

**INTERVENORS' OPPOSED TO 20 YEAR LICENSE EXTENSION
AT PALISADES NUCLEAR POWER PLANT
SUBMISSIONS TO U.S. NUCLEAR REGULATORY COMMISSION
REGARDING ADVERSE IMPACTS
ON NATIVE AMERICAN RIGHTS AND VALUES**

Excerpt from August 8, 2005 filing to U.S. Nuclear Regulatory Commission requesting Atomic Safety and Licensing Board hearings in order to officially intervene against the 20 year license extension sought by Consumers Energy and Nuclear Management Company, LLC at Palisades nuclear power plant:

Palisades' license extension application also has inadequately addressed the adverse impacts 20 additional years of operations and waste generation would have on the traditional land uses, spiritual, cultural, and religious practices, and treaty rights of various federally recognized tribes in the vicinity and beyond, and impacts on non-federally recognized tribes governed by international law. Only three tribes were contacted by the NRC by August 8th, 2005, and invited to participate in the license extension proceedings, which effectively excluded a number of tribes within the 50-mile zone around the reactor. For this reason alone, the August 8th deadline for requesting a hearing to intervene against the Palisades license extension should be extended, until all tribes within the 50-mile zone and beyond, which have ties to the power plant site and its environs, are contacted.

Excerpt from August 22, 2005 filing to U.S. Nuclear Regulatory Commission as public comments on NRC's environmental scoping proceeding for a supplemental, site-specific environmental impact statement regarding the proposed 20 year license extension at Palisades nuclear power plant:

Palisades' license extension application also has inadequately addressed the adverse impacts that 20 additional years of operations and waste generation would have on the traditional land uses, spiritual, cultural, and religious practices, and treaty rights of various federally-recognized tribes in the vicinity of the plant and beyond, as well as effects upon non-federally recognized tribes governed by international law. Only three tribes were contacted by the NRC by August 8th, 2005, and invited to participate in the license extension proceedings, which effectively excluded a number of tribes within the 50-mile zone around the reactor, as well as additional tribes beyond the 50-mile zone which have historic and traditional ties to the Palisades site and sites along the electric transmission line connected to Palisades. Despite the Michigan State Historic Preservation Office's concern pertaining to possible unreported archaeological properties present on, or within the vicinity of, the Palisades site (see Page C-2, Cultural Resources Correspondence of the Environmental Report), NMC [Nuclear Management Company, LLC] and Consumers [Energy Company] persist in opposing a survey of the project area as unnecessary. But, if unreported Native American archaeological sites are present at or
(continued over)

near the Palisades nuclear power plant (which is very possible, given the very close proximity of a large creek in Van Buren State Park just to the north of the power plant, as well as the very close proximity of Brandywine Creek just to the south of the power plant in Palisades Park – rivers and creeks being common sites for encampments and villages amongst the indigenous peoples of Michigan since time immemorial), then 20 additional years of nuclear operations, radioactive waste generation, and daily radiation emissions would have a significant and severe adverse impact on Native American cultural and religious values at those sites, values which strive to protect sacred areas from such degradation. The fact that NRC [U.S. Nuclear Regulatory Commission] contacted only the Nottawaseppi Huron Potawatomi, the Little Traverse Bay Band of Odawa Indians, and the Match-E-Be-Nash-She-Wish Band of Potawatomi, but did not contact the Pokagon Potawatomi (just 30 miles or so from the Palisades site), the Little River Band of Odawa Indians, the Grand River Band of Ottawa Indians, the Saginaw Chippewa Tribe, and the Grand Traverse Band of Ottawa and Chippewa Indians, means that this Environmental Scoping proceeding should be suspended until all stakeholder Native American tribes and bands are contacted and alerted to the opportunity to not only comment on the Environmental Scoping, but to intervene against the Palisades 20 year license extension. Given the sovereignty of these tribes and bands, and the treaty rights that exist between them and the United States federal government, the NRC has a government-to-government responsibility to consult with these tribes and bands on such significant federal actions as granting the Palisades reactor an additional 20 years of operations. An archaeological survey must be conducted before NRC grants a 20 year license extension to assure that Native American archaeological sites are not negatively impacted by future Palisades reactor operations. Such impacts as harm to lake sturgeon – sacred to some Great Lakes tribes – must also be evaluated. It is interesting and telling that NMC's Environmental Report assigns no "importance" to lake sturgeon (in Table 2.3-1, Page 2-47), despite its State of Michigan Threatened Status, and its sacred status in the cultures and traditions of various Great Lakes Native American Tribes, not to mention its importance to the natural history of Lake Michigan as an ancient indigenous species in the ecosystem. This is an indication that NMC/Consumers is not acknowledging or addressing environmental justice impacts of 20 more years of operations at Palisades on Native Americans.