

Official Transcript of Proceedings

U.S. NUCLEAR REGULATORY COMMISSION

Title: Public Scoping Meeting for the EIS for the
Church Rock Uranium Mill Site
McKinley County, New Mexico

Docket Number: 04008907

Location: Gallup, New Mexico

Date: Thursday, March 21, 2019

Work Order No.: NRC-0204

Pages 1-105

NEAL R. GROSS AND CO., INC.
Court Reporters and Transcribers
1323 Rhode Island Avenue, N.W.
Washington, D.C. 20005
(202) 234-4433

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

+ + + + +

PUBLIC SCOPING MEETING FOR THE ENVIRONMENTAL IMPACT
STATEMENT FOR THE CHURCH ROCK URANIUM MILL SITE LOCATED
IN MCKINLEY COUNTY, NEW MEXICO

+ + + + +

THURSDAY, MARCH 21, 2019

+ + + + +

GALLUP, NEW MEXICO

The public meeting occurred at the Gallup
Community Service Center, 410 Bataan Veterans Street,
at 6:00 p.m., Chip Cameron, Meeting Facilitator,
presiding.

NRC STAFF PRESENT:

CHIP CAMERON, Meeting Facilitator

TAMYRA BROCKINGTON

SCOTT BURNELL

ADAM GENDELMAN

ANGEL MORENO

PAM NOTO

BO PHAM

CINTHYA ROMAN

JIM SMITH

ASHLEY WALDRON

C-O-N-T-E-N-T-S

Welcome and opening remarks

 Chip Cameron.....3

Opening Prayer

 Peterson Zah.....3

Staff Presentations

 Cinthya Roman.....7

 Ashley Waldron.....11

Tribal Leadership Comments

 Dariel Yazzie.....15

 Peterson Zah.....19

Public Comments.....34

Closing Remarks.....103

Adjourn.....105

P-R-O-C-E-E-D-I-N-G-S

(6:14 p.m.)

1
2
3 MR. CAMERON: Good evening, everyone.
4 We're going to start with a prayer, a blessing. And
5 we have Peterson Zah with us to give us the prayer.
6 And Peterson was the last Chairman of the Navajo Nation,
7 and its first elected President. And, thank you,
8 Peterson.

9 MR. ZAH: When I came in this evening Chip
10 asked me to do a little prayer for everybody that's
11 here tonight. And he says, we would like for you to
12 do a prayer for the group. They're in big trouble,
13 he says. So, with this prayer we'll go along with that
14 idea. Because you're all in big trouble.

15 (Native language spoken).

16 MR. CAMERON: Thank you, President. And
17 we're going to hear from the President later on tonight
18 too. And my name is Chip Cameron. And I'm pleased
19 to serve as the facilitator for the meeting tonight.
20 And in that role I'll try to help you all have a good
21 meeting.

22 And two objectives of a good meeting
23 tonight are, first, for the NRC staff to give you clear
24 information on what the NRC decision making process
25 is.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 And secondly, most importantly, to give
2 the NRC staff an opportunity to hear from you on your
3 advice on what should be within the scope of the
4 Environmental Impact Statement. And that's why this
5 is called a scoping meeting, which should be in the
6 Environmental Impact Statement.

7 And I use the acronym NRC. That's Nuclear
8 Regulatory Commission. Two acronyms you might hear
9 tonight are NRC, and also EIS, that refers to the
10 Environmental Impact Statement.

11 And we have, Dylan Stroman is right here.
12 He's our stenographer. And he's going to keep a record
13 of everything that was said here tonight. And that
14 transcript will be available for all of you.

15 And we're keeping a record of the comments,
16 because the NRC, like any other federal agency, is
17 obligated to keep a record of the comments, and to
18 respond to those comments on scoping, and on the draft
19 Environmental Impact Statement.

20 And that's why our meeting tonight, and
21 our meeting last Tuesday was very structured, with
22 people coming up and giving comments, as opposed to
23 what we would all like to do, which is to have a
24 conversation with you.

25 And the NRC staff heard you on Tuesday.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 They heard the call for conversation, or as Anna called
2 it, training. Okay. And they're going to be out here.

3 You'll hear from the NRC staff tonight. But they're
4 going to be coming out to talk to you, to listen to
5 you.

6 And in terms of what to expect tonight,
7 we're going to have two short presentations by the NRC
8 staff. And then we're going to go to comments, to all
9 of you.

10 And we do have an official from the Navajo
11 Nation here tonight. Dariel Yazzie is right here.
12 Dariel is the head of the Navajo Nation EPA Superfund
13 program. And he's going to lead off for us. And then
14 we're going to hear from President Zah.

15 And then we'll go out to you for comments.

16 And, as on Tuesday, this is just a guideline. But
17 it's going to be a five minute guideline for comments.

18 But flexible. I think that we went to seven minutes
19 for some people, whatever. But we can do the same thing
20 tonight.

21 And as I mentioned last Tuesday, if you
22 want to amplify on your comments tonight, or even if
23 you don't talk tonight, you can submit a written comment
24 to the NRC staff. And they're going to tell you how
25 you do that.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 And if you want to speak, please fill out
2 a blue card back at the table. And then we'll know
3 to call you up here to talk to us.

4 And let me do some intros of everybody
5 that's here tonight. And first of all we have Cinthya
6 Roman. And Cinthya is the Chief of the Environmental
7 Review Branch in the NRC Office of the Nuclear Material
8 Safety and Safeguards.

9 And then we're going to hear from Ashley
10 Waldron. And Ashley is the Project Manager for the
11 Environmental Review on this licensing action at Church
12 Rock. We also have Pam Noto back there. She's another
13 environmental project manager.

14 Our senior NRC official is Bo Pham, who's
15 right here. And Bo is the Deputy Director of the
16 Division of Uranium Recovery and Waste Programs and
17 Decommissioning. And I've got those mixed up. But
18 those are the three.

19 The safety project manager for Church Rock
20 is Jim Smith. And he works in Bo's division. And even
21 though this meeting is on the environmental review,
22 we wanted to have our safety people here to listen to
23 what you had to say.

24 We have other NRC staff here. And we have
25 Scott Burnell. Scotty is back there. He's with our

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 Office of Public Affairs. We have Adam Gendelman.
2 He's from our Office of General Counsel. We have Angel
3 Moreno, right there, Office of Congressional Affairs.

4 And our administrative person is Tamyra, who's back
5 at the table helping out.

6 We have Dave Nezzie and Jim Dumont, who
7 are right over there. And they're from Senator Martin
8 Heinrich's office. And thank you for being here. And
9 thank the Senator for sparing you, and bringing you
10 here.

11 And finally, we have contractors. The NRC
12 has hired experts to help them develop the Environmental
13 Impact Statement. And they're from the Center for
14 Nuclear Waste Regulatory Analyses in San Antonio. And
15 they're back here and other places in the room.

16 So, with that, can we go to, Cinthya, could
17 you talk to us? And then we'll go to Ashley, and then
18 go to Dariel. Thank you.

19 MS. ROMAN: Good evening. I'm Cinthya
20 Roman. I'm the Chief of the Environmental Review
21 Branch. Staff in my branch will be conducting the
22 environmental review for the Church Rock license
23 amendment request.

24 Today we want to talk to you a little bit
25 about the Church Rock project, and about our licensing

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 process. I understand that our regulatory process is
2 a little bit complex, and difficult to understand.
3 So we are going to try our best to talk to you and explain
4 it. But then, if you still have questions we, come
5 and talk to us. We'll stick around after the meeting
6 to talk to you.

7 You know, I recognize many of you from the
8 meeting last Tuesday. Something that we heard loud
9 and clear during that first meeting was that it's really
10 important to involve the community. So, we want to
11 say that we heard you. And we will be back and talking
12 to you.

13 We also heard a lot of good suggestions
14 on how we can do better. So, we are going to take all
15 those suggestions and go back. And when we come back
16 here we'll try to do better next time.

