

REQUEST FOR HEARING AND PETITION FOR LEAVE TO INTERVENE
re. license amendment and issuance for
Source Materials License No. SUC-1593, Amendment 2, Davy Crockett Depleted Uranium
at Various United States Army Installations
as described in the Federal Register, February 9, 2017, p. 10031

(1) PETITIONER

James V. Albertini

(2) RIGHT TO PETITION

I have lived and farmed in Kurtistown, located about 30 miles from Pohakuloa Training Area (PTA) for 36 years.

At nights the normal wind pattern comes down off the mountain from Pohakuloa. It brings the sound of bombing and shelling at Pohakuloa and possibly the Depleted Uranium (DU) and other military toxin contamination.

I have been involved in protesting the desecration and contamination of U.S. military illegally occupied Hawaiian Crown and Government lands at Pohakuloa for 36 years. I want the bombing stopped, all the military toxins cleaned up and the land returned to its rightful owners --the Hawaiian people, and the restored nation of Hawaii.

I have been on the grounds of Pohakuloa for community meetings with the military and to conduct Hawaiian ceremonies and the building of an ahu (Hawaiian altar) at the base of Pu'u Kapele.

I have spent countless hours outside the main gate of Pohakuloa protesting military bombing and desecration and at other sites around the perimeter of Pohakuloa, and also conducting Hawaiian religious ceremonies at Pu'uhululu, Pu'u Koli, King Umi's temple, etc.

On trips to Pohakuloa and Kona I use the restroom and park facilities at Mauna Kea Park located approximately 1 and ½ miles from a firing range for the Davy Crockett DU spotting rounds.

Our non-profit organization, which I head as president, Malu 'Aina Center for Non-violent Education & Action has done extensive education on Pohakuloa DU oxide inhalation dangers to counter the Army and NRC's failure to deal with the dangers of DU oxide inhalation. The Army and NRC rather focus on what nuclear geologist, Mike Reimer says is hiding "behind the license already issued and antiquated exposure limits derived from whole body exposures to uranium."

(3) PETITIONER'S INTEREST

I am concerned about health effects of inhaled depleted uranium oxide (DU) on myself and other island residents, especially the long term exposure of children of the island. I am concerned about people, especially children, who travel in vehicles on the improved Saddle Rd and use facilities, including the children's playground, at Mauna Kea Park located across the

street from Pohakulo. Given the possibility of DU oxide dust particles blowing in the wind, DU oxide dust particles may be transported all over the island on vehicles that travel the Saddle Rd.

(4) EFFECT OF DECISION ON PETITIONER'S INTEREST

If the Nuclear Regulatory Commission (NRC) takes the actions listed below, that will address my interest.

SUMMARY OF CONTENTIONS

(A) NRC should take the actions listed below. Related documents with specifics, are attached.

1. The NRC should require the military to stop all live-fire and any activities that create dust on the entire 133,000-acre military Pohakuloa Training Area. Independent comprehensive testing and monitoring (including air monitoring) should be done and the DU should be cleaned up as called for in Hawaii County Council Resolution 639-08 passed by a vote of 8-1 on July 2, 2008
2. The Hawaii County Council resolution 639-08 called for 8 actions, none of which have been carried out by the military. The NRC should mandate as part of military's DU license that the military carry out all the actions called for in resolution 639-08.
3. Given the fact that Army Garrison Hawaii representative, Col. Howard Killian testified back in 2008-2009 that the Army was not prohibited from using DU in training until 1996, there is a likelihood that more DU was used at Pohakuloa, besides Davy Crockett DU spotting rounds used in the 1960s. And the fact that all other branches of the U.S. military, and many other foreign countries, use Pohakuloa as a bombing and live-fire range increases the likelihood of more DU at Pohakuloa besides Davy Crockett. Comprehensive independent testing and monitoring will determine the full extent of contamination.
4. In my view inhalation of small DU oxide dust particles is the main DU hazard at Pohakuloa. This is not to say there aren't a host of other risks and hazards from the toxic stew of lead and other chemicals that have been used by the military at Pohakuloa over many decades.
5. Recent water wells have been drilled at Pohakuloa and vicinity. These wells need to be tested for DU and other military toxins. Water was found at much shallower are than anticipated.
6. Less than 1% of the 133,000-acre Pohakuloa Training Area (PTA) has been surveyed for DU. The entire base needs to be surveyed.
7. Mauna Kea Park and the nearby Girl Scout camp should be surveyed and independent testing and monitoring should be done at both places to determine possible DU contamination.
8. On numerous occasions, citizen radiation monitors detected CPM radiation readings at Mauna Kea Park and along Saddle Rd in the 60s, 70s and 80s CPM range.
9. The current proposed 1 site sediment sample miles northwest of the impact area, taken every several months, weather permitting, is completely unsatisfactory. It is a sham requirement that is the least likely place and way to find DU.

