



Protest at the Rocky Flats nuclear plant near Golden, Colo., 1983

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A Paper for People who Care about the West

One dollar

THE WEST'S NUCLEAR REVOLT

by Steve Hinchman

The West was won by the cavalry, trappers and traders. It was settled when the Bureau of Reclamation built dams and irrigation ditches. But the real boost to its economy has come from the Atomic Energy Commission and its successor, the Department of Energy.

Far more than cattle, logs or coal, the West is nuclear weapons. Westerners mine and enrich uranium. The laboratories that design the bombs and the reactors that produce the bomb materials are often in the West, and so are several factories that build bomb and missile parts. Nuclear weapons are tested beneath its deserts, and missile silos underlie its prairies. It has air force bases and the underground nuclear-weapons command center. And the region is now asked to be the burial ground for nuclear wastes.

The result of this massive activity has been a constant infusion of dollars and jobs into the region. Today, large parts of the economies of every Western state rest on nuclear dollars.

At the moment, those economies do not rest easily. It took almost a century to realize that dams and irrigation projects could damage as well as enrich. It

has taken 40 years for the region to come to the same realization about nuclear energy.

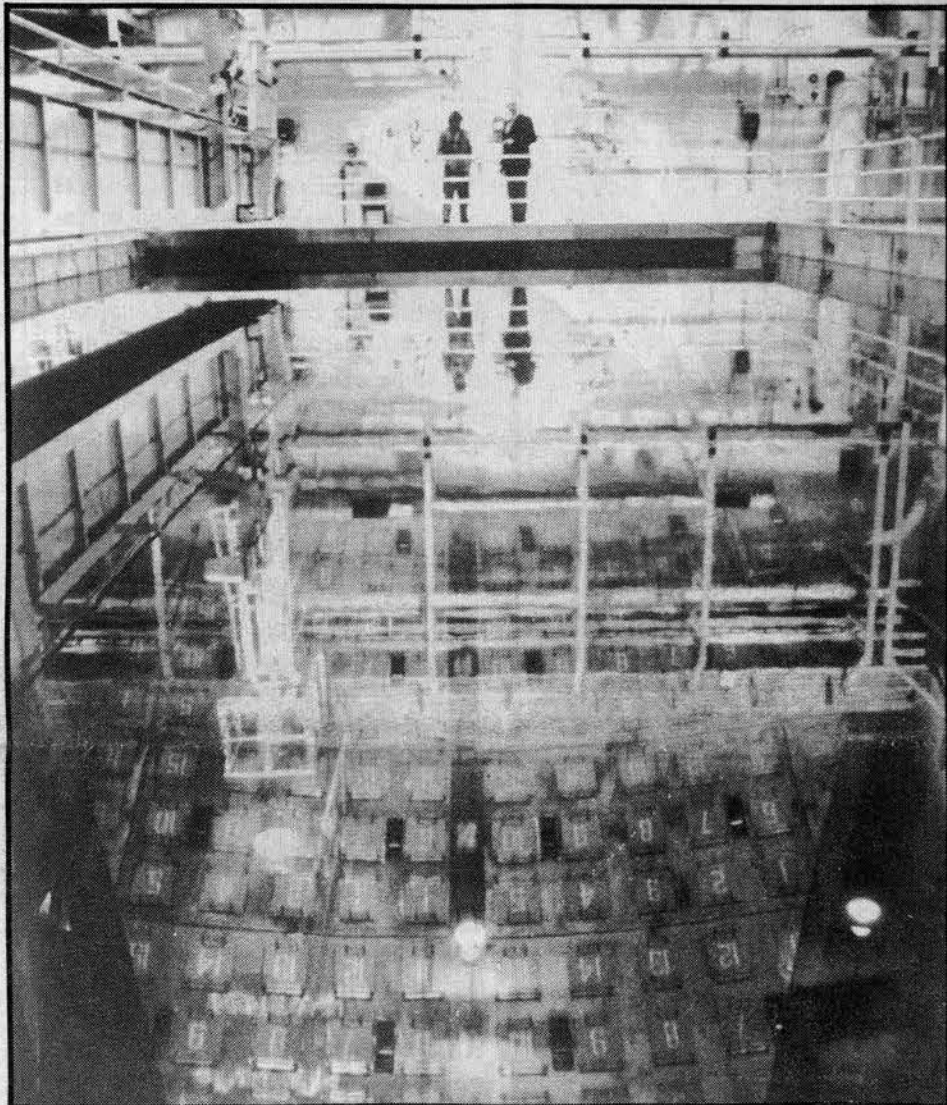
Today the DOE is in serious trouble. Plagued by mistakes, accidents and incompetence, the agency's nuclear weapons production system is grinding to a halt; and the West, alarmed by the pollution in its midst, has begun to revolt.

Beginning on page five of this issue of *High Country News* is a special report on the DOE's deepening problems and the West's growing rebellion. The two seem to be directly proportional.

The revolt started when the Energy Department delayed opening the nation's first low-level nuclear waste dump, which is being built in southern New Mexico. Worried by the open-ended delay, Western governors reacted swiftly. Cecil Andrus in Idaho — where over 4 million cubic feet of radioactive wastes have accumulated — immediately shut the state's borders to further shipments of radioactive wastes.

That led Gov. Roy Romer in Colorado, where most of the low-level wastes are produced, to give the DOE three months to solve the waste problem. Otherwise, he warned, he would shut down the Rocky Flats nuclear-weapons plant.

Robert Bower



Spent nuclear fuel, ready for reprocessing, sits in a water pool at INEL

At the grassroots level, people in northern New Mexico, especially Santa Fe, are mounting a campaign to block the DOE from opening the low-level waste dump until the agency solves technical problems and funds road improvements and emergency response teams.

The events have created a creeping paralysis in the Department of Energy's waste disposal system. It threatens to eventually shut down the nation's entire nuclear assembly line. At the same time, other parts of the weapons system have begun to collapse from pollution, worker incompetence and the age and disrepair of the plants.

Over the past six months, the nation has been rocked by reports of accidents and safety and health violations at DOE facilities across the nation. DOE officials have admitted contaminating plant grounds and thereby threatening nearby cities, rivers and aquifers. The agency estimates it will cost \$80 billion to \$180 billion to clean up the mess. At many sites, the public and state officials are demanding the DOE clean up its operations or shut down.

Against this backdrop, the DOE has announced plans to build the next generation of weapons facilities. But instead of the automatic approval the agency

once enjoyed locally and nationally, it is finding opposition and mistrust. For example, two major plants are proposed for southern Idaho at the Idaho National Engineering Laboratory. At hearings, the majority of citizens testifying questioned the agency's plans.

In a more critical situation, Nevada, with no help from the rest of the region, is trying to halt the DOE's plans to build a high-level waste dump at Yucca Mountain. Opponents are using the problems elsewhere to illustrate what happens when politics override science.

This Western revolt is still small, sporadic and dispersed. But its roots go deep. The region has suffered the effects of the nuclear industry for years. The careless handling of above-ground nuclear explosions, and sloppy practices in uranium mining and milling and waste disposal has damaged livestock, residents of small towns, miners and soldiers used as guinea pigs in atomic tests. Until now, at least, the ranchers, downwinders and atomic residents have not had their losses acknowledged, let alone reimbursed.

Their suffering stands as a warning to other Westerners. Whether the region will bite the hand that feeds it, however, remains to be seen.

Dear friends,



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Tom Bell
Editor Emeritus

Ed Marston
Publisher

Betsy Marston
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Rocky Barker
Craig Bigler
Peter Carrels
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Thank you, interns

When the staff at High Country News counts its blessings, the presence of interns is high among them. It is both the work they do, which is often substantial, and their presence — fresh, enthusiastic personalities fallen among people whose freshness is not always obvious.

At first we used to think in terms of individual interns, but now we think in terms of intern "classes." Among them, the Class of Fall 1988 will rank high. Tom Mullen and Kevin Lopez, who are departing, were good company and word-horses, if we can adapt work-horses to our needs. Cathy Ciarlo, who is not yet departing, was their match.

Steve Ryder, who recently joined us, will be the perfect bridge from the Fall 1988 Class to the Winter 1989 Class. He is an instructor at the National Outdoor Leadership School in HCN's birthplace of Lander, Wyo., and has been a planner for Fort Collins, Colo.

In case that doesn't qualify him as an intern, he has degrees in environmental studies from Utah State University and in planning and community development from the University of Colorado. He is also a good sport, and agreed to give up his right to a lone picture in Dear Friends (the only reward most interns receive) to pose with Ted Gray, aka Santa Claus, whom we pulled out of a Paonia Jaycees meeting.

Gray is a professional Santa, traveling to department stores to spend time with awestruck or disbelieving children, as the case may be. In the off-season, he makes toys and raises reindeer on a mesa just outside Paonia. (No kidding!)

Lousy at PR

Although the HCN office has two doors on Paonia's main street, we think of ourselves more as gatekeepers and re-directors than as greeters. At least half of those who walk into our office are looking for someplace else: the print shop, the local weekly, the local shopper. When someone comes in to subscribe, we usually send them down to the local paper, unless they have kayaks or mountain bikes on their car.

But sometimes we miscalculate. When a Paonia resident, Mr. Brezonick (we didn't get his first name), came in to subscribe for his daughter, Linda Hughes, who is working for a gold mine in Elko, Nev., we assumed he wanted the local weekly and did everything we could to send him down the street. But after much conversation at cross purposes, he finally got us to understand he was looking for HCN. His daughter had seen a copy while in town for Thanksgiving and wanted a subscription.

The incident made us realize why we have no advertising. It is not for the reasons we list in our Research Fund appeals: that our readers are too dispersed, or that our circulation is too small, or that we fear for our purity. It is because we are outrageously lousy salespeople. If the advertising manager for King Soopers came in looking to buy a page a fortnight, we'd hustle him out so fast his head would spin.

Before the Old Year ends, we want to recall one of the most delightful visits of 1988. It came this summer, when Keith and Pat Axline of Challis, Idaho, came by to say hello. They are the parents of Mike Axline, who is co-director of an environmental law clinic at the University of Oregon, and the builders of a beautiful cabin. We were reminded of their visit when we found a Christmas letter they had left with us.

Becky Rumsey



New intern Steve Ryder and Paonia's Santa Claus, aka Ted Gray

HCN received an early present this year: Sam Matthews moved to town from Columbus, Ohio. The nuclear waste consultant previously worked for Battelle Memorial Institute in Columbus, and with a partner is now running his own consulting firm, Socio-Technical System Inc., out of Paonia. He had never heard of HCN, but when friends in Columbus heard where he was moving, they said: "Oh, that's where HCN is based."

He arrived just in time for Steve Hinchman, who put together this issue on the West's nuclear problems, to engage him in extensive conversation. Sam is not responsible for mistakes we may have made, but he did help us get some things right.

Gone with the water

When former Aurora Mayor Dennis Champine came to the annual water conference at Western State College in Gunnison several years ago to argue for his water diversion project out of the Gunnison Valley, he argued that the project, by helping the Front Range grow and be prosperous, would foster culture and the arts in Colorado.

It turns out he was right, but not in the way he expected. The threat posed

by the Aurora water diversion has inspired a musical comedy titled "Gone With the Water," and written by George Sibley, Bonnie Baril and T.L. Livermore. The tightly written, very amusing musical was staged four times in December by the Gunnison Arts Center, with Suzanne Rice as director and choreographer.

Sibley, a former freelance contributor to HCN, is now writer-in-residence at Western State College. He has helped write a very enjoyable play featuring such lines as, "Well, I guess I'd better go and spread the water on the land to dry," spoofs of water lawyers, villains such as Wett Butler and the transformation of the sprawling suburb of Aurora into the sexy, thirsty Scarlet Aurora.

Although no further performances are scheduled, a videotape has been made of the play, it was featured on Denver's KUSA television news, and it may be performed at this summer's water workshop in Gunnison.

Finally, the staff and board of High Country News wish all of HCN's readers, supporters and critics a wonderful 1989, and thank everyone for having made 1988 the fine year it was.

—Ed Marston
for the staff

HOTLINE

Atomic City says yes to incinerator

The tiny community of Atomic City, Idaho, hopes to find a cure for its economic ills in an industry shunned by communities across the country — the incineration of medical wastes. Located eight miles from the southern border of the Idaho National Engineering Laboratory, the town's population has declined from more than 400 in the 1950s to today's 25. To create a local industry, the Atomic City council voted unanimously to allow construction of an incinerator to handle hazardous wastes from Idaho's hospitals and laboratories. The council also passed ordinances to annex and rezone 18 acres of land owned by ECO MAN, a subsidiary of Idaho Laboratories Corp., which will run the facility once construction begins next year. The number of jobs to be created is uncer-

tain, says the Idaho Post-Register, but the project will bring a new well and natural gas lines to the town.

BARBS

And makes the rest of us run for cover.

The New York Times reports: The rush for choice jobs in the Bush Administration is at a fever pitch, generating the kind of intricate maneuvers and intrigue on which the capital thrives.

Things are tough all over

U.S. defense contractors have suffered a 44 percent decline in sales of military equipment since 1985, because "a lot of the oil-rich nations either don't have the funds anymore, or they have stocked their arsenals to the brim," an industry spokesman told AP.

WESTERN ROUNDUP

Reports support 'let burn' but criticize implementation

The Yellowstone fire that threatened Cooke City, Mont., last summer could have been snuffed out in its earliest stages.

But the one that almost burned the historic Old Faithful complex and threatened West Yellowstone, Mont., was impossible to control, government officials said Dec. 2 in new reports on the conflagrations that swept Yellowstone National Park.

In all, the 10 major fires that cut a swath of flames through the park burned about 706,000 acres. That is much less than the 1-million-acre estimate Yellowstone officials released in September.

The new figures, based on satellite pictures assessed last week, indicate that about 32 percent of the 2.2 million-acre park was burned.

The reports were prepared by a team of National Park Service and U.S. Forest Service fire specialists who interviewed the managers and fire bosses who led the fight to control the fires.

By underestimating drought conditions, Yellowstone firefighters missed their early chance to stop the Clover-Mist fire in the northeast corner of the park, an inter-agency review team said.

Another team that looked at the North Fork fire on the park's western edge concluded that no amount of resources would have stopped the fire.

By relying on fire information gathered since the early '70s instead of their observation of extreme drought conditions, park and national forest officials missed the chance to stop the Clover and Mist fires that eventually merged and burned 309,600 acres in the park and forests, the review team said.

The Clover and Mist fires started July 9 and July 11. "At this time, the park could have suppressed both fires with initial action forces," the report said. "Projected spread and worst case analysis underestimated the potential of these fires to cross the Continental Divide onto the Shoshone National Forest."

Dan Sholly, Yellowstone's chief ranger, said that historical weather trends showing rains in July and August led park officials to underestimate the fire conditions. But he noted that even the best fire experts in the country underestimated fire conditions later in the summer.

"As late as August the third, with conditions even more extreme, this elite panel of experts underestimated the potential of the fire," Sholly said. "We're mortals."

The review team said Yellowstone officials ignored policy July 14 and allowed the Clover-Mist fire to burn after it threatened structures. Under the park's policy, managers are required to declare a blaze a wildfire if action is needed to protect a structure.

But on July 14 efforts were made to save the Calfee Creek Cabin on the west side of the park and the fire remained a prescribed burn until July 21, the report said.

"You get into semantics," Sholly said. "There are a number of places early on where we did not go back in the administrative records and say where this is a prescribed burn or a wild fire. It wouldn't have changed anything."

Dick Hodge, a forest ranger on the Clearwater National Forest in Potlatch and a member of the review team, said that the first five days, July 9-14, were the only chance park officials had to stop the blazes.

"After that it had grown big enough that we doubted they could have controlled it completely," Hodge said in a phone interview.

The same day, J.T. Richer, Shoshone National Forest fire staffer, told park officials the national forest would allow the fire to cross its boundary as a prescribed burn into a wilderness area, the report said. But he was overruled July 21 when acting forest supervisor Jim Fisher told park officials the forest would not accept the fire.

Richer was unavailable for comment but Greg Warner, Shoshone fire management specialist, said the park misunderstood what Richer said.

"That statement was taken out of context," Warner said. "He said as far as he was concerned they could do it but he couldn't talk for the forest."

The North Fork fire started July 22 when a wood cutter dropped a cigarette in the Targhee National Forest in Island Park. It quickly spread into the park and bulldozers were not allowed inside the park during the initial attack.

But with spot fires detected up to a half-mile ahead of the fire the next day, Troy Kurth, the Yellowstone area fire commander, judged that bulldozer lines would not hold the fire.

"There could have been a loss of equipment, crews in danger and unnecessary damage to the environment," the report said. "The end result, an escaped fire, would have been the same."

The review team went even further in supporting the firefighting effort by park and fire bosses.

"Using more resources, in most instances, would not have led to greater control of the main fire," they said in the report.

The North Fork and Wolf Lake fires eventually covered more than 500,000 acres in Yellowstone and Targhee National Forest.

The review teams reported to the Greater Yellowstone Coordinating Committee in Denver. The committee will present reports to the larger interagency group that is preparing a final report on the fires for Congress and the secretaries of Interior and Agriculture. It is due for release Dec. 15.

Gary Cargill, Rocky Mountain regional forester, said the review teams showed that more aggressive action earlier could have limited the amount of money that had to be spent later.

On Aug. 3, fire bosses met with forest and park officials to plan strategies for the month and had several options on each fire ranging from monitoring to controlling the fires. In most cases fire bosses elected to take mixed options of containment and monitoring since the control options were more expensive and had low probabilities for succeeding.

