at a regular meeting of the Diablo Canyon Independent Safety Committee held on the 28th day of June, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Peter Lam, Chair

ATTEST:

Robert Rathie, Asst. Legal Counsel

**RESOLUTION OF THE DIABLO CANYON INDEPENDENT SAFETY COMMITTEE
APPROVING REPORT ON FACT-FINDING MEETING
AT DIABLO CANYON POWER PLANT (DCPP)
ON MAY 5, 2023**

**THE DIABLO CANYON INDEPENDENT SAFETY COMMITTEE HEREBY
RESOLVES AS FOLLOWS:**

WHEREAS, the above-caption draft report having come regularly before the Committee on the agenda for consideration at the Committee’s public meeting on June 28, 2023; and

WHEREAS, the Committee Members received and discussed the report;
and

WHEREAS, an opportunity was provided for public comment on the report.

NOW, THEREFORE, the Diablo Canyon Independent Safety Committee hereby approves that certain report entitled “Report on Fact-Finding Meeting at DCPD on May 5, 2023 by Robert J. Budnitz, Member, and Richard D. McWhorter and R. Ferman Wardell Consultants,” copy on file in the office of the Committee’s Legal Counsel, and a copy of the approved report was made available to the public at the public meeting and is attached to this resolution as Exhibit A.

THE FOREGOING RESOLUTION WAS ADOPTED at a regular meeting of the Diablo Canyon Independent Safety Committee held on the 28th day of June, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Peter Lam, Chair

ATTEST:

Robert Rathie, Asst. Legal Counsel

DIABLO CANYON INDEPENDENT SAFETY COMMITTEE	
AGENDA TRANSMITTAL FORM	
MEETING DATE:	June 28, 2023
AGENDA ITEM:	VI-A
AGENDA TITLE:	Minutes of February 15-16, 2023 Public Meeting
CONSENT [X] ACTION [] INFORMATION []	
Staff Summary: Attached are the Minutes which have been prepared from the Committee's one hundred and fourth public meeting held on February 15-16, 2023, in Avila Beach, CA and as a Zoom webinar. (Each session was also webcast live in real time and is available for subsequent viewing, archived to the meeting agenda, by visiting the links on the Committee's website at www.disc.org or at www.slospan.org. Meetings are videotaped for later broadcast on Channel 21 in the San Luis Obispo, CA area, the governmental access television channel.)	
RECOMMENDED COMMITTEE ACTION: Accept the Minutes by motion	

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MINUTES
of the
DIABLO CANYON INDEPENDENT SAFETY COMMITTEE'S
FEBRUARY 15-16, 2023 PUBLIC MEETING
[For Approval at the June 28-29, 2023 Public Meeting.]

Wednesday & Thursday
February 15-16, 2023-
Avila Beach, California
Also conducted as a Zoom Webinar

Notice of Meeting.

A legal notice of the public meeting and several display advertisements were published in the San Luis Obispo Tribune and in the New Times local newspapers and mailed to the media and those persons on the Committee's mailing list. The meeting agenda and the entire agenda packet for the meeting together with the informational presentations made during the meeting were posted on the Committee's website at www.dcisc.org prior to the meeting and the meeting agenda contained information on how to access the webinar using a computer or a telephone. This meeting was also produced as a webinar by AGP Video, Inc. and was webcast live on SLO-SPAN at <http://www.slo-span.org> and through <http://www.dcisc.org> and was subsequently broadcast on San Luis Obispo, California local government access television Channel 21. In response to the coronavirus risk hand sanitizers were placed in the meeting room.

I CALL TO ORDER - ROLL CALL

The February 15-16, 2023, public meeting of the Diablo Canyon Independent Safety Committee (DCISC), the one hundred and fourth public meeting of the Committee, was called to order by Committee Chair Dr. Peter Lam at 9:00 a.m. Dr. Lam briefly reviewed the professional backgrounds, experience and appointment to the DCISC for each of his fellow Members: Dr. Robert J. Budnitz, the appointee of the California Attorney General, Dr. Per F. Peterson, the appointee of the Governor of California. Dr. Peterson briefly reviewed Dr. Lam's professional background and prior service and reported Dr. Lam serves on the DCISC as the appointee of the Chair of the California Energy Commission.

Present:	Committee Member Robert J. Budnitz Committee Member Peter Lam Committee Member Per F. Peterson
Absent:	None

II INTRODUCTIONS

Dr. Lam introduced and briefly reviewed the professional backgrounds of the Committee's Technical Consultants and its Assistant Legal Counsel: Technical Consultants Mr. R. Ferman Wardell, P.E., and Mr. Richard D. McWhorter Jr., Dr. Andrew C. Kadak and DCISC Assistant Legal Counsel Mr. Robert W. Rathie.

Later during the meeting Dr. Lam recognized Mr. Hector M. Garcia, Diablo Canyon Power Plant (DCPP) Chief Nuclear Officer Support Manager. Dr. Lam apologized for his belated recognition of Mr. Garcia and remarked Mr. Garcia plays a key role on behalf of PG&E and DCPP as the liaison with the DCISC and in coordinating the Committee's activities, providing information, and facilitating the Committee's public meetings and the frequent fact-finding visits to the plant conducted by a single member and one or two of the technical consultants.

III PUBLIC COMMENTS AND COMMUNICATIONS

The Chair invited any members of the public in attendance who wished to address remarks to the Committee on items not appearing on the agenda for the public meeting to do so at this time.

Ms. Sherry Lewis, a member of the group San Luis Obispo Mothers for Peace was recognized. Ms. Lewis commented on the item on the agenda for this meeting concerning spent fuel management and the Independent Spent Fuel Storage Installation (ISFSI). Ms. Lewis stated it was her understanding that the ISFSI would be at its capacity at the end of the current operating licenses for DCPP Unit 1 and Unit 2 and she questioned whether the site conditions were adequate to create additional storage pads for waste produced after 2025 and stated her opinion that how the waste for any extended period of operations is to be handled is a very important question and she reminded the DCISC to remain cognizant of the dangers of a crowded spent fuel pool. Dr. Peterson responded the DCISC has captured the questions raised by Ms. Lewis in the Minutes of its public meetings and through the Committee's Open Items List. Dr. Lam observed the license from the Nuclear Regulatory Commission (NRC) for the ISFSI will be expiring and the license renewal process is underway and recently PG&E announced that it has selected a different contractor to manufacture and install the new dry cask spent fuel storage system.

IV ACTION ITEMS

A. Receive PG&E's Response to DCISC 32nd Annual Report on the Safety of Diablo Canyon Operations: July 1, 2021 – June 30, 2022. At the Chair's request, Mr. Rathie reported PG&E's Response to the Committee's 32nd Annual Report has been received. The 32nd Annual Report is made available on the Committee's website at www.dcisc.org, it was sent to the parties appointing the Committee's members, to the California Public Utilities Commission (CPUC), PG&E, the NRC and, in accordance with California Senate Bill 846¹ the report has been provided to the California Legislature. Mr. Rathie reported the Committee's

¹ Senate Bill 846 was passed by the California Legislature on September 1, 2022, and signed by Governor Newsom on September 2, 2022. This Bill invalidated the CPUC's approval of the Joint Proposal and PG&E's application to retire Unit 1 in 2024 and Unit 2 in 2025. The Bill requires the CPUC to set new retirement dates, conditioned upon NRC approval of license extensions. The Bill, in part, established the DCISC in the CPUC and requires the CPUC to ensure funding for the DCISC to attract qualified experts and requires the DCISC to undertake additional duties.

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annual reports are also published as two bound volumes as well as in compact disk and USB formats. He reported that in the 32nd Annual Report the Committee concluded PG&E had operated DCPD safely during the report period and made no recommendations.

On a motion made by Dr. Budnitz, seconded by Dr. Peterson, the Committee unanimously accepted PG&E's response to its 32nd Annual Report.

Mr. John Geesman representing the Alliance for Nuclear Responsibility was recognized. Mr. Geesman observed that in the future as the Committee discharges its responsibilities under Senate Bill 846 (SB846) the Annual Report will not be the vehicle for the Committee to make timely recommendations regarding those responsibilities. He observed the recommendations of the Committee are by statute designed to enhance plant safety and will need to be delivered on a contemporaneous basis rather than in a composite format upon conclusion of the reporting period. Dr. Lam thanked Mr. Geesman for his comment and Drs. Budnitz and Peterson commented that under SB846 the Committee was assigned specific reporting requirements and has identified other areas of operation and staffing and retention over the last few years which it has documented as concerns in its annual reports.²

Mr. Rathie remarked the period of the 32nd Annual Report began some two months prior to the passage of SB846 and he observed under that legislation and a currently pending CPUC Order Instituting Rulemaking (OIR) the CPUC must make certain judgments and decisions in consideration of the Committee's recommendations on certain matters specifically including seismic safety and maintenance deferred in expectation of the plant closing earlier. He reported the Administrative Law Judge assigned to the OIR proceeding has established a tentative schedule which provides for the fact finding reports approved at the Committee's February, June and September public meetings to be noticed with comments to be provided in context of the OIR proceeding.

Mr. G. Bruce Severance was recognized. Mr. Severance stated he was a member of the Diablo Canyon Decommissioning Engagement Panel (DCDEP) formed by PG&E but he was speaking today as an individual. He raised his concern about a 2002 reactor vessel surveillance coupon embrittlement stress test which he stated indicated that Unit 1 was severely embrittled. He remarked he found no indication that subsequent coupon analysis had been done and he stated Unit 1 was one of the first units manufactured by Westinghouse and the metallurgical specifications were incorrect in that there was too much copper in the vessel welds which contributed to embrittlement of Unit 1 which he observed sits atop an earthquake fault system. Mr. Severance reported it was his understanding the NRC requires a Failure Modes and Effects Analysis (FMEA) which is to include design basis events and he did not find inclusion of FMEA in the Safety Analysis Report (SAR) PG&E submitted to the NRC. Mr. Severance stated he understood that in 2010 the NRC loosened its standard for embrittlement and by that new standard Unit 1 was found to be in compliance with NRC regulation through 2025. Mr. Severance questioned how a calculation of embrittlement could be preferable to an actual stress test of the metal. He inquired if the DCISC has investigated the metallurgical stress test that was conducted in 2002 and determined that any embrittlement is not severe. He remarked it was his

² The Committee structures its overall conclusions in its annual reports in a hierarchy consisting of general and specific conclusions, concerns, and recommendations.

understanding embrittlement could affect rapid shut down of a reactor during a design basis event and he stated beyond design basis events are not limited to seismic events but can also include tsunamis produced by undersea landslides and he questioned what might happen during a 15-minute low tide drawdown which could precede such an event and he stated he did not find this considered in the FMEA or in the SAR that PG&E submitted to the NRC. He requested that the Committee seriously consider these safety issues. He reported he previously submitted a list of 29 questions and some comments to the Committee on the issues he raised during his remarks. The Chair thanked Mr. Severance for his comments but remarked that as his comments were not related to the present agenda topic the Committee would consider a response at a later time. Dr. Budnitz confirmed the Committee's receipt of Mr. Severance's email with questions and comments. Mr. Severance remarked he has been informed by PG&E there is a proprietary report by Westinghouse that substantiates PG&E's position on the embrittlement of Unit 1, but PG&E has refused to release that report to the DCDEP or to him. He stated he questions the proprietary basis for withholding the report from the public but even if the basis is correct the DCISC should be given access to the Westinghouse report.

B. Update on Financial Matters and Committee Activities During 2023 Including Consideration of Funding for the Cost of Augmented Activities During 2023 Pursuant to California Senate Bill 846 (SB 846). The Chair asked Mr. Rathie to continue with the next report to the Committee. Mr. Rathie reported the Committee concluded its financial year, which is conducted on a calendar year basis, within the amount of funding provided by PG&E's ratepayers under a CPUC decision for the Committee's operations. He reported for 2023 the Committee will receive a 1.5% increase in its funding and as a result of the passage of SB846 the Committee will be undertaking a significant number of additional activities in connection with its reviews during 2023 and for the years to follow in connection with the possible extension of the operating licenses for DCPD and these tasks must be undertaken in addition to the Committee's continuing mandate to review operational safety. He reported the Committee will also undertake the review of the storage of spent nuclear fuel and the renewal of the license from the NRC for the operation of the ISFSI. He reported this increase in activities raises a question as to the need for augmenting the funding for the Committee. Mr. Rathie stated SB846 addressed the need to ensure adequate funding is available to attract qualified persons to serve on the Committee but it does not address how the Committee is to receive that funding. He reported with the assistance of DCISC Special Counsel for Regulatory Matters Martin Mattes of the Nossaman firm, and as directed at the September 2022 public meeting, several alternatives have been identified and discussions have been opened with the CPUC's Energy Division in the context of a resolution of future funding for the Committee in the OIR proceeding. Mr. Rathie reported there have been discussions concerning allowing the Committee to retain the funds unspent during calendar year 2022, although the Committee's past practice and the provisions of its Second Restated Charter provide for the return of any unspent funds to the ratepayers. Mr. Rathie stated he recently participated in a meet and confer exchange arranged by PG&E during which two accounts, the Diablo Canyon Transition and Relicensing Memorandum Account (DCTRMA) and the Diablo Canyon Extended Operation Balancing Account (DCEOBA) were discussed and he reported that either or both of those accounts may serve as a vehicle for increased funding for the Committee required as a result of the passage of SB846.

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Mr. Mattes, was recognized. Mr. Mattes reported with Mr. Rathie he has drafted Comments on behalf of the Committee for submission to the CPUC in the OIR proceeding including addressing the issue of augmenting the funding for the Committee. He stated the issue is one of cash flow and the comments were drafted in recognition of the need to bring the matter to the CPUC's attention as quickly as possible. Comments are due on or before February 20, 2023. He reported as part of the process of extending the operation of the power plant, assuming the NRC grants a license extension, the CPUC is expected to adopt two decisions in the OIR proceeding with the first to issue in the July-August time period and the second likely in December 2023. Hence the comments of the DCISC are intended to prompt a decision on the Committee's funding in the mid-year decision. Mr. Mattes remarked that during a period of extended operation following 2024-2025, funding for the Committee will not come just from PG&E ratepayers but from the customers of all load serving entities in California including customers of load serving entities within the service area of PG&E and funding will come to the DCISC through whatever new funding mechanism is set up to impose the cost on all the load serving entities and accordingly these funding issues are complex. Drs. Peterson and Lam remarked this is an extraordinarily important effort as the scope of work the Committee will conduct over the coming year is more substantive than previously anticipated and the Committee should not be constrained in this work.

Mr. John Geesman representing the Alliance for Nuclear Responsibility was recognized. Mr. Geesman stated he wished to emphasize the importance the Committee should attach to the subject discussed by Mr. Rathie and he agreed with Drs. Peterson and Lam that the Committee should not be constrained in its activities by a financial shortfall. He observed timeliness is of the essence and there is an urgency to seeking sufficient funding from the CPUC for Committee activities. Mr. Geesman stated Mr. Mattes was correct in characterizing the issue as one of cash flow. He encouraged the Committee to seek ways to obtain short-term funding from PG&E and he offered his client's participation in attempting to achieve whatever might be necessary to preserve the Committee's objectivity.

Mr. G. Bruce Severance was recognized. Mr. Severance stated that approval of the funds for extended operation of the power plant is contingent on PG&E disclosing all material defects. He pointed to the 2002 embrittlement analysis and the report by Westinghouse he cited earlier in this meeting. He reported a historic site assessment performed in 2018 identified data gaps in radiological monitoring at the DCPP site and he remarked these are examples of PG&E withholding certain information from the Committee.

In response to a motion made by Dr. Budnitz, seconded by Dr. Peterson, the DCISC Members unanimously approved filing of the Comments prepared by Mr. Mattes and Mr. Rathie on behalf of the DCISC in OIR proceeding R-23-01-007.

C. Discussion of Open Items List. Dr. Lam requested Consultant Wardell lead review of items on the Open Items List, which he described as an important tool used by the Committee to set priorities, track its review activities and also to follow issues, concerns, information requests and activities identified for subsequent action or receipt during future fact-finding or at its public meetings. Dr. Budnitz observed the discussion of items on the Open Items List is one of the most important things the Committee does as it includes discussion of items for

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which priority may be accelerated or reduced and it identifies the scope of work the Committee will do in the near and long term. Mr. Wardell stated the February 2023 Open Items List was developed with the objective of the Committee reaching its conclusions and recommendations under SB846 on seismic safety and deferred maintenance issues by the June 2023 public meeting. He reported newly added or items which were changed were shown in *red italics* on the list included in the public agenda packet for this meeting and those for which follow up is scheduled prior to the February 2023 public meeting were shown in *blue italics* and certain items on the list are identified for closure. Items discussed or concerning which action was taken included the following³:

<u>Re:</u>	<u>Item</u>	<u>Action Taken/Next Action</u>
CO-13	Modes of Operation/External Grid Issues	Rev. in context of extended operation & Moss Landing battery fire incident.
CO-14	10 CFR 50.55a re ISI & Liner Weld Insp.	Rev. Wi-Fi/digital applications
CM-13	Maintenance Dept. Performance	3/23FF
EN-19	Engineering Programs	1Q24FF
HP-25	Management Observation Program	3Q23FF
PI-1	Performance Improvement Programs	4/23FF
	Re NRC PI & R Inspection	
EP-2	Emergency Drill Attendance	Update text re “observe” Make last action 2/23PM Next Action 9/24
RA-5	Non-seismic PRA	8/23FF
NS-5	NSOC Meetings	Next Action – tbd
QP-3	Quality Verification Audits	4Q23FF
QP-9	Software Quality Assurance Program	3Q23FF
OE-2	Station Excellence Plan/Oversight Comm.	3Q23FF
SE-26	Reactor Pressure Vessel Compliance	Restore to List, rev vessel fracture toughness levels in context of license extension 1R24 coupon removal & License Extension Application & Westinghouse Report
SE-40	Transformers	Close to EN-19
SE-50	NRC Maintenance Rule Functional Failure	4Q23FF
OM-4	Outage Safety Plan	Before next RFO
OM-6	1R24/2R24 RFO Scope	3Q23FF
SEC-3	Operations/Security Interaction	2Q24
SEC-4	Cyber Security	1Q24FF
SF-1	ISFSI Operations	4Q23FF
SF-2	Relative Risk – Holtec Casks/SFP Storage	4Q23FF
SF-6	ISFSI SSCs After Seismic Event	Close to SF-4

³ Key to some abbreviations used re action taken/next action: Fact-finding (FF), Public Meeting (PM), Quarter (Q)

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SF-7	Plans for >Class C Waste	4Q23FF
SC-Tbd	Restore Item re Tsunami Risk re Drawdown	4Q23FF
SC-14	Independent Per Review Panel	6/23PM
FP-5	NFPA 805 Program Review	4Q23FF
LD-6	Non Licensed Training Programs	3/23FF
EO	Category Assessment-Extended Operation	6/23PM
EO-6	Preventative Maintenance	Add ref to use of Digital assets/Wi-Fi PMO++3/23FF & 6/23PM
O-1	Observe Evolutions in the Plant	3/23FF
O-2	COVID-19 Response	Retain/Rev as appropriate
2/22PM-5	High Voltage Breakers DC Control Power	3/23FF
2/22PM-6	NEI Guidance re Operability Determine.	RJB or other Member
6/22PM-12	Engineering Organization	Close
6/22PM-13	Orano Licensing & 10 CFR Part 50	2/23PM
6/22PM-14	Time Difference – Unmodified License	2/23PM
9/22PM-2	Performance Improvement Dept.	4/23FF
9/22PM-3	Rad. Monitoring System	3/23FF Rev re Wi-Fi and Digital System Deployment
9/22PM-4	EPRI Study – Release from Cask	3Q23FF
9/22PM-6	Feedwater Heater Tube Inspection	Close
9/22PM-7	Intake Structure Watertight Seals	3/23FF
9/22PM-8	Equipment Reliability Excellence Plan	Close to ER-5
9/22PM-12	Maintenance Upgrade – Digital Systems	Expand scope to Wi-Fi and Electronic Procedures
9/22PM-13	Emergency Exercise Critique	2/23FF
9/22PM-16	Unit-1 RPV Coupon Test	Close to SE-26
9/22PM-18	Eagle 21 System	Close to EO-6
9/22PM-19	20-year License Contingency	Close
9/22PM-21	Training Org. Operators/Fuel Handlers	2/23FF
9/22PM-22	Use of “Casks”	Change to “Modules”
9/22PM-23	Tesla Battery Fire at Moss Landing, CA	Close to CO-13 – Grid Reliability/Off-site Power Availability
9/22PM-24	SB846 PG&E Seismic Evaluation	3Q23FF Assign Category (SC?)

During the discussion Dr. Budnitz introduced a motion to change the wording of NS-9 from “industry benchmark” to “Institute of Nuclear Power Operations” (INPO). After discussion, there was no second to his motion and accordingly it “fell to the floor” and was not further considered.

Mr. David Weisman representing the Alliance of Nuclear Responsibility was recognized. Mr. Weisman commented that the request from PG&E that the Committee no longer refer to INPO and instead refer to industry benchmarks may be related to the effect on insurance rates and investor perceptions in the event of a downgrade by INPO. He observed it was the public revelation of certain confidential information developed by INPO concerning an overcooling

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incident that led to the voter initiative in 1989 that closed the Rancho Seco Nuclear Generating Station near Sacramento, California. Mr. Weisman remarked there are reasons why utilities do not wish to have INPO's findings publicly revealed.

Dr. Peterson remarked the Committee in its determination to extend significant discretion to DCPD in terms of reference to industry benchmarks does not mean the Committee members agree with DCPD's decision not to continue to make references to INPO and Dr. Peterson stated he recognizes this represents a perception of a lack of transparency which is probably not in DCPD or PG&E's best interest.

In response to Ms. Lewis' question Dr. Budnitz replied INPO is an industry organization whose members are the operators of nuclear power plants as well as vendors. INPO performs inspections against its criteria and holds its member accountable through its reports which in order to foster a candid assessment and dialogue between the reviewer and reviewed are required to be kept confidential. Consultant McWhorter remarked that INPO also certifies all the training programs for a nuclear power facility. Dr. Peterson observed INPO reviews things that affect the plant's reliability and INPO's reviews are used by insurance agencies to assess premiums and therefore INPO provides a strong incentive to nuclear plants to achieve excellence in performance. Dr. Lam agreed and remarked INPO ratings are used by bond and credit institution rating agencies and they can have major financial implications. Dr. Kadak commented INPO is an industry organization and all nuclear utilities have to be members. INPO was created after the accident in 1979 at the Three Mile Island Nuclear Generating Station in Pennsylvania. He reported there is also the World Association of Nuclear Operators (WANO) which has the same goals as INPO. INPO has special groups to review engineering, operations, radiological protection and maintenance and INPO periodically sends teams to visit plants to conduct inspections and to write its reports rating the plant in all these categories. Mr. Weisman remarked PG&E is no longer simply an investor-owned utility as the relicensing of DCPD is now to be funded by California and federal taxpayers including those outside PG&E's service territory and this funding, including \$1.4 billion from California's general fund, now makes all such parties stakeholders in INPO's ratings.

Mr. Weisman continued his remarks and cited an incident concerning human performance which his research recently uncovered involving incorrect data entry by a DCPD employee concerning discharge water temperature to the U.S. Environmental Protection Agency (EPA) which resulted in DCPD receiving a Yellow violation, but Mr. Weisman stated that the same data in a different format was concurrently, during the same five quarter period in 2020-2021, reported correctly to the State Central Coast Regional Water Quality Control Board. Mr. Weisman stated this error resulted from data on the difference between water temperature and average water temperature being placed in incorrect positions in a columnar format used to report that data to the EPA. Mr. Weisman remarked the same error occurred again as recently as October 2022 through January 2023. He observed Category HP-1 on the Committee's Open Item List addresses the Committee's review of human performance and human behavior and stated he wonders what other data might have been incorrectly entered and how was the error concerning the water temperature data missed until he brought it to the Regional Water Quality Control Board's attention. **Drs. Budnitz and Peterson thanked Mr. Weisman for his comments and stated the DCISC would review this issue during a future fact finding as this error would**

be entered into the plant's Corrective Action Program which will include an extent of condition determination to see if and if so where similar errors could be occurring and the DCISC should review that extent of condition information.

Mr. Robert Watson was recognized. Mr. Watson inquired whether a reason was given concerning use of the reference "industry benchmark" to which Dr. Budnitz replied that no reason had been given for the change. Dr. Peterson remarked that the Nuclear Safety Oversight Committee, a safety oversight board for DCPD with its members appointed by PG&E, also provides a review of DCPD operations. Mr. Watson stated he formerly worked for PG&E and in his experience there were several review organizations that provided oversight.

Ms. Donna Gilmore was recognized. Ms. Gilmore stated the Governor's motive in supporting the enactment of SB846 was based upon reliability issues and the state's need for the energy produced by both reactors. However, she stated NRC reactor status data shows one or both of DCPD's reactors were offline for 40% of the days over the last four years, for either planned or unplanned outages, one example of which was corrosion of a saltwater pump which was replaced with a spare pump. Ms. Gilmore inquired if the information she provided conflicted with the DCISC's information. Ms. Gilmore remarked the Moss Landing battery fire mentioned by Dr. Peterson during the discussion of the Open Item List was not an isolated incident as there have been at least three fires in the last three years. The Committee members thanked Ms. Gilmore for her comments.

Mr. Thomas Marré was recognized and he commented it was his understanding DCPD was no longer retrieving and testing surveillance coupons from inside the reactor pressure vessel and he questioned whether this might be related to reducing the average dose during a refueling outage and he inquired if there had been a data entry error regarding water temperature as cited by Mr. Weisman might there also have been other errors taking place with computer modeling or reactor embrittlement.

Mr. John Geesman representing Alliance for Nuclear Responsibility was recognized. Mr. Geesman stated his comment related to EN-19, the HP section in general on the Open Items List, and the convergence of those items in the third quarter of 2023 related to the DCPD Engineering Department. He mentioned he previously sent correspondence to the Committee about an NRC biennial Problem Identification and Resolution (PI&R) Inspection conducted between November 14 and December 14, 2022, which found problems in the Security and Engineering Departments in terms of decision-making associated with correcting certain issues including safety-related conditions due to a perception among some DCPD personnel that they could not take some issues to certain parts of DCPD's management. Mr. Geesman remarked the DCISC fact-finding schedule seemed to be slipping as it relates to both the Human Performance and Engineering categories and as to the adequacy of the Corrective Action Program. Mr. Geesman stated he wanted to raise a 'red flag' to the Committee on those issues. Dr. Budnitz replied the DCISC received Mr. Geesman's communication on the PI&R Inspection and the issue is on an agenda for a future fact-finding.

A short break followed.

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When the meeting resumed the Committee announced its decision to defer consideration of agenda items V.A and V.B until after consideration of agenda item VI.C.

When the afternoon session convened at 1:30 p.m. the Members and Consultants took up the consideration of Agenda Items V.A and B below.

V COMMITTEE MEMBER REPORTS AND DISCUSSION

A. Public Outreach, Site Visits and Other Committee Activities, Scheduling and Confirmation of Future Fact-Finding Visits and Public Meetings. The Members confirmed future public meetings of the DCISC for June 28-29, 2023 [changed prior to this meeting from June 21-22], and September 13-14, 2023, and February 21-22, 2024, the Members and Consultants then scheduled a public meeting for June 26-27, 2024.

Fact-finding visits were confirmed and scheduled as follows:⁴

[2023] March 14-15 RJB/RFW; April 19-20 PL/RDM; May 2-3 PFP/RFW; July 26-27 [changed from July 12-13] PFP/RDM; August 9-10 PL/RFW; August 29-30 [changed from August 30-31] RJB/RDM; November 14-15 RJB/RFW; December 6-7 PFP/RDM; and

[2024] January 24-25 PL/RFW; March 19-20 (RJB/RDM); April 17-18 (PL/RFW). May 8-9 (PFP/RDM).

Mr. Robert Watson was recognized and made a suggestion that in the interest of efficiency and time-saving the Committee might consider doing its future scheduling offline.

B. Documents Provided to the Committee. Assistant Legal Counsel Rathie observed that a list of documents received by the DCISC since its last public meeting in September 2022 was included in the public agenda packet for this meeting. Dr. Lam remarked the Committee receives and reviews a large number of documents from PG&E and strives to always conduct its business in a transparent manner.

VI INFORMATION ITEMS BEFORE THE COMMITTEE

A. Presentation by the Manager of the San Luis Obispo County Office of Emergency Services. At the Chair's request Consultant McWhorter introduced Mr. Scott Jalbert and reported Mr. Jalbert serves as the Emergency Services Manager for San Luis Obispo County after having been appointed to that position in April 2023 after having served for thirty-three years with CalFire including in leadership positions and on major incident management teams as well as having served for four years as Fire Chief of San Luis Obispo County. Mr. McWhorter reported that with Dr. Budnitz the DCISC representatives met with Mr. Jalbert in November 2022 concerning current activities of the County's Office of Emergency Services (OES).

⁴ Robert J. Budnitz (RJB), Peter Lam (PL), Per F. Peterson (PFP), R. Ferman Wardell (RFW), Richard D. McWhorter Jr. (RDM), Andrew C. Kadak (ACK).

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Mr. Jalbert reviewed OES' mission statement which states OES is responsible to ensure the San Luis Obispo County is prepared to respond and recover from emergencies and disasters by providing leadership, coordination and support to minimize the loss of life and property. He stated the OES' mission is achieved through an 'all hazards' emergency management strategy that includes mitigation, preparedness, response, and recovery phases. Mr. Jalbert reported OES is responsible for the day-to-day administration of the County Disaster Preparedness Program and functions as a coordination agency and not as a responding agency. OES maintains and runs the Emergency Operations Center (EOC) in a readiness condition at all times, activates and coordinates the activities at the EOC during local emergencies and maintains and implements the County Emergency Operation Plan as required under the state's Standardized Emergency Management System (SEMS). Mr. Jalbert reported his organization is also responsible for public emergency notification including protective action notifications and uses the Siren System, the Emergency Alert System (EAS), and the Wireless Emergency Alert System for that purpose.

