

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

Date Printed: Jun 20, 2005 10:50

PAPER NUMBER: LTR-05-0321 **LOGGING DATE:** 06/20/2005
ACTION OFFICE: OGC

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AFFILIATION: REP
ADDRESSEE: Nils Diaz
SUBJECT: Urges the NRC to deny a license for Private Fuel Storage (PFS) to host a nuclear waste dump on land sacred to the Skull Valley band of Goshutes

ACTION: Signature of Secretary
DISTRIBUTION: RF

LETTER DATE: 06/20/2005
ACKNOWLEDGED: No
SPECIAL HANDLING: Ex Parte Communication

NOTES:
FILE LOCATION: ADAMS
DATE DUE: 07/01/2005 **DATE SIGNED:**

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Congress of the United States
Washington, DC 20515

June 16, 2005

Chairman Nils J. Diaz
Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Chairman Diaz:

We urge the Nuclear Regulatory Commission to deny a license for Private Fuel Storage (PFS) to host a nuclear waste dump on land sacred to the Skull Valley band of Goshutes. This proposal is unjust, extremely dangerous, and unnecessary. The history of exploitation and racism carried out towards Native Americans by the U.S. government is well documented and we must not relive it.

It is unjust for the United States to target a destitute and vulnerable Native American tribe. The Skull Valley band of Goshutes possess an inextricable spiritual attachment to the land they inhabit and many tribal members say it is all they have left. The Department of Energy started looking into dumping radioactive waste on Native American grounds in 1987, but finally gave up in 1994 when it dissolved the Office of the Nuclear Waste Negotiator, after several Native American tribes resisted its efforts to build a dump on their land. The nuclear power industry has taken up where the Department left off, and has targeted the Skull Valley band of Goshutes, one of the most economically and politically vulnerable tribes in America.

Many tribal members dispute the lease agreement between the tribe and PFS. The leadership of the tribe, which consists of three members, signed a lease agreement with PFS without the knowledge or approval of the Skull Valley Goshute General Council. The General Council consists of the 60 adult members who govern the tribe. The other members of the tribe claim that the leadership no longer represents them¹. It is now apparent the tribe opposes the dump. The nuclear power industry is only dealing with the disputed leaders of the tribe, who are acting against the wishes of rest of its members. Constructing a nuclear waste facility on sacred tribal land without consent is a violation of Native American rights. PFS is clearly taking advantage of a tribe in desperate need of funds.

This proposal is a safety risk to all Americans along the transportation routes to the proposed facility. Transporting casks cross-country creates the possibility of a potentially catastrophic radioactivity release due to an accident or terrorist attack. Nuclear waste could be a primary terrorist target when it is moving through highly populated metropolitan areas. Increasing the amount of handling and transportation of nuclear waste increases the likelihood of accidents. Transportation routes proposed by rail, road, and barge could pass through as many as 44 states

¹ NRC: CLI-04-09 - Private Fuel Storage LLC - Docket No. 72-22-ISFSI

and the District of Columbia, putting the waste within half a mile of 50 million people². The transportation of such great amounts of nuclear waste has yet to happen in U.S. history. There have only been 3,025 high-level waste shipments so far, but thousands more would be necessary if PFS is granted a license³. Transportation of such high volumes of nuclear waste would put virtually every part of the country at risk.

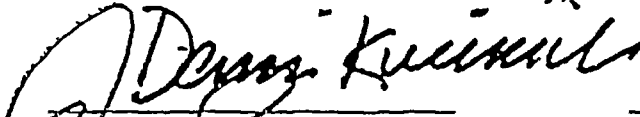
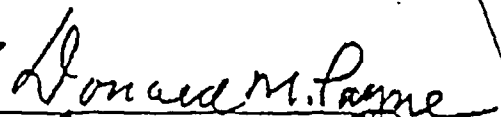



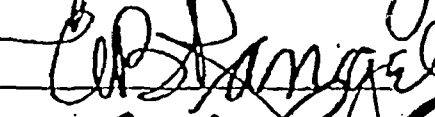


Dry casks are a controversial and unproven storage technology that have had problems with hairline fractures, explosions due to chemical reactions, and welding failures. A former lead quality assurance inspector for Edison/Exelon, the producer of the casks, has cited numerous quality assurance violations in the manufacture of these containers⁴.

It is also possible that the proposed site might not be temporary at all. PFS has promised that irradiated fuel would stay at Skull Valley for a maximum of forty years before being transferred for permanent burial at Yucca Mountain in Nevada. Gary Lanthrum, U.S. Energy Department Yucca Mountain Project transfer director, has stated that the Yucca Mountain Project would not accept irradiated nuclear fuel from PFS, because it would violate the terms of the Department of Energy's Standard Contract for Disposal of Spent Nuclear Fuel⁵. The Yucca Mountain Project has been delayed for years and after numerous major setbacks it may never see the light of day.

This nuclear waste facility is not necessary because it does not reduce the risks posed by high-level radioactive waste. Waste will always remain at the facility at operating reactors. This would exacerbate the problems facing nuclear power in the United States, instead of remedying it.

There is no good reason to construct this facility, but there are many reasons to oppose it. PFS' proposal is dangerous to Americans, violates the rights of the Skull Valley band of Goshutes, and is not in our national interest.

Sincerely,

² National Highway, Rail and Barge Routes to Yucca Mountain. State of Nevada Agency for Nuclear Projects. 13 June 2005. <http://www.state.nv.us/nucwaste/maps2002/roadrail/index.htm>

³ Nuclear's Fatal Flaws: Waste. Public Citizen. 13 June 13, 2005. http://citizen.org/cnecp/energy_enviro_nuclear/nuclear_power_plants/articles.cfm?ID=13454.

⁴ Megan Tady, "Native Americans, Allies Resist Expansion of Utah Nuke Wasteland," The New Standard 1 June 2005.

⁵ Patty Henetz, "Yucca won't take waste from Utah," Salt Lake Tribune 4 May 2005.

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