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UNITED STATES OF AMERICA

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NUCLEAR REGULATORY COMMISSION

+ + + + +

PUBLIC MEETING

FOR PUBLIC COMMENT ON

THE DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT

(GEIS)

FOR IN-SITU LEACH URANIUM MILLING FACILITIES

+ + + + +

TUESDAY

SEPTEMBER 9, 2008

+ + + + +

BEST WESTERN INN & SUITES

1501 EAST SANTA FE AVENUE

GRANTS, NEW MEXICO 87020

+ + + + +

The meeting was convened at 7:00 p.m.

PRESENT:

CHIP CAMERON

LARRY W. CAMPER

JAMES R. PARK

JOAN W. OLMSTEAD

GREGORY F. SUBER

RON LINTON

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P R O C E E D I N G S

(7:17 p.m.)

## OPENING REMARKS AND INTRODUCTIONS

MR. CAMERON: My name is Chip Cameron, and I work for the executive director for operations at the Nuclear Regulatory Commission, which we will be referring to as NRC tonight. And it's a pleasure for me to serve as your facilitator for tonight's meeting.

The subject of the meeting is an NRC document. It's the draft Generic Environmental Impact Statement on uranium milling, and we are going to discuss that with you tonight.

And it specifically addresses the technology of uranium processing known as ISR or in-situ recovery. I just want to spend a few minutes on meeting process issues to give you an idea of what to expect before we get into the substance of tonight's discussions.

And I'd like to tell you about the format for the meeting. Some very simple ground rules to allow us to have a good meeting, and introduce the NRC staff who are going to be speaking to you tonight and answering questions.

In terms of the format of the meeting, it's really a two-part meeting. The first part is to

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1 give all of you information on the draft generic  
2 environmental impact statement, what the preliminary  
3 findings are in that document, how you can influence  
4 the final version of the document, and how the draft  
5 generic environmental impact statement might be used  
6 if the NRC gets any site-specific license applications  
7 for in-situ recovery.

8 We are going to have two NRC  
9 presentations, and we are going to try to keep them as  
10 brief as possible, but I think they are going to run  
11 about 30 minutes or so, so I would just ask you in  
12 advance for your patience.

13 After the NRC presentations we will have a  
14 few minutes - unfortunately only a few minutes - for  
15 questions on the process, and then we are going to go  
16 to the primary objective of the meeting tonight, which  
17 is to listen to your comments, your advice, your  
18 recommendations on the issues that are in the draft  
19 generic environmental impact statement.

20 And the NRC staff is going to tell you  
21 that we are also taking written comments on this draft  
22 generic environmental impact statement, but we wanted  
23 to be here with you tonight to meet with you in  
24 person. Anything that you say to us tonight is going  
25 to have the same weight as written comment, but feel

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1 free to either amplify on what you say tonight in a  
2 written comment, or if you hear something tonight that  
3 is a concern to you, please feel free to send a  
4 written comment to us.

5 In terms of ground rules for the meeting,  
6 I would ask you to just hold your questions until both  
7 the NRC presentations are finished, so that we can  
8 give you a complete set of information on the draft  
9 GEIS. When we do go out for questions, if you signal  
10 me, I'll bring you this cordless microphone. If you  
11 could just introduce yourself to us, and then we will  
12 try to answer your questions.

13 We won't have much time for questions,  
14 because we have a great turnout tonight, and we really  
15 appreciate that. We have a lot of people signed up to  
16 speak, so we will have time for some questions, and I  
17 will ask the NRC staff to try to keep their answers  
18 pretty crisp for you tonight.

19 And please only one person speaking at a  
20 time, not only so we can give our full attention to  
21 whomever has the microphone at the moment, but also so  
22 that our court report, Raymond Vetter, who is right  
23 over here, can get a clear transcript of the meeting.

24 We are taking a transcript. That is going  
25 to be our record and the public record. That

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1 transcript will be available to anyone who wants it.

2           When we go to the comment period, I will  
3 call your name and ask you to come up to the podium,  
4 and to share your thoughts with us, and because we do  
5 have so many speakers tonight, I would ask you to try  
6 to keep it - your comments - between three and five  
7 minutes. This is going to be enough time to summarize  
8 your comments. You can amplify in writing. And it  
9 will alert the NRC staff and those in the audience of  
10 the issues of concern.

11           As I said, this is a tight line, but at  
12 some point I may have to ask you to wrap up what you  
13 are saying so we can move on to the next person.

14           We want to try to hear from everybody  
15 tonight, and we will stay until all the people who  
16 signed up to comment are done commenting. So it might  
17 be a little bit of a late evening tonight.

18           And finally I would just ask everybody to  
19 extend courtesy to everybody at the meeting. You may  
20 hear things that differ from your opinion on the  
21 issues, but please respect the person who is giving  
22 that opinion.

23           And let me introduce the NRC staff to you  
24 who is going to talk. We're going to lead off, and  
25 Larry Camper is going to start out and give you some -

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1 an introduction to the NRC and an overview of some of  
2 the critical issues in the draft generic environmental  
3 impact statement.

4 Larry is the division director of the  
5 Division of Waste Management and Environmental  
6 Protection at the NRC, and he's our senior NRC  
7 official here tonight.

8 After we hear from Larry, we are going to  
9 go to Jim Park. Jim is the project manager on the  
10 development of this draft generic environmental impact  
11 statement, and he is going to give you the details, a  
12 broad overview of the generic environmental impact  
13 statement.

14 Before we get started, let me introduce  
15 other NRC staff to you. This is Gregory Suber.  
16 Gregory is the branch chief in Larry's division of the  
17 Environmental Protection Branch I think it's called.  
18 And Jim Park works for Greg; they have been  
19 responsible for developing this GEIS.

20 We have Joan Olmstead here at the table.  
21 She is a senior attorney in our Office of General  
22 Counsel in case any of you have issues that are  
23 related to legal matters.

24 And we have Ron Linton right here. And  
25 Ron is in our licensing branch; again, it's in Larry's

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1 division, and Ron's division or Ron's branch, these  
2 are the people who do the technical analysis of any  
3 license applications we get for uranium processing.

4 And thank you all for being here, and we  
5 are going to get started, and try to move as  
6 efficiently as we can through this.

7 This is Larry Camper.

8 THE NRC ROLES AND RESPONSIBILITIES

9 MR. CAMPER: Good evening. Thanks for  
10 being here. Good turnout. We were in Gallup last  
11 evening; close to the same amount of people I suspect,  
12 maybe a few more here. And we had a very interesting  
13 evening, and I'm sure tonight will be the same.

14 As Chip mentioned I am Larry Camper. I  
15 have the director of the Division of Waste Management  
16 and Environmental Protection at the Nuclear Regulatory  
17 Division. My division has -

18 MR. CAMERON: We've got to get the mike so  
19 they can hear you back there. Let's move that up.

20 MR. CAMPER: Better?

21 MR. CAMPER: Good evening, again. Larry  
22 Camper, director of the Division of Waste Management  
23 and Environmental Protection with the U.S. Nuclear  
24 Regulatory Commission.

25 My division has a lot of responsibilities,

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1 amongst those is licensing of uranium recovery  
2 facilities, as well as decommissioning of Title I and  
3 Title II oversight sites.

4 The division also - we decommission  
5 nuclear power reactors. We decommission research and  
6 test reactors. We decommission other complex sites  
7 including those that were uranium and thorium  
8 processing sites.

9 We work with the Department of Energy on  
10 legacy, Cold War legacy waste, called Waste Incidental  
11 to Reprocessing.

12 But amongst our duties and  
13 responsibilities is uranium recovery licensing, which  
14 we are going to talk about tonight of course.

15 We have the regulatory oversight for  
16 uranium recovery. That includes licensing, and then  
17 subsequently coordination and inspection activities as  
18 well through our regional office in Region 4 down in  
19 Arlington, Texas. Next slide.

20 What I'd like to try to do is describe to  
21 you what we've been doing to assess environmental  
22 impacts associated with uranium recovery with regards  
23 to in-situ recovery of uranium. We want to listen to  
24 your questions, your comments. We want to have  
25 dialogue with you members of the public about the

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1 generic environmental impact statement, the G-E-I-S or  
2 the GEIS.

3 This is the second in a series of public  
4 meetings. We had some scoping meetings last August-  
5 September as we were developing the GEIS. The scoping  
6 meetings were designed what needs to be included  
7 within the GEIS. This particular meeting tonight is  
8 our second in New Mexico. We will be in Albuquerque  
9 on Thursday evening.

10 We have also had some meetings up in  
11 Nebraska, South Dakota and Wyoming. We plan meetings  
12 again later in the month in Wyoming. There will be a  
13 total of eight public meetings about this particular  
14 document, the generic environmental impact statement.

15 And the idea of course fundamentally if  
16 you reduce it to its simplest is to seek more public  
17 involvement in the process. Next slide.

18 We are going to cover a number of things  
19 tonight. I'm going to talk briefly about our roles  
20 and responsibilities as a regulator. The emphasis  
21 will be on our responsibilities as it relates to the  
22 National Environmental Policy Act, so called NEPA.  
23 The NEPA process is a process of disclosure, and it's  
24 designed to be a public process.

25 The fundamental idea is that when a

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1 federal agency is undertaking what is called a major  
2 federal action - in this case that would be the  
3 potential licensing of a uranium facility - it is  
4 subjected to the laws under NEPA as directed by the  
5 Council on Environmental Quality.

6 We are going to cover the draft GEIS, what  
7 is its purpose, what is the approach. Jim Park of my  
8 staff will talk to you a lot about that following me.

9 Jim will also discuss with you the findings that are  
10 reported in the draft GEIS. We will talk about the  
11 schedule for the GEIS, what the next steps are, and  
12 then of course we will turn to public comment. Next  
13 slide.

14 The NRC is an independent federal  
15 regulatory agency. What do I mean by that? It means  
16 that we are not part of the executive branch. Rather,  
17 we report directly to oversight committees in the  
18 United States Congress. The NRC was created to  
19 strictly carry out regulatory responsibilities of a  
20 public health and safety nature. Unlike the old  
21 Atomic Energy Commission, which used to have a number  
22 of responsibilities, some of which were public health  
23 and safety. But the AEC was also responsible for  
24 ensuring that the nation procured the necessary  
25 uranium that it needed back in the '40s and '50s and

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1 early '60s, first for national defense during the  
2 Second World War; subsequently during the Cold War;  
3 and then of course with the initiation of the  
4 commercial power industry.

5 We have now responsibilities of that  
6 nature whatsoever. We are strictly regulatory. We  
7 are strictly focused on public health and safety. And  
8 we are an independent agency reporting to the Congress  
9 of the United States.

10 Our mission as I said is to protect public  
11 health and safety and the environment, and to promote  
12 common defense and security.

13 We have responsibility along with  
14 agreement states - agreement states are states that we  
15 have imparted certain of our regulatory authority to  
16 via an agreement signed by the governor. We have  
17 responsibility for licensing materials, radioactive  
18 materials covered by the Atomic Energy Act including  
19 uranium recovery.

20 Openness and soliciting comments like we  
21 are tonight is one of the core values of our agency.  
22 It's a terribly important part of the process.

23 Our regulations covering environmental  
24 reviews are set forth in Title 10 Code of Federal  
25 Regulations known as 10 CFR. You see it in the slide,

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1 Part 51. That is where you will find our regulatory  
2 process for carrying out environmental reviews. Those  
3 regulations are built around guidance from the Council  
4 on Environmental Quality, and this regulation is for  
5 ensuring that the National Environmental Policy Act is  
6 satisfied. Next slide.

7 Regarding the licensing review process  
8 itself, a license is submitted to our agency for  
9 review. In this case we are talking about an  
10 application for uranium recovery, but there are a  
11 number of activities that we regulate and issue  
12 licenses for well beyond uranium recovery.

13 The decision to grant or to deny a license  
14 is based upon satisfying the regulatory requirements  
15 that we have for safety and for protection of the  
16 environment. There is no foregone conclusion that a  
17 license will be granted or that it will be denied.  
18 Rather it is a decision based upon a review of the  
19 merits of that particular application.

20 We do this review in two parts. The first  
21 is called an acceptance review. We put together a  
22 team of technical people such as health physicists,  
23 engineers, groundwater hydrologists and the like for  
24 uranium recovery. And we subject it to a 90-day  
25 acceptance review to determine if the application is

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1 of such quality that it warrants proceeding with the  
2 full blown comprehensive technical review.

3 We then conduct a detailed technical  
4 review. It has two parts: a site-specific safety  
5 review; and a site-specific environmental review.  
6 Both parts of these - this is required, both reviews.

7 They are complementary, and both are required, and we  
8 cannot issue a license until both of those reviews are  
9 completed.

10 In the case of uranium recovery it takes  
11 about two years to complete both components of the  
12 review. Next slide.

13 Regarding the environmental review process  
14 for in-situ recovery of uranium, we have developed  
15 this generic environmental impact statement. The  
16 generic environmental impact statement - the word  
17 "generic" is an NRC term. Typically in NEPA space  
18 it's referred to as a programmatic environmental  
19 impact statement.

20 Fundamentally the idea in a programmatic  
21 environmental impact statement is to look at all the  
22 technical issues, or all the common environmental  
23 consequences issues for a particular modality, and  
24 then you do a site-specific analysis for issues that  
25 are particularly unique to a given site.

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1           The GEIS provides a foundation for review  
2 of numerous in-situ recovery applications by examining  
3 the impact of a broad set of actions related by  
4 subject matter and geography. And Jim Park will tell  
5 you much more about that in detail. Next slide.

6           In preparing for this meeting I went back  
7 and reviewed the transcripts from the scoping meetings  
8 that we had last fall. And it struck me that there  
9 were certain issues that surfaced again and again and  
10 again in comments in all of the meetings, and I felt  
11 it was worthwhile to take a few minutes to try to  
12 clarify some of those issues.

13           The first is the use of the generic  
14 environmental impact statement. And I wish we didn't  
15 use the term, generic. I wish that we used the term,  
16 programmatic, because generic causes some confusion  
17 right off the get-go, because folks will say that this  
18 is not generic; sites are different. Of course they  
19 are. But there are components of in-situ recovery  
20 just as there are components to operating a nuclear  
21 power reactor, for example, that are common no matter  
22 where the site is.

23           So the GEIS is a document that we are  
24 developing consistent with NEPA requirements or CEQ  
25 guidelines. And the document will be used as a first

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1 step. It is a first step bounding document that we  
2 will use in reviewing the applications that we receive  
3 for uranium program in-situ in New Mexico and  
4 elsewhere in the United States.

5 At the same time that we are developing  
6 the GEIS, I would draw your attention to the box on  
7 the left called applicants' environmental report.  
8 When an applicant submits a license for a uranium  
9 recovery license, they submit to us as part of that  
10 application process an environmental report. They  
11 have gone through and collected data. They have done  
12 analyses specific to that particular site.

13 We evaluate that data. We verify the  
14 findings. We go to the site and conduct inspections.  
15 We collect data ourselves. We conduct an examination  
16 of that environmental report.

17 It is another cornerstone in the ultimate  
18 conduct of a site-specific review. The box on the  
19 right says other relevant information and data. I  
20 mentioned a moment ago that an important part of our  
21 review process is a safety review. Well that box  
22 represents the safety review.

23 At the same time we are reviewing the  
24 environmental report we are also looking at the safety  
25 information that the applicant has provided. It runs

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1 a broad spectrum of information which is required and  
2 is set forth in Title 10, Code of Federal Regulations  
3 Part 40. I hate to cite CFRs but it is important to  
4 convey the information.

5 And that is the category of our  
6 regulations: 10 CFR Part 40 sets forth the safety  
7 requirements for uranium recovery, whether it be  
8 conventional milling or it be in-situ recovery.

9 And last but not least we conduct a site  
10 specific review. All this information, the bounding  
11 information in the GEIS, the environmental report, the  
12 safety review, all come together as part of ultimately  
13 an individual environmental review for each and every  
14 site for which an application is presented to us.

15 Now in NEPA space that environmental  
16 review is called an environmental assessment. When  
17 you step through the process of conducting an  
18 environmental assessment, you can reach one of two  
19 conclusions about a given site. Either you reach a  
20 finding called FONSI, finding of no significant  
21 impact, or you determine that you must conduct a full  
22 blown site specific environmental impact statement for  
23 that particular site.

24 You don't know the outcome, we don't know  
25 the outcome, until you work your way through that

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1 process.

2 Should there be a determination that there  
3 needs to be a full blown site-specific environmental  
4 impact statement, then the process starts all over  
5 again. There is more scoping meetings. A new EIS is  
6 developed. Further public involvement. And so forth.

7 Next slide.

8 The next issue that kept coming up was  
9 drinking water. Drinking water is very precious in  
10 the Western United States. To the Navajo Nation, for  
11 example, it is considered to be sacred. Drinking  
12 water is precious everywhere, but it is particularly  
13 precious out West. Thus I can readily understand the  
14 questions and concerns that were raised.

15 And I thought it was important to point  
16 out, for in-situ recovery for uranium to take place,  
17 it can only take place in an aquifer or portion of an  
18 aquifer that has been exempted by the Environmental  
19 Protection Agency, the EPA.

20 I cite the regulation there, 40 CFR 146.4,  
21 which comes from their underground injection control  
22 program regulations. I think this is a terribly  
23 important point to understand, that this type of  
24 activity can only take place in an exempted aquifer or  
25 that portion of the aquifer which has been exempted.

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1 Well, what is an exempted aquifer? As the  
2 slide depicts, it is an aquifer that does not  
3 currently serve as a source of drinking water, and  
4 cannot now or will not in the future serve as a source  
5 of drinking water; or, it contains too many total  
6 dissolved solids, and the numbers are presented in the  
7 slide. It has to meet at least one of those criteria  
8 to be exempted by the Environmental Protection Agency.