17 My staff and I are committed to working
18 with you. We understand the importance of this
19 project. So, we will look forward for more
20 interactions.

21 I just want to clarify that we are just
22 starting our process, our NRC review. So, there are
23 going to be many opportunities for people to participate
24 and provide comments.

25 But I hope that you take the opportunity

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 today to stand up and talk to us about your concerns,
2 and things that you want us to consider during the
3 environmental review.

4 So, first I'm going to start with the NRC
5 mission, just because I know that you guys in the past
6 have been working with several different agencies.
7 And I want to clarify what is kind of the NRC role for
8 this project, and what is our mission.

9 So, we license and regulate the nation's
10 civilian use of radioactive materials, to ensure public
11 safety, promote common defense, and security to protect
12 them, and protect the environment.

13 So, in this slide I'm just showing a few
14 of the facilities that we regulate. We have different
15 regulations for the different type of facilities. But
16 something that we often hear is that our regulatory
17 process is too long.

18 We take a long time because we need to make
19 informed decisions. As Ashley will explain later, we
20 have to consider several things before we make a
21 decision, in addition to conducting a safety review
22 and an environmental review. We need to consult with
23 tribes, for example. And we need to know what is
24 important in terms of cultural resources, so we can
25 protect them.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 We also need to be transparent in our
2 process, and provide opportunities of the public to
3 provide comments. So, all that takes time. And that's
4 why our regulatory process takes time. And we need
5 to make sure that we make, we are ensuring safety, which
6 is the ultimate goal of the agency.

7 So, for the NRC role, I'm going to try to
8 go a little bit back on, to give you some background.

9 As you might know EPA, Navajo Nation and the State
10 of New Mexico decided to move the waste from the Church
11 Rock mine to the mill.

12 The licensee, United Nuclear Corporation,
13 which is owned by General Electric, or GE, completed
14 a design for the mine cleanup. The design was approved
15 by EPA. Now the design was submitted to NRC for review.

16 NRC needs to review the design to determine
17 if it's safe to move the waste from the mine to the
18 mill site. If the NRC determines that it's safe to
19 move the waste, the licensee can proceed with the
20 proposed plan.

21 Ashley will now give you a little bit more
22 details about the process, and what you should expect.

23 And again, thank you for being here. And I hope to
24 hear from you tonight.

25 MR. CAMERON: Thank you, Cinthya. And

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 this is Ashley Waldron.

2 MS. WALDRON: Good evening. My name is
3 Ashley Waldron. And I'm the NRC Environmental Project
4 Manager for the UNC Church Rock license amendment
5 request.

6 As Cinthya mentioned, United Nuclear
7 Corporation, which is owned by GE, has submitted a
8 license application to the NRC for review. UNC is
9 proposing to move approximately one million cubic yards
10 of mine waste from the northeast Church Rock mine site,
11 and dispose of it on the mill tailings impoundment.

12 This map shows the location of the mine
13 and mill sites. And I want to note that NRC has
14 jurisdiction over the mill site only, which is outlined
15 in yellow. And the waste would be stored within the
16 tailings disposal area, which is outlined in the purple
17 line.

18 So, this graphic was taken out of the
19 license application. And it's important to note that
20 it's not drawn to scale. And it basically shows you
21 the design of how UNC is proposing to dispose of the
22 waste at the mill site.

23 So, as Cinthya mentioned, we realize that
24 this process is very complex. But there are three main
25 processes that go into the NRC's review. And

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 environmental review, which will produce an
2 Environmental Impact Statement, a safety review, which
3 produces a safety evaluation report, and an
4 adjudicatory hearing if granted.

5 So, this chart discusses the environmental
6 review in a little bit more detail. And the important
7 parts to note on this site are the two blue boxes, which
8 show you the opportunities for the public to be involved
9 in our EIS process.

10 So, the first one is on the upper right
11 hand side, which is the scoping process. And that is
12 why we're here tonight, to determine the scope of the
13 EIS.

14 And the other one is in the bottom left.
15 And that is when the NRC produces a draft Environmental
16 Impact Statement. And we will publish that for
17 comment.

18 So, our environmental review is based on
19 the requirements of the National Environmental Policy
20 Act. And it requires federal agencies to evaluate the
21 impacts of its action on the environment. Your input
22 is vital to our process. And we will engage the local
23 communities as much as possible.

24 So, there are various ways that we gather
25 information during the EIS process. NRC will

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 independently verify the information in the license
2 application submitted by GE, or UNC.

3 NRC has visited the area, the mine and mill
4 sites, including looking at the proximity of the local
5 community. We've started discussions with federal,
6 and local, and tribal representatives that have
7 interest in this project.

8 And NRC has to comply with the requirements
9 of the National Historic Preservation Act, which
10 involves consultations with the tribes. We will
11 consult with Navajo Nation. And we are at the beginning
12 of the process, and will continue to gather information.

13 So, these are the typical resource areas
14 that we look in our EIS. And we'll evaluate the impacts
15 of those resource areas. We know that there are several
16 areas of potential concern, including public health,
17 transportation, air quality, and environmental
18 justice, as well as cultural resources. These areas
19 will be looked at and considered as part of our review.

20 This slide shows our review schedule. So,
21 we will issue a draft around July 2020, and a final
22 by August of 2021. Our entire licensing process is
23 expected to take approximately three years. And this
24 will account for our environmental review and safety
25 review. And then we'll issue a final licensing

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 decision.

2 So, our goals with the scoping process is
3 to ensure that important issues and concerns are
4 identified early, and properly studied. We want to
5 eliminate unimportant issues from detailed
6 considerations. And most importantly we want to
7 identify the public's concerns.

8 This is the type of input that NRC is
9 looking for to determine the appropriate scope of the
10 EIS. So, this slide describes how you can provide NRC
11 with your scoping comments. You may submit them in
12 written and oral form. And the comments provided here
13 will be transcribed tonight.

14 Comments may also be sent by regular mail,
15 online, and email, provided on this slide. And we've
16 also, in one of the handouts that we had when you guys
17 came in has all this information as well.

18 So, here's some additional information
19 where you can find more information, where to find the
20 license amendment application. And we'll be updating
21 our public web page as we issue the draft EIS. It's
22 a good source of information.

23 And I've also included my contact
24 information, as well as the safety project manager's
25 information, if you have questions about the NRC's

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 review.

2 And that's it for me. Thank you all for
3 coming out tonight. And we look forward to your
4 comments.

5 MR. CAMERON: Okay. Thank you, Cinthya.
6 Thank you, Ashley. And we're going to go to Dariel
7 Yazzie. Now, as I mentioned, he is the Director of
8 the Navajo Nation EPA Superfund Program. This is
9 Dariel.

10 MR. YAZZIE: Thank you.

11 (Native language spoken.)

12 MR. YAZZIE: Thank you. Thank you for
13 inviting me. Thank you for asking me to come up and
14 speak on behalf of my Navajo people, my family. The
15 members that are here, I recognize them through kinship,
16 through our clan. And it's one thing that we value
17 with what we do. It's the basis of who we are.

18 We, I've shared with them that as Navajo
19 EPA, and what we do, and where we're going, and the
20 process of what has been done to date, that the science
21 continues to change, continues to grow. We develop
22 new methodologies. We are always progressing forward.

23 But one of the things that we have to
24 identify, we have to recognize is this. When we go
25 out to the communities, and you guys have heard our

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 family here seek and ask, the first thing that a lot
2 of them will ask is when? When is this going to happen?

3 When is it going to be cleaned up? When is it going
4 to be taken off of our lands?

5 So, that question has been around for a
6 long time. It's not being asked now because it's
7 something new. It's being asked now, because other
8 groups, other people have been here doing different
9 analyses, collecting all kinds of data. When are we
10 going to address it?

11 From a Navajo perspective, and talking with
12 NRC today, I shared with you guys our cultural values,
13 what we haven't looked at. Navajo EPA, we're in a
14 position now, because we have within our laws legislated
15 Navajo CERCLA.