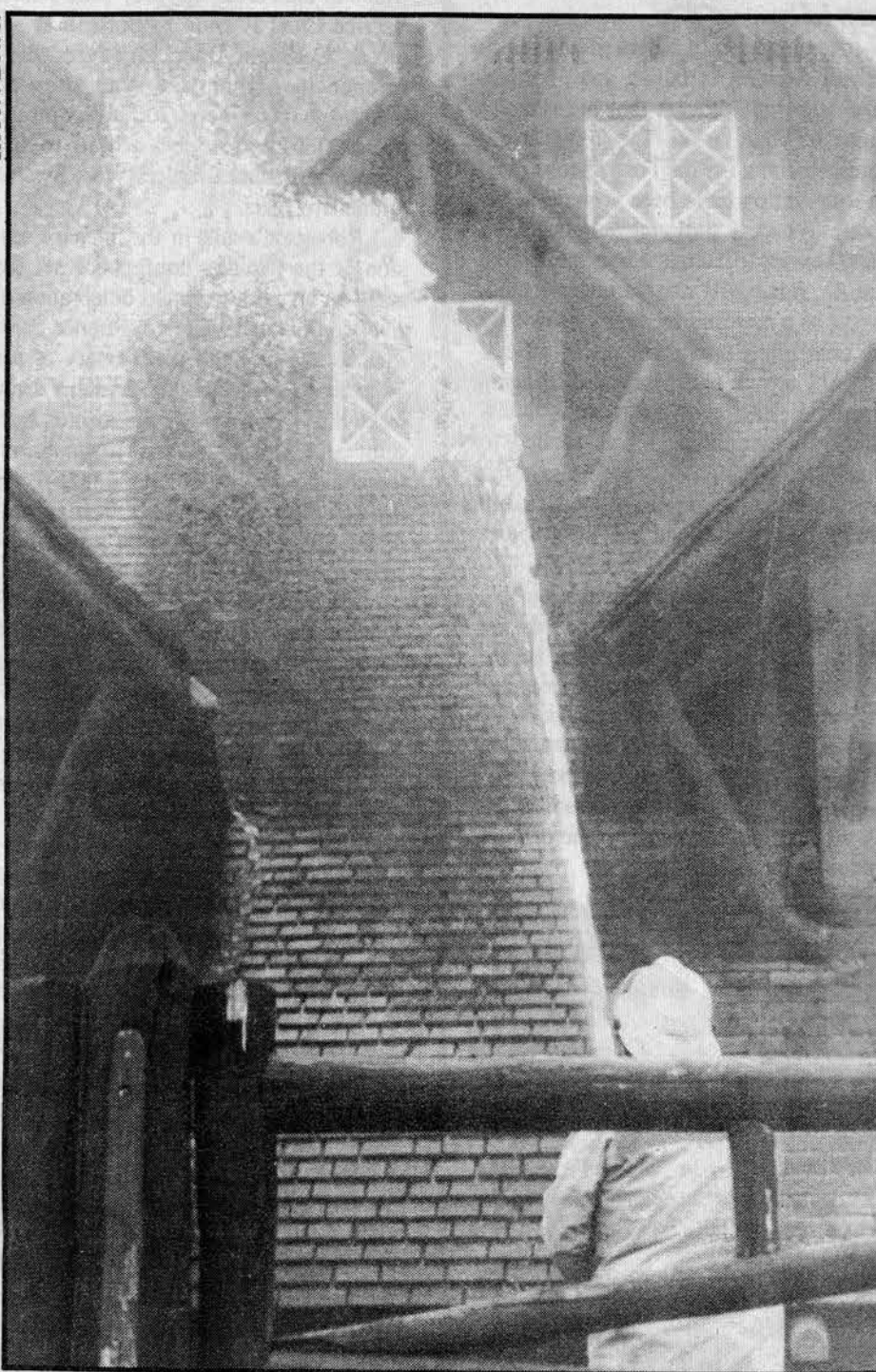
The most expensive options were estimated at about \$8 million for all of the fires burning at that time. Eventually more than \$160 million was spent.

"The review teams found that given the information the decision-makers had those were high risk decisions but they were within the policy and plans in their hands," Cargill said. "If they knew then what we all do now I think they would have made a different decision."

Nonetheless, the fire specialists recommended continuation of the much-criticized "let-burn" policy. What needed addressing, they said, was better agency coordination and attention to weather and drought.

— Rocky Barker

Robert Bower



Dousing the flames this summer at the lodge at Old Faithful

Senator says heads will roll

Wyoming Sen. Alan Simpson says that high-ranking Yellowstone National Park officials stand to lose their jobs over the handling of the park's wildfires if upcoming Congressional hearings on the matters find them negligent in their duties.

"We're going to have the hearings, which will be a blend to avoid this kind of thing (the fires) in the future and to pin blame for what happened in the past," Simpson said in a telephone interview with the *Jackson Hole Guide*.

"Those who didn't do their job well will lose their professional standing." He did not say when the hearings would be held.

In an interview last week with the *Hungry Horse News* of Columbia Falls, Mont., Simpson said, "They (Park Service officials) had everything in place to do what they had to do, but nobody pulled the trigger."

"... Some of the people sitting in Mammoth (YNP headquarters) will be replaced."

Simpson declined to say whether he thought park superintendent Robert Barbee would be among those losing their jobs. But Barbee has been a "focal point of hostility," he said.

A serious review of the "let burn" policy already has been started, he said, referring to the work of the fire-policy review committee appointed by the secretaries of the Interior and Agriculture

departments. That report was due Dec. 15.

"It will be a thorough review of personnel and policy," Simpson said. "There's no sense in having a let-burn policy unless it can be monitored ... The technical information was saying conditions were tinder-dry. These were important things and they were ignoring them."

"I think (Park Service Director) William Penn Mott will submit his resignation and that President Bush will accept it," he said. "There will be a new cast of characters at the top (of the Park Service), and they will be selected, to a certain extent, on the basis of fire policy."

Simpson said that many key jobs in the Interior Department also will be vacated during the transition between the Reagan and Bush administrations, which is a normal event with a change in presidents.

"There will be a lot of resignations at the top to allow Bush to select his own staff," Simpson said. "How much of the personnel change will be due to ordinary transition, and how much due to failure of performance, we'll never identify."

"But I think some will leave feeling hot breath down their necks."

— Nancy Kessler

Nancy Kessler is a reporter for the *Jackson Hole Guide*.

HOTLINE

Ruins are deteriorating rapidly

An unprotected Indian ruin in southeastern Arizona is falling apart because of erosion and horses that are literally eating its foundation. The 700-year-old Kinishba ruins on the Fort Apache Indian Reservation have been considered for protection as a national monument by Park Service officials since the 1940s. But the ruins still remain undesignated, except as a national landmark. Now they are crumbling away, says park official Ronald Corbyn. Corbyn is conducting an historical survey of the ruins to determine how much money is needed to maintain the structures, but he says the Park Service doesn't have the \$15,000 needed to complete an analysis, reports the *Arizona Republic*. From 1300-1400, some 2,000 Indians inhabited Kinishba, an Apache word meaning "brown house." Two hundred of the 800 rooms in the pueblo have been excavated, but the remaining rooms are crumbling, in large part because horses are drawn to salt banks below. Corbyn says the horses have caused a ton of dirt to erode in the last 18 months, stepping up the disintegration of the ruins.



Peter MacDonald

Navajo Chairman is investigated

Navajo Tribal Chairman Peter MacDonald is under investigation by the Interior Department and Federal Bureau of Investigation. Last year the Navajo Tribe purchased the Boquillas Ranch near Seligman, Ariz., for \$33.4 million. But five minutes before the purchase was filed, on April 30, Tracy Oil and Gas had bought the ranch for \$26.2 million, selling it to the tribe for the additional \$7.2 million. Tribal council members, who weren't aware of Tracy Oil's role until after the sale, questioned the propriety of MacDonald using a friend as a broker for the transaction. Council members say they think MacDonald opened a secret bank account in Switzerland when he travelled to Sweden in June 1987, reports the *Albuquerque Journal*. Recently, the Inspector General of Interior subpoenaed MacDonald for his passport, but MacDonald says he's never been to Switzerland and never received kickbacks for the ranch purchase. The investigation comes on top of a recall drive that seeks to remove MacDonald from office. MacDonald says the present accusations stem from a "smear campaign" waged by his political rival Peterson Zah, former Navajo chairman.

Conferees rally around America's rivers

"The rivers of America have a friend in the Forest Service," said Forest Service Chief F. Dale Robertson at the recent "Celebrate American Rivers" conference in Alexandria, Va. Then he pledged to recommend 200 rivers on the national forests to be added to the national Wild and Scenic Rivers System within five years.

Robertson's talk in the plenary session of the two-day conference set the stage for an unprecedented celebration of river conservation. The conference commemorating the 20th anniversary of the Wild and Scenic Rivers System drew more than 600 people to its awards banquet and gave participants a boost toward the goal of having 2,000 rivers protected by the year 2,000, a recommendation of the President's Commission on Americans Outdoors.

The conference was jointly sponsored by American Rivers Inc., which lobbies in Washington, D.C., for river preservation, and the three federal agencies most involved with Wild and Scenic Rivers: the National Park Service, Bureau of Land Management and Forest Service.

Since neither of the Reagan administration's Interior secretaries has been a friend to American rivers, conference organizers called upon Stewart Udall, Secretary of the Interior under presidents Kennedy and Johnson (when the Wild and Scenic Rivers Act came into being), to serve as keynote speaker, along with John and Frank Craighead, the wildlife biologist twins who initiated the concept 30 years ago.

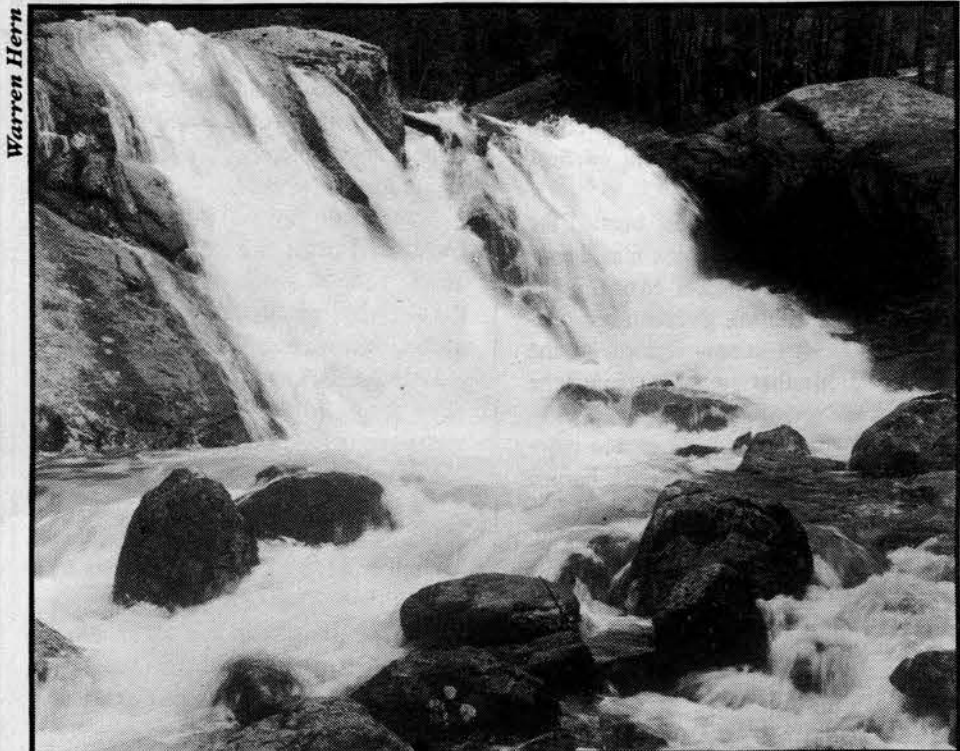
Udall highlighted the accomplishments of the past 20 years, stressing the federal role in river preservation, the love affair that Americans have with rivers and the importance of rivers to our history, literature and lives. John Craighead spoke of "raising our sights and doubling our effort" to save rivers; his brother Frank pushed for the inclusion of the Clarks Fork of the Yellowstone, route of the Nez Perce exodus of 1877 and one of the finest trout streams in America.

Officials representing each of the sponsoring federal agencies also spoke at the opening session: Chief Forester Robertson called for conservation partnerships to preserve and manage the Wild and Scenic rivers; Park Service Director William Penn Mott again called for total river systems to be protected in each region of the country; and BLM Deputy Director Roland Robison pointed out that his agency is using its resource management planning effort to recommend additional rivers to the system.

The Forest Service, through negotiations that resulted after American Rivers Inc. filed administrative appeals of forest management plans that ignored river protection, has established a policy to include recommendations for additions to the Wild and Scenic Rivers System in each forest plan. Of the 44 rivers added to the system in 1988, 35 were on national forest lands. Robertson called for keeping up the 1988 pace, but he also stressed that designation is only half the job.

Speakers returned repeatedly to the need to look at public lands in their totality and to develop cooperative partnerships among land-management agencies and landowners and the public at large.

The conference was reported on by *The New York Times*, the *Washington Post*, National Public Radio and C-Span TV. The assemblage also received a congratulatory letter from President-elect George Bush, stating that as an environ-



Switchback Falls in Holy Cross Wilderness, Colo.

mental and fly fisherman, he supported efforts to preserve rivers.

The nation is a long way from the 2000-by-2000 goal. But the system did grow from 75 rivers to 119 during 1988, largely through the addition of 40 Oregon rivers in October. The system, which began with eight wild rivers in 1968, almost tripled (from 21 to 60) during the Carter presidency.

Although President Reagan's secretaries of Interior recommended no rivers for addition to the system, congressional action has added 59 in a dozen states during the last eight years, including

rivers in Alabama, Colorado, Florida, Mississippi, New Hampshire and West Virginia. New Mexico's Rio Chama and the Bluestone in West Virginia were also added in October.

A total of 38 states now have components of the National Wild and Scenic Rivers System, and more than 30 states have their own scenic rivers programs.

—Verne Huser

American Rivers Inc. is located at 801 Pennsylvania Ave. S.E., Ste. 303, Washington, D.C. 20003.

A growing system of wild rivers

New Mexico's Rio Chama, a tributary to the Rio Grande, is the most recent addition to the National Wild and Scenic Rivers System. President Reagan signed the bill Nov. 7.

The Rio Chama is the second New Mexico river added to the system. The Rio Grande was one of the original "instant-eight" wild rivers established when the system was created in 1968. Idaho had two of the original eight — the Middle Fork of the Salmon and the Middle Fork of the Clearwater, including

its founding forks, the Selway and the Lochsa.

Of the 119 rivers in the system, only 12 lie in the Rocky Mountain States: six in Idaho, two each in Montana (Missouri and Flathead) and New Mexico, and one each in Arizona (Verde) and Colorado (Cache La Poudre). Wyoming and Utah have none. Even Texas, which has virtually no public land, has one, the Rio Grande. Of the coastal states, California has 11; Oregon, 43; Washington, three; and Alaska, 25.

—V.H.

HOTLINE

Judge raps agency

What environmentalists have been charging for years was borne out in court recently: A federal judge ruled that the government's refusal to protect the habitat of the Northern spotted owl was "arbitrary, capricious, and contrary to law." Judge Thomas S. Zilly also said the U.S. Fish and Wildlife Service acted illegally in not listing the owl as an endangered species, citing warnings from government scientists that logging centuries-old conifers was destroying the only nesting place for the owl. Judge Zilly did not rule that the owl was endangered but gave the government 90 days to present further evidence to the court, at which time he would consider the owl's fate, reports the *New York Times*. The ruling is expected to slow logging in 13 national forests in the Pacific Northwest.

Fires support nuclear winter theory

Forest fires that burned for months in 1987 near the Oregon-California border created conditions similar to the

"nuclear winter" that scientists predict will follow a nuclear war. In the journal *Science*, meteorologist Alan Robock of the University of Maryland said thick smoke from the fires blocked sunlight and created a temperature inversion. The result was temperatures cold enough to kill tomato plants in local gardens. Robock says the severe cold supports the theory that a firestorm following a nuclear war could lead to crop failure and starvation. By September 1987, a week after fires started burning in Klamath River Canyon, Calif., temperatures nearby had cooled to 36 degrees below normal. This effect would be intensified in the case of a nuclear war, Robock said.

BARBS

This time, Glasnost has gone too far.

The former head of the Soviet Space Research Institute told AP that his country's space shuttle program drains funds from more important basic research: "It went up. It came down. But it had absolutely no scientific value."



WIPP misses its fall debut

by Tony Davis

“Ready for Waste October '88,” proclaimed a banner unfurled early this summer across the massive complex of steel and aluminum that is the Waste Isolation Pilot Plant near Carlsbad, N.M.

But in the end, the U.S. Department of Energy and its private contractors weren't ready to open the first nuclear waste dump in the world. Today, nearly 10 years old, almost fully constructed and containing \$700 million in hardware, WIPP lies in a state of limbo.

A bill that would have legally opened WIPP by transferring the land for the waste dump from the Department of Interior to the Energy Department died in Congress in early October, two days after the scheduled opening date.

The bill's demise officially cancelled the DOE's grand opening, but it is only the most prominent of a mountain of legal and scientific hurdles that must be cleared before the experimental repository can go on line. DOE officials, assuming the most favorable timetable possible, say WIPP could open in June 1989. But critics say it could take one or more years.

The open-ended delay leaves the DOE stuck in a nuclear-waste traffic jam. WIPP is the DOE's only proposed site for permanent disposal of transuranic wastes. It was originally scheduled to open in 1985. Transuranics are radioactive elements heavier than uranium that have relatively low radiation levels, but extremely long half-lives.

More than 4 million cubic feet of transuranics — the accumulated by-product of 40 years of nuclear weapons research and production — sit at the Idaho National Engineering Laboratory near Idaho Falls waiting to be shipped to New Mexico. Idaho has refused to accept any more waste for temporary storage. Meanwhile, another 10,800 cubic feet of transuranics are produced monthly at the Rocky Flats nuclear weapons plant outside Denver, Colo., with no place to go.

This was not in the script for the DOE nor for its supporters in Carlsbad, where WIPP has produced about 600 jobs. WIPP has been

considered a *fait accompli* in New Mexico for nearly a decade and has long enjoyed the backing of the state's governor, most of the state Legislature and the entire five-member New Mexico congressional delegation.

That support began to crumble last year following a front-page report in the Dec. 17, 1987, *New York Times* about the discovery of water seeps in WIPP's underground caverns. Suspicion about the project increased over the course of the spring, especially in the northern part of the state, as more problems were revealed. Those included additional water and engineering problems, inadequate safety assurance plans, and the failure of the transportation casks — Trupact II — to meet Nuclear Regulatory Commission standards even after the DOE spent 11 years and \$40 million. Adding fuel to the fire were reports of accidents, contamination and disregard for public welfare at other nuclear facilities around the nation.

By fall the controversy in the state — with Carlsbad still supporting the pro-

ject, the Albuquerque area divided, and Santa Fe and the north opposed — focused on the land-withdrawal bill. The opposition “Make WIPP Safe” forces had a ready champion in maverick Rep. Bill Richardson, a Santa Fe Democrat, who sat on the two House committees that oversaw the WIPP bill.