10. Air monitoring for DU oxides is the priority. This should be done in a comprehensive way under all weather conditions for an extended period of time, in all directions from PTA. It should include high wind conditions, brush fires, etc. Aerosolized DU Oxide dust particles and resuspension of such particles from wind, live-fire, and other disturbances is a main concern.
11. It's been nearly 10 years since it has been confirmed that DU spotting rounds were used at PTA. From a community perspective, it appears that the military doesn't want to seriously look in a comprehensive way about the full extent of DU contamination. If you look you may find more DU than can be attributed to Davy Crockett spotting rounds, and the base may have to be shut down, because it is a hazard to troops, residents, and visitors alike.
12. Army Col. Howard Killian testified to the Hawaii County Council that upwards of 2000 Davy Crockett (DC) spotting rounds were likely fired at Pohakuloa based on the number of people training in the system. Independent research on the number of DC pistons located on Pohakuloa supports this figure, but very few actual spotting rounds were found. This would lead to the reasonable conclusion that high explosives used in the area have turned big pieces of DU into little pieces. If not, where are the spotting rounds? It could also be that other DC spotting rounds were fired from other ranges not known. The Army and the NRC always seem to low ball possible DU use.

13. The Army is stonewalling community involvement in seeking the truth about DU radiation contamination at Pohakuloa. The Army has repeatedly made unreliable safety claims based on questionable assumptions, scientific methodology, and no peer reviewed studies. The bottom line is this: the Army does not want to risk having to shut down Pohakuloa if it is determined that the presence of DU and other military toxins pose a threat to the health and safety of the troops who train there and resident and visitors of Hawaii Island. While the Army says that health and safety is the primary concern, in truth it is continuing the military mission that trumps all.

Malu Aina calls for an end to all live-fire and activities at PTA that create dust. Comprehensive, independent monitoring and clean up, to protect health and safety should be done at military expense. The entire process needs to be transparent and have the confidence of the community, which to date is sorely lacking.

GENERAL COMMENTS
related to license amendment and issuance for
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at Various United States Army Installations
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1. Pohakuloa Training Area fact Sheet 2017

Military Pohakuloa Training Area Fact Sheet

2.
 1. **The Military Pohakuloa Training Area (PTA), located in the center of Hawaii Island is**

the largest military training area outside the continental United States. PTA encompasses 133,000-acres, and is nearly 5 times the size of Kaho'olawe Island, or larger than the islands of Kaho'olawe and Lanai combined.