9 Next slide.

10 Another issue that came up a lot was  
11 restoration. And a point I would make regarding the  
12 aquifer, once in-situ recovery is authorized, should  
13 it be, we have regulations, as do the agreement  
14 states, that says, even though it's an exempted  
15 aquifer, it has to be restored. It has to be restored  
16 to baseline, which means what it was prior to the  
17 uranium recovery activity, to maximum concentration  
18 limits that align with the Safe Drinking Water Act.  
19 Or an alternate concentration limit.

20 What this slide shows you is the status of  
21 two pilots at the bottom. There were a number of  
22 other pilots that were done. They were on smaller  
23 acreages, four or five acres. They were fully  
24 remediated through an approved plan.

25 But what you see is the three at the top

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1 are commercial sites. And this information comes from  
2 completed and approved remediation or restoration  
3 plans.

4 I think last night I might have said in my  
5 comments that these were still undergoing remediation.

6 That was not correct. They are actually completed.  
7 The restoration plan, if you will, has been completed  
8 an approved by the NRC, in conjunction with the state.

9 And what you see in the fourth column  
10 entitled percent of constituents returned to baseline,  
11 you see two numbers. The first one, for example, 23  
12 out of 34; what that means is that 23 out of 34  
13 constituents were returned to baseline conditions.  
14 The remainder were remediated or restored to an  
15 approved standard, which in this case was baseline  
16 values plus premining class of use, and that premining  
17 class of use is a state parameter which varies from  
18 state to state.

19 So what you see is is that remediation or  
20 restoration has occurred, either to baseline values or  
21 to an alternate concentration limit for the three  
22 commercial sites cited in the slide.

23 so it gives you some idea of what  
24 restoration has taken place. I know that question  
25 came up again and again during previous meetings.

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1 Next slide.

2 Another thing that we heard a lot was,  
3 have more government-to-government meetings; in  
4 particular, have more meetings with Native American  
5 tribes.

6 And what this slide depicts for you is the  
7 government-to-government meetings that we are having  
8 this week while we are in the State of New Mexico. We  
9 met with the Navajo Nation on Monday. We met with  
10 some folks in the Pueblo of Laguna today. We had  
11 hoped to meet with the Pueblo of Acoma but there was  
12 some illness in the family or a family death and it  
13 couldn't be arranged. But we will try to do that in  
14 the future.

15 We are meeting on Thursday with the state  
16 governor's office up in Santa Fe, as well as the State  
17 of New Mexico Environment Department. We are also  
18 meeting with the State of New Mexico Historic  
19 Preservation Division. We have already had meetings  
20 with the mayor of Gallup and the mayor of Grants. And  
21 I would point out, when we met with the Navajo Nation  
22 as we did with the mayor of Grants and Gallup that we  
23 are certainly amenable to further government-to-  
24 government meetings. As we find ourselves in New  
25 Mexico, we'll certainly make a point to provide an

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1 opportunity for such meetings.

2 Next slide. So in summary, why are we  
3 here tonight? In a nutshell we'd like to provide more  
4 information to you about the contents of the generic  
5 environmental impact statement. Jim Park will go into  
6 more detail in a moment and do that. More importantly  
7 we want to continue the listening process and have  
8 more public dialogue about the contents of the generic  
9 environmental impact statement. And of course we'd  
10 like to answer questions that you might have about the  
11 draft environmental impact statement.

12 I want to conclude with one final thought.

13 We are going to move into comments at some point in  
14 this meeting. And always in the public process all  
15 comments are invited. It's an important part of the  
16 public process.

17 And comments will range all over the  
18 board. There will be comments that are specific to  
19 the contents of a generic environmental impact  
20 statement. There will be comments about alternate  
21 power sources. There will be comments that are pro-  
22 uranium recovery and anti-uranium recovery, and so  
23 forth and so on. And they will be what they will be,  
24 and we will listen to all of them, and we're reporting  
25 all of them.

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1           But I would encourage you to focus your  
2 comments to the extent you can and feel comfortable on  
3 the contents of the generic environmental impact  
4 statement.

5           And the reason I emphasize that is  
6 maximize your opportunity to let us know what you  
7 think about the GEIS contents, the approach the staff  
8 took in the document. It is the best opportunity, the  
9 maximal opportunity, for you to influence the document  
10 as we proceed to finalize the document.

11           But again all comments are welcome, and we  
12 look forward to hearing them. And Jim Park will now  
13 follow with much more detail about the GEIS.

14           Thank you.

15                           THE DRAFT GEIS

16           MR. PARK: Thank you, Larry.

17           Again, my name is Jim Park, and I'm an  
18 environmental project manager with the NRC, and I am  
19 the lead project manager for this development of this  
20 generic environmental impact statement.

21           There are a series of things I'd like to  
22 speak to you about tonight. Before I get into the  
23 document itself, I'd like to describe very briefly the  
24 in-situ leach process.

25           Then I'll go into different aspects of the

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1 generic environmental impact statement, and focus a  
2 little particularly on some preliminary findings we  
3 have come to, and finally close with how you can  
4 submit some comments on our document to help us in  
5 preparing a final document.

6 The first thing about the in-situ leach  
7 process is to know that it is different from  
8 conventional mining and milling. In the in-situ leach  
9 process there is no open pits; there is no underground  
10 stopes or mines. There is no crushing of ore, and  
11 there are no tailings impoundments associated with it.

12 This is a different technique that is  
13 used, and it involves three components. It begins  
14 with mobilization of the uranium below ground;  
15 processing to take the uranium out above ground; and  
16 then as Larry indicated, restoration of the affected  
17 aquifer following the removal of the uranium and the  
18 economic value of that.

19 This is a picture of a portion of a well  
20 field, as it's known. This comes from one of the two  
21 operating in-situ leach facilities in the United  
22 States that are licensed by the NRC. This is located  
23 near Douglas, Wyoming.

24 And what you see in white are covers for  
25 each of the wells that are associated with this

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1 process.

2 Also in other places they might use  
3 smaller brown boxes. But still they are well head  
4 covers.

5 Each of these wells are connected below  
6 ground to various pipelines at four to six feet below  
7 ground, so you are not seeing it in the picture. And  
8 in the course of the entire facility there might be  
9 miles and miles of piping that is associated with  
10 this.

11 You see a small building in the middle  
12 foreground. That is known as a header house. And  
13 what that is, is where all these pipes in these wells  
14 are connected, and it is through that building that  
15 the flow of the fluids and the water associated with  
16 this process is monitored and coordinated.

17 What you see here is a simplified diagram  
18 just to show some basic concepts about the in-situ  
19 leach process. Every site is going to have these  
20 basic components, but it's going to look different for  
21 each site, and that needs to be part of the analysis a  
22 company does in its environmental report.

23 I will draw your attention first to the  
24 yellow layer, the light yellow layer, that contains  
25 sort of a backwards gray section of that. The gray

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1 section is the uranium deposit, and the yellow layer  
2 is known as an aquifer. It's a water-bearing unit  
3 through which the water moves relatively freely.

4 Above and below this yellow layer are two  
5 green layers that are signified as clays. These are  
6 less permeable; they don't allow water to flow as  
7 easily through them, and they provide sort of a  
8 confinement to the movement of the water to keep it  
9 within the yellow layer.

10 In the in-situ leach process a number of  
11 wells, hundreds and hundreds of wells are drilled as  
12 part of this. At the center you see two wells. One  
13 has blue arrows associated with it; the other has red  
14 arrows. In this process the company would use the  
15 water that is there at that yellow layer, and add to  
16 it oxygen, carbon dioxide, and sodium bicarbonate.  
17 And what that does when it's added to the water and  
18 pumped down, it liberates the uranium that is sort of  
19 in the sandstone. Usually these are sandstone layers.

20 The uranium is around the grains in the sand. And it  
21 liberates that uranium from the sandstone so that it  
22 flows with the water, and it's picked up in that well  
23 that has the red arrows associated with it. That's  
24 called a production well. The blue arrows are  
25 associated with a well called an injection well.

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1           So water is injected down. It has the  
2 oxygen and the other constituents added to it. It  
3 mobilizes or loosens the uranium. It's picked up on  
4 the other side in a production well; brought back to  
5 the surface; and sent to a central processing plant  
6 where the uranium is extracted. After that is  
7 extracted, again, they add the oxygen back in, and  
8 they send it back below ground. It's a circular kind  
9 of movement of this water.

10           I'll indicate to you as you see on this  
11 slide other wells labeled as monitor wells. These are  
12 done, they are completed at the level of both where  
13 the uranium activity is happening as well as in this  
14 figure above the confining clay. They can also be  
15 completed below the confining clay.

16           And the purpose of these wells is to  
17 detect any movement of the fluids associated with this  
18 process outside the bounds of where the company  
19 believes it should stay. They provide an early  
20 detection and sort of an early warning that things  
21 aren't going exactly the way the company expects, and  
22 that they can take immediate corrective actions.

23           This figure is intended to give you a view  
24 in which you look down on a well field. And that's  
25 what you see in the center of this diagram, little

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1 boxes.

2 This is known as a 5-spot. The boxes,  
3 there are four corners. That's where four injection  
4 wells are. In the center is a production well. So a  
5 number of wells or patterns associated with a single  
6 well field, and it's designed to follow where the  
7 uranium is below ground.

8 Now ringing around a well field, you will  
9 notice that is where the monitor wells are that I  
10 indicated on the previous diagram. They provide again  
11 that early detection.

12 Also in this picture, though hard to see,  
13 right in the midst of the well field are those  
14 additional wells that are drilled above or below the  
15 aquifer that is being used in this process.

16 This is a picture again from the same site  
17 near Douglas, Wyoming. It shows two buildings. The  
18 larger of the two is where the processing for the  
19 uranium happens. Basically what happens with water  
20 that contains uranium is it's run through an ion  
21 exchange process. And these are little resin beads.  
22 And what they do as the water moves through, the  
23 uranium is attracted to those beads and therefore  
24 removed from the water, and the uranium - the water  
25 that doesn't have the uranium again is brought back

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1 out of that system.

2 These again are sort of processed so the  
3 uranium is washed from them. It's concentrated,  
4 precipitated, and eventually dried into a powder known  
5 as yellowcake which is barreled in 55-gallon drums,  
6 steel drums, before that is sent offsite for further  
7 processing.

8 Additionally at this time water,  
9 additional water is taken out of the system than is  
10 added in. Typically these systems run about anywhere  
11 from 4,000 to 9,000 gallons per minute is being  
12 circulated through this entire system. And at that  
13 time anywhere from 1 to 3 percent of that is sort of  
14 taken offline to allow the waters that are associated,  
15 instead of moving out of the well field, are drawn  
16 into the well field.

17 And that can amount to a significant  
18 amount of water in the course of a company's process.

19 This can go on for upwards of perhaps 20 years, that  
20 different well fields are opened and closed over time.

21 Also in these buildings is where some of  
22 the restoration equipment is housed. And as Larry  
23 indicated, restoration involves bringing in each well  
24 field, because there are limits and criteria that are  
25 set that the company has to restore that water back

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1 to. And those are set on a well field by well field  
2 basis.

3 If NRC grants a license it would authorize  
4 these things to happen: the construction of the  
5 facility; all the infrastructure; the piping;  
6 everything associated with that, surface and below  
7 infrastructure. They would authorize the operation of  
8 the facility; certain limits on how that company can  
9 operate it. The requirements for restoring the water  
10 afterwards, what standards do they have to meet, as  
11 well as decommissioning of that facility at the end,  
12 and basically taking everything back down and  
13 restoring that site to what it was before even  
14 anything started.

15 This slide is intended to show that there  
16 are other federal and state agencies involved in the  
17 granting of various permits, and all these permits are  
18 necessary for a company to actually proceed with an  
19 in-situ leach process.

20 Having an NRC license alone does not allow  
21 them to do that. And I'll draw your attention to the  
22 first one which is the aquifer exemption which Larry  
23 talked about earlier. The portion of that aquifer  
24 where the company intends to do the mining needs to be  
25 so-called exempted, and that's an approval granted by

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1 the EPA or temporarily the state with an EPA approval.

2 With that background, I'll talk about why  
3 did the NRC feel the need to prepare a generic  
4 environmental impact statement. Companies have  
5 approached the NRC and indicated the possibility over  
6 the next three to four years of submitting upwards of  
7 30 applications for uranium recovery of which  
8 approximately 24 would be associated with in-situ  
9 leach. These would be scattered across Wyoming,  
10 Nebraska, South Dakota and New Mexico.

11 Each of those require an environmental  
12 review, and as part of that we recognize that the in-  
13 situ leach process is relatively standardized in the  
14 United States in how it works. So there is going to  
15 be some commonality in these environmental impacts  
16 that one might see associated with this process.

17 So we can use this information in doing  
18 for each site-specific review a very thorough and  
19 consistent approach to the reviews that we take, so  
20 that we can focus on the issues of great concern at  
21 each specific site.

22 So again the purpose of this document is  
23 to look at those commonality in the environmental  
24 impacts that we might see, as well as Larry indicated  
25 provide a focus and a preparation for our site-

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1 specific reviews.

2 The scope of our document - or our  
3 licensing does - the entire life cycle of one of these  
4 ISL facilities. And it evaluates the impacts to  
5 various resources that we use as humans, so the air  
6 quality, to the water quality, to transportation, to  
7 other aspects of the environment that we enjoy.

8 The approach that we took in this document  
9 was four steps, and I'll go through each of these in  
10 turn, the first being that we had to identify reasons  
11 where we might expect in-situ leach applications to  
12 come in the future. And so there were certain  
13 considerations that we needed.

14 First, it needed to be in a place where  
15 NRC has the regulatory authority. Certain states as  
16 Larry indicated have taken over that authority from  
17 the NRC. Colorado, Utah and Texas are examples of  
18 such states.

19 We also looked at where in the past and  
20 where currently uranium milling is occurring. As I  
21 indicated, the industry has come to the NRC and  
22 identified places where they are exploring this  
23 possibility of in-situ leach.

24 And finally historically uranium deposits  
25 have been found and located in the four states,

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1 Wyoming, Nebraska, South Dakota and New Mexico. And  
2 from this we identified four uranium milling regions.

3 This is a map to show those regions. Two  
4 of those are found completely within the State of  
5 Wyoming; one covers three states - South Dakota,  
6 Wyoming and Nebraska; and the reason we are here  
7 tonight is the last of those regions is found in New  
8 Mexico.

9 And this is a close up of the New Mexico  
10 region. You can find this in a handout that we have  
11 outside that I think is entitled "NRC Findings for the  
12 New Mexico Region."

13 Having identified the regions, now we look  
14 at doing a detailed discussion of what the ISL process  
15 actually is. And as expected we talk about what is  
16 the lifecycle of these facilities. We look at a  
17 number of aspects including what it is to be the  
18 safety of this in terms of radiological safety; the  
19 doses that individuals could receive either working at  
20 these facilities or living in near proximity to them.

21 We also looked at the handling of the  
22 waste materials and the waste associated with this.  
23 For example I talked about this additional water that  
24 is pulled off after they take the uranium out. That  
25 can amount to a fairly large amount of water. They

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1 use evaporation ponds, or it can be pumped down deep  
2 disposal wells if they are approved by the state. Or  
3 in some cases, again if the state allows, it may be  
4 applied, in sort of an irrigation fashion, in a  
5 particular location.

6 And there are additional reviews  
7 associated with any way that that company wants to  
8 dispose of those wastes.

9 Financial assurance refers to the  
10 company's - the money the company must put up to  
11 decommission the site, if it was unable to do so  
12 itself; for example if it had financial difficulties.

13 It has to put this money aside in a trust approved by  
14 the NRC. This money is for a third party; not the  
15 NRC, not the company, but a third party to actually do  
16 this clean up and restoration activity. And it can  
17 amount to millions of dollars that is set aside, and  
18 this amount is reviewed annually, every year, by the  
19 NRC.

20 And finally it says there the experience  
21 that NRC has had in licensing these facilities for the  
22 past 30 years. And among the things that we have seen  
23 and we talk about there, with all the miles of piping  
24 there's a possibility and what we have seen are spills  
25 and breaks in those pipes. What happens in those

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1 cases?

2 We look at the possibility of the movement  
3 of the fluid outside the well field. How often has  
4 that been seen?

5 We look at the possibility of the ponds  
6 that are used and their leaking.

7 So it's a review of the history that NRC  
8 has had in licensing these facilities.

9 The next step that we did was, having the  
10 four regions, we describe the environment in each of  
11 those regions separately.

12 As I indicated we did that for each of the  
13 four regions, and we used resource categories that are  
14 identified in a document that NRC calls NUREG-1748.  
15 And what that is is guidance, a document that guides  
16 the NRC staff in how they conduct these environmental  
17 reviews.

18 These 13 areas come from NUREG-1748, and  
19 as you look at them you can tell they provide a wide-  
20 ranging and thorough discussion of the environment in  
21 which you live. It's done in this regional scale; of  
22 course when you do a site-specific review, it's going  
23 to be very much narrowed down to that particular  
24 location.

25 We would use this information in those

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1 site-specific reviews to help sort of provide the  
2 background information.

3 The fourth step and final step was to  
4 evaluate potential environmental impacts. We did that  
5 for each region separately. We did it for each of the  
6 different stages in the lifecycle of a facility. We  
7 did it for each of the 13 resource areas you just saw.

8 We characterized each of those potential  
9 environmental impacts in terms of what is known as  
10 significance. That is basically the intensity of the  
11 impact, and where it happens and how it would happen.

12 We also identified possible mitigation  
13 measures. These are measures a company might take to  
14 minimize or avoid some of the impacts that they might  
15 see.

16 These are the categories the NRC used in  
17 categorizing the environmental impacts potential that  
18 we would see.

19 For any particular analysis or finding it  
20 required experts in their fields who have collectively  
21 hundreds of years of experience taking thousands of  
22 hours of analysis and evaluation to come to our  
23 determinations that we find in this document.

