

NRCREP - Uranium Recovery GEIS Navajo Nation Comments and Request for Extension of Time to File Additional Comments

From: "David Taylor" <davetaylornavajodoj@yahoo.com>  
To: <nrcprep@nrc.gov>  
Date: 08/30/2007 12:01:39 PM  
Subject: Uranium Recovery GEIS Navajo Nation Comments and Request for Extension of Time to File Additional Comments

96

Nuclear Regulatory Commission

Re: Federal Register Notice, July 24, 2007  
Uranium Recovery GEIS

Attached, in PDF format, you will find comments submitted on behalf of the Navajo Nation to the above-referenced matter. Please note that the Navajo Nation is also requesting a 90 day extension of time from September 4, 2007 for purposes of filing additional comments.

As a precaution against there being a problem opening the attachment, the comments and request for extension of time to file additional comments are set forth below, although there are formatting issues.

Very truly yours,

David A. Taylor  
Navajo Nation Department of Justice  
P.O. Drawer 2010  
Window Rock, AZ 86515  
928-871-6932  
928-871-6191 direct line  
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davetaylornavajodoj@yahoo.com

RECEIVED

2007 SEP -4 PM 3:03

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NAVAJO NATION DEPARTMENT OF JUSTICE

OFFICE OF THE ATTORNEY GENERAL

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SUNSI Review Complete  
Template = ADM-013

F-RIDS = ADM-03  
Ode = J. Park (JRP)  
W. VonTill (RWV)

August 30, 2007

Chief, Rules Review and Directives Branch

Mail Stop T-6D59

U.S. Nuclear Regulatory Commission

Washington, D.C. 20555-0001

Re: Notice of Intent to Prepare a Generic

Environmental Impact Statement for

Uranium Milling Facilities, Federal

Register, July 24, 2007, Uranium

Recovery GEIS

Comments Submitted on Behalf of the Navajo Nation and

**Request for Extension of Time to Submit Additional Comments**

Through the above-referenced Federal Register Notice the Navajo Nation learned that the U.S. Nuclear Regulatory Commission intends to prepare a Generic Environmental Impact Statement for uranium milling facilities in the Western United States.

The following comments regarding that "intended action" are submitted on behalf of the Navajo Nation by the Navajo Nation Department of Justice.

Listed below are some of the findings made by the Navajo Nation Council in April 2005. The Council found:

"That the wise and sustainable use of natural resources in Navajo Indian Country traditionally has been, and remains, a matter of paramount governmental interest to the Navajo Nation and a fundamental exercise of Navajo Tribal sovereignty;

That the fundamental laws of the Diné support preserving and protecting the Navajo Nation's natural resources, especially the four sacred elements of life - air, light/fire, water and earth/pollen - for these resources are the foundation of the peoples' spiritual ceremonies and the Diné life way, and that it is the duty and responsibility of the Diné to protect and preserve the natural world for future generations;

And that the social, cultural, natural resource and economic damage to the Navajo Nation from past uranium mining and processing is ongoing due to (I) the continuing need for full monetary compensation of former Navajo uranium workers and their families for their radiation and mining-induced diseases, (ii) the presence of hundreds of unremediated or partially remediated uranium mines, tailings piles, and waste piles located in Navajo Indian Country and (iii) the absence of medical studies of Diné who live in uranium mining impacted communities."

The Navajo government respectfully submits that there is no other political/geographical area in the United States, and perhaps the world, that has suffered and continues to suffer from the environmental impacts of past uranium mining and processing to the same extent as the Navajo Nation.

While the United States Nuclear Regulatory Commission announces the intent of adopting a "Generic" Environmental Impact Statement for all future uranium milling operations in the Western United States the Navajo people must live next to and observe on-going efforts by the United States Environmental Protection Agency to clean up the environmental mess left from past uranium companies who are oftentimes nowhere to be found.

In the Navajo Eastern Agency Church Rock area alone there exists a "Superfund" site that the United States government has been trying to cleanup since 1979. There is no end in site. A few miles up the road from the Superfund location contractors under the direction of the U.S. EPA are conducting an emergency "removal" operation at a former uranium mine site that, within the past few months, required the temporary relocation of Navajo families.

