

CAPISTRANO UNIFIED SCHOOL DISTRICT  
**BOARD REPORT**

To: Board of Trustees

From: Martha McNicholas, Board of Trustees

Date: June 16, 2021

Board Item: RESOLUTION NO. 2021-51, RESOLUTION IN SUPPORT OF THE *ACTION FOR SPENT FUEL SOLUTIONS NOW* COALITION

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**HISTORY**

San Onofre Nuclear Generating Station (SONGS) is a retired commercial nuclear power plant near San Clemente, just south of the Capistrano Unified School District. SONGS Unit 1 went into service January 1, 1968 and was retired in 1992. Units 2 and 3 began in 1983 and 1984 respectively, and were both shut down on June 7, 2013. Decommissioning of a retired nuclear power plant is a well-defined Nuclear Regulatory Commission (NRC) process that involves safely transferring the spent fuel into storage, and dismantling of structures, and disposal of radioactive components and materials from the site. Since 2013 SONGS has been in the decommissioning process and as of August of 2020 all spent nuclear fuel has been packaged in stainless steel canisters designed for both storage and transportation.

SONGS is operated by Southern California Edison, and co-owned by SCE, San Diego Gas and Electric and the City of Riverside.

**BACKGROUND INFORMATION**

Under the Nuclear Waste Policy Act of 1982 (Public Law 97-425), the federal government was required by law and executed contracts with nuclear power providers to take possession of and dispose of spent nuclear fuel back in 1998. Utility customers nationwide have paid nearly \$41 billion into the Nuclear Waste Fund, intended to pay for removal of spent nuclear fuel.

While Yucca Mountain, Nevada, was designated as the proposed deep geological repository storage facility, the project has been strongly opposed by Nevada representatives and has unfunded since 2010, despite several legislative attempts to restart the project.

Spent fuel can be stored for decades at the SONGS site, per its NRC license, but SCE cannot complete decommissioning of the plant and restore the land until the federal government takes action to facilitate an off-site solution.

**CURRENT CONSIDERATIONS**

The “Strategic Plan for Relocation of SONGS Spent Nuclear Fuel to an Office Storage Facility or a Repository” was developed for SCE by a team of independent national experts, and recommends

formation of a coalition of stakeholders to advocate for federal action to facility at licensed facility that can accept the spent fuel. *Action for Spent Fuel Solutions Now* is a group of local governments, elected officials, utilities, environmental groups, labor leaders, Native American leaders, business organizations and of community members who support the relocation of spent nuclear fuel to a federally licensed facility away from our coastline.

### **FINANCIAL IMPLICATIONS**

There are no financial implications.

### **TRUSTEE RECOMMENDATION**

Following discussion, it is recommended the Board President recognize Martha McNicholas, Trustee, to present the item and then take action to adopt Resolution No. 2021-51, Resolution in Support of the *Action for Spent Fuel Solutions Now* Coalition.

**APPROVED BY:** Martha McNicholas, Board of Trustees

CAPISTRANO UNIFIED SCHOOL  
DISTRICT  
San Juan Capistrano, California

**RESOLUTION NO. 2021-51**

**RESOLUTION 2021-51, RESOLUTION IN SUPPORT OF THE *ACTION FOR SPENT FUEL SOLUTIONS NOW* COALITION**

WHEREAS, the San Onofre Nuclear Generating Station (SONGS) is a retired commercial nuclear power plant in close proximity to the Capistrano Unified School District; and

WHEREAS, since 2013 SONGS has been in the decommissioning process and as of August of 2020 all spent nuclear fuel packaged in stainless steel canisters designed for both storage and transportation; and

WHEREAS, the federal government has failed to meet its obligations to assume title, liability and responsibility for the transportation of the spent fuel at SONGS, as it was required to do begin transporting it in 1998 under the Nuclear Waste Policy Act of 1982 (Public Law 97-425) and by contract; and

WHEREAS, nearly \$41 billion (including interest income) has been paid into the Nuclear Waste Fund by utility customers nationwide, including almost \$1 billion from SONGScustomers; and

WHEREAS, the lack of a national policy prevents removal of spent fuel from SONGS, impeding the decommissioning of the plant, restoration of the site and return of the land to the U.S. Navy; and

WHEREAS, the “Strategic Plan for the Relocation of SONGS Spent Nuclear Fuel to an Offsite Storage Facility or a Repository” was developed by a team of independent national experts and the Plan recommends formation of a coalition of stakeholders to advocate for federal action to facilitate a licensed facility that can accept the spent fuel; and

WHEREAS, off-site interim and long-term storage options are important to enhance the health, safety, and security of students, families and employees of Capistrano Unified School District; and

WHEREAS, a new coalition, *Action for Spent Fuel Solutions Now*<sup>1</sup>, provides an opportunity for stakeholders, including educators, local governments, business and labor leaders, Native American leaders, environmental groups, and community members, to join forces and make offsite spent fuel storage and/or disposal a priority;

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Capistrano Unified School District hereby supports the *Action for Spent Fuel Solutions Now* coalition and its efforts to relocate spent fuel to a federally licensed facility; and

BE IT FURTHER RESOLVED, that the Board of Trustees for the Capistrano Unified School District shall join the *Action for Spent Fuel Solutions Now* coalition as a Supporting Member; and

THEREFORE BE IT FINALLY RESOLVED, that the Superintendent of the Capistrano Unified School District is directed to transmit this Resolution to the Co-Chairs of the *Action for Spent Fuel Solutions Now* coalition, Orange County Supervisor Lisa Bartlett and San Diego County Supervisor Jim Desmond, and other locally elected leaders and stakeholders.

PASSED AND ADOPTED by the Board of Trustees of the Capistrano Unified School District on June 16, 2021, by the following vote:

AYES	( )
NOES	( )
ABSTAIN	( )
ABSENT	( )

I, Kirsten M. Vital Brulte, Secretary of the Capistrano Unified School District Board of Trustees, hereby certify that the above and foregoing Resolution was duly and regularly adopted by the said Board at the meeting on June 16, 2021, by a roll call vote.

By:

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Gila Jones  
Clerk of the Board of Trustees

By:

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Kirsten M. Vital Brulte, Superintendent  
Secretary of the Board of Trustees