Mr. Jalbert reported there are 58 counties in California and each has an emergency management organization. San Luis Obispo County OES has an officer on duty 24 hours each day, seven days each week to monitor national, state - through the Cal OES Warning Center - and regional emergency notifications and OES the responsibility to keep the County Board of Supervisors and the County's Administrative Officer and its partner agencies fully informed of all situations as well as to provide coordination for large events. He reported his office includes six emergency coordinators, an administrative assistant, and himself as the Manager. He reported this is a larger staff than most other counties employ which he stated is due to the presence of DCPD in the County. Of the four focus areas including preparedness, mitigation, response and recovery there is a heavy emphasis upon recovery. Mr. Jalbert reported San Luis Obispo County is located in a fire-prone area and must be prepared to deal with emergency hazardous materials spills, supporting law enforcement agencies and the regional airport as well as DCPD. The OES engages in general emergency planning and a planning program specific to DCPD. For the latter, OES works closely with the Diablo Canyon Emergency Preparedness organization staff, with Cal OES, the Federal Emergency Management Agency (FEMA), and with the NRC.

Mr. Jalbert reported the DCPD Emergency Planning Zone (EPZ), which is required for all nuclear power plants, is the largest EPZ in the nation spanning an area 18 miles by 22 miles which is segmented into 12 different planning and evacuation zones each termed a Protective Action Zone (PAZ). Mr. Jalbert estimated 60-70% of OES' efforts are focused upon ensuring the County is prepared to respond through OES' Nuclear Preparedness Program (NPP) and OES has developed approximately 28 general emergency plans for a wide range of initiating events as well as 62 NPP emergency plans. Mr. Jalbert stated his organization participates in drills every year and participates in certain other exercises conducted biennially including those involving participation by federal state and local resources. OES also works with DCPD each year on drills conducted quarterly. Mr. Jalbert reported the NRC has announced it will revise its planning manual and he commented this will require OES to soon revisit its 62 NPP emergency plans. Mr. Jalbert reported OES invests considerable effort in public education in the county including issuing a calendar every year and his organization is constantly evaluating the efforts to coordinate with local and other responder agencies.

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In response to Dr. Lam's inquiry Mr. Jalbert stated he could not at this time provide the number of persons who work or live within the EPZ. In response to Dr. Budnitz' question Mr. Jalbert responded that for those persons who do not have vehicles or ready access to transportation OES maintains a list of such persons who have access needs and has developed a transportation plan to allow them to be picked up and transported if it should be necessary. Collection areas have been established for those who do not have ready access to transportation. Mr. Jalbert agreed with Consultant McWhorter's observation that electric vehicles present a problem as to the need to keep them charged, but the solution is similar as that for combustion engine powered vehicles, that is, to at all times keep a vehicle at least partially charged or partially fueled.

In response to Consultant Wardell's questions as to the County following PG&E's protective action recommendations Mr. Jalbert responded the County has command authority to make decisions on behalf of all jurisdictions within the County and there is an assessment team that verifies the County and PG&E are receiving the same information and he stated the County makes its protective action decisions on a holistic basis, that is, on the conditions and events then taking place. Dr. Peterson remarked the recent earthquake in Turkey illustrates the importance of having effective emergency response services available and he expressed his gratitude for the role played by emergency response personnel and their willingness to perform complex and sometimes dangerous tasks during very challenging conditions in order to protect the public. In response to Dr. Peterson's query Mr. Jalbert replied that the possible extension of the operating licenses from the NRC to allow DCPD to operate after 2025 has not resulted in any change to OES activities or planning although he acknowledged that it is likely some emergency plans may need to be revised based upon upgrades DCPD may undertake.

Mr. Wardell commented that the Unified Dose Assessment Group comprised of PG&E and County personnel has worked very well together as a single group to assess the radiological consequences of an accident. Mr. Jalbert agreed and stated PG&E personnel are primarily responsible for the on-site assessment with OES responsible for off-site assessment.

In response to Dr. Kadak's inquiry as to why the EPZ were established as the largest in the nation Dr. Budnitz and Mr. Jalbert replied the designation was done in the early years of the plant's operation during the 1980s at the specific request of the local jurisdictions and it was very quickly understood that breaking the large area into twelve PAZs allowed a planning focus on much smaller individual segments.

In response to Consultant McWhorter's question Mr. Jalbert stated the process for storm-related evacuations and for a nuclear initiated evacuation are essentially the same in that a decision is made, the public is notified, and the appropriate plan is followed. He acknowledged that in the event that multiple PAZs needed are involved, the number of persons affected and the resulting traffic issues would be much larger.

Dr. Lam thanked Mr. Jalbert for a very informative presentation.

Mr. David Weisman representing the Alliance for Nuclear Responsibility was recognized. Mr. Weisman thanked Mr. Jalbert for the emergency services OES provided during

the recent storms and also during the 2003 San Simeon earthquake when he stated emergency sirens failed because they did not have backup battery power and he remarked there were lessons learned from both events. He stated one of those lessons concerned communications and another concerned transportation. He remarked that during the recent storms while he was living in Morro Bay he was directed by a text message to a URL (uniform resource locator) with information concerning a possible evacuation but as the internet was not working there was no way for him to receive the information. He recalled during the 2002 San Simeon earthquake mobile phone communication failed when receivers and transmitters located on cell towers fell due to the failure of the epoxy used to secure them to the towers. He commented on the lesson to be learned here concerns the need for backups and the need for a fully functioning siren system. He commented under the recent legislation that rescinded portions of the Joint Proposal⁵ he was unsure whether PG&E would be required to continue to maintain in accord with the agreement made the county-wide emergency siren system until termination of the plant's 10 CFR Part 50 licenses. Mr. Weisman remarked during the recent storms Highway 101 was closed as was Highway 41, and Avila Road was heavily impacted by flooding. He observed that it is necessary to take into account that a seismic event or another event involving DCPD may not occur or when there is no water on the roadways and going forward emergency and evacuation planning needs to account for changing climate conditions. He remarked the chances are great that atmospheric rivers will occur with greater frequency. Mr. Jalbert responded OES does have backup plans and recognizes that technology alone cannot be relied on for emergency alerts and his organization also has a route alert program that uses a public address device to make announcements from the streets. Mr. Mattes, the Committee's Regulatory Counsel, responded the CPUC Decision which rescinded portions of the Joint Proposal rescinded only ordering paragraphs one and fourteen and all other requirements imposed under the Joint Proposal remain in effect.

Ms. Donna Gilmore was recognized. Ms. Gilmore remarked that any reduction in emergency planning once the spent fuel pools are emptied must be done with an awareness of a risk she identified with the dry spent fuel storage system manufactured by the Holtec firm. Ms. Gilmore stated her understanding is that when the stainless steel multipurpose canisters are lowered into the overpack casks the canisters scrape against the carbon steel sides of the casks which creates a mechanism for stress corrosion cracking of the canisters to occur and the cracking of the ½ inch thick canisters can occur in as little as 16 years. Therefore, she stated emergency planning should remain in place for as long as the multipurpose canisters are on the site.

Ms. Kalene Walker was recognized. Ms. Walker reiterated the comments made by Ms. Gilmore and she questioned whether the Governor was aware of the period during the last several years when one or both DCPD reactors were down 40% of the day which she stated does not bode well for their reliability. She remarked she is horrified by the prospect of continued

⁵ The Joint Proposal was entered into by PG&E, together with Friends of the Earth, the Natural Resources Defense Council, Environment California, the International Brotherhood of Electrical Workers Local 1245, Coalition of California Utility Employees and the Alliance for Nuclear Responsibility in June 2016 to retire DCPD at the expiration of the current operating licenses for each unit, November 2024 for Unit-1 and August 2025 for Unit-2 and was subsequently approved by the CPUC in its Decision (D) 18-01-022.

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operation for DCPD and reiterated Ms. Gilmore's comments concerning the multipurpose canisters and remarked there is a Chernobyl disaster worth of radiation in each canister which could result from a through-wall crack. Ms. Walker remarked the scraping described by Ms. Gilmore resulted in imbedding carbon particles in the stainless steel and there is no method available in the United States to repackaging the canisters which she described as a precarious situation. Ms. Walker stated in the past she has heard Dr. Lam speak in public and state that during his service with the NRC when he sat on the Atomic Safety Licensing Board that approved the present spent fuel storage system for DCPD he was unaware of the stress corrosion and cracking issue. Ms. Walker encouraged the DCISC to look further into these issues.

VIII ADJOURN MORNING MEETING

The Chair adjourned the morning meeting of the DCISC at 12:25 p.m.

VIII RECONVENE FOR AFTERNOON MEETING

The afternoon meeting of the DCISC was convened by the Chair at 1:30 p.m.

IX COMMITTEE MEMBER COMMENTS

At this time there were no comments from the Members.

X PUBLIC COMMENTS AND COMMUNICATIONS

Dr. Lam invited members of the public to address the Committee on matters not on the agenda for this meeting. There was no response to this invitation.

XI TECHNICAL CONSULTANT AND LEGAL COUNSEL REPORTS & RECEIVE, APPROVE, AND AUTHORIZE TRANSMITTAL OF FACT FINDING REPORTS TO PG&E

The Chair requested Consultant Wardell to provide a summary report on the September 29, 2022, fact-finding visit with Dr. Budnitz and Consultants Kadak and McWhorter. Mr. Wardell reported that much of the information the Fact-Finding Team (FFT) received during the September 2022 fact-finding visit to DCPD has now been updated.

A. Mr. Wardell reviewed the topics discussed with PG&E during the September 2022 visit as follows:

➤ Decommissioning Planning & Funding – Consultant Wardell reported the plant has sufficient funding to continue with decommissioning planning and was deciding at that time on how to organize the project, that is, to self-manage or have a contractor manage the project or to employ a combination of those two methods. The current cost is estimated to be \$3.9 billion with a decommissioning trust fund balance on hand of \$4 billion. He reported that if extended operation is approved many decommissioning activities will be placed on hold and PG&E was in

the process of determining which activities might be continued, which might be maintained and delayed and which might be significantly delayed.

➤ Planning for Spent Fuel Storage – Consultant Wardell reported sufficient storage of spent fuel for operation through 2025 is available. The new Orano spent fuel dry storage system will be needed prior to decommissioning and plans are in place for that. Orano was to submit a license amendment in 2022 for high burnup fuel and for the heat load for a canister containing 37 fuel assemblies. PG&E representative Senior Director Tom Jones reported that as of the February 2023 public meeting the license amendment by Orano has not been submitted. Mr. Wardell reported the current Orano license does cover DCPD seismic loads and the Committee plans to further review the matter. He reported disposal plans for greater than Class C waste are presently incomplete, but PG&E is planning to build a greater than Class C waste storage facility near the ISFSI, to be located in the vicinity of the old steam generator storage building. The FFT found DCPD's plans for spent fuel storage to be satisfactory.

➤ ISFSI Tour – the FFT toured the ISFSI pads, inspected the casks on the site and the transfer facility and the transporter vehicle, and the FFT visited the proposed site of the greater than Class C waste storage facility and the old steam generator storage facility. The FFT also toured the FLEX⁶ equipment storage sites located near the ISFSI and at the DCPD Fire Station. In response to Dr. Peterson's query Mr. Wardell stated the FLEX equipment located in proximity to the ISFSI is stored outdoors and is well protected from wind and weather. Mr. Wardell displayed photos taken during the tour.

Mr. John Geesman representing the Alliance for Nuclear Responsibility was recognized. In response to Mr. Geesman's inquiry as to what constitutes the report the Committee would be approving for its fact-findings Mr. Wardell replied that the motion to approve is for the approval of the written fact-finding report and approval does not include the PowerPoint slides or the video of the presentation of the report or the Minutes of the presentations made during public meetings. Messrs. Wardell and Rathie and Drs. Budnitz and Lam described the process of review of the fact finding reports prior to their presentation for approval at a public meeting and in response to Mr. Geesman's follow-up inquiry confirmed that if any revisions were necessary to an approved fact finding report that action could only take place at a public meeting. Mr. Rathie reported that once a fact finding report is approved at a public meeting it is made available to the public in its entirety at the meeting and each fact finding report during an annual report period becomes a part of Volume II – Exhibits - to the Committee's Annual Report. Dr. Budnitz observed due to the schedule for the proceeding pending before the CPUC regarding extended operation of DCPD the fact finding reports during this annual report period are being provided incrementally as they are approved at the public meetings prior to the approval of the 33rd Annual Report for the period July 1, 2022 through June 30, 2023 and the 34th Annual Report for the period July 1, 2023 through June 30, 2024.

Ms. Jane Swanson a representative of San Luis Obispo Mothers for Peace was recognized. Ms. Swanson remarked the Committee referred to a need to communicate with the

⁶ FLEX is not an acronym but describes a strategy developed by the nuclear industry to provide diverse and flexible coping strategies to address the loss of safety-related systems due to beyond design basis events.

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Governor's office in order to accommodate the schedule to extend DCP's operating lifetime. Ms. Swanson stated her belief that the Governor and the legislators who approved SB846 did not understand that one or both DCP units have been offline 40% of the time for several years and this is contrary to the rationale for an extension, that is, that DCP can provide reliable electrical power. Ms. Swanson inquired whether the Committee is in communication with the Governor's office and whether the Governor pays attention to the information provided by the Committee. Consultant Kadak stated the capacity factors for both DCP units during 2022 was 90% and he questioned the 40% time offline information provided. Ms. Swanson stated the data came from the NRC's website on reactor status and she acknowledged there could be a communication or different statistics involved. Dr. Kadak observed that if the plant was shut down for planned maintenance those days are not included in the capacity factor. Dr. Budnitz observed that if the plant is approved for extended operation, over the next two or three years there are likely to be planned outages of greater duration than normal.

Ms. Kalene Walker was recognized. Ms. Walker reported the 40% down days for both reactors was meticulously compiled by hand from NRC day-by-day data sources and it was therefore not available on the NRC's website. Ms. Walker remarked the information she provided previously during this meeting concerning the development of chloride induced stress corrosion cracking due to scraping and scratching of the Holtec multipurpose canisters was new and extremely serious and it was her hope Dr. Lam specifically or one of the other DCISC members would agree to look into the matter. Dr. Lam responded when he sat on the federal licensing board twenty years ago, together with two other Administrative Judges, the failure mechanism described by Ms. Walker and Ms. Gilmore was not litigated or part of the licensing board's record. **Dr. Lam stated his belief that it is the DCISC's duty to follow PG&E's examination practice for the issue described by Ms. Walker and Ms. Gilmore and, to date, the Committee has made several inquiries and concluded there were no major failure mechanisms that would violate the site and boundary dose calculation for DCP and therefore the recommendation was to continue to follow the issue when appropriate.** Dr. Budnitz remarked there are two different ISFSI facilities, one for the Holtec system and another for the Orano system and for each there is a licensing proceeding underway at the NRC respectively for a license extension for the Holtec facility and a new license for the Orano facility.

On a motion made by Dr. Budnitz, seconded by Dr. Peterson the September 29, 2022, Fact Finding Report was unanimously approved as was DCISC Resolution 2023-01 signifying its approval as of this date.

B. The Chair requested Consultant McWhorter and Consultant Wardell to provide a summary report on the November 9-10, 2022, fact-finding visit to DCP with Dr. Budnitz. Mr. McWhorter reviewed the topics discussed with PG&E during the November 2022 visit as follows:

➤ Independent Peer Review Panel (IPRP) Meeting on October 26, 2022 – Consultant McWhorter reported the FFT participated remotely in the meeting of the IPRP, formed by the State of California and the CPUC to study seismic issues in connection with DCP and its environs. The meeting included discussion of the IPRP's role under SB846 as well as an update

from PG&E on seismic issues and programs. SB846 includes a provision requiring the DCISC to consult with and incorporate into DCISC recommendations information received from the IPRP. He reported the IPRP views its role as being limited to seismic hazard and ground motion for the site and not including seismic fragilities or an analysis of what might happen to equipment at the site during a seismic event. He reported the IPRP did not identify any new work required by the passage of SB846 and believes its role is limited to reviewing any such SB846-related work by the DCISC. Mr. McWhorter reported the second half of the meeting on October 26, 2022, focused on PG&E's review of recent studies during the past five or six years, the 2016 tsunami evaluations, offshore seismic studies, and a discussion of the 2018 Seismic Probabilistic Risk Assessment (SPRA). The PG&E Long Term Seismic Program activities were reviewed and Mr. McWhorter noted the program is a part of DCPD license requirements from the NRC. The FFT concluded the meeting was successful and the DCISC should continue to follow the work of the IPRP.

➤ Meeting with San Luis Obispo County Emergency Services Director – the FFT met with Mr. Jalbert, Manager of San Luis Obispo County OES, and Mr. McWhorter observed Mr. Jalbert made a presentation to the Committee earlier during this public meeting which confirmed much of the discussions during the November 2022 fact-finding visit. The FFT reviewed the use of the Integrated Public Alert Warning System (IPAWS) with Mr. Jalbert, which has replaced the sirens in other locales with nuclear power plants. He stated IPAWS functions to send information to the public through cellular communications technology regarding alerts and is used now by OES in conjunction with emergency response activities which are not specific to DCPD. Mr. McWhorter described the visit with Mr. Jalbert as useful and having resulted in an invitation, subsequently accepted by Mr. Jalbert, to make a presentation to the Committee at this public meeting.

➤ License Renewal – Consultant McWhorter reported DCPD is moving forward with possible extended operation of the power plant and at the time of the fact-finding had made two requests of the NRC. The first was to request the NRC reopen the previous license renewal application, which request was subsequently denied, and the second request was to ask the NRC to allow an exemption from the two-year timeliness requirement for submitting a new application, which request is currently pending. Mr. McWhorter reported in either case focus would be upon updating and building on the same information submitted in connection with the previous licenses application. The plant's challenge date for making an application is the third quarter of 2023 and a firm target date has been established as the fourth quarter 2023. He reported the DCPD License Renewal organization is increasing its staffing with both DCPD employees and contractor personnel being assigned to the newly revived organization.

➤ Comprehensive Review of the Seismic Safety Program – Consultant McWhorter reported the FFT met with PG&E staff to review the 2015 Probabilistic Seismic Hazard Analysis (PSHA) of faults existing in the area, the 2018 SPRA which is used in the overall site evaluation and has now been incorporated into the overall station's probabilistic risk analysis, and the Long-Term Seismic Program, an ongoing program. Mr. McWhorter observed DCPD pointed out during the visit that all this work was conducted under internationally recognized standards and NRC regulation which have not changed in the last few years. Mr. McWhorter reported that at this point nothing in the most recent information available appears to change the broader, prior

understanding of the studies or any new safety insights for the seismic hazard. The Seismic Fragility Analysis models the propagation of energy throughout structures and components and no new information has been developed to modify previous insights.

Dr. Peterson remarked it is important to emphasize the structurally robust nature of the reactor containment structures and that the containments and the entire plant were engineered for high seismic conditions. The containment structures are capable of being pressurized internally to 45 pounds per square inch which indicates they are extraordinarily strong structures. Mr. McWhorter agreed and reported the g-forces have been calculated that would be necessary for containment failure as 6g which he described as a huge number from seismic acceleration. Dr. Budnitz remarked it is thought that 6g earthquakes may have occurred several million years ago but not since. Their frequency has been estimated with a probability of occurrence once in every ten million years. Dr. Lam commented this probability calculation does not mean that one must wait millions of years, yet federal regulation dismisses accidents based on probability and Dr. Lam stated DCP's location on a strike-slip fault provided him with some level of comfort but he still asks his seismologist colleagues to tell him when, where and how the next earthquake will occur. Dr. Budnitz responded that no one can predict when and where the next earthquake will strike.

Consultant McWhorter observed the prior seismic regulations were deterministic and employed a fixed standard while the probabilistic analyses takes the deterministic analysis to new levels through a review of the full scope of possible earthquakes, but he remarked you can never get to zero probability of a massive earthquake striking the site. But with Dr. Lam he stated the best one can do is to consider all the site-specific hazards in context of the range of earthquakes, including for the failure of structures and the possibility of core damage and the release of radiation and make decisions on that basis. Dr. Peterson observed living in this area of California comes with a risk associated with the potential for a strong seismic event, but San Luis Obispo County has excellent emergency response capabilities and the plant has capabilities through the use of FLEX strategies to mitigate the consequences that a seismic event could disable DCP safety functions. Mr. McWhorter agreed, and he stated the current PRA may be conservative in that it calculates the probability of core damage in an early release scenario but it does not calculate the consequences of the response to follow or how quick a recovery might be. Dr. Kadak remarked after the Fukushima earthquake in Japan during March 2011 the design basis of the nearby Onagawa Nuclear Power Plant, which was the nuclear power plant closest to the epicenter of the earthquake, was exceeded but the Onagawa plant's structures were undamaged including those which were designed to standard building codes. Dr. Lam remarked the North Anna Nuclear Generating Station in Virginia experienced an earthquake that exceeded its design basis which resulted only in a failed gasket, and he commented the correct inquiry is not whether the design basis accident is correctly established but whether structures have been built to meet that design basis standard.

Mr. McWhorter reported the FFT reviewed information on seismic hazard and ground motion, structural energy propagation, and seismic fragility and also reviewed the Seismic PRA analysis which produces a quantitative number for risk and in all these areas the FFT reviewed details of past analyses and discussed with PG&E representatives changes identified since these analyses were completed. He reported the FFT determined there were no significant changes to any of

those analyses. Mr. McWhorter reported the DCISC representatives also discussed the uncertainties associated with the analyses and found the methodology used for their calculation to be fairly straightforward with no changes identified.

Mr. McWhorter reported there was some new information that was not included in the Seismic PRA in the area of spent fuel, including the risk study performed by the B. John Garrick Institute for Risk Sciences at the University of California at Los Angeles which Mr. McWhorter stated was found after review to independently reinforce the conclusions of the Seismic PRA that the risk of radiological release from the spent fuel pools during a seismic event is extremely low. He further reported the Mitigating Strategies Assessment found that there were no upgrades needed to DCPD in order to be able to mitigate beyond design basis events. The FFT concluded the 2015 PHSA and the 2018 Seismic PRA previously reviewed by the DCISC were and continue to be acceptable and after reviewing new and update information the FFT concluded seismic safety at the site is still acceptable and there are no additional upgrades or changes needed for improvement. Mr. McWhorter stated the FFT concluded the plant is safe to operate today and would be for the period of extended operation. **He reported the FFT's recommendations are to continue to monitor and review and future updates to the seismic safety analyses, to review the seismic assessment to be performed by PG&E in accordance with SB846 and to continue to review any major changes to plant configuration or operating procedures made since the 2015 and 2018 assessments including the inclusion of FLEX strategies.** Dr. Peterson stated and Mr. McWhorter agreed the current treatment of FLEX capabilities and the implementation of FLEX strategies is judged to be conservative and therefore the seismic risk to DCPD may be overestimated. Dr. Budnitz observed during an earthquake of a certain size the Turbine Building is at risk and this potentially compromises numerous equipment located inside the Turbine Building, but Dr. Budnitz reported the Seismic PRA includes the assumption that should the Turbine Building fail everything inside also fails but the probability of this is so low that it does not have much effect on the overall risk.

Mr. McWhorter recognized and thanked Dr. Budnitz for his work, effort and expertise in conducting the seismic review on behalf of the Committee and reported Dr. Budnitz spent a good deal of time reviewing the prior analyses which were both lengthy and detailed. Dr. Budnitz thanked Consultant McWhorter and remarked that the community of persons like himself who do seismic PRA as their engineering discipline recognize that some uncertainties are large and in the short term not very reducible and therefore the only way to attain comfort that the analyses are a good basis for decision making is if the risk is nevertheless really very low. Mr. McWhorter remarked that he was also comforted by the fact that at each different stage there is a peer review process involved and therefore the analyses are not solely the work of PG&E. Dr. Budnitz closed the discussion with the comment that the known seismicity of the DCPD area is best understood during the period of the last two or three hundred years for which written records exist, that the evidence is less solid for the period of the preceding few thousand years, but there are records in the earth which provide evidence of slippage, etc. He remarked during the glacial period the evidence is even less certain, but seismologists do the best they can to extract all the information possible while recognizing that uncertainties are inevitable in any seismic analysis but nonetheless having that knowledge is better than not having it.

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- Emergency Diesel Generators – Consultant McWhorter reported DCPD has six emergency diesel generators (EDGs) [three associated with each unit with the additional ability to be cross-tied to the other unit] and the Committee reviews the EDGs approximately every two years. He reported the Unit 1 EDGs are in good health with no major issues and all minor issues being addressed. The Unit 2 EDGs are also in good health although they were formerly tracked for improvement due to a fuel oil leak in a banjo bolt which occurred during a surveillance test but which would have rendered that single EDG inoperable during an event. Follow up inspections included checking all EDGs for the banjo bolt problem and further follow up to check the torquing of the banjo bolts during which some bolts were found to have relaxed torque and he reported this issue continues to be investigated and is not closed.
- Meet with NRC Senior Resident Inspector – the FFT met with NRC Senior Resident Inspector Mr. Mahdi Hayes to discuss the Unit 2 trip in October 2021, which had remained an open item with the NRC that is now closed, as an unplanned scram with complications which will be entered into the NRC Performance Indicator Program. Consultant McWhorter reported if more of these types of issues occur it could result in increased inspection activity by the NRC.
- Plant tour – The FFT toured Containment just prior to the scheduled commencement of plant heat-up and found the areas within Containment to be in excellent condition following the outage. Following the DCISC team's visit a leak was experienced with a Residual Heat Removal (RHR) System valve.
- Operations Department – Mr. McWhorter reported the FFT met with the DCPD Operations Manager to review Operations issues with reference to performance and staffing. He reported performance indicators were all above their respective limits and Operations Department morale, given the potential for extended operation, was also very good. DCPD has a large number of personnel with inactive senior reactor operator licenses and the plant is working with those individuals to reactivate their licenses in the effort to ensure there are enough licensed operators to carry through a period of transition to extended operation. Mr. McWhorter reported reinstating a license requires the individual to spend 40 hours on an operating shift and to fulfill certain other requirements. He reported training is being restarting for licensed operators and activity is expected during 2023 to increase their numbers. He reported there were no other issues, and the Operations Department is generally performing well.
- Meetings with DCPD Officers – the FFT met with Site Vice President, Mr. Adam Peck and Vice President for Decommissioning, Ms. Maureen Zawalick.
- Technical Review of New Spent Fuel Storage System – the FFT was provided with copies of the updated Final Safety Analysis Report (FSAR) and all the license application and amendment information for the new spent fuel dry system manufactured by Orano TN (Orano). The DCISC team included Dr. Kadak and posed 14 questions to Orano in advance of this meeting and during the meeting each was reviewed in what Mr. McWhorter described as a productive format. The FFT reviewed the seismic design basis, long-term storage concerns including corrosion and inspections, vacuum drying and how damaged fuel assemblies are to be handled. Mr. McWhorter reported spent fuel rods that are found to be damaged more heavily

than by a clad leak or a pin will be stored in the spent fuel pools in special canisters and a new storage canister will be developed that will encase that canister and it will then be inserted into a dry shielded canister (DSC) for long-term storage. Mr. McWhorter reported the thermal analysis has been found to be very conservative, with temperatures found to be 50 to 100 degrees lower than analysis showed based on the data from the U.S. Department of Energy (DOE) demonstration project at the North Anna Nuclear Generating Station in Virginia. Mr. McWhorter reported Orano stated it has followed regulations in performing the calculations and there were several conservative assumptions for which no credit was taken. The FFT reviewed the lubricated support rails used with the DSCs to slide the DSCs into the Horizontal Storage Modules (HSMs), criticality control, and the effect of extreme environments. Mr. McWhorter stated the FFT found its questions were satisfactorily addressed. Dr. Kadak commented if there were any scratches on the DSCs they would be very small and he reported Orano is comfortable with minimizing the number of scratches if they do exist on the DSCs. Mr. McWhorter reported the possibility of corrosion as analyzed in the FSAR was found to be extremely low and there are no welds in the area where the DSC is slid into the HSM.

Mr. McWhorter then requested Mr. Wardell to make the final two presentations.

➤ Tour of Orano Fabrication Facility in Kernersville, North Carolina, on November 9, 2022 – Mr. Wardell reported the Kernersville facility is a fabrication facility for the Orano DSCs. The DSC being a cylindrical, double-ended, canister with an internal fuel basket matrix with shielded welded end caps at each end. Mr. Wardell stated the facility has an NRC approved quality assurance program and the Kernersville Orano facility appeared clean, orderly and efficiently organized.

➤ Tour of Orano training Facility in Aiken South Carolina, on November 10, 2022 – Mr. Wardell reported this is a training facility where teams of typically 22 persons are trained to carry out wet to dry storage operations including on site unpacking and inspection. The Orano teams are on site to perform rigging and lifting of the DSCs into the spent fuel pools where certified fuel handlers move the assemblies into the DSCs, vacuum dry the contents with helium, and close and weld the tops and then transport the DSCs to the ISFSI where the DSCs are placed into the HSMs. He reported the Orano Aiken facility appeared well staffed and well equipped.

Ms. Shery Lewis from Mothers for Peace was recognized. Dr. Budnitz responded to Ms. Lewis' question concerning the seismic design basis that the Hosgri design basis earthquake for DCPD was established as .75g and Dr. Budnitz remarked the design basis earthquake issue for DCPD is extremely complex. Ms. Lewis agreed, and she remarked that at some point the Hosgri characterization was changed from not capable to capable. Dr. Budnitz concurred and reported this change was based upon research and he reported the NRC has confirmed that all of the safety significant components at DCPD will survive an earthquake on the Hosgri fault, but Dr. Budnitz observed the DCISC's inquiry goes to consideration of the performance and safety of DCPD systems, structures and components during an earthquake and is not governed by NRC design bases licensing considerations. Consultant McWhorter remarked that probabilistic analyses including the Seismic PRA, the fragility analysis, etc., provide superior tools than the deterministic licensing approach employed to determine the original design basis. In response to Ms. Lewis comment concerning a differing professional opinion filed by former NRC Senior

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Resident Inspector Dr. Michael Peck regarding the DCPD seismic design basis Dr. Budnitz replied Dr. Peck's differing opinion disputed what the licensing basis was or should have been and what the design was or should have been against the criteria used by the NRC reviewers, but the crucial question the DCISC seeks to answer as a non regulator is whether the performance of the facilities is sufficiently strong.

