

**Official Transcript of Proceedings**  
**NUCLEAR REGULATORY COMMISSION**

Title:                   Petition Review Board Meeting: Oceansiders  
                          Against San Onofre Corruption

Docket Number:     OEDO-19-00454

Location:            Rockville, Maryland

Date:                 Wednesday, January 22, 2020

Work Order No.:     NRC-0777

Pages 1-37

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UNITED STATES NUCLEAR REGULATORY COMMISSION

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PETITION REVIEW BOARD

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DISCUSSION WITH PETITIONER SEEKING ENFORCEMENT  
ACTION AGAINST SOUTHERN CALIFORNIA EDISON COMPANY  
[SAN ONOFRE NUCLEAR GENERATING STATION UNITS 2 AND 3  
(SONGS) 2.206 PETITION OEDO-19-00454]

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WEDNESDAY

JANUARY 22, 2019

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The Petition Review Board met in the TWFN  
7-D-30, 11555 Rockville Pike, Rockville, MD, at 1:00  
p.m., Kevin Williams, Chair, presiding.

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PRESENT

KEVIN WILLIAMS, Chair, PRB, NRC

ANDREA KOCK, NRC

DAN DOYLE, NRC

CHRIS ALLEN, NRC

JON WOODFIELD, NRC

MARLAYNA DOELL, NRC

PERRY BUCKBERG, NRC

ROB CARPENTER, NRC

SOPHIE HOLIDAY, NRC

STEPHANIE ANDERSON, NRC

LATIF HAMDAN, NRC

RICHARD CHANG, NRC

ANDREW HON, NRC

JAMES RUBENSTONE, NRC

ZAHIRA CRUZ, NRC

ALSO PRESENT

AL BATES, Southern California Edison

MARK MORGAN, Southern California Edison

DERRICK BRYCE, Southern California Edison

WILLIAM WIEGEL III, Oceansiders Against San Onofre  
Corruption

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WILLIAM WIEGEL, JR., Oceansiders Against San Onofre  
Corruption

TORGAN JOHNSON, Oceansiders Against San Onofre  
Corruption

DONNA GILMORE, Oceansiders Against San Onofre  
Corruption

SUE GARCIA, San Diego Gas & Electric

ALLEN TRIAL, San Diego Gas & Electric

1 1:00 p.m.

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MR. ALLEN: Mr. Weigel?

MR. WIEGEL: Yes, sir.

MR. ALLEN: I just wanted to ask a question as a point of going forward. The name of your organization is Oceansiders Against San Onofre Corruption. As we go through the introductions and the preliminary statements, do you have any objections to being referred to simply as Oceansiders?

MR. WIEGEL: No, that's fine.

MR. ALLEN: Okay. Thank you.

MR. ALLEN: Okay. If there's no objections then, we'll go ahead and get started with the meeting then. So I'd like to thank everybody for attending this meeting. The purpose of today's meeting is to provide the petitioner, Oceansiders Against San Onofre Corruption, also known as Oceansiders, an opportunity to address the Petition Review Board, or PRB, regarding their petition to stop spent fuel loading activities at SONGS and to relocate the spent fuel to a less densely-populated area not on a military installation.

My name is Chris Allen. I'm a project manager in the Division of Fuel Management in the Office of Nuclear Material Safety and Safeguards. I'm

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1 also the petition manager for this petition.

2 The PRB Chairman is Kevin Williams, Deputy  
3 Director in the Division of Material Safety and  
4 Security, State and Tribal Programs, in the Office of  
5 Nuclear Material Safety and Safeguards. This is a  
6 Category 1 meeting. The public is invited to observe  
7 this meeting and will have one or more opportunities  
8 to communicate with the NRC after the business portion  
9 but before the meeting is adjourned.

10 I'd ask that you please silence your cell  
11 phones at this time, as not to interrupt the meeting  
12 or any of its speakers. There is a sign-up sheet  
13 around the room, and I'll ask everybody in attendance  
14 in the room to please fill that out.

15 As part of the Petition Review Board's  
16 review of this petition, Oceansiders has requested  
17 this opportunity to address the PRB. This meeting was  
18 scheduled to begin at 1:00 Eastern time and, after  
19 introductory remarks, we'll allow Oceansiders 35  
20 minutes to address the Board. The meeting is being  
21 recorded by the NRC Operations Center and will be  
22 transcribed by a court reporter. The transcript will  
23 become a supplement to the petition. Since this  
24 transcript will also be made publicly available, no  
25 sensitive or proprietary information should be

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1 presented.

2 I'd like to open the meeting with  
3 introductions. As I stated, the PRB Chair is Kevin  
4 Williams, and we'll go around the rest of the room in  
5 this direction, please.

6 MR. WOODFIELD: Okay. My name is Jon  
7 Woodfield. I'm an inspector in NMSS, the Division of  
8 Fuel Management, the Inspections Oversight Branch.