24 So with that let's look at some of the  
25 preliminary findings for the New Mexico region.

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1           With respect to these four areas, aquatic  
2 ecology, air quality, visual and scenic resources and  
3 waste management, during the site-specific review  
4 these would all gain NRC attention and focus. However  
5 an initial assessment of them in this area was that  
6 they would have small impacts. And small potential  
7 impacts are those that you would barely see or barely  
8 be noticeable to what you currently see.

9           We have a range of potential - or a range  
10 of impacts associated with them. Moderate impacts are  
11 those that are definitely noticeable. However they  
12 don't disrupt the resource and alter it significantly.

13           So for example if it was transportation,  
14 transportation has different aspects to it. How many  
15 cars can the road handle? How quickly does the  
16 traffic move? What is the accident rate along that  
17 road and the roads involved?

18           So in this region associated with an ISL  
19 process you are likely to see a noticeable effect on  
20 that; the number of cars on the road and in the  
21 traffic rates, but it wouldn't disrupt it  
22 dramatically.

23           For these areas that you see there is a  
24 larger range, and again this gets back to issues that  
25 are specific to each site. And these would gain the

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1 greatest attention and focus in any NRC review for a  
2 site-specific application.

3 Groundwater as we have discussed is of  
4 great concern here. We look at both the potential for  
5 this process to contaminate waters that might be used  
6 by people; the restoration of those waters; as well as  
7 with all this pumping going down the amount of draw  
8 down in local wells that might occur.

9 So these are areas again because there is  
10 a range of potential impacts that could be involved,  
11 it's very site-specific, and conditions at that site  
12 will gain special focus as to where along that range  
13 impacts might fall.

14 Briefly I'd just like to talk about our  
15 schedule, and how you can comment on this document.

16 We began the document back in July of  
17 2007. We held scoping meetings in the August and  
18 September timeframe. And on July 28<sup>th</sup> of this year we  
19 issued the draft generic environmental impact  
20 statement for public comment.

21 And we are in the midst of holding the  
22 public comment meetings. And the comment period  
23 closes early on October 7.

24 Having taken in all those comments, the  
25 NRC will use them in preparing a final document which

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1 we plan to issue in June of 2009.

2 Comments can come obviously tonight,  
3 you'll have a chance to provide them orally. But you  
4 can also provide them in a written form either by  
5 regular mail or by email. These addresses are out on  
6 a handout that you can get outside.

7 So no matter how the comments are provided  
8 to us, they all have equal weight.

9 And these are some names, mine included,  
10 if you have questions either about the draft generic  
11 environmental impact statement itself or about the in-  
12 situ leach process. These are contact names for you,  
13 and these are also on the handout, the same handout  
14 that the addresses about where to send comments is  
15 located.

16 So with that, I thank you for your  
17 attention, and thank you again.

18 MR. CAMERON: Okay, thank you. Thank you,  
19 Larry, and thank you all for your patience.

20 We will only be able to take a couple of  
21 questions. But before I go on I think Larry Camper  
22 wants to provide a clarification on something he said.

23 MR. CAMPER: Okay, thank you, Chip.

24 I do want to provide a clarification. On  
25 one of my slides, a slide entitled, government to

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1 government consultations, I had listed the Pueblo of  
2 Laguna as one of the government to government  
3 consultations. At the time we prepared this slide I  
4 anticipated that we were going -

5 VOICE: We can't hear you back here.

6 MR. CAMPER: Sorry?

7 VOICE: We can't hear you back here.

8 MR. CAMPER: Now? Okay, thank you.

9 On the slide entitled government to  
10 government consultation, the second entry was the  
11 Pueblo Laguna. At the time we prepared this slide we  
12 anticipated that we would be having a consultation  
13 with the Pueblo. But as it turns out today we are  
14 actually joining some members of the Pueblo on the  
15 Jackpile uranium mine.

16 We don't have a consultation yet, and that  
17 was pointed out to me, and I thank you for doing that,  
18 and we look forward to the opportunity to have a  
19 consultation. I just wanted to clarify that for the  
20 record.

21 Thank you.

22 QUESTION AND ANSWER PERIOD

23 MR. CAMERON: Okay, thank you Larry.

24 We are going to go right over here for a  
25 question. If you could just state your name.

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1 MS. HEAD: My name is Candace Head. I am  
2 with the Blue Water -

3 VOICE: Cannot hear you.

4 MS. HEAD: My name is Candace Head, and I'm  
5 with the Blue Water Valley Downstream Alliance. And I  
6 have a question about - hello?

7 VOICE: Not working.

8 MS. HEAD: I have a question for Mr. Park,  
9 is that correct?

10 MR. PARK: Correct.

11 MS. HEAD: How many jobs are you talking  
12 about in an in-situ leach operation compared to a  
13 traditional operation?

14 MR. PARK: I don't know if you can hear me?  
15 No?

16 Okay, we did not do a comparison. I'm not  
17 sure the number from a traditional mine, conventional  
18 mine and mill. But in terms of looking at the number  
19 of jobs that might be associated with an in-situ,  
20 construction might offer up to 200 jobs; those are  
21 temporary jobs in the course of the construction of  
22 the facility. During operations the numbers will drop  
23 down to roughly 70 or 80, and then with  
24 decommissioning at the end would increase again to  
25 probably 150. And that's the numbers we have used and

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1 looked at from other facilities that we have licensed.

2 MS. HEAD: I was just wondering, you said  
3 about 70 people that year and then a few more -- is  
4 that right?

5 MR. PARK: It's going to be a range  
6 associated with that, but that is generally the number  
7 that we have seen.

8 MR. CAMERON: Okay, thank you.

9 We can go right here for another question.  
10 And you are going to have to speak up. Yes, please.

11 MR. ZIEGLER: My name is Ted Ziegler. I'm  
12 the plant manager for uranium resources. My question  
13 on the government to government consultations, is  
14 there a public record made available of these  
15 consultations, or are they secret, I guess?

16 MR. CAMPER: They are not secret. But  
17 there is no record made of them either. They are  
18 government to government, and those type of  
19 interactions are allowed without public notification  
20 or without the need to record the proceedings.

21 MR. ZIEGLER: Is any record made though?

22 MR. CAMPER: I'm sorry, say again?

23 MR. ZIEGLER: Is any record made regardless  
24 of the requirement?

25 MR. CAMPER: Records that are made would be

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1 whatever notes the participants take, and it varies.  
2 For example I made notes the other day. Members of  
3 the Navajo Nation made notes. But there is no  
4 requirement for notes. I mean there is no requirement  
5 for making them publicly available. That's one of the  
6 operational parameters of government to government  
7 meetings.

8 MR. CAMERON: And Larry, there are no  
9 minutes made?

10 MR. CAMPER: No, sir, no minutes made, no  
11 official records at all.

12 MR. CAMERON: Okay, let's go right here for  
13 a question.

14 MS. KLONOWSKI: My name is Joan Klonowski.  
15 I just live here. The statutes you mentioned that  
16 are taken into consideration for the guidance, weren't  
17 they taken into consideration for any application in  
18 the past?

19 MR. CAMERON: Jim, do you understand the  
20 thrust of that question?

21 MR. PARK: Not completely. When you talk  
22 about the factors, if you could clarify which factors  
23 you were referring to?

24 MS. KLONOWSKI: Okay, it seems like when  
25 you described the reason for the guidance, it seems

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1 like that would be a consistent detailed application  
2 that would include factors about the process,  
3 construction, environmental impact, plus everything  
4 you said. And I was wondering wasn't that the way  
5 people applied in the past, and all those factors were  
6 considered or not?

7 MR. PARK: Yes, you are correct. And  
8 that's the reason why we wrote the draft generic  
9 environmental impact statement in that form, because  
10 that is the same analysis that we would use for any  
11 site-specific application.

12 MS. KLONOWSKI: Then why do it?

13 MR. PARK: As I indicated there are a  
14 number of companies that are approaching the NRC. We  
15 feel that there is a consistency that we can gain from  
16 using this document. This is allowed under the  
17 Council of Environmental Quality's regulations. This  
18 is a government organization that determines how the  
19 National Environmental Policy Act is done. This is  
20 known as a - under those regulations, it's known as a  
21 programmatic environmental impact statement. Which  
22 allows for looking at broad issues at this level, and  
23 using that document to tier off of, to use, aspects of  
24 it, conclusions, background information, in a site-  
25 specific more detailed analysis.

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1           Those are allowed under those regulations  
2 as well as under NRC's 10 CFR Part 51.

3           MS. KLONOWSKI: If it's the same  
4 information why use another form?

5           MR. CAMERON: When you say need another  
6 form, you mean - why do you need a generic in addition  
7 to the site specific?

8           MS. KLONOWSKI: Yes, if you have been  
9 getting all that information with the forms that you  
10 use already, as criteria for evaluating them, why do  
11 you need to add another thing too?

12          MR. PARK: It is part of preparation to be  
13 able to do -

14          MR. CAMPER: Well, the use of a  
15 programmatic environmental impact statement is not  
16 unique to uranium recovery. For example we did a  
17 programmatic environmental impact statement, a generic  
18 we call it, for renewal of power reactors. Other  
19 federal agencies us a programmatic environmental  
20 impact statement.

21                 In this case, as Jim pointed out, we face  
22 multiple applications for in-situ recovery of uranium.

23                 It is far more efficient, avoids redundancy to  
24 prepare a programmatic environmental impact statement  
25 when you are looking at multiple applications that

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1 have a large amount of commonality amongst all those  
2 applications, so that you can then tier for site  
3 specific environmental assessments.

4 MR. CAMERON: Okay, we're going to go here  
5 for a final question. Then we are going to get  
6 everybody up to talk to us. I apologize for the sound  
7 system such as it is, but this one microphone we know  
8 does work, so we will get all of your comments on  
9 record as well as hear them.

10 REV. BERNARD: I'm Father Larry Bernard. I  
11 serve as pastor for the Catholic congregation at  
12 Laguna and Acoma both. And my question is, I would  
13 say three parts.

14 First of all many of us are very concerned  
15 about Crownpoint, and the drinking water supply there.

16 And I feel from the presentation, Jim, that it's not  
17 possible to use an in-situ leach mining on drinking  
18 water supply. So does that mean that the Crownpoint  
19 possibility of in-situ leach mining is gone? We don't  
20 have to be concerned about our drinking water supply  
21 anymore?

22 MR. CAMPER: No, that is not correct. The  
23 Crownpoint was issued a license several years ago. It  
24 has not gone operational. But in order for Crownpoint  
25 to go operational the existing aquifer qualification

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1 will also apply.

2 Absent an exempt aquifer or portion of an  
3 aquifer you can't go operational ISR. At Crownpoint  
4 or any other facility.

5 MR. CAMERON: Any follow up on that?

6 REV. BERNARD: If I understand it, because  
7 you said no, but then the idea of the exemption cannot  
8 be mining in drinking water.

9 MR. CAMPER: Well, that's correct, sir.  
10 When we issue a license to any in-situ recovery  
11 application, our license is not the only regulatory  
12 hurdles that a particular applicant has to satisfy.  
13 There are a number of different state permits. There  
14 is the EPA-exempt aquifer qualification. But we  
15 evaluate against our regulatory criteria and proceed  
16 with the assumption that the applicant will obtain any  
17 and all other necessary and required regulatory  
18 permits.

19 MR. LINTON: Can I just add one thing? Ron  
20 Linton with the NRC.

21 MR. CAMERON: We're having mike problems.

22 MR. LINTON: What I wanted to add was, the  
23 reservoir formation is a regional aquifer, and you are  
24 correct in that. The portion where production would  
25 occur from, if that were to occur in the future, would

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1 be a very small part of that Westwater regional  
2 aquifer. So we are not talking about the whole  
3 aquifer or the whole water body, or the whole aquifer  
4 in a regional sense. It's a very small part that has  
5 been licensed for them to actually operate when it  
6 comes to fruition.

7 REV. BERNARD: That means it is not  
8 drinking water?

9 MR. LINTON: If it's an exempt aquifer,  
10 that meets the definition by EPA, that means it is no  
11 longer an underground source of drinking water. That  
12 is the actual definition. You exempt it from the Safe  
13 Drinking Water Act.

14 REV. BERNARD: And then the idea was, with  
15 this process, this three-part process for in-situ, the  
16 second part of processing, you extract the uranium  
17 from the liquid. What is the percentage of uranium in  
18 that liquid that is actually extracted, and how much  
19 remains?

20 MR. LINTON: It's a very high percentage.  
21 I don't know exactly what the percentage is. I know  
22 that in some cases you have, in some of the production  
23 water you will have 30 - 40 milligrams per liter of  
24 uranium coming out in the solution, in the production  
25 wells that are coming up through - going up to the

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1 production circuit. And then when it goes to ion  
2 exchange, the uranium is trapped on ion exchange  
3 resins. And what happens is that water is then  
4 refortified with oxygen, carbon dioxide, bicarbonate;  
5 it is pumped back in. It's a circular - it's kind of  
6 a big plumbing project. It's a circular process.

7 REV. BERNARD: We understand that vast  
8 amounts of water are used, and then what is this water  
9 actually good for afterwards? Can it be used for  
10 animals, agriculture, or what is it good for?

11 MR. LINTON: Well, it is exempted, as we  
12 talked about before, as an underground source of  
13 drinking water. It needs to be returned to its  
14 baseline conditions, MCLs, whichever are higher, or an  
15 alternate concentration limit.

16 In some cases that might encompass a  
17 previous class of use. So it will at least be  
18 returned back to the condition of whatever its  
19 previous use condition would be. And that  
20 determination is made by the state.

21 MR. CAMERON: To answer Father's question  
22 more specifically, class of use could be something  
23 like -

24 MR. LINTON: It could be like an industrial  
25 class of use. The ones I'm familiar with off the top

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1 of my head in Wyoming, where most of the water there  
2 is classified as Class IV industrial use.

3 REV. BERNARD: Could it be used for  
4 irrigation of crops?

5 MR. LINTON: It depends on whatever that  
6 class is use - I can't tell you that right off the top  
7 because I don't know what those numbers would be  
8 because the numbers would be with the state.  
9 Certainly if it goes back to baseline or MCL to  
10 meeting drinking water standards, I would think it  
11 could be used. But in most cases it's not to drinking  
12 water standards to begin with in most cases, where the  
13 production area is, not the whole aquifer but just the  
14 production area.

15 RECEIVE PUBLIC COMMENTS

16 MR. CAMERON: I'm hoping that we still have  
17 one microphone working. And let's not trust our luck.  
18 Let's see if this works. Does it work? Okay.

19 The first three speakers - yes, right,  
20 thank you - the first three speakers, Senator David  
21 Ulibarri, Commissioner Becenti, Joe Murrietta, Mayor  
22 of Grants, and George Knotts, first four speakers.

23 Is the Senator here? Senator.

24 SENATOR ULIBARRI: Good evening. My name  
25 is David Ulibarri. I am the state senator for

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1 District 30. I represent Cibola, and Socorro and  
2 Cibola. Cibola and Socorro and Valencia. I'm also  
3 the county manager for Cibola County.

4 I appeared before you when you were  
5 seeking comments on the idea of GEIS, so I welcome you  
6 back to Grants.

7 Let me begin by saying that the GEIS will  
8 help address environmental and safety concerns which  
9 is crucial if we are to move forward with uranium  
10 production in New Mexico. I believe that uranium  
11 production and nuclear energy has to be part of the  
12 mix in supply a secure domestic source of our energy.

13 The majority of our community believes  
14 that we are very fortunate to have a large uranium  
15 resource that we do have here in the Grants mineral  
16 valley, for two reasons: because Grants hopefully one  
17 day very soon plays a significant role in reducing the  
18 country's dependency on foreign oil. Because of the  
19 high-paying jobs and economic benefits that uranium  
20 production will bring to our community.

21 The mining industry has already begun to  
22 establish itself in Grants. That means increase tax  
23 bases and provide local jobs with benefit that is  
24 changing the quality of life for many.

25 I would like to stress that if we are not

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1 entirely confident that mining and milling can be  
2 conducted in a manner that is protective of the health  
3 of the uranium workers and the public and the  
4 environment, we could not support it.

5 We appreciate the NRC taking the lead for  
6 ensuring the safety of all three. I would like to  
7 urge the NRC to promptly complete its work on the  
8 GEIS, and thank you for being here and for the  
9 opportunity to speak.

10 Thank you.

11 (Applause.)

12 MR. CAMERON: Thank you.

13 Commissioner Becenti from McKinley County.

14 COMMISSIONER BECENTI: Good evening, ladies  
15 and gentlemen. And also members of the NRC panel.

16 First of all I'd like to say I appreciate  
17 NRC for holding public meetings to encourage  
18 stakeholders and public involvement in the development  
19 of the generic environmental impact statement to be  
20 used in assessing the potential environmental impacts  
21 of in-situ recovery.

22 I do support uranium development in New  
23 Mexico. New development of these mines will provide  
24 power needed to supply clean and inexpensive power,  
25 but also will create jobs as well as provide positive

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1 economic benefits, as a study that was done in an  
2 unbiased organization, New Mexico State University.  
3 If everyone would read that particular document, you  
4 would see the benefit that the State of New Mexico  
5 will receive as well as our local communities.

6 And the uranium industry will create also  
7 indirect jobs, to promote the economy. The industry  
8 has improved its practices in regards to safety for  
9 its workers and the environment.

10 Some of the highlights of this particular  
11 draft confirms that ISR, uranium recovery, is one of  
12 the low-risk activities in the nuclear fuel cycle.  
13 Also, 30 years of ISR operations there have been no  
14 significant adverse impacts to adjacent nonexempt  
15 sources of drinking water outside the recovery zone.

16 I commend the NRC for doing a very  
17 thorough job on this draft that is being presented to  
18 you today. And I also commend the uranium companies  
19 stepping forward to develop this particular resource  
20 which will benefit the state of New Mexico, and also  
21 our county here in Cibola as well as McKinley, which  
22 will all benefit in revenues as well as jobs, as I've  
23 indicated.