Mr. David Weisman representing the Alliance for Nuclear Responsibility was recognized. Mr. Weisman stated a part of the requirements of SB846 is a covenant requiring and mitigating the seismic risk posed to plant reliability and he remarked SB846's qualification as urgency legislation was based upon ensuring electrical reliability. He stated the Alliance for Nuclear Responsibility was seeking specific assurance from the DCISC that non-safety structures, systems and components will be reevaluated for reliability as part of the state's determination as to the prudence of the continuation operation of DCPD. He commented after an earthquake occurring in 2007 in Japan, the Kashiwazaki-Kariwa Nuclear Power Plant experienced very little damage to its safety significant structures but there was a massive failure of non-safety structures and accordingly the plant was unable to generate electrical power for a prolonged period. He inquired what evaluations were planned by the DCISC of non-safety systems structures and components and Mr. Weisman stated safety review was only a portion of the DCISC's mandate from the CPUC under what he described as the SB846 reliability doctrine. Mr. Weisman directed the Committee Members' attention to a report prepared in 2010 by Enercon engineering firm (Enercon) and to certain statements made in 2008 by Dr. Norman Abrahamson that an earthquake below the design basis for DCPD would create a risk that non-safety related systems would be damaged and could put the plant out of operation even though all safety systems performed as designed. Mr. Weisman stated the DCPD Administration Building could possibly "pancake" similar to other pre-1994 Northridge earthquake designed structures and indeed he stated this is what the Enercon report concluded as the Administration Building was built to 1982 building codes. He commented that Dr. H. Kit Miyamoto, a structural engineer who serves as a California seismic safety commissioner, has stated that the failure to require retrofits of non-ductile buildings will cost lives in California. Mr. Weisman stated the Enercon report found the second and third floors of the Administration Building would be expected to perform similar to other pre Northridge earthquake buildings as they are above what he described as a soft weak first story and he stated the Alliance for Nuclear Responsibility believes the Simulator Building would also most likely perform poorly in an earthquake and the Alliance for Nuclear Responsibility believes the charge to the DCISC under SB846 is reliability.

Consultant McWhorter observed his reading of SB846 was the Committee's review is remanded to safety to which Mr. Weisman replied SB846 was about ensuring reliability. In response to Dr. Lam's query Mr. Weisman replied he had not been reading verbatim from the legislation during his remarks. Dr. Budnitz state the Hosgri earthquake has a recurrence corresponding to approximately 10^{-4} per year whereas buildings constructed according to recent building codes have a compromise rate of approximately 10^{-3} per year and accordingly the CPUC has to ask and answer the question whether the buildings at DCPD are going to be safe enough and the plant sufficiently reliable should a building code design basis earthquake occur, with a frequency of approximately once in every thousand years. Dr. Budnitz contrasted this with the DCISC's mandate to assess the safety of the plant. Dr. Peterson observed he has experience from having spent time on the University of California's Berkeley campus on the issue of the safety of

persons in structures in an area of high seismic hazard and there is another and different aspect to these considerations, that is, the capability to resume operations. **Dr. Peterson stated he believed it to be within the DCISC's Charter to assess any life-safety risks associated with the buildings mentioned by Mr. Weisman because their complete collapse could affect the ability to conduct emergency response. He commented the likely effect of a seismic event is that life safety is preserved, the building can be evacuated, and it would be interesting to learn what continuity of operations PG&E may have considered for DCPD and across the entire company for post-seismic events.**

Mr. John Geesman representing the Alliance for Nuclear Responsibility was recognized. Mr. Geesman commented that at the last DCISC meeting in September 2022 there was a discussion with PG&E Senior Director Tom Jones about the scope of the update report on seismicity which SB846 requires of PG&E. During that discussion Mr. Jones stated PG&E would consult and work with the state Department of Water Resources (DWR) to determine the scope of this assessment. Mr. Geesman inquired whether the DCISC would ask for an update of the Enercon report addressing non-safety systems, structures and components. Dr. Budnitz replied the DCISC has inquired how PG&E will organize the SB846 seismic assessment, but the details have yet to be determined. The DCISC will report later in this meeting on its inquiry as part of the January 31-February 1, 2023, fact-finding report. Mr. Geesman requested that as part of that report the DCISC address the status of its views as they relate to non-safety systems, structures and components to the CPUC to establish a clear record for whatever rationale the DCISC chooses to adopt. In response to Dr. Lam's query as to whether the DCISC has a mandate under SB846 to review issues or reliability Mr. Geesman observed that under SB846 the taxpayer is the lender under a \$1.4 billion loan and he asked what a prudent lender would require in terms of attention to the seismic risk and he further observed the ratepayers are insurers of the reliability of the plant as under SB846 a \$300 million liquidated damage fund was created and is required to be replenished annually to cover forced outages that are not a function of a reasonable conduct by PG&E.

DCISC Special Counsel for Regulatory Matters Mr. Martin Mattes was recognized. Mr. Mattes clarified that SB846 defines the responsibility of the Committee under Public Utilities Code Section 712.1, added to the statutes by SB846, as to transmit its findings and recommendation for improved safety and the legislation states the Committee was created to make recommendations appropriate to enhance the safety of the operation of DCPD. Mr. Mattes observed that while safety may be a part of reliability and SB846 does have an emphasis of reliability, the legislation speaks only to the DCISC's review of the safety of the power plant and therefore the balancing of factors such as safety, reliability and costs are not matters for the Committee but are reserved to the CPUC. He confirmed Dr. Lam's observation that there is no explicit mention in the legislation of reliability in respect to the mandate to the DCISC. Dr. Budnitz confirmed that reliable equipment is important to safety and the likelihood is that an earthquake will not cause the plant to experience an accident with safety implications, but which would cause a shutdown is something that can be calculated, but whether that number is acceptable is not a question for the Committee. However, Dr. Budnitz confirmed it is for the Committee to opine on the acceptability of the safety of the plant.

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Ms. Donna Gilmore was recognized. Ms. Gilmore stated the Orano system uses a thin-walled canister system which has the same vulnerability to stress corrosion cracking as the Holtec system which utilizes a different mechanism which she discussed previously with the Committee during this public meeting and with the cracking mechanism she mentioned scratching is not required as moist salt air can remove the chromium layer that prevents stainless steel from starting to crack. She stated quality control is not the issue but rather it is engineering design and Orano makes a thick wall design that does not have cracking problems but that is not the design intended for use at DCP. She remarked even partial cracks in a canister are problematic and there is no way to find a crack once the fuel rods are placed inside and no seismic evaluation has been done for a partially cracked canister. Consultant McWhorter observed if a stainless steel surface is scratched it does not result in the removal of a chromium layer as chromium is present throughout stainless steel.

Mr. Eric Greening was recognized. Mr. Greening commented concerning the earlier discussion by the Manager of the San Luis Obispo County OES and stated he was concerned if there was to be a proposal to replace the siren system with a mobile phone alert system as not everyone, including Mr. Greening himself as a person with epilepsy, has a mobile phone and in any emergency response it is very important not to forget the needs of the disabled community.

Ms. Kalene Walker was recognized. Ms. Walker stated it was her belief the Committee should engage a material engineer to review the issue of a chromium layer on stainless steel and the degradation mechanisms that can affect stainless steel. She stated she wanted to raise a 'red flag' to the Committee concerning the extremely serious problems she believes will exist in the future with the spent fuel storage canisters. Dr. Peterson replied and stated 304 series stainless steel is composed of 16-18% chromium and he stated a chromium oxide layer forms on the external surface and under most conditions chromium oxide forms a stable passivating layer that prevents additional oxidation. Stress corrosion cracking is one of the mechanisms that can defeat that process. If the surface is damaged the chromium oxide layer regrows rapidly, is extremely stable, and provides a thin passivating layer that has very similar thermal expansion properties as the metal and thereby it provides an effective protection from corrosion. In response to Ms. Walker's query concerning embedment of carbon particles in stainless steel Dr. Peterson stated the formation of chromium carbides can either have a beneficial or a negative effect on the performance of metal depending upon the specific situation and he confirmed carbon can interfere in the passive restoration of the chromium oxide layer and this is why it is common to use low carbon stainless steel for spent fuel storage applications.

Mr. Weisman of the Alliance for Nuclear Responsibility was again recognized. Mr. Weisman stated he was quoting earlier from the final two paragraphs of Section 18 of SB846 and he remarked that even as a non-safety issue, it was his hope that the DCISC would extend its review to the possible hazards to personnel in the buildings at DCP.

Ms. Donna Gilmore was again recognized. Ms. Gilmore stated that scratches can create a pit which allows moist salt to enter that will accelerate and initiate stress corrosion cracking.

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On a motion made by Dr. Budnitz, seconded by Dr. Peterson, the November 8, 9 and 10, 2022 Fact Finding Report and the Resolution accompanying that report were unanimously approved.

XII DISCUSSION BY THE COMMITTEE, CONSULTANTS & COUNSEL

The Chair requested Assistant Legal Counsel Rathie to introduce the next item concerning the Committee's assessments under the mandate of SB846.

Review, Evaluation and Assessment of, and DCISC Periodic and Annual Reporting on, Matters Affected by Extended Operation Under the Mandate of SB 846 Including Seismic Safety, Maintenance and Capital Project Planning, and Review of Continued Planning for Decommissioning.

Mr. Rathie reported this matter was placed on the agenda for this public meeting to provide an opportunity for the public to hear from the Committee on these issues. He remarked many of the discussions earlier during this meeting dealt with the issues described for this agenda item. He commented the Committee's fact-finding reports as approved at its public meetings will be the focus of the elements of the specific mandate to the Committee under SB846. Dr. Lam then recognized the presence of Mr. Tom Jones, DCPD Senior Director, Regulatory and Environmental Repurposing, and asked Mr. Garcia to introduce Mr. Jones. Mr. Garcia stated Mr. Jones was previously the director of Strategic Initiatives for Pacific Gas and Electric Company. He received his Bachelor's Degree from the University of California, Santa Barbara. Mr. Jones has 21 years of experience with PG&E and prior to coming to PG&E he served in corporate affairs and local government relations. Dr. Lam then asked for comments from Drs. Budnitz and Peterson.

Dr. Peterson commented the Committee's review of the Open Items List includes its identification of the Committee's additional work scope with respect to extended operation and provides the basis for the DCISC to respond appropriately. **Dr. Peterson also stated he values the input from members of the public in pointing out areas where the Committee may need to further assess the scope of its review such as in the area of seismic safety for workers and the implications for the non-safety related areas of the plant.** Dr. Peterson stated it was his belief the process of developing the Open Items List has been effective in identifying the scope of additional work and he remarked he values learning from the perspectives of the other members.

Dr. Lam commented in his reading of SB846 two additional focus areas for the Committee are clearly delineated, those being review of seismic safety and the review of deferred maintenance and the office of the DCISC Legal Counsel has been effective in modifying the Committee's processes [that is, the approval of its fact-finding reports in the context of the OIR proceeding] to provide timely communication on matters related to these two additional focus areas under SB846.

Dr. Budnitz remarked while the words seismic safety and deferred maintenance occur more than once in SB846 as important concerns that would, if they rose to be too important

cause the CPUC to determine it would be too costly to continue operation of DCP, he stated in his view “deferred maintenance” was an inappropriate phrase as maintenance was not deferred but rather some maintenance was not done on the schedule otherwise established during the period when the plant was expected to close by 2025 under the provisions of the Joint Proposal. Dr. Budnitz commented in his view it is the capital projects which were deferred that should be the focus of the inquiry suggested by SB846. He commented in every case during the period from 2016 to 2022 the Committee reviewed each of those deferred projects and concurred that their deferral was reasonable in light of the plant closing by the end of 2025, as it simply did not make sense to continue with those projects as would have been the case were the plant to run for 20 more years. Dr. Budnitz stated his preference that the Committee review seismic deferred maintenance and deferred capital projects. He remarked that the Committee in its discussions has indicated it will place appropriate emphasis on both deferred capital projects and maintenance rearrangements. He commented the safety implications of the changes and rearrangement of maintenance activities have all been reviewed in context of the 2024-2025 closure dates and the resulting maintenance scheduling changes for extended operations will now also need to be reviewed. He stated the more difficult task for the Committee is going to be to opine on which of the deferred capital projects should now be undertaken due to the uncertainty created over the number of years the plant may continue to operate during extended operations. Dr. Budnitz described what he stated was the “curse” of an uncertain five-year termination schedule as being the complexity of weighing what you do for something you really wouldn’t do for five more operating years but would do for fifteen or twenty operating years.

Dr Lam remarked since the term “deferred maintenance” is part of the legislative mandate he suggested PG&E be asked for a list of items that based on extended operation that PG&E would label as maintenance that has been canceled delayed or is no longer active.

Dr. Peterson stated he believes it is possible to interpret the meaning of the phrase “deferred maintenance” as used in SB846 and the Committee has an additional and comprehensive mandate to review all possible impacts of an extension of the licenses for DCP.

Dr. Budnitz commented and Dr. Lam agreed that every decision PG&E has made for the last seven or eight years, either to change a maintenance schedule or to defer or cancel a capital project, was done on a defined basis, that is, on a documented basis which included review by senior management and if the decision had safety implications it was reviewed by the NRC. Dr. Budnitz described the problem that occurs when one revisits those decisions as in many cases the adequacy of that review will be dependent on the duration of the period of extended operation. **Dr. Lam reported the information he received from PG&E gives him to understand that the NRC only issues license extensions for terms of 20 years and the NRC does not issue five-year license extensions and he stated this is a significant issue as the demonstration of safety required for equipment, processes and procedures will need to be for 20 years of operation.** In response to Dr. Lam’s request Mr. Jones confirmed Dr. Lam’s understanding.

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Ms. Sherry Lewis of Mothers for Peace was recognized. Ms. Lewis stated it was her impression that the California legislature did not have adequate information when it voted on SB846.

Ms. Laurie Wolf was recognized. Ms. Wolf recalled the \$5.5 billion PG&E spent to construct DCPD and she reported only \$1.1 billion of those costs were determined to be prudently incurred. She stated numerous local groups including some representing nuclear workers participated as intervenors in that rate case which disallowed PG&E's \$4.4 billion investment. Ms. Wolf stated a secret deal was then struck between PG&E, the California Attorney General and the CPUC to pay PG&E a high price for the power the plant produced with the costs of refueling, maintaining, and addressing unforeseen problems remaining PG&E's responsibility. Ms. Wolf stated this CPUC ratemaking proceeding closed the door on factual information and disallowances for the utility corporation's misdeeds. Ms. Wolf stated that at the time the intervenors were concerning with the issue the DCISC now faces, the competition between safe and reliable operation cost for PG&E corporation, the only nuclear utility in the country to have felony convictions for obstruction of justice and manslaughter, and the trivialization of safety measures to ensure profits for PG&E shareholders. She remarked SB846 raises more questions than there are answers for, yet the state is plowing ahead to accommodate PG&E and the unions with blatant disregard for a settlement agreement signed a mere six years ago to phase out operations at DCPD. She described the DCISC as a small committee of fraternal experts that has met for between 14 and 19 years yet it cannot look at the costs of the utility's decisions and it has no authority to direct PG&E or to enforce its recommendations. She observed NRC resident inspectors are only allowed to remain assigned to one facility for seven years and commented that perhaps the NRC understands as the CPUC does not that the public deserves oversight that has not become too familiar with a nuclear power plant's management and employees. She stated the local community is vulnerable to both costs and risk and there is no federal or state agency that considers both simultaneously. She stated DCPD has been on a path to closure and will require costly retrofits that may or may not ensure its reliability. She observed SB846 has removed much of the financial risk for the utility and now places it not only on PG&E's ratepayers but also on the state's taxpayers as well. She remarked state oversight agencies are looking to the DCISC to guarantee the plant is safe and she reminded the Committee she was speaking of California's last aging seismically vulnerable nuclear reactors located adjacent to a nuclear waste dump and Ms. Wolf closed her remarks by quoting Richard Fineman "for a successful technology, reality must take precedence over public relations, for nature cannot be fooled."

Mr. John Geesman representing the Alliance for Nuclear Responsibility was recognized. Mr. Geesman stated Drs. Peterson and Lam were correct in finding no semantic dilemma about how to construe the term deferred maintenance. Mr. Geesman also disagreed with the assertion that PG&E can only apply to the NRC for a twenty-year license for extended operation and stated the precedent established by the Indian Point Nuclear Energy Center in New York makes it clear that PG&E could, if it chose to do so, apply for a five year license extension. That said, Mr. Geesman stated the DCISC in its review is bound by PG&E's choice and its analysis needs to be for a twenty-year term.

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Ms. Kalene Walker was recognized. Ms. Walker stated concerning reliability the record shows for the last four years that for 40% of those days one or both reactors were not operating, and she observed the retrofits needed for extended operation will include further non-operational days which only adds to the question of how reliable DCPD will prove to be moving forward.

Dr. Lam thanked the members of the public for their remarks.

XIII TECHNICAL CONSULTANT REPORT & RECEIVE, APPROVE, AND AUTHORIZE TRANSMITTAL OF FACT FINDING REPORTS TO PG&E

C. The Chair requested Consultant Wardell to provide a summary report on the December 6-7, 2022, fact-finding visit with Dr. Peterson. Mr. Wardell reviewed the topics discussed with PG&E during the December 2022 visit as follows:

➤ Meet with NRC Resident Inspector and NRC Problem Identification and Resolution (PI&R) Inspection Team – Consultant Ward reported the FFT met with the NRC team conducting the PI&R inspection which for DCPD is the Corrective Action Program. He reported in the past the DCISC concluded the Corrective Action Program's performance was satisfactory. He reported it was too early for the DCISC representatives to receive the results of the PI&R inspection from the team. **Mr. Wardell stated the Committee subsequently received a letter from Mr. Geesman, representing the Alliance for Nuclear Responsibility, and will look into the matters raised in the letter during a fact-finding in April 2023.** He reported the DCISC's meetings with the NRC resident inspectors are beneficial and should continue.

➤ Outage 2R23 Results.

➤ Troubleshooting Program Update – Mr. Wardell reported the DCISC reviews the Troubleshooting Program periodically. He stated the Troubleshooting Program employs a systematic approach to data collection to determine the immediate cause of a failure or problem. Both the DCPD Maintenance and Engineering organizations perform these reviews which are quicker and not performed in as much depth as an apparent cause analysis. The FFT found the Troubleshooting Program to be satisfactory.

➤ Revised Capital Plan – Mr. Wardell reported this review was in connection with SB846's charge to the DCISC to review and opine on maintenance issues. He reported the DCISC's review in May 2022 was in context of an early shutdown scenario and at that time projects that were reduced in scope were found to be satisfactory. **DCPD has now embarked on review of projects for extended operation, but Mr. Wardell reported the review is not complete and the DCISC has scheduled a follow up review for its March 2023 fact-finding with the goal of completing the Committee's assessment by the June 2023 public meeting.** Consultant Wardell reported the FFT also reviewed the PMO++ which provides a long-range review of equipment issues. PMO stands for Preventative Maintenance Optimization, a previous program the plant employed in 2016. Mr. Wardell reported the PMO program provided for doing less maintenance on certain components based on component history and more maintenance on components based on their operating history. **The DCISC will review the PMO++ Program together with the Capital Project Program to form the basis for the safety or improved**

safety for a license extension of five years. This review will include corrective maintenance and preventative maintenance. Dr. Peterson commented he views the use of the term “deferred maintenance” as used in SB846 as guiding the DCISC to review all of the maintenance decisions and to confirm those which were deferred have been identified and as needed will be resumed or restarted.

➤ Nuclear Fuel Performance and Plans – Mr. Wardell reported the FFT reviewed performance of the fuel and the plans for the fuel to be used for extended operation. Unit 1 fuel has been free of defects since 1991 and Unit 2 has been free of fuel defects since 2012 and Mr. Wardell described this as excellent performance. He reported the fuel design had previously been done in expectation that the plant would cease operating in 2024 and 2025 and that the fuel design has been revised to optimize opportunities for continued operation, but Mr. Wardell reported the plant still has options depending on what might happen with the license extension. He stated DCPD has an impressive Reactor Design/Nuclear Engineering Department, and the plans were found very satisfactory. In response to Dr. Kadak’s inquiry Mr. Wardell replied DCPD has ordered fuel for the next two refueling outages which for Unit 2 is later in 2023 and for Unit 1, if operation is extended, the next refueling outage would be in 2024.

➤ Plant Staffing Planning – Mr. Wardell reported the FFT found current staffing to be adequate, however, in the event of extended operation DCPD is planning to hire 264 new positions across all areas of the plant and has started to actively recruit for candidates for these positions.

➤ Safety-Security Interface Update – Mr. Wardell reported this review was of plant changes or modifications or procedure modifications that could affect security as well as how security changes could affect the safety of operations. Mr. Wardell reported the program was satisfactory, but details cannot be provided because they involve matters of plant security.

➤ License Extension Update – Mr. Wardell reported the DCISC will receive a presentation on this topic later at this public meeting and he would reserve comments for that time.

➤ Observe Plant Health Committee Meeting – Consultant Wardell stated the Plant Health Committee is made up of an organizational cross-section of the plant and the job of the Committee is to maintain system and equipment health. The Committee uses a top ten list, and the system and component engineers make presentations periodically and take any actions needed based on system or component action plans to improve system or component health. The Plant Health Committee during the fact-finding visit reviewed the emergency diesel generator fuel oil leak and issues with the governor which were previously described by Consultant McWhorter. The Committee also reviewed the Chemical Volume and Control System controller failures in hot shutdown mode. Mr. Wardell reported that system draws out a small amount of reactor coolant, cleans it and adds chemicals and reintroduces the coolant to the system. The hand controllers which experienced issues are located on the hot shutdown panel in the Auxiliary Building, outside of the control room and available to operators to shut down the plant to a hot shutdown condition if for some reason the control room is not habitable. An action plan was prepared and reviewed with the Plant Health Committee to replace the hand controllers.

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- Meet with Site VP and Review Industry Benchmark Evaluation Results – the FFT met with Site Vice President Adam Peck to discuss items of mutual interest and the recent industry benchmark evaluation for which Mr. Wardell reported DCPD received high marks.
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- Equipment Qualification Program Update – Mr. Wardell reported this program performs tests to assure that electrical safety equipment will perform its function and survive the environment following an accident, whether the conditions be related to steam, water, radiation, temperature or other conditions. He reported a recent NRC Design Basis Inspection which reviewed the Equipment Qualification Program resulted in one minor non-cited violation which was corrected during the inspection. The FFT found the Equipment Qualification Program to be effectively implemented.
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- Transmission System Health Update – the FFT reviewed the two components of the Transmission System, those being the 230kV system which is the primary source for emergency offsite power for DCPD and the 500kV system by which DCPD delivers power out to the electrical grid, and which also serves as a backup power supply. Mr. Wardell reported both systems are in Green health status.
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- Sea Water Reverse Osmosis (Desalination) Plant Tour – Consultant Wardell reported the FFT toured the DCPD desalination plant which takes the salt out of ocean water through use of permeable filters or membranes, returns the salt to the ocean in the form of 24,000,000 million gallons of brine on an average each month and stores the fresh water produced in two water holding ponds located near the ISFSI. The desalination plant produces an average of 13,500,000 gallons of fresh water each month with 9,200,000 gallons being used for power production systems such as the Main Steam, Feedwater, and Reactor Coolant Systems.

Ms. Sherry Lewis was recognized. Mr. Wardell confirmed the production total for fresh water by the DCPD desalination system of 13,500,000 gallons per month on average.

Mr. Wardell stated he wanted to address the comments made earlier on the reliability of the plant. He confirmed there have been two recent major shutdowns due to the Unit 2 Main Generator vibration and feedwater heater problems. He reviewed the capacity factor for the past three years, through the end of 2022, which show the plant was online for 93.5 percent for that the period and for the capacity factor for the previous five years that average was almost 88 percent which he opined was reliable performance by DCPD. Dr. Budnitz stated he calculated that with planned refueling outages of approximately 40 days duration each, the combined reliability factor should be around 92% and one unit is not going to be making electricity for about 30% of the time for a two unit plant with a 40 day outage duration and a capacity factor of 92%.

Ms. Donna Gilmore was recognized. Ms. Gilmore stated the data she presented to the Committee was taken from the NRC's website and she commented that having one of the reactors offline does not meet the Governor's requirement that they both need to be able to be producing power at the same time in order to meet demand. Ms. Gilmore stated she stands by the information from the NRC reactor status data. Mr. Wardell commented that the data he cited is

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taken from data presented to the DCISC at every public meeting and is reported in the Committee's annual reports.

On a motion made by Dr. Lam, seconded by Dr. Peterson the December 6-7, 2022 Fact-Finding Report and the accompanying Resolution certifying its passage were unanimously approved.

XIV ADJOURN AFTERNOON MEETING

The Chair adjourned the afternoon meeting at 5:12 P.M.

V RECONVENE FOR EVENING MEETING

Dr. Peterson reconvened the evening meeting of the DCISC at 5:20 p.m. and commented the Committee schedules these evening sessions to make public participation easier but he noted this is time PG&E personnel might ordinarily spend with their families.

XVI COMMITTEE MEMBER COMMENTS

There were no comments by Committee Members at this time.

XVII PUBLIC COMMENTS AND COMMUNICATIONS

There were no public comments this time.

XVIII INFORMATION ITEMS BEFORE THE COMMITTEE (Cont'd.)

Dr. Peterson requested Mr. Garcia to introduce the first of the presentations requested of PG&E by the Committee for this public meeting. Mr. Garcia stated Senior Director for Regulatory, Environmental and Repurposing Mr. Tom Jones would make that presentation.

Update on Planning for Both Decommissioning and Extended Operations Including Plans for License Renewal.

Mr. Jones stated in his presentation he would provide an update on both decommissioning planning and planning for potential continued operation. He remarked continued operation of DCP is not a foregone conclusion and PG&E is prepared to take whatever actions the state needs. Mr. Jones reported DCP's two units generate enough power for three million people and the operating licenses from the NRC are due to expire in 2024 (November 24, 2024, Unit 1) and 2025 (August 26, 2025, Unit 2).

Mr. Jones stated DCP is moving ahead with active planning for DCP's retirement and PG&E is presently recruiting for citizens to serve on its Diablo Canyon Decommissioning Engagement Panel (DCDEP), an advisory body formed to seek community input. He reported a major milestone will be achieved when San Luis Obispo County issues an environmental impact report, under the requirements of the California Environmental Quality Act (CEQA), as that document will inform not only decommissioning but will also be used in conjunction with the State Lands Commission and the California Coastal Commission leasing and permitting activities. He remarked PG&E manages 14 miles of coastline and the company is exploring how

those lands might be placed into conservation and potentially have another owner while DCPD is operating.

Mr. Jones reported DCPD is preparing a License Renewal Application for extended operation for a twenty year period. He observed the comment earlier in the meeting about the Indian Point Plant having received a five year license was incorrect as Indian Point applied for a twenty year extended license and subsequently amended the License Renewal Application to shorten that time to ten years, however, the NRC's analysis was for twenty years and he stated there have been no five-year extension applications filed with the NRC. He commented from a regulatory perspective there must be a renewed license from the NRC as well as permission from the state for DCPD to occupy state property to operate the plant's once through cooling and for funding. Mr. Jones remarked that under extended operation for DCPD, PG&E will become essentially a state contractor through the California Department of Water Resources (DWR). Dr. Peterson remarked this is an important point as the ability to continue to use once through cooling is important to extend operation for the next five years as it simplifies questions about the safety of continued operation. In response to Dr. Lam's query Mr. Jones observed there is no established standard for a five year extension, but there is a large body of standard work required for a twenty year extension. Dr. Kadak observed that with a license extension, systems and components will be replaced as needed but not everything will need to be replaced and Mr. Jones stated the issues raised by Drs. Lam and Kadak will be addressed through an Aging Management Program. He remarked the current licensing conditions will continue in extended operation and the NRC license extension program requirements are additive to those conditions.

Dr. Budnitz observed PG&E will be making strategic decision and the DCISC will necessarily have to be reactive to those decisions in its review. In response to Dr. Budnitz query concerning the NRC having denied PG&E's request to reactivate the previous license renewal application Mr. Jones confirmed that while PG&E will need to submit a new license application much of the earlier documentation will remain valid but will need to be updated, the NRC will require an annual update of things that might have changed and the new application will be formatted to a different standard. He commented the environmental work done in preparation for decommissioning the power plant will carry across to other processes including with the State Lands Commission and with the State Water Resources Control Board, which reviews entrainment and impingement issues in connection with once through cooling, and the Central Coast Regional Water Quality Control Board which reviews thermal impacts and administers the plant's National Pollutant Discharge Elimination Permit (NPDES) on behalf of the federal government. The environmental work will also inform the California Coastal Commission, which has original jurisdiction in the coastal zone, and the San Luis Obispo County Planning Commission which shares jurisdiction over land use and building permits with the Coastal Commission. He mentioned 80% of the decommissioning project, which is considered a construction activity, is in the coastal zone and 20% is within the County's exclusive jurisdiction. The draft Environmental Impact Report is expected to be issued in April 2023 which will commence a public comment period after which the report will go before the County Planning Commission and, if it is appealed, to the County Board of Supervisors with approval expected in 2024 or 2025.

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Mr. Jones reported the DCDEP was formed in response to a regulatory commitment that no action would be taken on repurposing the lands without convening a public process and he stated the DCDEP has done good work and has developed a strategic vision document, but in answer to Consultant McWhorter's inquiry Mr. Jones replied the DCDEP has no role in extended operation. He reviewed with the Committee a chart showing the DCPD Decommissioning Planning Path which indicates the status of regulatory milestones in this complex process. In response to Consultant McWhorter's query Mr. Jones reported none of these milestones has regressed on its prospective completion date, but some have paused based upon the pending prospect of an extension of operation. He reported extended operation does not preclude the plant from continuing to prepare for decommissioning and thereby reduces the risk of not meeting decommissioning milestones Mr. Jones commented that it is only the NRC that looks at decommissioning in a binary fashion, that is, either you are operating or not operating. In response to Dr. Lam's inquiry concerning the decommissioning trust fund Mr. Jones remarked the trust fund is not immune from market forces and at this time the trust fund has approximately \$4 billion available to cover a proposed decommissioning budget of \$3.9 billion. Dr. Peterson observed and Mr. Jones agreed that the majority of what PG&E is doing now relative to decommissioning will be needed in the future.