9 MR. BUCKBERG: I'm Perry Buckberg. I'm  
10 the Agency 2.206 Petition Process Coordinator.

11 MR. CARPENTER: Robert Carpenter, NRC,  
12 Office of General Counsel.

13 MS. HOLIDAY: Sophie Holiday, Office of  
14 Nuclear Material Safety and Safeguards, Enforcement  
15 Coordinator.

16 MR. DOYLE: I'm Dan Doyle. I'm the Acting  
17 Chief of Storage, Transportation, and Licensing  
18 Branch, Division of Fuel Management, NMSS.

19 MR. RUBENSTONE: My name is James  
20 Rubenstone. I'm the Chief of Material Control and  
21 Accounting Branch in the Division of Fuel Management  
22 in NMSS.

23 MR. CHANG: Richard Chang, NMSS, Reactor  
24 Decommissioning Branch.

25 MR. ALLEN: Would NRC personnel on the

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1 phone please introduce yourselves?

2 OPERATIONS OFFICER: Headquarters  
3 Operations Officer, NRC.

4 MS. KOCK: This is Andrea Kock. I'm the  
5 Director of the Division of Fuel Management at the  
6 NRC.

7 MS. ANDERSON: Stephanie Anderson, Health  
8 Physicist, NRC, Region IV office.

9 MS. CRUZ: Zahira Cruz, Project Manager,  
10 Reactor Decommissioning, NRC.

11 MS. DOELL: This is Marlayna Doell. I'm  
12 also a project manager in Reactor Decommissioning for  
13 the NRC.

14 MR. HAMDAN: Latif Hamdan, Division of  
15 Fuel Management, Office of Nuclear Material Safety and  
16 Safeguards. I'm also the 2.206 petition coordinator  
17 for the office.

18 MR. ALLEN: Thank you very much. Are  
19 there any representatives of the licensee on the  
20 phone?

21 MR. BATES: Yes. This is Al Bates,  
22 Regulatory Manager, representing Southern California  
23 Edison. Here with me is Mark Morgan from our  
24 Regulatory Affairs Department and Derrick Bryce, our  
25 legal counsel.

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1 MR. ALLEN: Thank you very much.  
2 Oceansiders, would you please introduce yourselves for  
3 the record?

4 MR. WIEGEL: Yes, this is William Wiegel,  
5 III, Oceansiders Against San Onofre Corruption.

6 MR. WIEGEL: I'm William Wiegel, Jr.

7 MR. JOHNSON: Torgan Johnson.

8 MS. GILMORE: Donna Gilmore, San Onofre  
9 Safety also.

10 MR. ALLEN: Although it's not required for  
11 members of the public to introduce yourself, are there  
12 any members of the public on the phone that would like  
13 to introduce themselves at this time? Hearing none.

14 I want to emphasize that we each need to  
15 speak clearly and loudly to make sure that the court  
16 reporter can accurately transcribe this meeting. If  
17 you do have something that you would like to say,  
18 please state your name for the record.

19 For those dialing into the meeting, please  
20 remember to mute your phones to minimize any  
21 background noise or distractions. If you don't have a  
22 mute button, you can mute your phone by pressing the  
23 keys \*6, and if you would like to speak you can unmute  
24 the phone by pressing \*6.

25 At this time, I will turn it over to the

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1 PRB Chairman, Kevin Williams.

2 MR. WILLIAMS: Welcome to this meeting  
3 regarding the 2.206 petition submitted by Oceansiders  
4 Against San Onofre Corruption. From here on, I will  
5 reference them as Oceansiders.

6 I'd like to first share some background on  
7 NRC's process. Section 2.206 of Title X of the Code  
8 of Federal Regulations describes the petition process,  
9 which is the primary mechanism for the public to  
10 request enforcement action by the NRC in a public  
11 process. This process permits anyone to petition NRC  
12 --

13 MR. WIEGEL: Sorry to interrupt, but we  
14 are having a hard time hearing the gentleman speaking.

15 MR. WILLIAMS: I'm going to move over.  
16 Can you hear me better now?

17 MR. WIEGEL: Yes, that is better.

18 MR. WILLIAMS: Okay. For the sake of  
19 argument, I'll start over. Welcome to this meeting  
20 regarding the 2.206 petition submitted by Oceansiders  
21 Against San Onofre Corruption. Hereafter, I will  
22 refer to them as Oceansiders.

23 I'd like to first share some background on  
24 our process. Section 2.206 of Title X of the Code of  
25 Federal Regulations describes the petition process,

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1 which is the primary mechanism for the public to  
2 request enforcement action by the NRC in a public  
3 process. This process permits anyone to petition the  
4 NRC to take enforcement type action related to NRC  
5 licensees or licensed activities. Depending on the  
6 results of its evaluation, the NRC could modify,  
7 suspend, or revoke an NRC-issued license or take any  
8 other appropriate enforcement action to resolve a  
9 problem.

