From: "ambroseteasyatwho" <ambroseteasyatwho@mail.sisna.com>
To: <NRCREP@nrc.gov>
Date: 10/8/2007 12:37:02 PM
Subject: Uranium Recovery GEIS

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

RE: Uranium Recovery GEIS; Scoping Comments

Dear Sir:

I am responding to the U.S. Nuclear Regulatory Commission's Federal Register notice dated July 24, 2007 regarding the scope of the proposed Generic Environmental Impact Statement ("GEIS") for in situ leach ("ISL") uranium mining. Please note my concerns below.

First, the process by which the NRC arrived at its conclusion to draft a GEIS is fundamentally flawed. There was no public input about whether a GEIS is needed or desirable. Given the site-specific nature of ISL operations, the usefulness of a GEIS is dubious at best. This process gives the impression that drafting a GEIS that would expedite the ISL licensing process was a foregone conclusion.

Second, the scoping process itself has been deeply flawed. Too few public meetings have been scheduled on this matter—one in Casper, Wyoming, one in Albuquerque, New Mexico and one in Gallup, New Mexico . Additionally, a special meeting with the National Mining Association was held in Washington , D.C . None of these communities is the site of any proposed ISL mining operations. Communities that face proposed ISL mining such as Grants, Crownpoint and Church Rock, New Mexico , were ignored. Additionally, the NRC has ignored entire states, such as Utah , Arizona , Colorado and South Dakota , where ISL mining is proposed. The NRC should, at a minimum, further extend the comment period and schedule public meetings in communities that will be affected by ISL mining.

Also, if the NRC has concluded, as it appears to have already done, that a GEIS should be drafted, its scope should be very limited. ISL mining is inherently constrained by site specific considerations. To conclude that the hydrology, water quality, geology, socio-economics, and cultural resources in places as diverse as northwest New Mexico and south Texas - where ISL mining is ongoing and proposed - can be evaluated in a generic manner is absurd on its face. These issues can only be evaluated on a site specific basis with a site specific

environmental impact statement.

Moreover, relegating these important site specific issues to evaluation in an environmental assessment (“EA”) is unacceptable. The public participation and environmental analysis requirements under the National Environmental Policy Act are much less stringent for EAs than for EISs. Because the site specific issues are so central to assessing the environmental impact of proposed ISL operations, meaningful public participation and a rigorous environmental analysis are critical. Such issues should not be left for an EA. In fact, in the August 13, 2007 issue of the Gallup Independent, the NRC's Office of Federal and State Materials and Environmental Management Programs Branch Chief Gregory Suber stated that “the potential for fewer public meetings is there” with the EA process.

Finally, the GEIS will curtail the input by the indigenous peoples of this land and undermine the sovereignty of their respective governments. On April 29, 2005 the Navajo Nation had passed the Dine Natural Resources Protection Act. This legislation prohibits future Uranium mining and processing on Navajo Indian Country, which includes both conventional mining and milling practices as well as proposed ISL processing methods. Many of the proposed sites for Uranium recovery in New Mexico overlap Navajo Indian Country and are subject to both tribal and federal review. Some proposed sites, such as Mount Taylor near Grants, New Mexico , are areas of cultural (or religious) significance for several tribal nations. In New Mexico , issues regarding or affecting the tribes require that a “Tribal Consultation” process be completed with the involved parties before any decision-making take place. Please be advised there are several Indian tribes in New Mexico , with many differences in governmental practices, who require appropriate Tribal Consultation occur before any decisions are made.

Thank you for the opportunity to submit my comments on this matter, and please keep me apprised of developments with regard to the GEIS.

Sincerely,

Ambrose Teasyatwho

SISNA...more service, less money.
http://www.sisna.com/exclusive/

Federal Register Notice: 72FR40344
Comment Number: 1299

Mail Envelope Properties (474ACD3C.HQGWDO01.TWGWPO03.200.200000D.1.1869B6.1)

Subject: Uranium Recovery GEIS
Creation Date: 10/8/2007 12:37:02 PM
From: "ambroseteasyatwho" <ambroseteasyatwho@mail.sisna.com>

Created By: ambroseteasyatwho@mail.sisna.com

Recipients
<NRCREP@nrc.gov>

Post Office	**Route**
TWGWPO03.HQGWDO01	nrc.gov

Files	**Size**	**Date & Time**
MESSAGE	4386	10/8/2007 12:37:02 PM
Mime.822	5488	11/26/2007 1:42:20 PM

Options
Priority: Standard
Reply Requested: No
Return Notification: None
None

Concealed Subject: No
Security: Standard