

Michael W. Crippen\*  
Russel A. Cline, P.C.  
David C. Blum, P.C. ♦  
Michael D. Roberts, P.C.  
F. Elgin Ward  
Of Counsel  
Brian C. Kunzler, P.C.†

Law Offices of  
**C R I P P E N  
&  
C L I N E**  
*A Limited Liability Company*  
**10 West 100 South, Suite 425  
Salt Lake City, Utah 84101  
Telephone: (801) 539-1900  
Facsimile: (801) 322-1054**

65FR 39206  
June 23, 2000

\*Also Admitted in:  
Washington, Idaho

♦ Also Admitted in  
Washington, D.C.

† Registered Patent  
Attorney

7

July 28, 2000

David L. Meyer, Chief  
Rules Review and Directives Branch  
Division of Freedom of Information  
and Publication Services  
Office of Administration  
Mailstop T-6D-59  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 2055-0001

RECEIVED  
200 AUG - 8 PM 4: 34  
Rules and Directives  
Branch  
USNRC

Re: Draft Environmental Impact Statement for Construction and Operation of an  
Independent Spent Fuel and Storage Installation on the Reservation of the Skull  
Valley Goshute Indians and Related Transportation Facilities

Dear Madam/Sir:

My comments relate primarily to Section 9.4.1.5 of the Draft Environmental Impact Statement ("DIFS"). That Section relates to the "No-Action Alternative." The DIFS states that "if no additional SNF storage capacity is constructed, SNF would continue to accumulate at the nuclear plants where it is being generated" and that "spent fuel generated in any reactor can be stored without significant environmental impact." The DIFS states that eight licences have been issued to increase on-site storage, in each case a finding of "no significant impact was reached."

Section 9.4.1.5 concludes "the staff does not expect that storage and construction operation of future at-site reactor storage would result in a significant environmental impact." Accordingly, the DIFS does not identify any health or safety risk that is being eliminated by the Goshute facility.

The claim has been made that existing storage facilities are "running out of space." However, I could find nothing in the DIFS to support that claim. It appears that at some future date, existing facilities "may" run out storage space. However, clearly at least some existing storage sites can be expanded with no risk.

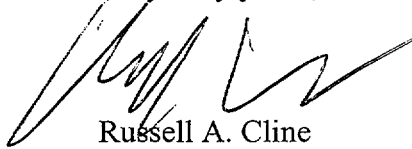
Template - ADD - 013

ADM-  
E-RIDS- 03  
Add: S. Flinders (SCF)

I understand that at a few sites there is not enough room to expand existing storage facilities. However, you have not developed what alternatives may be available in those limited sites and when, if ever, there will be a storage shortage at those sites.

Since the Yucca Mountain Nevada facility is the permanent storage site, scheduled to be operational in 2010, if fuel can be stored at current or expanded current sites for at least ten-years, then there is no need for a temporary storage site in Goshute Valley. I ask you to develop this no-action alternative. It appears very feasible. Based on the DIFS, there is no health or safety issue that would justify construction of the temporary storage facility that has been proposed. The DIFS needs to examine the feasibility of storage at existing and expanded existing sites for an additional 10-years until the Yucca Mountain Nevada facility is completed.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Russell A. Cline', written over a horizontal line.

Russell A. Cline  
CRIPPEN & CLINE, L.C.

RAC:yg