

*See Pocket I
for encl*

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March 20, 1985

WM Record File

101.5

WM Project 10

Docket No. _____

PDR ✓

LPDR ✓

Mr. Robert Browning, Director
Division of Waste Management
U.S. Nuclear Regulatory Commission
Mail Stop 623-SS
Washington, D.C. 20555

Distribution:

REB MJB JDB WJM KERR
ROM ORM CER WRIGHT Kennedy
(Return to WM, 623-SS) D. KUNIHIRD - 7 23

RE: YIN Comments on Draft BWIP Environmental Assessment

Dear Mr. Browning:

Enclosed for your information is one copy of Volumes 1 and 2 of the Yakima Indian Nation Comments on the Draft Environmental Assessment for the Hanford Site, Washington, under the Nuclear Waste Policy Act.

I would like to thank you again on behalf of the Yakima Nation for permitting us to observe the readiness review for the Commission's comments. I found it was a helpful experience, particularly the opportunity to sit down with Bob Wright and Bill Brewer and discuss some of the technical issues. We hope it will be possible to participate in a like manner in the future. We look forward to receiving a copy of your final comments.

We have, because of the commitment of resources necessary to complete the enclosed EA comments, missed the deadline for comments on the proposed amendments to Subpart C of 10 CFR Part 60. It is nonetheless our intention to get some comments to you in the very near future. We hope you will be able to consider them.

Sincerely yours,

Dean R. Tousley

Dean R. Tousley
ASSOCIATE ATTORNEY FOR
THE YAKIMA INDIAN NATION

8504090473 850320
PDR WASTE
WM-10 PDR

Enclosures

cc: Russell Jim
James B. Hovis

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ESTABLISHED BY THE
TREATY OF JUNE 9, 1855
CENTENNIAL JUNE 9, 1955

CONFEDERATED TRIBES AND BANDS

Yakima Indian Nation

POST OFFICE BOX 151
TOPPENISH, WASHINGTON 98948

*Encl. to Ltr.
to REB for Tomley
3/20/85*

GENERAL COUNCIL
TRIBAL COUNCIL

March 19, 1985

Comments--EA

U.S. Department of Energy

Attention: Comments--EA

100 Independence Avenue, S.W.

Washington, D.C. 20585

To those concerned:

We transmit herewith the written comments of the Confederated Tribes and Bands of the Yakima Indian Nation ("Yakima Nation"). The Yakima Nation is an affected tribe as regards to the Reference Repository Location, Hanford Site, Washington. This transmittal within the announced date of the 20th of March, 1985, is not in waiver of our contention that the limited time in which to comment is a violation of the Nuclear Waste Policy Act ("NWPA"). The Department's limitation and also scheduling public hearings before adequate time to study the Draft Environmental Assessments ("DEA") seeks to make public participation and consultation and cooperation provisions of the NWPA a sham. We submitted adequate justification requesting a longer period and we are sure that the administrative record from the Project Office could do naught but support our reasonable requests. Affected states and other affected tribes have likewise made similar reasonable requests.

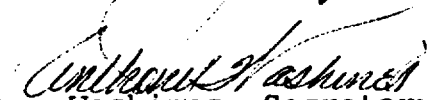
We likewise call to your attention and again record our contention that the restriction on our grants against the study of defense and existing nuclear activities at the Hanford Reservation is a violation of the consultation and cooperation provisions of the NWPA. This also has limited our ability to fulfill our responsibility under the NWPA.

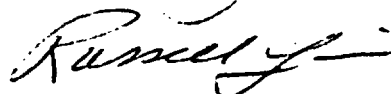
Comments--EA
U.S. Department of Energy
March 19, 1985
Page Two

In spite of these DOE imposed limitations on our responsibility we have with sacrifice prepared the submitted comments. We could only wish that you had assisted us in adequately fulfilling our full responsibility.

Sincerely,


Melvin R. Sampson, Vice-Chairman
Yakima Tribal Council


Anthony Washines, Secretary
Yakima Tribal Council


Russell Jim, Manager
Nuclear Waste Program

RJ:dl