24 The draft contains a tremendous amount of  
25 information on the environmental and social conditions

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1 found in northwest New Mexico. When viewed with  
2 historical information gathered from 30 years of  
3 recovery operations in the U.S., I am very comfortable  
4 that future operations can be conducted without  
5 harming the workers and the public, or the  
6 environment.

7 I thank the NRC for compiling this  
8 information to educate the public on this important  
9 issue.

10 My review of the draft makes me very  
11 confident that uranium mining can be conducted in New  
12 Mexico that is safe, and will protect the worker, the  
13 public and the environment.

14 I urge the NRC to finalize this ISR draft  
15 as soon as possible to help the public evaluate new  
16 ISR projects. And I thank you for giving me this time  
17 to make this statement.

18 MR. CAMERON: Thank you, Commissioner.

19 (Applause.)

20 Next we will hear from Mayor Murrietta of  
21 Grants.

22 MAYOR MURRIETTA: As a lifelong resident of  
23 Grants and a former uranium industry employee during  
24 the '60s and '70s and '80s, I and a great number of  
25 the citizens of this area understand the uranium

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1 industry and the impact it can have in our community  
2 and our region.

3 With that in mind I'd like to say that the  
4 reason we are here tonight is to make comments  
5 regarding the GEIS. I would like to say that I am  
6 confident in stating that I and an overwhelming  
7 majority of the citizens in this area support the  
8 draft document. We understand that this document is  
9 the first step in the process for evaluating  
10 applicants for our in-situ leaching, and we are  
11 confident that it has set the parameters which can  
12 successfully evaluate these licenses in the future.  
13 And we can't wait to see a resurgence of uranium in  
14 our area.

15 Thank you.

16 (Applause.)

17 MR. CAMERON: Is George Knotts here?

18 MR. KNOTTS: I have no comment at this  
19 time.

20 MR. CAMERON: Okay, thank you. Thank you,  
21 George.

22 Next speaker is, we are going to Milton  
23 Head and Candace Head and George Byers.

24 MR. HEAD: I'll give you a little different  
25 view of what happens in uranium mining than what the

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1 last two or three speakers have.

2 I also am a lifelong resident of Grants,  
3 born here, and have grown up with the uranium  
4 industry. I have worked in the mines from the  
5 Jackpile area clear to Crownpoint. And I can tell you  
6 now that the pictures you see up there in these in-  
7 situ drawings is not an actual ore body underground,  
8 in most instances. They are up and down, and their  
9 configurations are not different. You've got shells  
10 I'm sure and some of them are isolated like they show.

11 But others have falling in them, and water escapes  
12 and this stuff is not controlled as easy as they show  
13 here.

14 My suggestion is that each site is enough  
15 different, every mine is different, and even sections  
16 of mines are different. And therefore instead of  
17 having a generic environmental impact statement which  
18 nobody can speak to, the public won't be allowed to  
19 ever speak to that again, the impact statement; so  
20 we'll have a generic impact statement that covers all  
21 these many many options, and which every one of those  
22 operations is going to have some differences in them.

23 And I think we need to see the geology and  
24 the ore bodies and outlay and what that program is.  
25 And I think the public should have some input

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1 especially if it's close to a town like Crownpoint and  
2 places like that. If it's way out in the country and  
3 nobody is around it it's somewhat different.

4 But I can assure you that the most  
5 valuable thing that the State of New Mexico has is  
6 drinking water. That's the most important thing to  
7 this state. And we've already lost a great deal of it  
8 in the last round of uranium mining.

9 So I just recommend that we do these on a  
10 site-specific, and forget a generic environmental  
11 impact statement.

12 And that's my recommendation to you.

13 MR. CAMERON: Thank you. Thank you very  
14 much.

15 (Applause.)

16 Candace.

17 MS. HEAD: Well, I was told it didn't  
18 really matter much what I said up here, that y'all  
19 were just checking off for or against, and that we  
20 were moving on. And I don't think that's true. I  
21 think it matters very much what we say up here. I  
22 think it matters what we do in this process.

23 I'll disagree with my dad; he's used to  
24 that. He says if it's out in the country maybe that's  
25 a different story. And I'll say in New Mexico if it's

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1 out in the country that's not a different story,  
2 because we need every drop of water we can get in this  
3 state. We don't know what the future holds, and we  
4 don't want to contaminate any water whatsoever. It's  
5 too valuable for our state, and too much of it has  
6 already been contaminated.

7 Now there are a couple of things that are  
8 kind of interesting here. First of all, the way I  
9 understand this, and Joan I'm not sure you ever got a  
10 great answer to your question, but the NRC was afraid  
11 it was going to get so many applications that it would  
12 be overloaded; resources would be maxed. Am I correct  
13 about that? You didn't feel you could handle all the  
14 different site-specific applications if we took them  
15 one at a time, so this is sort of a way we could cut  
16 down?

17 Explain that. I'm really interested.

18 MR. CAMERON: Well, Candace, if we can just  
19 have you make comments.

20 MS. HEAD: Okay. Well, it seems to me you  
21 are trying to cut corners. The volume, you said the  
22 reason for the generic GEIS is too much volume. So we  
23 are going to try to cut some corners. And you just  
24 can't do that with people's lives.

25 It's really interesting to me, we have a

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1 lot of folks here in this audience with green stickers  
2 on, and they're for uranium mining. And a lot of them  
3 are supposed to be our friends. They are people I've  
4 known for a long time. The mayor, for instance, a  
5 lifelong resident just like me, says that he knows a  
6 lot about the uranium industry. You may know a lot  
7 about the uranium industry, but you don't know  
8 anything about the situation that we live with and  
9 have lived with for 30 years.

10 So many of the people in this audience who  
11 are supposed to be our friends, and neighbors who are  
12 supposed to like us, who are supposed to be part of  
13 the community with us, have not taken the time to  
14 understand the contamination issues that we face.

15 And so when we hear a community like  
16 Crownpoint getting ready to really be taken advantage  
17 of, just like we were when we were so unknowing and  
18 trusting of our federal regulators, then we are going  
19 to stand up and we are going to start saying, no, you  
20 can't do that to those other communities like you've  
21 done to us.

22 And we are really sorry. I'd like to talk  
23 about relationships just a little bit, because NRC has  
24 a reputation for being a friend of industry. It's  
25 well known. It's documented. There are books written

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1 about it. And every slide that they've presented  
2 today could have been a slide that the industry  
3 prepared.

4 We didn't see any of that other side of  
5 the story, the folks down in Texas who are suffering;  
6 who feel like their health has been impacted; who  
7 can't get their water quality back.

8 I don't know what it means by just  
9 impacting a piece of an aquifer. It's water; I don't  
10 know how you do that. And the folks out at  
11 Crownpoint, they are the ones who are going to have to  
12 live with this, them, their children, their  
13 grandchildren, just like we've had to live with our  
14 contamination issues. And all of our, what were  
15 supposed to be our friends and neighbors haven't taken  
16 the time to come out and see what our problem is. But  
17 they are all for starting up again before anyone has  
18 ever addressed or talked about a real solution for us.

19 We are ready to start this up again, and  
20 so you are doing this for 70 jobs. For 70 jobs.  
21 This is what you are willing to sell, your  
22 relationships with your friends and your neighbors for  
23 70 jobs.

24 A lot of the people here from Grants are  
25 in it from the business community. They are not going

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1 to be working in the mines; they are hoping that  
2 they'll get some business going again, and times will  
3 be good.

4 Yes, so for 70 jobs, seven zero jobs, you  
5 are asking these people to give up their drinking  
6 water supply. I don't think it's worth it. But you  
7 know we've had this situation that you haven't been  
8 interested in either.

9 And we would really like if you care about  
10 us as people for you to find out what our story is and  
11 completely oppose something that would do the same  
12 thing to our neighbors just down the road.

13 This is wrong. I've been dealing with the  
14 NRC for almost 30 years now, and you all have come up  
15 with some dumb ideas in your time. But this has to be  
16 one of the dumbest ones I have ever heard of.

17 If we let this happen as citizens, I can  
18 only imagine what our children and grandchildren are  
19 going to say to us.

20 (Applause.)

21 MR. CAMERON: George Byers.

22 MR. BYERS: I'm trying to figure out which  
23 microphone to speak into. Is this the right one?  
24 Okay, this is the right one. I'm sorry, there's three  
25 here.

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1 I want to thank the NRC for being here  
2 tonight, and I want to commend you for making some  
3 improvements over what we saw last year. You have  
4 explained in your slides very clearly what you mean by  
5 exempt aquifers. I think that should be clear to  
6 everyone, and I thank you all for doing that; that's a  
7 big improvement.

8 You explained very clearly that you are  
9 not going to put poisons in the water; you are going  
10 to put oxygen, carbon dioxide and sodium bicarbonate  
11 in the water. Those are not poisons that I've heard  
12 about.

13 You have explained very carefully to us in  
14 your slides that the GEIS is generic; it's a  
15 foundation; it's a building block for all of the site-  
16 specific assessments that are going to follow.

17 I was involved in the coal industry in New  
18 Mexico in the 1970s and `80s and `90s, the Lee Ranch  
19 Mine. One of the documents that the Department of  
20 Interior did back it began in the `70s, ended in the  
21 `80s, was a regional environmental impact assessment  
22 of coal development. They looked at all of the  
23 potential coal development, everything from railroads  
24 to coal mines and power plants. That didn't mean that  
25 the site specific railroads, coal mines and power

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1 plants got to skate by without site specific  
2 assessments later. They didn't; they had to do them.

3 And so I want to thank you about that. I  
4 will also point out to you, you showed a picture of  
5 the Smith Ranch Highland mine. That was the  
6 photograph you all saw. They pointed out the little  
7 white boxes on the ground. A few years ago I was  
8 involved with that property. We took the people from  
9 the Centers for Disease Control and the National  
10 Institute of Occupational Safety and Health out to  
11 Smith Ranch Highland to look around.

12 One of the first observations they made  
13 was, look, what are those little white boxes? This  
14 looks like a bee farm. That is about the limit of the  
15 environmental impact you are going to have on the  
16 surface.

17 One of the staff ladies from CDC asked one  
18 of the drillers, what is the most dangerous thing out  
19 here. And he said, ma'am, it's in the hunting season.

20 He said it's the antelope hunters on the adjoining  
21 ranches. Now and then we'll have a bullet hit one of  
22 our drill rigs. It's very safe.

23 Smith Ranch Highland has about 90  
24 employees directly. However what we fail to think  
25 about are the indirect and the induced employment that

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1 you are going to have that spin off from those 70  
2 jobs. It's very substantial.

3 The economic study that Commissioner  
4 Becenti referred to by New Mexico State University  
5 shows that when this industry gets going in-situ  
6 versus conventional plus milling, we will have the  
7 potential of around 8,000 jobs annually  
8 direct/indirect and induced in the Grants area.

9 I'll close by adding one more thing. We  
10 hear some mythology out here with respect to why here,  
11 why don't we get our uranium in America from somewhere  
12 else.

13 Some of the other places we hoped to get  
14 it from and might get it from include: Kazakhstan.  
15 Kazakhstan has committed virtually - it's going to be  
16 the third largest uranium producer in the world in  
17 about two years coming from nowhere five years ago.  
18 But where is their uranium going? It's going to go to  
19 Russia or China.

20 How about Australia, currently the second  
21 largest producer in the world? Almost all of  
22 Australia's uranium is now committed to China, and  
23 what little bit is left is going to go to India. We  
24 can't depend on that.

25 Well let's look at Canada, next door.

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1 Canada is the world's largest producer. The Cigar  
2 Lake Mine, 10 percent of the entire world demand could  
3 come from Cigar Lake. Unfortunately it flooded two  
4 years ago. They don't know when they'll get Cigar  
5 Lake back.

6 So let's look at Niger, West Africa.  
7 AREVA has had its executives and employees kidnaped  
8 and murdered in Niger.

9 And finally South Africa, just two weeks  
10 ago South Africa said, hey we are going to go nuclear  
11 ourselves. Even though we are a big coal producer.  
12 We are not going to let any of our uranium go on the  
13 world market any longer. We are going to keep it and  
14 use it here.

15 I will say that Neutron Energy is not  
16 involved in in-situ, but we need this process in the  
17 country, and I appreciate all that you have done to  
18 explain this much better for us.

19 Thank you very much, Larry.

20 (Applause.)

21 MR. CAMERON: Next is Alan Kuhn, Robert  
22 Tobe, and Chris Shuey.

23 Alan?

24 MR. KUHN: Thank you. Thank you very much  
25 for this opportunity to speak.

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1 I'm Alan Kuhn. I worked as a consultant  
2 to the mining industry, and uranium in particular, for  
3 more than 30 years.

4 Part of my work has been to help the  
5 uranium companies understand and comply with state and  
6 federal requirements. Now we have historically had  
7 quite a task in sorting out and understanding the  
8 variety of regulations that we have had to follow, and  
9 especially those that have been related to licensing.

10 The GEIS takes an important step forward  
11 in standardizing the approach that everyone has to  
12 take on those elements of the application which are  
13 virtually the same from one operation to the next.

14 There is no point in reinventing the same  
15 wheel application after application. There is no  
16 attempt in the GEIS to do away with site-specific  
17 information, to try to gloss over or cut corners  
18 around site-specific characteristics for each  
19 application.

20 It is important I think to understand that  
21 the GEIS does not substitute for what has to be done  
22 for each particular site. The GEIS does make the  
23 process transparent to everyone, so everyone can  
24 understand it equally. It's consistent so that there  
25 is no double standard or switching of standards from

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1 one site to the next. And it's particular practical  
2 in terms of not having to redo a process of analysis  
3 that's already been done and would simply be the same  
4 process for the same milling operation from site to  
5 site.

6 So we are looking for transparency. We  
7 are looking for consistency. We are looking for a  
8 practical solution for expediting the evaluation of  
9 environmental impacts. The GEIS goes in the positive  
10 direction of helping us assure health and  
11 environmental protection rather than trying to dodge  
12 the issue.

13 Thank you very much.

14 (Applause.)

15 MR. CAMERON: Robert Tohe.

16 MR. TOHE: Good evening, everyone. And to  
17 the members of the NRC staff who are hosting this  
18 meeting.

19 Last night I presented some comments in  
20 reference to a generic environmental impact statement.

21 And essentially those comments are that the way we've  
22 had review, the current GEIS draft, is that it's  
23 inadequate. It - in some ways it misrepresents the  
24 burden that the communities would have to shoulder  
25 simply because we do not have sufficient information,

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1 sufficient analysis according to the National  
2 Environmental Policy Act, and as such that the draft  
3 GEIS must start over again, so that it will allow -  
4 I'm speaking for the national group that had signed a  
5 letter to the NRC to request an extension of an  
6 additional 180 days beyond the October 5<sup>th</sup> deadline,  
7 and we need to have this so that the few communities  
8 that are directly affected can know precisely what it  
9 is that the NRC is trying to provide and do with this  
10 GEIS.

11 It does not do a thorough analysis of the  
12 impacts to ground water and surface water; to the  
13 vegetation; to threatened species. There's a host of  
14 things that we still need clear, and direct answers  
15 to.

16 And it is for that reason that I support  
17 requesting the NRC to extend the additional comment  
18 period for 180 days.

19 Thank you.

20 MR. CAMERON: Thank you, Robert.

21 (Applause.)

22 Next we are going to hear from Chris  
23 Shuey.

24 MR. SHUEY: Good evening. My name is Chris  
25 Shuey, and I direct the uranium impact assessment

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1 program at Southwest Research and Information Center  
2 in Albuquerque.

3 And this is what we are talking about  
4 tonight, and I don't even have one of the volumes -  
5 one of my colleagues does. So I encourage you to  
6 actually open it up and read it. Here's a couple fo  
7 things that it doesn't contain.

8 In my work for Churchrock chapter, we  
9 conducted an environmental assessment of areas off of  
10 mine sites that had been potentially impacted by  
11 mining operations. This was more than 20 years after  
12 the last mines had shut down.

13 We found extensive radiological  
14 contamination throughout the Church Rock area, along  
15 the highways, into the residential areas, from sites  
16 that had been abandoned, walked away from by companies  
17 that had the financial wherewithal to have cleaned up  
18 their messes. It's something we all learned as little  
19 kids: take care of your own mess; don't leave it to  
20 somebody else. That's what happened over there, and  
21 that's what's happened in Ambrosia Lake.

22 In my other capacity as a public health  
23 scientist working on a health study in the Eastern  
24 Agency, we had to sample and test water wells, mostly  
25 unregulated livestock wells throughout the southern

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1 portion of the San Juan Basin.

2           These are wells that are completed through  
3 the entire thickness of the aquifer, including the  
4 Westwater Canyon member, which is the uraniferous  
5 aquifer for which mining would take place in most  
6 cases.

7           Our of more than 110 wells I found exactly  
8 eight that had uranium concentrations above the  
9 drinking water standard. Four of those were not  
10 Westwater wells. One that was, is probably  
11 contaminated by mining activities over at the old  
12 United Nuclear Mill.

13           The fact of the matter is, folks, the  
14 aquifers outside of Ambrosia Lake on the whole are not  
15 naturally contaminated. Where we see the  
16 contamination is where the uranium industry left it,  
17 and left you and people over in the Homestake site in  
18 Milan to deal with the aftermath.

19           This is not something that you will find  
20 in this document. The NRC decided that impacts from  
21 previous operations are outside the scope of this  
22 document. And they name on page 1 hyphen 113, uranium  
23 milling. They don't even name uranium mining, because  
24 the NRC doesn't regulate uranium mining. Nonetheless,  
25 as site-specific licensing decisions for ISL

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1 operations come forward, you will have to assess the  
2 impacts of previous operations on the groundwater  
3 quality, because that is a key element of every ISL  
4 application, the definitive - the definition of  
5 baseline water quality.

6 You make the same mistake that we've seen  
7 over and over again in license applications. On page  
8 3.5-21 you take water quality data from ore zone wells  
9 and from non-ore zone wells; you put them together and  
10 average it and you get an inflated figure for uranium  
11 concentrations.