Mr. Jones reported efforts to develop employee retention programs are moving ahead as a first tier priority for extended operation.

Mr. Jones reviewed the license renewal activities for the spent fuel dry cask storage system which is now under the NRC's review. The license for the ISFSI was initially for twenty years and the renewal period will be for a forty-year period.

Mr. Jones commented the DCPD decommissioning licensing schedule did not benefit from the generic decommissioning process recently updated by the NRC and accordingly DCPD will need to seek relief on an individual basis as operating conditions change. He observed when power is no longer being generated there are different NRC-approved specifications. He stated NRC regulations are risk-informed and follow the operating plant model versus a plant that just has a spent fuel pool or an ISFSI-only emergency plan. There is also a requirement for a decommissioned plant to have a certified fuel handler training program. **In response to Consultant McWhorter's inquiry as to when certain decommissioning licensing approvals will require updating if they have not been implemented, Mr. Jones replied amendments can be made but he would need to review this question and would provide a subsequent response to the Committee.** Mr. Jones confirmed Dr. Kadak's comment that Orano personnel will be on site during spent fuel loading campaigns, but the certified fuel handling will be done by PG&E employees, as they will be the persons most familiar with the fuel and with the implementing portions of the emergency plan. He confirmed the certified fuel handler program is a separate program with reference to the NRC's review and it is anticipated that at DCPD some personnel now holding senior reactor operator positions will transition and become certified fuel handlers.

Mr. Jones remarked the recently opened Order Instituting Rulemaking may result in costs being incurred and allocated to PG&E that might arise from license renewal and this could complicate decommissioning planning. He described this as an evolving item. As examples Mr.

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Jones cited environmental and regulatory approvals. In response to Dr. Budnitz inquiry about contingent costs having a potential to cause a delay in the decommissioning schedule Mr. Jones stated such costs were likely to be addressed in the 2024 Nuclear Decommissioning Cost Triennial Proceeding or through a separate filing with the CPUC. Mr. Jones observed as PG&E will have access to the decommissioning trust fund upon conclusion of generation operation, if the costs were to address a safety item the project for which the cost was to be incurred would be rebalanced to bring the issue causing the increased cost to the forefront.

Mr. Jones commented certainty drives costs down and DCPD is on track for key permitting and licensing activities to be approved prior to the current scheduled shutdown.

Regarding continued operation Mr. Jones reported some key milestones have occurred including the federal Department of Energy granting \$1.1 billion in funding over a four-year period with some of those funds to be sent back to the State of California to offset the state's investment in DCPD. He remarked the Department of Energy funds are not additive to the funding provided by the state and backfill the state's general fund. Mr. Jones reported PG&E intends to submit its new License Renewal Application during the fourth quarter of 2023. **In response to Dr. Budnitz question as to whether certain portions of the License Renewal Application, even if in draft form, could be made available for DCISC review in advance of their submission to the NRC, Mr. Jones replied he would take that into consideration, and it might be a possibility.** In response to Dr. Kadak's inquiry Mr. Jones replied the environmental section of the license renewal process required significant work to update under both the National Environmental Policy Act (NEPA) and NRC regulation. He reported if a document is not current within five years it is required to start over, and he reported annual updates for the period 2016 through the current year are required which was not planned for and for which updates had not been done. Dr. Kadak commented and Mr. Jones confirmed that design modifications for extended operation have been technically reviewed, but Mr. Jones observed there are future inspection schedules and aging management programs which are part of the license renewal process and those were not complete when PG&E withdrew the prior license renewal application.

Mr. Jones concluded his presentation by stating the California Energy Commission will be completing its energy needs analysis during 2023 including the need for DCPD to continue in operation and the effort toward completing the License Renewal Application will continue. He commented that reviewing and optimizing plant maintenance will require administrative controls, work tracking, inspections, planning and execution and these items will be required in context of an aging management program. Mr. Jones commented when DCPD applied for license renewal in 2009 there were several refueling outages planned to introduce these topics, but with the timing for the current license renewal application there is only one refueling outage per unit which makes refueling outage planning very complicated. **Dr. Peterson remarked it will be important for the DCISC to review the scope of the refueling outages and the impact on the refueling outage schedule.**

Mr. John Geesman was recognized. Mr. Geesman inquired what PG&E would do if during March 2023 the NRC decides not to grant DCPD an exemption from the five-year timely license renewal application submission requirement. Mr. Jones stated he prefers not to answer

hypothetical questions but stated PG&E would have to carefully evaluate the basis for the NRC's decision because in the scenario described by Mr. Geesman it could be otherwise conditioned. Mr. Jones remarked PG&E feels confident in its license renewal request because there has been ample precedent for the requested timeliness exemption and the NRC is aware that DCP's late application request is not the result of poor planning by PG&E but rather on a significant shift in energy policy by the State of California.

Mr. Jones then introduced Interim Senior Director of Engineering, Projects and Outages Mr. Allen Wilson. He remarked Mr. Wilson is his direct counterpart to the regulatory planning for both decommissioning a relicensing or extended operation. Mr. Wilson has thirteen years' of experience and has served in various responsible roles in the Engineering and Maintenance Department, as well as in Decommissioning and most recently as Director of Nuclear Projects for License Renewal.

Plans for Reviewing, Approving and Implementing Capital Projects and Changes to Maintenance Programs Needed to Support Extended Operations.

Mr. Wilson reported all the necessary investments and maintenance have been made and performed up to and including a period of extended operation and this has been validated by the NRC and the DCISC. The life-cycle management plans for equipment correlate with the present license expiration dates of 2024 for Unit 1 and 2025 for Unit 2. At the present time he reported a holistic review is being undertaken to identify the scope for license renewal and to ensure equipment and system reliability. The reported this review is referred to as Preventative Maintenance Optimization ++ (PMO++) with the ++ designation standing for projects and life cycle review. In response to Consultant McWhorter's query Mr. Wilson stated DCP uses reliability site maintenance concepts and preventative maintenance is used to ensure that reliability maintenance is effective in preventing failure. He stated he wanted to emphasize DCP has not deferred any maintenance. He explained that as some of the life cycle management plans will conclude in 2024-2025 they would need to be expanded to over a period of continued operation and he confirmed Mr. McWhorter's observation that these reviews include review of preventative maintenance change requests which were based on risk, documented in the design basis, and generated over the last six or seven years.

In response to Dr. Budnitz' question Mr. Wilson confirmed the PMO++ Program encompasses both nuclear safety-related as well as reliability-related systems and components. Mr. Wilson reported in the PMO++ Program reviews entire plant systems for improvements in safety, efficiency or reliability always looking first at nuclear safety. He reported reviews focus primarily on validation plans to ensure maintenance plans are adequate for both the safety and production systems with safety as a priority, but with changes coming mainly for efficiencies in production on secondary systems.⁷ Mr. Wilson commented prioritizing opportunities to make improvements unrelated to safety takes into account risk and their complexity. In response to

⁷ Primary and secondary side refer, respectively, to the Reactor Coolant System which is used to remove heat from the nuclear reactor and to the Main Steam and Feedwater Systems which provide cooling to the steam generators and generate and provide steam to the turbines.

Consultant Wardell's query Mr. Wilson confirmed the PMO++ and other life cycle management plans, for which Mr. Wardell observed the Committee is trying to complete its review by its June public meeting, the plans may be affected by the inclusion of elements of the aging management programs which are to be developed as part of the license renewal effort, but that aside the PMO++ scope is already well defined. In response to Dr. Lam's inquiry Mr. Wilson reported the PMO++ Project staff consists of 30 persons all of whom are working full time. In response to Dr. Lam's comment concerning the Committee's capability to conduct its review of the PMO++ **Dr. Peterson observed that by checking a sufficient range of issues a certain level of confidence can be developed and then the focus can be placed on issues or problems as they are identified, but he remarked the Committee does need to develop a prioritization schedule for its review of PMO++.** Consultant McWhorter stated the DCISC will likely look at the PMO++ process at a fairly high level of detail and he observed there is a requirement in SB846 for PG&E to submit review of deferred maintenance to a third party and the DCISC will have the opportunity to review the results of that third party review. Mr. Wilson reported that DCPD has not selected the third party reviewer and that the decision will probably be made in the third or the fourth quarter of 2023. In response to Consultant Wardell's question Mr. Wilson reported DCPD is projecting to finish its review by the end of February after which the DCISC should expect to see the results and the resultant list of potential projects. Dr. Budnitz observed the DCISC has a fact-finding scheduled for March and it would be helpful at that time to meet with and interact with Mr. Wilson concerning the PMO++ Program. Consultant Wardell noted it might take more than three fact findings to complete the Committee's review.

Dr. Budnitz observed and Mr. Wilson concurred that some of what DCPD is doing under the PMO++ for extended operation will need to be reviewed in context of the NRC's Maintenance Rule, which addresses the effectiveness of maintenance and of other standard code requirements and Mr. Wilson commented so far DCPD's reviews have involved only a very small amounts of code compliance requirements to which Dr. Budnitz commented it was his judgment the groups that "own" a particular component or program were addressing those issues rather than leaving them for PMO++.

In response to Dr. Lam's query as to Mr. Wilson's interpretation of the use of the phrase "deferred maintenance" in the statutory language of SB846 Mr. Wilson again stated no maintenance has been deferred and all plant systems have been maintained as required by the NRC and the Maintenance Rule. In the event of a functional failure, corrective maintenance has been performed and DCPD has not changed its maintenance strategy on any of its safety related equipment. Mr. Wilson stated his expectation concerning the maintenance on equipment is the DCISC would be most interested in was a relatively small population of where the end-of-life was assumed to be in the 2024 -2025 timeframe and he reiterated this population was reviewed not because maintenance was not performed but rather for the adjustments to maintenance schedules in anticipation of the cessation of generation operation. **Dr. Peterson remarked the Committee needs to properly interpret the intent of the legislature's language and the correct interpretation centers on the question of what maintenance was not going to be performed due to cessation of generation operations and what are the plans to resume those maintenance activities for extended operation.** In response to Dr. Lam's request Mr. Wilson confirmed DCPD can provide a list of maintenance items that have an end-of-life circa 2024-2025 and Mr. Wilson, in response to Dr. Kadak's inquiry, estimated that such a list would

consist of approximately 115 to 120 items. Dr. Budnitz commented maintenance schedules are frequently adjusted and he observed the scope of the last three or four refueling outages were also adjusted for the maintenance activities performed during the outages. Dr. Lam commented Dr. Budnitz comment was very insightful and removes the potentially derogatory meaning in the context of the use of the term deferred maintenance. In response to Dr. Kadak, Mr. Wilson stated after 2025 the items he identified with end-of-life circa 2024-2025 will have maintenance activities found to be needed performed immediately and their life cycle terms adjusted for a period of continued operation.

Mr. Wilson reported the PMO++ review teams are comprised of a diverse makeup of subject matter experts including plant personnel, industry experts, and various vendors including original equipment manufacturers. He commented that this approach allows DCPD to maintain the plant to the highest standards and ensure it will meet additional regulations and requirements to support extended operation.

Mr. Joh Geesman, representing the Alliance for Nuclear Responsibility was recognized. Mr. Geesman stated at the DCISC's September 2022 public meeting Mr. Jones, speaking for PG&E, stated the DCISC's role with respect to the third party review of maintenance items was yet to be determined and he inquired if either the DCISC or PG&E had any information on what role the DCISC would plan in the third party review. Dr. Lam called upon Mr. Rathie to opine on whether the Committee could participate in the framing of a commercial contract between PG&E and its consultant to which Mr. Rathie replied, in his opinion, that the Committee should not be involved in such matters. Dr. Budnitz commented when the third party review is complete the DCISC will review it as doing so is within its scope and it is an open question whether or if the DCISC should interact with the third party reviewer during the review activity. In response to Dr. Lam's request to legal counsel concerning such interaction Mr. Rathie replied that given that there is a role for the Department of Water Resources, as a third party review of deferred maintenance is a covenant under a loan agreement between DWR and PG&E, he would be hesitant to opine that such interactions with the independent third party reviewer engaged in a review of a PG&E project would be appropriate without consultation with the other involved state body, that being the DWR, and Mr. Rathie confirmed it was within the DCISC's purview to review the independent third party review once it was complete. In response to Consultant McWhorter's question as to whether it would be appropriate for the DCISC to ask PG&E for a brief on the requirements to be placed on the contractor performing the independent third party review Dr. Lam stated he was hesitant to do so. Dr. Budnitz stated he believes the Committee would be widely commended for its desire to intervene and the DCISC would only be involved to the extent of making a recommendation. **Mr. Rathie remarked as the contract is not projected to be entered into until the third or fourth quarter of 2023 and the schedule for the Order Instituting Rulemaking now provides for the Committee's evaluation of mandates under SB846 to be approved at the DCISC's September 2023 public meeting. Mr. Rathie stated this might be an appropriate topic for a fact-finding and for a discussion with the DWR.** Mr. Jones suggested the April fact-finding could be timely for a discussion on this topic.

Ms. Donna Gilmore was recognized. Ms. Gilmore inquired as to the 115-120 items mentioned by Mr. Wilson as reaching the end of their life cycles by 2024-2025 for what

percentage is PG&E expecting to request an exemption from the NRC regulations to seek additional time. Mr. Wilson replied none would require permission or a request from DCPD to the NRC. He stated they all have been maintained and no maintenance has been deferred and the issue is when and how the life cycles of those items will be extended beyond 2024-2025.

Mr. Will Almus was recognized. Mr. Almus inquired whether each maintenance item has an individual deadline or date for a next inspection and what would the horizon be for an extension. Mr. Wilson replied maintenance plans are done at a regular frequency depending on the item being maintained with some items having approximately five or six year frequencies while some may be longer and for those which fall outside the 2024-2025 timeframe they would be reviewed and the maintenance frequency 'clock' restarted during a period of extended operation. Mr. Almus stated he shared Dr. Lam's concern concerning the resources of the DCISC and he stated his hope that PG&E would have some preliminary discussion with the DCISC if necessary on the scope of continued operation to allow for contractual arrangements for additional staff or consultants for the DCISC.

Ms. Donna Gilmore was again recognized. Ms. Gilmore remarked that many parts are aging and there will be some that need replacement and she inquired if replacements would be part of the effort and part of the schedule discussed by Mr. Wilson and how much down time would be created. Mr. Wilson stated the issues brought up by Ms. Gilmore were the essence of a preventative maintenance program, that is, to maintain the equipment and prevent failures. He confirmed DCPD does maintain an inventory of spare parts and critical spare parts are available to make necessary repairs.

Dr. Lam thanked Mr. Wilson for an exceptional presentation and asked that the record reflect the Committee has asked Mr. Wilson to provide a list of the 115-120 items related to the legislative mandate to the Committee expressed by SB846 relating to "deferred maintenance." Dr. Lam asked the Committee's Technical Consultants to monitor and report when the Committee receives that information. In response to Dr. Kadak's question as to whether there was a similar list of capital projects Mr. Wilson responded there are approximately five capital projects that are scheduled to be completed in 2023 and 2024 and he stated PG&E continued to complete capital projects prior to the adoption of SB846 with most relating to minor repairs or modifications or due to obsolescence. Under the PMO++ DCPD is focused on a larger list that might benefit from new technology, but these continue to be in the vetting process. Mr. Jones remarked the Department of Energy's grant program states that its funding is not to be treated as capital so DCPD will need to identify and develop new nomenclature to apply to traditional capital projects financed with new funding sources.

Dr. Lam requested Mr. Jones to introduce the next speaker. Mr. Jones introduced Site Vice President Mr. Adam Peck. Mr. Jones reported Mr. Peck has now been in his current position for more than one year and he previously held various leadership positions with PG&E including Director of Operations, Director of Nuclear Engineering Services, Senior Director of Engineering, Technical and Emergency Services and he has been at DCPD for thirteen years. Mr. Peck also has a background as a U.S. Navy submarine officer and ship's engineer and holds a Bachelor's Degree in Electrical Engineering from the U.S. Naval Academy and a Master's Degree in Organizational Leadership from Gonzaga University as well having completed the

Executive Leadership Program at Stanford University Graduate School of Business. He reported Mr. Peck maintains a professional engineering license in nuclear engineering.

Status of Retention Programs, Attrition, and an Update on the Efforts to Retain Qualified Staff in Support of Extended Operations.

Mr. Peck stated he would discuss workforce retention and continued operation during his presentation. He reported DCPD has a current Retention Program for all employees who opt in which provides a 25% retention payment through seven years delivered in two separate tiers: Tier 1 for the period 2016-2020; and Tier 2 for the period 2021-2023. Tier 2 will end in August 2023. Mr. Peck reported Tier 1 experienced a 98% participation rate while Tier 2 exceeded 95% participation. After August 2023 there is a severance program funded through the DCPD Decommissioning Trust that was intended to support the retention of employees. In response to Dr. Kadak's query Mr. Peck confirmed the retention payment is an annual 25% portion of an employee's base salary. Mr. Peck and Mr. Jones stated DCPD new hires are eligible to participate in the retention program and the program is prorated for those new hires such that with attrition the program functions to retain new employees and their skill sets. He observed, given the dual paths described by Mr. Jones and the uncertainties involved with license renewal, the Employee Retention Program remains important. Dr. Peterson remarked the Committee has been strongly supportive of the Employee Retention Program including sending a letter concerning the importance of the full 25% as proposed and he remarked he expects the Committee will be similarly supportive of efforts to retain and recruit new employees.

Mr. Peck reported PG&E leadership is reviewing the next proposal of the Employee retention Program and this will need to be vetted and discussed with the several unions representing DCPD employees and when those negotiations are complete an application will be submitted to the CPUC.

Mr. Peck observed operating a nuclear power plant requires a wide range of skills, training, qualifications and efficiencies and DCPD has conducted a department-by-department prioritization and review of staffing needs based on demographics, expected attrition and the need for projects related to license renewal and extended operation. He reported non-licensed operator classes commenced in January 2023 with twenty individuals as well as a class for licensed operators to advance to senior reactor operators. A new licensed operator class for reactor operator and senior reactor operator classifications for twenty persons is scheduled to commence in March 2023. In response to Consultant McWhorter's inquiry Mr. Peck stated the non-licensed candidates are largely external hires consisting of mostly local residents, including Cal Poly graduates, while the senior reactor operator and licensed reactor operator in some cases are coming from other stations as well as personnel coming from the DCPD Engineering, Maintenance and Chemistry organizations. He reported the reactor operator position involves a bid process conducted through the unions. Mr. Peck reported staffing is a high priority focus for DCPD leadership with between one hundred and two hundred new hires under consideration. He reported with the review of the different departmental needs and the time needed to qualify and train personnel there are no challenges foreseen in the ability to safely operate the plant. In response to Mr. McWhorter's inquiry Mr. Peck stated the new retention proposal, although still under consideration will go through the entire period to the end of 2030. In response to

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Consultant McWhorter Mr. Peck stated with entry level personnel including what operators and security personnel there have been no challenges in recruitment and hiring, but he stated niche engineering specialties require more effort. He observed the location of DCPD is generally considered to be an asset in recruiting personnel and depending upon the operational needs of a specific department DCPD is able to offer schedule flexibility.

In response to Dr. Lam's observation that the compensation packages offered by DCPD are more than competitive with other facilities Mr. Peck agreed, but Mr. Peck commented many persons who work in the nuclear industry join a plant staff with the expectation of spending their entire careers at that facility and the reason for the retention packages is to retain the current staff and to compensate for the uncertainty with the expectation for how long the plant may operate. In response to Dr. Budnitz' observation Mr. Peck confirmed it is mid-career personnel who have the most difficult decision as to whether to make a career move to join DCPD and he noted the cost of living in other areas with nuclear power plants can be much lower than in the San Luis Obispo area. In response to Dr. Budnitz' observation Mr. Peck stated this is not unique to DCPD or the San Luis Obispo area and is applicable in varying degrees to many persons coming to California from out of state. He remarked this has not been a substantial problem but is one reason DCPD is placing a focus on the local community in its recruiting efforts. Dr. Peterson remarked in his view it is good to focus toward recruiting personnel who are early in their careers and at the same time to capture the knowledge of senior personnel. Mr. Peck agreed and remarked DCPD has a strong partnership with Cal Poly with its intern programs and he reported relative to knowledge transfer DCPD is fortunate that many DCPD retirees have agreed to return in support of knowledge transfer or to assist with a particular project. In response to Dr. Budnitz' question Mr. Peck replied DCPD has not experienced a problem in recruiting personnel from the information technology fields. In response to Dr. Kadak's question Mr. Peck reported, together with the Humboldt Bay Nuclear Power Plant workforce and the Decommissioning organization's personnel, the workforce at DCPD now consists of approximately 1,150 persons and there are approximately 40 persons now employed by an integrated contract service supplier who perform principally construction types of work.

The Chair thanked Mr. Peck for a very informative presentation.

Mr. John Geesman representing the Alliance for Nuclear Responsibility was recognized. Mr. Geesman stated the Alliance for Nuclear Responsibility spent time lobbying for SB1090 several years ago to ensure the full retention package which was part of the Joint Proposal and was subsequently implemented after the CPUC did not fully endorse that proposal. Mr. Geesman reported Mr. Peck presented a very positive report and he remarked every report presented on DCPD workforce matters since 2016 has been positive but he remarked in light of the NRC's recent Problem Identification and Resolution (PI&R) Inspection Report some difficulties in the workforce have eluded both PG&E and the DCISC and perhaps until recently the NRC. He stated the NRC's report indicted every DCPD workgroup that the NRC inspectors interviewed stated resources are a challenge at the station and things are caused to be rushed and employee experience excessive stress as a result and some individuals believe the resource issues will not be fixed. Mr. Geesman stated his question to the Committee was whether the Committee Members and the Technical Consultants have sufficient expertise on workforce matters to fully investigate those conclusions and he commented the Committee's inquiries might be well-served

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by employing a specialized consultant and he remarked there is a need to go beyond anecdotal reports presented at the DCISC's public meetings. Dr. Lam remarked Mr. Geesman raised the issue as to whether the DCISC should open a deeper inquiry concerning morale of the DCPD operating staff. Dr. Budnitz commented the DCISC has scheduled a review of the topics addressed by Mr. Geesman at its April 2023 fact-finding and it cannot assess what the Committee's needs might be until it has that discussion with DCPD. Mr. Peck responded the prospect of continued operation has the DCPD team in very good spirits, but he observed 2022 was a very full year for DCPD with two refueling outages and major NRC inspections and industry evaluations scheduled. Mr. Peck remarked the process of conducting license renewal activities would have been easier if that effort would have occurred between 2009 to 2024 instead of what is now a much shorter period. Mr. Peck confirmed in response to Dr. Lam's query that that his office door is always open, and he spends a lot of time in the plant assessing and discussing performance and ensuring the workforce has what they need to be successful in their jobs. He confirmed that he and his staff are openly welcoming of any view of discussion with plant staff in terms of their feelings about workload, proficiency or support.

Ms. Judy Jones was recognized. Ms. Jones inquired whether newly hired personnel are guaranteed a certain number of years of employment. Mr. Peck stated no such guarantees regarding employment duration are offered. Mr. Jones reported PG&E has a severance program and in the event relicensing was not successful there would be some compensation if a newly hired persons position was eliminated. He also remarked as required by the Joint Proposal there is an effort to transition the DCPD workforce into other areas of PG&E's lines of business. Mr. Peck observed DCPD employees are highly skilled and qualified and are much sought after in other areas of PG&E's business. Mr. Peck observed PG&E's current Chief Safety Officer and Chief Risk Officer are both former DCPD employees. Dr. Peterson commented he favors the wider application of Wi-Fi technology in the plant and moving toward electronic procedures as both can objectively improve plant safety and these applications also create opportunities for the plant staff to acquire new skills which are beneficial to them independent of the future of DCPD and he remarked creating these opportunities for plant staff make it more attractive to remain at DCPD.

Mr. Rathie reported an email was recently received from Mr. Tony Harrell, a former DCPD employee, and Mr. Harrell stated he was in support of extended operation for five more years provided the primary and secondary sides of the plant are considered by the Committee to be safe.

XIX ADJOURN EVENING MEETING

The evening session of the DCISC was adjourned by its Chair Dr. Peter Lam, at 7:33 p.m. and Dr. Lam reported the Committee would reconvene on the following day at 9:00 A.M.

XX RECONVENE FOR MORNING MEETING

The February 16, 2023, public meeting of the Diablo Canyon Independent Safety Committee was called to order by its Chair, Dr. Peter Lam at 9:00 a.m. This was the second day of a two-day meeting. Dr. Lam welcomed those attending in person and by Zoom Webinar and

watching the proceedings on livestreaming video.

XXI COMMITTEE MEMBER COMMENTS

There were no comments by members at this time.

XXII PUBLIC COMMENTS AND COMMUNICATION

The Chair extended an invitation to members of the public to address remarks to the Committee on matters not on the agenda for this public meeting and invited any comments from members of the public who wished to address the Committee to do so now.

Mr. G. Bruce Severance was recognized. Mr. Severance stated he serves as a member of the Diablo Canyon Decommissioning Engagement Panel but would be speaking this morning as an individual. Mr. Severance stated he has read a number of articles concerning the tests that can be done on reactor cores including at the Palisades Nuclear Generating Station in Michigan where he stated he believed the testing was for hairline cracks in the reactor vessel and he stated he was unaware of exploratory tests being done [at DCP] to look for reactor vessel cracks. Mr. Severance inquired if there was due diligence or other types of tests that could be performed to assess reactor vessel weakness. He observed SB846 requires a decision on additional funding for extending operation of DCP by August or September 2023 and he queried whether the Committee has to make its decision deeming the plant safe enough so that the funding will be provided without such due diligence and whether the Committee was considering its safety oversight role in the long term or specifically in terms of qualifying the plant for funding under SB846. Mr. Severance stated he understood there is a calculation for determining a regulatory based time limit for determining reactor vessel safety in terms of pressurized thermal shock and that he understood DCP has been approved for operation through 2025, but the regulatory limit had been extended. He inquired if there is a calculation for the safe amount of time that Unit 1 and Unit 2 can be operated within the regulatory limit for pressurized thermal shock and if so, what is that limit currently and what would it have to be in order for the limit to be recalculated and verified between now and September 2023.

Dr. Peterson responded and stated with respect to the reactor vessel there are routine in-service inspections of the reactor vessels that occur during refueling outages to identify and monitor and degradation, particularly for the reactor vessel internals. Dr. Peterson reported a recent outage involved replacement of baffle bolts which were found to be degraded. **Dr. Peterson requested the Consultants to identify fact-finding reports which contain the Committee's reviews of reactor vessel in-service inspections.** He reported the DCISC will be continuing and updating its review of information related to the question of reactor vessel embrittlement, sample coupons, and implications for response to pressurized thermal shock. In response to Mr. Severance inquiry as to whether another surveillance coupon analysis will be performed Consultant McWhorter replied the Committee understands DCP plans to remove the remaining surveillance coupon from Unit 1 during the fall 2023 refueling outage. Dr. Lam replied over the past decade the Committee has made numerous inquiries concerning this issue and he understood a supply of the material which comprises the reactor vessel had been located in a storage facility and PG&E has in the past successfully retrieved surveillance coupons but ran out of coupons a few years ago. He reported that analyses of most if not all of the surveillance

coupons demonstrated they received sixty years of reactor [neutron?] fluence and still passed the mechanical test, that is, a test to demonstrate the integrity of the reactor vessel. Dr. Budnitz reported when DCPD applied for a twenty year license extension during 2009-2010, the application was in the final stages of review in 2016 when the Joint Proposal was entered into, and the license extension application withdrawn. This license submittal covered several topics including the issue raised by Mr. Severance and made a case that the reactor vessels should be safe in accordance with NRC regulations for the extra twenty- year license extension period. Dr. Budnitz reported a regulatory change occurred in 2010-2011 wherein the NRC adopted a second regulation, 10 CFR 50.61a, that could be used as an option to meet pressurized thermal shock embrittlement criterion and at that time PG&E made the case which the NRC reviewed and approved in the Safety Evaluation Report that the DCPD reactor vessels would be within the regulation for sixty years of operation. Dr. Budnitz stated the DCISC also reviewed this issue at that time and agreed and will review it again in context of the new license renewal application as there is new information and more advanced metallurgist analyses developed since 2009-2010 which allows decisions to be supported with less uncertainty and therefore more confidence. Mr. Severance stated he appreciated the Committee's diligence and he previously posed the question if the surveillance coupon analysis subjects the material to a stress test how can a calculation that estimates using what he described as a "fuzzy math modeling" of embrittlement be preferable to an actual stress test. He also wondered why the coupon analysis from 2002 is no longer available on the NRC ADAMS (Agencywide Documents Access and Management System) document system. Mr. Severance stated PG&E is very quietly eliminating any discussion of material stress testing and substituting a fuzzy math model calculation using two different calculation methods which he stated did not inspire his confidence nor did the NRC's approval of an alternate regulation. He stated his understanding that only one surveillance coupon has been removed and analyzed from Unit 1 and DCPD has applied for a waiver from any further surveillance coupon analysis after 2002 and he stated he did not believe some of the information given to him today was correct. Mr. Severance stated his belief the Committee should insist on a process to minimize the margins of uncertainty and he expressed his belief the calculation methods reduce those margins but rather intentionally increase them.

Dr. Lam replied Mr. Severance in his comments raises a very important issue regarding reactor safety and the pressurized thermal shock phenomena, an issue Dr. Lam observed that does not lack for controversy. He observed some years ago one of the DCPD reactor vessels did not meet the NRC license renewal criteria under what he described as the old pressurized thermal shock rule which was then joined by the alternate rule under 10 CFR 50.61a as adopted by the NRC, the application of which is not mandatory. Dr. Lam remarked there were allegations by members of the public that the NRC adoption of the alternate rule was politically motivated to enable DCPD to renew its operating licenses. Dr. Budnitz observed and Dr. Lam agreed these allegations were subsequently rebutted by evidence. Dr. Budnitz stated that when he served as the NRC Director of the Office of Research he was involved in and approved the creation of the research program that reviewed the first pressurized thermal shock rule which he described as conservative due to the state of knowledge at the time it was adopted. Dr. Budnitz stated the research program took ten years to complete and he left his position as the Director of Research one year after that research program commenced and therefore he had no role in the development of 10 CFR 50.61a.