10 The NRC staff guidance for the disposition  
11 of a 2.206 petition request is in Management Directive  
12 8.11, which is publicly available. The purpose of  
13 today's meeting is to give Oceansiders an opportunity  
14 to provide any additional explanation and support for  
15 the petition after having received the PRB's initial  
16 assessment.

17 This public meeting is not a hearing, nor  
18 is it an opportunity for Oceansiders or other members  
19 of the public to question or examine the PRB on the  
20 merits or the issues presented in the petition  
21 request. Oceansiders will have 35 minutes for their  
22 presentation. The NRC staff in attendance may ask  
23 clarifying questions in order to better understand  
24 Oceansiders' presentation and to reach a reasoned  
25 decision on whether or not to accept Oceansiders'

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1 request for review under the 2.206 process.

2 No decisions regarding the merits of this  
3 petition will be made at this meeting. The meeting  
4 will be transcribed, and the transcript will be made  
5 publicly available.

6 Following this meeting, the PRB will  
7 consider the supplemental information presented during  
8 the meeting together with the original application in  
9 making its final recommendation on whether to accept  
10 the petition for review. Oceansiders will be informed  
11 of the final recommendation.

12 I would like to summarize the scope of the  
13 petition under consideration and the NRC activities to  
14 date. On August 3rd, 2019, Oceansiders submitted to  
15 the NRC a petition under 2.206 regarding concerns  
16 about spent fuel loading activities at SONGS.  
17 Specifically, Oceansiders requested that the NRC issue  
18 an immediate cease and desist to Southern California  
19 Edison and require the permit holder procure safer  
20 storage in thick-walled, easily transportable  
21 canisters, and relocate them to a temporary storage  
22 site further away from densely-populated areas and not  
23 on a military installation.

24 On December 20th, 2019, the petition  
25 manager contacted Oceansiders to inform them of the

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1 PRB's initial assessment that the petition does not  
2 meet Management Directive 8.11, Section 3.c.1 criteria  
3 for a petition evaluation because NRC staff has  
4 continued to carefully regulate the licensee's spent  
5 fuel loading activities at SONGS, including the review  
6 of the fuel storage facility design; inspections  
7 encompassing the physical facility, as well as the  
8 licensee's operational performance; and appropriate  
9 enforcement actions.

10           Regarding Oceansiders' concern about the  
11 environmental impacts of the spent fuel loading  
12 activities, NRC staff concluded that these activities  
13 are bounded by previously-issued generic environmental  
14 impact statements and did not find any deviations from  
15 previously-issued environmental statements for SONGS.

16           The petition manager also offered  
17 Oceansiders an opportunity to address the PRB to  
18 clarify or supplement the petition in response to this  
19 assessment, and Oceansiders accepted the invitation.  
20 As a reminder for the phone participants, please  
21 identify yourself if you make any remarks, as this  
22 will help us in the preparation of the meeting  
23 transcript that will be made publicly available.  
24 Thank you.

25           At this time, I will turn it over to

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1 Oceansiders to allow you they opportunity to provide  
2 any information you believe the PRB should consider as  
3 part of this petition. You have 35 minutes for your  
4 presentation.

5 MR. WIEGEL: Thank you for that. This is  
6 William Wiegel, III, and I would like to begin with  
7 addressing the response dated December 20th, 2019.  
8 The first paragraph about response identifies that,  
9 based on the PRB's initial assessment, it appeared  
10 that all of the issues raised in our petition have  
11 already been the subject of NRC staff review and did  
12 not raise concerns with the NRC staff not considered  
13 and resolved or not appropriately addressed in the  
14 2.206 process. Accordingly, the preliminary decision  
15 was not to accept the petition.

16 The first item we wish to present as the  
17 petitioner, a petitioner request for the documentation  
18 that the NRC had conducted third-party verified ASME-  
19 compliant investigations into the field conditions of  
20 the Holtec canisters in response to an admission by  
21 Dr. Chris Singh at the 1/19/19 NRC pre-decisional  
22 enforcement conference webinar where Dr. Singh  
23 admitted on record to, quote, manufacturing  
24 incompetence, end quote, of Holtec equipment currently  
25 in use at the site. This admission directly

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1 invalidates all Holtec warranties and claims of safety  
2 and directly calls into question whether the canisters  
3 installed actually conformed to the certificate of  
4 compliance and technical specifications that are  
5 referenced further in the NRC's response where they  
6 state, as a result of NRC staff remains confident that  
7 the reasonable assurance of adequate protection of the  
8 public's health and safety is maintained for as long  
9 as fuel is stored in accordance with the requirements  
10 of the SONGS license, the certificate of compliance  
11 for the Holtec systems, and other typical  
12 requirements. We have a situation where there's a  
13 direct contradiction to the certificate of compliance,  
14 as admitted to by Holtec's own employee, Dr. Chris  
15 Singh, where he admitted to the manufacturing  
16 incompetence and states there is no information  
17 available to the public showing any investigation into  
18 the manufacturing incompetence claims stated by Dr.  
19 Singh. Therefore, we have no way to see if the steel  
20 was manufactured to the adequate standards required  
21 under this permit.