12 I don't see this in real life, folks. The  
13 Crownpoint wells have average uranium concentrations  
14 of 1 to 2 parts per billion, micrograms per liter,  
15 well below the drinking water standard. Yet we have a  
16 document here that misleads the public into thinking  
17 that the Westwater aquifer at the end of one site, and  
18 the Church Rock site is up around 10 milligrams per  
19 liter. That is not true. You need to fix it.

20 This document does not disclose in a  
21 comprehensive fashion the extent of excursions at  
22 virtually every ISL operation in Texas, Wyoming and  
23 Nebraska. It does not disclose the information that  
24 Mr. Camper showed in one of his slides of the failure  
25 of restoration. We have one of the most analogous

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1 operations, the Mobil Section 9 west of Crownpoint  
2 that only leached for about, less than a year, 10  
3 months; went into restoration for six years, and still  
4 could not achieve baseline standards. And those  
5 baseline standards were actually inflated. That's not  
6 in this document.

7 You said, and it's true, that a  
8 programmatic or a generic environmental impact  
9 statement is a disclosure document. You don't  
10 disclose important information for the public to use,  
11 to evaluate this process, and you don't disclose  
12 information that you can use.

13 There is four pages of description of  
14 aquifers, yet not once do you describe the  
15 commonalities as Mr. Park used the word of the fluvial  
16 nature of some of the deposits, and the difficulties  
17 of controlling fluid movement in these fluvial  
18 aquifers.

19 The problem, the ultimate problem here is  
20 that this document as now written, unless it is  
21 substantially revised, cannot serve as the gentleman  
22 just said as a basis for consistency in making  
23 licensing decisions.

24 The NRC already has a standard application  
25 format, and they just got done revising a standardized

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1 in-situ leach guidance document that we commented on  
2 over the last several years. So unless this document  
3 here is substantially revised and made complete and  
4 honest, we suggest it just be withdrawn. We can get  
5 on with the task of looking at individual sites and  
6 individual license applications. You need to have the  
7 time to do that. The public needs to have the time to  
8 respond. This is not going to help.

9 We also support the call for 180 day  
10 extension in the comment period. We will be filing  
11 extensive written comments. Thank you.

12 MR. CAMERON: Thank you.

13 (Applause.)

14 MR. CAMERON: We're going to go to Ronny  
15 Pynes, and then to Father Bernard and Mr. Gilbert.

16 MR. PYNES: Good evening. My name is Ronny  
17 Pynes. I'm a resident of Grants. I've lived here for  
18 32 years. I attended the meeting last night to  
19 address the panel in Gallup last night. And I thanked  
20 them then; I'll thank them again tonight for the time.

21 I am not going to take the time to repeat  
22 myself. You heard me last night. But I was asked by  
23 one of the village of Milan trustees to read a  
24 statement to the panel, and give this copy to you for  
25 the record. It's dated September 9<sup>th</sup>, 2008, to whom

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1 it may concern:

2 On behalf of the Village of Milan  
3 governing body I would like to express our support for  
4 the uranium mining in the area. As you know most of  
5 our children are leaving the area to seek employment  
6 elsewhere. We believe that it would be beneficial to  
7 the local economy and provide the opportunity for the  
8 growth that is needed, as well as contribute to  
9 solving the energy crisis in our country.

10 Signed, sincerely, Manuel Bolina, mayor  
11 pro temp.

12 Thank you.

13 MR. CAMERON: Thank you.

14 (Applause.)

15 MR. CAMERON: Father Bernard?

16 REV. BERNARD: Good evening again,  
17 everyone. I want to thank the Nuclear Regulatory  
18 Commission for holding these hearings, and for the  
19 presence of everyone.

20 I think my comments go to the basic  
21 purpose of the NRC, because it is focused on public  
22 health and safety and it desires to promote the common  
23 defense and security.

24 I think that there are a lot of issues  
25 that are not mentioned in the GEIS that deal with

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1 these matters. So I have a few comments on some of  
2 what I consider the more important elements.

3 Nuclear power is medically dangerous.  
4 Operating nuclear - just like George Bush - nuclear  
5 reactors routinely emit radioactive materials into the  
6 air and into the water, including the fat-soluble  
7 noble gases of xenon, krypton, argon, which are  
8 readily absorbed through the lung and migrate in the  
9 blood to fatty tissues of the abdominal fat pad and  
10 upper thighs where they irradiate the reproductive  
11 organs at high doses of mutagenic gamma radiation;  
12 carcinogenic tritium, radioactive hydrogen, is also  
13 routinely released.

14 But more is at stake. Thirty tons of  
15 highly carcinogenic nuclear waste is manufactured  
16 yearly in each reactor which is stored in cooling  
17 pools adjacent to the reactors. A terrorist attack on  
18 a pool containing 10 to 30 times more radiation than  
19 the reactor itself could release massive amounts of  
20 radiation, devastating surrounding communities and  
21 agricultural areas forever.

22 Nuclear waste must be isolated from the  
23 environment for at least 250,000 years, a physical and  
24 scientific impossibility. Odorless, tasteless, and  
25 invisible radioactive isotopes seep and leach into the

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1 environment where they concentrate in the food chain,  
2 enter the human body and migrate to specific organs  
3 irradiating and mutating surrounding cells for many  
4 years.

5 The incubation time for cancer is between  
6 five and 60 years. Over time future generations will  
7 inevitably experience epidemics of cancer, leukemia  
8 and genetic disease.

9 Nuclear power is a tenuous investment. A  
10 nuclear accident or terrorist attack would signal the  
11 end of nuclear power. David Lochbaum, a nuclear  
12 engineer from the Union of Concerned Scientists, says:  
13 It is not if but when there is a meltdown, because of  
14 sad to say lax and inefficient safety procedures  
15 overseen by the NRC at the 103 operating U.S.  
16 reactors. A meltdown could permanently contaminate an  
17 area the size of Pennsylvania with over 100  
18 radioactive elements.

19 Surprisingly security has virtually not  
20 been tightened at 103 U.S. reactors since 9/11, even  
21 though one of the targets of the terrorists was the  
22 Indian Point reactor complex 35 miles from Manhattan.

23 Despite massive government subsidies in  
24 the U.S., Wall Street and Standard & Poor's are  
25 reluctant to invest in nuclear power having been

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1 severely burnt in the 1970s and `80s when Three Mile  
2 Island and Chernobyl caused the costs of nuclear  
3 reactors to soar.

4 The 2005 U.S. energy bill allocated \$13  
5 billion to the nuclear renaissance because the nuclear  
6 industry is simply not viable without government  
7 support.

8 Contrary to industry propaganda, nuclear  
9 power contributes substantially to global warming.  
10 Fossil fuels used to mine and enrich uranium,  
11 construct and decommission the reactor, transport and  
12 store the intensely radioactive waste for eons of time  
13 produce global warming gases.

14 Presently a gas-fired electricity  
15 generator emits three times more CO2 than a similar  
16 sized atomic reactor. But as the supply of high grade  
17 uranium ore declines, a nuclear plant will within  
18 decades generate as much CO2 as a gas-fired generator.

19 Uranium supplies are finite. Certain  
20 experts have come up with this, that if global  
21 electricity was nuclear generated today only nine  
22 years supply of uranium remain.

23 Nuclear power is a transient generator of  
24 electricity, but its actual legacy will be medically  
25 catastrophic. Public health denotes that if a disease

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1 is incurable, the only recourse is prevention.  
2 Uranium mining and its offspring, nuclear power, are  
3 therefore medically contraindicated.

4 So my opinion is that our direction for  
5 gaining energy and becoming energy independent is not  
6 in nuclear energy at all.

7 Thank you.

8 (Applause.)

9 MR. CAMERON: Thank you, Father.

10 MR. GILBERT: My name is Petuuche Gilbert.

11 I am from a community to the east of here, the Pueblo  
12 of Acoma. The plan to use this generic environmental  
13 impact statement to cover all in-situ recovery uranium  
14 operations in here in the southwest and throughout the  
15 United States to me is dangerous. It's irresponsible.

16 A blanket one-size-fits-all GEIS is too  
17 general, generic in its nature. It's really I think  
18 it's noted by some people unrealistic to cover all  
19 real-world situations. And as has been alluded to  
20 tonight by someone else, it is to me, it is done  
21 mainly for the federal government's benefit to reduce  
22 costs of having to do what is known as full-blown  
23 environmental impact statements.

24 Still as has been observed the projects  
25 are site specific, and environmental impact studies

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1 need to be considered locally. And I'm glad to hear  
2 throughout these new regulations that the NRC is  
3 formulating that that is going to be more intensified.

4 And especially this should be the case  
5 here, in the arid Southwest, where water resources are  
6 critical. The communities rely on the groundwater  
7 resources.

8 And I - all of us really pump drinking  
9 water from underground resources. Last month in the  
10 Nuclear Regulatory Commission's reply to Governor  
11 Richardson's concern over this GEIS, and I'll quote  
12 here, because I think it's important. The NRC wrote  
13 back to the governor and stated, quote: The staff  
14 intends to use the GEIS to focus its site-specific  
15 environmental review. The GEIS will analyze the  
16 construction and operation of ISL facilities and  
17 discuss the potential environmental impact from  
18 reference sources areas, for example, surface water,  
19 air quality and transportation. Then for each ISL  
20 facility application, a site-specific environmental  
21 impact assessment EA will be prepared that  
22 incorporates relevant conclusions from the GEIS and  
23 concentrates on potential environmental impacts that  
24 are unique to the proposed site, end of quote.

25 Now for me, this really avoids again

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1 having to do an environmental impact statement as  
2 required by NEPA. Licensing an in-situ mine operation  
3 is a significant environmental impact. Let us not  
4 think that just because it is out of mind underground  
5 it is out of our mind. The people on the land  
6 ultimately will suffer from underground pollution.

7 Long term impacts from this large scale  
8 groundwater pumping are not immediately felt, as we  
9 can see just from years of experience. We now know  
10 that years of uranium mining and milling have  
11 contaminated the surface and underground natural  
12 resources of the land around us. Just see what is  
13 happening at the Superfund site at the old Anaconda  
14 Mill and at the Homestake area. The area we now know  
15 from Ambrosia Lake to Milan has been affected  
16 negatively from these historic mines and their  
17 discharges. The groundwater has been polluted by  
18 uranium processing, and the underground water will  
19 never be the same as before.

20 I simply don't believe that the  
21 groundwater can ever be restored to its original  
22 condition, or as the NRC calls it, the baseline  
23 parameter. Any generic and/or site-specific  
24 environmental impact statement must also address the  
25 impact from historical uranium recovery operations.

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1 We often neglect these historical mistakes, and repeat  
2 them over instead. We haven't yet learned that  
3 messing with Mother Nature is hazardous to our health.

4 As Father has just alluded to, nuclear  
5 energy is not the only answer to provide jobs and  
6 energy. We want economic development that doesn't  
7 destroy the land and pollute the environment. We must  
8 not think just of today but for future generations.  
9 What is the legacy we give to future people? It  
10 should not be the legacy of environmental degradation  
11 that we see today.

12 Before NRC grants new licenses they must  
13 determine the environmental impacts from these past  
14 uranium recovery operations. The NRC must also  
15 identify and remedy past practices that have  
16 contributed to adverse environmental impacts.

17 Recently the governor of Wyoming, Governor  
18 Freudenthal, urged NRC not to delay - or to delay the  
19 issuance of the generic GEIS. And now for myself and  
20 along with Multicultural Alliance for a Safe  
21 Environment and Laguna Coalition for a Safe  
22 Environment, we urge the NRC to do a thorough and  
23 rigorous analysis before the issuance of the final  
24 GEIS.

25 And some of my compadres have urged that

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1 it at the minimum be extended 180 days.

2 Finally I'll just make this remark. You  
3 know we cannot, and must not forget, that uranium was  
4 used to make the atomic bomb. Uranium must not be  
5 used to kill people, whether it is from mining or from  
6 bombing people.

7 MR. CAMERON: Thank you.

8 (Applause.)

9 MR. CAMERON: Next speakers are Juan  
10 Velazquez, Sofia Martinez, Walter Meech and Jonnie  
11 Head.

12 Juan?

13 MR. VELAZQUEZ: Thank you. My name is Juan  
14 Velazquez. I'm vice president of environmental and  
15 government regulatory affairs for Strathmore Minerals.  
16 And I'm here to add my thanks and support for the  
17 clarification you folks provided from the NRC.

18 I agree with some of the folks here who  
19 have said that the clarification you have provided  
20 tonight is significant, relative to the manner in  
21 which we had some confusion during your scoping  
22 session. So I applaud you for that.

23 I don't want to take up too much of your  
24 time, because we will be providing a tremendous amount  
25 of input into this document. As you saw it's a very

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1 large, very complex document.

2 I'm here to represent not only Strathmore  
3 but the Uranium Producers of New Mexico, the Uranium  
4 Producers of America, and the National Mining  
5 Association, and let you know that there will be a  
6 significant input from us for all of the quarters here  
7 and the various states that you will be visiting.

8 But I did want to highlight and add my  
9 voice to the fact that while there is a lot of  
10 misrepresentation with respect to the purpose of the  
11 GEIS, with respect to the manner in which it will be  
12 used, I can tell you that from my experience over the  
13 last many years in the regulatory arena, there will be  
14 a significant and rigorous review of every one of the  
15 sites that you will be concerned about, whether it's  
16 an in-situ recovery site, or whether it's a  
17 conventional mine and mill site. The process for  
18 review and public input will be significant and  
19 substantial.

20 MR. CAMERON: Thank you.

21 (Applause.)

22 MR. CAMERON: Sofia Martinez.

23 MS. MARTINEZ: Buenas noches. Mi nombre es  
24 Sofia Martinez. Soy Nuevo Mexicana. Y este hombre si  
25 que me da mucha tristeza ver a mi raza aqui dividida

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1 con el pueblo pobre, no, el pueblo Indigena, el pueblo  
2 Chicano, Hispano, Mexicano. Dividos por el dinero,  
3 no, porque todos somos pobre, todos necesitamos el  
4 trabajo y porque somos pobres. Y muchas veces nos  
5 falta educación y necesitamos trabajo para darle de  
6 comer a nuestros hijos, para hacer nuestras casas.  
7 Toman ventaja de nosotros. Toman ventaja de nosotros.  
8 Y todo lo que tenemos que pensar es mirar lo que pasó  
9 con el Atrisco Land Grants, no. Y allí también  
10 estaban los gobernantes y las industrias; muy  
11 mentiras, no?

12 Creo que pero yo les tengo que hablar de  
13 eso mucho porque esta historia la tenemos bien  
14 precorrida. No?

15 I'd like to talk a little bit about  
16 environmental justice. Environmental justice is the  
17 requirement to environmental racism or environmental  
18 injustice. About 20 years ago I began working at the  
19 national level in the environmental justice movement.

20 And when we found that all across the United States  
21 as well as the world where the dirty and polluting  
22 industry and processes could be found as well as  
23 hazardous waste dumps were in poor and communities of  
24 color. New Mexico is a poor and largely a community  
25 of color state.

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1           There is no doubt of why we are a national  
2 sacrifice state, when in the '30s uranium mining began  
3 here, when Chicanos and indigenas were contaminated by  
4 uranium mining before we knew the impacts of that, no?

5           And originally at Los Alamos and Sandia  
6 Labs, they design all the weapons that are produced  
7 from our work in taking the uranium out of the ground.

8           And then they were tested all over New Mexico, in  
9 White Sands. We like to take our children over there,  
10 no? Because it's a real beautiful spot. But you know  
11 try taking a mental test after you have been there to  
12 visit to see what kind of contaminants are in that  
13 area.

14           And then we are the world's only hazardous  
15 waste site in the world. Remote handled waste, no?  
16 The Waste Isolation Project, travels all the roads  
17 that go to it, travel through poor and communities of  
18 color.

19           In Santa Fe they have the relief route.  
20 It doesn't go into Santa Fe, because there are a lot  
21 of rich people there. Even in Albuquerque, there are  
22 a lot of rich people that have a lot of power, so it  
23 doesn't go through Albuquerque either. But it does go  
24 through Wagon Mount, my hometown, through Dixon and in  
25 all those areas, and right on through Artesia, okay,

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1 and into growth that - all the people need jobs. We  
2 all need jobs.

3 It's really sad to come to a place like  
4 this to see government officials, legislators, mayors,  
5 directors of chambers of commerce that are supposed to  
6 represent the will of the communities, the health of  
7 the communities. They are supposed to be creators,  
8 and look at moves that can bring us good jobs that  
9 don't give us cancer and respiratory problems and  
10 liver disease and kidney disease and destroy our water  
11 and destroy our soil. That's what good government  
12 officials should do. That's what good chamber of  
13 commercers should do, okay, not be passing out green  
14 stickers to promote misery. Grants should already  
15 have a history. What happened last time when  
16 everybody moved out once there was no money to make?  
17 You all have that experience already.

18 And now they are here again because there  
19 is money to be made again. And once the money for  
20 uranium goes down what is going to happen to our  
21 communities again?

22 I come from Wagon Mount. We don't have  
23 uranium, thank god, thank the creator, thank the  
24 goddesses, thank whoever, no.

25 But within the last few years they opened

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1 up a private landfill in the Wagon Mount area. And  
2 now this gentleman has been trying year after year  
3 after year to bring in special waste from all over the  
4 United States to Wagon Mount. That's my community.

5 Why should Wagon Mount have Los Angeles  
6 sludge, asbestos and other kinds of waste that no one  
7 else wants? Why do they want to bring it to Wagon  
8 Mount? Why do they want to come over here and divide  
9 the community of Grants among its indigenous brothers  
10 and sisters and the poor people in this area? Why  
11 can't they be creative, and bring other forms of  
12 economic to this area?

