



NRC NEWS

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NRC DENIES UTAH'S FINAL APPEALS, AUTHORIZES STAFF TO ISSUE LICENSE FOR PFS FACILITY

The Nuclear Regulatory Commission today denied the state of Utah's final appeals in the adjudication on an application by Private Fuel Storage to construct and operate an independent spent nuclear fuel storage facility in Skull Valley, Utah, and by a 3-1 vote authorized the NRC staff to issue PFS a license once the staff has made the requisite findings under NRC regulations.

Utah petitioned for Commission review of a Feb. 24 decision by the Atomic Safety and Licensing Board, which rejected the state's assertions that there is too high a probability of a radiation release resulting from an accidental crash of one of 7,000 flights over the Skull Valley each year by F-16 single-engine jets from Hill Air Force Base.

The Commission's memorandum and order also dismisses as moot petitions by PFS and the NRC staff for review of portions of an earlier ASLB ruling.

"Our decision today concludes this protracted adjudication, which has generated more than 40 published Board decisions and more than 30 published Commission decisions," the Commission said in its memorandum and order. "The adjudicatory effort, plus our staff's separate safety and environmental reviews, gives us reasonable assurance that PFS's proposed [storage facility] can be constructed and operated safely," it said.

"There are no remaining adjudication issues to resolve. Accordingly, once it has made the requisite findings pursuant to 10 CFR 72.40, the staff is authorized to issue PFS a license to construct and operate its proposed [facility]."

PFS submitted its application for the license in June 1997. The NRC issued its final Environmental Impact Statement in January 2002 and a Consolidated Safety Evaluation Report in March 2002.

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. The proposed above-ground facility would use up to 4,000 NRC-approved Holtec International HI-STORM 100 storage casks, each of which can hold up to 10 tons of spent fuel. The HI-STORM cask consists of a steel canister in which the fuel is stored and a steel and concrete overpack. To shield the spent fuel, the canister is welded closed and then placed in

the overpack of two steel shells encasing a wall of concrete more than two feet thick. The concrete provides additional shielding from radiation during storage. The cask weighs 180 tons when full.

Separate from the NRC's actions, the Bureau of Indian Affairs must issue final approval of the lease between the company and the Skull Valley Band of Goshute Indians. Also, the Bureau of Land Management must approve a revision of the land resource management plan for Skull Valley to permit PFS to construct and operate a rail line on a right-of-way through BLM land to connect the PFS site and the Union Pacific Railroad main line.

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