22 In order for this admission of the non-  
23 compliance with the certificate of compliance and  
24 technical specifications, the NRC has a legal  
25 responsibility to hold them to the burden of proof by

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1 means of third-party verified ASME compliant test  
2 results documenting the steel they manufactured and  
3 subsequent use of the canisters that meets these  
4 requirements in the certificate of compliance. Until  
5 such time as an independent ASME-certified third-party  
6 testing laboratory can be procured by the licensee to  
7 verify the condition of the manufactured steel used to  
8 build the canisters under this permit, the NRC will be  
9 unable to meet its Directive 8.11-02 objective that  
10 state to ensure the public health and safety through  
11 the prompt and thorough evaluation of any potential  
12 problem addressed by the petition filed under the CFR  
13 2.206 process and immediately place a cease and desist  
14 on the project until that can be secured.

15           The second issue we would like to bring up  
16 is the response that the NRC staff has continued to  
17 carefully regulate the licensee's decommissioning  
18 activities at SONGS including review of the fuel  
19 storage facility design inspections and appropriate  
20 enforcement actions. Specifically, the NRC performed  
21 a thorough review of UMAX independent spent fuel  
22 storage installation designs at the time the entity  
23 approved in 2017 through public rulemaking. In  
24 addition, NRC staff from Headquarters Region IV  
25 continuously performs oversight to ensure the storage

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1 of spent nuclear fuel does not pose a threat to public  
2 health and safety. The NRC inspections of  
3 decommissioning activities are documented and  
4 inspection reports are publicly available.  
5 Inspections at SONGS is specifically considered events  
6 described in the petition regarding licensee's fuel  
7 loading operations, potential scratching of the fuel  
8 canisters, and training of SDG&E employees at NRC's  
9 response include a detailed assessment of the  
10 significant events, specific enforcement actions, and  
11 subsequent consideration of corrective actions.  
12 However, this statement directly contradicts the  
13 following statement made by employees at the 1/24/19  
14 webinar in which Scott Morris addressed the process to  
15 determine what punitive actions, if any, were going to  
16 be taken against Edison, who stated management failed  
17 to recognize the complexity and risk associated with  
18 long-duration fuel transfer campaign while using a  
19 relatively new system design. Morris then posed a  
20 question to Southern California Edison of how do you  
21 justify that if you get caught, and Edison admitted  
22 that it was guilty of poor planning, a lack of senior  
23 management, and oversight. As previously stated, any  
24 assertion of their ability to move forward without  
25 further incident is not credible and presents a clear

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1 threat to public safety.

2 PRB's statements directly contradict the  
3 assessment made by the regional administrator and the  
4 assumption of trust for Southern California Edison and  
5 its contractors to self-correct and police are not  
6 only therefore flagrantly irresponsible and directly  
7 violates NRC's own mission statements. For example,  
8 the NRC putting more trust in the licensee while  
9 ignoring its own personnel acts with overseeing the  
10 safety of the project is evident in an article  
11 published by the LA Times in which a federal inspector  
12 found many of the waste filled cans had been scraped  
13 and scratched when they were lowered into the interim  
14 storage facility. That article is referenced for the  
15 Board to review in detail.

16 For the sake of time, I'm going to move  
17 forward into the third item where, again, the NRC  
18 states that they remain confident with a reasonable  
19 assurance of adequate protection of the public health  
20 and safety is maintained for as long as the fuel is  
21 stored in accordance with the requirements of the  
22 SONGS licensee's certificate of compliance for the  
23 Holtec system and other applicable requirements. The  
24 agency is committed to ensuring the continuation of  
25 its ongoing regulatory oversight at the facility, as

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1 reflected in the NRC's rigorous review of the fuel  
2 storage design at SONGS, together with its well-  
3 documented inspection and enforcement of the  
4 activities.

5 As previously stated, Holtec has admitted  
6 it is in breach of the certificate of compliance.  
7 Additionally, this Southern California Edison document  
8 titled SONGS HI-STORM MPC visual assessment report is  
9 recently released after being obtained by a FOIA  
10 request which exposes Southern California Edison  
11 conducted a visual assessment that was not a formal  
12 inspection or an activity qualified to ASME Sections 7  
13 and/or 16 or, I'm sorry, 11. 3, 5, and 11. Pardon  
14 me.

15 In spite of this fact, the conclusions  
16 section stated the scope of the visual assessment is  
17 considered adequate. Therefore, even with incidental  
18 contact during downloading operations, the SONGS HI-  
19 STORM MPCs remain in compliance with all applicable  
20 ASME boiler and pressure vessel code requirements.  
21 This inspection was not done to ASME qualifications,  
22 and the margin of error in the report could put the  
23 SONGS HI-STORM MPC standard of .175 inches of  
24 available margin for localized losses of shell  
25 thickness out of compliance with all applicable ASME

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1 boiler and pressure vessel code requirements.