Richardson didn't want WIPP to get waste until it solved its engineering problems and proved it by meeting Environmental Protection Agency standards covering disposal of the hot stuff for 10,000 years. The rest of the delegation supported a bill that would have let WIPP open in an experimental phase and allowed the DOE to store 3 percent of the dump's total capacity (for testing) before meeting the standards.

The climax of WIPP's year of trouble came at a House subcommittee meeting Sept. 15, when a series of internal DOE memos disclosed the agency had not documented the safety of the dump's design and construction.

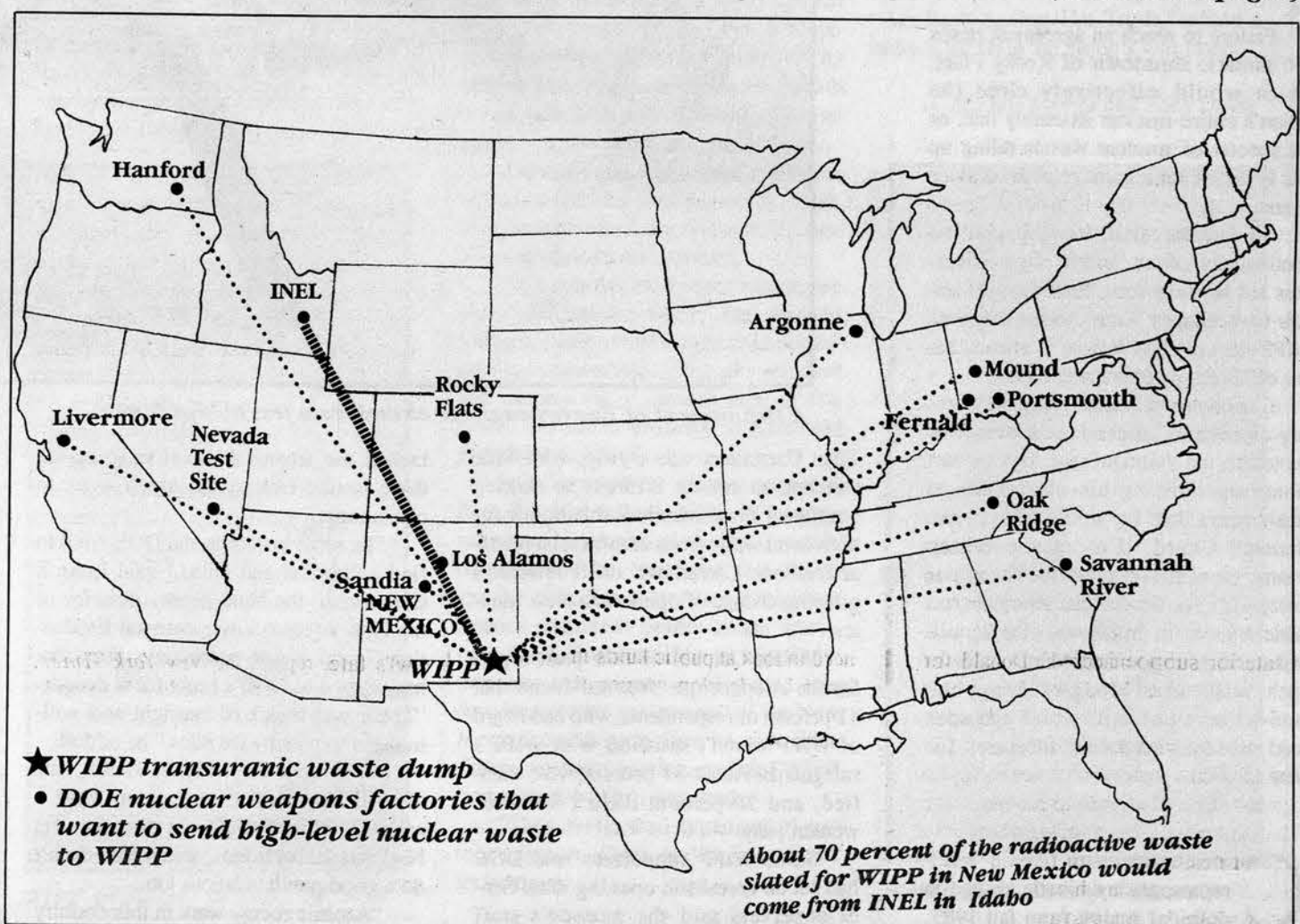
Among other things, the memos said the department's own internal auditors

had been unable to find evidence that earthquakes, lightning strikes or airplane crashes had been considered in the planning or construction of the facility. Lack of the safety-analysis report led Rep. Mike Synar, D-Okla., to tell DOE officials to “go home and do your homework and then come back and ask us for the legislation.” DOE dismissed the memo incident as a “snafu,” but as of the end of November, it was still trying to produce a complete safety-analysis report.

In the end, Richardson's opposition and the many unanswered safety questions convinced Congress to drop the bill. The fight is expected to begin again in January when the 101st Congress convenes, but a decision is unlikely until the DOE can prove it has solved most of the problems. Even if a land-withdrawal bill does pass, the DOE has plenty to do before it can drop the first barrel of trash into the dump's 2,150-foot-deep salt beds.

The department is on its third design

(Continued on page 6)



WIPP...*(Continued from page 5)*

for its shipping containers and must still apply for Nuclear Regulatory Commission certification of the casks. The DOE must also apply for a permit for burial of mixed hazardous and radioactive wastes, finish the safety-analysis report and persuade skeptical outside scientists of the need to bury waste for experiments.

That's only a partial list, but it means moving a mountain of paperwork by strict bureaucratic procedures. DOE assistant manager James Bickle says the agency has 15 to 20 people working long hours and weekends. At least one item, the mixed-hazardous-waste permit application, is already mired in confusion and controversy between the state and the EPA. A mixed-waste permit has never been granted before in New Mexico, and state officials say it may require intensive groundwater studies involving two or three years of work.

Both state and national environmental groups warn that they have several lawsuits ready if the DOE tries to shortcut the process.

WIPP's highly publicized derailment and continuing problems have sent shock waves across the West. Within days after the land-withdrawal bill failed in Congress, Idaho Gov. Cecil Andrus closed his state's borders to the plutonium-tainted wastes the DOE had been shipping to the Idaho National Engineering Laboratory since the 1950s. Andrus said the DOE had broken enough promises to Idaho and asked the Reagan administration to withdraw the land for WIPP by executive action instead of waiting for Congress.

Most of Idaho's waste comes from the Rocky Flats nuclear-weapons plant, near Denver, Colo., which has only three months of legally authorized storage space left. Colorado Gov. Roy Romer has refused to let the DOE store more waste, even on a temporary basis. Romer told the DOE to find another solution or he would shut Rocky Flats down.

The governors of the three affected states — New Mexico, Idaho and Colorado — were to meet Dec. 16 with the DOE's top brass in hopes of working out a deal. One such earlier meeting, scheduled for late November, did not materialize.

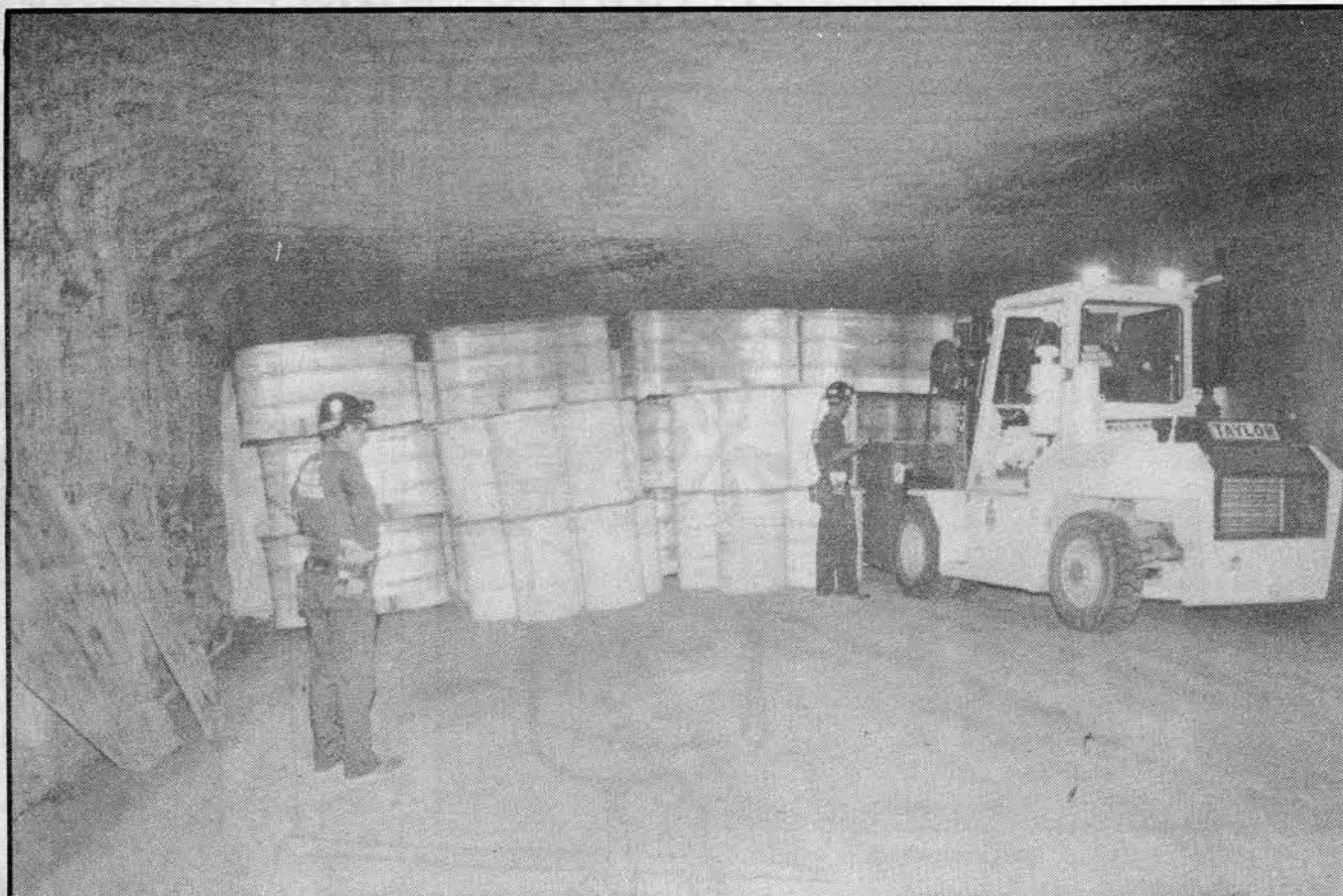
Failure to reach an agreement raises two threats: shutdown of Rocky Flats, which would effectively close the nation's entire nuclear assembly line, or the specter of nuclear wastes piling up like Long Island's garbage with no place to go.

So far, the DOE has proposed no contingency plans, and Western governors are holding firm. Even New Mexico's Gov. Garrey Carruthers, a longtime WIPP backer, has begun to sound like one of his environmentalist critics.

Carruthers, a former assistant secretary of Interior under James Watt, was quoted in the *Albuquerque Tribune* last month as warning his old friends in Washington that he would call out the National Guard, if necessary, to stop wastes from arriving at WIPP prematurely. He later denied that report but has made it clear in interviews that he will withstand pressure from other states to open WIPP until Congress okays the land-withdrawal bill, which includes road money and safety measures for New Mexico.

Carruthers' tough talk on WIPP represents a dramatic change in political reality from fall 1987.

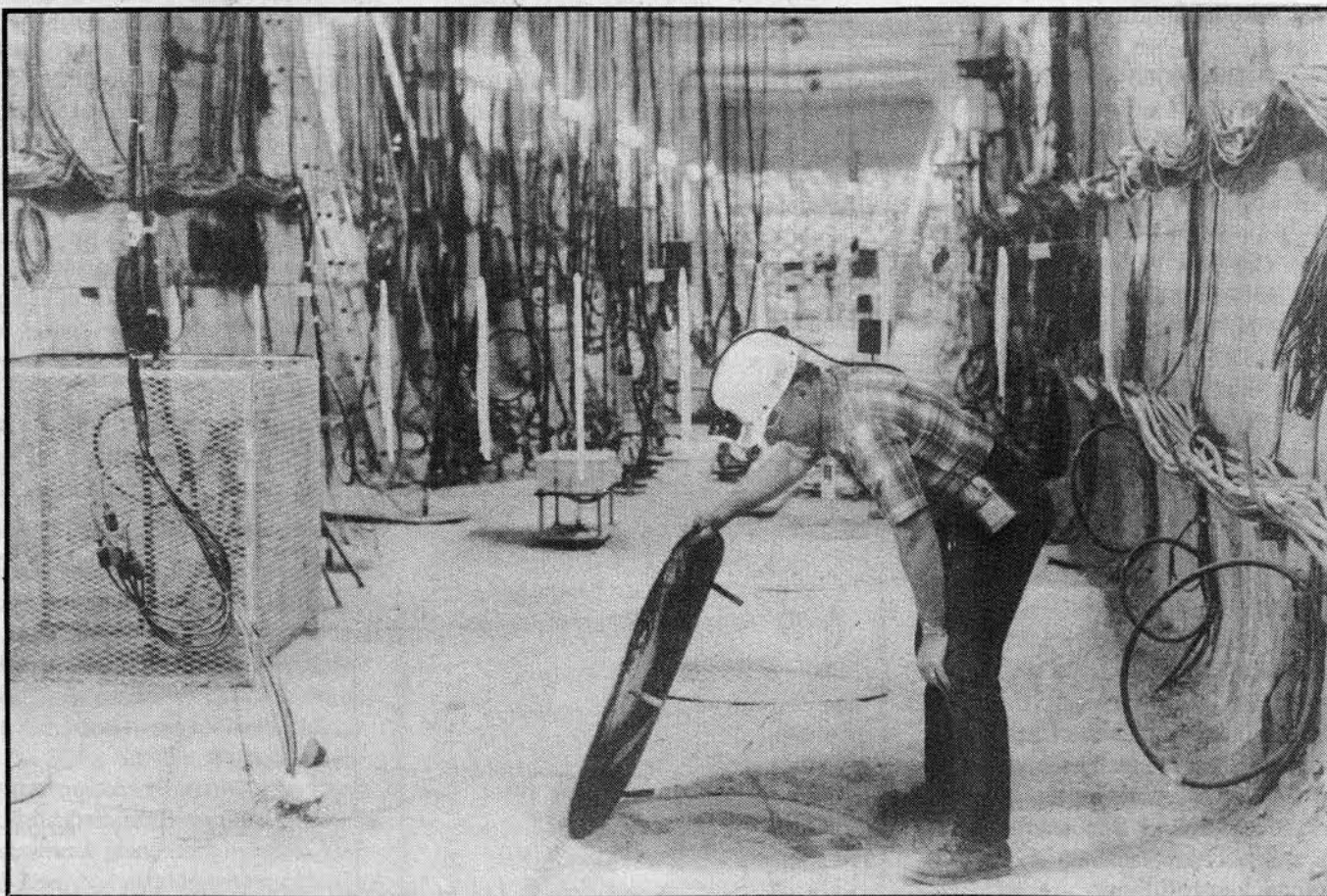
DOE



Workers at WIPP rehearse the burial of radioactive wastes

*...the specter of nuclear wastes
piling up like Long Island's garbage
with no place to go.*

Rocky Barker



A Department of Energy engineer examines a test hole at WIPP

Then Carruthers was trying, with little success, to stir up interest in making southeast New Mexico the home for high-level waste from commercial nuclear reactors. Carruthers' shift reflects a growing change of opinion in New Mexico.

In late October of this year, a poll for the *Albuquerque Journal* found that 41 percent of respondents who had heard of WIPP weren't satisfied with WIPP's safeguards. About 37 percent were satisfied, and 20 percent didn't know or wouldn't say.

Some WIPP supporters said DOE had set an unrealistic opening date. Other observers said the agency's staff

lacked the technical expertise to tackle these issues, farming too much work to consultants.

"In some instances, the DOE tried to find a shortcut and failed," said Lokesh Chaturvedi, the blunt deputy director of the New Mexico Environmental Evaluation Group, a state watchdog agency that has nipped at DOE's heels for a decade. "There was a lack of foresight and willingness to play by the rules," he added.

Even State Rep. Robert Hawk, one of WIPP's biggest supporters and a retired administrator at the Sandia National Laboratories, said DOE didn't do a good public relations job.

"Atomic energy work in this country

has been done in secret in the past," said Hawk, a Democrat who spent 36 years at the weapons research laboratories. "DOE has not re-oriented itself to doing things in public."

In economically depressed southeastern New Mexico, however, support for WIPP has not faltered. In an editorial, the pro-WIPP *Carlsbad Current-Argus* fumed at critics for ignoring the dump for years, then raising issues at the last minute.

"Could it be now that (waste) shipments are due, and the national press is paying attention again, that there are those who will use the limelight to fur-

(Continued on page 7)

WIPP...

(Continued from page 6)

ther their own political and social agendas, the scientific merits of WIPP be damned?" the evening newspaper said. "Just whose credibility is at stake here?"

But both Hawk and WIPP critics say the DOE's defeat this year shows growing skepticism toward the military in New Mexico.

"It's not just New Mexico, it's all over the nation," Hawk says. "It's like the old business about what you can't see you are scared of."

The WIPP controversy is surprising because New Mexico is heavily dependent on federal military dollars. In addition to WIPP, the state has four military bases, two nuclear weapons research laboratories and the White Sands Missile Range.

A recent DOE study showed that in fiscal year 1987-88 the agency pumped \$2.34 billion into the state's economy and employed 21,212 New Mexicans. Toss in the economic multipliers, and the DOE generates \$7.25 billion and 72,870 jobs. Combined, the DOE and the Department of Defense spend \$1,827 a year for every man, woman and child in New Mexico, making the state the nation's fifth largest per capita recipient of defense dollars.

Some advocates of WIPP have said New Mexico should be willing to swallow plutonium-tainted waste from weapons manufacturing in other states because the state's economy has thrived on the military.

