

CONFEDERATED TRIBES AND BAND

Yakima Indian Nation

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GENERAL COUNCIL  
TRIBAL COUNCIL

July 1, 1983

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Docket No. \_\_\_\_\_

PDR ☒

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Mr. Nuncio J. Palladino  
Nuclear Regulatory Commission  
Washington, D.C. 20555

Distribution:

CRUSSELL J. BUNTING  
RER HM

(Return to WM, 623-SS) R. MACDONALD

Attention Harold Denton, Director of the Office of Nuclear Reactor Regulation  
J. S. MEER IS  
W. KERR

Dear Mr. Palladino and Commissioners:

SUBJECT: Apparent Attitude of the NRC Power Plant Staff Toward the  
Yakima Indian Nation Culminating in the WPPSS II Emergency  
Exercise of June 1, 1983

In January, 1982, you and Secretary Samuel Chilk received letters (copies attached) concerning the sound establishment of a process of communications between the Yakima Indian Nation and the various departments of NRC on the subject of nuclear activities on the Hanford Reservation.

This initiative by the Yakima Indian Nation was called for by a general lack of concern at NRC for the Sovereign Rights of the Yakima Indian Nation established by federal Treaty of 1855.

While, apparently, Nuclear Regulatory Commission procedures do not allow for direct response from Commissioners; for, neither you, nor Mr. Chilk, answered our letters, we have assumed the letters were passed on within NRC for proper response.

The Yakima Indian Nation would like you to know that the NRC High Level Waste Staff has, in fact, responded well, and channels of communications are open and working between that staff and the Yakima Indian Nation. For this we thank both the Commission and the High Level Waste Staff.

We regret to report that the same cannot be said for the NRC Power Plant Staff. Recent attitudes and actions by the Power Plant Staff again cause the Yakima Nation to bring your attention the need for sound communications between us.

On Wednesday, June 1, 1983, the NRC Power Plant Staff held at Hanford an exercise of Emergency Plans which would go into effect in case of a power plant accident at WPPSS II. The Staff made two significant errors in preparing to stage the test:

1. The NRC Power Plant Staff failed to notify the Yakima Nation, either by direct written correspondence or by verbal communication, that the test was to take place; and issued an invitation only at the last minute when the Yakima Nation discovered--through other sources--the NRC exercise at Hanford on June 1.

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2. The Power Plant Staff accused the Yakima Nation of "Failure to Cooperate" with the NRC, and used this accusation as the excuse that no notice had been given and no invitation to take part extended. The Staff offered, as proof of this assertion, past correspondence to the NRC from the Yakima Nation.

The Power Plant Staff was assured, in no uncertain terms, that such assertions were groundless; that, in fact, the Yakima Nation has taken the initiative on September 22, 1981, and again on January 6, and January 8, 1982, and August 30, 1982, (see attached letters) to establish a sound dialogue with NRC in all its branches and departments.

It is the present opinion of the Yakima Nation that the NRC Power Plant Staff has indulged itself in equating cooperation with submission--a mistake we happily have not found in our dealings with the High Level Waste Staff.

Because events move so quickly in the nuclear area, please correct, with dispatch, the misconceptions now apparently guiding the work of your Power Plant Staff concerning events at Hanford and the Yakima Indian Nation. Thank you, Commissioner Palladino, for your support of constructive, mutual communications between the NRC and the Yakima People.

Sincerely,

Russell Jim, Councilman  
Yakima Indian Nation

RJ/irs

Enclosure

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