2 We hereby request the NRC call for an  
3 immediate cease and desist order for the project until  
4 such time as an independent third-party ASME Section  
5 3, 5, and 11 test occurs and confirms that the SONGS  
6 Hi-STORM MPC standards for .175 inches of available  
7 margin for localized losses of shell thickness is  
8 complied with. The NRC's acceptance of these non-ASME  
9 sections for an otherwise qualified visual inspection  
10 report as satisfactory downloading operations of the  
11 canister is a violation of their mission statement and  
12 warrants an immediate cease and desist be issued.

13 Regarding item number four, in the  
14 response regarding the concern about the siting of the  
15 facility and environmental impacts, the final  
16 paragraph, you also requested that the NRC relocate  
17 spent fuel away from military bases. Staff has  
18 concluded that, pursuant to MD Section 2.A.2, the  
19 request is not appropriate for the 2.206 process  
20 because it's outside the NRC's jurisdiction. Public  
21 law 88-82 referenced in the decision vests its  
22 authority in the Secretary of Navy to determine the  
23 appropriateness of granting an easement for the  
24 purpose of siting a nuclear power plant, including all  
25 of its purposes. Therefore, the NRC lacks the

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1 jurisdiction to take the specific action the  
2 petitioner requests.

3 We hereby request documentation from the  
4 NRC that shows correspondence from the Secretary of  
5 Navy where approval was granted for the licensee to  
6 place an unsecured ISFSI on a military installation  
7 with no engineering or protective consideration in its  
8 ballistic impact or other potential enemy attacks. If  
9 no documentation can be produced, we hereby request  
10 the NRC conduct an immediate full factual hearing to  
11 document whether the Navy considers the ISFSI  
12 adequately hardened to withstand enemy attacks in a  
13 time of war since military bases are legitimate  
14 targets under the Laws of War. The NRC has  
15 demonstrated the clear rightness of the need for the  
16 Secretary of Navy to have jurisdiction over the  
17 appropriateness of this location but has not showed  
18 its due diligence in securing more approval for the  
19 safety element of the approval process. Therefore,  
20 until such times as written approval has been procured  
21 from the Secretary of the Navy, an immediate cease and  
22 desist must be placed on the project due to elevated  
23 threat levels from active conflict areas, both  
24 international and domestically. Failure to do so will  
25 document complicity by the NRC in what amounts to a

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1 potential weapon of mass destruction being  
2 intentionally or unintentionally developed for enemy  
3 use against the United States in a time of declared or  
4 undeclared war on an active military installation.

5 In addition this, we would also like to  
6 redirect attention to concerns of jurisdiction brought  
7 up by W.L. Whittenberg, Assistant Chief of Staff, the  
8 Marine Corps installation base, and the letter of  
9 Joseph Street of the Coastal Commission where he  
10 stated, for a SONGS site, the instrument at issue is  
11 the easement in which the federal agency retains even  
12 more rights to access the site subject to the easement  
13 than it does with a lease to be addressed by the  
14 Federal District Court in Manchester. The Navy and  
15 United States Marine Corps understand the Commission's  
16 reliance on the California Coastal Commission versus  
17 Granite Rock Company case to assert jurisdiction under  
18 the California Coastal Act over this federal property.  
19 The federal property in the Granite Rock, though, was  
20 under the proprietorial jurisdiction where state law  
21 generally applies. The SONGS site, on the other hand,  
22 is under exclusive federal jurisdiction where the  
23 state generally does not apply. Thus, it is the Navy  
24 and the United States Marine Corps' position that the  
25 Commission only has jurisdiction over the SONGS site

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1 through the different key provisions of the Federal  
2 Coastal Zone Management Act; and, therefore, the Navy  
3 and the United States Marine Corps object to the  
4 Commission requiring or issuing a coastal development  
5 permit under the California Coastal Act, the proposed  
6 action at hand, or for any other proposed action at  
7 the SONGS site.

8           Until such time that the NRC had procured  
9 a letter of authorization, they are actually acting in  
10 direct opposition of these statements by W.L.  
11 Whittenberg that were given to the Coastal Commission  
12 in collaboration with the approval of this permit.

13           MR. WIEGEL: This is William Wiegel, Jr.,  
14 and I have 20 years experience as a judge advocate in  
15 the Air Force. I'm very concerned about the fact that  
16 the NRC used a blanket environmental impact statement  
17 to cover the largest nuclear waste dump privately run  
18 in the nation, which is on a military installation.  
19 There are no other nuclear power plants on military  
20 installations in the United States, and I have seen no  
21 documentation regarding any analysis on the part of  
22 the NRC to provide authorization for public policy  
23 that would allow for a nuclear waste dump, and, in  
24 this case, it's one which contains enough radioactive  
25 cesium-137 to be equivalent to over a hundred

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1 Chernobyls or 700 nuclear missiles, take your pick,  
2 and to allow that on a military installation.