16 And in doing that, that includes what we
17 call fundamental law, which goes back to our natural
18 law. Maybe that's what we've missed. We haven't
19 included that in these processes.

20 Maybe that's why it's taking so long, and
21 the road has been so difficult to get to where we are,
22 to finally achieve the goal that we want to achieve.

23 We're not there yet. We know where it's at. We see
24 it. We all want it. But we're missing something.

25 So, I've asked my community here to share

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 with us, what else have we missed? The traditional
2 values that exist there, let's include some of that.

3 Let's look at what we need to include to fully heal
4 our communities.

5 The science is, again, it's the science.

6 The science is not going to change unless something
7 comes up, and somebody develops something that just
8 eliminates entirely, a spray-on eliminator, right.
9 That would be great. But we don't have that.

10 So, here we are. We're looking at it.
11 We're looking at the data that does exist. We're being
12 realistic. What can we do? What are we going to do
13 on behalf of the Navajo? That's what we have to look
14 at. And is the thing that we're missing.

15 So, with that, welcome, community members.

16 As you're listening (Native language spoken). What
17 we need to consider is (Native language spoken). And
18 take it across the road. (Native Language spoken.)

19 So again, I'm asking the community, what
20 we share today, what we talked about. We talked about
21 what the scoping meeting is. It's an opportunity to
22 share what plans are coming, what options we have.
23 And then to, again, collect more data through trust,
24 to get a better idea of, is this acceptable in the eyes
25 of the community? And is it safe?

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 So again, when we talked about that, I know
2 it's a hard concept to grasp, to identify fundamental
3 law, and the intricate aspects of it as a health and
4 safety measure.

5 But for us, for our people it's waking up.

6 And we know, and we understand we're not supposed to
7 be around this. We're not supposed to be doing this.

8 This will lead to this. And it has physical
9 ramifications.

10 So, when we're talking about this, this
11 is, these are some of the concepts that I want to share
12 as Navajo EPA, as Navajo Nation, as somebody identified
13 toward the community here. That's ultimately who I'm
14 working for is the community that's here.

15 So, thank you. And I definitely
16 appreciate the opportunity to have been invited to this
17 community event to talk on behalf of my community, on
18 behalf of Navajo Nation, as a governmental entity.
19 And also, what we're doing moving forward, to include
20 our own natural laws to address these type of
21 activities.

22 (Native language spoken.)

23 Thank you. I'd like to also introduce,
24 next is my (Native language spoken), former president,
25 Peterson Zah. (Native language spoken.) He was the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 last chairman. And he was the very first elected Navajo
2 Nation President.

3 So, over the years, and then more recently,
4 as we've started talking like this, and talking about
5 the environment and its impacts, and for us as Navajo
6 people to embrace what we're doing (Native language
7 spoken).

8 I've come to value his guidance. I've come
9 to recognize him as one of my mentors in what I do now.
10 So, with that, I'd like to introduce him, Peterson
11 Zah.

12 MR. ZAH: (Native language spoken.) I
13 wanted to thank the people that are all here tonight,
14 representing the federal government, the various
15 regional office of the EPA, and then Navajo Nation is
16 being represented also by one of the employees of Navajo
17 Nation EPA Program.

18 Way back years ago, somewhere around 35
19 to 40 years ago I became the Tribal Chair. And I was
20 very lucky as an individual to be working with so many
21 dedicated souls, people who care, people that want to
22 do good, people that were concerned about the land,
23 the environment, and what our society is continuing
24 to do to the Nation and to Mother Earth.

25 And back then, when you listened to people,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 their thoughts and their philosophy, and some of the
2 things that they had in mind was a little different
3 than today.

4 Maybe it's a generational thing that we
5 were hearing back then. There was a connection of
6 people to the earth where they lived. There was a
7 connection, spiritual connection to the animals that
8 the Navajo people have as their survival. They needed
9 that to continue to feed their families.

10 And there was also a connection, a great
11 connection between one's own feeling and appreciation
12 of air, and all of the things that we feel from year
13 to year as the earth is changing, and seasons come,
14 and seasons go.

15 And all of that was appreciated very much
16 by the people back then. Navajo society is just like
17 any other society. It's not static. It continues to
18 move. To move in the direction that their heart says
19 that we should be moving in.

20 And so, you can look at that either as in
21 a negative way, or maybe in a positive way. Some people
22 say that's a good thing that the Navajo society is that
23 way, as other people do.

24 And then others say, no, I don't think we
25 should go along with what the rest of the other society

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 is doing. We have our own culture. We have our own
2 teachings. We have our own things that is so dear to
3 the Navajo people, when it comes to language, culture,
4 and all of the experiences that comes with those
5 elements.

6 And so, we're going back and forth
7 evaluating the position of those two groups. And it's
8 very interesting having to live through all of that.

9 Because some of us are members of the tribe that comes
10 from the older generation.

11 And you're looking at a person who is 83
12 years old. And sometimes I get up in the morning and
13 I feel like I'm going to live to be another 83 years.

14 And that we shouldn't stop. We should keep on
15 thinking. We should keep on doing things with the
16 people to better the lives of the Navajo people, and
17 then society in general.

18 So, you get the urge. And I guess that's
19 what rest does to you. It recharges your body, your
20 mind. And you want to do more. But, your body isn't
21 really trained that way. Sometimes they have a
22 tendency to be maybe four or five minutes behind what
23 you're thinking. And that's the problem of the older
24 people.

25 I was here on Tuesday. And I was happy

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 that many of the local people were here. Some of you
2 have returned. But coming from Window Rock, and coming
3 from the heart of Navajo land, I didn't want to
4 interfere, and ask your moderator here if I wanted to
5 say something. Because he was giving you only three
6 to five minutes. And I said, I'll come back on
7 Thursday. Maybe he can give us some more time. And
8 so, that's why we're here.

9 And I was kind of experience a little
10 anguish in my body. And I said to myself, way back
11 50 years ago, 40 years ago, during the war, when they
12 wanted uranium off Navajo land, you didn't say, yes,
13 take what you want, or take, in three minutes or five
14 minutes. Navajo was so generous.

15 And they opened up their homeland. And
16 they said, if you need it, it's here. And they took
17 all the time in the world to do what they want to do
18 with the land.

19 One of the things that happened was that
20 they didn't clean up their mess. And as a result we
21 still have 523 sites throughout the Navajo Nation.
22 Imagine that, 523 sites that United States supposed
23 to help us to clean up.

24 And Navajo Nation now is fully equipped
25 through people like Mr. Yazzie, who works with EPA in

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 connection with the federal EPA, to do the things that
2 we need to do, to clean up our land.

3 You are right now consulting with the
4 Navajo Nation. We do have a Government, a legitimate
5 Government. So, you should look at the Navajo Nation
6 just like the way you look at other countries, like
7 the Federal Government.

8 And when you go out to the Navajo, when
9 you go out to the Apaches, or to the Hopis, you let
10 them talk, and say what they want to say. And then,
11 you have the mission as an observer.

12 So, my wife and I were doing that on
13 Tuesday, and respecting the wishes of the local people.

14 Let them talk about what should be in the EIS. That
15 was our thought. We'll come Thursday, and we'll have
16 a conversation, maybe have an opportunity to say the
17 things that we need to say.

18 The reason why I'm saying that is that I
19 really think that the Navajo Nation Government has
20 various committees. They have four major committees.
21 One of the committee is responsible for health and
22 education of the Navajo people.

23 I think that committee should be approached
24 by the Commission here, just as a courtesy. Say, this
25 is the biggest site, it's the biggest program that you

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 have to deal with.

2 You represent the Navajo people. You
3 represent the Navajo government. We are here talking
4 with your constituents, because your constituents, in
5 the Navajo Nation, delegates and constituents are both
6 the same.

