

UNITED STATES OF AMERICA
BEFORE THE
NUCLEAR REGULATORY COMMISSION

Private Fuel Storage, a Limited Liability
Company;

(Independent Spent Fuel Storage
Installation).

Docket No. 72-22
ASLBP No. 97-732-02-
ISFSI
JULY 7, 1999

**OHNGO GAUDADEH DEVIA'S (OGD) SECOND RESPONSE TO
APPLICANT'S FIRST SET OF DISCOVERY REQUESTS**

Ohngo Gaudadeh Devia (OGD) files the following **SECOND** response to Applicant Private Fuel Storage L.L.C. (PFS) First Set of Interrogatories and Document Requests directed to OGD. In various conversations with PFS subsequent to OGD's First Response to Applicant's First Set of Discovery Requests, OGD agreed to supplement its response to PFS's Interrogatory No. 5. This constitutes that supplementation:

SUPPLEMENTAL ANSWER TO INTERROGATORY NO. 5

INTERROGATORY NO. 5. Identify and fully describe the impacts asserted in response to Interrogatory No. 3 to which OGD contends the Skull Valley Band of Goshute Indians are particularly susceptible, the specific factors peculiar to the Band that assertedly make them so susceptible, and the scientific, technical, or sociological bases for such susceptibility.

As indicated in the answers to interrogatories 3, 4, and 6, members of the Skull Valley Band of Goshute, their community, and their traditional life style are particularly susceptible to disproportionately high and adverse impacts from the proposed facility. In part, this is due to the members' desired and realized connection to and oneness with the earth and plant and animal life. Rocks, plants, animals and all other elements of the natural world have a significance to many

band members that is intensely spiritual and helps define their identity and place in the world.

The intrusion of a high-tech nuclear waste facility and the activity, noise, and pollution that it will engender will have a significant, disproportionate and adverse impact on Band members. Furthermore, this impact will be amplified by the symbolism of the proposed facility. The facility represents ultimate disrespect for the well being of Mother Earth and enslavement to technology and development at the expense of the connection with and protection of her. The proposed facility will represent the willingness of humans to expose not only themselves, but also the natural world, to the dangers of nuclear materials and wastes. All of these impacts will be compounded by the fact that the Skull Valley Reservation is quite small and that members living on or visiting the reservation will be unable to avoid the significant disruptive force of the proposed facility.

Band members are also particularly susceptible to disproportionate and adverse impacts from the facility because their culture is a minority culture highly prone to assimilation by the dominant culture. The location of the proposed facility in the middle of the small Skull Valley Reservation will increase the influence of the dominant culture on Band members, speed the loss of their cultural identity and impede efforts to revitalize and invigorate their traditional lifestyle and world view. These impacts will be compounded by any tendency of members to avoid living on or visiting the reservation because they do not want to be exposed to the perceived and real negative impacts of the proposed facility. In sum, the proposed facility will further weaken and jeopardize the Goshute Shoshone culture and increase the presence of the dominant culture.

As explained in answer to Interrogatory 6, the system of communal or tribal land

ownership also makes Band members more susceptible to adverse and disproportionate impacts of the proposed facility. Without equity in their homes, members are less mobile and therefore less able to leave the reservation if they believe they must do so in the interest of their physical and mental well being. In addition, because of their strong ties to and respect for their ancestral lands and the plants and animals that live with them there, Band members will be more pained by, but less likely to flee from, the environmental damage caused by and the other adverse and disproportionate impacts of the proposed facility.

Furthermore, the size of and resources available to their government also increase the susceptibility of Band members to adverse and disproportionate impacts from the facility. The government may lack the resources and power in the dominant political and economic structure to protect the health and welfare of its citizens, to provide them with alternative prospects and opportunity, and therefore the ability to act voluntarily. In combination, the makeup and size of the Band may not allow for the ready expression of alternative view points and may not facilitate the equal distribution of economic benefits and disadvantages of the proposed facility. In addition, it is questionable whether volunteerism can exist in a market, particularly for those with fewer resources and less power.

Other factors which contribute to a susceptibility to the adverse impact of the proposed facility include: language and thought process barriers; importance of and tenuousness of access to ancestral lands and artifacts; members' exclusion from the dominant culture, political process and mainstream environmental organizations; the large amount of time members must spend securing basic life necessities; lack of financial resources; members' comparative lack of access to

and training in the learning and technology of the dominant culture; lack of adequate health care; lack of opportunity; and, lack of an alternative means of securing income.

Finally, Band members are already socially and politically marginalized. This adversely impacts their sense of self and their psychological well being and makes them especially susceptible to any influence, such as the proposed facility, that will further marginalize and stigmatize them.

Dated this 8th Day of July 1999.

A handwritten signature in black ink, appearing to read 'Joro Walker', with a large, stylized loop at the beginning and a long, sweeping tail.

JORO WALKER
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CERTIFICATE OF SERVICE

I hereby certify that copies of **Intervenor Ohngo Gaudedah Second Response to Applicant's First Set of Discovery Requests** were served on the persons listed below (unless otherwise noted) by e-mail with conforming copies by U.S. mail, first class, postage prepaid, this 8th day of July 1999.

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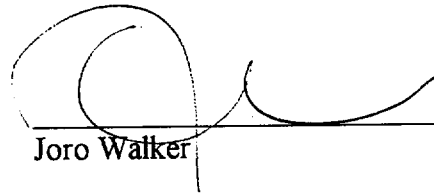
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