3           And one of the things that needs to be  
4 addressed is the fact that military installations have  
5 a different unique status under international law  
6 regarding the laws of war. And if you put something  
7 on a military installation, it's likely to get hit by  
8 your enemy in a time of war. And no one can say how  
9 long that material is going to be at San Onofre, but  
10 no one can say that we won't be at war within the next  
11 40 years or 50 years or however long it stays out  
12 there.

13           And my concern is that no effort was made  
14 to separately engineer that facility so that it would  
15 be hardened. If you know anything about the military,  
16 you know that they're very good at hardening sites to  
17 protect them against enemy attack. If you look at how  
18 we handle our chemical emissions in this country, we  
19 scatter them out in hardened sites where they're not  
20 all clustered together. The engineering on this where  
21 you utilize, as Lee Brookhart of your own NRC  
22 organization said, the ASME standards are not met for  
23 pressure vessels. Well, guess what? Missiles provide  
24 a lot of concussion and could easily rupture one of  
25 those canisters.

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1           There's been no analysis and no public  
2 policy effort to say that a military installation is  
3 an appropriate place to put that level of radioactive  
4 material, particularly when we have, within 50 miles  
5 we have eight and a half million people that live out  
6 here. It's unconscionable that the NRC would have  
7 done this and done it in the manner that they did.  
8 You guys really need to have a full hearing on this  
9 particular issue, and I would suggest that you ask the  
10 Navy to help bail you out at this point and figure out  
11 how to harden that site, build a dome over it or do  
12 whatever. Thank you.

13           MS. GILMORE: This is Donna Gilmore.  
14 There's no reason for the NRC to give exemption to  
15 ASME nuclear pressure vessel standards for storage and  
16 transport. There are other systems that have that  
17 certification, and we need to protect our military and  
18 all our resources, and there's nothing more critical  
19 than doing that now. And I hope that you re-evaluate  
20 your decision on this. Take a look at the Swiss  
21 system if you want to learn what a good design is and  
22 explain why you are rejecting ASME N3-certified  
23 systems that are in hardened facilities.

24           MR. JOHNSON: This is Torgan Johnson.  
25 I've been looking at this ISFSI presented to the

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1 public after the early shutdown of the two reactors.  
2 What I notice, along with a number of other people,  
3 planners, the first thing was a red flag was the  
4 siting of this thing. You couldn't have picked a  
5 worse site location-wise just from the environmental  
6 and natural hazards risk of this site.

7 The second thing that's come to light was  
8 looking at the design of this system. My background  
9 is architecture and urban planning, and I would say  
10 that, as I've attended all these meetings through the  
11 CEP and NRC meetings related to this ISFSI, there's a  
12 cumulative number of red flags that the public has  
13 identified. And what I see in these discussions about  
14 the licensing approval process and then overlooking  
15 the safety concerns and waiving safety regulations is  
16 that you have a cumulative effect of all of these  
17 things now at the site, and maybe the most glaring one  
18 was Southern California Edison's address of a near  
19 drop event was portrayed as a worker training issue  
20 and not a hardware issue. And it parallels very much  
21 what we've just seen with the Boeing issue with the  
22 737 Max 8 issue. I think there was an immediate  
23 response to blame the pilots for what, essentially,  
24 was a hardware issue and a software issue.

25 We have the same problem here at San

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1 Onofre where workers on site, some of them from the  
2 construction industry who had very little training,  
3 very little understanding of the risks, and absolutely  
4 no procedures in place to be able to deal with an  
5 accident, had confronted a near drop of one of these  
6 50-ton canisters, not once but twice. In listening to  
7 the whistleblower's discussion at a TDP meeting, he  
8 said there's absolutely no safety on site. And the  
9 safety is both proper training and having the right  
10 staff to handle this waste but also to have the right  
11 hardware. And I think what we have is we have a  
12 system now where, from my perspective, and I've built  
13 a lot of big projects, there's so many red flags that  
14 have been overlooked or downplayed or just ignored  
15 that you now have a string of issues that cumulatively  
16 point to an absolutely defective system for which  
17 there's no justification for continuing to use the  
18 system. I don't understand why Southern California  
19 Edison is willing to take these risks. Their judgment  
20 has been very poor in the past. My hometown of Malibu  
21 was just burned to the ground based on Southern  
22 California Edison's judgment on their electric  
23 infrastructure and something as small as a re-closer  
24 on their electrical grid. If a small re-closer can  
25 burn down an entire half of the town of Malibu,

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1        imagine what 3.6 million pounds of high-level  
2        radioactive waste located upwind of 8.5 million people  
3        is going to do in defective canisters that can't be  
4        inspected, that can't be reopened. We can repackage  
5        this waste if there's a problem with it.

