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RULES AND DIRECTIVES
SECTION

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APALACHICOLA CREEK INDIANS
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RECEIVED

Chief, Rules, Announcements, and Directives Branch
Division of Administrative Services
Mail Stop TWB-05-B01M
US Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Monday, March 7, 2011

Subject: Apalachicola Council Comments On South Texas Project, Units 1 and 2, License Renewal Application

Dear Branch Chief,

Thank you this opportunity to review and comment letter dated February 17, 2011. The Apalachicola Elder Council find this an important task as we have suffered historic and cultural losses despite existing promises under Environmental Policy Law. Therefore, we preface our comments with the following preamble:

Whereas the Apalachicola Town known as Red Ground Town, Econchatte Micco the Chief, was destroyed by the U.S. Army Corps of Engineers to build the Jim Woodruff Dam in 1957 located at the confluence of the Flint, Chattahoochee and Apalachicola Rivers in Alabama, Georgia and Florida, and

Whereas, the Apalachicola Indian Cemetery, previously located on Indian Hill near the City of Livingston in Polk County, Texas, was excavated by approval of the Trinity River Authority in 1969 sending the remains of our Apalachicola ancestors and Hereditary Chief John Blount to the bottom of the Trinity River thence to the Gulf of Mexico and without protection and guarantees of the Environmental Protection Act, and

Whereas the Apalachicola Creek Indians have been in Texas since 1834 and have suffered cultural and historic losses in modern times despite legislative protections, we admit our comments today are sincere but tempered by painful experience. None the less, we cling to the hope that the Nuclear Regulation Agency will do no further harm to any Texas Residents, to the general environment we call home or to the historical and cultural sites not previously or thoroughly examined by non Native Anthropologists and literary scholars.

SUNSE Review Complete
Template = ADM-013

E-KIDS = ADM-03
Call = Tam Tran (TXT)

COMMENTS

1. Re-evaluate STP Units 1 and 2 and surrounding area for compliance with National Environmental Policy Act amendments made from 1966 to present (not just to 1969) and take any actions required by Law.
2. Hire a Native American Anthropologist familiar that knows migratory habits of Texas/Louisiana tribes to conduct on site examination of Units 1 and 2. For example, the Alabama and Coushatta tribes arrived in Texas in 1795 followed by the Apalachicola Creek Indians in 1834. All three tribes customarily enjoyed spring and summer visits to the Coast for staple supplies of fish and fowl. They did not build permanent coastal settlements but were temporarily encamped for a given season. Here they lived their lives, gave birth, and some died on the seasonal hunts for food. They left small middens or "kitchens" and individual burial sites that may not meet the Anglo definition of permanent dwelling sites and cemeteries. Such historic, migratory Indian sites may have been overlooked by a simple literature reviews and study of existing records done by non Indian researchers.
3. We also ask for a reexamine of the view of historic contributions of Texas Indians. Many tribes inhabited Texas by 1800, as your report acknowledges. These were not necessarily indigenous to Texas but they were Indians none the less. As indicated in your report, Karankawa bands ceased to exist by the Civil War but the report makes no mention of the Apalachicola Creek Indians, the Alabama and Coushatta tribes and other East Texas Indian men who were conscripted without pay into confederate military service in 1862. Their assignment was to build flat boats and transport military provisions up and down the Trinity River from Magnolia City in Anderson County, Texas to Galveston Port on the Gulf of Mexico. Proximity of these Indians on such occasions to Unit 1 and 2 geographic areas suggests that the possibility they left artifacts of a historic significance behind. No matter how poor or how few, preservation and return of these artifacts to their respective tribes is as important as is the posting of a Texas State marker to celebrate the presence of a Texas Indian Confederate Navy.
4. We visited and interviewed tribal members living in the general area of STP Unit 1 and 2 sites on March 1st and 2nd 2011. Respondents raised no issue or complaint and praised the project for economic benefits to area citizens.
5. Please make no decisions without a thorough review of public health records in all counties contiguous with the location of STP Units 1 and 2. Ensure review of demographic records such as deaths by cause, diseases by name and assess the potential links with contaminants known to be emitted by both sites. Include in this survey the number and type of birth defects of all types, incidences of mental retardation, or mental illness and Neurological anomalies that might be linked to ground water contamination, airborne gasses, or other contaminants known to be emitted at the two sites. The study period must be from date of opening to present noting the different operations start dates of each site.
6. Implement safeguards that address the numerous published criticisms of the South Texas Nuclear Project that have resulted in the media labeling STP as "A Troubled and Costly Project".
7. Rewrite and strengthen existing Project commitment language to reinforce quality of effort to ensure protection of the Texas Environment and the health of Texas citizens.

8. Conduct a satisfaction survey using a representative sample including impoverished minority subjects living within a 30 mile radius of the Units 1 and 2. Our major humanitarian concerns are for the majority of residents in the area who are poor and non-white. It is our experience that a population so defined is often considered expendable by dominant cultures.

Finally, the Apalachicola Elder Council and the Principle Chief once again express our appreciation for this opportunity to respond to the United States Nuclear Regulatory Commission's request to review the South Texas Project, Units 1 and 2 License Renewal Application. We are long term allies of the United States, having cast our fate with this Nation in 1814 under the command of General Andrew Jackson in his efforts to tame and claim the Alabama and Florida Territories for the United States. We take pride in being allowed to comment on the well being of our current homeland.

Elder Council Member Approval

J.W. Blount, Sub Chief
Alvin Vai - Mead
Jas. Statherford III - Sub Chief
Delon Grant - Nilsen

Respectfully Submitted, this March 8, 2011

Mary Sixwome Blount

Mary Sixwome Blount, Principle Chief
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