- 2. The land at PTA is Hawaiian Kingdom government and crown lands. It's been used as a military training area since WWII. Over 84,000-acres were simply seized through presidential executive order #11167 at no cost. Nearly 23,000 acres are leased by the Army from the State of Hawaii for 65 years at a total cost of \$1.00.**
- 3. Po-haku-loa is translated to mean: The Land of the Night of Long Prayer. Pohakuloa is known as the sacred heavenly realm of unity between the three great mountains – Mauna Kea, Mauna Loa, and Hualalai. To bomb Pohakuloa is considered desecration and sacrilegious to Hawaii's native people –the Kanaka Maoli.**
- 4. Military documents claim that up to 14.8 million live-rounds are fired annually at Pohakuloa by all branches of the U.S. military and other countries. Weapon systems of all sorts are used at PTA, including small arms, artillery, helicopter gun ships, bombing by fighter jets, B-52, B-1 and B-2 bombers, etc.**
- 5. In 2007, the Army confirmed that it has used Depleted Uranium (DU) radiation weapons at PTA dating back to the 1960s. The number of DU rounds fired is not known but the Army has said it is prohibited from firing DU weapons in training at PTA since 1996.**
- 6. Comprehensive, independent, testing and monitoring to determine the full extent of radiation contamination at PTA is being opposed by the military.**
- 7. Unmanned Aerial Vehicles (UAV) drone aircraft are used in training at PTA. A drone airfield has been constructed less than 1 mile on the Hilo side of Mauna Kea Park between the old and new Saddle Rd.**
- 8. PTA contains many important cultural and historic sites and has the highest concentration of endangered species of any U.S. Army installation in the world, native and endangered birds such as, Nene, Palila, Amakihi and many others.**
- 9. PTA has known health hazards – lead, radiation, and other military toxins, and is located in a dry environment adjacent to a Girl Scout Camp where continued bombing and military maneuvers, together with frequent high winds, risk spreading the contamination in small dust particles. Pohakuloa is also subject to flash flooding. Flooding risks the introduction of military toxins into the ground water and toxins being flushed all the way down into the ocean, endangering humans, plants and animals.**
- 10. On July 2, 2008, the Hawaii County Council, by a vote of 8-1, passed Resolution 639-08 calling for a halt to all live-fire at PTA due to the presence of Depleted Uranium radiation. The Army has ignored the Council's call.**
- 11. Overall, Hawaii is the most heavily militarized group of islands in the world. The Bayonet Constitution and the Reciprocity Treaty of 1887 stationed the U.S. Navy at Pearl Harbor, lead to the removal of Hawaii's Queen in 1893, and continued U.S. occupation ever since.**

2. Feb. 24, 2017 Hilo Peace Vigil leaflet about Radiations Weapons used in Hawaii citing an important article recently published in Civil beat. And other information.

Radiation Weapons Used in Hawaii!



POHAKULOA - DEPLETED URANIUM (DU)

A very important article was published this week in the Honolulu based Civil Beat on "The Health Risks of Depleted Uranium in Hawaii." Here's the link to the article.

<http://www.civilbeat.org/2017/02/the-health-risks-of-depleted-uranium-in-hawaii/>
The authors are: Public Health Doctor Carol Murry, Dr. Lorrin Pang, MD, 25 years in the Army Medical Corps, Dr. Mike Reimer, PhD retired nuclear geologist, and Dr. Doug Rokke, PhD retired Army Major in charge of DU clean up in Iraq after the first Gulf War.

After years of denying Depleted Uranium (DU) radiation weapons use in Hawaii, evidence was produced in 2007 that DU had in fact been used starting in the early 1960s by the U.S. military at Schofield Barracks in central Oahu and the 133,000-acre Pohakuloa Training Area (PTA) located in the center of Hawaii island and possibly other Hawaii sites. The article clearly states "Depleted uranium, or DU, is a serious threat to health in Hawaii, where it was introduced through military activity." Dr. Pang says that "inhaled DU oxide" dust particles are the specific hazard. The articles says "More than 50 years of bombing at PTA, increased traffic on the new Saddle Road passing through PTA, combined with strong winds in the area and occasional flash flooding have provided increased potential pathways of public exposure to DU aerosol particles and potential transport of DU around the island. Furthermore, military and civilian work forces are possibly exposed daily, families and visitors picnic in the area, and a county park and Girl Scout camps are nearby."