In the Navajo Western Agency Tuba City area a plume of uranium contaminated groundwater threatens the drinking water supply for thousands of Native Americans including members of the Navajo and Hopi Tribes. There is nothing "generic" about these situations just as there is nothing "generic" about the geology and hydrology of the vast territory Navajos refer to as Diné Bikéyah, roughly translated to mean the land and the people.

The Navajo Nation supports and applauds the position taken by New Mexico governor Bill Richardson when he says that given the "concerns of many citizens in New Mexico about the public health, environmental, and cultural impacts of new uranium mining actions, a process to eliminate public review of individual NRC permit actions in New Mexico would be disrespectful to our many sovereign Native American Tribes and Pueblos and the general public."

The Navajo Nation respectfully requests the United States Nuclear Regulatory Commission to rethink its decision to take a "generic" approach to future uranium milling in the Western United States. This is definitely not a situation where one size fits all. With reference to any uranium related permit in Navajo Indian Country the Nuclear Regulatory Commission should give full consideration to all site specific conditions and show respect for all duly passed laws of the Navajo Nation Council.

Finally, given the extensive public interest expressed at the recent meeting held in Albuquerque, New Mexico, the Navajo Nation respectfully requests that the deadline for filing comments to this proposed action be extended 90 days so that all interested parties may be given sufficient time to comment on this matter of substantial public concern.

Very truly yours,

NAVAJO NATION DEPARTMENT OF JUSTICE

OFFICE OF THE ATTORNEY GENERAL

David A. Taylor, Senior Attorney

Natural Resources Unit

DAT/dt

**Mail Envelope Properties** (46D6E9DA.8DF : 3 : 55519)

**Subject:** Uranium Recovery GEIS Navajo Nation Comments and Request for Extension of Time to File Additional Comments

**Creation Date** Thu, Aug 30, 2007 12:01 PM

**From:** "David Taylor" <davetaylornavajodoj@yahoo.com>

**Created By:** [davetaylornavajodoj@yahoo.com](mailto:davetaylornavajodoj@yahoo.com)

**Recipients**

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<b>Files</b>	<b>Size</b>	<b>Date &amp; Time</b>
MESSAGE	6174	Thursday, August 30, 2007 12:01 PM
TEXT.htm	9010	
07-08-30 Navajo Comments to NRC GEIS and Request for Extension of Time to File Additional Comments.pdf	160536	
Mime.822	238362	

**Options**

**Expiration Date:** None  
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**ReplyRequested:** No  
**Return Notification:** None

**Concealed Subject:** No  
**Security:** Standard

**Junk Mail Handling Evaluation Results**

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**Junk Mail settings when this message was delivered**

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Junk Mail handling disabled by Administrator  
Junk List is not enabled  
Junk Mail using personal address books is not enabled  
Block List is not enabled



**NAVAJO NATION DEPARTMENT OF JUSTICE**  
**OFFICE OF THE ATTORNEY GENERAL**

LOUIS DENETSOSIE  
ATTORNEY GENERAL

HARRISON TSOSIE  
DEPUTY ATTORNEY GENERAL

August 30, 2007

Chief, Rules Review and Directives Branch  
Mail Stop T-6D59  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

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Listed below are some of the findings made by the Navajo Nation Council in April 2005. The Council found:

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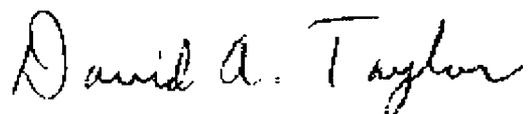
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Very truly yours,

NAVAJO NATION DEPARTMENT OF JUSTICE  
OFFICE OF THE ATTORNEY GENERAL

A handwritten signature in black ink that reads "David A. Taylor". The signature is written in a cursive style with a large initial 'D' and 'T'.

David A. Taylor, Senior Attorney  
Natural Resources Unit

DAT/dt