13 When the environmental justice movement  
14 started again I said that there were various studies  
15 that showed that dirty and polluting industry and  
16 hazardous waste dumps were predominantly located in  
17 poor and communities of color. A few years later a  
18 study that at that time we used was redone just  
19 recently and released. Twenty years later nothing has  
20 gotten any different.

21 In spite of that there has been an  
22 executive order in environmental justice which is  
23 mentioned all over in this generic environmental  
24 impact statement that you are being presented.

25 It's a little bit of a farce the way that

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1 environmental justice has been presented in this  
2 document, and I haven't had a chance to really review  
3 it. But environmental justice needs early and  
4 meaningful participation. When were the scoping  
5 meetings? Was there public participation in that?  
6 Was there lots of community involvement in that?  
7 Because there should have been.

8 This GEIS should not have gone forward  
9 without that kind of input to begin with, not just a  
10 collaboration between industry and government to  
11 decide the generic fastest most efficient approach.  
12 To now do in-situ mining, you can't see it; it's  
13 underground. It's not like those -

14 MR. CAMERON: If you could wrap it up.

15 MS. MARTINEZ: Oh, is there a time limit?

16 MR. CAMERON: Yes. Yes, there is.

17 MS. MARTINEZ: It wasn't announced.

18 MR. CAMERON: Yes, I did announce it at the  
19 beginning.

20 MS. MARTINEZ: Well, I will try to do that.  
21 Because I think it is information that you all need,  
22 because this is public commentary.

23 MR. CAMERON: Yes, I know. But we have  
24 many other people who want to make public commentary.  
25 So if you could just wrap it up, please. Thank you.

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1 MS. MARTINEZ: So again, I think a draft is  
2 sadly lacking. It is definitely a farce in terms of  
3 environmental justice. Clearly people were not  
4 involved in the beginning; otherwise it would look  
5 totally different. There is nothing generic about the  
6 situation in every particular site. Wagon Mount is  
7 not Grants, nor is it Acoma or Laguna.

8 Pero todos hablamos la misma idioma, a  
9 veces en ingles y en espanol pero el idioma de los  
10 pobres y la gente con respeto y honor, no? Y tenemos  
11 que - no somos pendejos tampoco.

12 What I do want to say is, also, that the  
13 National Law Review did studies of the EPA in I  
14 believe it was 1997. And what they found when they  
15 studied all the cases that the EPA had dealt with,  
16 they found that it took the EPA a lot longer to  
17 respond when communities of color or poor communities  
18 had a problem. They're staffed when it came to a  
19 white affluent community, okay? When it came to  
20 dealing with the problem, they just put a little dirt  
21 over it like they have over here in the mine county.  
22 But in my community they removed the dirt.

23 MR. CAMERON: Maria. Sophia, I'm sorry,  
24 thank you. I think we get it -

25 MS. MARTINEZ: So can H2O really be

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1 restored to its prior state?

2 MR. CAMERON: Thank you, Sophia.

3 (Applause.)

4 MR. CAMERON: Walter Meech and then Jonnie  
5 Head.

6 MR. MEECH: My name is Walter Meech, a  
7 citizen from Grants. I've lived here about 34 years.

8 I'm in support of this GEIS. I think it's  
9 a great opportunity to try to streamline this. I  
10 think it's a good way to get it. From what I  
11 understand this is just one step in reference to what  
12 you guys are proposing. Everything is still site-  
13 specific, and I think still everything has to go  
14 through the state agencies, if I remember going  
15 through your agenda showing that it had to go through  
16 air quality, water control and all these other things  
17 that were set up on it.

18 We are talking over 8,000 jobs indirectly  
19 that can be associated with this in reference to  
20 revenue. From what I understand, a big part of the  
21 state, the reason why it is so sovereign, is because  
22 of the severance tax that was paid from ore from this  
23 state and that is why this state has been able to stay  
24 in the black and continue to prosper the way it has,  
25 and they have been able to do a lot of things in

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1 reference to it.

2 Leaching, from what I understand, in  
3 reference to what you were talking about, is from  
4 water that is probably already contaminated, and with  
5 something that was going to be well over the numbers  
6 that you were talking about to do it, you know, they  
7 talk about the dangers in reference to this. I mean  
8 people don't give up driving cars, and there are over  
9 30,000 people a year that are killed by cars, and they  
10 don't give it up, and I don't see those kind of  
11 numbers coming from the uranium industry.

12 You know like I said I do support this. I  
13 think it's a good opportunity. I think it's a good  
14 way to streamline it, and I think it will help make it  
15 a better system than what we have already.

16 And that's all my comments. Thank you.

17 (Applause.)

18 MR. CAMERON: Next we are going to hear  
19 from Jonnie Head. And then we are going to go to  
20 Star Gonzalez after that.

21 Jonnie.

22 MS. HEAD: My name is Jonnie Head. I live  
23 in Murray Acres. And I have a few comments that I'm  
24 sure you will notice that my husband helped me put  
25 this together, because he's a lot more knowledgeable

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1 about all this than I am, but I do know a little bit.

2 When the Manhattan Project was started  
3 back in the '30s, we imported the uranium for that  
4 project. And after that, AEC, which is what was there  
5 before NRC, AEC was given the direction by the  
6 government to secure domestic uranium for our atomic  
7 weapons, and that's when we established a domestic  
8 supply of uranium, and there was no real concern at  
9 that time about the health and welfare of citizens.

10 And by the 1960s we had a domestic supply  
11 of uranium, and the AEC began nuclear reactor  
12 production. It was a good time to review past  
13 mistakes with uranium. And instead, AEC just moved  
14 on.

15 Now it appears that NRC - see, AEC was  
16 replaced because that sounds like atomic bombs and  
17 things like that, so now we're in Nuclear Regulatory  
18 Commission. Sounds a lot more civilized, I guess it  
19 is.

20 The NRC plans to disregard pollution  
21 caused by actions of the Atomic Energy Commission. In  
22 making a decision on any generic environmental impact,  
23 NRC should consider not only your responsibility as a  
24 regulatory authority, but also your responsibility to  
25 American citizens to protect our health and our

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1 welfare.

2 We recommend you seriously consider the  
3 mistakes in writing and knowing that have already been  
4 made. Every ore body at every mine has site-specific  
5 requirements. A generic impact statement will not  
6 give each site the careful consideration it requires.

7 NRC should decide against a general impact statement  
8 and give every site a site-specific proposal. And  
9 citizens should be allowed input on every project.

10 As I understand it, this generic thing, if  
11 you don't do site-specific every time we will not be  
12 allowed to have an input into this solution; is that  
13 correct?

14 Only - this is it. In other words if we  
15 can't do a site specific, then if we do a site  
16 specific then we can't have public input; is that  
17 correct?

18 Well, I do want to say some other things.  
19 Because I just made little notes.

20 We all know that under this soil there are  
21 all kinds of levels of dirt and rocks and so forth.  
22 And I'd like to point out to you people that live up  
23 on the mountain in those lovely places that you like  
24 so well up there, if they put water in a hole that  
25 causes other - I don't know exactly how to say it -

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1 but it's what they displace that spreads around in the  
2 water that can affect you at some point.

3 And we have had that situation out where  
4 we live. There are aquifers and there's aquifers.  
5 And one aquifer can drain into another aquifer, and  
6 you've got a problem. And we've got it badly out  
7 where we are.

8 So while I'm not very good at explaining  
9 this, we are going to have a little meeting at the  
10 Chamber of Commerce next Wednesday, and I'd like to  
11 invite all of you to come and listen to someone who  
12 can tell it like it is.

13 Thank you very much.

14 (Applause.)

15 MR. CAMERON: And this is Star.

16 MS. GONZALES: Thank you, Jonnie.

17 And of course we are all from the same community. My  
18 name is Star Gonzales, and I'm here this evening  
19 representing the Cibola Community's Economic  
20 Development Foundation.

21 And a couple of weeks ago we did have an  
22 opportunity at the Chamber of Commerce to invite the  
23 uranium producers to give an overview of their  
24 economic development in-situ study, and of course how  
25 they plan to proceed if and when we do have the

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1 opportunity to have extractive industry come back  
2 here. So we thought it would be fair for again people  
3 who have perhaps other again issues to state their  
4 concerns as well.

5 And I think that is one of the better  
6 things that have come out of all these summer meetings  
7 is signaling folks. And as Candace said, we are  
8 friends and neighbors of Candace regardless of what  
9 goes on here, and what side of the fence you stand on.

10 We can always be friends and neighbors. If you were  
11 here in Cibola County, that's just the way it is.

12 So we can support each other, and we can  
13 work together, and we can quit looking back at the  
14 past and look forward to the future.

15 There have been mistakes made in the past,  
16 and I see you pushing what I'm saying. But there are  
17 opportunities for improvement. And if we don't move  
18 forward, then we are going to be leaving ourselves,  
19 our children, and the people that want to live and  
20 work here lacking in the things that we can offer.

21 I know that this is a very time-consuming  
22 event that we have here, and I appreciate the NRC  
23 coming. This is what public comment is about. You  
24 know we keep saying we need more public comment.  
25 That's why we are here. This is your opportunity to

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1 comment.

2 And on behalf of the Cibola Community's  
3 Economic Development Foundation I would just like to  
4 reiterate that they are a proud supporter of the New  
5 Mexico uranium industry. Clean nuclear power will  
6 play a key role for energy independence for America,  
7 and with large deposits of high quality uranium in the  
8 Grants mineral belt renewed uranium mining in New  
9 Mexico will create good jobs, boost the economy, and  
10 again, it's not all about money, while ensuring the  
11 health safety of workers and protecting the natural  
12 environment.

13 Dan told me before I got into this - and  
14 some of you may know Dan or not - anybody who knows  
15 Dan, he's a man of very few words. He said, Star,  
16 please don't speak unless you are educated about what  
17 you are speaking about, and if you truly feel what you  
18 are saying you can stand behind, then do.

19 So we should all weigh our words very  
20 carefully. And I do feel that this is a safe positive  
21 way to go.

22 And I appreciate the NRC for being here  
23 and giving us this opportunity for public comment.

24 Thank you all this evening.

25 MR. CAMERON: Thank you.

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1 (Applause.)

2 MR. CAMERON: Our next speakers are Ava  
3 Peets, Jim Brewer and John Boomer.

4 Ava?

5 MS. PEETS: Hello, I'm Ava Peets. We, my  
6 husband and I, moved here over 30 years ago in the  
7 '70s. We came here from another mining company.

8 My husband came out here to operate mines,  
9 uranium mines, and it turned out that in the '70s and  
10 '80s that he was a manager Western Nuclear  
11 Corporation. And it closed, of course, due to the  
12 downturn in uranium mining, and the price of uranium.

13 And what I want to say is, I have been a  
14 part of mining. I worked in a mine for a mining  
15 company back in the zone, and I know for a fact that  
16 uranium mining companies in general have to abide by  
17 very strict rules. I know that. I learned a lot  
18 about safety that I never thought I'd learn. And I  
19 don't want to be rude or anything. But for example,  
20 they are laying around up here, and so forth, that  
21 never passed inspection at any mine. But anyway  
22 that's just a little joke I wanted to add.

23 But anyway in all seriousness mining  
24 companies in general have to abide by strict safety  
25 and environmental rules.

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1 I do thank the NRC for giving all of us,  
2 no matter what our opinions are, or what walk of life  
3 we come from, this opportunity to speak. And I really  
4 appreciate the fact that, you know, that the  
5 educational slide show about in-situ leaching. And  
6 I've had this explained to me by my husband, and I  
7 said, what is it exactly that in-situ leaching is.  
8 And of course he explained the same thing to me that  
9 you did, and basically the carbonated soda is baking  
10 soda that we use in cooking. So it's not going to eat  
11 us. It's not going to kill us if it's put  
12 underground. But what I would like to add is that I  
13 know that whenever the mine closed out west of here at  
14 the - on the Checkerboard land, that's where my  
15 husband operated the mine, I was a part of helping  
16 him. I was taking photographs of the reclamation that  
17 took place. He had the land completely reclaimed and  
18 you could never go out there and tell that a mine ever  
19 existed.

20 So I do know that from being around mining  
21 companies and knowing so many people within the mining  
22 industry, that I do feel like it is - that there are  
23 companies of great integrity. And I also want to say  
24 that I think we live in a wonderful country; that we  
25 have the nuclear regulatory agency be willing to have

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1 a public meeting that would imply be willing to employ  
2 70 people. I don't think in China or in Nigeria or in  
3 Tajikistan or Kazakhstan, any place that they have  
4 uranium mines, they could care less about what the  
5 circumstances were for the uranium mining companies.

6 And I say let it come here, and I know  
7 that the officials are people of integrity. We need  
8 the jobs. We start with 70 jobs. We need the income  
9 in this area, and why let it be another way of being  
10 outsourced in our country.

11 So I thank you all very much for this  
12 opportunity to speak.

13 (Applause)

14 MR. CAMERON: Thank you, Ava.

15 Jim Brewer.

16 MR. BREWER: I'm Jim Brewer. I'd rather  
17 reserve my comments for a later date. However, I  
18 would like to go on record as saying I am against your  
19 GEIS.

20 MR. CAMERON: Okay, Jim Brewer, I am  
21 against the GEIS.

22 John? John Boomer?

23 MR. BOOMER: Yes, my name is John Boomer.  
24 I'm a local resident over in Milan, and down the  
25 street area. I lived about two miles from the mill

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1 tailing site, the Homestake site.

2 I have some written stuff here. I am not  
3 really for or against.

4 (Probably with microphone)

5 MR. BOOMER: I'm not really for or against  
6 anything in particular, but I have a deep mistrust of  
7 this whole situation. I guess from what I've learned  
8 it seems like all the information swirling around here  
9 today is kind of like everyone on each side is saying  
10 something a completely different story.

11 I would like to just cut to the real  
12 issue, and I think that's the health and safety  
13 issues. Because we're in the room and we're both here  
14 for health and safety and we seem to both be fighting  
15 for that issue. But we're getting very different  
16 stories from each side. I guess I lean towards - I  
17 would love to start up the Caterpillars and the big  
18 Mac trucks and get a job and get the community back to  
19 work. But I think this direction of uranium mining is  
20 kind of a dead-end road.

21 I'm going to go ahead and tell you written  
22 earlier. It's - a lot of people have covered the same  
23 ground. I'm not a big spokesman for the nuclear  
24 industry or Wall Street or big government  
25 environmental helping to usher in the new nuclear age.

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1 But in many parts of the world, particularly in the  
2 United States and Europe, the overriding public  
3 concern related to future development of nuclear power  
4 plants is the issue of safety. Obtaining safe energy  
5 is the most technologically important nut to crack if  
6 we are to achieve a sustainable high technology  
7 civilization, comments of Terence Collings, chemistry  
8 professor at Carnegie Mellon University. He says, I  
9 think nuclear is the wrong way to go because it can  
10 never be safe. Yes, we can do it, but we all need -  
11 but we all - all we need is one serious accident or  
12 sabotage incident and the public will insist on  
13 another direction. All the investment effort will be  
14 wasted. Wall Street won't fund it; the insurance  
15 companies won't cover losses from a disaster. The  
16 government wants to guarantee loans of over \$19  
17 billion to industry with our money, taxpayer money.

18 Going nuclear does not lead to energy  
19 independence or security; it hurts it. Going nuclear  
20 would divert precious time and money from cheaper  
21 faster solutions into a technology that has  
22 proliferation, terrorism, public and environmental  
23 concerns about parallel consequences.

24 Once radiation releases there is no going  
25 back. This is not progress. It's a dead end

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1 proposition.

2 We have here in our community an  
3 environmental catastrophe moving ever closer to  
4 downstream communities with no real effort to correct  
5 it.

6 This is everyone's problem, not just ours  
7 or yours. Mining, and especially uranium mining areas  
8 around the world, are suffering the same thing. Not  
9 one site has been cleaned up. Not one has operated  
10 without serious damage to the environment. Not one  
11 has stepped up with a solution. Everyone is in  
12 denial.

13 The saddest thing is that there is every  
14 effort to skirt around, bypass or corrupt a solution  
15 by putting forth more lies and propaganda than any  
16 real effort to solve these very real and grave  
17 problems.

18 This is a problem that we won't forget or  
19 let America forget. Thank you.

20 (Applause)

21 MR. CAMERON: Thank you. We will go to Dave  
22 Arnold, Sandy Brewer, Alan Donner and Gerald Brown.

23 MR. ARNOLD: Good evening. Thanks for  
24 listening to me for just a few minutes here.

25 I am new to this area. I'm like an

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1 outsider. All have been here years and years, and  
2 born and raised, et cetera. I moved to Grants just  
3 about three years ago almost. I found a nice quiet  
4 town where I could kick back and live out the rest of  
5 my life.

6 I'm fifty-three years old right now. I  
7 live through commonsense. That's my byword I guess if  
8 you want to call it that for life. And I look at  
9 commonsense type of things and try to live that way.  
10 So for the last six months listening to all of the  
11 gobbly-de-gook that is going on in this town; the  
12 scientific rambling; the side over here that is  
13 wanting jobs; the side where I live, can't drink the  
14 water, afraid to bathe in it, houses are falling  
15 apart, ground is crumbling. And I'm hearing it's all  
16 because of uranium.

17 When we - when I look at Grants, and I  
18 understand that people - I see businesses going out of  
19 business everyday, and I understand that people want  
20 jobs, and I understand that they want to live as much  
21 as I do, and yet they are willing to endanger their  
22 selves; they are willing to endanger their children;  
23 for money. But yet they ignore other possibilities in  
24 this town.

25 The mayor comes up here and says how great

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1 uranium mining is, when we know that we have health  
2 problems, we have water problems, we have  
3 environmental problems because of uranium.

4 And we hear the NRC come in and say how  
5 great the GEIS is going to be, and how it is going to  
6 be streamlined. And commonsense tells me there is  
7 something wrong with that picture, because I find  
8 other meetings where the NRC and EPA has been present  
9 here, and they talk about - last year we were looking  
10 at, or the year before we were still looking at, the  
11 year before that we were still looking at, and this  
12 year we still have no answer.

