

Salt Lake Tribune, The (UT)

October 15, 2004

Edition: Final

Section: Nation/World

Page: A1

Column: Goshutes' waste plan hits a snag

Index Terms:

Environmental Issues

Goshutes' waste plan hits a snag

Yucca Mountain may reject spent nuclear fuel from proposed Skull Valley site; Skull Valley may be stuck with N-waste

Author: Patty Henetz; The Salt Lake Tribune

Article Text:

A utility consortium planning a temporary high-level nuclear waste storage facility on the Goshute reservation in Utah's west desert is developing intricate plans for getting the waste from nuclear power facilities to the site.

But a federal Department of Energy official says a planned permanent repository at Yucca Mountain, Nev., could not accept the deadly waste, meaning that Private Fuel Storage may not be able to keep its promise that the waste would be in Utah for only a few decades.

For all the effort to relocate the nuclear waste to the Skull Valley reservation, there may not be an exit strategy.

During interviews Wednesday and Thursday, Gary Lanthrum, director of the DOE's transportation program, told The Salt Lake Tribune that federal Nuclear Regulatory Agency (NRC) rules say any radioactive waste headed for Yucca Mountain must be freshly packed by nuclear power plants before the DOE takes ownership of it.

PFS, however, plans to receive waste in welded casks because that is the way the plants store it on site, Lanthrum said. For that reason, "the current contracts for how we receive fuel makes their plan unacceptable," he said.

The revelation startled Utah officials, including Gov. Olene Walker, and led to questions Thursday about bad communication between the DOE and the NRC, which are responsible for approving both the Yucca and PFS plans while ensuring public safety.

"It would be ludicrous to make shipment to a temporary facility and then not be able to transport it again," Dianne Nielsen, executive director of Utah's Department of Environmental Quality, said in an interview. "To find there isn't even agreement between NRC and DOE is disturbing. [The casks] shouldn't move until they have the answer."

Walker, speaking Thursday to members of the federal Nuclear Waste Technical Review Board who met for two days in Salt Lake City, said the state doesn't want any nuclear waste passing through -- or staying in -- Utah.

"Once again, the citizens in Utah . . . will be asked to trust the federal government, at the same time the

government is testing the reliability of that commitment," she said.

John Parkyn, PFS chairman and CEO, told the board the radioactive waste should be handled just once at the reactor site, then shipped to the Skull Valley Goshute Reservation facility.

Because rehandling the waste poses unacceptable risk, that won't happen at the PFS site. The utilities that generated the waste would continue to own the material until the DOE takes title to it, "whenever that might be," Parkyn told the board, an advisory body Congress established to oversee Yucca Mountain planning. The board has no jurisdiction over the PFS proposal.

After his presentation, Parkyn said that the DOE "has an open invitation to join us" at the nuclear power sites when the waste is packaged in the storage casks.

"Hopefully DOE will try to meet our standards," he said, adding Lanthrum's notion that Yucca wouldn't take welded casks from PFS "is not an accurate interpretation," and that the DOE has no regulatory authority over PFS waste.

But according to Lanthrum, who testified on the DOE's nuclear waste transportation plans at the hearings, that department has no obligation to take waste from PFS, a private company.

Under federal law, the DOE is required to take waste from utilities for permanent storage at a federal repository. It will do so by delivering approved storage casks to the nuclear power plant, where utility personnel load the casks according to NRC rules. Then, the DOE will arrive with either a rail car or truck.

"DOE owns [the waste] from that point on," Lanthrum said.

The law had required the DOE to open Yucca Mountain, located about 90 miles northwest of Las Vegas, by 1998. A series of lawsuits and technical troubles stalled the project, which Nevada is vehemently opposing.

Congress now is refusing to fund Yucca in its omnibus spending bill, leaving all planning in limbo and probably pushing its opening date beyond the new deadline of 2010.

Meanwhile, PFS plans to ship waste on its own to Skull Valley for open-air storage before going to a permanent repository.

Skull Valley Band of Goshutes Chairman Leon Bear in 1997 signed a lease with PFS to allow the company to store up to 44,000 tons of spent nuclear fuel on Goshute land 45 miles west of Salt Lake City. The containers would sit on concrete pads spread across 100 acres while waiting for transport.

Connie Nakahara, special assistant state attorney general working on the PFS issue, said she wasn't sure how the state could respond to Lanthrum's assertions. "We've always been concerned with PFS's lack of ability to repack fuel in case of an emergency," she said.

Nuclear regulatory officials also have rebuffed state questions about the waste packing procedure at the nuclear facilities. "Basically, NRC has said DOE will be there to pick it up," Nakahara said.

Not according to Lanthrum, who said that because the waste will be shipped and accepted at PFS in welded casks, the DOE won't take it at Yucca Mountain.

And the DOE is not willing to renegotiate its rules on this single issue, he said. Unless some other agency changes the rules, that means the material would either have to be repacked at PFS or be sent back to the nuclear plant from which it came.

Technical Review Board members asked Parkyn how closely PFS was working with the Yucca planners. Parkyn replied that PFS has "tried" to provide Yucca officials with documentation.

"I would say there is dialogue," he said. "We're not in competition with them."

In his presentation, Parkyn said PFS would ship waste only by rail, in custom-built cars, and would build a rail line on the Goshute reservation. "Putting a rail line in costs more than shipping by truck," he said. "We are not going the cheapest way."

The presentation on PFS safety and transportation plans left Nielsen fuming.

"John Parkyn put up a wonderful list of things it's going to do," she said. "But PFS has not committed to any of those as license conditions. Every time we have asked them to, they have refused."

The NRC held hearings from Aug. 9 to mid-September on the PFS license, in particular on whether to reconsider a finding that the potential of an F-16 fighter jet crash into the casks poses an unacceptable risk. Parkyn said he expected a decision on the renewable 20-year license by January and predicted PFS would begin to receive shipments in 2007.

Utah's state and federal leaders oppose the Skull Valley proposal, but have no oversight because the Goshutes are a sovereign tribe.

(c) 2004 The Salt Lake Tribune. All rights reserved. Reproduced with the permission of Media NewsGroup, Inc. by NewsBank, Inc.

Record Number: 105D96787772D74E

Article Bookmark(OpenURL Compliant):[Goshutes' waste plan hits a snag \(Salt Lake Tribune, The \(UT\), October 15, 2004\)](http://docs.newsbank.com/openurl?ctx_ver=z39.88-2004&rft_id=info:sid/iw.newsbank.com:AWNB:SLTB&rft_val_format=info:ofi/fmt:kev:mtx:ctx&rft_dat=105D96787772D74E&svc_dat=InfoWeb:aggregated3&req_dat=104CE1A14E0599B8)

http://docs.newsbank.com/openurl?ctx_ver=z39.88-2004&rft_id=info:sid/iw.newsbank.com:AWNB:SLTB&rft_val_format=info:ofi/fmt:kev:mtx:ctx&rft_dat=105D96787772D74E&svc_dat=InfoWeb:aggregated3&req_dat=104CE1A14E0599B8