"It was really a very friendly nuclear energy attitude, pro-AEC, pro-weapons, pro-labs, with basically no questions asked," says University of New Mexico political scientist Jay Sorenson, a Sierra Club member and New Mexico resident for 20 years. "But now there are many more newcomers in this state who don't have affiliations with the laboratories, and I can't honestly see this swinging back," he says.

For next year, all parties concerned expect a hot congressional fight over WIPP.

At a Dec. 6 meeting in Washington, D.C., six members of the New Mexico, Idaho and Colorado delegations agreed they would like to pass a land withdrawal bill so the dump can open next June. But they disagreed with the bill's specifics and would not talk with reporters.

Nationally, Andrus and Romer have created pressure for opening WIPP with their refusals to solve the waste problem by allowing temporary storage. But an equal force is pushing for a slower approach: DOE's massive environmental problems at Rocky Flats, the Fernald plant in Ohio and Savannah River in South Carolina.

In the end, the decision on when and how to open WIPP may be New Mexico's. Most of the state's leaders still want to open WIPP soon.

But New Mexico Rep. Richardson says that recent revelations about the DOE's safety record make it much more important now than ever to require the dump to meet EPA standards. He says, "I'm ready to talk but I believe it's up to (the rest of the delegation) to make the first move ... New Mexico should not be pressured into taking a position we will later regret."

□

Tony Davis is a reporter in Albuquerque, New Mexico.

Michele Merola



St. Francis Drive, Santa Fe

WIPP wastes run into Santa Fe roadblock

SANTA FE, N.M. — Citizen opposition to the Waste Isolation Pilot Plant ignited virtually overnight last spring when residents realized 79 shipments of radioactive waste would pass annually through the city's busiest intersection.

"I see accidents here all the time. And they want to bring that trash down this road," Ben Martinez says as he gestures at the busy thoroughfare. "All it would take is one accident, and there would be no more Santa Fe. I love Santa Fe. My family has been here 500 years. I don't want to lose it."

Cowboy hat pulled down over his forehead, Martinez waits for somebody to stop and buy the chile and pinon he sells from his truck parked on St. Francis Drive, one of the main arteries through town. He points proudly to a large sign he nailed to a nearby post: "WIPP Route." Not your stereotypical anti-nuclear activist, Martinez is nonetheless typical of the remarkably powerful and effective grassroots movement that has emerged in New Mexico's capital city to fight the transuranic waste repository.

The fight has unified diverse segments of Santa Fe's population. Anglos and Hispanics, merchants and schoolteachers, artists and politicians all voice the same concern: that the Department of Energy's plan to ship waste from the nearby Los Alamos National Laboratory to WIPP through the center of town

compromises the safety and future of their community. Echoing that sentiment is a concern that the radioactive waste dump outside Carlsbad may not be safe either.

Last spring a group called Concerned Citizens for Nuclear Safety formed to educate the people of Santa Fe and New Mexico, explore transportation alternatives and keep watch over the Energy Department's plans. As public knowledge and interest grew, so did opposition to WIPP. Membership in the citizen group mushroomed, it raised several thousand dollars and was able to send people to testify before Congress in Washington, D.C.

More than 200 local businesses have come out in public opposition to WIPP, displaying "Another Business Against WIPP" placards prominently in shop windows. Ninety local merchants joined together to sponsor a series of 11 radio spots on WIPP. "WIPP Alerts," updates on WIPP's progress, appeared in shops and restaurants. A July march and rally drew 2,000 people, the largest demonstration ever seen in this city.

Even typically conservative Santa Fe groups have taken a stand against WIPP. The Santa Fe City Council adopted a resolution of opposition signed by Mayor Sam Pick; the Santa Fe School Board and Board of Realtors followed suit.

Although one state senator dismisses local resistance as the work of "freak, fringe elements," the bulk of the evidence appears to the contrary.

"In Santa Fe, the fringe elements are those who support WIPP," says Richard Johnson, chair of the concerned citizens' steering committee. "Just one accident will destroy the economic base of this town. We have nothing to gain and everything to lose."

Last September, when it appeared Rep. Bill Richardson, Santa Fe's representative in Washington, D.C., would compromise his position that WIPP should meet Environmental Protection Agency standards before taking waste, irate Santa Feans quickly let him know that was unacceptable. Within a few days Richardson told the rest of the New Mexico delegation that he saw little chance of compromise, and the WIPP land withdrawal bill was dead.

"They were well-organized. I listened when they spoke," recalled Richardson.

Several other statewide organizations figured prominently in the fight. The Committee to Make WIPP Safe, a highly vocal band of science and health care professionals, ran a public information campaign on the issue that the DOE hadn't proved WIPP was safe enough to open. Formed in summer 1987, the committee issued press releases and obtained leaked government documents. It also protested the agency's failure to provide money for highway bypasses to carry nuclear wastes around cities and to start adequate emergency response training programs.

Another group, called the Scientist Review Panel, which includes 11 experts in various fields from the University of New Mexico and other state institutions, focused on unresolved technical problems at WIPP. Their report on the brine seepage problem made front page news in the *New York Times*.

While the WIPP fight is in limbo awaiting the next session of Congress, opponents to the dump have been active. Santa Fe's Concerned Citizens for Nuclear Safety recently held an art auction featuring the works of 100 New Mexico artists. The one-day fundraiser, "Art Bash Against Hot Trash," added a hefty \$20,000 to the group's war chest.

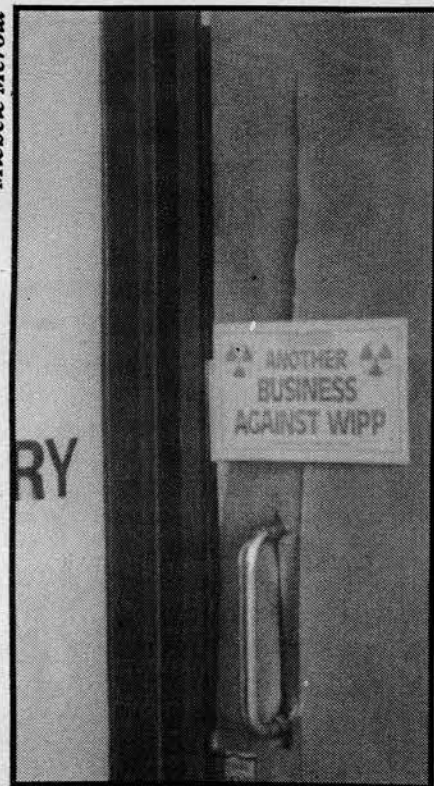
— Michele Merola and Tony Davis

Patricia D'Andrea



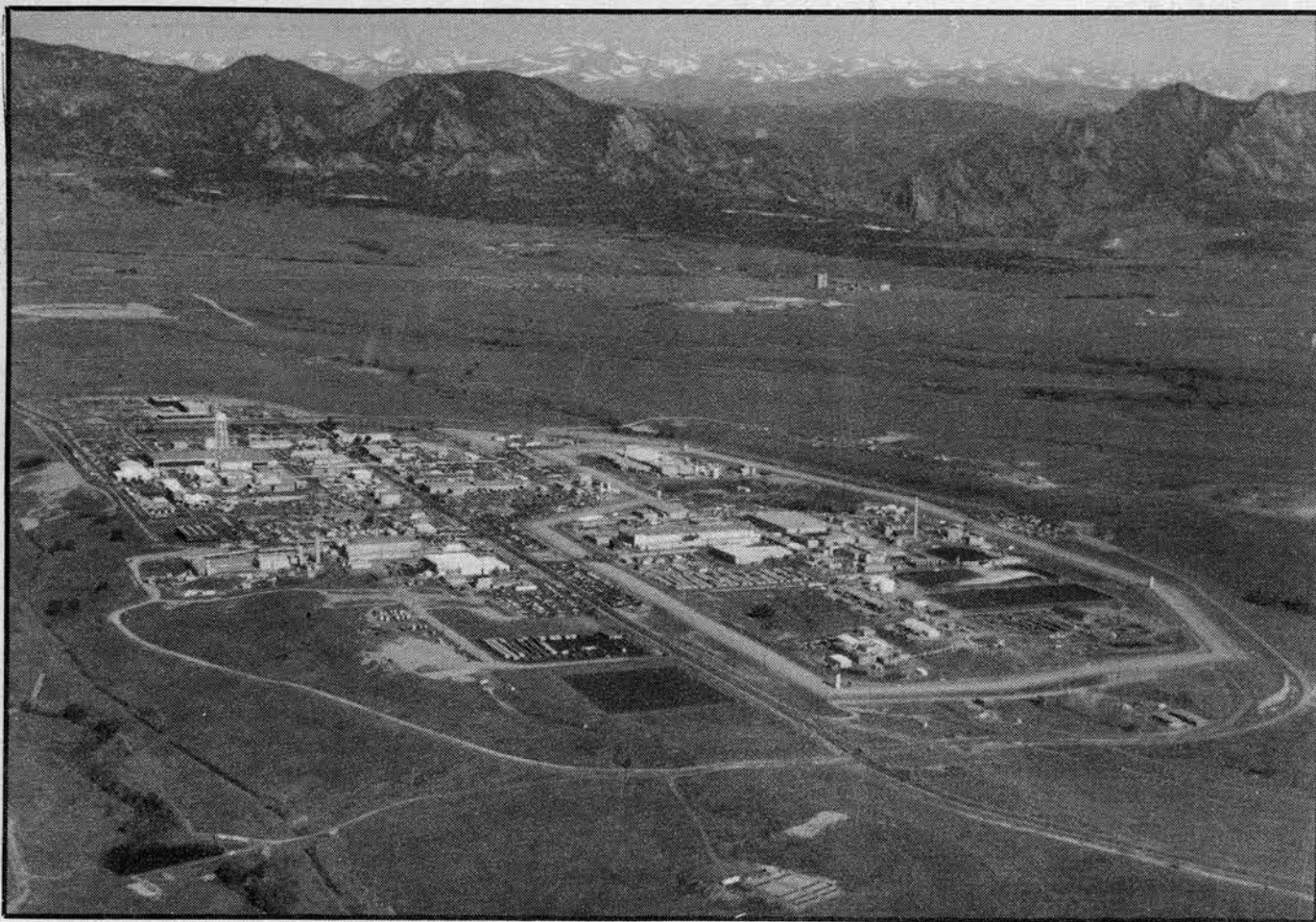
WIPP protester in Santa Fe, N.M.

Michele Merola



Natoli/Ross Gallery, Santa Fe

Rockwell International



Rocky Flats, near Golden, Colo.

The Rocky Flats Plant may foul out

—by Tom Mullen and Ed Marston

In March 1951, Denver beat out 35 competitors to become the site of a plant to manufacture the plutonium triggers used to set off hydrogen bombs.

This month, 37 years later, the Rocky Flats plant again came out on top. A Department of Energy report ranked the giant plant as the worst environmental problem in the nation's nuclear weapons complex.

Rocky Flats had to defeat tough competition to attain this ranking. The nation's far-flung weapons network is plagued by serious problems. But according to a *Denver Post* story for Dec. 7, the DOE study ranked Rocky Flats worst of all. On a scale of 1 to 10, it achieved the only 9 ranking in the entire weapons complex for the polluted

groundwater beneath the plant. That water, part of aquifers serving surrounding communities, has been contaminated by decades of sloppy manufacturing and disposal.

Then, on Dec. 11, the *Post* reported that the DOE had recommended to the White House that Rocky Flats be closed, as part of a 20-year plan to relocate and modernize the nation's nuclear weapons facilities. The plan, called the "2010 Report," is classified information, but a copy leaked to *Post* sources included a \$50 billion budget, about one-third of which is targeted for cleanup at Rocky Flats and other weapons facilities.

The *Denver Post's* headlines are the latest in a long controversy surrounding the facility, which is located 16 miles from downtown Denver. It is run for the DOE by Rockwell International. Problems apparently trace back to the plant's origins. But in the past two years, it has

been plagued by discoveries of accidents, worker contamination and chronic safety problems.

The problems are so widespread, and the toxicity so high, that some have said the 385-acre plant site, which is surrounded by a 6,550-acre buffer zone, may be a lost cause. Bob Alvarez, an investigator for the U.S. Senate's Governmental Affairs Committee, told the *Denver Post*:

"I don't believe it's possible to reverse the harm that has been done at Rocky Flats." The plant has also been described as a potential "national sacrifice zone."

But Rocky Flats can't be surrounded by a high fence and abandoned. The contaminated water and 107 contaminated landfills at the plant preclude that. In addition, Rocky Flats is a key element in the nuclear weapons network. It is the only source of hydrogen-bomb triggers,

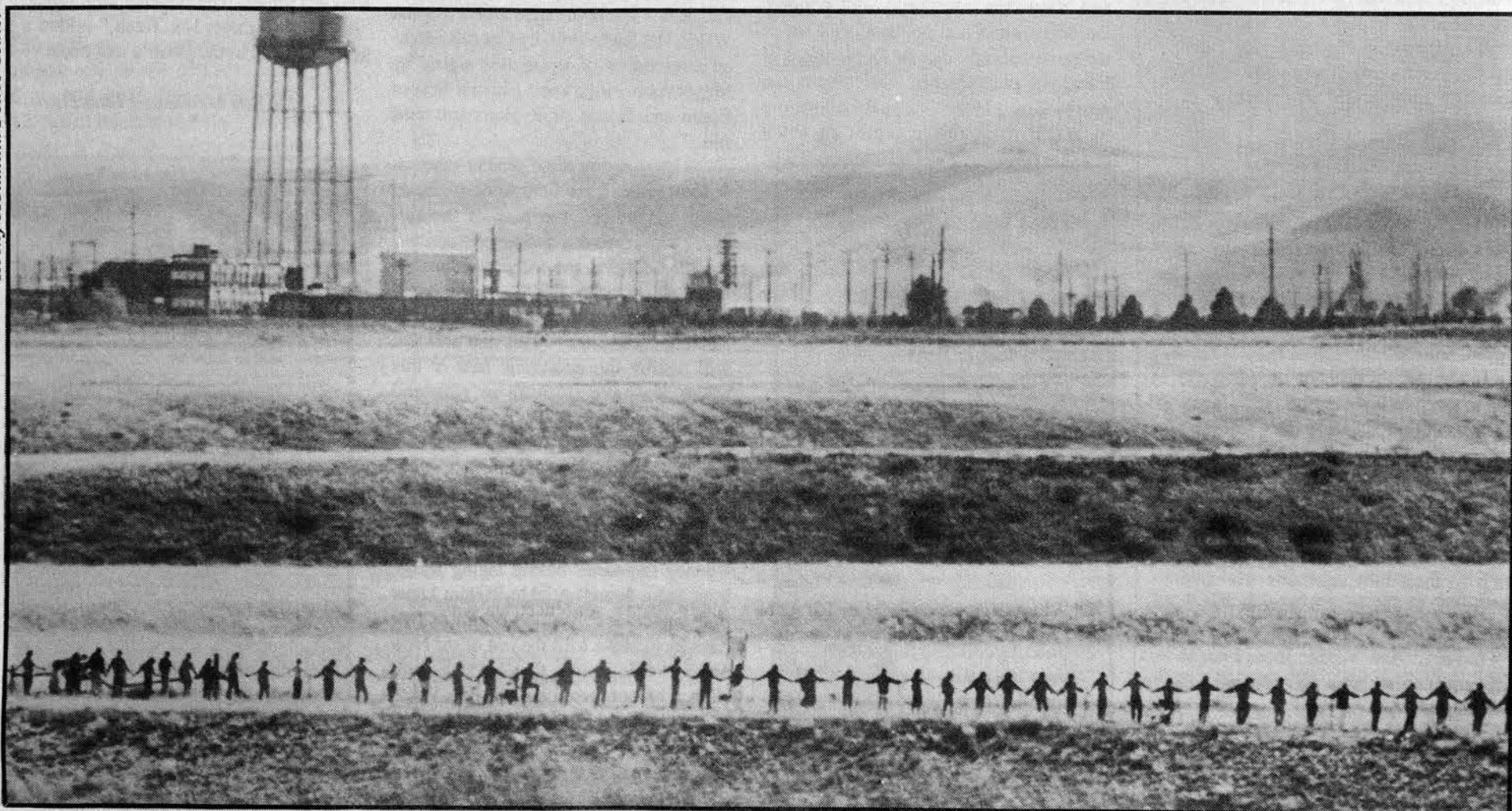
and it reprocesses plutonium from obsolete weapons and from nuclear reactors at Hanford, Wash., and Savannah River, S.C. Without Rocky Flats, the U.S. would be unable to maintain its nuclear arsenal.

Rocky Flats is also an economic cornerstone of the Denver metro area. It employs 5,300 workers in the 100-building plant, paying them \$280 million a year in wages and benefits. In 1987, it also bought \$102 million in Colorado goods and services.

But over the past two years, the plant has gone from an economic mainstay to a threat to the metro area's health and welfare. Citizens and Colorado officials have been especially frustrated by their inability to get answers to their questions.

At a Nov. 29 meeting of the Rocky Flats Environmental Monitoring Council at a Denver suburb, plant manager Earl

Rocky Mountain Peace Center



By linking arms, close to 20,000 protesters tried to encircle the Rocky Flats, Colo., nuclear weapons plant in 1983

Whiteman had some bad news for the 11-member citizen watchdog group appointed by Gov. Roy Romer. He said the Department of Energy had no plans for dealing with Rocky Flat's plutonium-contaminated wastes when the plant runs out of temporary storage space in March 1989.

This problem revolves around a struggle between Idaho, Colorado, New Mexico and the DOE. Colorado allows the DOE to temporarily store 1,601 cubic yards of transuranic waste at the site. Those wastes have been accumulating at the rate of one railroad boxcar a week since October, when Idaho's Gov. Cecil Andrus blocked the boxcar shipments to the Idaho National Engineering Laboratory near Idaho Falls. Andrus acted after the plans to open the Waste Isolation Pilot Project in New Mexico were blocked. He feared the lab might become, by default, a nuclear waste storage area.

Whiteman was also unable to answer questions about the DOE's contingency plans for waste storage if the WIPP low-level waste repository does not open next year, as is now planned. And he did not know where Rocky Flats' wastes would be put even if WIPP does open for a five-year trial period. During this period, the volume of waste WIPP can accept annually is about one-half of what Rocky Flats produces each year.

Colorado's Gov. Romer has the same fears as Idaho's Gov. Andrus.

