

EXHIBIT 3

**Policy Statement
By Governor Leavitt
on Monitored Retrievable Storage
Jan. 18, 1983**

After careful review, I am announcing today my opposition to the siting of a high-level nuclear waste storage facility in Utah. I oppose such a facility in Utah out of concern for the long-term interests of our state, for the reasons listed below.

I have informed San Juan County commissioners of my decision and have forwarded a letter to them. This action precludes them from applying for a Phase IIa feasibility grant under the Department of Energy's process conducted by the U.S. Nuclear Waste Negotiator to find a volunteer site for Monitored Retrievable Storage (MRS).

I recognize that San Juan County and Southeastern Utah face economic problems. The MRS facility would provide jobs and an infusion of money. But I believe the risks and problems outweigh the potential benefits.

My decision is based on the following reasons:

1. Utah has already been somewhat of a national sacrifice area as a result of nuclear activities. I am not willing to voluntarily bring in high-level nuclear waste from all over the country for what will likely amount to permanent storage.
2. Health and safety issues regarding transportation of spent nuclear fuel continue to be a problem area. I do not believe these issues have been adequately examined. Transportation over long distances is especially difficult to justify if storage capacity is available at reactor sites.
3. I do not believe it is in the best interests of San Juan County or Southeastern Utah to accept an MRS facility. An economic analysis by my Office of Planning and Budget indicates that state and local governments would experience a net loss of about \$300,000 annually following the construction phase, unless reimbursed by the federal government, because the infusion of tax dollars would not be enough to pay for the increased government services, such as education, police protection and road maintenance.

In addition, the tourism and recreation industries, which are highly important to San Juan County, would suffer significantly from the stigma of being what would be characterized nationally as a "nuclear dumping ground."

4. I believe the MRS concept is flawed. It makes little sense to transport nuclear waste from all over the country to a "temporary" site (to be stored until a permanent site is prepared) when adequate storage space exists at nuclear power plants, where the waste is created, for the foreseeable future.

According to numerous studies and expert testimony, the nuclear waste can be stored safely in special canisters for many years. If that is the case, it makes more sense to store the waste on-site, where it is produced, until a permanent storage site is prepared. The waste would then have to be handled and transported only once, instead of twice, saving a great deal of money and reducing the chances of a serious accident.

The General Accounting Office, the Nuclear Regulatory Commission, and even the Department of Energy itself have recently questioned the need for an MRS facility. Within the federal government itself there is serious debate and questions regarding the MRS process.

5. While the concept of MRS is supposed to be temporary storage, the reality is that an MRS facility will likely become permanent. It has been extremely difficult for the DOE to find a permanent storage site. Yucca Mountain in Nevada has been chosen as the permanent site, but serious questions remain as to whether it will, in fact, ever receive any nuclear waste. The State of Nevada continues to fight placement of waste there and serious seismic problems exist with the site.

Thus, once a MRS site is selected and nuclear waste is located there, the pressure will be off to find a permanent site. The nuclear energy industry will also stop pressuring the federal government to find a permanent site because the waste will be gone from the nuclear power plants. Anyone who looks realistically at the process agrees that an MRS site will become a permanent storage site.

I do not believe it is in the long-term interests of Utah to have a permanent high-level nuclear waste storage site in our state.

6. The federal government has not proven itself to be a reliable partner in fulfilling its promises or following policy it has established. Although the Nuclear Waste Negotiator has stated that a volunteer site may withdraw from consideration even after receiving "feasibility grants," the repository selection process has shown that sites which have been studied are more likely to be forced into participation, eg. Yucca Mountain. The Department of Energy has a track record of numerous delays, cancellations, cost overruns, and changes of direction. This is not a process Utah should embrace, because disappointment will likely follow.

EXHIBIT 4

E. Utah Goshutes Seek Funds for N-Dump Study

By Jim Woolf
THE SALT LAKE TRIBUNE

The 113-member Skull Valley Band of the Goshutes has requested \$2.8 million to continue studying the possibility of storing radioactive spent fuel from America's nuclear-power plants on its Tooele County reservation.

"A world-class facility could be built incorporating the very best high-technology," tribal attorney Danny Quintana said Wednesday. The storage facility would cost \$1.5 billion to build and create 500 permanent jobs.

"We could utilize Utah's steel industry and Utah's world-class labor force and educational systems to build an interim storage facility for America like those that exist in Canada, Sweden, France, Great Britain, Germany and numerous other countries," he said.

Utah Gov. Mike Leavitt strongly opposed the idea.

"It is an over-my-dead-burden," the governor said Friday. "They may be able

to get a grant [to continue the study], but I guarantee they'll never get a permit to move waste over our borders."

The governor blocked San Juan County's studies of a similar facility in January, arguing Utahns already sacrificed enough by living in the path of radioactive fallout from the Nevada Test Site. He also questioned the safety of shipping and storing the wastes.

Leavitt has no legal authority over the Goshutes, however. Indian tribes are sovereign political entities and do not need state permission for this project. Quintana was emphatic about preserving the tribe's rights.

"We will inform you [Utahns] of our decisions and hope that you will work with us on building a safe facility if, and only if, an environmental-impact state-

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■ N.M. waste study draws fire. A-7

that may not be popular with some of the people in this state."

The Goshutes join New Mexico's Mescalero Apache tribe as the government entities that have advanced the furthest in a federally financed search for a storage site. The Mescaleros applied Aug. 5 for \$2.8 million to continue their studies. The federal nuclear-waste negotiator has not decided whether to approve either request.

The Skull Valley Band already has received \$300,000 to study the project. Tribal leaders used that money to visit nuclear-waste-storage facilities in the United States and other countries. They also met with experts on nuclear power — opponents and supporters. A draft copy of their latest report was released Wednesday.

Quintana claims the Goshute tribal council knows more about the storage of nuclear waste than "any other comparable government in the United States." He described as "racist" the suggestion that tribal leaders are unable to make an intelligent decision on the safety of this project.

The Goshutes' \$2.8 million would be used to prepare detailed environmental studies on building a storage facility on one of two 500-acre sites on the reservation, located about 70 miles west of Salt Lake City. Both are west of the Skull Valley highway and adjacent to land Hercules leases for rocket testing.

Grace Thorpe, president of the National Environmental Coalition of Native Americans, said the waste should be stored in the East where most of America's nuclear plants are located.

E. Utah Goshutes Seek Money for N-Dump Study

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ment shows it should be built," said the attorney. "We realize