The article is a call to action. "Comprehensive, independent testing and monitoring should be done at military expense, in cooperation with groups wishing to cooperate with the Army and State to determine the full extent of radiation contamination related to training sites." The article concludes by noting "that the Hawaii County Council in July 2008, by a vote of 8-1 passed resolution 639-08, calling for stopping all live-fire at PTA and cleaning up the DU present." But the military still continues live-fire at PTA. Here is a 17

min video by Isaac “Paka” Harp of [Dr. Lorrin Pang, MD on the dangers of Depleted Uranium](http://www.informationclearinghouse.info/46499.htm)
<https://vimeo.com/19153948>

US bombing Syria with DU weapons

<http://www.informationclearinghouse.info/46499.htm>

<http://www.bigislandvideonews.com/2017/02/11/activists-nrc-approval-for-pohakuloa-du-monitoring-a-sham/>

Stop Bombing Hawaii! Put an End to War!

1. Mourn all victims of violence.
2. Reject war as a solution.
3. Defend civil liberties.
4. Oppose all discrimination, anti-Islamic, anti-Semitic, anti-Hawaiian, etc.
5. Seek peace through peaceful means and work for justice in Hawai'i and around the world.

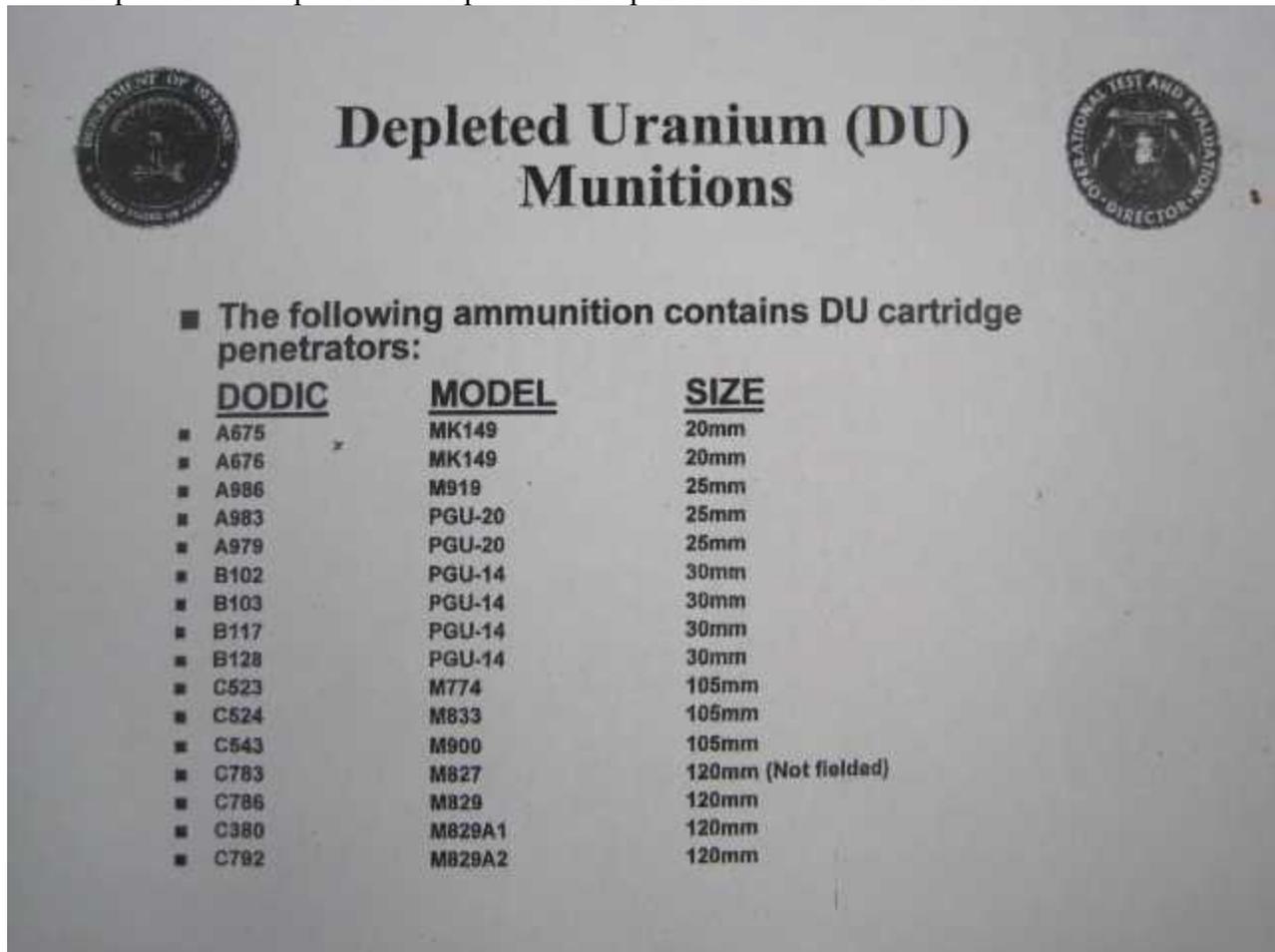
Contact: Malu 'Aina Center for Non-violent Education & Action