Romer told the DOE in October that he would shut Rocky Flats before allowing it to expand its temporary waste storage capacity. Although the DOE has asked Romer twice to reconsider expanding the plants' capacity, he has twice refused, saying he would continue to oppose turning a "temporary storage situation into a permanent one."

In November, Romer met with three DOE officials and plant manager Whiteman. He came away annoyed because he was the only one to offer possible solutions. "I'm being the most diligent one around, it seems," he told the *Denver Post*.

The threat of Rocky Flats becoming an unplanned storage area for unwanted low-level wastes is only the latest problem. In 1984, the DOE catalogued over 80 contaminated sites at the plant, with five serious enough to qualify for the Superfund National Priorities list. And the Colorado Department of Health says concentrations of deadly substances such as trichloroethylene (TCE) in groundwater are 20,000 times above the drinking water standard.

Recent problems include the Oct. 8 closing of building 771, the main plutonium processing facility at the plant, after a contamination incident. Two plant workers and a DOE safety inspector were accidentally exposed to a small quantity of plutonium when they entered a room without wearing face masks; a warning sign had been covered up.

The inspector, Joe Kruper, later filed

a report calling the plant's operations "unsafe and unhealthy," and listed problems that included the spilling of liquid containing plutonium, poorly calibrated monitors, and complacent attitudes among workers.

One of the most dramatic recent incidents connected with the plant occurred in 1987, when Rockwell announced its plans to incinerate plutonium wastes to reduce their volume. After chemical incineration, the ash was to be put into concrete blocks. The testing of the incinerator using toxic wastes was blocked by a lawsuit filed by the Sierra Club and Citizens Against Rocky Flats, so the incinerator was tested with harmless materials.

"Basically, the machine about melted down," said George Fedoranko of the Rocky Flats Environmental Monitoring Council. He also said, "The machine leaked, a viewing port was blown out and material was spewing out of the portal."

The incinerator event fanned the fires of public opposition. "In recent years, we've discovered it's not the product that's killing us, it's the process of producing it that's so dangerous," said Jan Pilcher of Citizens Against Rocky Flats.

Public opposition to Rocky Flats is still growing. Over 200 people attended the last two monitoring council meetings. On Nov. 29, when Whiteman was unable to answer questions, many shouted out angrily, calling the meetings a "sham" and saying the DOE should send

someone with the answers to their questions. The council, which has no authority, passed a resolution urging Romer not to allow additional storage capacity at Rocky Flats no matter how hard the DOE pushes him. It also unanimously resolved that Whiteman should show up at the next meeting with some sort of plan to deal with the waste.

Council chairman Jim Wilson said in an interview that recent events have not changed overall public opinion about the plant. But "those people that follow Rocky Flats are that much more agitated." He added, "The recent events, I know, have raised my own level of skepticism generally."

Some local communities think the location near a major metropolitan area — 2 million people live within 30 miles of the plant — is reason for closing the plutonium facilities. In fall 1987, the nearby town of Arvada adopted a resolution to that effect. In May 1987, U.S. Sen. Tim Wirth, D, said plutonium processing should halt as soon as a safe alternative can be found.

But the city of Westminster, located downwind and downstream of the plant, has a different view. It monitors the air and water quality of its surroundings each month, and city manager Bill Christopher said, "Our city council has an attitude of quietly, if not outright, supporting their (the plant's) position."

□

Judge cuffs nuclear protestor

—by Jay Stein

Katy Hunziker is a single mom and small business owner who lives in Boulder, Colo. She's also a political activist serving a six-month home detention sentence for blocking gates to the Rocky Flats nuclear bomb plant near Denver, Colo. An oblong plastic box strapped to her ankle by court order contains a radio transmitter. If she were to leave her home without authorization her "electronic leg iron" would commandeer her phone line and alert the authorities.

Vigils and demonstrations have occurred regularly at Rocky Flats since the early 1970s, when citizen's groups formed to oppose nuclear weapons production at the plant. In 1978 and 1979, protesters camped on the railroad tracks for a year, resulting in 500 arrests. During a demonstration in 1983, nearly 20,000 people lined the 17-mile plant perimeter.

When plant operators announced in 1986 that they would burn plutonium-contaminated wastes in an incinerator a new wave of controversy erupted. A group named SHUT DOWN! announced its intention to conduct a nonviolent blockade on Aug. 9, 1987. Protesters would commemorate the bombing of Nagasaki by preventing Rocky Flats workers from entering or leaving the plant.

"The blockade seemed appropriate for me," said Hunziker, "because I live here, have a family, and it was something I could do."

To prepare for the blockade, Hunziker attended a non-violence training where participants acted out confrontations between protesters and police. They practiced techniques to slow down the arrest process, such as linking arms and going limp. Lawyers discussed the ramifications of being arrested.

On the morning of the blockade she

arrived at the plant gate to find a few hundred protesters milling around in the dim light. "I sat down and interlocked arms. An officer came up and said if I didn't move, I would be arrested. To disengage me from the tangle, he took my wrist and twisted it around. It really hurt, and then my wrist popped. You could hear it out loud, and this big lump swelled up."

Hunziker was photographed and put on a bus with other protesters. They were unloaded at a nearby state patrol barracks. Protesters who produced identification, including Hunziker, were issued summonses and released. Hunziker says she was so concerned about the blockade's success that she returned to Rocky Flats and was arrested a second time.

In the end, 320 blockaders were taken into custody and charged with disobeying a peace officer and obstructing a highway. Not a single vehicle entered or left the plant's east gate for nearly five hours. But for Hunziker, the action didn't end until the next morning. Because of her second arrest, she spent the night in a crowded jail cell.

In May of 1988, a series of trials were held for about 80 blockaders. All but one ended in guilty verdicts. Many defendants expressed frustration at not being allowed to tell the juries about the environmental dangers posed by Rocky Flats. On a positive note, sentences were uniformly light. Nearly everyone was charged with court costs and ordered to perform eight hours of community service.

When Hunziker came up for trial several months later, she decided to dismiss her lawyer. "I thought if you were your own lawyer, you might have a chance to educate the jury." In Golden County Judge Robert Morris' courtroom she gave up her constitutional right against self-incrimination and took the stand. Her hopes of showing the jury the

Charlie Johnson



Katy Hunziker and her daughter, Anna, 9

real Katy Hunziker — a 39-year-old mother of three who is vitally concerned about the danger posed to her community by a nearby bomb plant — were shattered. Judge Morris disallowed all such testimony.

Her jury returned in less than a half-hour. The verdict: guilty. When she returned to Judge Morris' court for sentencing, he made it clear he was not impressed with her plea for mercy or her effort at social reform. He said the message he received was a flippant disregard for the law, and he took it very seriously. Judge Morris sentenced the first time offender to the maximum sentence: six months to be served as home detention and \$751 in court costs and fines.

Hunziker says she has adapted to an arrangement she describes as "futuristically barbaric." But, she adds, "My children don't understand why we can't just go someplace. It's not fair that I'm being

punished with six months of detention for impeding a worker, while they're spewing plutonium around the countryside and not being held accountable."

Community response has been overwhelming. A spaghetti dinner helped raise funds to defray her \$2,500 bill for fines and administrative costs — she is charged \$10 a day for the home detention program. She has been interviewed on several radio talk-shows, where she always tells listeners to get involved. According to Larry Tasaday, staff member at the Rocky Mountain Peace Center, "After the newspaper articles came out we were swamped with calls asking, 'What can I do to help?'"

□

The writer is a freelancer in Denver, Colo.

INEL: Beating plowshares into swords

by Rocky Barker

IDAHO FALLS, Idaho — When Gov. Cecil Andrus sent a boxcar of radioactive waste back to the Rocky Flats Plant in Colorado last October, he was continuing a dispute started in 1971.

It was Andrus' first year as governor, and the Atomic Energy Commission had just stopped its 18-year practice of burying transuranic waste on the flood plain of the Big Lost River above the Snake River Plain Aquifer. Transuranic waste includes tools, clothes and other materials contaminated with plutonium, plus other long-lived radioactive elements that are heavier than uranium.

AEC stopped the helter-skelter burial after a National Academy of Sciences panel warned the practice could pollute the underlying aquifer, water source for more than 200,000 people in southern Idaho. Most of the buried waste came from the Rocky Flats Plant in Colorado, where a fire in 1969 had dramatically increased the waste generated.

Under pressure from Sen. Frank Church, D-Idaho, the AEC, predecessor to the Department of Energy, agreed to begin storing the drums and boxes of transuranic waste on asphalt pads above ground. In 1971, the agency agreed to find a permanent repository for the waste outside of Idaho.

It was that promise that started the search for a permanent nuclear waste repository and that leads to today's debate over the Waste Isolation Pilot

Plant in New Mexico. After initially studying potential sites in Kansas, the AEC settled in 1976 on the WIPP site.

The agency told Andrus then that it would begin removing the waste stored aboveground from the Idaho National Engineering Laboratory in 1985. But delays, caused primarily by New Mexico's concerns over the site, pushed the opening back to 1988.

When it was clear that Congress would not pass the land-withdrawal bill necessary for the WIPP opening, Andrus banned all further shipments.

"We've had enough broken promises," Andrus said.

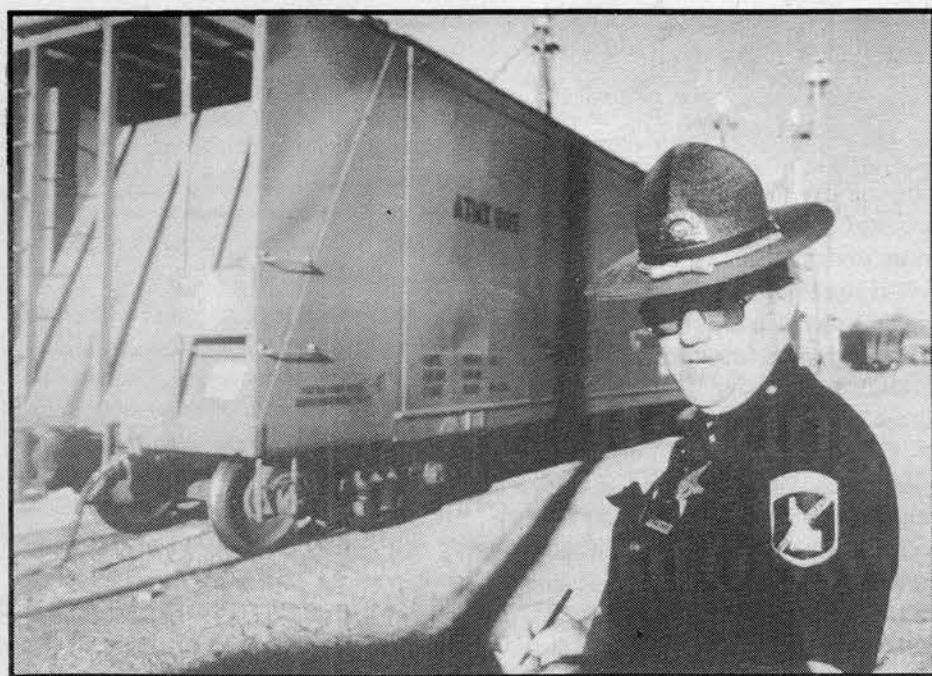
While the waste issue has pitted Idaho officials against the DOE, relations between the state and the Idaho National Engineering Laboratory have been excellent. State officials have been hesitant to bite the hand that feeds many Idaho households.

INEL employs more than 10,000 workers, or 2.5 percent of the entire state work force. Only the state government itself employs more people. INEL pays more than \$243 million in wages, \$50 million in construction contracts and \$30 million in subcontracts from its major contractor, EG&G Idaho.

INEL started in 1949 as the National Reactor Testing Station. It was established on 890 square miles of the Arco desert as a place where dangerous reactor tests could be conducted without threatening the public.

It also provided privacy for the U.S. Navy's nuclear reactor program. It was at INEL that the prototype for the USS

Robert Bower



The boxcar of nuclear waste with nowhere to go, in Idaho

Nautilus, the first nuclear submarine, was built. Today, INEL remains a major Navy reactor training base, with several reactor prototypes from various naval submarines and surface ships.

The first nuclear reactor that produced electricity was built at INEL, and there have been 51 different operating reactors over its 39-year history. Today fewer than 15 are operable. Neighboring Arco was the first city lighted with electricity from nuclear power.

The Idaho Chemical Processing Plant has reprocessed spent nuclear fuel from Navy and government reactors since the mid-1950s. Its product is uranium-235, which is sent to Oak Ridge for fabrication of fuel for the Savannah River plant reactors in South Carolina, where plutonium for nuclear weapons is produced.

INEL workers took pride for years in the important role INEL played in the development of the commercial nuclear power industry. Though military and even nuclear weapons work was a major part of INEL, that was masked for years by its role in promoting the peaceful atom.

But that changed in 1983 when former INEL manager Troy Wade placed its defense role up front. He started what he called a "re-education" program to make INEL workers and neighbors aware of the role defense already played at INEL. He was paving the way for the introduction of two major new projects, the Special Isotope Separation plant and the New Production Reactor.

The SIS is a proposed laser-driven plant to separate weapons-grade plutonium from less pure grades for use in nuclear weapons. The NPR is a reactor designed to produce tritium, a hydrogen isotope used in nuclear weapons. The two facilities would essentially replace the moribund Hanford and Savannah River plants and are key units in the DOE's plans to build the next generation of weapons facilities.

Dr. Tom Richtsmeier, an Idaho Falls cardiologist, and his wife came to Idaho Falls 11 years ago and became both supporters of the INEL and peace activists.

"When we met people casually when we came here, they told us proudly that it was a site devoted to the peaceful use of the atom," said Mrs. Richtsmeier. "Now people don't say that."

Their neighbors and friends saw themselves as visionaries, working to provide energy for the future prosperity, said Dr. Richtsmeier. "A lot had that vision of hope. But people in reactor research will tell you it's not like it used to be."

The question came up often in hear-

ings last spring on the SIS and this fall on the NPR.

"What would the effect of this be on those INEL employees and other community members who have always taken pride in INEL and its research on peaceful uses of the atom?" asked Jerry Jayne, a computer programmer at the plant since the early 1960s. "How would we maintain the distinction between the peaceful uses and the military uses of nuclear energy?"

"I love Idaho and I think it's wrong to make it the center of a nuclear weapons industry," said another speaker, Joanne Smutny, a Twin Falls dairy farmer. "Worse, it's wrong to make it a dumping ground."

But not everyone was unhappy with the changing role of INEL. Eastern Idaho, like many areas in the West, has a strong anti-government streak. The libertarian values of many residents clash with government-supported benefits to their local economy.

But national defense is one role they consider appropriate for government. "I absolutely don't like government programs," said Von Walker, a Lewisville farmer. "But the INEL, that's one part of the government that's run efficiently."

INEL's ace in the hole for attracting these new projects was its reputation as one of the cleanest of the DOE manufacturing facilities. Wade worked to protect that reputation when he stopped the long-time practice of injecting water contaminated with radioactive waste directly into the aquifer.

INEL scientists said the injected radioactive material — mostly tritium — will have decayed before ever reaching a private well off the site. Other materials, strontium-90 and iodine-129, will be in such low levels that they will not pose a health threat, officials said.

But doubts linger today in residents downstream, primarily in the Magic Valley around Twin Falls. There residents depend on the aquifer for their entire agricultural economy. The threat of even minor radioactive contamination is perceived as a threat to their future.

In 1987, that threat was discovered. The buried waste dump along the Big Lost River, which had been flooded several times over the decades, was found to be leaking plutonium and dangerous organic solvents. The plutonium was found in sediment beds 110 feet below the site. Solvents, including carbon tetrachloride, were detected in the Snake River aquifer more than 300 feet below the dump.

INEL documents show that buried waste was often simply dumped off the back of a truck in barrels or even cardboard boxes and covered with dirt. Record-keeping was faulty at times and



Workers in radiation suits work at a test area at INEL

Robert Bower

only the relatively slow-moving nature of plutonium in the environment has prevented its reaching the aquifer. That is the most serious threat, since plutonium remains dangerous for 24,000 years.

Don Ofte, Wade's successor, arrived in Idaho the day the waste leaks were first reported in 1987. In his first meeting with Andrus, Ofte got an earful about buried and stored waste. Andrus told him then what he told the nation in October: Get it out as soon as possible.

Ofte reacted quickly by accelerating DOE's studies of the buried waste with the intention of finding a method of removing or stabilizing it by 1991. But residents of the Magic Valley and areas of the state that do not directly benefit economically from INEL were becoming restless.

Even Jim Jones, the Republican attorney general, joined the chorus, preparing a civil suit that would accuse DOE of not meeting the National Environmental Policy Act.

INEL's clean record was now being challenged. After all, it was the site of the nuclear industry's worst accident until Chernobyl. In 1961, three military men were killed when a small test-reactor, known as the SL-1, blew apart in a steam explosion. Many of the early reactors were intentionally allowed to run out of control to study their limits.

Three accidents, among the most serious a nuclear plant can experience, also took place at the chemical plant. These uncontrolled nuclear reactions, caused when enough uranium was brought together by mistake, released radioactivity into the atmosphere, as did several destructive tests of reactors for space and air travel. The more than 12 million curies of radiation released during these early tests, accidents and normal operations never reached levels harmful to INEL's neighbors, officials said. But they admit many of the tests would not be repeated under today's tighter standards.

Opponents claim a 1984 study found increased cancer levels in counties surrounding the site, even though cancer levels in eastern Idaho are among the lowest in the nation for many of the radio-sensitive cancers. DOE scientists have challenged the study, pointing out that conclusive evidence of cancer or other health effects is hard to find without large populations and even harder when other factors, such as heavy pesticide use and natural radon radiation, are considered.

