Some Ups, Some Downs for Private Fuel Storage

An Atomic Safety and Licensing Board (ASLB) has rejected a request by Private Fuel Storage LLC (PFS), the consortium of nuclear utility companies trying to construct a spent fuel storage facility in the Utah desert, to construct a limited-size facility designed to hold only 336 casks. The denial, however, was based on procedural grounds and not substantive matters, the ASLB stressed, saying that the request was not properly filed. The Board urged PFS to resubmit its request at a later date.

PFS originally had submitted a plan to build a 4000-cask facility, but scaled back its request after an ASLB ruled in March that the project was at risk from potential crashes of F-16 aircraft from nearby military bases (see "Headlines," *Radwaste Solutions,* May/June 2003, p. 8). The limited-size facility was then proposed by PFS as a way to begin construction while trying to work through the ASLB objections.

In other licensing rulings, an ASLB ruled that the PFS consortium is financially qualified to construct, operate, and decommission the facility, and a separate licensing board ruled that the facility would be able to withstand an earthquake.

Minnesota Approves Additional Spent Fuel Storage for Prairie Island

The state of Minnesota has passed into law a bill to allow more dry cask spent fuel storage at the Prairie Island nuclear power plant, operated by Xcel Energy Inc. Without the legislation, Xcel would have been forced to close the plant by 2007, because it would have run out of room in the plant's spent fuel pools.

The new law, signed by the governor on May 29, repeals the 1994 law that limited dry spent fuel storage at Prairie Island to 17 casks. The law gives Xcel the right to add about 12 casks to the plant's Independent Spent Fuel Storage Installation, giving Prairie Island enough fuel storage capacity to continue operations until the current licenses expire in 2013 and 2014. (The U.S. Nuclear Regulatory Commission has licensed the site for 48 casks.)

Xcel, however, plans to seek approval from the NRC to extend the plant operating licenses by an additional 20 years. Under the new law, authorization for cask storage beyond the initial licensing period will require approval by the Minnesota Public Utilities Commission. Who would make this decision was one of the contentious issues in the bill.

The law also requires Xcel to increase its commitment to renewable energy. The utility must pay $16 million a year into a renewable development account for every year the plant operates. Previously, the company had been paying some $8.5 million per year.

In addition, the law requires Xcel to generate 10 percent of its energy from renewable energy by 2015, and brings into effect the financial arrangements negotiated earlier this year between Xcel and the Prairie Island Indian Council (see "Headlines," *Radwaste Solutions,* May/June 2003, p. 10).

International Updates

- Australia has selected a location for the national repository for low-level and short-lived intermediate-level nuclear waste. The site, chosen by Minister for Science Peter McGauran on May 9, is located 20 kilometers east of Woomera in the state of South Australia. Construction of the facility will commence after the completion of an environmental assessment and a licensing process administered by the Australian Radiation Protection and Nuclear Safety Agency. Australia has about 3700 cubic meters of such waste, and produces less than 50 cubic meters per year. About half of the waste is currently stored at more than 50 sites around the country, typically at hospitals and universities.
- Ontario Power Generation (OPG) has estimated that it will cost $18.2 billion-Canadian ($6.2 billion-Canadian in present value terms) over a 59-year period beginning in 2011 to decommission Ontario's 20 nuclear power reactors and dispose of the wastes. (At press time, the Canadian dollar was worth about $0.75 U.S.) This estimate assumes interim storage of all wastes followed by disposal of intermediate-level wastes and deep geological disposal of spent fuel after 2035. Dismantling would start 30 years after reactor shutdown and would account for about a third of the overall costs. OPG has set aside $2 billion-Canadian for decommissioning and will add about $454 million-Canadian per year to this fund for five years, and then a reduced amount over the remaining lives of the reactors.
- Korean industry and government officials hope to select a low-level radioactive waste disposal site by early 2004. Earlier this year, four communities were designated as candidates to host the national LLW repository. Korea Hydro and Nuclear Power Co. Ltd. will run out of space to store LLW by 2008, so a repository would need to be operational by that date.
- Taiwan Power Co. last year continued to reduce the volume of low-level waste generated by its two Maanshan pressurized water reactors under a program begun in 1992, and is about to launch a similar program for boiling water reactor wastes, starting with the two units at Kuosheng. The project has an initial goal of reducing BWR plant solid wastes from about 350 drums per year to about 120 drums. The effort is being done in cooperation with Framatome ANP and Hitachi.