P.O. Box 489 Kurtistown, Hawai'i 96760 Phone (808) 966-7622. Email: ja@malu-aina.org

4. Sign up on our website to receive our posts <http://www.malu-aina.org/>

Hilo Peace Vigil leaflet Feb. 24, 2017-- 805th week – Friday 3:30-5PM downtown Post Office

3. Dept of Defense partial list of possible DU penetrators used at Pohakuloa



4. March 31, 2017 Hilo Peace Vigil leaflet showing photo of radiation monitor reading 62 CPM outside the main gate of Pohakuloa on Wed. March 29, 2017. Other important information provided in the leaflet.

PROTECT POHAKULOLOA

Stop Bombing Hawaii!



Radiation symbol



radiation monitor at PTA showing 62 CPM

6.

On Wednesday, March 29, 2017 people gathered outside the main gates of the 133,000-acre Military Pohakuloa Training Area (PTA), located in the center of Hawaii Island to stand for peace and protect sacred lands from further military bombing desecration and contamination. The group of protectors carried signs, offered Hawaiian chants, sang and prayed, as howitzer shells exploded in the distance, sending dust clouds high into the air. They also conducted radiation monitoring.

7.

Depleted Uranium (DU) munitions have been used at Pohakuloa. The winds and continued use of high explosives can resuspend DU oxide dust particles which can then be inhaled. Dr. Lorrin Pang MD and retired Army Medical Corps, says “DU is an emitter of alpha radiation, the most dangerous form of radiation once it enters the body.” On March 29, 2017 protectors radiation monitors recorded spikes of radiation up to 70 CPM (counts per minute) outside the PTA main gate when normal background is 5 – 20CPM. See <http://www.bigislandvideonews.com/2017/03/30/video-gathering-to-protect-pohakuloa/>



Protectors at Pohakuloa



Howitzer explosion dust clouds

Join the effort to protect people, plants and animals, land, air, and water – from Mauna Kea, to Standing Rock, to Pohakuloa. It is all one. Malama

Honua. Take care of Mother Earth and she will take care of us.

- 1. Mourn all victims of violence. 2. Reject war as a solution. 3. Defend civil liberties.**
- 4. Oppose all discrimination, anti-Islamic, anti-Semitic, anti-Hawaiian, etc.**
- 5. Seek peace through peaceful means and work for justice in Hawai'i and around the world.**

**Contact: Malu 'Aina Center for Non-violent Education & Action
P.O. Box 489 Kurtistown, Hawai'i 96760 Phone [\(808\) 966-7622](tel:8089667622). Email: ja@malu-aina.org**

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Hilo Peace Vigil leaflet March 31 2017-- 810th week – Friday 3:30-5PM downtown Post Office

- 5. Press Release of Feb. 10, 2017 regarding NRC Rubber Stamping Sham over Army DU contamination**

Press Release Feb. 10, 2017

Re: Press Release on Nuclear Regulatory Commission Rubber Stamping Sham of Army over Pohakuloa Depleted Uranium Contamination

Further contact: Jim Albertini 966-7622

Malu 'Aina Center For Non-violent Education & Action P.O. Box 489 Ola'a (Kurtistown) Hawai'i 96760 Phone 808-966-7622 Email ja@malu-aina.org www.malu-aina.org.*