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Mr. Severance thanked the Committee for the discussion and its patience in allowing him to ask multiple questions. He stated he appreciated the Committee assurance that it will investigate the issues he raised.

Ms. Donna Gilmore was recognized. Ms. Gilmore expressed her thanks to Dr. Budnitz for responding to her comments regarding reactor down days. She stated she appreciated the Committee's process because it allows time for a discussion. She stated her research found that one or both DCPD reactors were down during 2020 for 153 days, for 2019 for 149 days, and for 2018 for 163 days. She commented as the plant is aging the data on its non-operable days is more relevant than during prior years. She inquired if there was a way to compare the information provided previously during the meeting that the plant was down an average of 30% over the period she cited and the source of her information for her review and the statistics she provided was obtained from the NRC power reactor status report.

XXIII ACCEPTANCE OF MINUTES

This item concerned review and acceptance of the Minutes of the Committee's September 28-29, 2022 public meeting conducted in Avila Beach and as a Zoom Webinar. A draft of the September 2022 Minutes was included in the public agenda packet for this meeting. The Members and Consultants reviewed the Minutes and provided corrections and substantive changes to certain wording which will be included in the final version of the September 2022 Minutes. The Members and Technical Consultants also discussed some of the follow-up actions to be taken, provided clarification concerning typographical errors and the accuracy of certain statements in the Minutes and made editorial comments and changes concerning the draft of the September 2022 Minutes.

The Minutes of the Committee's public meetings in their final accepted form become part of its Annual Reports on Safety of Diablo Canyon Nuclear Power Plant Operations. Upon a motion made by Dr. Budnitz, seconded by Dr. Peterson, the Minutes of the Committee's September 28-29, 2022 public meeting were accepted subject to inclusion of the changes provided to the Committee's Assistant Legal Counsel. As revised, the September 2022 Minutes will become a part of the Committee's 33rd Annual Report. Dr. Kadak stated he wished to congratulate Mr. Rathe on completing the Minutes, which he stated was a monumental task which serves the public well. Mr. Rathie thanked Dr. Kadak and he stated it would not be possible to produce Minutes of the Committee's public meetings without the able assistance of Ms. Denise Righetti who listens to and then accurately transcribes the dialogue from the recordings provided by the technicians of AGP Video.

Ms. Donna Gilmore was recognized. Ms. Gilmore commented on the discussion of Item 9/22PM-22 on the Open Items List from the previous day in that references to a "cask" in the context of the Orano spent fuel dry storage system were not correct as the Orano system uses canister and the comment about the Orano closure system being bolted was also incorrect as no bolts are used as part of its closure system. Mr. McWhorter stated Ms. Gilmore was correct and Ms. Gilmore reiterated that the use of the term cask and canister are not synonymous and there are major differences. Mr. Jones remarked that an amendment of a report should only be made by the parties present if a term was used that is in general use in the industry. Mr. Wardell

observed the reference in the Open Items List was to the horizontal storage modules (HSMs) which are bolted in place and Ms. Gilmore concurred that references to the HSMs do not involve canisters or casks.

XXIV STAFF REPORTS (Cont'd.)

The Chair requested Assistant Legal Counsel Rathie to make the next report.

D. Assistant Legal Counsel Robert W. Rathie Administrative, Regulatory and Legal Matters

Mr. Rathie reported provisions of the Administrative Law Judge's ruling in the pending Order Instituting Rulemaking pending before the CPUC provides for the fact finding reports to be approved at this public meeting and for those approved at the public meetings to be held in June and September 2023 to be incrementally reviewed and noticed in the proceeding for comments by the parties, with the reports from the September 2022, February 2023 and June 2023 all being subsequently incorporated into the 33rd Annual Report. In response to Consultant McWhorter's question Mr. Rathie confirmed after their approval at a public meeting the fact finding reports are public records and can be placed on the Committee's website. Approved fact finding reports are also made available in the meeting room during each public meeting after their approval. Mr. Rathie offered his congratulations to Dr. Budnitz on Dr. Budnitz recent reappointment to a three-year term on the Committee (2022-2025) by California Attorney General Rob Bonta. Mr. Rathie reported the next appointment is due to be made by Governor Newsom and Dr. Peterson is one of three candidates under consideration. Concerning regulatory matters he stated there was a discussion on the previous day concerning moving forward to ensure sufficient funding is provided for the Committee's activities in connection with its review of potential extended operation of DCPD and Mr. Rathie reported he recently attended a meet and confer proceeding with PG&E and OIR party representatives after which informal comments were filed on the Committee's behalf. Mr. Rathie stated the next meeting of the Independent Peer Review Panel which conducts review of seismic issues in the area of DCPD is scheduled for April 2023 and the DCISC Legal Counsel's Office has been working with the CPUC Energy Division on the interpretation and application of Public Utilities Code §712.1, newly enacted by SB846. In concluding his report he commented on the traffic on the DCISC's website at www.dcisc.org which was visited during 2022 by 1,252 individuals who conducted 1,630 sessions with the most visitors coming from the United States, South Korea, India, the United Kingdom, Canada, Germany, Russia, China and France in that order. Mr. Rathie reminded the Members and Consultants to provide content and photos for use on the website.

XXV INFORMATION ITEMS BEFORE THE COMMITTEE (Cont'd.)

The Chair asked Mr. Jones to introduce the next informational presentation. Mr. Jones reported there will be three speakers this morning from PG&E and he then introduced DCPD Senior Director and Station Director Mr. Dennis Petersen. Mr. Jones reported Mr. Petersen holds a Bachelor of Science Degree in Aeronautical Engineering from California Polytechnic University at San Luis Obispo and has been employed at DCPD for more than 35 years. Mr. Petersen has previously held leadership positions as Director of Training Programs and Director

of Quality Verification Programs and as outage manager. Mr. Petersen was Director of Operations prior to assuming his present role.

Presentation on the State of the Plant including Key Events, Outages, Highlights, Organizational Changes, Preparation for Refueling Outage 2R23, and Other Station Activities since the DCISC's September 2022 Public Meeting.

Mr. Petersen stated in his presentation he would provide an update on the station's operation and upcoming key activities. He reported both DCPD units are operating at 100% power with no challenges to generation and all probabilistic risk assessment indicators and NRC Performance Indicators currently in Green⁸ status.

Mr. Peterson reported refueling outage 2R23, the twenty-third refueling outage for Unit 2, took place between October and November 2022. He reviewed the goals set and the actual performance for events and activities during 2R23 as follows:

<u>Event/Activity</u>	<u>Goals</u>	<u>Actual</u>
Serious Injury or Fatality (SIF) events	0	0
Nuclear Safety Events	0	0
Site Clock Resets	0	0
Outage duration	< 35 days	39 days 21.5 hours
ALARA (Rem)	< 14.8	14.210
Significant Foreign Material Exclusion events	0	0
Power Ascension	< 5 days	3 days 4.5 hours

Mr. Wardell reported the ALARA (As Low as Reasonably Achievable) performance as to dose received during the outage was very good and Mr. Petersen confirmed with the performance during 2R23 DCPD has now established itself as having achieved the lowest dose performance of any nuclear power plant in the nation. Mr. Petersen reported as a result of the COVID-19 pandemic DCPD instituted a remote briefing process to simplify radiological briefings and that practice has been retained and has proven an efficient briefing method which other utilities are presently benchmarking.⁹ In response to Consultant Wardell's inquiry Mr. Petersen confirmed that following 2R23 DCPD achieved its goal of operating for a minimum of 90 days without any issues. **In response to Consultant McWhorter's inquiry, Mr. Petersen reported the post outage critique identified several dozen actions which he offered to review with the Committee during a fact finding.**

Mr. Petersen reported in January 2023, power was curtailed, in accordance with what Mr. Petersen described as very good modeling procedures for ocean swell activity, to 24% for both

⁸ The safety significance characterizations used for the performance indicators as either Green (very low), White (low to moderate) Yellow (substantial) or Red (high). A Green non-cited violation indicates very low safety significance, with no impact to public health and safety.

⁹ Benchmarking is the practice of comparing business processes and performance metrics to industry bests and best practices from other companies.

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units due to very high energy ocean swell activity, with 20 foot swells with a 20 second period and a significant amount of natural debris being swept into the intake cove which he reported would then deposit on the travelling screens and bar racks at the Intake structure. Following the peak of the swell activity power was restored to 50% and a rough cleaning (i.e., a pick & dredge) of the forebay and the upswept areas of the [circulating water] tunnels was conducted and upon completion both units were then returned to full power. In response to Dr. Kadak's query Mr. Petersen reported large ocean swells with long periods define the overall energy the ocean exerts on the shoreline and this tends to uproot the root balls of the bull kelp which then moves with the current into the Intake Cove and deposits on the bar racks and travelling screens that screen out debris from entering and depositing on the tube sheets and fouling the condensers. When the circulating water pumps are shut down debris falls into the tunnels and can be retrieved. He reported there is no structural impact on the travelling screens from this debris. Mr. Jones reported there has been no damage or displacement impact on the breakwater for the entire forty years of its operation and Dr. Budnitz confirmed the DCISC reviewed the design of the intake facilities and found the structural integrity to have significant margin. Mr. Petersen, in response to Dr. Kadak's query, reported the projected tsunami wave height is 33 feet and the Turbine Building foundation is located at 85 feet elevation.

Mr. Petersen reported there is a tunnel cleaning planned for Unit 1 in March 2023 and there are routine diesel generator maintenance windows planned for May, June and August 2023.

Mr. Petersen reported changes to the DCPD organization were made in response to the state's request to extend the operating licenses including to the Outage Management, Nuclear Projects, and License Renewal organizations.

Mr. Petersen reviewed the daily load profile for both units for 2022 and observed for most of 2022 except for planned refueling outages and a few curtailments for pick & dredge both units operated at approximately 100% power. Mr. Petersen commented on the discussion earlier in this meeting on capacity factor and he reported for 2022 the capacity factor was 90% for both units. He reported capacity factor is calculated by measuring on an hour-by-hour basis net generation produced by the generator, less the house loads, and divided by the maximum theoretical generation for each hour. He reported for 2021 between both units the capacity factor was 84% which was influenced by the work on the Unit 2 Main Generator and for 2020 the capacity factor was 83%. **Mr. Peterson offered to review the data for each year from 2022 to 2018 with the DCISC at a fact finding and he stated the statement that the plant was down 40% of the time during that period was incorrect.**

Mr. Petersen concluded his presentation by reviewing upcoming station activities during 2023 as including:

- Nuclear Safety Oversight Committee (NSOC) Site Visit: Feb 20-24,
- NRC Security Access Authorization & Controls Visit: Feb 27-Mar 3,
- NRC Commercial Grade Dedication Inspection: Mar 27-Apr 14, and
- NRC Licensed Operations Requalification and Performance Inspection: May 15-18.

In response to Dr. Lam's inquiry concerning the NRC Commercial Grade Dedication Inspection Mr. Garcia replied the inspection takes place every two or three years and the inspection team visits DCPD and then leaves and returns, so the team is not on site for the entire two-week period. The inspection team's focus is on items of commercial grade which Mr. Garcia for which the term replacement part equivalents is used. Dr. Budnitz explained certain items must meet particular specifications and nuclear standards, but for other items meeting commercial standards can sufficient but those items must meet and be accepted on a specific, defined, basis and the procurement of these items needs to be justified in accordance with industry regulations and standard codes endorsed by the NRC including those of the Institute of Electrical and Electronic Engineers (IEEE) and the American Society of Mechanical Engineers (ASME) for the procurement of items to meet nuclear needs. Dr. Lam observed there have been reports in the media about nuclear power plants globally having acquired parts that lacked authentication as to their being adequate for use in nuclear facilities. Mr. Petersen stated the purpose of the inspection is to ensure the process at DCPD is aligned with industry regulations and industry standards. Mr. McWhorter reported the Committee has reviewed the Commercial Grade Dedication Program at DCPD in the past during fact-finding.

Ms. Donna Gilmore was recognized. Ms. Gilmore stated after hearing Mr. Petersen's presentation she realized the measurement she was using was based on numbers different than those reviewed by Mr. Petersen and her data was to determine how many days the California Independent System Operator (Cal ISO) could count on DCPD's reactors being available while she described Mr. Petersen's data as measuring their overall efficiency. Mr. Petersen replied and pointed out that all DCPD refueling outages are coordinated through PG&E's energy trading partner and through the Cal ISO who has the responsibility to ensure there is enough spending reserve throughout the day for every day of the year and he remarked those parties depend on DCPD to be at 100% power through the summer months and the plant has done just that. Ms. Gilmore stated she agreed with Mr. Petersen, and she remarked that some outages are unplanned and for those outages there needs to be backup. Ms. Gilmore further commented that both Orano, Holtec and the NRC have all chosen not to follow the ASME N3 standards which were developed specifically for containers used to store or transport high level nuclear waste including spent nuclear fuel and the only systems that meet the ASME N3 standards are the thick-walled cask systems.

Mr. G. Bruce Severance was recognized. Mr. Severance inquired concerning a presentation made some years ago to the Committee which identified the statistical probabilities of the potential for undersea landslides on the step continental shelf offshore from DCPD. He stated the presenter had complained the concerns raised were not followed up by PG&E and funding was not provided for further study. Mr. Severance commented that his concern was not that whether a tsunami might exceed 80 feet but rather the effect of a 15-minute drawdown of the water level which might occur prior to the arrival of the tsunami and cause the need for an immediate plant shutdown. He further remarked the potential for interrelated events such as a tsunami and an earthquake does not appear to be considered in the Failure Modes and Effects Analysis (FMEA) performed as part of the Safety Analysis Report prepared by PG&E for the relicensing effort in 2010 and he inquired if this sort of combined fact analysis was required. Dr. Budnitz replied in 2014 the DCISC hired Dr. Robert Sewell as its consultant to do a thorough evaluation of the tsunami hazard and the potential effects and Dr. Sewell's conclusions were

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presented at several public meetings. Dr. Budnitz reported at the conclusion of his study Dr. Sewell determined the risk was present but the likelihood of a tsunami causing a safety compromise to the plant was very low. The study conducted by Dr. Sewell is available on the Committee's website. Dr. Budnitz further observed PG&E also performed a very extensive study with experts concerning the hazards posed by a tsunami.

Mr. Robert Sarvey was recognized. In response to Mr. Sarvey's inquiry Mr. Petersen reported the DCPD house load was approximately 50 megawatts for each unit.

Ms. Donna Gilmore was recognized. Ms. Gilmore observed that the demands which are and will be placed on the supply of electric power due to the use of electric powered vehicles is not a seasonal load and she stated she doubts whether data on generation efficiency provides the information necessary to determine how much load the California energy regulators will be able to count on being available on a daily basis.

Dr. Lam thanked the members of the public for their remarks and a short break followed.

Mr. Jones then introduced the Director of Risk and Compliance, Mr. Jordan Tyman, to make the next presentation concerning the NRC's assessment of plant performance. Mr. Jones reported Mr. Tyman is responsible for oversight of the Risk Management Program and also has responsibility for Nuclear Cyber Security Planning. Mr. Tyman has been employed by PG&E for seven years and spent ten years before coming to PG&E at Westinghouse Electric leading major projects on the design and construction of the AP 1000 reactors. Mr. Tyman is a member of the Cal Poly Cyber Security Program Advisory Board and holds a Degree in Mechanical Engineering from the University of Massachusetts.

Update on the Status of NRC Performance Indicators, Licensee Event Reports, NRC Inspection Reports and Notices of Violation, Issues Raised by NRC Resident Inspectors, Open Compliance Issues and Current and Future License Amendment Requests, and Other Significant Regulatory Issues/Requests.

Mr. Tyman stated during his presentation he would provide an overview of DCPD's regulatory performance since the last meeting of the Committee in September 2022. He stated he wanted to highlight the independent external oversight provided by the Corrective Action Program as a key tenet at DCPD which helps drive continuous learning and continuous improvement as well as the principles of self-awareness and self-correction. Mr. Tyman stated his report would cover a period including approximately 2,000 hours of NRC inspection oversight. During this period there were no violations of more than very low level safety significance and DCPD met and remained in the highest performance category, Column 1, under the NRC Reactor Oversight Process. He reported the NRC also reviews 16 key performance indicators, all of which remain Green¹⁰ with respect to each performance category.

Mr. Prentice reported the performance indicators used in the NRC's Regulatory

¹⁰ The safety significance characterizations used for the performance indicators as either Green (very low), White (low to moderate) Yellow (substantial) or Red (high). A Green non-cited violation indicates very low safety significance, with no impact to public health and safety.

Oversight Process all remained in Green¹¹ status for both units in all areas.

Two violations of very low safety significance were issued by the NRC since the last public meeting of the DCISC. He discussed each as follows.

➤ Timely Identification of Corrective Actions - the NRC found DCPD was identifying and documenting problems at an appropriate level but concluded the notifications¹² could have been entered in a timelier manner. Mr. Tyman stated 60 to 80 notifications are issued each day. He stated notifications may address a wide range of issues from industrial safety hazards to very minor deficiencies and no work is performed at DCPD without the work going through the Corrective Action Program. Consultant McWhorter inquired as to a recent NRC inspection report [the PI&R Inspection Report] from which Mr. McWhorter stated one would question the extent of condition and what specifically DCPD is doing to review extent of condition issues to ensure the threshold remains low entering items into the Corrective Action Program. Mr. Tyman replied DCPD reviewed its procedures, processes and definitions to reinforce management expectations for addressing in a timely manner issues of very low safety significance. **In response to Consultant McWhorter's query concerning DCPD response to comments in that NRC [PI&R Inspection] report concerning nuclear safety culture Mr. Tyman responded DCPD has evaluated the feedback provided by the NRC which found that, although a strong safety culture exists, there was a need for continued focus as the plant moves forward to continued operation. He stated efforts are under review for corrective action by DCPD's Safety Conscious Work Environment Monitoring Panel. Mr. Garcia and Mr. McWhorter agreed that this issue and employee safety culture should be reviewed during a future fact finding.** Mr. Wardell reported the Committee received a letter from Mr. John Geesman, representing the Alliance for Nuclear Responsibility, concerning comments made by the NRC in its recent report [PI&R Inspection Report] and Mr. Wardell commented the NRC concluded in that report DCPD's staff performance in each of the areas reviewed by the NRC adequately supported nuclear safety and employees appeared to be willing to raise nuclear safety concerns through at least one of the several means available to them.

➤ Mr. Tyman reported the second violation of very low safety significance involved reportability under the criteria given by 10 CFR Part 50 and 10 CFR Part 21 when the NRC found DCPD procedures should be reinforced and enhanced to provide better clarity on how reporting is done under those two regulations. In response to Dr. Lam's inquiry Mr. Tyman stated each regulation focuses on a different area, with reporting under Part 50 involving the identification of an issue exceeding a threshold at which the NRC needs to be notified, while Part 21 reporting is focused around parts that are either provided by a vendor or by the licensee which do not meet quality requirements. In response to Consultant McWhorter's observation Mr. Tyman stated the NRC's PI&R Inspection report looks across all the plant's programs and as to how the plant is implementing the Corrective Action Program and he stated there is a

¹¹ The safety significance characterizations used for the performance indicators as either Green (very low), White (low to moderate) Yellow (substantial) or Red (high). A Green non-cited violation indicates very low safety significance, with no impact to public health and safety.

¹² Notifications are electronic documents entered into the Corrective Action Program during daily operation.

relationship between Part 21 reporting requirements and the Commercial Grade Dedication Program discussed previously by Mr. Petersen.

Mr. Tyman reported since the last meeting of the Committee DCPD has issued one Licensee Event Report which involves a minute pressure boundary indication within a branch line of the Reactor Coolant System. There was no impact to employee or public safety and he reported DCPD is working through the corrective actions to ensure it does not reoccur.

In concluding his presentation Mr. Tyman stated DCPD embraces the external independent oversight provided by its regulators as a key tenet of the plant's program for continuous improvement and corrective action. DCPD continues to remain at the highest performance category and to meet all performance indicators. Both the violations he described were of very low safety significance. In response to Dr. Lam's inquiry concerning recent staff turnover in the NRC resident inspection program Mr. Tyman replied the NRC and the nuclear industry have experienced workforce attrition issues through retirements and he commented DCPD continues to receive the appropriate level of oversight and to be challenged by appropriate evaluations by the two NRC resident inspectors assigned to the station. He observed the NRC also has a spectrum of inspection programs and that the resident inspectors rotate so inspectors other than the resident inspectors are involved with evaluation of plant programs and he remarked DCPD is not seeing significant reductions in either the quantity or quality of enforcement oversight. Dr. Budnitz observed the numerous NRC inspection activities have been prioritized and informed with regard to risk significance over the period of the last decade by the NRC's use of probabilistic risk assessment (PRA) analyses, provided both the NRC and by the plant. Dr. Budnitz commented the PRA is peer reviewed and is guided by following an American National Standard developed by ASME and the American Nuclear Society (ANS) which Dr. Budnitz described results in a thorough, in-depth, and very intrusive PRA which provides a strong technical basis for reliance. He stated that if something is accordingly assigned a very low safety significance it is not just PG&E's opinion but represents a very robust finding which then allows the NRC, the plant, and the DCISC to assign priorities to their respective reviews. Mr. Wardell commented at the September 2022 public meeting the DCISC inquired of the Senior Resident Inspection for DCPD, Mr. Mahdi Hayes, how many plants were currently within Column 1 of the NRC Reactor Oversight Process and Mr. Wardell reported Mr. Garcia has now provided the answer that there are 87 nuclear power plants are currently in Column 1, with 6 plants now in the regulatory response column.

Mr. John Geesman representing the Alliance for Nuclear Responsibility was recognized. Mr. Geesman stated there were distinct and different perspectives on the quality, diligence and thoroughness of NRC inspections and NRC oversight. He directed the Committee's attention to a report by the NRC Office of the Inspector General (OIG) which reviewed various inspections associated with the pipe rupture of the DCPD Auxiliary Feedwater System which he described as among the top ten most risk-important systems. He stated the OIG's report concluded there was concern about the appearance of less than optimal regulatory oversight. He observed the NRC inspectors did respond and disputed the OIG's findings but the Inspector General stood by the conclusion in the report. Drs. Budnitz and Lam responded and stated that the DCISC reviewed the OIG report cited by Mr. Geesman but the Committee does not rely or base its independent

judgment on the NRC's reports, but they acknowledged the OIG report is relevant to the Committee's inquiry.

Mr. Tom Marrè was recognized. Mr. Marrè commented he believes DCPD is a target for a cyber security attack which he described as being a huge issue. He asked for the DCISC's comments. Dr. Peterson replied and stated with respect to the different analog and digital systems in the plant it is important to understand they are segregated by function. He reported many reactor safety features are intrinsic physical responses of the reactor system itself which are designed to have negative temperature feedback for both the fuel and the coolant temperatures so that in cases where those temperatures rise, the fission reaction will slow down and stop. In addition there are basic reactor safety functions that involve insertion of control rods and shutdown elements to stop the fission reaction and to remove decay heat. Dr. Peterson observed the equipment that performs those safety functions is controlled by the Eagle 21 Reactor Protection System, a system from the 1980s which has no USB connections or anything of that nature and which has a reliable safety-related power supply. These systems are afforded the highest level of cyber security protection. Plant control involving non-safety related functions are also isolated and segregated and use modern digital technology. Dr. Peterson stated modern technology comes with a set of additional risks with respect to cyber security. He observed the ability to use sensors and Wi-Fi to collect and monitor plant health data and thereby improve reliability and safety has enormous potential to improve opportunities for detecting degradation and those systems are isolated from the control and protection systems by data diodes which thereby lower the potential consequences of a cyber attack. He emphasized that segregation is a critical element for cyber security but there are also inadvertent errors that plant personnel can make and there are human factor protocols employed to reduce the risk of mistakes that may cause problems and these also have security benefits and are better investment of resources than having armed security. Mr. Tyman agreed and commented the NRC cyber security requirements mandate layers of defense in depth in protecting the highest risk components and look holistically at protecting all components.

In response to Dr. Kadak's inquiry concerning DCPD's response to the NRC's conclusions in the PI&R Inspection Report Mr. Tyman stated DCPD's individual corrective action is to provide reinforcement to personnel through a dialogue on the expectations within procedures that are already defined, and the plant's response is still in the corrective action stage with appropriate corrective actions and procedural changes being evaluated but Mr. Tyman stated it is up to DCPD employees to be able to identify the expectations for entering items into the Corrective Action Program. Mr. Tyman and Mr. Garcia offered to review this issue during a future fact finding. In response to Dr. Kadak's inquiry as to how many notifications are cleared each day Mr. Tyman stated the risk-informed approach described earlier by Dr. Budnitz is employed which provides a matrix of prioritization which is then implemented based on risk significance.

Mr. G. Bruce Severance was recognized. Mr. Severance stated he remains concerned about risk assessment of the Failure Modes and Effects Analysis (FMEA) as to whether or not NRC regulations require the FMEAs in a license extension application included in the Safety Analysis Report (SAR) to provide an assessment of radiological embrittlement in combination with a design basis event such as an earthquake or a tsunami resulting in multiple system

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interaction and failure modes. He asked whether anyone on the Committee could provide a yes or no answer to his question. Dr. Budnitz confirmed that if an earthquake were to trigger cold water injection that could lead to pressurized thermal shock that scenario is required to be a part of the other scenarios. Dr. Lam reminded Mr. Severance that comments at this time are reserved for the speaker's presentation.

Dr. Lam asked Mr. Jones to introduce the next speaker. Mr. Jones then called upon Site Vice President Mr. Adam Peck, who made a presentation to the Committee earlier during this public meeting, to make the next presentation.

Results of the 2022 Operating Plan and Key Elements of the 2023 Operating Plan.

Mr. Peck stated he would be discussing the values, beliefs and behaviors DCPD expects from plant personnel including results of the 2022 Operating Plan and a review of the 2023 Operating Plan.

For 2022 Mr. Peck stated the State of California asked DCPD to determine what would be required for continued operation of the power plant. During 2022 DCPD continued to remain in the highest performance category for the NRC and conducted two refueling outages, for Unit 1 in the spring and for Unit 2 in the fall. Both outages, which Mr. Peck described as complex undertaking with over 10,000 different activities were completed with no challenges to nuclear safety or human performance issues. Mr. Peck reviewed and discussed with the Committee the results of the 2022 Operating Plan goals which he described as essentially representing safety goals as follows:

<u>Metric</u>	<u>Goal</u>	<u>Actual</u>
Reliability & Safety Indicator (10 metrics)	≥ 94.0	96.0
1R23 Cumulative Outage Radiation Exposure	≤ 18.35 Person REM	18.33 Person REM
2R23 Cumulative Outage Radiation Exposure	≤ 14.80 Person REM	14.21 Person REM
Days Away, Restricted or Transferred Cases	1 st Quartile	1 st Quartile
Lost Work-Day Cases	1 st Quartile	1 st Quartile
Regulatory Findings	No Significant	No Significant
NRC Reactor Oversight Process	Column 1 & No Cross-cutting issues	Column 1 & No Cross-cutting issues

In response to Dr. Kadak's question Mr. Peck explained the Reliability & Safety Indicator is a combination metric that measures ten sub metrics including dose, on-line reliability, loss factor to scrams and shutdowns, chemistry effectiveness, and safety-related system availability among others. He explained the lost workday and days away metrics were federal Occupational Safety and Health Administration (OSHA) metrics of industrial safety performance.

Mr. Peck identified, discussed and described the elements of PG&E's corporate culture instilled under the leadership of PG&E's Chief Executive Officer Ms. Patricia Poppe which include the alignment of the concepts of purpose, virtues, and stands, that is, what the corporation intends to deliver, with the work of operating DCPD. Dr. Lam remarked during his

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almost 15 years of service on the DCISC these were the most compassionate corporate statements that he has seen. Mr. Peck described the mission of DCPD as to safely generate clean, reliable and affordable energy which under SB846 benefits all Californians. He stated the DCPD workforce needs to earn the right each day to continue to operate the plant and to hold each other accountable for the standards set and to plan, prepare and execute work correctly the first time. He described DCPD as a learning organization striving to pursue continuous improvement with vigor and as a team. He cited the three pillars to exemplary performance in generation excellence as consisting of rigorous use of performance improvement tools and the Corrective Action Program, excellence in equipment reliability, and safe and event-free operation. Mr. Peck stated Ms. Poppe has brought to PG&E the concept of the lean operating system which he described as distilling what is desired to be achieved and then ensuring progress to that goal is measured correctly. Mr. Peck reported this concept includes visual management, problem solving, standard work and operating reviews.

Mr. Peck described the key work projects and initiatives for 2023 as including:

- Maintain 1st quartile safety performance,
- Achieve state approvals supporting potential continued operations through 2030,
- Submit license renewal application to the NRC and meet all license renewal milestones,
- Safe execution of Unit 1 refueling outage (1R24),
- Continued operations project work (PMO++), and
- Retention of key personnel following the end of the Tier 2 retention period.

In response to Dr. Kadak query Mr. Peck stated each DCPD department and each department director has individual metrics and their own key performance indicators and the metrics he discussed in his presentation were station metrics. He reported daily operating reviews are conducted that start with the workers and supervisors out in the plant, including Mr. Peck and his staff, and then move to reports to the Chief Nuclear Officer and to PG&E's Chief Executive Officer. He reported operating metrics are also reviewed on a broader scale and perspective during daily and monthly reviews. In response to Dr. Kadak's question Mr. Peck stated PG&E conducts performance reviews of all employees and all their goals are related to safety, there is no requirement through the goals set to generate a certain amount of megawatt hours each year and Mr. Peck observed that safety typically begets reliability. Mr. Jones observed with reference to the 2030 date cited in Mr. Peck's report that DCPD is applying for a twenty year license extension in order to afford the state the opportunity and ability to utilize DCPD as a resource for as long as it needs to in order to meet the state's energy policy goals. Dr. Budnitz observed the principal motivating factor by the state in creating the DCISC, with its charter to do an independent review and provide recommendation and evaluations of plant safety, was the concern that PG&E might prioritize producing electricity over safety.

XXVI ADJOURN MORNING MEETING

The morning meeting of the Diablo Canyon Independent Safety Committee was adjourned by the Chair at 12:20 p.m.