6                    What I see is Edison stepping into a huge  
7        PR disaster. You almost had it on August 8th and  
8        again, I believe, on July 22nd of 2018, a huge PR  
9        disaster which I don't know how Edison internally is  
10       making decisions about risk, but I think that this  
11       looks like a massive blunder in the process. Those  
12       two near drops are synonymous with the two crashed 737  
13       planes. And if there's no way to deal with what  
14       almost happened twice, either with a hot cell or now I  
15       know Edison is moving forward to deconstruct the spent  
16       fuel pools, this is the only two known ways of dealing  
17       with what almost happened twice. I think there's no  
18       option but to stop the system, reevaluate, bring in  
19       third parties. It's in Edison's best interests, and  
20       it's in the NRC's best interests to not have an  
21       accident. That near drop was just a couple hundred  
22       yards from the transportation spine, the backbone of  
23       California's transportation system. It's about 200  
24       yards from the near drop event. That would have shut  
25       off the I-45. It would have backed up all that

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1 traffic and moved it over to the I-15 for the  
2 north/south transportation, shutting off the Amtrak  
3 system there, too. Let me just tell you, from a  
4 planning perspective, and I've done a lot of  
5 transportation planning, you can't move that level of  
6 service and expect that to be picked up on the I-15.  
7 You've got to shut off the transportation up and down  
8 the coast here just from the drop, that one event.  
9 Not to mention, there was no procedure for pulling  
10 these things back in and how to deal with it when it's  
11 dropped and it's damaged.

12 So this is a concerned citizen looking at  
13 a system going terribly wrong. It's not a complex  
14 issue. It's really a question of is the NRC  
15 regulating in a way that it's looking at the  
16 cumulative effects of all these things that have been  
17 brought to your attention. And if you're Edison's  
18 upper management, walking into another public  
19 relations and physical disaster created by poor  
20 judgment, in our opinion, this is a setup for an  
21 accident that nobody wants to experience.

22 So what we're really asking for is that  
23 you, the NRC, take this more seriously, combine all  
24 the things that we've looked at, from the shims being  
25 defective, to the canister damage. They're not only

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1 damaged when they're dropped into these vaults,  
2 they're damaged when they're pulled back out of these  
3 vaults. So you're doubling the scratching and damage  
4 and the carbon steel, the stainless steel contact,  
5 which is the initiation for the damage that we're  
6 concerned about.

7 This is a planned disaster, and I would  
8 add to the Wiegels' concerns about terrorism. From an  
9 architect and planner's perspective, we have error  
10 compounded, which the term that comes to mind is  
11 errorism, which can be as bad, if not worse, than  
12 terrorism because it's condoned by your process of  
13 waiving safety regulations, knowingly waiving these  
14 regulations that, through technicalities, Edison is  
15 allowed to proceed and Holtec is allowed to proceed.  
16 I think it's in Holtec's best interest to put the  
17 brakes on this system and reevaluate. But it doesn't  
18 seem that there's a brake system in this process for  
19 the public.

20 I wonder where the NRC's protection of the  
21 public comes into play through the regulatory process  
22 because really, from what I'm seeing, from reducing  
23 emergency planning zones, waiving safety regulations,  
24 not applying the ASME pressure vessel N3 requirements  
25 to these canisters, that the public is not being

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1 represented at all. That's really what we're doing is  
2 protecting a utility that's putting the region in  
3 danger and actually their continued existence in  
4 danger. I don't think that they want to have another  
5 disaster on their hands. They almost did, and they  
6 didn't want to listen.

7 So it's the public's concern cumulatively  
8 that you look at all these things individually and you  
9 bring in the proper risk analysis to say when you have  
10 this many problems it's a red flag and you stop the  
11 system. In construction, we stop things for far less  
12 defects and problems. We stop these things  
13 immediately when we see them on the site. I'm shocked  
14 to see the system proceeding, and I'm shocked to see  
15 the NRC's unwillingness or inability to stop this  
16 system when so many things, as you've heard this  
17 morning, have been known for a very long time.

18 MR. WIEGEL: This is William Weigel, III.  
19 So we're going to summarize now. So based upon the  
20 inspection information presented today, in addition to  
21 the previous information that's been presented to the  
22 NRC, it is very clear this is an opportunity for the  
23 NRC to dispel all of the talk of them being an  
24 captured regulatory agency in favor of the licensees  
25 and demonstrate to the public that they take their

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1 mission statement seriously and call out these direct  
2 violations of the certificate of compliance, which was  
3 one of the criteria issued to us in response as to why  
4 this was not going to be heard under the 2.206  
5 process. We've given you direct evidence today that  
6 it is, in fact, out of compliance until such time as  
7 proven otherwise based on the statements from the  
8 manufacturer of these vessels themselves. There is no  
9 excuse for not taking this up under the 2.206 process.

