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Atomic Safety and Licensing Bd.
U.S. Nuclear Regulatory Comm.
Washington D.C. 20555

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We, the American public, are absolutely dismayed and appalled at the persistent quest of the Nuclear Regulatory Commission (NRC), Private Fuel Storage Limited liability Company (PFS), and some Goshute Indian leaders to store dangerous high level nuclear waste on the Goshute Indian Reservation in Skull Valley. Equally disturbing is their insistence that the public health and safety is not at risk and not one thing we can do about the proposed storage nuclear waste project since the Goshute Indian Reservation is a sovereign nation.

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OFFICE OF THE SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

The public welfare, health and safety is at great risk. Wherever you have any amount of high level threatening nuclear waste you have large amounts of radiation regardless of what shielding precaution are used. The NRC sets a radiation level, by their standards, that is safe for us. Who do the NRC think they are, that they can set a standard radiation level for our bodies? We can set our own standard when it come to high level unsafe nuclear waste radiation! We say that standard is zero.

And as for this sovereign nation business, it has no creditability at all. Cuba is a sovereign nation. Were they allowed to have nuclear weapons threatening the American public in the early 60's? No! In a matter of weeks those weapons were gone. No difference in this situation. That high level nuclear perilous waste amounting to over 40,000 metric tons within 50 miles of a million plus population is a more destructive crisis than the Cuban crisis. It doesn't take much to start a high level nuclear waste melt down.

We are extremely surprised that a moral congress has allowed the NRC to have a free hand in this matter. That hand should be cuffed until better judgment is shown. It is bad judgement of the highest degree to allow transporting and storage of risky high level nuclear waste so close to such a vast population base. The NRC should not be allowed to make, evaluate, administer, and judge the rules concerning the nations nuclear policy. There has to be some checks and balances. The NRC's (SAFETY EVALUATION REPORT (SER)) regarding this matter echoes the assurance that this is a safe operation and the public health and safety is not jeopardized. Nothing is further from the real truth. The public's health and safety is greatly jeopardized by this ploy.

Prior to reading the SER, my opinion of the NRC's rabid obsession to turn the Goshute Indian Reservation in Skull Valley into a vast nuclear waste land was that they simply needed a fast fix for a very sticky situation. Forty years of high grade nuclear waste build up and no place to put it. While studying the SER I got the feeling that it was more than an obsession, it is an exercise in desperation. They are in the nuclear business. If they have no place for their waste, they are out of business. There is not a state in the nation that wants this deadly nuclear waste and is fighting for all they are worth to get it out of their state and keep it out. Why not find an Indian Reservation that is cooperative and use the sovereign nation ruse? A plan not so easy to bring

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about. Most Indian Reservations, if not all, are smart enough to keep this extremely deadly nuclear waste off their cheeriest land. Apparently all except a part of one Indian Tribe. A significant number of Goshute Indians do not want this lethal nuclear waste on their land.

PFS proposes to transport 40,000 plus metric tons of this catastrophic nuclear waste over our decayed rail and road systems. Studies have shown that a great percentage of our bridges and trestles are not safe to utilize due to age and decay. PFS want to make daily shipments of destructive nuclear waste over these accident plagued roadways. A day doesn't go that a fatal semi-truck or train wreck isn't reported. Shipments will occur daily for at least the next forty years. These shipment will be coming from all over the nation, Florida, California, Alabama, New York and Minnesota just to name a few states.

PFS proposed noxious nuclear waste shipments will be crossing all of the nations vital rivers. Shipments will be speeding across most of the nations super highways and many auxiliary roads. Even one little accident could contaminate a river or stream network for thousands of miles causing a environmental catastrophe. An accident on a highway or railroad could tie up the nations commerce for months.

A great numbers of these shipment are proposed to travel the Spanish Fork canyon rail and road ways. This canyon is vexed with massive land movement. (Just a side note at this point, one of the many SER errors stated that Utah had no history of land movement except for the Cedar City Area. Not so, not to many years ago massive land movements in the Spanish Fork Canyon dammed the Spanish Fork River and buried a city and railroad with a lake of water. This and other land movements are in close proximity of the Skull Valley storage site. And the NRC and PFS says its safe to transport this risky nuclear waste on our rails and road systems? The road through Spanish Fork canyon is one of the deadliest in the nation.

PFS claims to be a great corporate neighbor and citizen. This is not true, in my opinion. They claim not to transport nuclear waste through residential neighborhoods having concern for people. I can show you hundreds of home with in blocks, if not yards, of the proposed transit network. If I can show hundreds in one community there must be thousands throughout the nation. One of the tragedies of this whole machination, in my opinion, is that it is us the lower income and lower class citizens living close to these transit systems that don't have the money or know how to fight being radiated a couple of time a week for the next forty years. Remember PFS, radiation is bad for everyone, especially infants and grandparents. Once again, we supplicate you the NRC and PFS to please abandon this foolish endeavor of turning the great basin into a vast nuclear waste refuse.