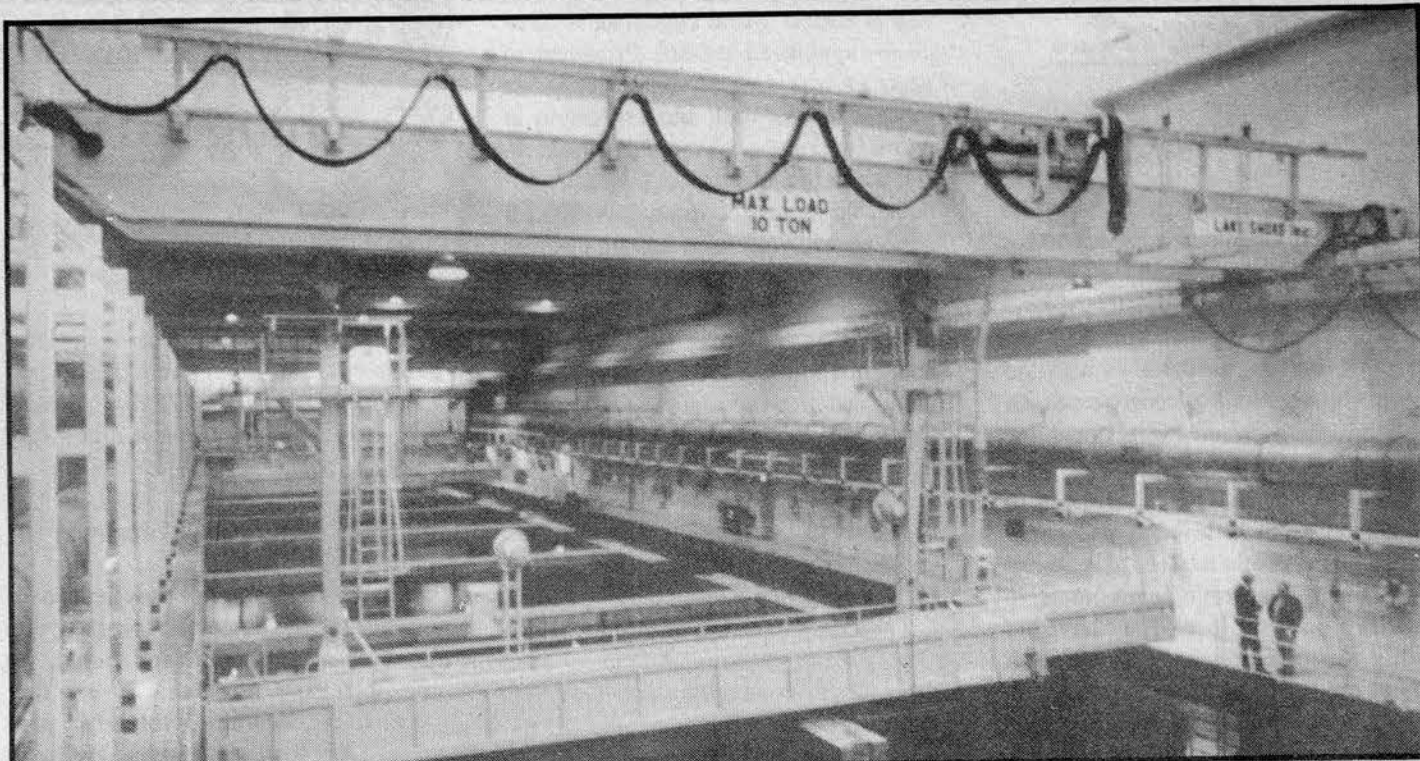
Otherwise, the results are meaningless or at worst misleading, said Russ Brown, a Westinghouse Idaho Nuclear Co. engineer. Brown has debated the subject with the author of the disputed INEL cancer study, Michael Blain, a sociologist at Boise State University.

But if Blain's 1984 study has not provided irrefutable scientific evidence, it has fed the fears of a growing number of INEL neighbors who now wonder if they have been told the whole story. These fears have grown since revelations about radiation releases kept secret at DOE sites at Hanford, in Washington, Fernald in Ohio and Savannah River.

Cleaning up INEL's past waste problems is estimated to cost more than \$100 million annually for the next 20 years. Ironically, that means jobs and thereby makes cleanup popular in Idaho Falls as well.

The big difference between opponents and supporters of INEL is timing. Opponents are calling for cleanup first before the start-up of new projects like the SIS or the NPR. But supporters want both to take place at the same time. They don't want to wait 20 years for the pro-

Robert Bower



Water pool at INEL

jects that will keep eastern Idaho growing.

Liz Paul, a leading spokeswoman for the Snake River Alliance, the statewide group that coordinates INEL opposition, said INEL should push for the projects that will get the most congressional support — a cleanup.

"If Idahoans want jobs, and if they want to be on the leading edge of technology, I recommend that we look to where the money is going to be for the next 40 years — nuclear and toxic waste cleanup," said Paul.

The DOE, however, is pushing con-

struction. While the agency estimates it would cost between \$80 billion and \$180 billion over the next four decades to clean up the mess at its 127 weapons facilities, its modernization plans for the next 20 years calls for a budget of \$50 billion. One-third of that is tagged for reclamation and the rest for construction.

The so-called "2010 Report," named because of the target date 2010, has been submitted to the National Security Council but remains classified information. It tells what plants are planned for the next generation of weapons facilities and which areas of the country will house them.

Wade, now assistant secretary for defense programs, has already revealed that Rocky Flats will be moved from Colorado. Other DOE officials have suggested that INEL, which has always enjoyed strong political support in southern Idaho, would be a likely site. How well that support holds up is an open question.

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Rocky Barker is a reporter for the Idaho Falls *Post-Register* and regularly covers the Idaho National Engineering Laboratory.

Matheson on regional unity and the feds

Any survey of nuclear weapons and waste issues in the West makes at least one thing clear — Western states will be tangled in them for decades to come. How should we approach that challenge? What lessons from the past should guide us?

Scott Matheson, Utah governor from 1977-1984, is uniquely qualified to consider such questions. He confronted a variety of huge federal projects: MX basing in Utah, the effects of nuclear testing on southern Utahns, clean-up of abandoned uranium mine tailings and consideration of a southern Utah site for the national high-level nuclear waste repository.

He was also an advocate of regional approaches to Western problems. He chaired the Four Corners Regional Commission and the Western Governors' Policy Office, working hard to strengthen the Western Governors' Association.

Since leaving office, Matheson has practiced law in Salt Lake City. Earlier this year, he was considered by the White House for the position of national nuclear waste negotiator (see below) but withdrew his name so the new president could have a clear field to make his own choice.

I interviewed Matheson by phone on Nov. 16.

—Pat Ford

HCN: What are the roots of the problems the Department of Energy is having in the West?

Matheson: The things we've been talking about — nuclear waste disposal, MX basing, nuclear testing — provoke a natural reaction in an agency directed by Congress to solve a national problem. They look for the place where it can be

done the easiest. The easiest place they see is the West.

There is a lot of federal land out here, and it's much more available for federal use. It's sparsely populated, so you can use "the barren West" to solve the problem. And there's not much political clout in the West. The whole Rocky Mountains don't equal the votes out of Los Angeles County.

So it's just natural that they would come to the West. And I'm not really critical from that perspective. There is a national interest, and they've got to look at that. What's wrong is that they never really think of the local and state point of view.

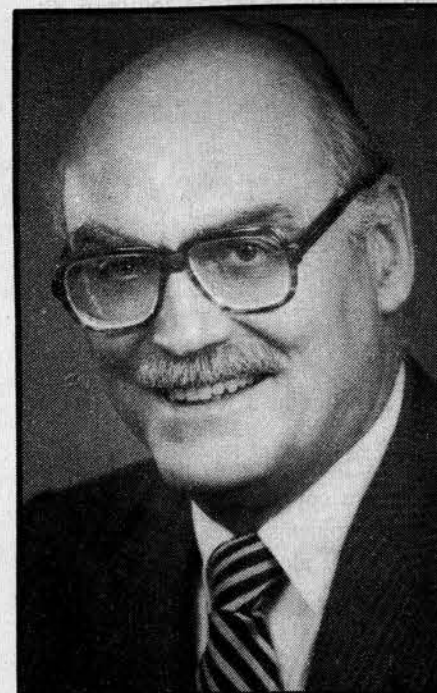
As a consequence, we've often had adversarial relations in trying to solve these problems. We owe support for the solution, but they owe an accommodation for our needs as well, and there has not been a meeting of the minds in that zone.

HCN: Recent events seem to indicate as well a systemwide technical failure by DOE.

Matheson: That definitely seemed to be the case. Overall, the federal level seemed incapable of meeting either deadlines or technical objectives upon which decisions were to be made. In Utah, I set up an office to handle the high-level waste issue, for instance, and dealing with DOE to fund it or get it in the loop was just total frustration. We felt they weren't doing their homework. The material they produced wasn't high-quality.

HCN: Given that, what is your advice for Nevada on the repository, various states on WIPP, others on DOE plants sited there?

Matheson: I think the Western states must use their regional clout. The states have to join forces to make certain we



Scott Matheson

address the problems regionally — both for relations between the states and for unity among governors and congressional delegations in dealing with the federal agency. I think the Western Governors' Association is the place to do that. Whenever we included other governors and our delegations in a problem with a federal agency, it made it a much more level playing-field.

Of course, getting consensus among ourselves is not always easy. You remember when we had two Western governors' associations? I spent five years getting rid of one of them; it nearly killed me. I had to wait for new governors to be elected.

But regionalization is a major weapon for the West on problems like this. It hasn't been developed anywhere near the level it can: cleaning up these

(Continued on page 12)

Matheson...

(Continued from page 11)

DOE facilities, for instance. With the price tag and the intense competition for federal dollars, realistically a cleanup will take decades. That's exactly the kind of thing where a regional agenda — on priorities, dollars, standards — with the Western governors and congressmen all together, could ensure it gets done, and on our terms.

I think the other vital thing is to work at the policy level. If you allow yourself to sink into the staff or technical level, the bureaucratic environment in Washington, you lose. They have no ability to make decisions. If you don't stay at the top of the heap and deal with the policymakers, you are in big trouble. That is a lesson we keep having to relearn.

When Utah was facing the MX-basing issue, I asked Jimmy Carter to appoint someone we could deal with at the policy level. That made a big difference. On uranium tailings, I dealt directly with Energy Secretary Donald Hodel, and it went absolutely cooperatively. But on the repository, we got stuck at the bureaucratic, technical level, and it was total frustration.

And homework is essential. The lack of knowledge on these matters is woeful at both federal and state levels. Often the people you deal with in DOE don't know a lot, and so you must go to school. States need to spend a lot more time on homework.

HCN: How amenable are some of these problems to a unified regional approach? For example, most states in the West have a selfish stake in not reopening the repository issue, leaving Nevada essentially stuck with it.

Matheson: You raise the human nature question. With the annointment of Nevada, I can understand how some states would say, "That's done, and what we need now is a regional program to manage transportation of the stuff." But if the issue is not resolved, you can normally get states to rally round one another because there is a common enemy, the feds. The loyalties of one governor or state to another in a region are very strong.

HCN: There certainly isn't a common Western congressional agenda on these DOE problems. Most Western congressmen went along with the Nevada annointment, and though some bills aimed at reforming DOE have Western sponsors, isn't it only a lone voice or two?

Matheson: Part of that's bad homework by Western governors. In my two terms, the Western governors, on our trips to Washington, never scheduled a meeting with members of the House. Can you imagine that? We have never developed the relationship we need with our state representatives in D.C. It's an untapped resource.

HCN: Do you think that repository solution imposed by Congress last year — sticking it to Nevada — will be carried through?

Matheson: It is a gross violation of our federal system. But why Congress did it is understandable — DOE's political and technical failure to isolate a site, and here's Nevada with no political clout, a lot of wide open space, and Yucca Mountain already sacrificed to nuclear tests ... But Nevada is right that having it thrust upon them unilaterally is not the way our system ought to work.

I think the Udall amendment will ultimately be taken by somebody. In the same law that annointed Nevada, a posi-

tion of nuclear waste negotiator is created — appointed by the President to negotiate with states, localities, or Indian tribes to make a deal, site a repository in return for dollars, jobs, safety standards, etc. Given the jobs and extra millions of dollars that a jurisdiction will get, I think someone will volunteer through that process, if the Nevada process breaks down.

HCN: Let me ask about the people of the West. There is growing public opposition to these DOE plants and proposals and growing distrust of DOE and Congress. Where do you see that headed?

Matheson: Historically there is a high level of patriotism and support for our country's policies in the West. I think that loyalty is being broken down.

We keep catching the government playing games with us. And every time they pull a fast one or don't do their jobs, that reduces the support for the federal system. Since the National Environmental Policy Act in 1969, people can get information they couldn't before. Up to then the federal government, particularly the military, did any darn thing they pleased. Well, the public has decided they're not going to put up with that anymore.

The federal government has got to play it straight. They can't play games and keep secrets. They need to work openly and publicly. And they must bring the state interests in at the start, in a democratic way. If they don't, they won't succeed.

Now, my experience has been, if you raise the issue in a responsible open way and the alternatives and say all of us together owe an answer to this — if you take the time to do it that way, more often than not you'll come out with an answer. I really believe that.

HCN: If you had President Bush's ear, what would you suggest he do with the huge technical, political and financial job DOE and our states now face?

Matheson: A presidential election provides a unique opportunity for renewal and recommitment, a perishable opportunity to establish some degree of trust and commitment one to the other in the national public interest.

These problems are big enough to justify some very intense preparation. I think the first thing would be to invite President Bush and the cabinet people involved to come to the West — not in D.C., do it out here — and openly discuss the situation. He should sit down with Western leaders, a who should be required to do their homework, to establish ground rules, affirm our commitment one to the other and see what we can forge — start the cooperative process of forging something. Think of the impact if the President pledged total openness.

HCN: Your suggestions are logical and sensible. But can we protect logical, sensible actions from the self-interested political web which seems to enmesh it all?

Matheson: It depends on leadership, nationally and in the West, responsible leaders willing to take the risk of failure. It will absolutely take new leadership at DOE. I come back to the point that we can't let technicians or money-crunchers make public policy for us. The country's and the region's leaders must rise above that, decide the goals and how to get there, and move forward. That isn't easy, but it is possible. Otherwise, you've got stalemate; you're not facing up to our future.

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Pat Ford is a freelancer in Boise, Idaho, and a frequent contributor to *High Country News*.

BOOK NOTES

Watching nuclear sausage get made

Deadly Defense: Military Radioactive Landfills

Radioactive Waste Campaign: 625 Broadway, 2nd Floor, New York City, NY 10012. 170 pages, \$15 for individuals, and \$25 for government and industry. Paperback.

Review by Steve Hinchman

It is one of the greatest ironies of our age: In the name of protecting our national security and well being, we are poisoning ourselves. Every day government facilities involved in producing nuclear weapons spew toxic pollutants into our environment ... It is increasingly clear that this is not just a problem of isolated incidents or small complications at scattered locations. This is a serious health and environmental threat affecting every region of the country.

This indictment opens a startling book, *Deadly Defense: Military Radioactive Landfills*. Researched, written and published by the Radioactive Waste Campaign in New York City, *Deadly Defense* is a comprehensive expose of the nation's nuclear weapons complex and the continuing problem of its massive pollution.

The book will be a major weapon in grassroots activists' arsenal for a long time to come. The original book was stolen on the way to the printer in New York City last spring, delaying publication until it could be reconstructed from copies and draft materials. Since its release June 7, the 170-page, large-format paperback has received more media attention than any report to come out of the peace and environmental communities in this decade. Reviews have been published in *The New York Times*, *USA Today*, *Associated Press* and dozens of regional and local papers, as well as Cable Network News, German and Japanese television and Canadian radio.

In the six months since its release, public debate over nuclear weapons waste problems has intensified. Contamination and waste problems raised by *Deadly Defense* have been confirmed through nationwide investigative reports. Nuclear accidents and cover-ups have been revealed at plant after plant, and the Department of Energy itself recently estimated it will cost \$110 billion to \$180 billion to clean up multiple disasters at all but one of its 127 weapons factories.

Deadly Defense is the New York City-based public interest group's third publication; all have focused on the radioactive waste disposal problem. The book is the result of over two years of research and analysis by a nine-member team led by the Radioactive Waste Campaign's research director, Marvin Resnikoff. Beginning in 1985, the group studied hundreds of government reports, filed dozens of Freedom of Information requests, interviewed DOE officials and toured nuclear weapons plants. Facts were checked by a panel of experts, including former DOE officials and several scientists from other research organizations and independent medical centers.

The book begins by tracing the rise of the federal "bomb bureaucracy" from the secret projects of World War II to today's cabinet level Department of Energy. A quick explanation of how the

H-bomb works and how it is manufactured is followed by a description of radioactive wastes produced in the process and the DOE's waste-disposal methods.

The meat of the book, however, is a site-by-site examination of the DOE's weapons complex. This chapter includes profiles of 16 of the DOE's most active and most important weapons factories: the plutonium and uranium reactors in Idaho, South Carolina and Washington state; refinement centers and enrichment plants in Kentucky and Ohio; assembly plants in Texas; research and development laboratories in New Mexico and California; the Nevada Test Site; and the waste dumps.

Each profile describes the site's location and setting, mission and facilities, geology, hydrology and budget, as well as past history, accidents, waste management, transportation and pathways by which radioactivity is escaping. Two plants, the Oak Ridge Facility in Tennessee and the Feed Materials Production Center in Fernald, Ohio, have such serious problems that *Deadly Defense* devotes a separate chapter to each.

As Adam Hochschild writes in the preface, "The picture is grim wherever you look." The authors tell of groundwater and soil contamination spread across wide areas of Nevada and New Mexico from nuclear testing; a laboratory on the edge of the heavily-populated San Francisco Bay area that produces 600,000 gallons of radioactive waste a year; 30 million gallons of waste dumped annually into the ground at Savannah River, Georgia; over 30 million cubic feet of radioactive waste improperly buried and leaking from the Hanford nuclear reservation in Washington state into the Columbia River; contractor violations and sloppy work at countless facilities; airborne radioactive releases in plants near urban areas; and long histories of accidents that have been quickly and quietly forgotten.

Deadly Defense also tackles the nuclear transportation problem. The book describes the DOE's transportation methods — unmarked convoys carrying radioactive cargo that log an average of 4 million miles a year on the nation's highways. The book cites DOE figures showing 173 accidents between 1975 and 1987, including 62 in the West.

In a discussion of health effects from radiation exposure, the authors describe the various types of radioactivity, radioactive elements and the uranium decay chain. Interviews with leading doctors in the field tell how radiation affects cells in the body and bodily functions.

Deadly Defense concludes with 12 policy recommendations to phase out production of radioactive materials for nuclear weapons and phase in a clean-up and reclamation plan for contaminated sites. The recommendations include a warning that even if nuclear weapons production and all further contamination were stopped today, millions of gallons of radioactive materials will continue to creep through aquifers, soils and the food chain until full-scale reclamation begins.

