

## Tribe sees riches in Utah nuclear waste storage

*It's a rational objective and doesn't have the nationalism of elsewhere.*

Reuters

September 1, 2006

As some U.S. Indian tribes have grown rich in recent years through casinos, others far from population centers have struggled to overcome a historical legacy of poverty.

One tiny tribe in Utah, one of two states that bars gaming, has shocked residents and officials by planning to turn part of their barren reservation into a temporary storage for highly radioactive nuclear fuel waste.

"They gave us crap for land, but they want it back. It's kind of funny to me," said Leon Bear, 50, chief of the 18,000-acre Skull Valley Goshute Reservation. "As long as we are not doing something, the state of Utah is happy."

Recognized Native American tribes have special rights on their sovereign land, but many in Utah say the nuclear plan should be stopped anyway. Even the tribe is bitterly divided.

The arid Goshute reservation lies between two mountain ranges 45 miles southwest of Salt Lake City. For decades, the United States engaged in toxic activities nearby, including biological and chemical weapons storage and testing.

"We don't have a resource like oil or gas or coal," Bear said. "We feel that we're being prejudiced against as far as gaming."

The Skull Valley tribe has just 123 enrolled members. Fewer than 30 live on the reservation, mostly in prefabricated houses along a side road. They boast a single gas station/store.

Only in the late 1970s did Goshutes get running water and electricity. The funding came from allowing Hercules Aerospace to test rocket engines in a program that ended long ago. Bear now hopes to usher in a new era of unprecedented tribal prosperity with spent fuel storage. He also recently opened a commercial dump for construction and household waste that accepts 4,000 tonnes a day.

### **MILLIONS AT STAKE**

The tribe's dollar stake in nuclear fuel storage is not public. "Millions, I wouldn't say tens of millions -- maybe over time," Bear said. "We do get an annual fee -- it's more tuned to profit."

In other words, the more concrete and steel storage casks the \$3.1 billion project brings in, the more the tribe earns.

Behind the plan is Private Fuel Storage (PFS), a consortium of eight electric utilities including Xcel Energy, American Electric Power Co., Edison International and Entergy Corp.

They foresee temporary storage lasting 40 years for up to 44,000 tonnes of nuclear fuel rods. With the nation's long-term nuclear dump beneath Yucca Mountain in Nevada still highly uncertain, Bear sees his storage plans possibly lasting even longer.

"If Yucca Mountain isn't open by then, they'll have nowhere else to put waste," he said. "By that time we're going to call the shots. The tribe can probably ask for anything they want to."

The effort received a major boost this year when the U.S. Nuclear Regulatory Commission gave its licensing approval.

A number of obstacles remain: the plan needs approval of the U.S. Bureau of Land Management; some questions about transporting spent fuel are unanswered; and the state of Utah, which strongly opposes the project, has appealed the license. "We've spent the better part of 10 years trying to figure out whether what they propose could be done safely and our determination was it could not be," said Dianne Nielson, head of Utah's Department of Environmental Quality.

### **TRIBAL DISSENT**

Chief Bear also faces opposition from within his tribe, including his neighbor across the road, Margene Bullcreek. "He's turning the reservation into a dump," she said. "He's corrupt."

"But what is really important to me is not Leon's lies, it's not his dishonesty, his crookedness, it's PFS coming down on a small tribe. It's environmental racism," she said.

Chief Bear has also had personal legal difficulties.

In 2003 he was indicted on federal theft and tax-evasion charges. He reached a deal to pay off back taxes and return some tribal funds. "That's all they could find on me," he said. "All of my books were clean."

"How can I be dirty and corrupt? Look around here, there's nothing," he said. "If I'm so corrupt why I am sitting here? Why am I not someplace better?"

His living room in a prefabricated house was comfortable but not opulent. As for the taxes, he said: "Previous chairmen never had to pay no taxes. ... On my income tax I put down 'unemployed.'"

Critics also complain Bear does not have a democratic mandate as the tribe has not had a quorum of 44 people to hold a new leadership election due since 2004. "If they don't want to come, what am I supposed to do?," he said. "I'm chief for life at this point." In the end, Chief Bear sees all of his personal troubles as stemming from the fuel storage plan.

"Margene doesn't want the reservation to improve, that's what's going on," he said. "You can't go back; I wish you could. We're in the 2000s. We can't go back to the 70s or the 50s."