7 And so the constituents are saying to their
8 leaders, you fix the problem. You created the problem.

9 And the only way it could be done adequately is if
10 you communicate. And you can't do anything if you
11 continue to scream at each other, and hide things from
12 one another. You can't really deal effectively with
13 the problem at hand if you're going to do that.

14 So, my recommendation to the Commission
15 is to go to the Navajo Government and tell them what
16 you have in mind. Because it's very important how the
17 EIS is done, and what it's going to say. And it seems
18 to me that you need to ask the Government leaders that
19 same question that you're asking the local people.

20 The other thing that I wanted to just
21 briefly say is, bureaucracy, you have within your
22 Federal Government huge bureaucracy. And sometime the
23 bureaucracy is so big that it takes hundreds and
24 thousands of people to move bureaucracy.

25 I think Donald Trump has learned that by

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 now. Maybe not. That you can't just go into an office
2 like the White House, and then say one word on TV, or
3 something, then everybody will follow you.
4 Bureaucracy doesn't work that way.

5 Navajo Nation similarly has the same
6 problem. We have people that come into the Government.

7 They have grand ideas. And then when they get in
8 there, it's hard to move bureaucracy, unless you have
9 so many people that are following you.

10 And the reason why I'm telling you about
11 bureaucracy is that you're having the same problem.
12 And then, on the Navajo, we have a situation where a
13 cleanup, the cleanup, not the assessment, the cleanup
14 is taking so long. And the Navajo people have been
15 waiting for that first cleanup to happen.

16 I've been waiting for over 30, 40 years.

17 And I'm over 80 now. And I haven't seen one cleanup
18 yet out of the 523. So, I'm keeping my fingers crossed
19 that before I go into the next world that I'll see some
20 cleanup. We haven't done that yet because of
21 bureaucracy. And I'll give you one good concrete
22 example.

23 The Navajo Nation has only two individual
24 who are tribal member, two Diné that are qualified to
25 become a trustee to assess and evaluate those sites.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 (Native language spoken.) It's like having only two
2 medicine men left on the Navajo Nation.

3 Because those two individual happens to
4 be, most of them are Navajo ladies. They're fully
5 equipped. They have all the experience. They work
6 for the Federal Government EPA.

7 They work for the regional office in
8 Denver, Colorado, together as a team for over 15, 20
9 years. And one of them spent four to five years on
10 EPA project. So, she's considered an expert.

11 What I don't understand, because of
12 bureaucracy, is this. The first 16 sites, the first
13 16 sites was analyzed by one of the Navajo ladies.
14 And her contract was over in December last year. And
15 here, January, February, March, we're going into April.

16 She finish her job evaluating all those
17 16 sites. But she's been at home not working for the
18 last four months. What we should really be doing as
19 Navajo people is, the day after she quit making
20 assessments on those 16 sites, the next day we should
21 give her another contract. They go to work, and they
22 start the cleanup.

23 (Native language spoken.) That doesn't
24 happen, because of bureaucracy. So, it raises the
25 question of, we need to coordinate our efforts more

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 and more. And communicate with one another more and
2 more to get these things done.

3 At the rate that we're going, we're not
4 going to have any sites cleaned up for the next two
5 years, two or three years.

6 The elderly Navajo, what they tell me is,
7 I want to put my sheep back in that area down there.

8 Because I need more grazing land. Some of them say,
9 I want to move back closer to where I was born and raised.

10 (Native language spoken.) That's what they say.

11 But I don't want to be the one to tell them
12 about, and says, listen, that's not going to happen.

13 Because you don't want to break their heart. They're
14 up there in their 80s. They're like me.

15 And that's why I'm urging the people who
16 work with bureaucracy, that I hope we speed up the
17 process, and do the cleanup as fast as we can. Because
18 that's what the Navajo people are looking for.

19 When I became the Tribal Chair there were
20 a lot of Navajo people that came. And they told me
21 on the campaign trail, do something about uranium.
22 I heard that every day. And when somebody tells you
23 that, and if you don't have an EPA program of your own,
24 what else can you do?

25 So, when we started EPA program back in

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 1985 on the Navajo Reservation, the first project we
2 went to was rare metals in Tuba City, rare metals in
3 Tuba City. And we had the Federal Government and the
4 contractors come in and do the work assessing and
5 cleaning up immediately.

6 The problem that persisted in that area
7 was because of jurisdiction. That land, there was a
8 land dispute between Hopi and Navajo. Navajo owned
9 one half of the land. The Hopi had the other half
10 interest. But you cannot divide it.

11 So, it was an undivided sharing of land.

12 And both tribe had to say yes for these kind of nature
13 program. That's why rare metal was there right by the
14 highway for years, and years, and years. Because the
15 two tribes kept on fighting. They wouldn't agree.

16 So, we went in and we solved that issue.

17 And then, after the Hopi and Navajo agreed, then EPA
18 in Washington moved in, and removed those sites. The
19 next one was at Mexican Hat by Monument Valley. The
20 same thing happened because of jurisdiction over those
21 lands.

22 So, it could be done. It could be done.

23 It's just taking so long that I think we need to really
24 deal with the issues, so that the things can be done.

25 I had a meeting, Ben Shelly, remember, he

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 was a Tribal Chair, a Tribal Chairman. My brother,
2 one day he called me in, and he says, I need help.
3 People who get in their position, they never say that.

4 But it was kind of strange for Ben to say, I need help.

5 Can you go see the Regulatory Commission
6 in D.C., and plead with them that we need this place
7 cleaned up? But before that we need environmental
8 assessment on the site.

9 So, I went in to see the Commission that
10 you're working for. And I remember seeing the Chairman
11 of the Commission. And I was really pleading with him,
12 making my case. And he was in full agreement.

13 Then at the end of our conversation he said,
14 Mr. Zah, I really like the way you present this. I'm
15 convinced. Except, I'm going out of office this year.

16 So, come again when my replacement is here. (Native
17 language spoken.)

18 And then I said, maybe I should deal with
19 the other Commissioners. And then I went to the other
20 Commissioners. And they say, our term is up two years
21 from now. We don't want to tie the hands of the five
22 other Commissioners going to be replacing. (Native
23 language spoken.) Bureaucracy. And that's why
24 nothing ever got done.

25 So, they use those kind of excuses year

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 after year after year. (Native language spoken.) And
2 I hope that those kinds of things could be handled in
3 such a way that we take that interest of the human beings
4 that live on those sites, the Navajo people.

5 I think that's the only way that you can
6 adequately live the position that you now hold with
7 the Commission to do a better job.

8 And then I'm going to tell you a little
9 story. I hope you can give me another three minutes.

10 Let me tell you the story.

11 I was in Phoenix, Arizona, on February the
12 19th. In Phoenix, Arizona, they have a state newspaper
13 called Arizona Republic. I picked up the Arizona
14 Republic, and then on the front page, all the way across
15 Arizona Republic, it said something like the tourists
16 that come and visit the Grand Canyon.

17 This is no news to some of you Commission
18 staff. It said that all these people who went to Grand
19 Canyon Museum, hundreds of them, they may all be
20 contaminated by uranium. Just like what uranium did
21 to the earth.

22 And then I started reading the article.
23 And they said they have been exposed to radiation, all
24 those people who come to see Grand Canyon, they go to
25 the museum. Because they discovered something like

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 a can, five gallon can. There were three of them, like
2 a barrel. Inside there was uranium. And they were
3 given this years ago.

4 When they got the uranium, they put into
5 these three barrels. And then they store it down in
6 the basement of the museum. And so one day, one of
7 the workers came to the job site with their son, teenage
8 son. And the teenaged son was really interested in
9 Geiger counters. They were really interested in that.

10 So he was fooling around with it, working
11 on it as a teenage kid. And it started going off.
12 This can't be true. We're in a museum. So he started
13 looking, and down in the basement was those three
14 barrels full of uranium.