XXVII RECONVENE FOR AFTERNOON MEETING

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The February 16, 2023, afternoon public meeting of the Diablo Canyon Independent Safety Committee was called to order by its Chair, Dr. Peter Lam at 1:15 p.m. Dr. Lam welcomed those persons attending in person and by Zoom Webinar and watching the proceedings on live streaming video.

XXVIII COMMITTEE MEMBER COMMENTS

There were no comments by members at this time.

XXIX PUBLIC COMMENTS AND COMMUNICATION

The Chair reviewed the invitation to address remarks to the Committee on matters not on the agenda for this public meeting and invited any comments from members of the public who wished to address the Committee to do so now.

Ms. Donna Gilmore was recognized. Ms. Gilmore stated the recent NRC [PI&R] inspection report found some employees were concerned that some of safety items were not going to be completed but it did not identify those safety items. Ms. Gilmore inquired if there was additional information available concerning those safety items Consultant McWhorter responded the DCISC has scheduled a fact finding in April 2023 to review this matter. Ms. Gilmore further commented concerning the EOS system [i.e., the Orano NUHOMS spent fuel storage canister system] that she wanted to make people aware the NRC does not give credit for preventing criticality during dry storage. She stated the canisters contain boron to prevent criticality while the fuel is being moved from the spent fuel pool to the dry storage overpack cask. The Chair thanked Ms. Gilmore for her comments.

Ms. Kaylene Walker was recognized. Ms. Walker stated her concern was with the dry storage canisters due to their being prone to cracking. She stated she was further concerned about the inspection process and the repair technology for which claims have been made as to its viability. She stated the NRC has not evaluated or approved this technology nor has the NRC evaluated or approved placing a problem canister into an overpack cask. She stated she questions the surety [assurances?] that these canisters are all completely safe. Dr. Lam responded and stated the issues discussed by Ms. Walker were significant issues to be monitored and the availability of a national nuclear waste repository remains far in the future. Dr. Budnitz observed the in context of Ms. Walker's statement that the canisters are completely safe, the DCISC has never used those words and it is important to recognize there is a distinction between the concepts of adequately safe and completely safe and there is nothing in the world that is completely safe. Dr. Budnitz commented engineers use analyses and experiments to reach a judgment or conclusion that something is adequately safe and therefore a criterion exists against which the word "adequately" can be calibrated. Ms. Walker stated she agreed but the NRC and the industry are continually assuring the public the dry storage system for spent nuclear fuel is safe and she remarked she saw no contingency plans if there was a problem. Dr. Budnitz stated these were perfectly valid concerns and it is entirely proper to question the criteria by which something is judged to be safe and whether the criteria is adequately supported. Ms. Walker responded in that case there should be a contingency plan and a verified corrective action

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program in place and the NRC's response to her on this matter if there was a problem the industry would propose a course of action which the NRC would then evaluate, and Ms. Walker stated her belief this would be too late.

Dr. Peterson stated it is important to understand the transport casks for the dry storage canisters are designed such that no credit is required or taken for the leak integrity of the canister. He remarked this was an important consideration for the Committee in reaching the conclusion that the spent fuel pools could be decommissioned with adequate levels of risk as if a canister were to become degraded it could be transferred into a licensed transportation cask and then transported to where it could be safely opened and the contents removed. Ms. Walker responded her research revealed the one time the process described by Dr. Peterson was used at Rocky Point [Big Rock Point Nuclear Power Plant in Michigan] the overpack cask could be used for only about 18 months and there is no fuel handling facility in the United States capable of opening a canister and doing a fuel transfer and no canister has yet been opened in the United States. Consultant Wardell reported the ISFSI facilities at DCPD include a cask transfer facility where the Holtec multipurpose canisters are transferred from the transportation cask to a storage cask using an in-ground facility. Ms. Walker observed this process does not involve transferring the fuel into a new canister and if the canister is breached that is not a viable procedure. Ms. Wardell reported the multipurpose canisters are inspected periodically using robotic techniques and the phenomena of stress corrosion cracking happens at a very slow pace and remote welding techniques are available to perform weld repairs. Ms. Walker commented a nickel spray repair technology proposed for use at the San Onofre Nuclear Generating Station (SONGS) in southern California has not been evaluated or approved by the NRC. Consultant McWhorter remarked he believed repairs can be made in accordance with the existing ASME codes which would be approved by the NRC.

Dr. Lam remarked when the ISFSI was approved for DCPD and for similar facilities at other plants those facilities were intended to be short term solutions. He observed the license for the ISFSI at DCPD will be renewed and as a society and a nation there needs to be a long term solution. Ms. Walker thanked Dr. Lam and stated she does not have confidence contingency plans are in place or that the NRC's inspection program is adequate and it was her belief every canister should be checked on a regular basis. Dr. Budnitz commented there is a judgment to be made not only about the number and frequency of inspections but the benefits to be gained or additional engineering insights produced by an inspection campaign and engineers have made recommendations which are now part of national policy as to the coverage, frequency and level of detail of those inspections. He remarked a statement that I want more is not really very helpful to the public or the Committee. Ms. Walker stated the process at SONGS with the Holtec system involved a visual assessment that she stated was not in accord with any code and was inadequate to detect any cracking although she stated precursors to cracking were seen and carbon particles were found embedded in the stainless steel and what she described as huge scrapes and gouges were seen on the Holtec system for which she stated the NRC allowed Holtec to change the Final Safety Analysis Report (FSAR) to allow for the scraping when previously the FSAR had provided that there would be no metal on metal contact on loading. She stated these matters were extremely concerning and she expressed her appreciation to the Committee for its efforts to ensure the system at DCPD is safe and that a plan is in place as she commented she does not believe the NRC is doing so.

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Ms. Sherry Lewis, a member of Mothers for Peace was recognized. Ms. Lewis stated problems will always be present and she wondered how long the canisters would last and how long the radiation will continue. She stated her opinion nuclear power is not a good technology because of the expense of making sure the radiation does not affect the environment and results in the expense of having persons come to the local area to make sure everything is going right. She observed these problems will continue and there is no solution. She stated the better solution is to stop creating the waste now.

Ms. Donna Gilmore was again recognized. Ms. Gilmore stated an NRC senior inspector stated the Holtec canisters do not meet the requirements for inspection repair and that precursors to cracking were found, but the technology is not in place to actually find the cracks, measure their depth and direction and characterize the cracks. She added that the NRC has not evaluated the cold spray technique described by Ms. Walker. Ms. Gilmore remarked the NRC stated [a canister] could only stay within a transfer cask for approximately 224 days and in that case the fuel was not high burnup. She reported no one has requested an evaluation of any kind of overpack, a transport cask, or anything to be used for storage of what she described as thin-walled canisters and while they can be placed in transport casks there is a limit as to the time before they would overheat. Ms. Gilmore stated Holtec's planned procedure for its CIS [consolidated interim storage facility] in Texas in the event a canister is received that is leaking is to return the canister to the facility from whence it came, and the NRC appears to accept this procedure. She remarked in the event such a canister was placed within a spent fuel pool it would likely produce a steam flash and therefore the only other option is to use a hot cell facility, but such facilities no longer exist in the United States. She remarked there is no plan for when something goes wrong, and the NRC has stated in writing that once a crack begins it can grow through the wall in sixteen years.

Ms. Sheila Baker, a resident of Sonoma County, was recognized. Ms. Baker cited a statement from the Governors of New Mexico and Texas that their states will not become dumping grounds for the nation's spent nuclear fuel due to Congress' failure to identify a permanent disposal situation for commercial nuclear waste and she questioned what you do with the waste.

The Chair thanked the members of the public for their remarks.

**XXX STAFF & CONSULTANT REPORTS & RECEIVE, APPROVE, AND
AUTHORIZE TRANSMITTAL OF FACT FINDING REPORT TO PG&E**

A. The Chair requested Consultant McWhorter to provide a report on the January 31-February 1, 2023, fact-finding visit to DCPD with Dr. Lam. Mr. McWhorter reviewed the topics discussed with PG&E during this visit as follows:

➤ SB846 Requirements Regarding Deferred Maintenance – Consultant McWhorter reported the DCISC Fact-Finding Team (FFT) asked the DCPD representatives how PG&E intended to address the requirement for an independent consultant to catalog and evaluate deferred maintenance under the requirements of SB846. He remarked as addressed during this public meeting the PMO++ process is underway and following that process DCPD will obtain the

services of a company or a university to independently and credibly review the PMO++ effort. He reported DCPD expects to retain these services late in the second quarter and to have completed the review by the fourth quarter of 2023. The FFT found this approach to be appropriate.

➤ Plans for Reviewing and Restarting Capital Projects – Mr. McWhorter stated an issue with terminology exists concerning reviewing and restarting capital projects, which he described as a subset of the PMO++ process, in that the term “capital projects” in the strict financial definition sense no longer applies, but in context of extended operation these projects are the same physical type of projects as what are termed capital projects. The projects primarily involve major improvements to the plant or major purchases of spare equipment that may need to be made over the next few years and the review and decisions as to those projects will come after the completion of the PMO++ process and the addition of consideration of the availability of spare parts and the need for improvements to ensure reliability. Consultant McWhorter reported there is also a time element involved, in that time is required to design and procure equipment, as an example for the feedwater heaters, and time is required to affect an installation. He reported the last opportunity to make major changes to the station, based on the five-year commitment from the state for extended operation, is during 2026-2027 which is the first refueling outage following extended operation. There will also be a need to review the availability and the potential to procure spare parts, such as pump motors, for which procurement may have been deferred due to the expectation the plant would close in 2025. There is also a reliability factor to be considered for some projects or purchases as depending on the duration of operation some of those projects or purchases would not otherwise be performed or made. **Mr. McWhorter stated the FFT recommended the Committee should review the plant’s conclusions concerning the restart of capital projects when it is complete, likely by or before the May 2023 fact finding.**

➤ Meet with NRC Senior Resident Inspector – the FFT met with the NRC Senior Resident Inspector Mr. Mahdi Hayes to discuss the results of the PI&R Inspection. In response to the FFT’s inquiry the Senior Resident reported the resident inspection team did not feel that the results of the PI&R Inspection were indicative of broader problems at the station and **Mr. McWhorter reported the Committee has plans to follow up on the PI&R Inspection during a future fact-finding.**

➤ Engineering Department Update – Consultant McWhorter reported the work of the Engineering Department is ramping up quickly and in response a fourth group has been reactivated in the department, that group being the Design and Project Engineering Group. This group is responsible for the design and oversight of major projects. Prior to the adoption of SB846 the Engineering Department staff was planned to consist of 103 persons by the end of 2022, while currently the Department is planning to have a staff of approximately 130 persons and to reach 140 persons before the end of 2023. In response to Consultant Wardell’s inquiry Mr. McWhorter stated those numbers do not include contractor personnel but it may be expected that DCPD will use a contractor engineer of record for some of the design engineering and also employ contract engineers for license renewal work including development of aging management plans. Mr. McWhorter reported Engineering Department staffing will likely be impacted by the conclusion of Tier 2 of the Employee Retention Program. He reported the Department’s performance indicators, generated internally and externally, were all in Green

status and showing steady or improving trends. **The FFT concluded the Engineering Department's performance is strong and the DCISC should review the Department's performance again in one year.**

➤ Technical Review of New [Orano manufactured] Spent Fuel Storage System – the FFT led by Dr. Kadak reviewed the responses to questions posed by the Committee FFT including concerning the seismic design and analysis for which a site-specific analysis using the specific design basis earthquake will be used to determine whether the site-specific analysis is bounded within the currently licensed seismic analysis. This review is intended to address whether there are any changes to the license needed for use of the new spent fuel storage system. **The seismic review is expected to be complete in the second quarter of 2023 and the FFT recommended the Committee review the site-specific analysis when it is complete.** Mr. McWhorter reported there may be some elements of the analysis which contain proprietary or security related information. The FFT reviewed the spacing of the horizontal storage modules (HSMs) and the analysis performed as to their sliding or tipping and reviewed the process of aligning and loading the dry storage canisters (DSCs) into the HSMs to ensure the rails do not scratch the DSCs. Mr. McWhorter reported that were the helium to leak from the DSCs the fuel would not overheat as the helium is not required for the thermal analysis. The FFT discussed the approaches to addressing cracks in the DSCs and inspections and repairs of the DSCs and the DCISC representatives were satisfied with the approach Orano is using to address long-term viability of the storage system in addressing those issues. Mr. McWhorter reported Orano has applied for Certificate of Compliance Amendment No. 4 which Mr. McWhorter described as critical for loading fuel assemblies with a higher head loading and that would be necessary for a rapid offload of the spent fuel pools under the 2024-2025 dates for plant shutdown. He stated if approved by the NRC the amendment would apply to the heat load analysis for pressurized water reactors such as those at DCP. Mr. McWhorter reported the amendment is expected to be issued sometime late in 2024. He stated after the November 2022 fact-finding and this January 2023 fact-finding the FFT was satisfied with the information provided by Orano and believes the system is adequately designed to ensure safety. **Mr. McWhorter stated the Committee should continue to follow any technical issues on an as needed basis as well as the final site-specific seismic evaluation.**

➤ Auxiliary Saltwater System – this system is used to provide cooling to the Component Cooling Water System and to transfer heat to the ultimate heat sink [the Pacific Ocean]. Mr. McWhorter reported that in general these two systems are in good health with the health status Green for both. There are still some open corrective actions for a motor ground issue from 2021 and some degradation of gate covers used at the Intake structure to isolate the Intake base for maintenance that remain to be addressed but these have been clearly identified. The FFT also discussed the issue of the possible increase in ocean water temperature exceeding the limits currently used in the design basis. Mr. McWhorter reported DCP is aware that there is a potentially higher margin available in the systems and has a prompt operability assessment to justify continuing operation prepared for submission to the NRC should the ocean temperatures exceed the design basis. A decision has not been made if that strategy will be continued into a period of extended operation. **Consultant McWhorter reported the FFT found the Auxiliary Saltwater System to be in good health with no major issues. The team does believe that using available funds to have a vendor update the calculation for ultimate heat sink**

maximum temperature would be appropriate if operations are extended and this would be reviewed in the context of the Committee's review of future projects.

➤ Turbine and Generator Systems – Mr. McWhorter reported this was a routine review by the FFT of this non-safety related system although he commented performance of the Turbine and Generator Systems can cause transients and affect safety systems. He reported the three low pressure turbines on each unit are in good health and have completed their ten-year in-service inspections. The high pressure turbines for each unit are original equipment and are technically beyond their design life although calculations have justified their continued operation. Mr. McWhorter reported with extended operation the high pressure turbines may be candidates for reblading or possibly replacement. He reported the Generators are in good health and the corrective actions for the vibration experienced previously by the Unit 2 Main Generator were shown by inspections during the most recent refueling outage for Unit 2 to have remained low and there was no evidence of internal degradation found. Associated equipment, including the exciters are in good condition but Mr. McWhorter stated that as original equipment they could be on the list for replacement during extended operation. Mr. McWhorter remarked replacement of the exciters is a good example of a replacement that might be made primarily for purposes of reliability and to decrease the possibility of failure. The FFT concluded the Turbine and Generator Systems are in good health but with components that may be candidates for replacement if operations are extended.

➤ Cyber Security Update – the FFT met briefly with Mr. Tyman and received the same information provided by Mr. Tyman earlier during this public meeting.

➤ FLEX Program Capabilities During a Seismic Event – Consultant McWhorter stated the FLEX Program provides capabilities during a seismic event and the FFT inquired how are FLEX capacities currently modeled in the plant's PRA and found there was only one such specific FLEX strategy modeled in the PRA providing for the cross-tying of DC [direct current] batteries in the event of the loss of all AC [alternating current] power which he stated could typically result from a turbine failure caused by a major fire or an earthquake. Mr. McWhorter stated this strategy was considered appropriate for inclusion in the PRA as it is a Phase One strategy, that is, a strategy that can be completed with installed equipment in the plant which provides assurance that the time involved would be effective for use in the PRA context. Strategies requiring external equipment are Phase Two strategies. Mr. McWhorter stated there was another item being considered for inclusion in the PRA but it was related to a fire event and not specific to a seismic event. Dr. Peterson commented the seismic risk at the plant is mitigated do to the design and the PRA for the plant response concludes that the residual risk is very small and the role of FLEX is to address the residual risk that a seismic event could cause damage that would disable safety systems and potentially lead to core damage and the release of radioactive material. Because FLEX plays such an important role it is necessary that it be based upon realistic scenarios including the types of challenges that could exist for plant staff to implement FLEX. Dr. Peterson remarked that given there is substantial uncertainty now associated with both response times and physical access it is necessary to make sure FLEX planning is appropriate to deal with seismic events. **Dr. Peterson recommended, and Mr. McWhorter confirmed the Fact Finding Report suggests, that FLEX be an area of focus for the Committee in the future both in general and for use of FLEX in post-seismic events.** Dr. Peterson and

Consultant McWhorter observed FLEX equipment is not at the present time reducing the calculation of residual risk in the current PRA, although it is present and available to mitigate an accident. Dr. Peterson remarked the FLEX equipment stored near the ISFSI and inside the new DCPD Fire Station building is well protected and not at risk. Dr. Peterson remarked it is also important to ensure the plant staff who will be the first FLEX responders have the resources and training they need to respond effectively.

Dr. Lam stated that he understood comments by Dr. Budnitz to be that beyond design basis accident scenarios involving seismic activity are unlikely and the comments by Dr. Peterson to be that the FLEX strategy has merit in reducing residual risk and he observed DCPD is in compliance with all federal regulations. Dr. Lam then reported during the fact finding visit he was informed there are four dominant scenarios for a beyond design basis event: (1) for some beyond design basis seismic events the containment may move laterally, (2) steam generator structural integrity may fail, (3) the Auxiliary Building may collapse, and (4) the Turbine Building may not survive structurally. He recalled Dr. Budnitz statement earlier in this meeting that force of a certain size to cause a 6g movement is extremely rare, occurring perhaps once in one million years. **Dr. Lam suggested the Committee conduct fact-finding and make further inquiry concerning the parameter or the magnitude for such seismic movement for the four dominant beyond design basis seismic event.** Dr. Lam commented that a facility cannot be designed against a very low frequency initiator and perhaps these scenarios can be dismissed on probability considerations. **Dr. Lam observed if his recollection was correct the forces involved may be only two or three times bigger than the Hosgri plus 25% and he asked that Drs. Budnitz or Peterson make that inquiry as to what forces were discussed.**

Dr. Budnitz commented that one of the scenarios the seismic PRA identifies and analyzes is an extremely large earthquake that could compromise a containment structure such that the exterior shell would no longer act as a containment. He remarked such failures are difficult to analyze and there was a reasonable probability that such a failure would compromise the penetrations through which gas and water pass into and out of containment. Because such an analysis is so difficult the analysts assume that a core damage accident results and if that assumption is made the likelihood of that particular core damage accident requires an earthquake of approximately 5g or 6g, an earthquake of a magnitude Dr. Budnitz later described as beyond comprehension in a normal world and Dr. Budnitz observed there has never been an earthquake of that size anywhere on earth in recorded history, although there is geological evidence that such events have occurred in the past, millennia or millions of years ago. However, that the civil engineers have determined that it would take an event of this magnitude to produce this compromise is an important insight. The probability assessment from the site-specific seismic hazard analysis performed five or six years ago, with what Dr. Budnitz described as a great deal of uncertainty, was that such an earthquake would have a probability of around $\sim 1+10^{-6}$ per year which he stated in a stationary poisson process would mean every million years. He observed this constitutes information concerning one of the dominant sequences. Dr. Budnitz remarked that the question of what one might do to reduce either the probability or the consequences of such an event would be worth asking if the probability was determined to be worrisome, but the general tone of the engineering approach to facilities such as DCPD is that events that happen with a probability of about once in a million years are rarer, or lower probability than are consequences [not sure if I got this correct – BR]. On the other hand, Dr. Budnitz remarked if one could sort out what the

actual damage and consequences were then you could ask the question whether something could be done to the design to reduce the damage or if something could be done in response to reduce the consequences including perhaps the deployment of FLEX equipment. But Dr. Budnitz observed if you judge that one in a million years is lower than your level of concern then that is a question you need not answer but it represents a judgment that must be made. Dr. Budnitz remarked that if you ask the question whether FLEX equipment could help mitigate an accident you cannot answer that questions until you define the accident, but defining the accident is very complex and he remarked it is too complex to be done in a simple way. Dr. Budnitz then offered an alternate scenario where some cabinets in the control room might be damaged in an earthquake and after analysis it is concluded that a core damage accident results, but he remarked in that case it would be possible to develop mitigating actions or design changes that could be implemented to reduce the consequences. Again he commented these are complex questions for PG&E and the Committee about when intervening in the design or the response is beneficial enough that it would warrant the analysis required. Dr. Budnitz remarked this is not a complex question for the NRC because the NRC has already concluded in the Safety Evaluation Report (SER) that the risk is acceptably low.

Dr. Lam observed the NRC would also not allow relitigating the seismic design basis and it is possible that nature could deliver an accident in excess of the design basis. Dr. Peterson remarked there is amplification that occurs inside structures where substantially higher accelerations are produced at locations higher within a structure and this is further complicated by the soil and the structure's base. **Dr. Lam then suggested that during future fact-finding the Committee confirm what Dr. Budnitz indicated, and he stated he remembered hearing about 2g to 3g. Dr. Budnitz stated the DCISC should inquire concerning which are the important seismic sequences of concern and for each whether the Committee can answer the question FLEX exists but is not in the analysis yet, is there some FLEX intervention that could reduce each one of those sequences. He remarked the conclusion of the FLEX inquiry is to see if FLEX capabilities will or perhaps will not substantially improve the safety of the plant even if the Committee judges the plant is safe enough as it is. Dr. Lam requested a future fact-finding team to confirm or deny the 5g or 6g observation as that was not the number the January FFT was briefed on, and Dr. Lam stated the FFT was told for forces of two or two and one-half times the margin in the design basis could result in the four scenarios he described.** Consultant McWhorter concluded this segment of his presentation by stating the FFT learned the seismic qualification requirement for FLEX equipment is the design basis earthquake, the Hosgri acceleration spectrum plus 25%, and each piece of FLEX equipment must meet that standard.

➤ Plant Tour – The DCISC representatives toured the FLEX equipment storage areas including the Fire Station and inspected the temporary intake strainers that can be placed into the Intake Cove with hoses then connected to provide an alternate source of water from the Intake structure. Consultant McWhorter commented the FLEX equipment at the Fire Station was in good condition, properly stored and well tied down and the Fire Station, a steel structure more robust than typical for a metal building, is construction to the FLEX seismic qualifications, that is, the Hosgri plus 25%.

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- Plant Health Committee Meeting – Consultant McWhorter reported that his meeting was cancelled.
- Meetings with DCPD Officers – Dr. Lam met with Site Vice President Mr. Adam Peck and Vice President for Decommission Ms. Maureen Zawalick.
- Licensee Event Report (LER) Review – Consultant McWhorter reported Mr. Tyman briefed the FFT on the same LER discussed previously during this meeting. He stated the event stemmed from an inspection at the 91' foot level of Unit 2 Containment by the in-service inspection engineers for boric acid leaks which leaks can cause corrosion. The engineers spotted a white deposit on the overhead and scaffolding was constructed, the insulation removed, and the presence of boric acid confirmed on a 2" vacuum fill line coming off the Loop 1 Reactor Coolant System cold leg. Mr. McWhorter stated there was no active leakage when the boric acid was discovered but there was evidence of leakage when the plant was operating at full pressure and temperature. He displayed photos of the as-found condition and the 2" line which passes in front of the accumulator. Expert examination of the weld concluded this was probably the result of an arc strike that occurred during installation of a modification during the 1990s. Mr. McWhorter stated it was concluded under the mechanical engineering codes a weld overlay would be appropriate and an overlay was installed, but he remarked the overlay will likely be replaced during the next refueling outage to assist in the root cause evaluation. The FFT concluded the event had very little safety significance and was a good catch by the in-service inspection engineers. **Mr. McWhorter reported the DCISC should review the root cause evaluation once it is complete.**
- SB846 Requirements Regarding an Updated Seismic Assessment – Mr. McWhorter reported the specific requirement is a covenant that the operator of DCPD [PG&E] will conduct and update the seismic assessment. DCPD reported it is continuing to work with the Department of Water Resources (DWR) to confirm the plan which he described as compiling all the existing seismic data, including any new information, and to then proceed to evaluate the data using the Senior Seismic Hazard Analysis Committee (SSHAC) process, initiate any updated calculations that might be needed, and then prepare a report to be submitted to the DWR. The FFT concluded this approach appeared appropriate and Mr. McWhorter stated the FFT was pleased the independent assessment would use a multi-expert review process.
- Self-Assessment Program – Consultant McWhorter stated this was a routine review and the program was found by the FFT to be in good health. He reported the number of reviews performed in 2022 was slightly less than in 2021 due to 2022 being a two refueling outage year. The results of all self-assessments are entered into the Corrective Action Program and the DCISC regularly receives copies and has found the Self-Assessment Program to be active and effective in improving station performance.
- Motor-Operated Valve (MOV) Program – Mr. McWhorter reported this program tests and maintains valves that are important to safety across both the units. The MOV Program performs baseline testing and periodic pre-overhaul and post-maintenance testing on each MOV. These tests are generally performed every three cycles, that is, over a four and one half year

period, with no major issues having been found with any valves and with some notifications submitted for minor issues. Consultant McWhorter reported the MOV components are in good health, but the program is in White health status due to the program engineer not having a backup on site. Recruiting for this position is currently underway and Mr. McWhorter described this as a critical position. He reported the stem leakage which occurred on Residual Heat Removal (RHR) Valve 2-8702, and the open items for follow up on that issue, incorporates some aspects of the MOV Program.

The Chair called for public comment on Mr. McWhorter's report.

Ms. Donna Gilmore was recognized. In response to Ms. Gilmore's statements concerning the need for a seismic evaluation of the waste storage canisters due to their pressurization with helium and the resulting reduction that maximum pressurization in the event of a loss of helium due to a partial crack caused by a small earthquake Mr. McWhorter replied that the ISFSI is not included in the seismic PRA, however, the spent fuel pools are included as they are a plant component. Dr. Budnitz replied several years ago a thorough study of the seismic performance of the Holtec system by the B. John Garrick Institute for Risk Sciences was commissioned by PG&E and reviewed by the DCISC and that study is in the public domain. He reported the seismic evaluation of the new Orano system has not been reviewed by the DCISC and that analysis is still being prepared.

Mr. John Geesman representing the Alliance for Nuclear Responsibility was recognized. Mr. Geesman stated he had three general areas of inquiry concerning Mr. McWhorter's report. He described the scope of the seismic update PG&E is required by SB846 to perform as the point of maximum leverage for the Committee and he strongly urged the Committee to include in its input concerning the scope of that report that the report include an update of the 2010 Enercon report on non-safety systems, structures and components and the impact on them of a design basis earthquake. Mr. Geesman stated the Enercon study identified as one of the principal risks to the operation of the plant after an earthquake as being to the turbine bearings which the Enercon study found might require an outage of a year or more duration. He commented with a \$1.4 billion taxpayer loan to PG&E to extend DCCP operation it would be prudent to use some of those funds to update the Enercon study and he remarked he believes the DCISC as the repository of the state's technical expertise on seismic matters would be regarded as severely deficient in the performance of its duties if it did not insist upon that update.

Mr. Geesman next observed that when PG&E was considering relicensing the plant for twenty years, plans were made to replace all of the feedwater heaters and in Mr. McWhorter's report it was mentioned there could be constraints on the procurement of replacement components. Mr. Geesman inquired as to how many feedwater heaters were intended to be replaced and on what timeline. He commented this raises the question of attaching as much detail as possible to the report specifically about maintenance projects and the capital projects that are being considered and while he acknowledged there may be confidentiality issues, he urged the Committee to disclose as much detail as possible to the public.

Mr. Geesman stated he remains concerning about the Engineering Department and the fact that the fact finding report provided what he described as a 180 degree deviation from the language

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used in the NRC's evaluation in the PI&R Report which was conducted contemporaneous with the fact finding. He further commented that there was concern regarding 40% of the Engineering Department that will be new hires over the next year as 2024 is probably the most significant year for the Engineering Department since the plant began operation. He stated concern is also warranted regarding workforce retention and PG&E had planned to rely on enhanced severance payments to retain employees during 2023-2025 to be paid out of the decommissioning trust funds but as withdrawals from the trust have not been approved by the CPUC, or possible even requested, if decommissioning does not go forward immediately a replacement source for those funds will be necessary. He stated he hoped future DCISC fact-finding will focus on those types of questions.

Ms. Kalene Walker was recognized. Ms. Walker stated she was hoping for clarification on the loss of helium to which Mr. McWhorter responded the FFT found the loss of helium was not an issue from a thermal point of view as helium is not required for heat transfer inside the Orano DSC. With respect to inspection, detection, and repair of cracks this was discussed with Orano **and the answer from Orano was that if a crack were to occur addressing it was out of the scope of the regulations in Orano's current license basis and Mr. McWhorter commented the Committee's path forward should be to monitor industry activity in this area and he stated a report is expected to be issued soon by the Electric Power Research Institute (EPRI) on the probability and the consequences of a through-wall leak from a spent fuel storage canister.** Mr. McWhorter further stated many persons in the nuclear field suspect the consequences are very low with very little radiation released. Ms. Walker stated she found such an assumption to be dangerous as spent fuel oxidation is a consideration which she asked the DCISC to review. Mr. McWhorter replied his statement was based on engineering knowledge of the materials of the fuel rods and the composition of the fission products, meaning gaseous versus solid, and other factors. In response to Ms. Walker's comment that losing the inert environment would place the canister outside of compliance with NRC regulation Dr. Peterson observed the fuel's zirconium cladding and other structural materials are sufficiently robust that they can spent four and one half years in a reactor at very high temperature aqueous environment at high pressure under very high radiation levels and the conditions for the fuel under dry storage are significantly less than it experiences while in the reactor and therefor it is not expected to see substantial degradation after the fuel is removed.

Ms. Donna Gilmore was again recognized. Ms. Gilmore stated helium was used to prevent oxidation and to stop an explosion. She stated this is a significant issue as each canister has a radioactivity of approximately what was released by the 1986 Chernobyl disaster. She directed the Committee's attention to a report prepared in 2019 by Sandia National Laboratory for the Department of Energy that moved the priority of stress corrosion cracking up to a number one ranked priority and determined that due to the short term risk this issue needed to be reviewed as it would need to be addressed by an onsite dry storage system hot cell facility. She observed there are various scenarios for a hydrogen explosion involving zirconium hydride and there are criticality risks should unborated water be allowed to enter a canister.