10 It's unconscionable that that would not move forward  
11 for the public hearing to be given to all the  
12 concerned citizens and all of the activists that have  
13 worked very hard to show all of the examples of  
14 illusion and obfuscation from existing laws, removing,  
15 exempting. The evidence speaks for itself in this  
16 situation, and there's no excuse to not move forward  
17 with the 2.206 process given all of this information.

18 This information will make it to the  
19 public, and the PR disaster that will result from it  
20 can be avoided by just continuing to honor the  
21 commitment of protecting the public safety and hear  
22 this in the 2.206 process, as it meets the  
23 requirements as we've proven with our original and  
24 subsequent information presented, including this  
25 presentation today.

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1           Again, we appreciate the opportunity to  
2           have this conversation with you, but we, again, compel  
3           you with everything possible to do the right thing  
4           here and to not continue the stereotype of captured  
5           regulatory agencies. It can't continue this way if we  
6           want to have any hope for the future, and this  
7           situation it's hard to even process that it's gotten  
8           to this point, considering what's on the line:  
9           personal property, public property, and just the flow  
10          of goods and services from the southern border to the  
11          northern border of the Northwest to the Southern  
12          California region.

13                 I will now give opportunity to anyone else  
14          on our side that's going to make any final comments,  
15          and then we will consider this a close to our time.  
16          Anyone else? We will go ahead and conclude our  
17          presentation at this time and turn it over to the NRC.

18                 MR. WILLIAMS: I'd like to thank William  
19          Wiegel, III, William Wiegel, Jr., Donna Gilmore, and  
20          Torgan Johnson for your comments. At this time, does  
21          the NRC staff here at Headquarters have any questions  
22          for Oceansiders? Are there any questions from the NRC  
23          staff that are on the phone? Does the licensee have  
24          any questions to Oceansiders?

25                 MR. BATES: This is Al Bates from Southern

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1 California Edison. We have no questions or comments.

2 MR. WILLIAMS: Thank you, Al. Before I  
3 conclude the meeting, members of the public may  
4 provide comments regarding the petition and ask  
5 questions about the 2.206 petition process. However,  
6 as stated at the opening, the purpose of this meeting  
7 is not to provide an opportunity for Oceansiders or  
8 the public to question or examine the PRB regarding  
9 the merits of the petition request.

10 Are there any members of the public that  
11 have any comments or questions?

12 MR. WIEGEL: I do. I'm a member of the  
13 public. My name is Joshua Wiegel. I was just sitting  
14 in on this meeting to help record and kind of all this  
15 has brought to my attention right now, so I guess my  
16 only question or comment would be for the NRC more so  
17 than California Edison is any of this evidence that  
18 was brought up new to you guys? Because it sounds  
19 like there's no comments, there's no questions, and  
20 you guys are all aware of all this; is that correct?

21 MR. WILLIAMS: I'm sorry. Could you  
22 repeat your question?

23 MR. WIEGEL: Yes. Again, just as a  
24 concerned member of the public and just hearing this  
25 for the first time, it sounded like pretty compelling

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1 information. And with no comment from the NRC and no  
2 comment from Southern California Edison, my question  
3 would be are you all aware of these things already?  
4 Is this not new information?

5 MR. WILLIAMS: So the purpose of this  
6 meeting is for Oceansiders to provide any new or  
7 additional information that hasn't already been  
8 provided to the PRB for its consideration. So we're  
9 in listening mode --

10 MR. WIEGEL: Thank you for opening this to  
11 the public, and I apologize for getting off topic  
12 then. Thank you.

13 MR. WILLIAMS: Oh, no problem. We welcome  
14 any questions there. Is there any other member of the  
15 public that would like to make a comment or has a  
16 question? So I think my question is for William  
17 Wiegel, III. The information that was presented by  
18 Oceansiders, do you intend to provide that to the NRC?

19 MR. WIEGEL: We have submitted that  
20 information. I submitted that on Monday to Chris  
21 Allen via email.

22 MR. WILLIAMS: Oh.

23 MR. WIEGEL: So that information has been  
24 presented.

25 MR. WILLIAMS: Okay. I apologize. I have

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1 not been able to review it --

2 MR. WIEGEL: No problem.

3 MR. WILLIAMS: -- and see if there's  
4 anything new.

5 MR. WIEGEL: No problem at all.

6 MR. WILLIAMS: So for the purpose of this  
7 meeting, I'd like to thank Oceansiders Against San  
8 Onofre Corruption for taking the time to provide the  
9 NRC staff with clarifying information on the petition  
10 that you've submitted. Before we close, does the  
11 court reporter need any additional information for the  
12 meeting transcript?

13 COURT REPORTER: No.

14 MR. WILLIAMS: Okay. With that, this  
15 meeting is concluded and we will be terminating the  
16 phone connection. Thank you and enjoy the rest of  
17 your day.

18 (Whereupon, the above-entitled matter went  
19 off the record at 1:50 p.m.)

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