15 So your boss, the Commissioner, Chair of
16 the Commission said, oh my God, we've got to call all
17 those people back that went through Grand Canyon. They
18 went to the museum. They have been exposed to
19 radiation. You know what, the response to that was
20 just like this. And they said if they had been exposed
21 for 30 minutes, for 30 minutes to uranium, that close,
22 it's going to affect their health.

23 Now that is, as I said, clearly if that
24 was an American Indian that got exposed, a Navajo Indian
25 that got exposed to that, what do you think that person

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 would have said?

2 PARTICIPANT: Nothing.

3 MR. ZAH: Nothing for 30 years, nothing
4 for 50 years. So think about that. Maybe some of the
5 Commission staff don't like to hear those kinds of
6 criticism of the work of the federal government when
7 it comes to uranium and radiation. You have to think
8 that way, not that they react over here right away.

9 (Native language spoken.)

10 MR. ZAH: It's the same thing as when the
11 federal government froze the land between Navajo and
12 Hopi, Bennett Freeze, remember the Bennett Freeze, that
13 land, they put it into freeze for 40 years. That means
14 that nobody can go in there and do anything to remodel
15 their house. That means they couldn't put schools
16 there, roads there, water for 40 years. But then the
17 federal judge came along and froze the land.

18 That was over 30 years ago, 20 years ago.

19 I was in one house yesterday the federal government
20 puts up. But, you go to these other places in America
21 where there are a lot of Belegana living. They freeze
22 the land for a certain purpose.

23 But their effort is unfrozen either by
24 court order or something. The federal government gets
25 in there with their shovel rebuilding another house.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 That's the kind of discrimination that the American
2 Indian people go through. And that's what we
3 experience. For me, we're experiencing the same thing.
4 I'm 83 years old. I want to see a cleanup.

5 (Native language spoken.)

6 (Applause.)

7 MR. ZAH: That is something that we're
8 looking for. These things do happen. And they happen
9 right before our eyes. But sometimes we got blind,
10 and we can't see those. So I hope these kinds of things
11 would be addressed adequately, properly, and rapidly.

12 So I just wanted to conclude with that. Thank you
13 so much. The prayer was really good, and I'm praying
14 for you. Because we're all in trouble.

15 (Applause.)

16 MR. CAMERON: Thank you. Thank you very
17 much, President Zah. Thank you. And Ray, Ray Banally,
18 come on up. All set.

19 MR. BANALLY: My name is Ray Banally. I'm
20 a (Native language spoken) from Red Pond Road. Before
21 that it was Black Tree Pine Canyon. And all of a sudden,
22 UNC decided to open the shaft on no man's land, they
23 call it railroad land.

24 I think the tribe, during his time, had
25 a lot to do with the right of way. We are responsible

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 for that as a Navajo. They promised us water, then
2 electricity. And I talked to Marshall Plummer, he's
3 a cousin to me. At that time, he was a vice president.

4 And then our tribe acknowledged that ever
5 since from the beginning, and I just watch, and all
6 of a sudden the Committee decides to set another shack
7 on the other side across from us. We notified the
8 Navajo tribe, tribe as a whole. You know what they
9 said? Well, you go see one of your own delegates, go
10 see EPA.

11 You have a location right at St. Michael.
12 It's an EPA office. And they also told us that you're
13 exposed to uranium. Go see a doctor. He's a part of
14 that bureaucracy that he is talking about. Hush, hush,
15 don't say anything. Let the EPA do that. Let the
16 politicians have their way.

17 I live right across that. If you guys been
18 out there today, that little white house, I'm just as
19 bad as Donald Trump, Mr. President of the United States.

20 He's my friend. And to tell you the truth, we need
21 a change.

22 Democrats are a bunch bureaucrats.
23 They're all responsible for you scratch my back, I'll
24 scratch your back. And if you see that little white
25 house that's set right across, if you want to see one

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 of my nephews, everybody's getting a raw deal from it.

2 But one thing he's talking about the Navajo
3 tribe was doing this and that. No, it was the chapter
4 never bothered, the next chapter and (Native language
5 spoken) chapter, these chapters are a combination of
6 Navajo tribal program.

7 We voted for those people. You know what,
8 they never listened to us. They don't have ears. It
9 goes in the right side, goes out the left. Oh, he's
10 nobody, he's just a sheep herder. But my vote did count
11 when he went into office.

12 Yes, I voted for Donald Trump, because I
13 needed a real change. And, to me, the federal
14 government itself is persecuting Mr. Trump. Why? If
15 we don't like somebody, we don't tell them right in
16 the face. We'd rather do it way out there behind closed
17 doors or something like that. They're good at it.

18 The tribe is really that way. They're
19 spending all the money just like the new administration
20 that they set in. I don't think he ever spent a penny
21 of his salary. The tribe foots his bill. He's spends
22 most of his time in Washington, D.C.

23 The problems here, just like EPA, the
24 problem is the mine. I go along with it, because it's
25 not -- the things I don't agree with, where you've got

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 to pick the site, I think it should have been in that
2 canyon where the mill is if you're going to do that.

3 I agree with it.

4 Perhaps the only thing that's an enemy,
5 the biggest enemy is when are you going to get started.

6 Quit talking. I've been saying this for the last seven
7 years, ever since the mine closed. Let's do something.

8 We can talk, talk, talk all we want to, still talking
9 doesn't solve the problem. Getting the shovel and the
10 pick is something that you do in the olden days.

11 All these politicians in my tribe, they
12 don't live in a hogan, they don't live in a shack like
13 me. You ought to see some of their houses, trucks,
14 cars. They're living off their own people. That's
15 what's wrong. You finally got through it. He came
16 in late, sneaked in. He waited for the last minute
17 when everybody goes. See, that's their voice.

18 MR. CAMERON: Ray, could you sum up for
19 us too, please?

20 MR. BANALLY: Okay.

21 MR. CAMERON: Thank you.

22 MR. BANALLY: Remember one thing, I'm only
23 asking you people do it. If we pick the site, do it.

24 Don't change your mind at the last minute. Thank you.

25 MR. CAMERON: Thank you. Thank you, Ray.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 We going to go to Patricia Sheely next. Patricia?

2 MS. SHEELY: Thank you. I had a chance
3 to be second. My name is Pat Sheely, and I've lived
4 in Gallup for 26 years now. And I'm here because I
5 want to support my friends that live in this area that's
6 contaminated.

7 I'm concerned for their health. I'm also
8 concerned for the environment. I have a lot of other
9 concerns, but I'm going to address my comments tonight
10 about the containment of the heavy metals and the
11 radioactivity in this waste.

12 How confident are we that we're going to
13 be able to contain these. When I think about
14 containment, I think putting it in a lined vessel, and
15 the lining is really, really strong, and they're not
16 going to escape. I'd like to know what has happened
17 to the heavy metals and radioactivity in the original
18 tailing space. I think we need to know what's happened
19 there before we put something else on top of it.

20 I'd like to know if the heavy metals and
21 radioactivity are seeping into the ground water. Are
22 they going into the soil? How far down are they going?

23 Because I believe that water is sacred. And it is
24 precious, especially in our area, because we don't have
25 an unlimited supply of water. If we contaminate the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 ground water, we can't drink it anymore. We can't use
2 it for livestock.

3 Another issue is our extreme temperature
4 fluctuations. It gets very hot here. It freezes here.

5 What does this do to the stability of all that material
6 you're going to put on top of the present tailings?
7 It sounds to me like it's going to be a lot.

8 And what is the effect of the dry condition
9 and excessive rain and snow melt? Last winter, we
10 didn't get any rain or snow. This winter, we've had
11 a lot. I think we need to study that.

12 Another issue is the weather patterns are
13 becoming more extreme. What's going to be the effect
14 of these extremes over time? I think this needs to
15 be studied and evaluated.

16 And the time period needs to be for a long
17 time, something like 1,000 years. We're already
18 talking 40 years. We can't just go another 50 or
19 another 100. We really need to think into the future.

