- **Treaty rights of the Yakama Nation relative to the U.S. Department of Energy's Hanford site.** The Hanford site is located on land to which the Yakama Nation has perpetual rights under the Treaty of June 9, 1855. The Federal government maintains a special trust relationship with Indian tribes pursuant to treaties, statutes, Executive Orders, judicial decisions and other legal instruments. Inherent in this relationship is an enforceable fiduciary responsibility to the Yakama Nation to protect its lands and resources.
- **Tribal people are the most vulnerable to environmental contaminants –** In 2002 the Environmental Protection Agency reported that tribal people have a risk of contracting cancer from eating contaminated fish in the stretch of the Columbia River that runs through the Hanford site that is as high as 1 in 50. It is not clear how much of this risk is due to Hanford-derived contaminants. However, during the production period at Hanford (1944-1970), cancer risks from eating fish contaminated with radionuclides from Hanford reactors, was found by the Centers for Disease Control to also be as high as 1 in 50.
- **Consultation with the Yakama Nation regarding the fate of the Yucca Mt. project.**. On April 9, 2010 the Yakama Nation wrote to President Obama and DOE Secretary Chu requesting the establishment of formal consultation regarding the fate of the Yucca Mt. project. *We have yet to receive letters of reply.* Moreover in 2002, DOE decided to curtail geologic disposal of defense high-level wastes by sixty percent, so as to provide more space for commercial wastes. This policy remains in effect and is embodied in the DOE's license application for Yucca Mt. to the Nuclear Regulatory Commission..
- **Buried transuranics at the Hanford site.** Hanford has generated the largest amount of plutonium wastes in the DOE complex. A significant amount is buried in trenches, ditches and ponds, and during the early period of production, several kilograms of plutonium were directly injected into ground water. DOE considers buried transuranic wastes disposed prior to 1973 to be permanently disposed, even though they are being found to deeply migrate toward groundwater at levels significantly in excess of the limit requiring geologic disposal.
- **The safe and secure storage of power reactor spent fuel at the Columbia Generating Station (CGS).** There is a growing likelihood that spent power reactor fuel will accumulate and remain at reactor sites for an indefinite period. The CGS is a Boiling Water Reactor Mark II on the Hanford site and has generated approximately 500 metric tons of spent fuel. Over the next several decades the radioactive inventory in spent fuel at the Columbia Generating Station is estimated to more than quadruple. The major preponderance of spent fuel at the CGS is densely compacted in an above ground pool, well above grade. We urge an end to the policy of allowing dense compaction of spent fuel in pools and require highly radioactive fuel assemblies greater than five years old be placed into dry, hardened storage modes capable of withstanding aerial impacts, earthquakes and acts of malice.