Jim Albertini of Malu 'Aina said: "On Feb. 9, 2017 the Nuclear Regulatory Commission (NRC) approved the Army's Environmental Monitoring Plan for DU bases in the U.S. including Hawaii. That means that for PTA, only one sample of sediment needs to be collected and the site is a bit West of PTA and includes probable drainage from thousands of acres not part of the radiation impact areas. In short, the NRC approval is a sham. Comprehensive Independent testing and monitoring needs to be done to determine the full extent of radiation contamination at Pohakuloa and other sites in Hawaii with a special emphasis on air monitoring. What the NRC approved is terrible science, it does nothing to determine if DU has migrated off PTA, and the NRC knows it. We need our elected officials to step up and demand what the Hawaii County Council approved way back on July 2, 2008 in Resolution 639-08 by a vote of 8-1 and that is stop all live-fire at Pohakuloa, do comprehensive independent testing and monitoring, and clean up the DU present. The U.S. military has been ignoring this important call for too long."

Dr. Lorrin Pang, MD has said that inhaled DU oxide particles are the most deadly form of radiation.

Native Hawaiian leader Isaac "Paka" Harp said: "The United States (U.S.) Nuclear Regulatory Commission's (NRC) recent approval of the site-specific Environmental Radiation Monitoring Plans for Depleted Uranium (DU) at U.S. military occupied sites in the Hawaiian Kingdom (Pohakuloa and Schofield), and a multitude of military installations in the U.S., is a clear indication that the NRC views the people of Hawaii and the U.S. as ignorant, gullible, and disposable.

Local and international health experts warn of the grave dangers of inhalation of microscopic particles of DU, which can be liberated from ground to air by live fire training, vehicular training activity, windy conditions, fire, etc. U.S. Army troops training videos of decades ago warned of the same dangers. Even the former director of the U.S. Army's Depleted Uranium Project, Major Doug Rokke warns of the dangers today.

Considering warnings of known dangers by local and international health experts, and even the Army itself, the recent approval of a do nothing plan by the NRC makes it crystal clear that the NRC cares not for human health or the health of the planet. Apparently, the NRC has a directive to support the US Military Industrial Complex regardless of the cost to humanity or the planet.

It is well known that many millions of people from many nations across the planet feel a deep repugnance for the U.S. Could it be because the U.S. is murdering them too? The U.S. should consider this analogy as a possibility for their future -- When you back an animal into a corner its only recourse is to attack."

Isaac "Paka" Harp
(808) 756-7379

Retired Kona Nuclear geologist, Mike Reimer, PhD. said "From my experience with sampling geologic materials, there is a zero chance of finding any DU (with the NRC approved plan). In effect, the sampling site is selected to dilute by thousands any DU found; it will be masked by the natural uranium present. And sediment sampling is not the medium of concern to determining if DU is blasted off PTA. Air sampling is the important vector of mobility."

-30-

6. Feb. 17, 2017 Hilo Peace Vigil leaflet on letter signed by 84 people to Pohakuloa Commander Marquez on his failure to respond to written questions about DU, etc. The NRC should obtain of the 26 page packet I presented to Lt. Col. Marquez on Sept. 30, 2016 and demand that answers be provided to the 10 years of questioning about DU at Pohakuloa.

PROTECT POHAKULOA

A Makahiki ceremonial gathering is planned for 10:30AM Sat. Feb. 18, 2017 at the Pu'uhuluhulu ahu located just off the intersection of Saddle Rd and Mauna Kea Access Rd. Car pools will leave Hilo (Komohana and Saddle Rd) at 9AM. The letter below addressed to Commander Marquez will be delivered to the Pohakuloa Main Gate personnel on Sat. Feb. 18th. Anyone wishing to have their name added to the list of signers can email Jim Albertini. His email address is ja@malu-aina.org. Letter signing will also be available at the Pu'uhuluhulu gathering. Following the Makahiki ceremony, a pot luck gathering will be held at Mauna Kea Park, located within a mile of the Pohakuloa Main Gate along Saddle Rd. Please join us and help pass the word. Mahalo.