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It was a great surprise and shock to the public finding out, recently, there have been thousands of nuclear shipment over our transit systems during the past decades. Naturally the NRC and PFS claims there has been no harm to the public health and safety. We have not always been told the truth by government agencies and corporations in the past. Especially concerning the nuclear industry. No wonder we have so much cancer and cancer related diseases that we can't seem to get under control with all of this nuclear waste haphazardly floating about us. How about the tobacco industry? Is the nuclear industry going to be the next tobacco debacle? Look at the recent Ford and Firestone episode. Hundreds of people killed and maimed. We the public simply are not told the truth when it comes to corporate profits and government expediency.

The public awareness organization, Families Against Incinerator Risk, have always been concerned about long-term health effects from the low-level toxins that are out there. They tell us, we need to understand that there are cumulative effects here - you can't always see, smell or taste it. If it is there, it is cumulating in our bodies. How about the high level highly radio active nuclear waste? This must be an astronomical anxiety to them! It is to us the general public.

We the public respectively request route information of prior nuclear shipments and funds from the NRC and PFS to conduct studies to reveal the real price the public is paying from constant exposure to nuclear radiation.

If PFS had great concern for people, they would not be storing 40,000 plus metric tons of deadly high level nuclear waste with in 50 miles of a million plus population base. It appears that PFS prides themselves that 300 new jobs will be created. How about the thousands of jobs lost at Hill Air force Base? Thousands of other jobs lost due to terrified tourists wishing not to come to this contaminated region. Companies desiring to relocate to the great basin will have second thoughts, not wanting nuclear waste transported and stored near their companies and homes. I feel many corporation will be leaving the great basin area not desiring a nuclear waste dump as a neighbor.

A good corporate citizen would not cause property values to plummet. In the future, every time we go to sale any property, we will have to clearly state that our property is near a deadly, toxic and lethal nuclear waste dump and transit line. Who in their right mind, resident or corporation would want to purchase property under those circumstances.

The NRC and PFC realize in no uncertain terms that there is a possibility that excessive contaminated and radiating nuclear waste will be arriving at the Skull valley storage sight. They clearly state in the SER that when this happens that shipment will be sent back to the sender, be it Florida, New York, California, radiating all of us an additional time for that one shipment.

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It is my opinion, the SER is flawed with many subjective conclusions base on massive data and references that are irrelevant to what should be a very elementary analysis. The SER in trying to prove that the Goshute Indian Reservation is a safe place to store nuclear waste has in fact brought out many reasons why it shouldn't be stored there. The following are a few examples. Other examples will be high lighted in future documented concerns.

The SER proceeds to great lengths to prove that the proposed site is basically flood free. In doing so it reveals the following facts. The site is only a few feet above the probable maximum flood (PMF). Most of the proposed site is surrounded by two flood basins. During flooding the access road to the site will be covered with water. There are man made berms, dikes, roads and railroads used to protect the site. Hey, it sounds like a really neat place to store 40,000 metric tons of high level nuclear waste! Those of us that have seen man made barrier of many feet washed away in minutes and flood water far exceeding a PMF of numerous feet are real concerned about the NRCs conclusion that the purposed site is safe from flooding. In my opinion, based on what I've seen in this area, while growing up and living here, that site could be flooded at any time. Today, tomorrow, next week or next year. There is a great probability it well be flooded. The weather patterns are changing. The year 2000 has produced many record floods ... Arizona, New England States, Australia, England, and Italy for example. I have lived in a desert town that was flooded from moderate rain fall. The National Flood Insurance Program reveals that, 25% of all flood insurance claims come from areas that are not even designated high risk. NRC and PFS, I'm sorry, you need to find a safer place to dump your nuclear waste.

Skull Valley is crisscrossed with earthquake faults. It is utterly unbelievable that a group of government employees can prepare a lengthy report detailing the many faults in that area and come to the conclusion that it will be save to store nuclear waste there. One of the reasons they claim safety is that there has never been a quake in that area. Even the most elementary quake student knows that is what precisely contributes to a large quake. Small quakes relieve fault pressure thereby cutting down the odds of a larger quake. When there has not been smaller quakes for a while watch out that is when the big one is coming. That area is seasoned for a large quake. There have been moderate quakes all along the Wasatch Front, to the North and South, to the East and West There was a large quake a few hundred miles to the North in the Yellowstone Park area that caused a gigantic land slide. "Sediment shakes much more strongly than bedrock," explains James Dolan, a University of Southern California geologist. "Sometimes five to ten times, so it's not a trivial matter." That is precisely what skull Valley is made of, SEDIMENT. NRC and PFS, do you not get the full picture? That area is quake prone. Please don't scheme with the Goshut Indians at the risk of millions of americans. Please, go find some hard rock that is not in a flood basin to store you nuclear waste.