13 But all of a sudden when you want to bring  
14 uranium mining again in this town, or this area, we  
15 can have the NRC step up and say, we want to  
16 streamline it through this process.

17 I listened to one person say, 70 jobs.  
18 And then I get a personal green sticker saying that  
19 they are saying that will bring 1,000 jobs. I'm in  
20 business for myself. I can tell you that a business  
21 employing 70 people does not also have a fringe  
22 benefit of 8,000 people. That's commonsense.  
23 Commonsense ought to tell everybody in this room  
24 somebody is blowing smoke.

25 Thanks for listening to me.

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1 (Applause)

2 MR. CAMERON: Thank you, Dave.

3 MS. BREWER: Well, good evening, everybody.

4 I know almost everybody in this room. Can you hear  
5 me okay? No? Which one, this one? This one?

6 A practical solution is not in situ. I  
7 spoke last year at a similar meeting like this. And I  
8 am with the Bluewater Downstream Alliance. I also live  
9 where Milton Head, John Head, Art Gebeau, we all live  
10 in the same area.

11 I've lived here for over 50 years. I came  
12 here with uranium. I'm not against uranium. What I'm  
13 against is the cleanup and the proper cleanup. We  
14 don't have a proper cleanup, guys.

15 Out where I live, okay, all of our water  
16 wells have tested inadequate. What comes back tells  
17 us it's not fit for human consumption.

18 And I ask you, how many of you in this  
19 room would like to come out and drink some of this  
20 water, would like to feed your cattle, your horses,  
21 your irrigation. We are in a really bad state.

22 And New Mexico should help us. Our people  
23 in this town, Cibola town, should help us. All of the  
24 Bluewater Downstream Alliance, we have done extensive  
25 extensive research on in-situ leaching. All of our

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1 colleagues over here were miners and managers. They  
2 know what they are talking about.

3 In-situ leaching deliberately pollutes the  
4 groundwater, and our groundwater is already polluted.

5 We need to clean this whole mess up before we worry  
6 about 70 jobs. There are other ways we could find  
7 work for our community.

8 Why don't we do solar like Gallup. It  
9 just doesn't make good sense to me.

10 And you say uranium, good health? Come  
11 on, guys, get real. Cibola County is full of cancer.

12 Think about it. Go home tonight and think  
13 about it. Thank you for your time.

14 (Applause)

15 MR. CAMERON: Alan Donner.

16 Gerald Brown?

17 MR. BROWN: Good evening. Thanks to the  
18 NRC staff for having this public meeting.

19 Like I was saying, I thank the NRC for  
20 having the conference here, and stuff. A community  
21 member from Church Rock. And I disagree with this  
22 generic environmental impact statement due to the  
23 ramifications that have come about from past mining.  
24 And I would -- we need to look at what has come about  
25 in the Navajo Nation with 2005 - our passage of the

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1 Natural Resources Protection Act which prohibits  
2 mining on the Navajo Nation. And I would like to see  
3 an extension of our comment period for our community  
4 members in Church Rock. We have over 1,000 voters,  
5 and I know a lot of our community members, they don't  
6 have access to Internet, or they don't have access to  
7 the newspapers due to the amount of economic strain  
8 that we are all going through.

9 But also I would like to say that I  
10 disagree with mining, but I also have to look at our  
11 alternative. As a student, as an educator, as an  
12 administrator for my community, I have to represent a  
13 lot of people. And I ask that we have to look at  
14 renewable energy. We have solar energy. We have wind  
15 energy. And the Navajo Technical College, the college  
16 that I attend, they just built a home wind generator  
17 from scratch. And that shows that we have other  
18 economic things that we can build. We have solar  
19 panels that we generate and we operate our campus on.

20 So we have to look at not just the one  
21 idea of mining, but we have to look at the large  
22 picture of a community like Church Rock in San Juan  
23 County, and McKinley County and Cibola County, and we  
24 have a lot of common things that we do have to work  
25 on.

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1           You know, we can disagree on some basic  
2 formalities of mining, but I think that if we really  
3 look at the economic prosperity that each county can  
4 work together, tribal communities, you know the cities  
5 like Grants, Gallup. Now I'd like to look at that,  
6 you know, the possibilities of working together. Long  
7 term strategy, not the short term fixes, as we can  
8 call it. And, you know, I'd like to address my clan,  
9 or my Navajo relatives here. (Speaks Navajo). And I  
10 know some of us agree about the mining industry.  
11 (Speaks Navajo) But we have to look at also how are we  
12 going to address our grandkids, you know our nieces  
13 and nephews. So I think we all have to sit down at a  
14 table again and continue to work together.

15           Thank you.

16           (Applause)

17           MR. CAMERON: We're going to go to James  
18 Martinez, Art Gebeau - I'm sorry if I mispronounced  
19 that - Bill Fjord and Ron Williams. Okay. Art? Is  
20 Art Gebeau here?

21           MR. GEBEAU: A couple of people before me,  
22 notably the mayor of Grants and my good friend Milton,  
23 said they had been lifelong residents.

24           I have not; I've only been here for 51  
25 years. But I've been involved in the uranium mining

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1 industry in the `50s, `60s, `70s, `80s, `90s, and just  
2 a couple of years ago I did some work. So I would  
3 match my experience with about anybody's.

4 I would say this: the word generic to me  
5 doesn't mean a hell of a lot. It could be generic.  
6 It could be problematic. It could be programmatic.  
7 What's important to me is the people behind it, all  
8 the way down to the guys who come out and inspect  
9 things. Are they going to do their job? Are they  
10 going to look out for us?

11 My experience in the past tells me, not  
12 too well. I live in the vicinity of the Homestake  
13 Mill as a lot of others have mentioned. The NRC has  
14 been around since the late `60s. In 1961 Homestake  
15 pollution was barely outside of their fence line; less  
16 than a quarter of a mile from their plant. Today it's  
17 spread over eight or nine sections. It's four and  
18 five miles away from that mill. That's due to the  
19 good diligent efforts of our NRC friends and the  
20 company personnel.

21 Tell me that that is protecting us.  
22 That's my concern; that's my worry.

23 Thank you.

24 (Applause)

25 MR. CAMERON: Okay, thank you, Art, and I

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1 guess just for the record the NRC was established in  
2 1975, which doesn't take away from anything you were  
3 saying, but 1975.

4 MR. GEBEAU: I would say that I think many  
5 of the NRC personnel in '75 and '74 would be the same  
6 folks that were with AEC in '67.

7 MR. CAMERON: Bill Fjord. Ron Williams.

8 MR. WILLIAMS: Can you hear me?

9 First of all I want to thank the NRC for  
10 having this meeting, first meeting of this nature that  
11 I've been to.

12 I'm one of the newer residents of Grants,  
13 but I've been a lifelong resident of the state of New  
14 Mexico. I've been here about a year and a half,  
15 living in Cibola County, certainly enjoying it, trying  
16 to learn about the area and the issue.

17 I didn't come to this meeting with a  
18 specific agenda. This whole issue of a generic  
19 environmental impact statement is something I wanted  
20 to learn about to have a better understanding of that,  
21 certainly of the process.

22 I am a banker by trade, so I think in  
23 terms of that, I'm not a scientist, I'm not a  
24 hydrologist, I'm not an engineer. I don't pretend to  
25 understand those details. But I came with a lot of

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1 questions, and I certainly still have a lot, but I  
2 have gotten answered a bunch from the man. The intent  
3 is to simplify a process, where they use a term which  
4 have a very productive process, a very efficient  
5 process, in the initial aspects of the assessment. I  
6 see them as being critical because I see it really  
7 allows the experts to spend their time where it does  
8 need to be spent, and that's looking at the issues  
9 that are unique to each site.

10 So I really see this as not taking away  
11 from the site analysis, but allowing the people who  
12 have to be looking at the details to be able to look  
13 at those. So from that respect I certainly do support  
14 this generic environmental impact study.

15 I guess my other comment, really not from  
16 a uranium perspective, but from a study, what I'm  
17 about is what's good for this area, and I happen to be  
18 in a very unique position being in the banking  
19 business, I get to see what this community looks like  
20 from the inside out. And it doesn't look very pretty  
21 in that respect. Too much poverty in this community.

22 There's too much - too many people. There's too  
23 many families struggling to get by. Certainly water  
24 is critical; I agree with everybody relative to water.  
25 Also the economy is important. So we should improve

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1 the quality of the water. Everybody in Cibola County.

2 Certainly as I listened to the speakers earlier, they  
3 said our objective is public health and safety. I  
4 would hold them to that. Nobody's public health or  
5 safety should be in danger.

6 But I also think there is an opportunity  
7 here to create good public health and safety for the  
8 overall community like creating high quality jobs not  
9 only on this specific issue but in the industry in  
10 general, and I do support this statement.

11 Thank you.

12 (Applause)

13 MR. CAMERON: Thank you.

14 We are next going to go to John Robran,  
15 Joan Klonowski, who we heard from before, Randy Foots  
16 and Terry Fletcher.

17 And this is John Robran.

18 MR. ROBRAN: Greetings. My name is John  
19 Robran. I'm just a resident here in Grants.

20 I love this place, and I love all you  
21 people. I think what Star was trying to say awhile  
22 ago was antes de hablar es bueno pensar which means,  
23 before you speak it is good to think. I'm probably  
24 not too good of a speaker.

25 I'm not going to take your time. I was in

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1 Gallup last night. They heard me once. I don't want  
2 to say any more. But I stand behind these folks.  
3 They are doing their jobs. I don't see people laying  
4 down and dying any more from this activity than  
5 anything else in the world.

6 If you don't want to mine it here, the  
7 other Third World countries are going to get you  
8 anyway. So you might want to think about that one.

9 I don't want to pollute the water. They  
10 need to clean up. That is sick. Those people - that  
11 needs to be done. I can't believe it's taken that  
12 long to get that done. Somebody needs to step to the  
13 plate, whether it's the EPA, whoever, NRC, help get  
14 that done. Make these changes, work on the situations  
15 we have, take care of it.

16 I can't believe that mining is polluting  
17 the water. They shut the water system down for a  
18 campground down in 1990. I don't know anybody that  
19 got sick from that water up there. It was pure water.

20 That's all I have to say. They're doing a  
21 great job though. They are trying to help us, and we  
22 need something like that in this town.

23 Thank you very much, guys.

24 (Applause.)

25 MR. CAMERON: Joan Klonowski.

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1 MS. KLONOWSKI: Yes, my name is Joan  
2 Klonowski. And I guess from what I've heard, I'd like  
3 the GEIS to have very specific standards or  
4 requirements in three areas that seem to be of  
5 concern.

6 One is water contamination, namely, what  
7 the standard and what the requirement would be for the  
8 uranium companies to clean up the water. That might  
9 be helpful to Homestake too, because they seem to have  
10 a problem with that.

11 The second area is financial assurance,  
12 and how exactly to estimate the amount of money that  
13 the uranium companies would put in trust, since I  
14 understand that most of the cleanup is done by the  
15 Department of Energy, which means our tax dollars, and  
16 that uranium companies haven't cleaned up on their own  
17 budget.

18 And then the third area that I would like  
19 really specific standards or requirements would be how  
20 to assure that foreign uranium companies, and maybe  
21 our regular uranium companies, won't sell our uranium  
22 to other foreign countries like North Korea and Iran.

23 Thank you.

24 (Applause)

25 MR. CAMERON: Randy.

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1 MR. FOOT: First, I'll introduce myself,  
2 I'm Randy Foots. Thank you. I'm the director of New  
3 Mexico operations for Uranium Resources. I've just  
4 recently joined the company. I mined uranium back in  
5 the heyday back in the '70s up in Wyoming. The last  
6 27 years I've been mining potash down in Carlsbad.  
7 And just recently got back in the industry hopefully  
8 to see it restart, because I think it's a good  
9 industry and good for a lot of people.

10 I'll hold my public comments to two  
11 points, and we'll be submitting written comments on  
12 this GEIS.

13 First off I want to applaud the NRC for  
14 holding the public meeting. I think it's important  
15 that members of the community get that opportunity to  
16 get up here and express yourselves and let the NRC  
17 know what you think and allow them to do a better job  
18 in developing this GEIS.

19 Secondly, we've been viewing the GEIS from  
20 a company standpoint, and contrary to a lot of  
21 people's opinion this does not streamline the process,  
22 but it will help us do a better job in developing our  
23 applications and supplying information that the NRC  
24 will need to be able to do a good thorough review of  
25 whether a particular area is good for in-situ

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1 leaching. Thank you very much.

2 (Applause)

3 MR. CAMERON: Terry. Terry Fletcher, and  
4 we are going to go to Larry King. Terry.

5 MR. FLETCHER: Good evening, folks. My  
6 name is Terry Fletcher, and I'm the president of the  
7 New Mexico Mining Association.

8 I'm just here to talk to you a little bit  
9 about mining today, to tell you that the minerals are  
10 where God put them. And we just finished up the 69<sup>th</sup>  
11 annual convention of the New Mexico Mining Association  
12 here over the weekend. And I think if you talked to  
13 the people of Carlsbad or the people in Silver City or  
14 the people in Farmington, they will tell you the  
15 extractive industries are the economic engine of New  
16 Mexico.

17 The extractive industries have put over  
18 \$11 billion into the severance fund in the state of  
19 New Mexico. Folks, that's what's keeping your schools  
20 running. The new school at Laguna-Acoma, the new  
21 school at Grants, five new schools in the Gallup  
22 district, the Zuni school, was all funded from the  
23 severance fund, \$11 billion, the fourth largest  
24 endowment in the world, folks, came from the  
25 extractive industry.

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1           Along that line, let me expand a little  
2 more. I'm the president of Rio Algom Mining, also a  
3 local uranium mining company primarily engaged in  
4 reclamation of past activities here. But I can tell  
5 you, folks, these folks are my boss. They have the  
6 highest integrity that you can find. They have the  
7 brightest scientific minds in the nuclear industry;  
8 the hydrologists, their understanding of the radiation  
9 and the health-based risk to the public lie with the  
10 NRC.

11           They are the experts out there, folks.  
12 And I can tell you, I work with them on a day-to-day  
13 basis, and I applaud their efforts to provide the  
14 generic impact statement so that they can move on and  
15 look at the site-specific criteria for each site.

16           No one has ever said that that is going to  
17 replace a very detailed look at each individual site.

18           And I'll leave you with one thought from  
19 one of my acquaintances in the Crownpoint area. He  
20 told me, folks, he's not afraid of uranium. He said  
21 what he's afraid of for his children are poverty,  
22 drugs, alcohol and despair. He said, we need jobs.

23           (Applause)

24           MR. CAMERON: Larry King.

25           MR. KING: Good evening. My name is Larry

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1 King. I'm from Church Rock, and I was unable to  
2 attend the meeting last night in Gallup. But I'm here  
3 today.

4 First of all, this generic application  
5 from my standpoint should be totally withdrawn, or  
6 either be site specific as it is right now.

7 To me it's an application to streamline  
8 industry's application to get to this mining activity  
9 without considering the people that are going to be  
10 harmed along the way.

11 We saw in black and white on the monitor  
12 where it says that these activities are done in  
13 aquifers that are exempted. But to my knowledge NRC  
14 issued a license to HRI to mine in Crownpoint, to mine  
15 in Crownpoint sole drinking aquifer. But yet we saw  
16 on the monitors, it says they do not do that.

17 So I totally don't have any trust in this  
18 group of people. I wish I could change some of you  
19 people who are for the mining industry saying it's  
20 safe. Right now we are dealing with a company that  
21 has left a waste pile for the local community to deal  
22 with, to deal with the clean up. We had a mining  
23 official that stepped up to the plate a few minutes  
24 ago, and said he's had years of experience of running  
25 mines. But yet he left a huge amount of waste pile in

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1 Church Rock. The former UNC mine, and the local  
2 community are now having to deal with that.

3 Through our program we have monitored some  
4 air, water and soil, through the project that we  
5 secured a grant for. We found out, and we had data  
6 that showed that the area behind my house is 10 times  
7 above the EPA limit. But yet NRC issued a permit for  
8 a license to this mine, saying that that level of  
9 radiation is background now, just like the great  
10 creator left it there. But yet if you go several  
11 hundred feet beyond the waste pile, there is no  
12 detection of radiation.

13 NRC says they consider safety. But what  
14 about the people in the area? You see nice green  
15 pastures, yet in Church Rock and Crownpoint, those two  
16 areas are tied together. They have one license. So  
17 the activity in Church Rock, once the uranium is  
18 extracted, it's got to be shipped through several  
19 Navajo communities. And in our community we have one  
20 stop. The BIA does not maintain the area, so  
21 therefore we always have livestock in the road. We  
22 get on an average about two cattle being hit on the  
23 road all the time. That's a safety issue.

24 The nearest HAZMAT is in Albuquerque. So  
25 the response is about more than two hours away if

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1 there was ever such a catastrophe that should happen.

2 And also, when you see pictures of mine -  
3 in-situ - ISL mining in other areas, it's always flat,  
4 nice and flat, rolling hills. But yet in our  
5 community just like one of my colleagues had said, you  
6 have mountain ranges. You have deep valleys. So how  
7 can you say that the aquifers and they always show  
8 aquifers if you are looking at a plain view, looking  
9 down, a nice uniform line outline of an aquifer. To  
10 my knowledge aquifers are different from one aquifer  
11 to the next. How do you know those injection wells,  
12 those monitor wells, will detect any of these  
13 excursions when you do this type of ISL mining?

14 MR. CAMERON: Larry, could you sum up.

15 MR. KING: It's not only baking soda  
16 solution that is injected into the well, it does not  
17 only loosen uranium. A lot of other hard metal that  
18 causes cancer are loosened to the water also.

19 So that -

20 MR. CAMERON: Larry, could you sum up?

21 MR. KING: Yes, sir. So that is my point.

22 I think this GEIS should not even be considered, and  
23 it should be site specific.

24 Thank you.

25 (Applause.)