To Christopher M. Marquez, LTC Christopher.m.marquez3.mil@mail.mil

Commanding Officer US Army Garrison Pohakuloa Training Area

P.O. Box 4607 Hilo, Hawaii 96720-0607 Office phone 808-969-2407, cell 808-228-6598

Seeking PONO!

We, the undersigned, are deeply offended by your repeated lack of good faith in responding to our Sept. 30, 2016 request, and several follow up requests, for religious access to the ahu at the base of Pu'u Ka Pele for ho'okupu and Makahiki ceremony. We are also deeply offended by your failure, and that of other PTA commanders, to respond to questions submitted in writing about Depleted Uranium (DU) radiation contamination at PTA and other community concerns dating back to 2007, questions that were also presented to you in writing on Sept. 30, 2016. Your repeated lack of good faith, and that of other PTA commanders, hurts rather than improves military/community relations.

We do not believe that you have the moral or legal right under the U.S. Constitution, and certainly not under Hawaiian Kingdom law, to prohibit religious practice and access to sacred sites at Pohakuloa. The U.S. as an occupying power, has a legal duty to uphold Hawaiian Kingdom law and the right of religious practice and access under the law -- Kanawai Mamala Hoe, which is also recognized in the Hawaii State Constitution. Article 12, section 7 of the Hawaii State Constitution affirms the right of traditional religious practice. Religious practices are also protected by numerous international and human rights laws; too many to mention here and are cited in military manuals and handbooks that apply directly to military branches of the United States of America.

Therefore, please immediately cease and desist from your illegal activities of blocking our right to religious practice and access. Please also know that we consider your ongoing occupation and the bombing of Hawaii not only illegal, but the ultimate in religious desecration of our sacred 'aina and we intend to hold you accountable.

(Statement with signers names to date will be hand delivered to Pohakuloa Main Gate, Feb. 18, 2017, Contact information for Commander Marquez is provided above for those who wish to deliver their own message.)

Stop Bombing Hawaii!

1. Mourn all victims of violence.
2. Reject war as a solution.
3. Defend civil liberties.
4. Oppose all discrimination, anti-Islamic, anti-Semitic, anti-Hawaiian, etc.
5. Seek peace through peaceful means and work for justice in Hawai'i and around the world.

Contact: Malu 'Aina Center for Non-violent Education & Action

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Hilo Peace Vigil leaflet Feb. 17, 2017-- 804th week – Friday 3:30-5PM downtown Post Office

7. Citizen Radiation Monitoring during RIMPAC 2016

What's Blowing in the Wind?



Currently, RIMPAC (Rim of the Pacific) deadly war games by 26 countries are taking place in and around Hawaii that include bombing at the 133,000-acre military Pohakuloa Training Area

(PTA) located in the center of Hawaii Island. Pohakuloa is known to be contaminated with Depleted Uranium (DU) radiation from weapons training there.

However, no comprehensive independent survey of Pohakuloa has been done to determine the full extent of DU contamination. DU burned by high explosives forms DU oxide particles that can be carried long distances by the wind. When inhaled DU oxide radiation alpha particles cause cancer, birth defects, and genetic damage for future generations.

Citizen radiation monitoring over the years have picked up significant spikes around the island well above background radiation. In fact, in 2007 citizen monitors detected high radiation readings at Mauna Kea Park adjacent to Pohakuloa before the military officially confirmed military radiation weapons had been fired at Pohakuloa. For years the military denied even having used DU weapons here in Hawaii.

The Hawaii State Department of Health (DOH), The Environmental Protection Agency (EPA), the Nuclear regulatory Agency (NRC) have not stepped up to do proper surveying and monitoring to protect the health and safety of troops who train at Pohakuloa, and residents and visitors of Hawaii. Even during a recent major brush fire in the Pohakuloa bombing impact area, no one was doing any monitoring to see what was coming off the base in the smoke. This is unacceptable. We want responsible government action and answers to questions about military radiation contamination on Hawaii Island. We want action and answers NOW! What is blowing in the wind?