Mr. Robert Anderson was recognized. Mr. Anderson inquired as to the SSHAC process that might be proposed by PG&E for review of the seismic assessment required by SB846. Dr. Budnitz replied and explained the SSHAC process has four different processes and a SSHAC

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Level 1 process involves one or two experts and a peer review and although he has not seen PG&E's proposal it is his opinion that PG&E will propose using the SSHAC Level 1 process in preparing the study required as a covenant under the loan from DWR. Dr. Budnitz observed that while it has certain rigorous steps, the SSHAC Level 1 process is not a long, detailed and complex process. Subsequently Senior Director Tom Jones confirmed that PG&E's tentative plan is to employ a Level 1 SSHAC review. Mr. Anderson commented that during the discussion of ground acceleration based on the Hosgri scenario there was no mention of duration which he stated should be considered in terms of ground motion as it will lead to velocity changes and also to displacement. Dr. Budnitz agreed and he commented it is more than just the magnitude of the ground motion acceleration parameter, it is the frequency spectrum. He agreed the duration of a seismic event sometimes brings in a velocity component well as an acceleration component and sometimes a displacement component although Dr. Budnitz stated the displacement component was very modest for the DCPD site.

Upon a motion made by Dr. Peterson, seconded by Dr. Budnitz, the January 31-February 1, 2023 Fact Finding Report was approved, along with a resolution certifying its approval, by the DCISC. The report will become a part of the Committee's 33rd Annual Report.

XXXI INFORMATION ITEMS BEFORE THE COMMITTEE (Cont'd.)

Dr. Lam requested Mr. Jones to introduce the next speaker.

Mr. Jones introduced the Director of Strategic Initiatives, Mr. Phillippe Soenen, who has made presentations to the Committee in the past in his previous capacity as Licensing Manager for Decommissioning Environmental Activities. Mr. Jones reported Mr. Soenen holds a Bachelor of Science Degree in Mechanical Engineering from the University of California at San Diego. Mr. Soenen has more than twenty years of experience in the nuclear industry including holding a number of positions at DCPD including Licensing Supervisor, Project Manager for License Renewal, and as Licensing Engineer for the original DCPD and Humboldt Bay Nuclear Power Plant ISFSI applications for dry cask storage facilities.

Spent Fuel Management Update

Mr. Soenen reported that for the current spent fuel dry storage system DCPD has in place at the ISFSI the 58 casks of the Holtec HI STORM 100 SA system which he described as a vertically seismically anchored system with each cask containing a multipurpose canister holding up to 32 fuel assemblies. In 2022 PG&E entered into a contract with Orano to employ Orano's NUHOMS Extended Optimized Storage (EOS) for decommissioning which Mr. Soenen described as a horizontal design with each dry storage canister storing up to 37 fuel assemblies. In response to SB846 there have been revisions required to spent fuel offload campaign planning as a result of the prospect for continued operation. For decommissioning as planned in 2024 and 2025 the spent fuel offload campaign, planning was done in accordance with there being sufficient fuel storage available in the spent fuel pools to accommodate all spent fuel not already in dry storage through the end of the operating licenses. With the need to address possible extended operation Mr. Soenen reported DCPD now needs to plan for an offload from wet to dry storage in order to be able to maintain a full core offload capacity if operation continues. Mr.

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Soenen reported such an offload campaign is currently being evaluated for the implementation of the Orano system for decommissioning and extended operation. In response to Consultant McWhorter's question Mr. Soenen replied a decision is expected on the matter of an offload for continued operation during the first quarter of 2023 and he confirmed there needs to be space available in the spent fuel pools for refueling outages with full core offloads for both units during a period of extended operation after 2024-2025. Mr. Soenen confirmed there are no issues with the availability of space in the spent fuel pools following the next outages, as a full core offload was built into decommissioning offload plans.

In response to Dr. Kadak's questions Mr. Soenen replied the 58 Holtec casks now at the ISFSI are located on ISFSI pads 1-3 and pads 4-7 have been constructed but are as yet unoccupied and designed for the Holtec system. He reported PG&E is now in a decision process as to the selection of the system to be used for a pre-shutdown offload for continued operation but he commented the space already exists at the ISFSI to store all the fuel required for 40 years' of operation and Mr. Soenen confirmed DCPD does have the capacity within the spent fuel pools to maintain any additional operation at that time. Beyond 40 years the fuel will either be within dry storage or wet storage and DCPD is investigating whether an interim storage facility may become operational for offsite storage, but if not the plant has the option of maintaining fuel in wet storage when the dry cask storage capacity is reached as well as the option to build additional dry cask storage. Mr. Jones stated because of the NRC-imposed requirements of Regulation B.5.b¹³ extended operation will greatly slow the loading pattern of spent fuel to the ISFSI as DCPD will always be required to maintain 772 assemblies in the spent fuel pools. Under the loading campaign for decommissioning circa 2024-2025 the entirety of the ISFSI pads was expected to be filled by 2027, under a license extension scenario that date is likely now 2033 or 2035 as less fuel will be unloaded from the spent fuel pools in order to maintain minimum inventory of 772 assemblies. Dr. Peterson stated the B.5.b requirement is a safety requirement to have all the assemblies in cells adjacent to freshly offloaded assemblies occupied by older assemblies to provide additional thermal inertia.

Mr. Soenen reported Orano submitted to the NRC its License Amendment Request for Amendment No. 4 to its Certificate of Compliance using the site-specific engineering analysis to seek an increased heat load for the system. Mr. Soenen confirmed Consultant McWhorter's observation that Amendment No. 4 is not needed in order for DCPD to proceed with use of the Orano system in the short term. Mr. Soenen stated Amendment No 4 is to assist in emptying the spent fuel pools totally as part of a decommissioning strategy.

Mr. Soenen closed his presentation by stating DCPD's spent fuel management has been affected by the passage of SB846 and to preserve all options for continued operation DCPD is reviewing the offloading campaign that would be required to maintain enough fuel in the spent fuel pools for safety while assessing the offloading capability required for the reactors if operation continues. He stated there has not been a decision made and PG&E continues to ensure there is a successful path available for either decommissioning or extending operation as

¹³ B.5.b refers to a section of an NRC Order, issued in February 2002, describing the strategies that the NRC required nuclear plant licensees to develop after the September 11 attacks to "maintain or restore core cooling, containment, and spent fuel pool cooling capabilities under the circumstances associated with loss of large areas of the plant due to explosions or fire.

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determined by the state. In response to Dr. Budnitz' question Mr. Soenen confirmed there are no problems with cost concerns for the next two to three years and SB846 provides for addressing cost considerations in the context of extended operation. In response to Dr. Lam's query Mr. Jones reported costs are considered to be under a commercial process and will not be publicly disclosed for competitive reasons and Mr. Jones further commented that the changes in spent fuel storage scheduling have required PG&E to reopen contract negotiations with certain vendors and he confirmed PG&E is engaged in a monthly accountability process with the California Department of Water Resources.

Ms. Sherry Lewis was recognized. Ms. Lewis stated she was very confused by the information presented by Mr. Soenen. Dr. Budnitz responded to explain that if no power were generated after 2025 all of the spent fuel generated through 2025 would after first having been placed into a spent fuel pool be stored at the ISFSI and the ISFSI has sufficient space to accommodate all the spent fuel generated through 2025 and all the fuel from the spent fuel pools was scheduled to be moved to the ISFSI in a very short space of time. However, Dr. Budnitz stated that plan is now in abeyance as if the license extension is granted, continuing to follow the decommissioning scenario would result in the spent fuel pools becoming almost empty but there is a need to retain the capability to conduct a full core offload during extended operation and older fuel is required to be within the spent fuel pool for the reasons explained previously concerning NRC Regulation B.5.b. Accordingly, the spent fuel loading campaign will be slowed during extended operation but the capacity remains for all spent fuel generated for the first 40 years of operation. Dr. Budnitz commented there is as yet no fixed plan for the ISFSI and that will need to be developed but there is sufficient room in the pools for the next few years of operation and Mr. Jones reported the pools are capable of holding spent fuel for over twenty years of operation.

Ms. Lewis queried concerning the number of outages which would be planned for twenty years of operation and Mr. Jones responded that spent fuel is not accounted for in terms of the number of outages required to produce the spent fuel inventory because for thermal reasons when a storage cask is loaded it has fuel assemblies from various terms of operation and therefore Ms. Lewis' question as to the numbers of outages was not answerable as the inventory and loading campaigns are required to be designed to retain the ability at all times for a full core offload which requires 191 to 193 spaces be reserved in the spent fuel pool. Mr. Jones reported SB846 requires PG&E to submit a report to the California Energy Commission concerning the plant's capacity to store fuel and he observed the answers will be 20 years in the spent fuel pools and 40 years at the ISFSI without changing systems and there is a logic tree that flows from that as to whether offsite shipping becomes a realistic prospect, whether another spent fuel storage facility will be constructed, or will DCPD employ a different system with different capacities and Mr. Jones remarked those decisions have not been made because the duration to which the plant will run has not yet been ascertained as there are conflicting dates from the regulators, but the range is between 5 and 20 years. Dr. Budnitz remarked that even in a worst case scenario if nothing were done there are still 40 years of capacity at the ISFSI and an additional 20 years' capacity within the spent fuel pools. Dr. Lam then thanked Ms. Lewis for what he described as her healthy skepticism.

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Ms. Donna Gilmore was recognized. Ms. Gilmore stated she expects the NRC to grant the 20 year certification of the Orano system which will require consideration of aging management and she inquired if the members of the DCISC were comfortable with Orano's statements as to their ability to inspect or repair the spent fuel storage system. She also inquired as to the warranty offered by Orano for its system and stated that with reference to SONGS the warranty provided by the Holtec firm included manufacturing type defects but does not warrant the system could withstand any environmental conditions. Mr. Jones responded the California Energy Commission thoroughly and independently reviewed PG&E's Request for Proposals for a new spent fuel storage system which required a warranty period for the entire license life of 80 years and the criteria of the warranty were contractual matters. Dr. Budnitz commented issues of the warranty offered on the system were beyond the remit of the DCISC. Consultant McWhorter stated the DCISC FFT did discuss issues of aging management and inspection techniques with Orano and he stated there is an option to conduct inspections of a canister robotically while it is within the HSM and the canisters have a ring installed that can be used to pull the canister out of the HSM and place it back in the transport canister, and he reported the FFT was thoroughly satisfied with Orano's approach to inspection and aging management at the high level of detail provided during the fact finding. Ms. Gilmore stated she was familiar with those techniques which she stated are insufficient to provide the information needed concerning cracking of the canister or the ability to characterize a crack and if cracking is found there are no responses available. Mr. McWhorter stated he disagreed, as in his opinion the inspection techniques are adequate to detect cracking and if cracking were found, code compliant weld overlay repairs could be made to the cracked canister. Mr. Wardell observed if a canister were to be pulled from the HSM visual and ultrasonic inspections could be done which would give the characteristics of a crack and robotic welding techniques could be employed to perform a weld or a weld overlay. Ms. Gilmore stated the techniques described by Consultants McWhorter and Wardell were not approved by the NRC and she stated she has technical evidence to support her statements and she closed her remarks with the observation this is an extremely serious issue which should not be ignored.

Dr. Lam expressed the Committee's appreciation to Mr. Soenen for an exceptional presentation.

**XXXII CONCLUDING REMARKS & DISCUSSION BY COMMITTEE MEMBERS
OF FUTURE DCISC ACTIVITIES**

Dr. Lam observed that all the matters under this agenda topic have been addressed and resolved previously during the meeting.

Mr. Rathie reported the next meeting of the DCISC will be held on June 28-29, 2023, once again at the Avila Lighthouse Suites Point San Luis Conference Facility here in Avila Beach, CA.

Dr. Budnitz remarked the public meeting was lengthy because the topics were of broad interest to the Committee and to the public. He commented the DCISC has several areas of inquiry over the next several months and anyone would be an additional burden compared to the Committee's usual work. Dr. Budnitz stated the Committee is going to need to work on

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scheduling different, lengthier or more frequent fact-findings and reviews and that will not be easy. Dr. Budnitz stated he believes the Committee is up to the tasks ahead.

The Chair then expressed the appreciation of the Committee to Senior Director Tom Jones and to Mr. Garcia for their exceptional and valuable assistance during this public meeting and to the members of the public for their participation. Dr. Lam thanked the audio-visual technicians from AGP Video for their work and Mr. Rathie commented the technicians did an excellent job in ensuring the remote comments from persons outside of the meeting room were audible and able to be clearly understood.

XXXIII ADJOURNMENT OF ONE HUNDRED AND FOURTH PUBLIC MEETING

There being no further business, the one hundred and fourth public meeting of the Diablo Canyon Independent Safety Committee was then adjourned by its Chair, Dr. Peter Lam, at 3:50 p.m.

DIABLO CANYON INDEPENDENT SAFETY COMMITTEE	
AGENDA TRANSMITTAL FORM	
MEETING DATE:	June 28, 2023
AGENDA ITEM:	XI-B
AGENDA TITLE:	Documents Provided to the Committee
CONSENT [] ACTION [] INFORMATION [X]	
Staff Summary: Attached for your information are copies of the transmittal memoranda which list the various documents provided to the Committee by PG&E since your last public meeting in February 2023.	
RECOMMENDED COMMITTEE ACTION: None, information item only.	

January 2023
List of Documents Transmitted Electronically

A. Licensing Basis Impact Evaluations

Date	LBIE No.	Title
		There are no LBIEs for this month.

B. NRC Outgoing Correspondence (incl. LERs, LARs, etc.)

Date	Letter No.	Title
01/12/2023	DCL-23-004	Diablo Canyon Units 1&2 4Q22 PI Data

C. NRC Incoming Correspondence (including Inspection Reports)

Date	Title
01/05/2023	DCPP U 1 & 2 NOTIFICATION OF COMMERCIAL GRADE DEDICATION INSPECTION
01/24/2023	DCPP U1 & 2 Staff Decision to not Resume Review of Withdrawn License Renewal Application
01/27/2023	DCPP- BIENNIAL PI&R INSPECTION REPORT 05000275-2022010 AND 05000323-2022010
01/31/2023	DCPP, Units 1 And 2 – Request For Withholding Information From Public Disclosure (EPID L 2019-LRL-0005)

D. PSRC Documents (PSRC Minutes)

Date	Doc. No.	Title
1/18/2023		Plant Staff Review Committee Members/Alternates Memo

E. CAP Documents (RCAs, WGEs, CAP Effectiveness Evaluations)

Type	Doc. No.	Title
DC SAPN	51133883	Effectiveness Evaluation-Multi Grnds ASW
12/31/2022		Significance Level 1 and 2 Work Group Evaluations Created 12/01/2022 - 12/31/2022
01/31/2023		List of DN 5.1 and 5.2 Created 01/01/2023 - 01/31/2023
01/09/2023		Open LTCA DA Notifications Station Significance 3 as of 01/09/2023
01/09/2023		20 Oldest Non-LTCA DA Notifications as of 01/09/2023
01/09/2023		DCPP CAP Station Index
01/09/2023		Open RCEs as of 01/09/2023
01/09/2023		Open LTCA DA Notifications Station Significance 1 & 2

F. QV Documents (QPAR, Audit Reports, Audit Schedule, Assessments)

Date	Doc. No.	Title
1/3/2023		Nuclear Quality Digest

January 2023
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G. Nuclear Safety Culture Monitoring Panel Reports

Date	Doc. No.	Title
		There is no Nuclear Safety Culture Monitoring Panel Report for this month.

H. Self Assessment/Benchmarking (SA/BM Reports/Schedules)

Date	Doc. No.	Title
11/04/2022	51158521	Benchmark - 2022 EPRI Work Planner User
01/17/2023	51131202	Palo Verde SA Potential Enhancements
01/17/2023	51174321	Benchmark: FD Hazmat, CS Rescue Process
01/27/2023	51175855	Weld Planning Bench Mark
12/22/2022	51144822	Perform QHSA - OM15.ID11
01/10/2023	51158520	Benchmark - 2022 PVP Conference
01/11/2023	51165872	STARS Working Meeting BenchMark

I. Performance Information (PPIR, Operating Plan, Station Initiatives)

Date	Doc. No.	Title
1/31/2022		Generation Operating Plan 2021 – 2025, No new updates this month.
12/14/2022		December 2022 Emergency Planning PI Dashboard
12/14/2022		December 2022 Operations Services PI Dashboard
12/15/2022		December 2022 Maintenance PI Dashboard
12/15/2022		December 2022 Engineering Services PI Dashboard
12/14/2022		December 2022 Security & Emergency Services PI Dashboard
12/05/2022		December 2022 PI Status Summary
12/22/2022		December 2022 PI Status Summary
12/14/2022		December 2022 Safety PI Dashboard
01/11/2023		January 2023 PI Status Summary
01/30/2023		January 2023 PI Status Summary
01/06/2023		January 2023 Learning Services PI Dashboard
01/18/2023		January 2023 Engineering Services PI Dashboard
01/11/2023		January 2023 Security and Emergency Services PI Dashboard
01/17/2023		January 2023 Maintenance PI Dashboard
01/17/2023		January 2023 Safety PI Dashboard
01/17/2023		January 2023 Operations Services PI Dashboard
January 2023	Station Initiative	Station Excellence Plan: Data Set from December 2022

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December 2022	Station Initiative	Station Excellence Plan: Data Set from November 2022
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J. INPO

Date	Doc. No.	Title
		There are no INPO documents for this month.

K. Operational Documents (ODM Minutes, POAs)

Date	Doc. No.	Title
1/4/2023		Operational Decisions to Protect the Plant In Advance of Upcoming Ocean Swell Event
POA		There are no new POAs for this month.

L. Safety Limit Violation Report

Date	Doc. No.	Title
		There are no Safety Limit Violation Reports for this month.

M. Significance Determination Process Calculations

Date	Doc. No.	Title
		There are no Significance Determination Process Calculations for this month.

N. Miscellaneous

Date	Title
	There are no miscellaneous documents for this month.

O. Functional Area Documents

Subcommittee	Date/Doc	Title
Maintenance	Week 202252	T+1 Performance Critique
	Week 202301	T+1 Performance Critique
	Week 202302	T+1 Performance Critique
	Week 202303	T+1 Performance Critique
	Week 202304	T+1 Performance Critique
	December	T+1 Monthly Performance Critique 2248-2252
	January	T+1 Monthly Performance Critique 2301-2304

February 2023
List of Documents Transmitted Electronically

A. DCL-23-005, 2023 February CPUC Submittal - Update Licensing Basis Impact Evaluations

Date	LBIE No.	Title
		There are no LBIEs for this month.

B. NRC Outgoing Correspondence (incl. LERs, LARs, etc.)

Date	Letter No.	Title
02/02/2023	DCL-23-005	2023 February CPUC Submittal - Update
02/18/2023	DIL-23-001	Annual Radioactive Effluent Release Report for 2022
2/22/2023	DCL-23-009	Owner's Activity Report for Unit 2 Twenty-Third Refueling Outage
2/27/2023	DCL-23-011	Pacific Gas and Electric Company, Diablo Canyon Power Plant Available Capacity of Existing Wet and Dry Spent Fuel Storage Facilities and Forecasted Amount of Spent Fuel Through Continued Operation

C. NRC Incoming Correspondence (including Inspection Reports)

Date	Title
02/01/2023	(OUO) DRAFT REQUEST FOR ADDITIONAL INFORMATION RELATED TO LICENSE AMENDMENT REQUEST RE: ALTERNATIVE SECURITY MEASURES FOR EARLY WARNING SYSTEM FACILITY OPERATING LICENSE NOS. DPR-80 AND DPR-82 PACIFIC GAS AND ELECTRIC COMPANY DIABLO CANYON NUCLEAR POWER PLANT, UNITS 1 AND 2 DOCKET NOS. 50-275 AND 50-323 (OUO)
02/02/2023	DCPP, UNITS 1 AND 2 – INTEGRATED INSPECTION REPORT 05000275/2022004 AND 05000323/202200
02/09/2023	DCPP, UNITS 1 AND 2 – ISSUANCE OF AMENDMENT NOS. 244 AND 245 RE: REVISION TO TECH SPECS TO ADOPT TSTF-569, REVISION 2, "REVISE RESPONSE TIME TESTING DEFINITION" (EPID L-2022-LLA-0102)
02/21/2023	(OUO) DIABLO CANYON NUCLEAR POWER PLANT, UNITS 1 AND 2 – REQUEST FOR ADDITIONAL INFORMATION RE: ALTERNATIVE SECURITY MEASURES FOR EARLY WARNING SYSTEM (EPID L-2022-LLA-0029) (OUO)
02/22/2023	Closed Meeting with PG&E Regarding Alternative Security Measures for EWS LAR for DCPP

D. PSRC Documents (PSRC Minutes)

Date	Doc. No.	Title
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E. CAP Documents (RCAs, WGEs, CAP Effectiveness Evaluations)

Type	Doc. No.	Title
2 WGE	51167227	DA-U2 FCV-230 Not Opening On Demand from
2 WGE	51171541	DA-Trend: Sec Policy/Reqmnt Aw

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2 WGE	51163927	DA-HSDP LCV-115 (HIC 72) Controller Dead
2 WGE	51162218	DA-U2 STP R-7D documentation
2 WGE	51161937	DA-U2 - Sys 08 - CVCS Goal Setting
2 WGE	51155214	DA-ARMA -Feb 2022 NEIL Report CA inadequ
DC	51165419	DA-NLO FSA DEF 1 Performance Training In
DC	51167252	DA-CVCS-2-8528B found open
Eff. Eval		
01/31/2023		Significance Level 1 and 2 Work Group Evaluations Created 01/01/23 - 01/31/23
02/28/2023		List of DN 5.1 and 5.2 Created 02/01/23 - 02/28/23
01/01/2023		DCPP 1 WGE and 2 WGE Notifications Completed 01/01/2023 - 02/28/2023

F. QV Documents (QPAR, Audit Reports, Audit Schedule, Assessments)

Date	Doc. No.	Title
2/7/2023		Nuclear Quality Digest, February 2023
2/28/2023		Quality Digest, March 2023
2/8/2023	2023-IA-01	2023 Chemistry and Environmental Operations Audit
2/28/2023	2023-IA-02	2023 Emergency Preparedness, FLEX, and SFP Instrumentation Audit

G. Nuclear Safety Culture Monitoring Panel Reports

Date	Doc. No.	Title
		There is no Nuclear Safety Culture Monitoring Panel Report for this month.

H. Self Assessment/Benchmarking (SA/BM Reports/Schedules)

Date	Doc. No.	Title
02/13/2023	51177659	ECP Informal Benchmark
02/16/2023	51179033	INPO Benchmark # Outage Work Management
02/16/2023	51178102	NIRMA BOD meeting benchmarking
06/02/2022	51144605	Benchmarking: Beaver Valley
02/22/2023	51173745	Industry ALARA practices
01/24/2023	51161373	Benchmarking: Fire Protection - NEIL/R4
02/06/2023	51180190	Benchmarking - Engineering WGST

I. Performance Information (PPIR, Operating Plan, Station Initiatives)

Date	Doc. No.	Title
1/31/2022		Generation Operating Plan 2021 – 2025, No new updates this month.

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List of Documents Transmitted Electronically

02/14/2023		February 2023 Industrial Safety PI Dashboard
02/16/2023		February 2023 Emergency Planning PI Dashboard
02/06/2023		February 2023 Learning Services PI Dashboard
02/15/2023		February 2023 Operations Services Performance Improvement Dashboard
02/20/2023		February 2023 Maintenance PI Dashboard
02/20/2023		February 2023 Engineering Services Performance Improvement Dashboard
02/16/2023		February 2023 Security & Emergency Services Performance Improvement Dashboard
2/27/2023		February 2023 PI Status Summary
Station Initiative		There are no new Station Initiatives for this month.

J. INPO

Date	Doc. No.	Title
		There are no INPO documents for this month.

K. Operational Documents (ODM Minutes, POAs)

Date	Doc. No.	Title
		There are no ODMs for this month.
POA		There are no new POAs for this month.

L. Safety Limit Violation Report

Date	Doc. No.	Title
		There are no Safety Limit Violation Reports for this month.

M. Significance Determination Process Calculations

Date	Doc. No.	Title
		There are no Significance Determination Process Calculations for this month.

N. Miscellaneous

Date	Title
	There are no miscellaneous documents for this month.

O. Functional Area Documents

Subcommittee	Date/Doc	Title
Maintenance	Week 202305	T+1 Performance Critique
	Week 202306	T+1 Performance Critique
	Week 202307	T+1 Performance Critique
	Week 202308	T+1 Performance Critique

February 2023
List of Documents Transmitted Electronically

	February	T+1 Monthly Performance Critique 2305-2308
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March 2023
List of Documents Transmitted Electronically

A. Licensing Basis Impact Evaluations

Date	LBIE No.	Title
		There are no LBIEs for this month.

B. NRC Outgoing Correspondence (incl. LERs, LARs, etc.)

Date	Letter No.	Title
03/16/2023	DCL-23-016	2022 DCPD 10 CFR 50.54(t) Assessment County
03/16/2023	DCL-23-017	2022 DCPD 10 CFR 50.54(t) Assessment State
3/16/2023	DCL-23-018	1Q2023 CPUC Submittal
3/17/2023	DCL-23-020	Responses to NRC Questions Regarding Diablo Canyon Power Plant License Renewal Efforts
3/23/2023	DCL-23-021, DIL-23-002	Emergency Plan Update
3/28/2023	DCL-23-023	Decommissioning Funding Report for Diablo Canyon Power Plant, Units 1 and 2
3/29/2023	DCL-23-022	2023 Annual Statement of Insurance for Pacific Gas and Electric Company's Diablo Canyon Power Plant

C. NRC Incoming Correspondence (including Inspection Reports)

Date	Title
03/01/23	Annual Assessment Letter for Diablo Canyon Power Plant, Units 1 and 2 (Report 05000275/2022006 and 05000323/2022006)
03/02/23	DCPD, U 1 AND 2 – EXEMPTION FROM THE REQUIREMENTS RELATED TO SUBMISSION OF A LRA
03/06/23	DCPD, UNITS 1 AND 2 – APPROVAL OF CERTIFIED FUEL HANDLER TRAINING AND RETRAINING PROGRAM (EPID L-2022-LLL-0003)
03/10/23	(OUO) DCPD UNITS 1 AND 2 – Material Control and Accounting Program Inspection Report (OUO)
03/10/23	COVER LETTER ONLY DCPD UNITS 1 AND 2 – Material Control and Accounting Program Inspection Report
03/10/23	(OUO) DCPD – SECURITY BASELINE INSPECTION REPORT 05000275/2023403 AND 05000323/2023403 (OUO)
03/13/2023	20230313, SUMMARY OF MARCH 7, 2023, CLOSED TELECONFERENCE WITH PG&E REGARDING ALTERNATIVE SECURITY MEASURES FOR EWS LAR FOR DCPD, UNITS 1 AND 2

D. PSRC Documents (PSRC Minutes)

Date	Doc. No.	Title
01/24/2023	2023-001	20230124, PSRC Meeting Minutes 2023-001
02/07/2023	2023-002	20230207, PSRC Meeting Minutes 2023-002

E. CAP Documents (RCAs, WGEs, CAP Effectiveness Evaluations)

Type	Doc. No.	Title
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List of Documents Transmitted Electronically

2 WGE	51159493	DA-6/23/22 FSD: Weakness for Obj D.1.1
2 WGE	51165023	DA-RCE 51124756 Corrective Action
03/23/2023	51174947	CE – 51174947 - DA-2022 PI&R GFIN Untimely SAPN Initiation
03/06/2023	51168277	RCE – 51168277 SCAQ Line 1140 Boric Acid Indication
Eff. Eval		
02/28/2023		Significance Level 1 and 2 Work Group Evaluations Created 2/1/2023 - 2/28/2023
03/31/2023		List of DN 5.1 and 5.2 Created 03/01/23 - 03/31/23
03/31/2023		DCPP 1 WGE and 2 WGE Notifications Completed 03/01/2023 - 03/31/2023 (No 1 WGE NOCO'd)
03/20/2023		Open LTCA DA Notifications Station Significance 3 as of 3/20/2023
03/20/2023		20 Oldest Non-LTCA DA Notifications as of 03/20/2023
03/20/2023		DCPP CAP Station Index
03/21/2023		Open RCEs as of 03/21/2023
03/20/2023		Open LTCA DA Notifications Station Significance 1 & 2

F. QV Documents (QPAR, Audit Reports, Audit Schedule, Assessments)

Date	Doc. No.	Title
2/28/2023		Quality Digest, March 2023
3/01/2023	#2023-IA-02	2023 Emergency Preparedness, FLEX, and SFP Instrumentation Audit

G. Nuclear Safety Culture Monitoring Panel Reports

Date	Doc. No.	Title
		There is no Nuclear Safety Culture Monitoring Panel Report for this month.

H. Self Assessment/Benchmarking (SA/BM Reports/Schedules)

Date	Doc. No.	Title
03/23/2023	51185072	Benchmark Copy Valid ID During RNV
03/21/2023	51184217	Anonymou SAPN Informal Benchmark
03/27/2023	51184039	ECP Informal Benchmark
03/22/2023	51182440	NUREG 1021 R12 Benchmark - ANO
03/21/2023	51177756	2022 NEI Contraband Benchmark
03/02/2023	51172206	Benchmark Non-License JPM Cues Provided
03/16/2023	51162075	HU Event OE Screening Benchmark
03/14/2023	51161403	Aug 2022 INPO OPS MGR Working Meeting

March 2023
List of Documents Transmitted Electronically

03/09/2023	51183463	AMSAC U1 Self-Assessment
03/07/2023	51179749	2022 71130.02 Quick Hit SA (NOV)
03/01/2023	51144856	2022 Planning QHSA
02/07/2023	51170387	QHSA Accreditation Renewal Plan

I. Performance Information (PPIR, Operating Plan, Station Initiatives)

Date	Doc. No.	Title
1/31/2022		Generation Operating Plan 2021 – 2025, No new updates this month.
03/2023		March 2023 Station Excellence Plan
03/2023		February 2023 Station Excellence Plan
03/21/2023		March 2023 PI Status Summary
03/13/2023		March 2023 Operations Services Performance Improvement Dashboard
03/03/2023		March 2023 Learn Services PI Dashboard
03/16/2023		March 2023 Maintenance PI Dashboard
03/16/2023		March 2023 Engineering Services Performance Improvement Dashboard
03/15/2023		March 2023 Security & Emergency Services Performance Improvement Dashboard
03/15/2023		March 2023 Industrial Safety Performance Improvement Dashboard
02/16/2023		March 2023 Emergency Planning PI Dashboard
Station Initiative		There are no new Station Initiatives for this month.

