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TOPPENISH, WASHINGTON 98948

September 22, 1981

Dr. Rajender Auluck
Director, Divison of Licensing
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Dr. Auluck:

The Tribal Council of the Yakima Indian Nation asks that, before your office approves the WPPSS Environmental Impact Statement, WPPSS be required to consult concerning the content of that statement with the Yakima Indian Nation. We base this request upon the following facts:

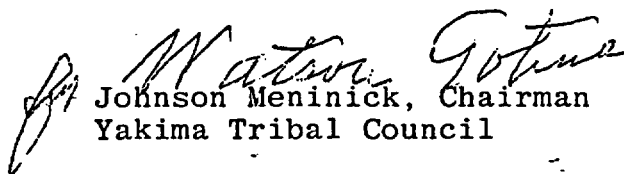
1. The Yakima Tribal Reservation, one and one-half times the size of the State of Rhode Island, has a border only 13 miles from the Hanford Reservation, the site of the WPPSS plant.
2. The Yakimas are a Sovereign Nation with a Treaty with the Federal Government which guarantees to the Yakimas forever, particular securities, rights, and privileges in return for vast lands ceded to the Federal Government in 1855.
3. The Treaty also gives the Yakimas certain rights and privileges over Ceded Lands, part of which lie within the Hanford Reservation.
4. The religious and cultural beliefs and practices of the Yakimas, protected by the Treaty and Supreme Court decision, express a sacred, unique relationship with Nature and the Environment.
5. In spite of all the foregoing, none of the elected representatives of the Yakima People were ever consulted by the authors of the WPPSS Environmental Impact Statement.
6. A careful reading of the WPPSS Environmental Impact Statement reveals that:
 - a. The only reference to Indian people in the document is a vague reference to "Wanapums", unidentified and as a general term of only historic interest, and even then in an insensitive way.

Dr. Rajender Auluck
Page Two
September 22, 1981

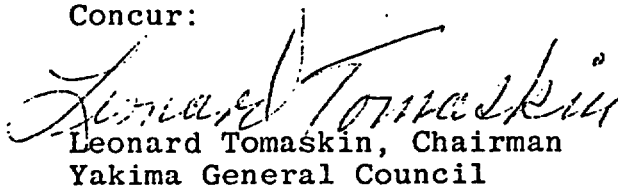
- b. The document ignores the existence of the Yakima Indian Nation, its vast adjacent Tribal Treaty Lands, and its particular concerns for the protection of its guaranteed rights and privileges.
- c. The document in its brief reference in the text to "Indians" is behind the times, and reveals no sensitivity to Indian Civil and Human Rights which today have become a matter of course in legislation and court decisions.

The Tribal Council asks, in addition, that your office consult with us before setting a time and place to begin discussions between the Yakima Indian Nation and the NRC licensing agent and the representatives of WPPSS. Please contact Mr. Russell Jim, Tribal Councilman, at (509) 865-5121. Thank you for your consideration

Sincerely,


Johnson Meninick, Chairman
Yakima Tribal Council

Concur:


Leonard Tomaskin, Chairman
Yakima General Council

Message to the Environmentalists
of Washington State
from the Yakima Indian Nation

There is a movement among environmentalists in Washington State to see as the best possible solution to the problems of nuclear and chemical contamination in Washington State, that:

- All nuclear and chemical waste activity be concentrated on the Hanford Reservation where accidents will threaten directly the least possible number of people.

The Yakima Indian Nation, which sees environmentalists as being, to date, a most valued ally in the fight for safety from nuclear and chemical contamination, believes environmentalists who espouse the reasoning above concerning the Hanford Reservation are doing the cause of safety for all Americans a great disservice.

Successful stands by environmentalists and other groups, including Indian groups, to remove the threat of contamination in the more populated areas of the State, have been helped along by the agreement of high population density, and the fact that the Hanford Reservation, already contaminated, and in an area of lower population density, was potentially available as a natural alternative. As the concept grows that Hanford is our answer to the vexing problem of safety from contamination, there appears to be growing at the same time, even among those who see protection of the environment as a top priority, a weary desire to be done with the problem by an escape reasoning, that:

- At least at Hanford an accident will affect the minimum possible number of people.

This position the Yakima Indian Nation is unwilling to accept as the best that can be done. The Yakimas know that evacuation is for them an empty phrase, and the borders of the Reservation are only 13 miles from the Hanford Reservation. These two hard facts do wonders to harden the Yakimas' determination to find a real safety from an irreversible accident.

In short, the Yakimas see a growing tendency, among those vocally "for safety in nuclear and chemical contamination", to:

1. Suffer a Failure of Nerve in the search for safety.
2. Accept the "inevitable" - that we can only hope to Cut our Losses, and harm the least number.

The Yakimas see both tendencies as backing off while pretending full support, as an escape from having to continue the search for a solution grounded on the premise that a catastrophe is unacceptable, and can, and must, be avoided at all cost.

The Yakimas urge all who are dedicated to the problem of our environment for generations yet unborn to consider the following:

1. That: Those non-Indians who live in the rural surroundings of the Hanford Reservation, and who remain silent, or even openly support the use of Hanford as a place for dangerous waste, do so, often, for reasons which may not be claimed as soundly supportive of "Hanford as the solution." It is obvious that none would choose to live near the danger center. They may often cover that fear with enforced ignorance, indifference, or a patriotic stance of duty to the country which allows at least a rational explanation for an irrational situation. The Yakimas believe local non-Indians who have these stands do so because:
 - A. Evacuation is for them a meaningful concept.
 - B. They have no group unity but see themselves as simply a minority of citizens outvoted by the majority in Western Washington.
 - C. They do not have the Indian reverence of Nature as a sacred trust.
2. That: The concept of Cutting Losses is not a concept that has any logical place in the present stage of planning for safety from nuclear and chemical accident. That concept is admissible, and even necessary, only after the catastrophe. To allow that concept to play a role now, is a Failure of Nerve, and an assurance that to end the discussions is more important than to devise the safest solution. To use a medical analogy: A doctor does not apply the concept of triage when trying to avoid accidents, only after the accident occurs and he is faced with more needs than he can answer.
3. That: To support the moving of nuclear and chemical waste sites away from populated areas may seem at first sight, wise. On consideration however, it is apparent that such actions remove the urgency to find a safe solution for all citizens from the urgent attention of the majority of voters, who see themselves, and the State, as already finished with a sticky problem, in which a failure can mean catastrophe - but now only for someone else.
4. That: Indian People and non-Indian lovers of the environment have traditionally been partners in the protection of Nature. It would be sad indeed if environmentalists of Washington State found themselves on a different side in these monumental matters, from the Yakimas and other Indian People whose Ancestral Lands surround the Hanford Reservation.

In conclusion, the acceptance of the Hanford Reservation as the solution to the problem of nuclear and chemical waste disposal:

1. Cuts short the search for other solutions.
2. Lowers the safety target, since Hanford is already contaminated and isolated from large urban areas.
3. Divides the forces pressing for safety.
4. Removes the salutary pressure on the majority of voters which is a stimulus for the finding of other solutions.
5. Robs some citizens of equal protection of life and property in an eternal and irreversible way.
6. Violates the sanctity of sacred agreements with Indian People, Indian Nations.