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| Post-It® Fax Note | 7671 | Date | 9/19/00 | # of pages | 3 |
| To | David Meyer | From | DALE URBAN | | |
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David Meyer, Chief
 Rules and Directives Branch
 Division of Freedom of Information and Publications Services
 Office of Administration, Mailstop T-6D-59
 U.S. Nuclear Regulatory Commission
 Washington, D.C. 20555-0001

65 FR 39206
 June 23, 2000
 September 18, 2000
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 72-22

RE: NUREG-1714, Draft Environmental Impact Statement (DEIS) for the Proposed Private Fuel Storage LLC (PFS) Independent Spent Nuclear Fuel (SNF) Storage Installation on the Reservation of the Skull Valley Band of Goshute Indians, Tooele County, Utah.

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 Rules and Directives Branch USNRC

Dear Mr. Meyer:

I'm writing to you as a concerned citizen of Utah and as an environmental scientist and professional geologist about the above-referenced matter.

The DEIS fails to openly and honestly evaluate all of the legitimate alternatives. Specifically, it presents data showing that the "No Action Alternative" is the safest, cheapest, most technically feasible and therefore the most logical choice and yet the DEIS goes on to present the preferred alternative which is documented to have the most adverse impact with the least evenly distributed economic impact for Utah. Utah does not use or generate nuclear waste, and we should not be expected to be stuck with holding the deadly waste from such utility operations on the east coast and other states. In addition, the cumulative risk and impact, both perceived and real, of adding SNF to the already existing chemical and biological waste facilities in Tooele county has not been sufficiently evaluated for either human health (mental or physical) or on the fragile basin and range Utah desert environment. The DEIS preferred alternative is the highest risk alternative and is therefore irrational because it proposes the transport of a never-tested unprecedented volume of highly radioactive waste cross-county for at least 20-40 years, to be stored beneath restricted airspace for active military testing, by a limited liability corporation with no assets to assist in significant cleanup activities when an accident occurs.

The General Accounting Office clearly identifies adequate existing storage for SNF making the need for "temporary" storage unnecessary. The failure of the DEIS to consider this fact is disturbing and a serious oversight in terms of credible information and cost/benefit analysis. There is also no need to license an enormous storage volume of 40,000 metric tons of SNF and concentrate that significant of a volume in a single location. No entity has every demonstrated the need or ability to transport, handle and manage - both practically and financially - such a vast quantity of SNF. The benefits to reactor companies such as PFS and the Goshute Tribe should not outweigh the costs - both human health and the environment - on Utah. The economic impact from real and perceived risks must be evaluated not only for the storage of the fuel in Utah, but for other communities and states that would bear the risk of transportation. The containers need to be physically tested and not just modeled by computers and simulated accidents. The Bureau of Land Management and the Bureau of Indian Affairs need to address the issue of temporary

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versus permanent storage in the event that a final repository at Yucca mountain is not approved, and the Skull Valley "temporary" storage becomes "permanent" by default.

The DEIS states that damaged transport casks will be rejected and returned to the generator. How deadly and unsafe and ludicrous is that idea? I find it disturbing that such a flawed concept would even be suggested. I also consider the DEIS flawed in that it is proposed to use unskilled workers for ongoing operation and maintenance of the facility at Skull Valley, instead of expanding the storage area at the generators facilities where skilled personnel are employed already and have the expertise and equipment to deal with emergency response from spills, fires, etc. The probability of an accident increases with each unnecessary shipment from the generator to Skull Valley. In the event of an accident, PFS would not be required by the current DEIS to be financially responsible for natural damage claims or cleanup costs. If PFS does not have adequate financial resources to safely operate (and PFS as a limited liability corporation has no such financial resource), then the DEIS evaluation is meaningless and makes a mockery of the alleged siting and public comment process. The DEIS fails to acknowledge or consider that the storage casks are not designed for long-term storage.

The DEIS has failed to name specific transportation routes which is necessary to evaluate the infrastructure along the actual transportation corridors for safety and emergency response capabilities. The DEIS should stipulate that any transportation be by dedicated service instead of allowing mixed commercial service were cross contamination or delays could occur. There is significant cost and inherent risk in transporting SNF these great distances, then transporting again to a permanent facility when a permanent facility is available. Transportation of this magnitude, frequency and high-risk has never been tested by the appropriate agencies. Therefore the risk evaluation in Appendix D yield non-representative results. There is a strong inherent risk in shipping the proposed amounts of SNF cross-country for 20 years and not suffering an serious accident. The DEIS ignores requirements of the Bureau of Land Managements Resource Management Plan that specifically requires that "public lands will not be made available for inappropriate uses such as storage or use of hazardous materials...", which the rail spur would violate under the current DEIS. Wildfire danger, including fires created by train or rail spur operations have not been adequately evaluated by the DEIS.

The DEIS does not address impacts to the wetlands along Skull Valley Road that may be caused by increased road traffic and heavy haulers. Best management practices should also include fire suppression, emergency response and spill prevention for both construction and operation. In addition, the DEIS fails to address how those management practices will be implemented to avoid and mitigate disturbances due to construction and other traffic, to the springs located along Skull Valley Road. The maps in chapter 3 are regional and need to be supplemented with more detailed maps of the area including and directly adjacent to the proposed site. The maps provided do not show salient features that are referenced in the text. It is therefore impossible for a reviewer to understand the nature and characteristics of the local salient elements that are at risk of impact. Chapter 4 fails to adequately discuss the potential impacts to the wetlands and springs. The DEIS does not provide sufficient information to ensure that the aquifer is capable of yielding the needed 7 gallons per minute of groundwater. The statement that there will be little to no impact to local groundwater resources is not supported by correct or adequate data, such as adequate pump drawdown test data from the appropriate production zone. The DEIS repeatedly

contradicts itself by stating impacts due to pumping are unknown until pump tests are conducted, then also stating impacts to existing water resources are expected to be low.

The DEIS has also failed to consult with the Department of Defense which has a vital interest in the area because of the Utah Test and Training Range and Hill Air Force Base. The DEIS also fails to address acts of terrorism or sabotage of the shipments or the storage of the casks. The DEIS states that the SNF can be stored on-site at the utility reactors without significant environmental impact for at least another 30 years. This makes it unnecessary to move the SNF a minimum of two different times (once to Utah and again to a final repository?). This documents that the "No Further Action" alternative is the most technically feasible, cost-effective and safest option for storing SNF.

In summary, the NRC should not allow the "temporary" storage of SNF in Utah and should approve the "No Action Alternative" and leave the SNF where it is until a final repository is ready. This will be the safest, most cost effective and technically feasible option and allow for further testing of transportation issues prior to proceeding with single shipments from the generating facilities to the final repository.

Sincerely,



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cc: Governor Michael O. Leavitt
Representative James Hansen