65 FR 39206; June 23, 2000 (70)

Executive Committee:
James Bernstein, Commissioner
Minnesota Department of Commerce
Philip Bradley, Commissioner
South Carolina Department of Public Service
Robert Capstick, Director of Government Affairs
Yankee Atomic/Connecticut Yankee
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Florida Public Service Commission
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Detroit Edison

NUCLEAR WASTE STRATEGY COALITION

September 13, 2000

Mr. David L. 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

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RE: Comments of the Nuclear Waste Strategy Coalition to the Draft Environmental Impact Statement for the Construction and Operation of an Independent Spent Fuel Storage Installation on the Reservation of the Skull Valley Band of Goshute Indians and the Related Transportation Facility in Tooele County, Utah.
Docket: 72-22, Private Fuel Storage, LLC.

The Nuclear Waste Strategy Coalition hereby submits the following comments on the above-referenced U.S. Nuclear Regulatory Commission, Draft Environmental Impact Statement.

Sincerely,

James Bernstein
Commissioner
Minnesota Department of Commerce, and on behalf of the
The Nuclear Waste Strategy Coalition Executive Committee

ADM03

ERIDS-03
Add Scott Flanders

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UNITED STATES NUCLEAR REGULATORY COMMISSION

Draft Environmental Impact Statement for an Independent Spent Fuel Storage Installation On the Reservation of the Skull Valley Band Of Goshute Indians and the Related Transportation Facility in Tooele County, Utah.	)))))	Docket: 72-22 Private Fuel Storage, L.L.C.

COMMENTS OF THE NUCLEAR WASTE STRATEGY COALITION

INTRODUCTION

The Nuclear Waste Strategy Coalition (NWSC) is pleased that the U.S. Nuclear Regulatory Commission's (NRC) Draft Environmental Impact Statement (DEIS) recommends proceeding with the Proposed Action to grant a license to the Private Fuel Storage L.L.C. (PFS) Company to construct and operate a facility, and to receive, transfer and possess spent nuclear fuel on the Reservation of the Skull Valley Band of Goshute Indians (the Reservation). The NWSC notes that the NRC did not identify any potential environmental impacts that would warrant not proceeding with the private fuel storage facility. We therefore urge that the NRC grant licensing in 2001 to the PFS to begin construction and operation of the private fuel storage facility at the Reservation.

DISCUSSION

In the 1950's, the Federal government encouraged electric utilities across the nation to build nuclear power plants with the promise that it would remove spent nuclear fuel (SNF) from plant sites. The Nuclear Waste Policy Act of 1982 specifies that the U.S. Department of Energy (DOE) has a statutory and contractual obligation to remove high-level nuclear waste from 103 commercial nuclear power plant in 33 states by January 31, 1998. Consequently, due to the Administration's lack of responsibility to fulfill its 1998 obligation and to the U.S. Congress' lack of legislation reform, SNF is stranded nationwide.

Since 1983 the nation's ratepayers have paid more than $16 billion, including interest, into the Nuclear Waste Fund, to be used by the DOE to construct, operate and monitor a permanent repository for high-level nuclear waste from the nation's commercial power plants. Thus far, DOE has spent more than $7 billion of these ratepayer contributions to characterize a geologic repository at Yucca Mountain. DOE now estimates that the repository ***may be*** operational by 2010. Meanwhile, waste continues to accumulate across the nation at plant sites, and electric ratepayers continue to pay more than $680 million each year ($77,000 every hour of every day) into the Nuclear Waste Fund.

Since 1986, 11 states (13 sites) had to establish dry cask storage facilities, and it is estimated that 27 additional states (41 sites) will need storage by 2010. Unless an alternative solution such as the proposed private fuel storage facility is developed, high-level radioactive waste will be stranded indefinitely across the nation. The potential impact is premature shutdown of environmentally clean nuclear power plants and the consequent loss of approximately 20 percent of the nation's electric supply. This would result in tens of billions of dollars in additional costs for ratepayers, including premature decommissioning of nuclear power plants, estimated to be $515 million per plant in 1999 U.S. dollars. However, decommissioning cannot be completed until all high-level radioactive waste is removed from plant sites. Costs also include the licensing and construction of a storage facility with incremental costs such as storage, loading and consumables plus annual operating costs

for 20 years of NRC fees and security to maintain and monitor SNF in pools and dry cask storage facilities at power plants. These operating costs are estimated to be $30 million to $40 million per plant in 1999 U.S. dollars.

Under the **Proposed Action Alternative,** NRC would grant a license for construction and operation of the private fuel storage facility that would allow storage for up to 40,000 metric tons of uranium of SNF. The facility would also give those utilities that are not members of the consortium the opportunity to have their SNF stored at the PFS. The facility would help alleviate some of the above estimated costs to the nation's ratepayers.

Licensing the private storage facility would also develop a system technology for a large centralized storage facility that includes security standards and would demonstrate safety of transportation for the permanent repository at Yucca Mountain. Compared to the **No-Action Alternative,** it is certainly preferable to transport SNF to a facility that the NRC's DEIS found to be technologically safe and that would bring large economical benefits without harming the environment to the Skull Valley Band of Goshutes Indians, the State of Utah, Tooele County and other local communities.

TRANSPORTATION

The DEIS review of the transportation impact is thorough and complete, and clearly supports moving the spent nuclear fuel and high-level nuclear waste to the Reservation from nuclear power plants as proposed by the PFS. The DEIS review is supported by the practical knowledge that over the past 35 years more than 3,800 shipments of nuclear waste and more than 10,000 radioactive

materials shipments have been made in this country without a single radiation injury. Panels of national experts have repeatedly found that it is safe to transport to, and to store spent nuclear fuel at, a centralized interim storage facility without impairing the local citizens and the environment.

CONCLUSION

The NWSC emphasizes that the longer the delay of spent nuclear fuel at plant sites across the nation, the greater the financial burden the utilities and their consumers are forced to bear. The NWSC supports the DEIS findings to grant a license to the Private Fuel Storage L.L.C. Company for the construction and operation of a facility, to receive, transfer and possess spent nuclear fuel, on the Reservation of the Skull Valley Band of Goshute Indians.

The Nuclear Waste Strategy Coalition is comprised of state regulators, nuclear electric utilities, Attorneys general and associate members working together to hold the Federal government accountable for its contractual obligations to remove spent nuclear fuel from power plant across the nation to a permanent repository. The NWSC has participants from 43 organizations in 25 states.

Respectfully submitted,

James Bernstein
Commissioner
Minnesota Department of Commerce
and the Nuclear Waste Strategy Coalition
121 7th Place East
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Dated: September 13, 2000