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Docket: NRC-2017-0125

Vermont Yankee Nuclear Power Station; Entergy Nuclear Operations, Inc.; Consideration of Approval of Transfer of License and Conforming Amendment

Comment On: NRC-2017-0125-0001

Vermont Yankee Power Station; Energy Nuclear Operations, Inc.; Consideration of Approval of Transfer of License and Conforming Amendment

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Comment on FR Doc # 2017-10655

Submitter Information

5/24/2017
82FR 23845

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Submitter's Representative: Rich Holschuh

Organization: Elnu Abenaki Tribe of Vermont

Government Agency Type: Tribal

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General Comment

See attached file(s)

Attachments

Comments by Rich Holschuh on behalf of the Elnu Abenaki Tribe

SUNSI Review Complete

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Add= J. Farrot (SDP1)

Y. Suber (EXS)

Comments by Rich Holschuh on behalf of the Elnu Abenaki Tribe of Vermont with regard to Docket ID: NRC-2017-0125, Vermont Yankee Power Station; Energy Nuclear Operations, Inc.; Consideration of Approval of Transfer of License and Conforming Amendment.

I would like to bring three points, with respect to the Revised PSDAR, which in turn references the earlier PSDAR.

First: Vermont Yankee sits atop an ancient gathering place, a place for settlement, gathering and fishing, working the land, performing ceremony to honor the spirits and the gifts of Creation, and for a final resting place when it was time to walk on. The cultural significance of this site has never been fully acknowledged. The original 1972 Atomic Energy Commission license for the plant makes that very clear, stating "No formal archaeological survey was conducted at the Vermont Yankee Nuclear Power Station prior to initial construction." And yet, for example, historic newspaper accounts record the unearthing of multiple indigenous burials in the immediate area in the two centuries before the building of the facility. Evidence can be furnished by this commenter. The documented record of Historic and Cultural Resource impacts compiled during the operation of this facility is cursory, incomplete, and in fact dismissive. The corporate entity in stewardship of the landscape thus compromised needs to be aware of this relative abdication of responsibility. Due diligence in this regard has never been performed, and the resulting paucity of documentation continues to be referenced and reinforced. Decommissioning and site remediation activities should be conducted with this in mind.

The Revised PSDAR for this proposed transfer refers simply to the previous 2014 PSDAR, which again, reiterates the NRC's own 2007 SEIS repeating in circular logic that "...no known sites of significance to Native Americans have been identified at the VYNPS site." Notwithstanding, reference is made in the SEIS to the initiation of "...government-to-government consultation with the appropriate Federally recognized Native American Tribes" in Appendix E. In fact, there are no Federally Recognized Tribes listed in the consultation record of Appendix E. Appendix D, however, lists 8 regional and local tribal groups contacted, and again, no Federal Tribes, but with no accompanying correspondence record. Please note: given that there has been a significant change in Vermont State recognition of the Abenaki (2010) previous to the compilation of both the PSDAR and the Revised PSDAR, this should be reflected in the current consultation record and going forward.

Second: The statement is made in the PSDAR and referenced in the Revised PSDAR to "environmental review procedures [that] have been put in place at VYNPS regarding undertakings that involve land disturbing activities in undisturbed surface and subsurface areas as well as modifications to historic structures. These environmental protection procedures include contacting the SHPO to establish the actions necessary to protect known or as of yet undiscovered cultural resources before any actions are allowed to occur." This would certainly extend to site restoration as well, which will necessitate staging and storage areas, yet to be defined. We request that the Tribes be included in such notifications, along with the Vermont SHPO, and in the development of accompanying protocols. Further, as stated under the First Comment - given the status of previous Cultural Resource surveys over the life of the project - undertakings of land disturbing activities even in previously disturbed areas should be conducted under similar protocols.

And Third: Environmental Justice - Executive Order 12898 dated February 16, 1994, directs Federal executive agencies to consider environmental justice under the National Environmental Policy Act. It is designed to ensure that low-income and minority populations do not experience disproportionately high and adverse human health or environmental effects because of Federal actions. Native populations, including those of this Northern New England region, land squarely within this demographic; we share this fate with other indigenous peoples. Within the analysis of the PSDAR of the environmental justice impact, it is myopic and disingenuous to overlook the storage and disposal itself of radiological waste generated during operation and decommissioning of nuclear facilities. It is common knowledge that these receiving facilities are sited and/or planned primarily within the homelands of these marginalized populations, often in the Southwest region of the USA, and proximate to fellow indigenous citizens. We stand with these people and ask that you consider their quality of life equally and fairly.