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NRC and PFS knows that deep geologic emplacement (deep down in the earth) is the safest method of disposing of nuclear waste. In my opinion, with this knowledge it is almost criminal of them to persist with this insane artifice to transport and store such a high concentration of deadly high level nuclear waste with in such a short distance of a very large population base. This nuclear waste is merely being stored (inadequately in my opinion) on the desert floor subject to floods, quakes, weather, hurricanes, vandals, terrorists and many other perils.

The involved parties have been asked, pleaded with, advised and counseled to forego this imprudent project that threatens most of the U.S. public with deadly radiation. To no avail, we constantly receive the standard answer that the project is going forth and we the intimidated public can't do one thing to halt this demented trick.

It is my opinion, all involved nuclear waste producing, transporting and storage factions be held financially, criminally and punitively liable. We the public respectively request that every community within two hundred miles of that nuclear storage site be endowed with a large monitory escrow to cover public, individual, and environmental damages as they occur. I imagine there already exist stress, trauma and anxiety damage for which remedies from the courts will be sought. I suspect every community in the nation will have the same request when it is made known to them that a forty year siege of radiation is about upon them.

It appears that the Goshute Indians have been grossly misinformed concerning their benefit from participating in this vulnerable nuclear waste storage project. It is common thinking that this is not a temporary event. There have been many government temporary fast fixes in the past that are still in existence. It is likely the very first shipment of nuclear spent fuel rods will be decaying in the desert sun and blown throughout the world a hundred years from now. What a legacy the Goshutes will leave their children and neighbors.

Not one penny will end up in the Goshute Indians bank accounts. The millions of dollars that would have benefited them will be tied up in massive damage law suits. The court awarded damage liabilities will far exceed their lease agreement revenues. I am sure most american communities will be asking for the Goshute Indians to participate in the damage monetary escrow account, when they find out deadly radiating nuclear waste will be traveling within yards of their homes headed for the Goshute Indian Reservation.

I understand that the surrounding communities are becoming more aware of the Goshute Indians acute need for economic help and are looking for ways to assist them.

It mystifies me why the federal government is so quick to store this deadly nuclear waste on an Indian reservation and not so quick to store it on their federal land! Can someone answer that question for me?

The pro nuclear waste storage Goshute Indian leader has indicated, if the deal goes sour he will still be in control. I feel he may be a little naive. At least he recognizes that there is a possibility that the deal will go sour. It's not if the deal goes sour, but when it goes sour. That should be a big enough of an indication that this project be halted right now. We are not playing around with gun powder. This is deadly, lethal nuclear waste and millions of human lives! Also, what makes him think he will be able to control the government once they get started? It is like trying to get the camel out of your tent once you have let his nose in.

PFS is the biggest benefactor when the deal goes sour. They just walk away. Why do you think they are called a limited liability company? Why would anyone deal with a limited liability company in any matter, let alone a project of this magnitude?

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The SER calls for eight casks of radio active nuclear waste, weighing over eighty ton, to be store on a three foot thick concert pad. I feel this is a very poor design. I have seen much less weight supported by more feet of concert in industry applications here in the great basin region.

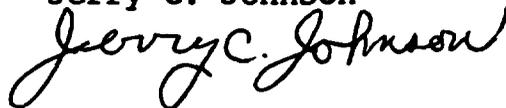
The county of Tooele has recently unanimously voted out of office the county commissioner that was a big factor in securing the nuclear waste dump within the Tooele county area. This is a good indication that the residents of Tooele county do not want a dangerous nuclear waste dump as part of their neighborhood. They are more than happy to give up the 300 million dollars compensation from PFS to regain their health and safety from radiating nuclear waste.

Every court in this land will be petitioned to rule on this outrageous controversy scheme that the NRC and PFS has stratified, potentially setting the american people's health and safely at risk.

President Elect George W. Bush recently said in his December 13th reconciliatory speech, that the spirit of common sense must be one on the elements used for this great country to proceed forward. I must ask, where is the common sense in dumping such a high concentration of lethal nuclear waste on the desert floor of a small Indian Nation in the locality of a large population? It appears that we the common folk in the great basin area are rebuffed when we want to use common sense. Cumbersome studies embalmed with massive amounts of data and references that superficiality prove their subjective wants and needs seems to be the order of the day.

A concerned Citizen

(page 6) Jerry C. Johnson



UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
PRIVATE FUEL STORAGE, L.L.C.) Docket No. 72-22-ISFSI
)
(Independent Spent Fuel Storage)
Installation))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LIMITED APPEARANCE STATEMENT OF JERRY JOHNSON have been served upon the following persons by deposit in the U.S. mail, first class, or through NRC internal distribution.

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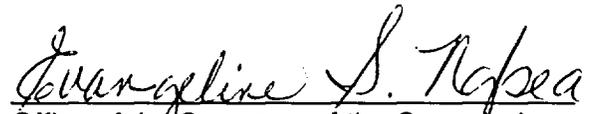
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Dated at Rockville, Maryland,
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