



# NRC NEWS

**U. S. NUCLEAR REGULATORY COMMISSION**

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## **NRC LICENSING BOARD ISSUES DECISION ON SEISMIC ISSUES AFFECTING PRIVATE FUEL STORAGE APPLICATION**

The Atomic Safety and Licensing Board, an independent judicial arm of the Nuclear Regulatory Commission, has issued a decision finding that the spent nuclear fuel storage facility proposed for Skull Valley, Utah, by the Private Fuel Storage (PFS) consortium meets the Commission's safety standards that protect against potential earthquake risks. In making that finding, the Licensing Board rejected the State of Utah's assertions that the facility's design was inadequate to withstand the seismic forces it is likely to encounter.

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. The State of Utah is the proposal's principal opponent.

A formal hearing was held in mid-2002 in which the Licensing Board received evidence on a number of issues challenging the PFS proposal. Among these was the State of Utah's contention that the design specifications of the storage facility would not provide adequate safety assurance in the event of a major earthquake.

The Board's decision today on seismic issues, although favorable to PFS, does not pave the way for the issuance of a facility license, because in a March 10 decision the Board found that the probability of an accidental crash stemming from nearby military aircraft operations was too high. The applicant, PFS, has appealed that ruling to the Commission. PFS is also 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 says would reduce accident probabilities to a permissible level (see May 13 press release regarding May 29 Board sessions on these matters).

Other issues from earlier hearings also remain to be resolved before the PFS proposal can be licensed. These involve the applicant's financial qualifications and the environmental aspects of the proposed rail line down Skull Valley that would service the facility.

The Licensing Board's 372-page decision on seismic issues will be available from the NRC's web site at <http://www.nrc.gov/what-we-do/regulatory/adjudicatory/pfs-seismic.pdf> . An abridged version, containing just the decision's introductory summary, Table of Contents, and conclusions, will also be available, at <http://www.nrc.gov/what-we-do/regulatory/adjudicatory/pfs-seismic-summary.pdf> .

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