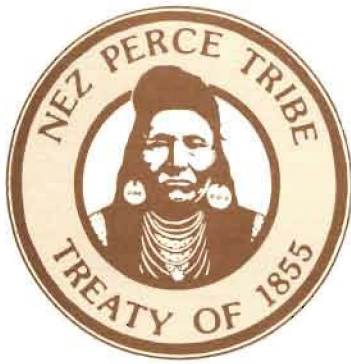


RulemakingComments Resource

From: Gabriel Bohnee <gabeb@nezperce.org>
Sent: Thursday, July 30, 2015 12:25 PM
To: RulemakingComments Resource
Cc: Amanda Rogerson; David Bernhard
Subject: [External_Sender] Nez Perce Tribe ERWM comments
Attachments: Docket ID NRC-2015-0003 LLW Disposal Comments from NPT ERWM.pdf

Attached are the Nez Perce Tribe's Environmental Restoration and Waste Management Division's comments on the Proposed Rule for Low-Level Radioactive Waste Disposal.



Nez Perce

ENVIRONMENTAL RESTORATION & WASTE MANAGEMENT

P.O. BOX 365 • LAPWAI, IDAHO 83540-0365 • (208) 843-7375 / FAX: 843-7378

July 29, 2015

Cindy Bladey, Chief Rules, Announcements, and Directives Branch (RADB)
Office of Administration Mail Stop: 3WFN-06-A44M
U.S. Nuclear Regulatory Commission
Washington DC 20555-0001

Re: *Comments on Docket ID NRC-2015-0003, proposed changes to Low Level Waste Disposal*

Dear Ms. Bladey:

The Nez Perce Tribe appreciates the opportunity to comment on Proposed 10 CFR Part 61 Technical Requirements and Guidance. The Nez Perce Tribe is committed to protecting, preserving, and perpetuating the natural resources on which our people have depended since time immemorial. These resources are critical to our cultural and economic survival. When these resources are contaminated or lost, part of our connection to the land, and hence part of our culture, is lost. The Tribe relies on NRC, as our federal fiduciary trustee, to protect the Nez Perce Tribe's treaty resources.

The Tribe largely agrees with the changes NRC has made. Many of the changes will ensure the safe disposal of low-level radioactive waste. The Tribe does have two core concerns regarding the proposed changes, however. The Tribe is concerned that the proposed changes constitute a relaxation of exposure standards for tribal members and the general public for commercial, near-surface Low Level Radioactive Waste (LLRW) disposal facilities for the timeframe that begins 1,000 years after closure and extends for the subsequent 9,000 years. This relaxation increases "acceptable" exposure limits approximately twenty fold from the previous standard, and potentially prohibits the full, safe utilization of natural resources by tribal members and the general public during that time period. In addition, the changes, in some instances, allow the near-surface disposal of large quantities of depleted uranium, which has been proven unsafe, by NRC's own analysis. The previous standards would require large quantities of depleted uranium to be disposed at a deeper site like the Waste Isolation Pilot Plant (WIPP) and not in near-surface LLRW disposal facilities, especially when a time frame greater than 10,000 years is considered.

The Tribe appreciates your consideration of our comments and a timely response. Please contact Gabriel Bohnée, ERWM Director, at (208) 621-3746 or gabeb@nezperce.org,

with any questions on these comments. We look forward to an inclusive, open decision-making process with the goal of protecting the Nez Perce Tribe's retained treaty rights and the Columbia River.

Sincerely,

A handwritten signature in blue ink, appearing to read 'G. Bohnée', with a long horizontal line extending to the right.

Gabriel Bohnée
ERWM Director

Cc: Rod Skeen, CTUIR
Russell Jim, YIN
Ken Niles, Oregon
Dennis Faulk, EPA
Jane Hedges, Ecology