J. INPO

Date	Doc. No.	Title
		There are no INPO documents for this month.

K. Operational Documents (ODM Minutes, POAs)

Date	Doc. No.	Title
		There are no ODMs for this month.
POA		There are no new POAs for this month.

L. Safety Limit Violation Report

Date	Doc. No.	Title
		There are no Safety Limit Violation Reports for this month.

M. Significance Determination Process Calculations

Date	Doc. No.	Title
		There are no Significance Determination Process Calculations for this month.

March 2023
List of Documents Transmitted Electronically

N. Miscellaneous

Date	Title
	There are no miscellaneous documents for this month.

O. Functional Area Documents

Subcommittee	Date/Doc	Title
Maintenance	Week 202309	T+1 Performance Critique
	Week 202310	T+1 Performance Critique
	Week 202311	T+1 Performance Critique
	Week 202312	T+1 Performance Critique
	Week 202313	T+1 Performance Critique

April 2023
List of Documents Transmitted Electronically

A. Licensing Basis Impact Evaluations

Date	LBIE No.	Title
		There are no LBIEs for this month.

B. NRC Outgoing Correspondence (incl. LERs, LARs, etc.)

Date	Letter No.	Title
04/04/2023	DCL-23-024	Resp to NRC Req for AI for Rev to LAR Req 22-01 ASM for EWS
04/17/2023	DCL-23-029	Diablo Canyon Units 1 and 2 - 1Q2023 - PI Data Elements (QR)
04/19/2023	DCL-23-031	Annual Report of Occ Radiation Exposure for 2022
04/24/2023	DCL-23-028	DCPP TS Bases Submittal
04/24/2023	DCL-23-035	Response to RAI on 'Request Reg SRO License App' (OUO)

C. NRC Incoming Correspondence (including Inspection Reports)

Date	Title
	No ICOR in April

D. PSRC Documents (PSRC Minutes)

Date	Doc. No.	Title
03/21/2023	2023-003	PSRC Meeting Minutes 2023-003
03/23/2023	2023-004	PSRC Meeting Minutes 2023-004

E. CAP Documents (RCAs, WGEs, CAP Effectiveness Evaluations)

Type	Doc. No.	Title
2 WGE	51176957	DA-Trend: ISI & ANII reviews not perform
2 WGE	51169636	DA-U1, Sys 18A - Fire Det. Sys Goal Sett
2 WGE	51184080	DA-biolab line 1 failure
2 WGE	51179106	DA-QAAF - Gaps in Procedure Use
2 WGE	51178834	DA-Trend: Mispositions
2 WGE	51181420	DA-Trend in Untimely SAPNs
2 WGE	51165699	DA-9/14/22 EE: PAR Process Improvement
04/06/2023	51171594	DA-PRT Level Rise
03/30/2023	51171590	DA-Trend - Late Paychecks for Outage TAs
Eff. Eval		
03/31/2023		Significance Level 1 and 2 Work Group Evaluations Created 3/1/2023 - 3/31/2023
04/30/2023		List of DN 5.1 and 5.2 Created 04/01/23 - 04/30/23

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List of Documents Transmitted Electronically

04/30/2023		DCPP 1 WGE and 2 WGE Notifications Completed 04/01/2023 - 04/30/2023 (No 1 WGE NOCO'd)
04/13/2023		DCPP CAP Station Index
04/13/2023		Open RCEs as of 04/13/2023

F. QV Documents (QPAR, Audit Reports, Audit Schedule, Assessments)

Date	Doc. No.	Title
04/03/2023		Quality Digest, April Edition 2023
04/10/2023	2023-IA-05	2023 FFD AA PADS Audit Report

G. Nuclear Safety Culture Monitoring Panel Reports

Date	Doc. No.	Title
		There is no Nuclear Safety Culture Monitoring Panel Report for this month.

H. Self Assessment/Benchmarking (SA/BM Reports/Schedules)

Date	Doc. No.	Title
04/19/2023	51177609	2023 MUG Conference Benchmarking
04/20/2023	51180217	Benchmarking - Engineering Org Changes
04/23/2023	51181901	ALARA benchmark # Robotics
04/10/2023	51181902	ALARA benchmark # Alpha Contamination
04/10/2023	51181903	ALARA benchmark # Shielding Application
12/13/2022	51170547	Security Safety Self Assessment QH
04/22/2023	51163709	Benchmark of Koeberg Power Plant
12/22/2022	51172689	Inf.Bnchmrk: 11-2022 RSTF/RPM meeting

I. Performance Information (PPIR, Operating Plan, Station Initiatives)

Date	Doc. No.	Title
1/31/2022		Generation Operating Plan 2021 – 2025, No new updates this month.
April 2023		April 2023 Station Excellence Plan
03/20/2023		March 2023 PI Status Summary
04/23/2023		April 2023 PI Status Summary
04/18/2023		April 2023 Operations Services Performance Improvement Dashboard
03/30/2023		April 2023 Learning Services PI Dashboard
04/18/2023		April 2023 Emergency Planning PI Dashboard
04/17/2023		April 2023 Maintenance PI Dashboard
04/17/2023		April 2023 Engineering Services Performance Improvement Dashboard

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List of Documents Transmitted Electronically

04/13/2023		April 2023 Security & Emergency Services Performance Improvement Dashboard
04/17/2023		April 2023 Industrial Safety Performance Improvement Dashboard

J. INPO

Date	Doc. No.	Title
		There are no INPO documents for this month.

K. Operational Documents (ODM Minutes, POAs)

Date	Doc. No.	Title
		There are no ODMs for this month.
POA		There are no new POAs for this month.

L. Safety Limit Violation Report

Date	Doc. No.	Title
		There are no Safety Limit Violation Reports for this month.

M. Significance Determination Process Calculations

Date	Doc. No.	Title
		There are no Significance Determination Process Calculations for this month.

N. Miscellaneous

Date	Title
	There are no miscellaneous documents for this month.

O. Functional Area Documents

Subcommittee	Date/Doc	Title
Maintenance	Week 2314	T+1 Performance Critique
	Week 2315	T+1 Performance Critique
	Week 2316	T+1 Performance Critique
	April	T+1 Monthly Performance Critique 2309-23131

May 2023
List of Documents Transmitted Electronically

A. Licensing Basis Impact Evaluations

Date	LBIE No.	Title
		There are no LBIEs for this month.

B. NRC Outgoing Correspondence (incl. LERs, LARs, etc.)

Date	Letter No.	Title
05/01/2023	DCL-23-034	2022 Annual Nonradiological Environmental Operating Report
05/01/2023	DCL-23-025	2022 Annual Radioactive Effluent Release Report
05/01/2023	DCL-23-036	2022 Annual Radiological Environmental Operating Report
05/09/2023	DCL-23-037	Summer Reliability PPOR 060123 thru 10312023
5/15/2023	DCL-23-038	Revision to the Unit 1 Reactor Vessel Material Surveillance Program Withdrawal Schedule
5/17/2023	DCL-23-039	Site Drainage Plan Drainage Report for DRC2021-00092 – Diablo Canyon Decommissioning Development Plan/Coastal Development Permit and Conditional Use Permit App
5/22/2023	DCL-23-032, DIL-23-005, HIL-23-003	NRC Requested Withdrawal from Voluntary program
5/22/2023	DCL-23-041	10 CFR 50.46 Annual Report of Emergency Core Cooling System Evaluation Model Changes for Peak Cladding Temperature for 2022
5/24/2023	DCL-23-042	Diablo Canyon Quality Assurance Program Description
5/25/2023	DCL-23-044	Redacted Updated Final Safety Analysis Report, Revision 27
5/25/2023	DCL-23-044	Non-redacted Updated Final Safety Analysis Report, Revision 27 (Uploaded in 6 parts) (OUO)

C. NRC Incoming Correspondence (including Inspection Reports)

Date	Title
05/09/2023	DCPP, UNITS 1 AND 2 – INTEGRATED INSPECTION REPORT 05000275/2023001 AND 05000323/2023001
05/11/2023	DCPP UNIT 1 AND 2 - NRC INSPECTION REPORT 05000275 2023010 AND 05000323 2023010.

D. PSRC Documents (PSRC Minutes)

Date	Doc. No.	Title

E. CAP Documents (RCAs, WGEs, CAP Effectiveness Evaluations)

Type	Doc. No.	Title
1 WGE	SAPN	

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List of Documents Transmitted Electronically

2 WGE	51184303	DA-QAAF STP M-70.SWG Acceptance Criter.
2 WGE	51186557	DA-Inadvertent entry into Unit 2 Contain
2 WGE	51186644	DA-Missed DEP Opportunity for Notificati
2 WGE	51157775	DA-2022 DBAI NCV Calc M-912
2 WGE	51174949	DA-2022 PI&R SL IV Part 21
Eff. Eval		
	51184018	DA-U2 Ramp to 50% power Due to CWP 2-2 - Bio-Lab Line 1 Failure CE
05/25/2022	51154489	CE - DA-DEG 2-3 CAP Screws as Found
4/30/2023		Significance Level 1 and 2 Work Group Evaluations Created 04/01/2023 - 04/30/2023
05/31/2023		List of DN 5.1 and 5.2 Created 05/01/2023 - 05/31/2023
05/31/2023		DCPP 1 WGE and 2 WGE Notifications Completed 05/31/2023
05/02/2023		Open LTCA DA Notifications Station Significance 3 as of 05/02/2023
05/02/2023		20 Oldest Non-LTCA DA Notifications as of 05/02/2023
05/02/2023		DCPP CAP Station Index
05/02/2023		Open RCEs as of 05/02/2023
05/02/2023		Open LTCA DA Notifications Station Significance 1 & 2

F. QV Documents (QPAR, Audit Reports, Audit Schedule, Assessments)

Date	Doc. No.	Title
05/08/2023		Quality Digest, May Edition 2023

G. Nuclear Safety Culture Monitoring Panel Reports

Date	Doc. No.	Title
		There is no Nuclear Safety Culture Monitoring Panel Report for this month.

H. Self Assessment/Benchmarking (SA/BM Reports/Schedules)

Date	Doc. No.	Title
10/27/2022	51168723	SRO Cert Benchmark
02/06/2023	51180172	2023 INPO OPS MGR working meeting
04/08/2020	51071977	NSC Self-Assessment 2021
02/18/2021	51107567	FSA Nuclear Operator Training Program
05/02/2022	51152272	Sec Eq 71130.04 Self-Assessment 2022
02/18/2021	51107701	FSA 2023 71111.11 2Q23
07/28/2022	51159708	2022 Maintenance Re-Org QHSA
01/11/2023	51177604	ACAD 10-001 Appendix A QHSA
03/16/2022	51146392	OPS Informal Benchmark - STARS

May 2023
List of Documents Transmitted Electronically

08/17/2022	51161387	Benchmark STP Visit
08/29/2022	51162605	INPO Executive Seminar IER 21-4

I. Performance Information (PPIR, Operating Plan, Station Initiatives)

Date	Doc. No.	Title
1/31/2022		Generation Operating Plan 2021 – 2025, No new updates this month.
05/18/2023		Emergency Planning Performance Improvement Dashboard May 2023
05/17/2023		May 2023 Industrial Safety Performance Improvement Dashboard
04/27/2023		05-2023 PI Dashboard Learning Services
05/23/2023		May 2023 PI Status Summary
05/18/2023		May 2023 Operations Services Performance Improvement Dashboard
05/23/2023		May 2023 Maintenance PI Dashboard
05/15/2023		May 2023 Engineering Services Performance Improvement Dashboard
05/15/2023		May 2023 Security & Emergency Services Performance Improvement Dashboard
Station Initiative		There are no new Station Initiatives for this month.

J. INPO

Date	Doc. No.	Title
		There are no INPO documents for this month.

K. Operational Documents (ODM Minutes, POAs)

Date	Doc. No.	Title
ODM		There are no ODMs for this month.
POA		There are no new POAs for this month.

L. Safety Limit Violation Report

Date	Doc. No.	Title
		There are no Safety Limit Violation Reports for this month.

M. Significance Determination Process Calculations

Date	Doc. No.	Title
		There are no Significance Determination Process Calculations for this month.

N. Miscellaneous

May 2023
List of Documents Transmitted Electronically

Date	Title
	There are no miscellaneous documents for this month.

O. Functional Area Documents

Subcommittee	Date/Doc	Title
Maintenance	Week 202317	T+1 Performance Critique
	Week 202318	T+1 Performance Critique
	Week 202319	T+1 Performance Critique
	Week 202320	T+1 Performance Critique
	Week 202321	T+1 Performance Critique
	Week 202322	T+1 Performance Critique
	April	T+1 Monthly Performance Critique 2314-2317
	May	T+1 Monthly Performance Critique 2318-2321

DIABLO CANYON INDEPENDENT SAFETY COMMITTEE**AGENDA TRANSMITTAL FORM**

MEETING DATE: June 29, 2023

AGENDA ITEM: XXIV-A

AGENDA TITLE: Status of Governmental Interactions, Response to SB846, Regulatory Matters Including a Restatement of the DCISC Charter and Other Matters including Future Funding for the Committee's Operations.

CONSENT [] ACTION [X] INFORMATION [X]

Staff Summary: On August 31, 2022, in the California Assembly, and on September 1, 2022, in the California Senate, the California Legislature passed and on September 2, 2022, Governor Newsom signed urgency legislation to invalidate the Joint Proposal which would have retired DCPD Unit 1 in 2024 and Unit 2 in 2025 in order to preserve the option of continued operation of DCPD beyond 2025 (California Senate Bill SB 846).

The legislation amends sections of the California Government Code, the Public Resources Code, the Public Utilities Code and the Water Code to require the Public Utilities Commission to consider setting new retirement dates for DCPD, conditioned upon the NRC extending the plant's operating licenses.

Public Utilities Code §712.1, added by SB846, also established the DCISC in the Public Utilities Commission and continues and ensures funding for the Committee operations and requires the Committee to undertake certain additional reviews and duties including concerning the transmittal of its findings and recommendations.

It is anticipated the Members, Technical Consultants and Legal Counsel will hold a discussion and receive information including the Committee's response to the passage of SB846 including its interaction with governmental agencies, regulatory matters including, but not limited to, a proposed restatement of the Committee's Charter to incorporate provisions of SB846, and future funding for the Committee's operations.

RECOMMENDED COMMITTEE ACTION: Discussion and provide direction as appropriate.

**~~THIRD~~SECOND RESTATEMENT OF THE CHARTER FOR THE
DIABLO CANYON INDEPENDENT SAFETY COMMITTEE¹**

I. Formation and Membership of the Committee.

A. Composition and Responsibility of the Committee.

(1) An Independent Safety Committee (the "Committee") ~~shall be~~has been established in the California Public Utilities Commission ("CPUC") consisting of three members, one each appointed by the Governor of the State of California, the Attorney General and the Chair of the California Energy Commission ("CEC"), respectively, serving staggered three-year terms. The Committee shall review Diablo Canyon Nuclear Power Plant ("Diablo Canyon") operations and make recommendations to enhance its safety of operations for the purpose of assessing the safety of operations and suggesting any recommendations for safe operation and shall terminate its review in accordance with Section III. Safety of operations shall mean activities in connection with generation of electricity by Diablo Canyon and/or the operation of the Diablo Canyon Spent Fuel Pools and related support systems and the Diablo Canyon Independent Spent Fuel Storage Installation ("ISFSI"), including the transport of nuclear fuel to and from Diablo Canyon's Spent Fuel Pools and the storage of nuclear fuel within the Spent Fuel Pools and the transport and storage of nuclear fuel to and within the ISFSI or elsewhere at Diablo Canyon. The Committee shall consult with and incorporate into its assessments and recommendations the comments of the Independent Peer Review Panel in accordance with Public Utilities Code Section 712.1(e). Neither the Committee nor its members

¹ This Third Restatement of the Charter for the Committee replaces and supersedes: (1) the Charter approved in December 1988 by D.88-12-083; (2) the Restated Charter approved in January 2007 by D.07-01-028; and (3) the Second Restated Charter approved in November 2021 by D.21-09-003 and Advice Letter 6361-E.

shall have any responsibility or authority for plant operations, and they shall have no authority to direct Pacific Gas & Electric Company ("PG&E")² personnel. The Committee shall conform in all respects to applicable federal laws, regulations and Nuclear Regulatory Commission ("NRC") policies.

B. Appointment of Committee Members.

(1) Candidates for Committee membership shall be selected from those persons responding to an open request for applications. The ~~California Public Utilities Commission~~ CPUC shall provide for public comment on qualified applicants by posting on the CPUC's homepage (www.cpuc.ca.gov) a link to information concerning the name of each qualified applicant, along with a summary of his or her qualifications and a statement identifying any potential conflict of interest, an Applicant's Application for Nomination shall address those items enumerated in Section I.C. The President of the CPUC shall provide to the appropriate appointing authority a list of not more than three qualified candidates as alternatives to the reappointment of that authority's designated Committee member whose term is expiring. The incumbent member, if he or she consents, shall be deemed an additional candidate. Each subsequent appointment shall be for a three-year term.

(2) Should a Committee member not complete the appointed term, the authority who appointed that member shall appoint a replacement to serve for the unexpired portion of the term from the most recent list of candidates selected by the President of the CPUC in accordance with the appointment procedures set forth herein.

² In recognition of the terms used in Public Utilities Code §712.1, references to PG&E shall be understood, for forward looking purposes, to be to the "company licensed to operate the Diablo Canyon Unit 1 and 2."

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(3) The President of the CPUC shall review each application to assess the applicant's qualifications, experience and background, including any conflict of interest and comment received from the public, and shall propose as candidates only persons with knowledge, background and experience in the field of nuclear power facilities and nuclear safety issues who demonstrate they have no conflict of interest as set forth in Section I.C. The CPUC Energy Division shall prepare, circulate for public comment and place on the CPUC's public agenda a resolution ratifying the President's selection of not more than three qualified candidates and an incumbent member.

C. Conflict of Interest.

(1) No person shall serve as a member of the Committee if he or she has received \$500.00 or more in income (as defined in Government Code Section 82030, but excluding dividends or interest from stocks or bonds) or gifts (as defined in Government Code 82028) from PG&E or an affiliated company within twelve months prior to the start of his or her original term, or if he or she has, at the time of the commencement of service, an investment (as defined in Government Code Section 82034) worth \$2,000.00 or more in PG&E or any affiliated company. In addition, no member of the Committee shall make, participate in making, or in any way attempt to use his or her official position to influence any action of the Committee in which he or she knows or has reason to know that he or she has a financial interest. The provisions of the Political Reform Act, including implementing regulations and rulings, as applied to Government Code Section 87100 shall be used to determine whether a member has a conflict of interest.

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(2) Members of the Committee shall file a Statement of Economic Interest at the same time and in the same manner as designated employees of the CPUC must file under the Political Reform Act and CPUC Conflict of Interest Code. Members of the Committee shall disclose any investment in or income from the following:

- (a) An electric corporation subject to the jurisdiction of the CPUC, including any parent, subsidiary or affiliated business entity;
- (b) A business entity that regularly supplies natural gas, nuclear fuel, fuel oil or other forms of energy to an electric corporation subject to CPUC jurisdiction;
- (c) Any business entity that has done more than \$10 million of work on the design, construction, engineering or operation of the Diablo Canyon power plant.

Copies of the members' Statements shall be available for public inspection.

(3) No person shall serve as a member of the Committee if he or she has a prior history of supporting or opposing PG&E as a witness or intervenor in nuclear licensing or CPUC proceedings associated with Diablo Canyon.

D. Commencement of Term.

(1) The list of candidates shall be submitted to the appointing authorities on or before January 1 of each year. Appointments shall be made by March 1 of each year. Each Safety Committee term shall commence on July 1 of the year of appointment. If any such deadline is missed, the relevant action shall be taken or shall occur at the earliest possible date thereafter.

(2) In accordance with Government Code Section 1302, a Committee member shall continue to discharge his or her duties until reappointed or replaced.

E. Exercise of Powers.

(1) The Chair of the CEC and the President of the CPUC shall exercise their powers after consultation with their respective commissions in public session.

II. Scope of Committee Operations.

A. Receipt of Reports and Records.

(1) The Committee shall have the right to receive on a regular basis such of the following operating reports and records of Diablo Canyon as the Committee may request. Such reports and records shall be provided quarterly as available:

- (a) Automatic scrams while critical;
- (b) Significant events;
- (c) Safety system actuations;
- (d) Forced outage rate;
- (e) Collective radiation exposure;
- (f) Industrial safety loss time accident rate;
- (g) NRC public reports and evaluations of Diablo Canyon; and
- (h) Such other reports pertinent to safety as may be produced in the course of operations and may be requested by the Committee.

B. Annual ~~Examinations and Additional Site Visits~~Site Inspection.

(1) The Committee shall have the right to conduct examinations of the Diablo Canyon site. If the Committee requires additional information regarding a specific issue the Committee may request such information and, upon proper notice to PG&E, conduct a site visit to investigate that issue.

(2) PG&E shall cooperate with the Committee in arranging times for the Committee's visits to the site and shall be responsible for ensuring the cooperation of PG&E employees and contractors in providing information and access to the plant and facilities of PG&E and to pertinent records. Any such site visit must comply with all applicable federal laws, regulations, and NRC policies, including laws, regulations and policies governing screening of persons who may participate in site inspection examinations of the site.

C. Committee Reports and Recommendations.

(1) The Committee shall prepare an annual report, and such interim reports as it deems appropriate, which reports shall include any findings and recommendations of the Committee for improved safety. As required by Public Utilities Code ("PUC") Section 712.1(e)(2), the annual report shall be transmitted-submitted to the Legislature, the Governor, the CPUC, the CEC, the NRC, and to PG&E. The report transmitted to the Legislature shall be in accord with Section 9795 of the Government Code. PG&E shall annually respond to the Committee's annual report and distribute its response to the governmental entities specified above, and such response shall be made a part of the Committee's next annual report. first to PG&E, and PG&E shall respond in writing within 45 days. PG&E's response shall be made part of the report which shall then be submitted to the CPUC, the Governor, the Attorney General and the CEC. The CPUC, the Governor, the Attorney General, and the CEC, or any one of them, may file a request pursuant to 10 CFR Sec. 2.206 for the Director of Nuclear Reactor Regulation to institute a proceeding to require PG&E to adopt any safety recommendation made by the Committee. PG&E is free to oppose any such recommendation before the NRC.

D. Confidentiality of Information

(1) In the course of review of Diablo Canyon operations, Committee members may receive confidential information. Federal law restricts disclosure of certain information; accordingly, Committee members shall seek approval of the NRC for access to such information and shall comply with all laws, regulations, including 10 Code of Federal Regulations, Part 810, and policies applicable to access to, possession and use of such information. The Committee is subject to the California Public Records Act (Government Code Section 6250-7920.000 et seq.) and to CPUC General Order 66-D. To the extent that PG&E believes that information sought by the Committee, not otherwise regulated by the Atomic Energy Act, is confidential under the California Public Records Act and General Order 66-D (whether because it constitutes confidential business information, the disclosure of which might injure PG&E in its business, or for any other reason) PG&E shall so designate that information and the basis on which PG&E believes the information is exempt from disclosure. If the Committee receives a demand for disclosure of information so designated by PG&E, the Committee shall notify PG&E and lawfully object and defend any rights the Committee may have to non-disclosure of the confidential information. A dispute between the Committee and PG&E on a claim of confidentiality shall promptly be submitted to binding arbitration. Committee members and all persons who receive confidential information in the course of or as a result of the Committee's activities shall have a duty to maintain the confidentiality of that information and, in addition to complying with the requirements of federal and state law and regulations, shall execute a confidentiality agreement prior to receiving any confidential information.

(2) The Committee may contract for services, including the services of consultants and experts, to assist the Committee in its safety review. Disclosure of PG&E information or records to any such person shall be governed by the provisions of this agreement in the same manner as disclosure to members of the Committee. No disclosure of confidential information shall be made to any person who does not have a need to receive the information in order to assist the Committee in its safety review. Nor shall such disclosure be made to any person known to have a conflict of interest.

(3) This provision shall not preclude the Committee from submitting relevant information to the NRC or to the CPUC, the Governor, the Attorney General, or the CEC to the extent permitted by state and/or federal law. Prior to the disclosure of any confidential information, however, the Committee shall give PG&E notice of its intention to do so and an opportunity to designate specific documents or information which should not be publicly disclosed and to seek to prevent public disclosure by the entity to which disclosure is made.

E. Compensation of the Committee

(1) Members of the Committee shall be compensated in an amount established by the CPUC commensurate with fees PG&E pays for similar services. Each member shall receive a \$10,~~000~~400.00 annual retainer and, in the event a member performs more than 40 hours of work on Committee business between July 1 and the following June 30, such hours shall be compensated at \$~~250~~260.00 per hour. PG&E shall file annually, on April 1, a report updating commensurate fees for comparable services and concurrent with that report, an advice letter with proposed revisions to the compensation levels.

(2) The fees and expenses of the Committee and its contractors shall be paid by PG&E and PG&E shall be entitled to recover those amounts through its cost-of-service rates recovered from its ratepayers, from public funds, or from customers of other Load Serving Entities as authorized by the CPUC. An authorized funding level for the Committee~~Committee~~ budget not exceeding \$673,077.00 for calendar year 1996, with a 1.5% annual escalation for every year thereafter, ~~has been~~was established in CPUC Decision (D.) 97-05-088, which include~~sto cover~~ all costs, member compensation, travel expenses, contracting fees, staff salaries and audit expenses. Funding for the Committee continued as outlined above through PG&E's then triannual, now quadrennial, periodic General Rate Cases, through the current proceeding, Application (A.) 21-06-021. E~~However, enactment of Senate Bill ("SB") 846 (2022) imposed additional responsibilities on the Committee during the period of transition and license renewal for extended operations of Diablo Canyon whereby additional, incremental funding for the Committee could not be recovered as before through PG&E's General Rate Case (see Public Utilities Code Section 712.8(d)). SB 846 also required the CPUC to ensure funding of the Committee to attract qualified experts during this same period. As such, t~~The CPUC determined in Rulemaking (R.) 23-01-007 that additional, incremental funding needed to supplement the Committee's existing 2023 and 2024 budgets funding pursuant to D.97-05-088 and ensure its continued operation as Diablo Canyon transitions to extended operations, is associated with Diablo Canyon transition-related activities and can be advanced to the Committee by PG&E and accounted for through PG&E's Diablo Canyon Transition and Relicensing Memorandum Account ("DCTRMA"). Senate Bill 846 also provides an alternate source of funding by customers of multiple Load Serving Entities responsible for costs related to the extended

operation of Diablo Canyon, for the administration of which the Commission has authorized PG&E to establish a Diablo Canyon Extended Operations Balancing Account (DCEOBA). All funds for the reasonable fees and expenses of the Committee and its contractors during any period of Diablo Canyon's extended operations shall be advanced by PG&E and accounted for and reimbursed to PG&E through the DCEOBA. Consistent with Public Utilities Code Section 712.8(p), the annual funding level for the Committee to be furnished by PG&E ratepayers, set not to exceed \$673,077.00 in the year 1996 and escalated thereafter at a rate of 1.5% per year, will be reinstated to fund the Committee's operations during any period when the Committee remains active after generation of electricity by Diablo Canyon has ceased in preparation for decommissioning.— Funds provided for the fees and expenses of the Committee and its contractors which remained ed unspent and uncommitted on December 31 of a calendar year prior to 2022 were~~will be~~ returned to PG&E and applied as a credit to its cost-of-service rates. The same return and credit procedure will apply when funding by PG&E ratepayers has been reinstated to fund all the Committee's operations during decommissioning. For the Committee's 2023 and 2024 budgets, unspent and uncommitted amounts from the prior year, i.e. 2022 and 2023, may be utilized for Committee fees and expenses in 2023 and 2024 respectively. The compensation of Committee members, which is included in the funding level~~budget~~, is tied to the fees paid by PG&E for similar services. Therefore, the rate of change in the funding level~~budget~~ could differ from the rate of change in the compensation paid to e~~C~~ommittee members.

(3) The Committee and its contractors shall keep accurate books, records and accounts, which shall be open to inspection and audit by the CPUC or its designee and by

PG&E. Such audit shall include review of the reasonableness of fees and expenses and review for conflict of interest.

F. Outreach

(1) The Committee shall undertake public outreach in the affected community, including, but not limited to, assuring that the Committee meetings are conducted in accordance with the Bagley–Keene Open Meeting Act and videotaped and broadcast. To the extent that public outreach results in an increase in costs associated with the Committee, beyond any annual authorized funding level, the Committee's budget shall be increased by the same amount and PG&E shall be entitled to recover that amount through a CPUC-determined increment to PG&E's cost-of-service rates.

(2) The Committee shall undertake outreach concerning matters within its purview with other review committees established by the CPUC (e.g., the Independent Peer Review Panel for Seismic Studies at Diablo Canyon Power Plant) and by PG&E (e.g., the Diablo Canyon Decommissioning Engagement Panel) including, but not limited to, providing advanced copies of its public meeting agendas and, upon request, copies of its non-confidential documents and reports.

III. Termination of Committee's Review of Diablo Canyon Operations.

(1) The Committee will terminate its review of safety of operations upon further order of the CPUC but, in accordance with Public Utilities Code Section 712.1(b), no sooner than when the NRC operating permit for Diablo Canyon has ceased and or upon the date of successful completion of the transfer of all spent nuclear fuel has been moved to dry storage infrom both Diablo Canyon Spent Fuel Pools to the Independent Spent Fuel Storage Installation.

The Committee will then prepare and submit a final annual or an interim report and terminate its activities within twelve months after such order or date.

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