Stop Bombing Hawaii!

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4. Oppose all discrimination, anti-Islamic, anti-Semitic, anti-Hawaiian, etc.
5. Seek peace through peaceful means and work for justice in Hawai'i and around the world.

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Hilo Peace Vigil leaflet (July 22, 2016 – 774th week) – Friday 3:30-5PM downtown Post Office

8. Article in West Hawaii Today, April 7, 2016 about brush fire in the Pohakuloa impact area and non one is monitoring for DU
9. Article by Dr. Mike Reimer, retired nuclear geologist in West Hawaii Today, April 9, 2016 entitled "Army Underplaying Depleted Uranium Risks"
10. April 1, 2016 Hilo peace Vigil leaflet available on www.malu-aina.org website on "What's Blowing in the Wind" with photo of the March 26, 2016 brush fire at Pohakuloa in the impact area and no one doing air monitoring for DU – not the Army, not the NRC, not the Hawaii dept. of Health, not Civil defense, not the EPA ----NO ONE.
11. Aug. 28, 2015 Hilo peace vigil leaflet available on www.malu-aina.org entitled "US military arrogance is hard to top. Army wants categorical exclusion from radiation monitoring and clean up at military sites.
12. March 25, 2015 Hilo Peace Vigil leaflet available at www.malu-aina.org on Pohakuloa –military bombing –desecration and contamination with radiation. Summary of NRC sham meeting March 24, 2015 on DU contamination at Pohakuloa and sites in 11 other states and 3 foreign countries. The NRC nuclear regulators are much like the Wall St. bank regulators who put the fox in charge

of the hen house.

13. It's the same going back 10 years. On May 29, 2007 citizen radiation monitors detected high radiation readings-- 75CPM at Mauna Kea Park with winds coming from the south toward the Park. Three months later the military officially confirmed that DU spotting rounds were fired at Pohakuloa including one range approximately 1 and ½ miles south of Mauna kea Park. The bombing continues today 10 years later –approved by the NRC and our state authorities.
14. Sept. 30, 2016 letter to PTA Commander Lt. Col. C Marquez

Malu 'Aina Center for Non-violent Education & Action

**Christopher M. Marquez
LTC, FA
Commanding Officer
U.S. Army Garrison
Pohakuloa Training Area
P.O. Box 4607
Hilo, Hawaii 96720-0607**

September 30, 2016

Aloha LTC Marquez,

Attached is a (26 page) packet of background material and questions presented to several former commanding officers of this command, some dating back to 2007 that have yet to be answered. I hope that finally you will provide answers. As citizens, we deserve answers.

The following three points represent a summary of deep concerns not only representing our organization but many others on Hawaii Island: A) We consider the Army's occupation of PTA illegal and will continue to work toward returning the entire area back to Kanaka Maoli sovereignty; B) We also consider military continuing bombing and live fire at PTA desecration of the land, grotesque destruction of the environment, and violation of the trust agreement implicit in the lease with the DLNR; C) In the meantime, we demand and expect the Army to respect the 2008 County of Hawaii Resolution 639-08, especially the points regarding stopping live fire, setting up a transparent and high-tech permanent monitoring system and thorough cleanup of Depleted Uranium(DU) and other toxic chemicals already present...

Thank you for your assistance.

With gratitude and aloha,

**Jim Albertini
President**

**P.O. Box 489 Ola'a (Kurtistown), Hawaii 96760
Phone 808-966-7622 Email ja@malu-aina.org www.malu-aina.org**

Enough: NRC do your job. Protect public health and safety. Stop covering up for the military and the nuclear

industry. Stop the Bombing at Pohakuloa. Require comprehensive independent testing and monitoring (including air monitoring for DU oxide particles) to determine the full extent of DU contamination at Pohakuloa. Make the military clean up its mess.

Pohakuloa – “the land of the night of long prayer” was never meant to be a nuclear waste dump.

Amen!