



# NRC NEWS

**U. S. NUCLEAR REGULATORY COMMISSION**

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## **NRC LICENSING BOARD DECISIONS ON FINANCIAL ASSURANCE ISSUES REGARDING PRIVATE FUEL STORAGE APPLICATION**

The Atomic Safety and Licensing Board, an independent judicial arm of the Nuclear Regulatory Commission, has issued three separate decisions -- two partial initial decisions and a memorandum and order granting summary disposition -- finding that the Private Fuel Storage consortium (PFS) is financially qualified to construct, operate, and decommission a spent nuclear fuel storage facility in Utah.

The proposed above-ground facility is intended to house temporarily the waste fuel from U.S. nuclear power plants that is eventually destined for a permanent storage facility. The PFS facility would be located on the Reservation of the Skull Valley Band of Goshute Indians, about 50 miles southwest of Salt Lake City.

A formal hearing was held in mid-2000 in which the Licensing Board received evidence on a number of issues challenging the PFS proposal.

The Board's rulings today on the financial assurance issues, although favorable to PFS, do not permit the issuance of a facility license, because in a March 10 decision another Licensing Board found that the probability of an accidental crash stemming from nearby military aircraft operations was too high. PFS and the NRC technical staff have sought review of that ruling by the Commission. PFS is also understood to be preparing to argue at a future Board hearing that even if a military aircraft were to crash into the facility, it would have no adverse radiological consequences. Pending the outcome of those attempts to obtain full license approval, PFS is also seeking approval to proceed with a much smaller site that it contends would reduce accident probabilities to a permissible level (see May 13 press release regarding May 29 Board sessions on these matters).

Another issue from earlier hearings that also remains to be resolved before the PFS proposal can be licensed is the environmental aspects of the proposed rail line down Skull Valley that would serve the facility.

The Licensing Board's decisions on financial issues will not be immediately publicly available because they may contain proprietary information. After the parties provide the Board with their views on what portions of the decisions need to be redacted, the Board intends to release publicly the decisions and portions of the evidentiary record underlying the decisions, although without the confidential information. The abridged versions will be available through the NRC's Agencywide Documents Access and Management System (ADAMS) at: <http://www.nrc.gov/reading-rm/adams.html> . Help in using ADAMS is available from the NRC Public Document Room at 301/415-4737 or 1/800/397-4209.

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