20 And I hope you've got the scientists who can do this.
21 Thank you.

22 MR. CAMERON: Thank you. Thank you, Pat.

23 (Applause)

24 MR. CAMERON: Is Mirakhel Windsong here?

25 Oh, here she is.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 MS. WINDSONG: Good evening, everyone.
2 I would like to thank you, the people of this nation,
3 the Navajo Nation, for allowing me to be on your land,
4 for this is your land. And I would like to also thank
5 the members of the Regulatory Commission for your work.

6 I would like to say that Mr. Yazzie
7 addressed that science is continually changing. So
8 I would like to ask that part of the evaluation process
9 for the Environmental Impact Statement include what
10 other methods have you researched to determine possible
11 safety considerations related to the ground and water,
12 the wildlife, the impact to the health and safety of
13 people. And are there other methods that are more
14 contemporary that are safer?

15 To me, when I'm looking at your document
16 that you passed out, the EPA Northeast Church Rock Mine
17 Site update, under what has been done, Point Number
18 2, it says the mine waste pile has been temporarily
19 covered and stabilized until it can be removed. Well,
20 this to me implies that you are going to remove the
21 old tailings and the old waste before you put new on
22 top.

23 It seems to me you're doing what
24 cockroaches do. They want to hide from the truth.
25 And the truth is here it's like an operation cover-up.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 You're putting disposed of waste that has years of
2 radioactive fallout and then you're putting more on
3 top of that. It just doesn't make sense to me.

4 But I'm new at this, I'm ignorant, so I
5 don't know. But it just seems like you should be doing
6 more research on the long term effects, as Pat said,
7 1,000 years. That's a short term in terms of
8 radioactive waste that continues to have half-life.

9 And then also, I would just like to thank
10 all of you people that live in that Red Pond area that
11 have been struggling with this for years and waiting,
12 and waiting, and waiting for something to be done.
13 I just, my heart goes out to you.

14 My husband is a native, and he has reached
15 the point where he says what does this matter, we won't
16 matter. You know, and that hurts me to hear that from
17 him. Because every one of you here matters.

18 And what the EPA continues to do is, yes,
19 there are some specifications, there are some
20 guidelines, but yet the choice almost seems to be
21 preordained. And I would just say please listen to
22 the people here. Thank you.

23 (Applause)

24 MR. CAMERON: Thank you. Thank you,
25 Mirakhel. We're going to go to Sister Rose Marie

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 Cecchini now. Sister Rose Marie?

2 MS. CECCHINI: Good evening, everyone.
3 I'm Sister Rose Marie Cecchini. And I'm currently the
4 coordinator of the Office of Life, Peace, Justice,
5 Creation Stewardship.

6 And I too want to offer my really heartfelt
7 gratitude for the great gift and privilege of sharing
8 life here on the Navajo land as I have for the last
9 22 years, being gifted with the wisdom, the experience,
10 the spirituality, the depth of the Native American
11 people, the Navajo people.

12 And so tonight I bring before you the
13 concerns of people of faith. And we bring the moral,
14 ethical, environmental justice concerns to this entire
15 issue. And hearing the stories of our neighbors, our
16 kin, one in the family of God, knowing the suffering
17 of the last 30, 40 years, it is a burden we all carry.

18 And we're all one human family. So what
19 is impacting the community of Red Water Pond Road here
20 in this region of Gallup, McKinley County, all the way
21 to the Grants mineral belt, all of us are one in this.

22 And I would like to just point out, first
23 of all, in the concerns we have, we see the diagram
24 of basically the topography. But our concerns are how
25 is this waste site, the original waste site, as others

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 have already pointed out, contaminating the actual
2 geology, the strata of the earth.

3 There have been countless, countless
4 underground mines, shafts that have been drilled and
5 mined out. And therefore, we're dealing with fissures
6 in the earth. So it would have to be, in the scoping,
7 a much more detailed diagram of actually what are the
8 components of the past waste.

9 Also, what are the fissures? How is the
10 engagement of the interfacing of this waste site on
11 the actual strata of the earth? And we know that the
12 alluvial underground waterways, when this earth was
13 being formed, had many, many complex rivulets. So
14 there's a lot of complexity to the underground surface.

15 And how is that hydrological system being impacted?

16 And I'd like to bring out the fact that
17 we all know we are facing climate change. We've seen
18 some extreme environmental disasters in our own country
19 and around the world. And we know that 40 years ago,
20 when this initial waste depository was designed, it
21 was probably very primitive compared to the present
22 designs that are technologically possible.

23 So in the scoping, it would be very useful
24 and helpful to see how this original design, with its
25 faults, and we know the dam broke because of the failure

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 of the Nuclear Regulatory Commission --- not them, no,
2 the United Nuclear Corporation failure to repair that
3 dam. So there is a basic weakness in the fissure of
4 where this happened.

5 How is that being analyzed as far as the
6 added weight of, what is it, 1,000 tons, coming on top
7 of that? So what are the possibilities of an extreme
8 weather event, and how will that impact this? And we're
9 looking again for 1,000 years.

10 So if we look at ourselves as one human
11 family, one human community, our lives have all
12 interconnected. And the wisdom and learning that we're
13 gathering from the Navajo people are for all of us.
14 And I think if we love our country, and if we love the
15 land, and if we love Mother Earth, these are very serious
16 concerns.

17 So I would urge you to really do a very
18 careful analysis and have that diagram in comparison
19 with what new technology or what new models of
20 depository are possible and being used at present.

21 So these are some concerns, but I bring
22 the concerns of people of faith, we are very concerned
23 about the threats to all the human family from extreme
24 weather that will be coming. Thank you.

25 (Applause)

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 MR. CAMERON: Thank you. And we're going
2 to go to Emily Ellison, and then we're going to go to
3 Mervyn Tilden. This is Emily Ellison?

4 MS. ELLISON: Good evening, again. Thank
5 you for allowing me to come here. So I'll introduce
6 myself.

7 (Native language spoken.)

8 MS. ELLISON: We native people have had
9 a long history with the U.S. government. In some
10 respects, it's dark. Our relationship over the years
11 has eroded. It's instead become a resource exploration
12 economic model.

13 This needs to end. We have been
14 economically exploited for far too long. Because of
15 this history, we are here today. We have a treaty with
16 the U.S. Government which was signed 150 years ago.
17 It's a binding treaty, according to the United States
18 Supreme Court, with the same valuation with the United
19 States with any foreign government.

20 An interesting fact is the first non-native
21 economy to this continent was based on conquest over
22 us, the American Indian. It was a plunder economy.
23 We were severely excluded from any of those benefits.

24 When the arrival of those immigrants came, we shared
25 our food. We provided skills for their survival. But

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 that wasn't given to us in exchange or in good faith.

2 And we're still in that situation today.

3 By doing this, the Americans made the land
4 into a central means of production for other continents'
5 first bourgeois society. Bourgeois, that's a very big
6 word. In economic terms, bourgeois is the capitalist
7 class. That's the class that owns most of the wealth
8 in society and the means of production. Each country
9 has its own ruling class. We all know that. It's the
10 same economic model that's been repeated over on all
11 the continents throughout the world.

12 In capitalist countries, the rulers own
13 the means of production and employ workers. The
14 capitalist class is called the bourgeois, like I had
15 mentioned earlier. Means of production are to produce
16 goods such as raw minerals, machinery, ships,
17 factories, are some examples.

18 Workers, on the other hand, have nothing
19 to sell but their labor for a wage, their time. And
20 that's where a lot of us are.

21 Because they privately owned most of the
22 means of production, the ruling class, they keep the
23 profits. They make higher profits by cutting workers'
24 wages, which we've seen since the assassination of John
25 F. Kennedy. Because of this, they're also able to

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 produce new technology and keep it within their families
2 and circles.

3 Under capitalism, the owner or the boss
4 get richer, and production increases. The working
5 class gets poorer. But capitalists do not control the
6 most important source, and that's power. That power
7 is in the people. And that power is an energy. And
8 that power is in uranium.