Deadly Defense is not easy or happy reading. The Radioactive Waste Campaign has shown us our own radioactive Pandora's box — one that has been open but ignored for a long time.

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Nevada Nuclear Waste Projects Office



Yucca Mountain, Nev.

The state of Nevada gets a nuclear hot potato

by Steve Hinchman

Yucca Mountain is a long, high ridge of rock in the heart of Nevada's basin and range country. It is dry, barren desert, one of the emptiest places in the continental United States.

Under Yucca Mountain's forbidding surface lies a 6,000-foot-thick formation of welded tuff, a dense rock built up from ash deposited 13 million to 18 million years ago by a series of volcanic eruptions. Through a series of political events, this ancient rock has become a battleground between Nevada and the federal government, with most other states cheering on the feds.

At issue is the placement of a high-level nuclear waste dump beneath Yucca Mountain. The proposal has led to a struggle within Nevada between those who welcome a new industry and those who see it as a health hazard and a threat to the gambling industry. The dump issue also raises the old question of the West as a federal colony.

But the main question is not the political power of Nevada against the unified position of the other 49 states, which want to stick the dump in Nevada. The main question is the power of political arguments against the power of technical arguments.

Politically, there are good reasons to put the dump at Yucca Mountain. The state has few people; few of those people live within 50 miles of Yucca Mountain; Nevada's four-person congressional delegation lacks power; and Nevada, like its Western neighbors, has made lots of money off the nuclear industry in the past. For all those reasons, and more, Yucca Mountain is now first in line for the dump. No one is second.

But those opposed to the dump say the technical facts argue strongly against siting the dump at Yucca Mountain. They include evidence of nearby relatively young volcanoes and the possibility of earthquakes and tectonic activity; questions about the credibility and thoroughness of the Department of Energy's field work; accusations of biased methods for determining if the site is suitable; and reports of management problems and dissension within the agency's site-characterization staff.

While the fight may take the next six or seven years, Nevadans predict that because politics has rolled over science, the mess will eventually land right back in Congress' lap. A lot of money will have been spent, they say, but nothing accomplished.

The political push to give Nevada the dump is driven by the backlog of highly radioactive spent-fuel rods that have built up at the more than 100 commercial nuclear power plants around the country over the last three decades. As of the end of 1987, Department of Energy officials reported 15,000 metric tons of spent fuel was being stored in steel-lined concrete pools at reactor sites and estimated the volume will exceed 40,000 metric tons by the year 2000. Another 8,000 to 9,000 metric tons of high-level radioactive wastes sit at various DOE nuclear weapons plants also awaiting permanent disposal.

In response to that mountain of waste, the Congress passed the 1982 Nuclear Waste Policy Act, requiring the DOE to pick three finalists for the dump and evaluate each site simultaneously. Then, when that process became tied in knots, the law was amended in Dec. 1987 to eliminate all sites in the entire eastern half of the nation, to eliminate two of the three western semi-finalists, and to call for the evaluation of one site at a time.

The amendments named Yucca Mountain as the first site. Delegates from other states openly said that the \$1 billion to \$2 billion investment in a seven-year-site characterization study would politically guarantee that the dump would go to Nevada.

The amendments did not pass without opposition. At first, it appeared that a competing bill sponsored by Rep. Morris Udall, D-Ariz., would put a moratorium on the dump site-selection process and create a commission to re-evaluate the troubled program.

But Capitol Hill observers say Sen. Bennett Johnston, D-La., convinced other delegations that if they didn't choose Nevada, Udall's bill would put their state back in the running for the dump. As a result, the Udall bill failed, and Yucca Mountain was chosen as the study site.

After his amendments passed, Johnston, who receives substantial campaign contributions from nuclear-industry

political action committees, told *Congressional Quarterly*, "If I were a Nevadan living in the real world, I would be happy with this bill. I would bet that within very few years, Nevada will deem this one of their most treasured industries."

Nevada Governor Richard Bryan labelled it the "Screw Nevada Bill."

Six months later, Johnston executed what Bryan calls "Screw Nevada II." Johnston is chair of the Senate Subcommittee for Water and Energy of the Appropriations Committee — the powerful committee that hands out money after the authorizing legislation is passed. Using that position, he cut funding for independent state-run evaluation of Yucca Mountain.

The Nuclear Waste Policy Act of 1982 requires the DOE to fund state participation in the site-characterization process. In Nevada, that participation is handled by the Nuclear Waste Projects Office. It monitors the agency's activities, estimates the project's potential impacts and generally is responsible for safeguarding the state's interests.

The "Screw Nevada II" bill cut funding for the state projects office from the \$23 million requested to \$11 million and then prohibited use of the money to "duplicate" the DOE's geologic studies, lobby Congress on the dump issue or study national nuclear-transportation issues that might result in a coalition with states along the transit corridors. Johnston said the measure would save money.

Bryan said it was "a reprisal against the state because of our activities that have revealed serious technical concerns at the Yucca Mountain site."

The bill contained another measure that may become more effective than tying the state's hands on oversight issues. While he cut \$12 million from the state's budget request, Johnston threw in an extra \$5 million in grants for southern Nevada counties and local governments, which tend to be more in favor of the dump. That has already had some effects.

This fall, Clark County, which contains Las Vegas and most of the state's population, asked the state Legislature to draft a bill to "create a committee to establish terms and conditions for accep-

tance of a nuclear waste repository at Yucca Mountain." Nevada's Attorney General Brian MacKay, in a legal opinion on the county's move, wrote:

"It comes as no surprise that representatives of Congress, having rendered Nevada politically isolated and powerless as to the repository selection process, are now attempting to fragment the state's resistance... by dealing with (its) political subdivisions."

However, the Congressional political maneuvers may have backfired, and galvanized what until now has not been a well-organized or unified defense. Bob Loux, director of the state-supported Nevada Nuclear Waste Projects Office, says, "The governor, the advisory board to the governor and the majority of the local governing entities and non-governing entities, such as the PTA and tourism council, have all publicly criticized the project and stated their unalterable opposition to it."

Public opinion polls show 70 to 80 percent of the state opposes the dump. Bob Fulkerson, director of Citizen Alert, the lead grassroots group organizing on the dump issue, says since passage of the two bills, "People are coming out of the woodwork to fight this thing."

The Reno-based Citizen Alert increased its membership by 33 percent in 1988 to 1,250, and opened a part-time office in Las Vegas. Two new groups have formed: Dump the Dump at the University of Nevada, Reno; and, statewide, Nevadans Against the Dump, which is led by the same people who helped defeat the Carter and Reagan administrations' plan to base a mobile MX missile system in Nevada.

The anti-dump groups hope to join forces this winter to convince the state Legislature to pass resolutions opposing the dump and Department of Energy withdrawal of the land at Yucca Mountain for the dump.

The two resolutions are needed to support a pair of lawsuits Attorney General MacKay is preparing against the DOE. They charge that the federal government can't withdraw the land or build the dump without Nevada's consent. The suits are based on the 10th Amendment, which protects state's rights, and on sim-

(Continued on page 14)

Nevada...

(Continued from page 13)

ilar cases in Nevada, such as the Nevada Test Site and Nellis Air Force base land withdrawals. Both required state approval.

Convincing the Legislature to pass the resolutions, however, may not be easy. Two previous attempts, in 1987 and early 1988, failed. Fulkerson attributes the failures to key legislators, such as Thomas Hickey, a North Las Vegas Democrat, who are interested in the economic development they believe will come with the dump.

Another pro-dump force is the Nevada Nuclear Waste Study Committee, which argues that Nevada ought to stop fighting the dump and instead begin negotiations with the federal government. Bob Dickinson, founder and co-chairman, says, "If we are going to store the waste, perhaps we should become, at one of our universities, a major research center for the nation's energy future. A national laboratory would be ideal for Nevada and would help build a side to its economy other than tourism and recreation."

The study committee is funded by the U.S. Council on Energy Awareness, a nuclear-industry trade organization, and has run full-page ads in the Las Vegas newspapers, distributed movies and information sheets, and sponsored speakers on the issue.

The group appears to be bucking what polls say is the majority opinion. Steve Frishman, Technical Policy Coordinator of the state projects office, says the attorney general's lawsuits have received a lot of attention in the state and created hope "that the federal government can't steamroll us."

The anti-dump forces are preparing a full-scale lobbying effort for the next session of the Legislature. Fulkerson says training sessions for citizen lobbyists are underway, and he estimates that every county in the state will have a representative in Reno when the Legislature goes into session in January. Citizen Alert is also planning mass mailings, radio advertising barrages, debates and public meetings.

Says Fulkerson, "This is a real volatile issue, and it could sting some people. We're going to play hardball...If

the (State) Senate doesn't pass the resolution, they're going to find people occupying their offices. We'll get nationwide coverage."

The state and grassroots groups are also trying to get the ear of the state's gaming industry. Loux says the effect of the dump on Nevada's gaming and tourism industry will be devastating.

Loux's office estimates tourists bring \$8 billion a year to Nevada, half of that to casinos. Polls conducted by the nuclear projects office in Las Vegas this year show that 50 percent of the out-of-state tourists and gamblers polled said they would probably not return if a nuclear waste dump is built 100 miles away. Loux says they found similar reactions from surveys of retirees, businesses about to relocate and planners of conventions.

"Just a five percent drop-off across the board would mean a \$400 million annual loss...We think Nevada will be stigmatized as a nuclear dump state," says Loux. He compares that diminished economic future to Nevada's current growth rate of 4,000 new residents a month, the second fastest in the nation after Arizona. They are attracted by the 2,000 new jobs a month in the construction and resort industry, says Loux.

While the dump issue has been political thus far, Nevada's ace in the hole may be the many unresolved technical issues. The 1987 bill requires that if Yucca Mountain is found unsuitable, the DOE must drop it and return to Congress for instructions.

Frishman, of the state Nuclear Projects Office, says, "All the information we have indicates that Yucca Mountain shouldn't have been considered in the first place."

But it is being considered. The DOE has a huge team of scientists at the site and in various national nuclear labs, with an annual budget of \$450 million. It will soon hold hearings on the newly released Yucca Mountain Site-Characterization Plan, which maps out tests its contractors will conduct over the next seven years. In 1995, if the site meets the DOE's criteria, the test data will be used to apply for an operating license from the Nuclear Regulatory Commission, whose standards will be stricter than the DOE's.

Assuming NRC and presidential approval, the DOE hopes to begin construction in 1988 and start burying waste

by 2003. The repository would stay open for 28 years, followed by 22 years of monitoring. If there is no need to retrieve waste to recover uranium, and if there are no leaks or other problems, it would be sealed in 2053.

Carl Gertz, manager of the DOE's Yucca Mountain Project Office, says the Nevada site is superior to any the agency considered, including, Hanford, Wash., and Deaf Smith County, Texas, the other western semi-finalists in the dump competition. Gertz says Yucca Mountain has three advantages: It is isolated and lacks local residents or a sizeable population within 50 miles; it gets only six inches of rain a year; and the waste would be buried 700 to 1,300 feet above the water table. All other sites considered were below groundwater levels.

But others see serious problems. Last year a pair of University of New Mexico and U.S. Geological Survey scientists reported that the Lathrop-Wells cinder cone 12 miles from Yucca Mountain is less than 20,000 years old. Their report said the chances of an eruption there or elsewhere in the region are much greater than the DOE estimated. The agency assumed the volcano was more than 300,000 years old.

Trouble is also suggested by an internal agency report by DOE senior scientist Jerry Syzmanski. It pieced together the region's known earthquake potential (32 faults cut through Yucca Mountain) and unexplained geologic and hydrologic phenomena. The work suggested that tectonic activity could cause a rapid rise in groundwater, which could flood the repository or open new pathways for radionuclides to escape.

Syzmanski concluded that because the site is complex and poorly understood and because it is impossible to predict when earthquakes, faulting or other geological disasters might occur, "Serious consideration should be given to abandoning the Yucca Mountain site and declaring it unsuitable for the purposes of permanent disposal of high-level nuclear wastes."

The Syzmanski report, which was leaked to Nevada officials almost a year after it was first completed, made a huge splash in Nevada papers and brought charges of a cover-up from the governor. It also underscores what many observers feel is the most severe problem with the DOE's nuclear waste program.

"Of all the (proposed) dump sites, this is the most complex to understand," says Loux. He also says that in many cases, the geo-technical techniques needed to investigate its complexities don't exist. Since 1979, the state and others have warned the DOE about the volcanoes, faults, groundwater problems, nuclear testing at the nearby Nevada test site and air force bombers at Nellis, any of which could disqualify Yucca Mountain during NRC licensing.

"It is our belief that the DOE has decided not to examine these and, in fact, is doing things out there to mask the discovery of those issues and how they may affect waste isolation," says Loux.

Last summer, a group of U.S. Geological Survey scientists working at Yucca Mountain warned that the DOE is courting disaster by putting politics ahead of science. In a six-page memo to top-ranking U.S.G.S. officials, the hydrologists and technicians complained of low morale, said the program was top heavy with managers and compared the situation to NASA before the Challenger disaster.

The DOE also got hit this summer by the General Accounting Office, the investigative arm of Congress. The office said the DOE had failed to implement acceptable quality assurance plans to guarantee the validity of test procedures and results. The report warned that none of the agency's current data would be acceptable during NRC licensing hearings and called for work to stop in several areas until the DOE met NRC requirements.

The state's Nuclear Waste Projects Office, which monitors the DOE at Yucca Mountain, says the agency is in trouble. "They are in worse shape now than when the (1987) act passed. All they have is a political decision," says Steve Frishman. "They don't have the data they can use to prove the site's suitability. They don't have any other sites. They don't have any back-up...and they have yet to demonstrate one shred of suitability."

The DOE's Gertz says definitive proof, whether pro or con, will come when they sink test shafts and start testing below ground. He says the agency never intended past work to meet licensing standards but only to tell the agency what it had to study.

"Let's go look at what's there below ground. If it's not right, it should be easily discernible. But if it is right, let's get on with the job," says Gertz.

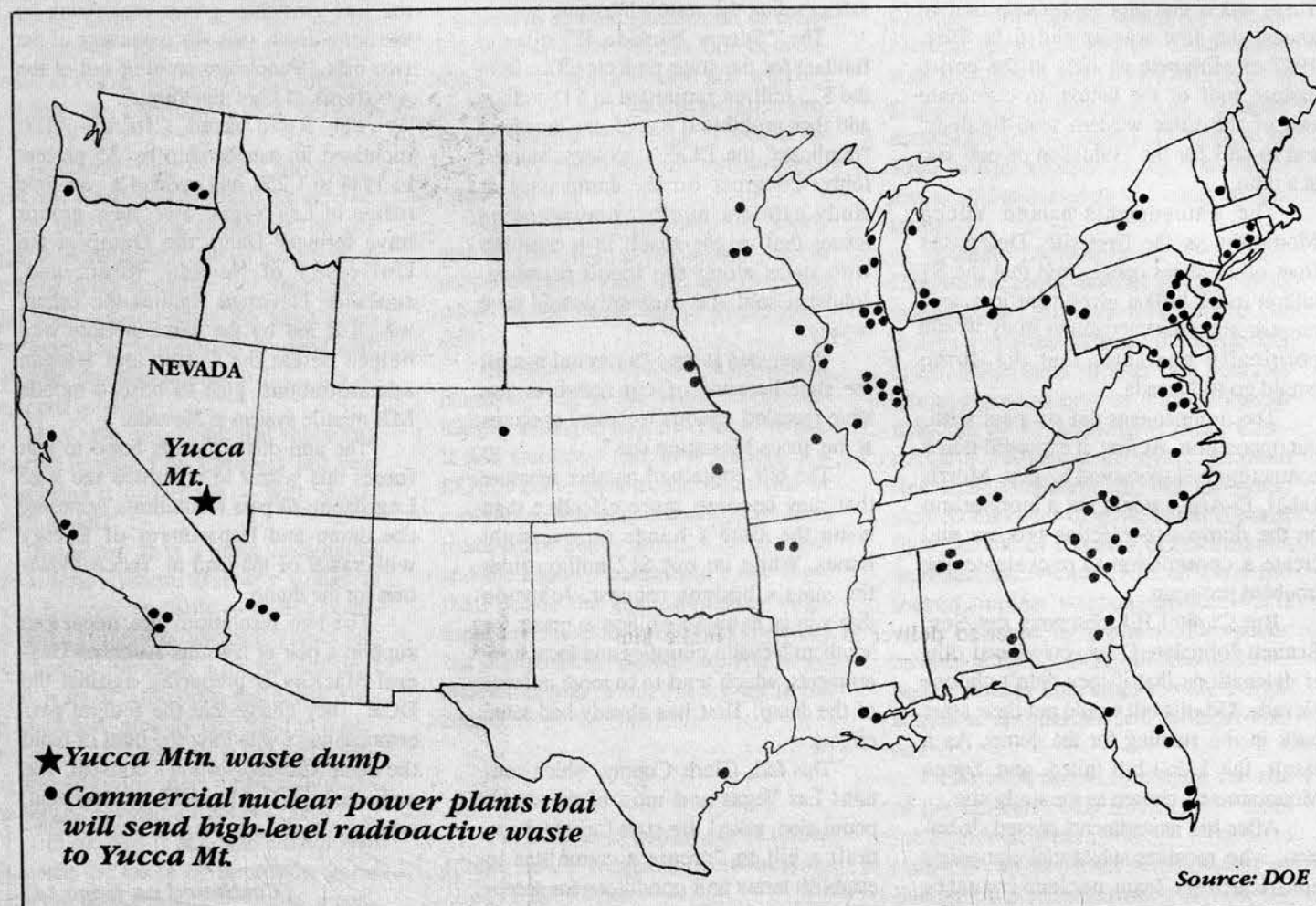
State anti-dump leaders say the DOE will just attempt to engineer around whatever obstacles they find, but warn that such engineering is difficult if you don't fully understand the site.

"This project belongs in a research and development program, not in applied engineering," says Frishman. "Congress is going to have to face the fact that they have not solved the problem."

In addition to opposing the dump at Yucca Mountain, Nevada has a positive idea: It suggests that Congress create a second Manhattan Project to determine how mankind can contain the atom it has released.

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Steve Hinchman is a staff reporter for *High Country News*. His story was paid for by the *High Country News* Research Fund.