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1 MR. CAMERON: We're down to our last  
2 speakers, and then I'm going to ask Larry Hamburg, the  
3 senior official, to close this meeting out.

4 We are going to Harding Polk, Benjamin  
5 House, Chuck Schultz and Elouise Brown.

6 Is Harding here?

7 MR. POLK: Right behind you.

8 Thank you for the opportunity to speak.  
9 I'm Harding Polk, a resident of Cibola County for 19  
10 years. I come here as a private citizen representing  
11 myself.

12 I am familiar with the environmental  
13 review process. Let me state that the process is  
14 never about, or never should be about, trying to shut  
15 down a proposed project. It just depends that through  
16 federal legislation that prior to a project's  
17 implementation the consequences of the project's  
18 impact to the natural and cultural environment be  
19 reviewed.

20 It is upon the completion of that review  
21 that the project sponsors decide if they recommended  
22 mitigation measures if there are any are worth the  
23 cost of proceeding with the project; and they ensure  
24 that the plans for the proper site rehabilitation are  
25 prepared for when the project is completed.

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1           Let me state that I am not opposed to the  
2 use of nuclear power as long as it is produced in a  
3 responsible and in as environmentally benign way as  
4 possible.

5           This means from the mining and processing  
6 uranium ore through to the production of power to the  
7 safe disposal of waste products.

8           But this public meeting is only concerned  
9 about the first stage, the mining. I am opposed to  
10 the draft generic environmental impact statement for  
11 the mining of uranium in this area. This represents a  
12 precedent-setting action and I believe this abrogates  
13 the proper environmental review.

14           In the many years that I have been  
15 involved in the environmental review process, I have  
16 never heard of a case where a blanket DEIS or EIS has  
17 been proposed, much less for an entire industry,  
18 particularly one that has such a broad scope and reach  
19 and the potential for irreparable harm.

20           I do not believe that a blanket  
21 environmental review fairly addresses the particular  
22 environmental and cultural specifics of each  
23 individual project which may fall under its umbrella.

24           Why should we believe that what applies to  
25 the uranium mining belt of Cibola and McKinley

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1 Counties should apply to other parts of the state or  
2 other states or vice versa?

3 Yes, the environmental review process can  
4 be extensive and protracted, but it isn't worth it to  
5 assess our - to assess its impact to our environment  
6 and cultural heritage.

7 Many of this area with opinions from both  
8 sides of the mining question state how they love the  
9 beauty of this area. Don't we want to maintain our  
10 incredibly beautiful surroundings so future  
11 generations can also appreciate it without leaving  
12 areas that are so toxic that they are unsafe for  
13 living beings, as has been done in the past for this  
14 area, so that our descendants may be able to live in  
15 these areas without suffering the consequences of  
16 environmental degradation.

17 Is it worth the short term gain for a few  
18 to destroy the beauty we all enjoy today and for those  
19 in the future.;

20 I emphatically request that each license  
21 application be subject to its own environmental review  
22 under individual environmental impact statements,  
23 instead of the less comprehensive environmental  
24 assessments.

25 Thank you.

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1 (Applause.)

2 MR. CAMERON: Benjamin House.

3 MR. HOUSE: I'd like to thank the panel for  
4 having us here. I speak for the Allottee Association  
5 and members.

6 The GEIS establishes that uranium mining  
7 will have a small footprint in McKinley County. In  
8 McKinley County where most future ISR projects will be  
9 located, 85 percent of the land is used for  
10 agricultural purposes. And 83 percent of that land is  
11 used for livestock grazing.

12 Coal and uranium activities use less than  
13 1 percent of the land in McKinley County.

14 Well field balance, detailed monitoring  
15 and pump tests at ISR sites have been highly  
16 successful in assuring that recovery solutions are  
17 contained in the ore zone. The ISR uranium mining is  
18 a clean, safe mineral extraction technique that offers  
19 extremely positive economic and employment  
20 opportunities for our neighboring communities and  
21 Navajo people.

22 I'd like to see the leadership of the  
23 Navajo nation step up to the plate, consider the pros  
24 and cons, very seriously. The Eastern Navajo Allottee  
25 Association fully support HRI, URI if the mine is

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1 safe.

2 Thank you.

3 (Applause.)

4 MR. CAMERON: Chuck Schultz. Then Elouise  
5 Brown.

6 MS. SCHULTZ:

7 (Speaking in Navajo.)

8 Good evening, everybody. I'm here to  
9 represent the Navajo Nation Dooda Desert Rock  
10 Committee is who I'm representing.

11 And Dooda Desert Rock Committee is an  
12 organization of grassroots Navajos and their  
13 supporters.

14 It was originally organized in late 2006  
15 as a focal point of resistance against the proposed  
16 Desert Rock energy power plant. It is a destructive  
17 mine mouth coal-fired power plant that combined with  
18 two other dirty coal power plants in the Four Corners  
19 area would have severe destructive and adverse impacts  
20 on the area's health, economy and the Navajo culture.

21 I have a lot to say. I have pages of  
22 comments, which I will turn in later, but I'm just  
23 going to try to briefly go through it as fast as I  
24 could.

25 Members of the committee, quickly

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1 recognize that there are other threats to the Navajo  
2 people and their lands. Coal mining on Black Mesa;  
3 tapping the "C" aquifer for a coal slurry pipeline;  
4 the exploitation of water for industry when the People  
5 do not have water; transmitting electricity to far-  
6 away urban areas when the People do not have  
7 electricity; and the like.

8 The draft report is part of the - the  
9 draft report is part of contemporary energy policy in  
10 that rather than deal with specific adverse  
11 environmental impacts it seeks to clear the way in  
12 general as with energy power corridor clearance.  
13 Impact on individual communities and specific Indian  
14 nations should be studied separately.

15 Dooda Desert Rock Committee joins the  
16 Navajo Nation and the specific Navajo Nation groups  
17 and their supporters that oppose the reopening of the  
18 uranium industry in the Grants uranium district, and  
19 it joins the indigenous peoples of the world who join  
20 to resist the unilateral exploitation of their lands  
21 and their resources in violation of the Declaration of  
22 the Rights of Indigenous Peoples of 2007.

23 Scope of comments: these comments address  
24 the draft EIS, the generic EIS as it applies  
25 throughout Indian country as a whole. Indian country

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1 is a term that comes from the royal proclamation of  
2 1763, and it has evolved into the legalistic  
3 definition. The draft recognizes pending litigation  
4 over the term at Church Rock in the Navajo Nation, and  
5 reserves the right to the NRC to determine its own  
6 jurisdiction.

7 Indian country is used in the sense of the  
8 aboriginal lands and territories of American Indians  
9 generally, and specifically to aboriginal rights to  
10 the lands and land use in the Grants uranium district.

11 These comments will identify environmental  
12 justice issues under Executive Order 12898, and show  
13 the weakness of this draft EIS, the general generic  
14 EIS, in satisfying our requirements.

15 Many of these comments are based on the  
16 United Nations Resolution A-6L67, the Declaration on  
17 the Rights of Indigenous Peoples. While the United  
18 States is in denial of the rights stated in that  
19 document, we assert them because that documents states  
20 international human rights, and we claim the  
21 protection of that law.

22 Dooda Desert Rock Committee asserts the  
23 aboriginal rights of the Navajo residents of the  
24 Grants uranium district, and puts the United Nations -  
25 the United States on notice that Navajos may need to

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1 take recourse with various bodies of the inter-America  
2 and United Nations human rights systems if those  
3 rights are not honored.

4 The conclusion is that there must be no  
5 in-situ uranium milling or million facilities in  
6 Indian country or in the Grants uranium district. I  
7 am not going to go into executive order, environmental  
8 justice; somebody already covered that.

9 United Nations General Assembly Resolution  
10 No. A61L67 application to the Grants uranium district.

11 We use the definition in Figure 3.5-2, a map of the  
12 Grants uranium district, because it coincides with the  
13 interior of both the Navajo Nation, *Dinetah* and the  
14 *Dine bi Keya*. Navajo lands are framed by four primary  
15 sacred mountains, and the mountain that is called Mt.  
16 Taylor is the southern Navajo sacred mountain. It  
17 lies in the area between Grants and the edge of the  
18 map. Several of the communities named in the lower  
19 left of the map lie to the south of the Mt. Taylor  
20 *Dinetah*. While *Dine bi Keya* ("the People, the land  
21 belongs to them") reflects contemporary settlement  
22 patterns.

23 In any event the area is aboriginal Navajo  
24 land. There is an important distinction that must be  
25 made. The legal argument is that the Navajo

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1 surrendered most of the Grants Uranium District in  
2 various treaties with the United States, and most  
3 notably the treaty of June 1<sup>st</sup>, 1868, that was  
4 concluded at Ft. Sumner on the Pecos River of New  
5 Mexico. The treaty was a document of adhesion that  
6 was negotiated at gunpoint -- under the guns of the  
7 military fort.

8 It might be argued that the Navajo nation  
9 gave up any claim to the area in its Indian Claims  
10 Commission settlement. But that is not what we are  
11 talking about.

12 The key figure that gives the example of  
13 the rights we are talking about is Grace Tsosie. She  
14 has consistently claimed individual aboriginal title  
15 to her land just outside Crownpoint in New Mexico  
16 portion of the Navajo Nation. The ability to assert  
17 her right has been sustained by the 10<sup>th</sup> Circuit Court  
18 of Appeals. The right is easy to explain.

19 There were up to 7,500 Navajos present  
20 when the treaty of 1868 was negotiated. General  
21 William S. Sherman and Col. Samuel F. Tappan  
22 negotiated with all of them on the first day of the  
23 treaty negotiations. The treaty was negotiated in  
24 Navajo, Spanish and English, and the oral  
25 understandings that Navajos have of the treaty are

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1 vital.

2 While Navajos got only a small portion of  
3 their aboriginal lands, in the treaty, they heard Gen.  
4 Sherman clearly when he said, go home. A lot of  
5 Navajos were from the Grants Uranium District, and the  
6 area to the east of the mountains, Cibola. When they  
7 simply went home and resumed life as before, Gen.  
8 Sherman visited Ft. Wingate, a fort outside Gallup,  
9 New Mexico, at one point, and officers told him that a  
10 lot of Navajos refused to live on reservations.  
11 Instead they chose to live on - in the area southeast  
12 of the reservation borders, boundaries. And the  
13 treaty provided that Navajos who did not live on the  
14 reservations would not get the benefits stated in the  
15 treaty.

16 When Sherman was asked by the officers  
17 what they should do, he told them, do nothing. The  
18 lands within the Grants uranium district are  
19 aboriginal lands. They belong collectively to the  
20 Navajos in the area, separate and apart from their  
21 central government, and they belong to the Navajos as  
22 individuals.

23 One of the contentious issues is money for  
24 land, and the HRI Mining Company has promised \$10  
25 million in future payoffs to Navajos. There are many

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1 who want that money.

2           The big picture is that the land is not  
3 for sale. Natural law applies, and it tells us  
4 several things. First that the earth must be  
5 respected, honored and protected because it sustains  
6 life. Mt. Taylor, one of the six sacred mountains,  
7 must be respected, honored and protected because it is  
8 one of the foundations of the Navajo Nation.

9           Mother Earth has its own laws, and it and  
10 those who live on her are entitled to the right and  
11 freedom to exist free of the likely harm, free of the  
12 likely harm that will be caused by the renewal of  
13 uranium mining.

14           The Navajos who live in the Grants uranium  
15 district are the stewards of the land and must use the  
16 sacred gift of language and thinking to protect it.

17           We cannot, and must not, assert dominance  
18 over the land with this kind of mining because we do  
19 not own Mother Earth or Father Sky.

20           Finally, it is the duty and responsibility  
21 of the Dine to protect and preserve the beauty of the  
22 natural world for future generations. We cannot sell  
23 the land. We cannot give our rights to the land. The  
24 Nuclear Regulatory Commission must get the free, prior  
25 and informed consent of the Navajo people to undertake

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1 in-situ leach mining.

2 For the reasons indicated above they  
3 cannot give their consent. Accordingly Navajos have  
4 the international human right to tell the in-situ  
5 mining companies to simply go home and go away.

6 MR. CAMERON: Elouise, this is very  
7 important, but I'm afraid I'm going to have to ask you  
8 to conclude, and I hope that you would share that with  
9 the NRC.

10 MS. SCHULTZ: Can I just say my last three  
11 lines?

12 MR. CAMERON: Yes, please.

13 MS. SCHULTZ: For these reasons, I opposed  
14 the GEIS and the reopening of the uranium industry of  
15 uranium - of the Grants uranium district.

16 We at Dooda Desert Rock also support the  
17 180 days extension of the GEIS comment period.

18 I was raised in Ambrosia Lake and my  
19 siblings were born there while - when we were raised  
20 there. Come on, folks, wake up. Those of you that  
21 are with green stickers, come on, wake up. Money is  
22 not everything. You know you can buy money with a lot  
23 of things, but when something happens, drastic, deadly  
24 happens to your relative or your friend or your sister  
25 or your brother, whatever, you are not going to buy

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1 that person's body back to life.

2 So really think about it, and oppose this  
3 uranium, seriously. Please, think about it. Thank  
4 you.

5 MR. CAMERON: Thank you.

6 (Applause.)

7 MR. CAMERON: Okay, thank you all for your  
8 comments and your patience. I'm going to ask Larry  
9 Camper to close the meeting for us.

10 Larry.

11 MR. CAMPER: Okay. Well, thank you for  
12 staying the duration of the meeting. We do appreciate  
13 that.

14 What I like to try to do when I wrap up  
15 something like this, if I observe things along the way  
16 that I feel factually we should try to clarify, for  
17 the record, I'll try to point out a few things that I  
18 heard.

19 First let me say that we've heard many  
20 comments tonight. I know that they are all heartfelt.

21 I know that you have all meant what you said, and you  
22 believe what you said, and we believe your comments,  
23 one and all. We appreciate the candor. We appreciate  
24 the care that went into your comments, one and all.

25 There were some specific comments about

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1 the NUREG of a very specific nature. We welcome those  
2 comments in writing, it will help us as we continue to  
3 finalize the document. And of course we thank all of  
4 you for participating.

5 A few things that I wanted to address.  
6 The GEIS is not designed to cut corners. It is not  
7 designed to streamline the process. The GEIS rather  
8 is being developed by our agency to ensure that we  
9 satisfy the requirements of the National Environmental  
10 Policy Act. The use of a programmatic environmental  
11 impact statement - we call it a GEIS - is identified  
12 by the Council on Environmental Quality. It does talk  
13 about it being a vehicle that can reduce redundancy,  
14 can add more efficiency to the process. But ladies  
15 and gentlemen, it will take two years to complete the  
16 application process with or without the GEIS. There  
17 is no streamlining intended by the use of this  
18 document and this process.

19 Comments were made that the GEIS is  
20 inadequate and misrepresents community burdens. We  
21 would welcome specific comments from the gentleman who  
22 made that particular comments. But inadequacies or  
23 misrepresentations, we would like to see those pointed  
24 out, and we certainly would appreciate any comments to  
25 that effect.

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1           Following the tragic events on 9/11, our  
2 agency undertook a comprehensive examination of  
3 security measures associated with nuclear power plants  
4 and other uses of nuclear materials that we regulate.

5           A significant number of compensatory measures were  
6 imposed by order on the nuclear industry, not only  
7 nuclear power plants but other aspects of the nuclear  
8 industry as well. And we have continued to monitor  
9 and impose additional security requirements along the  
10 way since 9/11.

11           We did use a scoping process for this  
12 document. We held a set of scoping meetings last  
13 fall. We did consider those comments in the GEIS.  
14 You can read an analysis and summation of those  
15 comments. And how we reacted to those comments.

16           It is customary when conducting either a  
17 programmatic environmental impact statement or a site-  
18 specific environmental statement to group comments and  
19 provide a response by category of comments provided.  
20 You will find that in the GEIS as well.

21           We have regulations that are designed to  
22 protect public health and safety. For example Title  
23 10 in the Code of Federal Regulations Part 20 is our  
24 standard for radiation protection. They apply to all  
25 types of activities that we license including uranium

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1 facilities. In addition to that we have particular  
2 requirements in Title 10 Code of Federal Regulations  
3 Part 40 that are specific to uranium recovery  
4 activities, commission of million and in situ.

5 We also have financial assurance  
6 requirements for this category of licensed activity as  
7 well as most if not all categories of licensed  
8 activities that we regulate.

9 Financial assurance is a cornerstone of  
10 our regulatory process.

11 The GEIS though is not a document where we  
12 are articulating financial assurance requirements or  
13 radiation safety standards. Rather, the GEIS for in-  
14 situ recovery is a document designed to articulate our  
15 environmental review process as it relates to in-situ  
16 recovery. But I assure you that there are regulations  
17 in place addressing financial assurance, and  
18 addressing radiation protection standards.

19 I mentioned in my remarks at the  
20 beginning, and I would reiterate at this point,  
21 because the Crownpoint site has come up several times.

22 We certainly understand the concerns about the  
23 Crownpoint situation, the HRI license. But I would  
24 point out that our license issued to Crownpoint or any  
25 uranium recovery facility is one action of many that

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1 an applicant must successfully achieve. There are  
2 other permits that have to be granted by the state.  
3 The aquifer exemption or the portion thereof is  
4 granted by the Environmental Protection Agency, and  
5 condition 9.14 of the HRI license requires that HRI  
6 achieve all other required permits in order to proceed  
7 with operating that facility.

8 So our license is one of many requirements  
9 that have to be met.

10 So in the final analysis, again, let me  
11 thank you for your comments. We know that they are  
12 all heart felt and sincere. This is a terribly  
13 important part of the process, and we value your time  
14 and all the comments you've made.

15 And thank you for coming out tonight.  
16 Thank you.

17 (Applause.)

18 (Whereupon at 10:35 p.m. the  
19 proceedings in the above-entitled matter were  
20 adjourned.)  
21  
22  
23  
24

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