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## *Private Fuel Storage: A Public Hazard*

**Private Fuel Storage (PFS)** is a consortium of eight commercial nuclear utility companies that have come together with the goal of opening a “temporary” high-level nuclear waste storage facility on the reservation of the Skull Valley Band of Goshute Indians in Skull Valley, Utah, about 45 miles west of Salt Lake City. PFS is led by Xcel Energy; the other seven utilities are:

- Southern Nuclear Company
- Genoa FuelTech
- Southern California Edison
- Entergy
- Indiana-Michigan Power Co. (American Electric Power)
- Florida Power and Light
- FirstEnergy

Many of the nation’s 103 commercial nuclear reactors are running out of space on site to store “spent” nuclear fuel, which is extremely radioactive, and are looking for storage space to tide them over until the expected opening of the controversial Yucca Mountain repository in Nevada sometime after 2010. The proposed Private Fuel Storage facility would house up to 4,000 above-ground dry storage casks, containing a total of 44,000 tons of highly-radioactive nuclear waste.

### **Problems with PFS:**

- ❖ The proposed site is located directly underneath the U.S. Air Force flight path from Hill Air Force Base to the Utah Test and Training Range. On March 10, the U.S. Nuclear Regulatory Commission’s Atomic Safety Licensing Board ruled that “PFS has not provided reasonable assurance that F-16 aircraft crash accidents do not pose a significant threat to the facility.”<sup>1</sup> An F-16 is a single-engine aircraft with little recourse in the case of engine problems.
- ❖ PFS returned with a proposal to build a 336-cask site, rather than the original 4,000 casks, with the intention of reducing the probability of an aircraft crashing into the site in the first place. Again, the Nuclear Regulatory Commission (NRC) ruled on May 28, 2003 that though the probability was reduced, PFS had still not proven that the results of a crash would not be catastrophic.<sup>2</sup> There is also the possibility that a plane could drop a missile or bomb, accidentally or otherwise, on the site.
- ❖ PFS claims to have approval and support from the Goshute Band of Indians, who govern the reservation on which the facility would be built. But there is widespread controversy among the members of the tribe over whether Leon Bear, the tribe’s chairman, has legitimate authority to make such decisions and whether support is really widespread. Dissenting band members have launched a law suit against the Bureau of Indian Affairs charging that due

**Public Citizen’s Critical Mass Energy and Environment Program**

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process has not been followed and that they have been subject to harassment because of their position against the PFS proposal. The Skull Valley Band of Goshutes General Council has never seen nor voted on the actual lease agreement. The State of Utah and former governor (now proposed Chief Administrator of the U.S. Environmental Protection Agency) Mike Leavitt have fought against PFS, but the reservation is sovereign Goshute territory.

- ❖ The 150-200 yearly shipments to PFS from across the country present a prime terrorist target, but the casks haven't been tested against terrorist-style attacks, such as shoulder-fired missiles, that could cause hundreds of billions of dollars in physical and economic damages and pose a serious threat to public health.
- ❖ Arguments for construction of the PFS facility hinge on the dangerous Yucca Mountain repository eventually opening, but the NRC has not approved Yucca Mountain and literally hundreds of unresolved issues regarding the Yucca plan remain. Yucca Mountain is too small to contain the waste that will be generated by currently operating nuclear plants, and the U.S. Department of Energy (DOE) continues to renew the licenses of old reactors and wants to build up to 50 more. Because the PFS site is supposed to be temporary (20-40 years), if Yucca Mountain never opens, all the waste at PFS will either have to be shipped *back* to where it came from or PFS will become a de facto permanent storage facility. Its construction is simply a step toward winning approval to build more dangerous nuclear power plants absent a long-term plan.
- ❖ The PFS proposal includes the use of Holtec casks both for shipping the spent fuel to Utah as well as for storage of the waste at the facility. However, a former Exelon employee leading a quality assurance audit of Holtec, Oscar Shirani, recently noted nine different quality assurance violations, including welding by unqualified employees, unacceptably brittle materials, hole-ridden neutron shields, and falsified quality assurance documents. Together, these indicate that Holtec casks loaded with nuclear waste may not perform as expected under stress and strain, and under certain circumstances may not adequately contain radiation from high-level nuclear waste.<sup>3</sup> Mr. Shirani was subsequently fired for blowing the whistle.

It's clear that the Private Fuel Storage facility would expose the public to an unacceptable health hazard—at the site itself, along the waste transportation routes, and in communities surrounding the new and existing nuclear plants partly enabled by its operation. **The NRC should reject the PFS license application, and Public Citizen urges member utilities to immediately withdraw from the PFS consortium so as not to be implicated in such a dangerously flawed program.**

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<sup>1</sup> "United States of America Nuclear Regulatory Commission Atomic Safety and Licensing Board Partial Initial Decision in the Matter of Private Fuel Storage, LLC," March 10, 2003.

<http://www.citizen.org/documents/nrcpfsdecision.pdf>

<sup>2</sup> "United States of America Nuclear Regulatory Commission Order in the Matter of Private Fuel Storage, LLC," May 28, 2003. <http://www.nrc.gov/reading-rm/doc-collections/commission/orders/2003/2003-05cli.pdf>

<sup>3</sup> Public Citizen and the Nuclear Information and Resource Service (NIRS); June 19, 2003.

<http://www.citizen.org/pressroom/release.cfm?ID=1465>