GUEST OPINION

INEL puts Idaho's political hypocrisy to a tough test

by Pat Ford

Two months have passed since Gov. Cecil Andrus declared that Idaho is off limits to incoming nuclear waste until the WIPP stalemate is resolved. The fallout from his decision has been striking: general support within the INEL community, overwhelming support outside it, acquiescence from the Department of Energy, Republicans scrambling to say "me, too," and a wave of national media.

It is academic that Andrus probably had no legal authority to halt DOE waste shipments. The "INEL issue" arouses passionate, polarized dispute in Idaho, yet Andrus found an action with which all sides, reading it differently, could identify.

He pleased the growing number of anti-INEL Idahoans, most of them young. Yet, by making Congress and the national DOE bureaucracy his target, he didn't ruffle pro-INEL Idahoans.

Andrus' political gifts, while always arresting to observe anew, are familiar. It is the context here — INEL and its standing with Idahoans — that has shifted and is shifting still.

Two years ago, as I watched Brock Adams win a Washington Senate race by running against the Hanford Reservation — one of his state's biggest employers and one of our nation's oldest military assets — I wrote that so queer a politics could not be imagined in Idaho, where loyal support for INEL was unquestioned.

Today, I think it is likely that two years from now the Idaho ballot will carry an advisory question whether nuclear weapons projects should be built at INEL, which is the Department of Energy's plan for INEL's future. I think it more than likely the answer will be a solid rejection of the two weapons facilities proposed for INEL: the new production reactor and the Special Isotope Separation plant.

What is happening to INEL is simple. As a Twin Falls woman told DOE's professional male phalanx at their new-production-reactor hearing in her community November 10:

"I have been cooking dinner for my family for 39 years. If during all that time I'd just scraped out my pots and pans before using them again; if I'd just dumped the scrapings in the corners of my kitchen, under the sink, behind the stove, wherever I could find room... That's what you have done. Now you're asking us to just buy you a new set of dishes. It won't do."

DOE's habitual violation of the household virtues of cleanliness, honesty and thrift are deeply offending to many Idahoans and are causing growing concern about INEL.

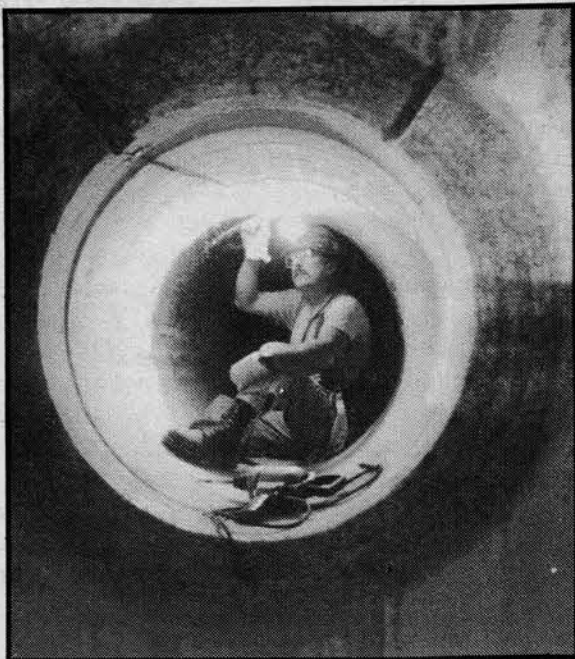
The plume of groundwater contamination at INEL, slowly spreading beyond site boundaries, worries people. So do the mixed wastes, buried uncontained in INEL's early days, for which no cleanup has been announced. INEL's assurances that these problems are manageable were once accepted. But the slovenliness and deception being revealed at DOE plants has destroyed that trust. Idahoans see that the biggest problems are at nuclear weapons plants, which is what DOE wants to make of INEL.

The money offends people. Estimated bill for nationwide DOE cleanup: \$100 billion. For INEL cleanup: \$2 billion. For the new plants DOE wants to build at INEL: \$6 billion to \$8 billion. The average stingy Idahoan now has a much closer example of federal profligacy than foreign aid or welfare.

The political result is emerging most dramatically in the Magic Valley. The seven southcentral Idaho counties clustered around the town of Twin Falls are bedrock Idaho — conservative, Republican, religious, patriotic, agricultural. Because the Snake Plain aquifer upon which INEL sits feeds into the Snake River near Twin Falls, there has for years been worry here about nuclear waste and groundwater. But generally the site, if noticed at all, was accepted as a boon to neighboring eastern Idaho, and trusted.

Now, however, DOE's aggressive push to make INEL a weapons plant, its continuing waste stalemate, the national revelations, skillful organizing by Idaho anti-nuclear activists and the Secretary-of-Energy-turned-political-hack have worked change in the Magic Valley. In October, local polls showed 2-to-1

Rocky Barker



DOE worker deep inside WIPP

opposition to nuclear weapons projects at INEL and 8-to-1 opposition unless existing waste problems were cleaned up first.

Local politics shifted accordingly. This year, all but one state legislative candidate either opposed the new INEL projects outright or until existing problems are cleaned up.

Republican Gary Robbins represents all seven Magic Valley counties in the Idaho Legislature. Two days after his re-election, he spoke at the Nov. 10 Twin Falls hearing. "In case you think it's just anti-nukers opposing you, I want to assure you that people throughout this valley are very concerned. They don't think you're telling the truth. They're a lot more worried about safety and water than jobs and dollars. They want answers, and there will be all-out war here unless they start getting them."

Will this Magic Valley heresy fade or spread? No-one can say, but it adds a chord to Idaho politics not heard before.

Idaho's two leading members of Congress were also part of the Twin Falls hearing. Republican Sen. Jim McClure was the lead witness; he strongly supported building the production reactor at INEL and then left. Neither he nor his staff stayed to hear more than 100 Idahoans, all but three opposing the plant, who followed.

Democratic Rep. Richard Stallings, D, who has remained neutral on the New Production Reactor, was not there. But his D.C. staffer on INEL issues was present, taking notes and talking to both sides.

The contrast — repeated at the Boise hearing a few days later — says much. Building the new production reactor at INEL is Jim McClure's political quest, and his seat in the inner circle of national nuclear weapons policy positions him to achieve it. McClure supports DOE's plan to make INEL a weapons plant, and Idaho's Republican Party has, until now, supported him.

Since winning his seat in 1984, Stallings has walked a tightrope. He has doubts about turning INEL towards weapons. But opposing INEL is electoral suicide in his heavily Republican district, so he supported the first big weapons project proposed for INEL, a plutonium plant called SIS. Indeed, because he belongs to the majority party, he rescued the SIS from death in the House earlier this year.

That rescue helped him win the INEL counties in November. He also offered a detailed commitment to clean up INEL, which helped him outside the INEL orbit (notably in the Magic Valley). He was re-elected by a 2-1 margin, the biggest win ever for a Democrat in the district.

Idaho's conventional political wisdom says that McClure's total identification with INEL, coupled with his power to deliver in Congress, make him untouchable. On the other hand, Stallings' much shakier base could be torn apart by INEL.

Perhaps because of that, Stallings seems far more sensitive to the new INEL currents. For so able a politician, McClure's Twin Falls testimony was strangely detached from the grassroots ferment. Nor did Idaho's leading fiscal conservative say a word about the staggering bill now due on the mistakes of an agency he has overseen for years.

Many took McClure's immediate departure for arrogance, but it might be something worse in a politician: isolation.

The surface of INEL politics in Idaho has always been conventional: thousands of people defending the economic womb which shelters them, and political leaders who want to keep their jobs doing all they can to deliver.

But the INEL depths have been contradictory. For 40 years, the dominant political rhetoric in the region around INEL has been aggressively anti-government.

But those criticisms never extended to INEL, even though it is a prototype of federal liberal big government: bureaucratic, self-perpetuating, expansionist and shielded from competitive forces. The result has even been exactly what a conservative might have predicted — marketplace failure.

INEL is the biggest blind spot in Idaho politics. Politicians who rail against the evils of big government while pulling every string for INEL projects are faithfully reflecting those who elect them. Eastern Idaho proudly calls its political philosophy conservatism. It is actually convenient conservatism, less a philosophy than a wrapping for self-interest.

If this seems too passionate about so common a political failing, it is because I grew up there, the child of a long-time INEL employee, and hope for something better from my old home. I welcome this new ferment for that reason.

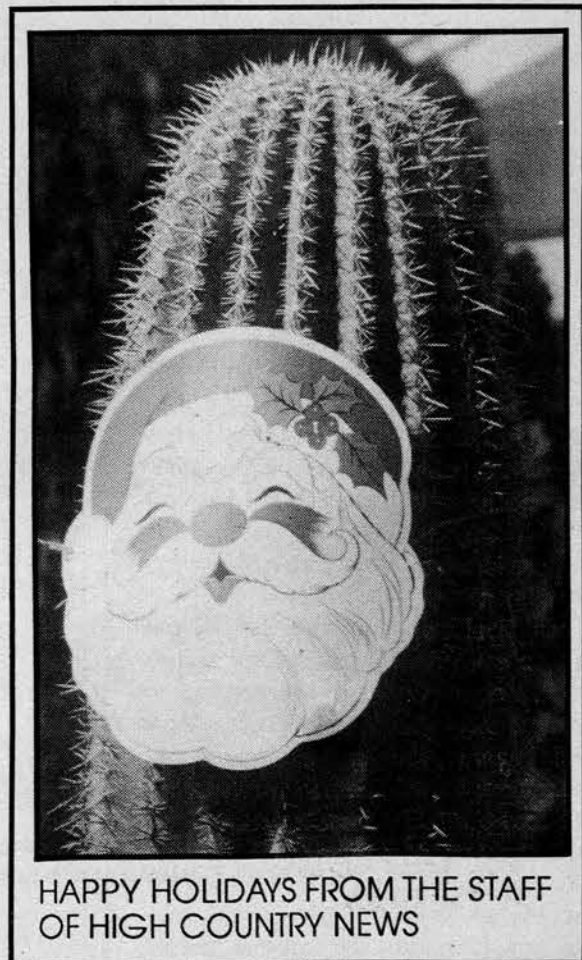
I hope to see this question on Idaho's 1990 general election ballot: "Do you favor the Department of Energy's plan to make the Idaho National Engineering Laboratory a nuclear weapons production facility?" A citizen initiative campaign, if decently organized, could get that question on the ballot.

Such a vote would do wonders for the quality of public debate in Idaho about INEL, nuclear waste, nuclear weapons, nuclear power. It would have no legal weight, but the process would be salutary for Idaho.

Whether this happens and, more generally, whether the cracks beneath INEL keep widening depends most on the Department of Energy. If someone with integrity and guts replaces John Herrington (aka Nero) as Secretary of Energy, if he and President Bush take advice the former Utah Gov. Scott Matheson offers elsewhere in this issue, and if DOE's weapons bureaucracy starts taking household virtues seriously; then INEL can gradually regain Idaho's trust. If not, INEL will be just one part of a sad national failure.

□

Pat Ford is a freelance writer in Boise, Idaho, and frequent *High Country News* contributor.



HAPPY HOLIDAYS FROM THE STAFF OF HIGH COUNTRY NEWS

LETTERS

OBJECTS

Dear HCN,

I am writing in response to Tom Wolf's review of Gretel Ehrlich's book *The Solace of Open Spaces*, published in the September 26, 1988 edition of *High Country News*. In the review, Mr. Wolf attributes me with certain views and statements about Wyoming. I strongly object to his quotes — I do not believe I said them, and they are too extreme to be my opinions about Wyoming.

I was shocked to discover that Mr. Wolf would choose to quote me out of context at a social situation five years ago, in which I had no knowledge that I was being interviewed, or that I would be quoted. Personally, I have no recollection of saying any of what he has quoted me as saying. I also objected to his use of the phrase "downing beers," as though this adds to the color somehow. I rarely drink and resent being written about in this way. Specifically, he quoted me as saying "I'd rather be dead." (than stick around Wyoming), and that ... Wyoming is a "lousy place to live." These phrases absolutely do not portray my feelings about Wyoming. Certainly, I have both positive and negative feelings about Wyoming — but I would never use such extreme phrases. The situation, as you know, is much more complicated than that.

The phrase, the "Wyoming hick syndrome," is taken completely out of context. When I used that phrase, I was describing myself, not Wyoming in general. As a young person growing up in Wyoming, I described myself as a "hick" and I wanted more than anything to live in big cities, and get a taste of life outside Wyoming. I rejected the cowboy tradition of the state. It wasn't until I grew up and left the state, that I began to appreciate the fact that a place like Wyoming was my home. I do agree that sometimes there is tension and conflict between the old-time residents and newcomers of Wyoming, and that long-time residents are sometimes threatened by outsiders as seen in my film, *Is Anyone Home on the Range*. However, I would not call this the "Hick Syndrome," as it is described in the article.

I am disappointed that Mr. Wolf did not choose to send his article to me prior to publication since he did do that with Ms. Ehrlich. I wonder if he was perhaps using me as a vehicle to express his own views.

Bobbie Birleffi
Seattle, Washington

SCRAPS OF SANITY

Dear HCN,

Your section on the fires of 1988 (*HCN*, 12/7/88) provided a fresh and illuminating look at a primarily natural situation that became clouded by sensational media reports. As a Yellowstone backpacking outfitter who lost business more due to bad journalism than the actual fires, it's nice to see a few scraps of sanity diluting the hysteria.

It's too bad, though, that Alston Chase's exasperating misinterpretations and indefensible suggestions continue to create such annoying diversions. Few knowledgeable observers or experienced outdoors persons take this guy seriously. His suggestion in *HCN* and elsewhere that the Park Service reduce the potential for catastrophic fires in Yellowstone by setting prescribed burns is particularly absurd. It ignores the fact that, unlike

some habitats such as giant sequoia, aspen, sagebrush and ponderosa pine, Yellowstone's high plateau forests of lodgepole pine, spruce, and fir tend to depend precisely upon the "catastrophic" fires that Chase and some others would have us avert.

Moreover, his misdirected attacks on "natural regulation," a sound but poorly implemented policy, ignore the basic problem in Yellowstone and elsewhere: None of our nature reserves are large enough to protect entire ecosystems, to perpetuate historic relationships, and to allow natural processes — including "catastrophic" events — to run their course. In other words fire control, winter feedgrounds, culling of herds, bear "management", prescribed fire, etc., are only "necessary" because species have been extirpated or dramatically reduced, and because commercial timber, resorts, subdivisions, roads, mines and other developments impinge upon the artificial political boundaries of our nature reserves.

Despite Chase's absurd conclusion (in various articles) that because the Park Service has proven to be an inept custodian, environmental groups shouldn't advocate more parks and wildernesses, more and bigger parks and wildernesses are exactly what we do need. Many more, and much bigger. *That's* what we should have learned from the infernos of the summer of '88.

Howie Wolke
Bitterroot Mountains, Montana

GRAND CANYON

Dear HCN,

As one of your long-time subscribers, I have been following your coverage of the Havasupai Tribe's religious claims against Energy Fuels Nuclear, Inc.'s new uranium mine, the Canyon Mine, in northern Arizona (*HCN*, 8/18/86, 12/22/86, 9/28/87, 2/16/87). I have kept abreast of the controversy surrounding the mine since its beginning, and feel I must comment.

In 1977-78, I was Chairman of the U.S. House of Representatives then Subcommittee on Indian Affairs and Public Lands, and at the time the tribe's reservation was expanded in 1975, I was a member of the Interior Committee. One of the considerations in establishing the new reservation boundaries was the presence of important religious and cultural sites. The mine site now claimed to be essential to the survival of the religion and culture of the tribe was never mentioned as part of the deliberations.

Importantly, the legislation, S.1296, was intended not only to expand the Havasupai Reservation from 518 acres to 185,000 acres, but also to extinguish any

further claims the tribe might have relating to the lands not included in the expansion — claims like the ones being advanced against the Canyon Mine. During the hearings on S.1296, the tribe assured the Committee that if Congress expanded the Havasupai Reservation in the areas requested, the tribe's most important cultural and religious sites would be protected.

I find it disturbing that 10 years later the tribe asserts that one of its most important religious sites is located within an area proposed for a new mine more than 40 miles from the expanded reservation boundary. Given the importance now being ascribed to this site, I would have expected the tribe to have identified the area in the lands sought by the tribe in the Bill. The tribe did neither.

Having failed to identify this site, either to the Indian Claims Commission in early years or to the Congress in 1973-1975 as part of the deliberations on S.1296, it is my belief that the tribe never had an interest in this site, let alone a legal right. In the language of Section 10(f) of S.1296: "By the enactment of this Act, the Congress recognizes and declares that all rights, title and interest in any lands not otherwise declared to be held in trust for the Havasupai Tribe or otherwise covered by this Act are extinguished."

I have known Energy Fuels and its principals for many years. I was involved with them in the landmark wilderness compromise that resulted in the designation of more than 490,000 acres of wilderness on the Arizona Strip. The mines they operate in northwestern Arizona are model operations from an environmental perspective. Three of these have already been mined out and reclaimed. I have visited these sites, and I assure you that if you were to visit these sites, you would be unable to tell that a mining operation had taken place there by Energy Fuels. These breccia pipe deposits are a unique national resource. They are small, underground operations and without them the U.S. would be almost without economically viable uranium resources. Each mine contributes at least \$40 million to the local economies, and much of this comes from foreign purchases directly benefiting our nation's balance of payments. Lastly, even 10 such mines operating in the region simultaneously would temporarily occupy no more than a cumulative total of 200 acres. Within the 18 million-acre region, such an impact is truly insignificant.

I am not alone in my beliefs; many of my former congressional colleagues, after having investigated the issue, share my opinions. In fact, the current chairman of the House of Representatives



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Subcommittee on Mining and Natural Resources, Nick J. Rahall II, stated in a recent letter to me, "... I see no environmental degradation from these operations, and they certainly are not, as some would have us believe, dumping tailings into the Grand Canyon. As a matter of fact, the surface disturbance created by these mines is amazingly little. No more, it appears, than your average Rocky Mountain region oil and gas wildcat well."

Energy Fuels has tried many times and ways to settle the dispute and each time has been rebuffed. The tragedy of this situation is underscored by the fact that many members of the Tribe would like jobs at the mine, but have been told to remain silent. This tribe is economically depressed and now is devoting almost all of its limited resources to a groundless and invalid religious claim.

Teno Roncalio
Cheyenne, Wyoming

Teno Roncalio retired from Congress in 1978 and has since served as a consultant to Energy Fuels.

ACCESS

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