9 So this trust relationship, the rule of
10 unequal private property that replaced our traditional
11 Navajo life, which was communal and based around social
12 equality, was destroyed. So this was the introduction
13 to the US or to Turtle Island as we would say.

14 (Native language spoken.)

15 MS. ELLISON: And it's never departed.
16 Deprived of our restored land holdings we, the 565
17 federally recognized American Indian tribes, also lost
18 control of our traditional livelihood. Agriculture,
19 hunting, and gathering all required land, the principal
20 means of production. We could not do very much without
21 access to land. The same holds true for the other
22 tribes and other technologies that we had at the time.

23 So if we are to remain in our traditional
24 areas, our homelands, our only alternative was to work
25 for the new owners of the land. We became the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 proletariats, the working class, meaning we now sell
2 our labor for power. We sell you our time. But we
3 were never given the schooling, and the skills, and
4 everything that was promised to us in the treaty.

5 Language is pretty interesting. Language
6 reveals a lot about how a culture uses it and it is
7 for people. The top languages in the world are Chinese,
8 Spanish, English, Hindi, and Arabic. I've only been
9 exposed to Navajo, English, and Chinese. They're
10 different languages with their own very colorful
11 histories behind them, some nice, some not so nice.

12 I looked up the definition of nuclear as
13 it's stated in your titles. The first definition is
14 consisting and relating to nucleus. And it says
15 something about it being an adjective.

16 Language is kind of funny. It's kind of
17 like how the Chinese like their morfin (phonetic), which
18 is making a language unit into the smallest unit. It
19 can't be divided any further.

20 English, you can add a lot onto it, for
21 example, like incoming instructuralization, you know,
22 there's a lot of that. Whereas, for instance, with
23 Chinese you can say ma. And it's how can you further
24 divide ma? Well, you can say ma, má, ma, mà. All have
25 different meanings, right?

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 So Chinese is a high context culture which
2 means you have to be a part of the group to understand
3 the conversation. Whereas English is a low context
4 culture where you don't have to be a part of the group
5 to understand what they're trying to say to you.

6 Well, Navajo, in my opinion, is invisible
7 context culture. It's about balance. We use a lot
8 of verbs in our language. It's the language of constant
9 motion, a lot like energy in science.

10 One of the interesting facts about English
11 is it's a very receptive language, you know, oh, it's
12 really open. Well, it's really a result of its
13 Colonialist background where they bark out orders
14 without having to really interact with the group.

15 The Navajo word Hózhó, for instance, is
16 the equivalent of beauty in English, but that's a very
17 limited, very --- English is a very limiting language.

18 But Hózhó, it talks about harmony, it talks about
19 peace, and it talks about abundance, and it talks about
20 cosmic rules of law of the entire universe. And so
21 I'm not sure what exactly the definition of that is.

22 And I'm still trying to figure it out, as well as our
23 medicine people still are.

24 So in general, I think that Navajo is a
25 very balanced society unless, of course, your in-laws

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 don't like you. Then it becomes, you know, extreme
2 either way. That's a joke if you don't get that. It's
3 lonely if people don't get your jokes.

4 So this feature of the English language
5 being receptive is an extraordinary feature. It's
6 accepted where it's Asian, European, African, Indian,
7 Japanese, Chinese. English has kept an open door
8 policy of accepting words with classical languages like
9 Greek, Latin, Arabic.

10 And I'd just like to say, you know, consider
11 adding the word Navajo or Hózhó, especially as it
12 pertains to handling energy. You know, they say
13 elements are placed in a situation for a reason. And
14 they even say that the White culture is meant to be
15 a culture of technology and action.

16 But I also -- I lost my train of thought
17 on that. I'm going to skip to another portion which
18 talks about your ancestors. Your ancestors came to
19 this continent with a hope for a good life. When they
20 arrived, our brothers and sisters of the East gave them
21 food and skills. And this hope your ancestors brought
22 to our land, they wrote on a document.

23 That document is the Constitution and the
24 Bill of Rights. We the people have earned that promise
25 and that right 1,000 times over, especially us native

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 people. We want our economic freedom. We want our
2 economic rights. We want ownership. That goes for
3 uranium, natural gas, rare earth minerals, water, and
4 our right to clean air. This is DinéDiné fundamental
5 law, the people's fundamental law.

6 You guys are the United States Nuclear
7 Regulatory Commission protecting people and the
8 environment. I did a little bit of research on your
9 organization.

10 Interesting is Navajo is my first language.

11 I struggled with English, sixth, seventh grade. I
12 was seven years old. So I hope you guys are a legitimate
13 organization. There's been some controversy,
14 concerns, and criticisms regarding it, such as
15 intentionally concealing reports or being too cozy with
16 the industry. I hope you are not. As the Belegana
17 say,

18 (Native language spoken.)

19 MS. ELLISON: I'm not sure -- I'm surely
20 using that English word correctly. English is still
21 a weird language for me, it's somehow.

22 But these are very serious issues that you
23 are dealing with, nuclear. I believe that we, as Diné,
24 are the owners of this uranium that's here. We are
25 the guardians, and I think we're supposed to tell you

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 how to handle it. And right now we're telling you to
2 clean it. And this is a right that we were able to
3 achieve through the treaty of 1868.

4 We trusted you, not freely or willingly,
5 but now it's your turn to trust us. Look at our Navajo
6 way of life.

7 MR. CAMERON: And could you just sum up
8 for us too, Emily? Thank you.

9 MS. ELLISON: Our language is not only a
10 sacred language, it is an ancient language. It's a
11 spiritual and scientific language. It was used once
12 to help bring peace. Let us share with you the
13 balancing aspects of the concept of peace as we are
14 able to express in our language,

15 (Native language spoken.)

16 MS. ELLISON: This is the way. So back
17 the language. There's a lot that we can learn in
18 communicating with each other. There is love, hope,
19 and charity all rolled into one. And please add it
20 to your dictionary. Let's have a smooth entrance into
21 the literary world as we believe with this nuclear we
22 have.

23 MR. CAMERON: Thank you. Thank you,
24 Emily.

25 (Applause)

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 MR. CAMERON: And Mervyn, are you ready?
2 This is Mervyn Tilden.

3 MR. TILDEN: Thank you again to everybody
4 and to the Nuclear Regulatory Commission for holding
5 this meeting, opening it to the public.

6 I just want to add one more time that I
7 think two meetings to draft the Environmental Impact
8 Statement is not enough. This needs to go further to
9 all the chapters that surround this site, at least
10 within a 50-mile radius.

11 And I want to add to what Emily just added.
12 You know, I hope this is not a dog and pony show which
13 I have always seen it to be when the federal government
14 comes in on Indian land giving us promise after promise,
15 taking what they want, but leaving us nothing but waste,
16 poverty, disease, and more hardship than we can bear,
17 added to everything else.

18 I want to talk with the Board that I wanted
19 to talk about, but I want to say that three minutes
20 is not enough for such a crucial and important issue
21 that impacts thousands and thousands of people. And
22 in this case, the majority are Navajos.

23 The 1,000 year issue that comes about
24 whenever nuclear waste is talked about, the covering
25 that we've seen and what we're seeing over there, this

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 capping, what kind of guarantee do you have then. Do
2 you know that there's a good probability that in 1,000
3 years the English language may not be able to be read.
4 What kind of language are you going to establish that's
5 going to last for 1,000 years. That is very important.

6 I think that one of the things that I'm
7 really concerned about the lack of official
8 representation here. I took the time to invite the
9 Navajo leadership, McKinley County leadership, the
10 Gallup leadership, and the state leadership. And I
11 think the EPA is the only one that's here.

12 I'm sorry I didn't get your -- I didn't
13 invite you. But I'm thankful that you're here. And
14 that was one of the things that I spoke about, about
15 speaking to this issue in our Diné language.

16 (Native language spoken.)

