

from the February 23, 2006 edition - <http://www.csmonitor.com/2006/0223/p01s03-uspo.html>

Is used nuclear reactor fuel headed for the reservation?

By [Faye Bowers](#) | Correspondent of The Christian Science Monitor

SKULL VALLEY GOSHUTE RESERVATION, UTAH - It's a question that has dogged the nuclear industry since the 1970s: What can it do with spent fuel rods?

The radioactive waste, eventually slated for permanent storage at a still unfinished site in Nevada, has been piling up, mostly at the nation's 65 commercial nuclear power plants. Late Tuesday, the Nuclear Regulatory Commission (NRC) gave its blessing to a solution: a storage site on a barren patch of a reservation in Utah that's home to some 25 native Americans, next to a proving ground for chemical and biological weapons, and near an Air Force bombing range.

The NRC licensed what would be the nation's largest - and only private - nuclear-waste storage facility. A consortium of utility companies would store for up to 40 years some 40,000 metric tons of spent nuclear fuel for an industry rapidly running out of space.

But the plan has powerful opponents, including Utah's entire congressional delegation and its governor, who have developed a multipronged attack plan to try to beat back this latest effort.

"Our position is this represents public policy at its absolute worst," says Mike Lee, general counsel to Utah Gov. Jon Huntsman Jr. "What these people want to do is take spent nuclear fuel and put it above ground in casks in a valley that's located 40 miles immediately upwind from Utah's only population center. To make matters much worse, this aboveground, open-air facility lies immediately under the low-altitude flight path of 7,000 F-16s a year en route to a bombing range."

But it is precisely those conditions that make the reservation land unfit for most anything else, says Leon Bear, chairman of the Skull Valley Goshute Reservation. In addition, Utah has outlawed gambling in the state, so the Goshutes can't open a casino. That is one reason the tribe leased 840 acres of its sprawling reservation for an undisclosed sum to Private Fuel Storage (PFS), the consortium that would house the nuclear fuel rods.

"What do they think we can do, sell bottled water?" Mr. Bear asks.

Standing on a hill, where small mounds of snow-covered Great Basin sage and rabbit bush stretch as far as the eye can see, he explains his vision. It includes the return to this 18,000-acre reservation of many of his small band of 123 Goshutes. They would join the 25 or so who currently live here because the deal would provide enough money for decent housing, education, a cultural center, and healthcare - and spin off several jobs as well.

The tribe's efforts to land a nuclear storage facility date back to the late 1980s, when Mr. Bear's father, Richard, and uncle, Lawrence, began to look into the process and the risks involved.

Mainly with grants from the Department of Energy, and financial backing from PFS, which is also paying most of the tribe's legal fees for pushing this project, Bear and a few others from the tribe have toured spent nuclear storage facilities in England, France, Sweden, and Japan. They've also visited the two federal aboveground storage facilities, in Idaho and Minnesota.

But the state's public servants say they worry that, with all the delays and problems involved with opening the permanent storage site at Nevada's Yucca Mountain, the proposed temporary storage site at Skull Valley may become a permanent one. And they are pursuing multiple options to derail the project.

For example, Rep. Rob Bishop (R) of Utah was able to include a measure to declare lands around the reservation national wilderness area in the Defense Authorization bill that passed in December. That effectively stops PFS from building a rail spur into Skull Valley Reservation from the main railroad parallel to Interstate 80, about 33 miles north of the reservation. That will force PFS to find an alternative transportation method, which will require the Bureau of Land Management (BLM) issue rights of way. The governor's office plans to lobby the BLM so it won't issue them.

Moreover, the state has one more chance to stop the effort by appealing to the Bureau of Indian Affairs, according to Mr. Lee of the governor's office. The BIA must approve the lease agreement between PFS and the reservation.

Such moves are only the latest by opponents, which include environmentalists and even members of the Goshute tribe. They have waged a protracted nine-year battle to prevent the reservation from taking possession of the dry-storage casks containing spent nuclear fuel, and don't plan to give up their fight anytime soon.

The Bears, for their part, say they are patient, and that this effort is only a continuation of the Goshutes being good neighbors, good hosts. When they've been asked to host other government projects, such as a rocket motor testing program, or the storage of solid waste from Salt Lake City, they've done it.

"Whenever we've been asked to go to war for this country, or to host something, we have been willing to help as long as they have asked," says Tomy Bear, Leon Bear's wife.

[Full HTML version of this story which may include photos, graphics, and related links](#)

www.csmonitor.com | Copyright © 2006 The Christian Science Monitor. All rights reserved.

For permission to reprint/republish this article, please email [Copyright](#)