New Texas Low-Level Radioactive Waste Law Enacted

The Texas legislature has passed legislation to amend the health and safety code relating to siting and operating a commercial low-level radioactive waste disposal facility in the state, and sent the bill to Gov. Rick Perry for approval. Under Texas law, if the governor does not veto a bill in 20 days, it automatically becomes law. At press time, Perry was expected to allow the bill to pass into law.

The legislation authorizes the creation of two private low-level radioactive waste disposal facilities to be licensed as one site by the Texas Commission on Environmental Quality. One facility would dispose of federally generated LLW, while an adjacent facility would serve those commercial members of the Texas Low-Level Waste Compact (currently Texas, Vermont, and Maine, although Maine has passed legislation to leave the Compact). However, the legislation defines "compact waste" to include waste generated in a host or party state, as well as waste that is not generated in a compact state but that has been approved for importation to the state by the compact commission.

The currently operating Waste Control Specialists LLC (WCS) is expected to apply to operate the authorized disposal facility. For more information on WCS, see "Is There Relief Ahead on the Low-Level Waste Front?" this issue, p. 12.

News Briefs

● *Maine Yankee Vessel Disposal Completed.* With the spring rains in the South this year came news of the increase in the level of the Savannah River to allow for safe barge traffic. Maine Yankee took advantage of the water level to ship its reactor pressure vessel to the Barnwell, S.C., low-level waste disposal facility. The vessel left Maine Yankee on May 6, arrived at Barnwell on May 31, and on June 7 the vessel was safely disposed of at the Barnwell site.

Other reactor vessels due to be sent to Barnwell later this year are those from Connecticut Yankee, Big Rock Point, and San Onofre-1.

● *Fernald Holds Last Public Tour.* On June 10, the Fernald site held its final public tour of the site prior to closure in 2006. Fernald cleanup is more than 50 percent complete, and as the site approaches closure in 2006, increasing demolition activities, soil excavation, and waste shipping operations will make it difficult for buses to maneuver along what few roadways are left. By the end of this year, Fernald will complete demolition of all former production buildings, leaving little indication of what once stood on this 1050-acre site.

● *NRC Affirms Security of Nation's Spent Fuel Pools.* The U.S. Nuclear Regulatory Commission has responded to suggestions that spent fuel is vulnerable to terrorist actions and should be put into dry storage casks after five years. Said the agency: "Nuclear power reactor spent fuel pools are not soft structures. They are neither easily reached nor easily breached. Instead, they are robust structures constructed of very thick concrete walls with stainless steel liners. In addition, other design characteristics of these pools [e.g., being sited below ground level or among other structures] can make them highly resistant to damage and can ease the ability to cope with any damage."

● *Supreme Court Intervenes in North Carolina/Southeast Compact Lawsuit.* In mid-June the U.S. Supreme Court, at the urging of the Bush Administration, intervened in the dispute between North Carolina and other members of the Southeast Low-Level Radioactive Waste Compact. The Court agreed to decide if North Carolina will have to pay $90 million in sanctions for backing out of a deal to site, license, and construct a low-level waste disposal facility for the Southeast Compact and for subsequently dropping out of the compact.

Playing Hardball at Hanford

When the Washington State Department of Ecology issued an Administrative Order on April 30 requiring that the U.S. Department of Energy immediately stop creating a backlog of untreated mixed waste at the Hanford site, the DOE took an unanticipated step: It ordered its contractors at the cleanup site to stop a broad array of cleanup activities that would result in the generation of mixed wastes that could not be treated within one year or that could contribute to the backlog of untreated wastes. Cleanup activities most affected by the order included all work at the Plutonium Finishing Plant; interim stabilization work at single-shell tanks and retrieval of waste inside Tank C-106; preventative and corrective maintenance and decommissioning work on the Central Plateau, especially on the Plutonium Concentration Facilities and the shutdown U Plant reprocessing canyon; and cleanup support activities at the Pacific Northwest National Laboratory.

Since stopping cleanup work was not at all what the Department of Ecology had in mind, that section of the order was quickly stayed. At press time, DOE contractors were continuing D&D operations until July 7 while the ecology department and the DOE held discussions on such issues as deadlines, waste shipments into the state, and cleanup levels (see "Headlines," *Radwaste Solutions,* May/June 2003, p. 12). And, in the meantime, the contractors have been instructed to find ways to minimize waste generation while working on D&D activities at the site. ■