November 15, 2015

Dear Tribal Environmental Leader

The purpose of this letter is to facilitate your input as, a tribal stakeholder, on the US Nuclear Regulatory Commission (NRC) supplement to the US Department of Energy (DOE) 2008 Environmental Impact Statement (EIS) for Yucca Mountain. As you may be aware, in 2013 the US NRC was ordered by the court of appeals to resume the licensing of Yucca Mountain as a high level nuclear waste repository. The NRC staff in review of the DOE EIS found minimal risks to Native Americans. As a tribal stakeholder, the Native Community Action Council has been a “party with standing” to in the NRC licensing proceedings since 2008, forcing the DOE to prove ownership to Yucca Mountain, a siting requirement that cannot be met because of the 1863 Treaty of Ruby Valley—a significant encumbrance.

Today we need your help to ensure tribal perspectives are considered. Your submission of a tribal perspective on the potential environmental impacts from radiation discharged from the proposed repository into the groundwater is needed. We have prepared the following discussion points for your consideration and potential submission to the NRC: There are other potential impacts.

- Violation of treaty;
- Environmental racism;
- Disproportionate burden of risk to Native Americans;
- Failure to adequately characterize impact to tribal lifeways from radiation;
- Impact to living tribal lifeways from impairment;
- Impact to tribal spiritual properties—stigma effect;
- Impact to tribal spiritual belief in water—stigma effect;
- Impact to tribal conservation lifeways—stigma effect;
- Impact to shared sense of tribal community—stigma effect;
- Impact to tribal freedom of religion—physical use impairment;
- Impact to medicinal plants needing water—physical effect;
- Impact to medicinal minerals made with water—physical effect;
- Impact to water used in medical treatments—hot springs;
- Failure to calculate risk studies using a culturally appropriate context;
- Inappropriate use of “reasonably maximally exposed individual” modeling (RMEI);
- Failure to investigate cumulative risk of exposure to Native Americans in community.
NRC comment submissions can be made at Federal Rulemaking Website: 

NRC comment submission can be mailed to:

Cindy Bladey, Office of Administration, 
Mail Stop: OWFN-12-H08, 
U.S. Nuclear Regulatory Commission, 
Washington, DC 20555-0001

I need not remind you that, what is a local issue for Native American people, is a matter of global discussion. Be part of the discussion for the land and people.

Thank you for your help.

Sincerely,

Ian Zabarte, Board Member  
Native Community Action Council

IZ/bms

Supplemental:  Docket ID: NRC-2015-0051
Federal Register Citation: 80 FR 56501
Comment Start Date: Sep 18, 2015
Comment Due Date: Nov 20, 2015