17 MR. TILDEN: One of the things that I think
18 that we're going to have to look at is what was mentioned
19 earlier again. And what I wanted to elaborate on, on
20 Tuesday night, and that's the treaty of 1868 when we
21 were subdued and placed in concentration camps, and
22 forced on a long walk from our homelands to Bosque
23 Redondo where we were held as prisoners until the treaty
24 was signed.

25 The treaty is a contract, a contract that

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 is valid to this day. One hundred and fifty years
2 later, you must acknowledge this treaty as the Nuclear
3 Regulatory Commission, because you are a part of the
4 federal government. The treaty must be included in
5 the draft Environmental Impact Statement and in the
6 final Environmental Impact Statement.

7 The communities, their voice needs to be
8 involved but, more importantly, there needs to be an
9 environmental assessment or maybe even better an
10 environmental health assessment survey.

11 I'll take an example. When we were out
12 on Big Mountain, in there on Big Mountain, and they
13 were forcibly removing my Diné people from the land
14 and placing us on different parts or into different
15 cities, we took the time, and it took a whole year for
16 us to do it, but we went door to door. And we found
17 out who was there. How many lived in each household.

18 What kind of animals did they have, the corn fields
19 that they were growing, the crops, what were they going
20 to be losing when the removal happened?

21 The census that we did was far different
22 than what the federal government did. Because they
23 just wanted to -- they missed out. They were going
24 to way in the middle of nowhere.

25 They didn't do that, we did, we were part

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 of the land. And we took the time to go, and we
2 traveled. And this was at our own expense. You have
3 the money to do it yourselves. The cost of moving,
4 where are they going to be moved? Are they going to
5 move over the hill, into a city, into a faraway place?

6 That has to be considered.

7 And then are the animals that they have,
8 are they going to be left behind? That's very
9 important. Because we have strong ties with our
10 animals, whether it's our sheep, our cows, horses, or
11 even our little kitty cats, very important.

12 The sacred sites that are out there, we
13 don't tell you where they're at, but we know where
14 they're at. And this is the removal of this waste,
15 this nuclear waste, this radioactive waste. The
16 healthcare of the people need to be considered.

17 Going door to door, you can find out who
18 has health problems, who has diabetes, who needs a
19 grocery, and who's walking on crutches, who is using
20 a cane? These things are very important.

21 One of the things that needs to be included
22 with the National Environmental Protection Act in this
23 process is you need to include the medicine people,
24 the traditional people who know the land, who know these
25 places, who know the language, who know the community,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 who know what kind of damages can be done if these places
2 are disturbed.

3 I mentioned on Tuesday interpreters,
4 translators, there was only one here. But he does not
5 work for the Nuclear Regulatory Commission. You have
6 the money to provide this. You've got tons of money,
7 and you should use that money before Donald Trump takes
8 it away.

9 And one of the reasons why is because a
10 lot of these words, they're technical words. Some of
11 these words in English that are technical, you cannot
12 translate them into our Diné language. There needs
13 to be a very important understanding of what is actually
14 happening because of the damage that is going to be
15 done when these waste products are moved.

16 The questions that I had in my mind, one
17 was did the Nuclear Regulatory Commission invite the
18 Navajo tribe in the mix of state government and McKinley
19 County government, and Gallup city government? We're
20 all together in this. We work as under a good neighbor
21 policy. And we work together in a lot of things. A
22 lot of what has happened this past year, that is what
23 I used, and that is what they heard.

24 One of the things that I think that needs
25 to be understood under the treaty relationship is the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 trust responsibility that is in the treaties, the
2 government to government relationship that is required.

3 Emily mentioned there's 565. The Navajo
4 tribe is the largest tribe. You can set a very good
5 precedent, a very strong example, if you work directly
6 with the Navajo tribe. The gentleman that spoke up
7 here, Mr. Yazzie, talk to him. Find out who is a part
8 of this process. Get them involved, invite them to
9 be a part of it.

10 And the question that I would have to the
11 NRC, another one would be would you allow your children
12 to be playing in those hills, in the fields where all
13 this waste is at? Would you allow that? I don't think
14 you would.

15 So why do you allow our Navajo children,
16 our Navajo people, our Navajo elders, the sick, the
17 disabled, to live in those areas that have been
18 contaminated by waste that you allowed to happen by
19 giving UNC Committee the okay to mine, and then dump,
20 and leave, and abandon these sites? It came upon your
21 approval. Would you do that to your own children?

22 It not, if your question is no, then why
23 are you doing that to us? And it is not just your
24 children only. We, as Diné people, we speak to the
25 seventh generation. What's going to happen to them?

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 That's the question that you should be asking for
2 yourself.

3 MR. CAMERON: And Mervyn, could I ask you
4 to sum up, please?

5 MR. TILDEN: In my summary, I would like
6 for you to think of us as human beings as well, we're
7 not just numbers. We're human beings, we're people.
8 We've got feelings, we've got families, we've got jobs,
9 and we've got places to go, things to do, people to
10 meet.

11 But more importantly, we're looking to a
12 future for our children, we're looking for our
13 community, for our nation as a whole, our great Navajo
14 Nation. And that's who you need to communicate with.

15 Thank you.

16 (Applause)

17 MR. CAMERON: Okay. Thank you, Mervyn.
18 And we're going to hear from Sarah Adeky now. But I
19 just wanted to say that I heard the three minutes offered
20 a couple of times tonight. And we never said three
21 minutes. We said a flexible five. And I think we've
22 been providing seven to ten minutes to everybody. And
23 we will continue to do that. So get the three minute
24 thing out of your mind.

25 And this is Sarah.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 MS. ADEKY: Thank you.

2 (Native language spoken.)

3 MS. ADEKY: I just introduced myself as
4 the, in my own language, to identify myself with my
5 relatives here as to who I am, who I'm born for, my
6 paternal grandparents -- my maternal grandparents and
7 paternal grandparents.

8 That's how we identify with one another.

9 And that's how we find relationship, no matter where
10 we go throughout our Navajo Nation. We always have
11 someone that we can call as our relatives in kinship
12 terms, as my brother, my sister, my grandmother, my
13 aunt, my uncle. That's how close-knitted we are as
14 Navajo people.

15 It was back in 2005 that I started to work
16 with Southwest Research and Information Center as their
17 community liaison person. And it was through the work
18 that we've done, a lot of it, a lot of my work was really
19 to help conduct health studies.

20 It wasn't only --- it was not just the Red
21 Water Pond people that we work with. We work with
22 several other communities throughout the eastern
23 Agency. But when we came upon the Red Water community
24 residents, at that time they were just now identifying
25 themselves as to what their living conditions are like.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 Things, matters were turning over from
2 previous studies that were done in the area of
3 contamination. And this is when they started asking
4 a lot of questions. They were concerned what their
5 water was like, their soil, the air, what have they
6 done in the past when the mining was going on?

7 They themselves, they went from their homes
8 to the mines to work. They didn't have to drive. They
9 walked to work and came home from work. They knew that
10 there was water coming out of the mines. Some of them
11 said they drank the water. Some of them said they
12 bathed in the water. And you heard that from Tuesday
13 night and tonight.

14 This is a real close-knitted community by
15 relatives. They're all related to one another, just
16 like was as native people, we say we're related. All
17 the way around we have connectedness with Mother Earth
18 and the universe, anything in between. So that's who
19 we are.

20 So I've come to know the families,
21 especially the elders. And they were really quite
22 concerned about their future generation when they hear
23 that their water is contaminated, their soil is
24 contaminated, their air that they're breathing in is
25 also not good for them.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 But yet that's their homestead. Long
2 before the mining companies came in, that's where they
3 lived. And they started to ask questions. What's
4 going to happen to the future generation? Where will
5 they have the safe drinking water?

6 And I've seen crews come in, companies,
7 organizations, entities coming in and trying to help
8 with the residents and trying to make a direction as
9 to how the cleanup will be done.

10 I've seen families go on relocation on
11 short term and even on the longer term. To them, it
12 was a very long time they had to spend away from their
13 home. I've seen soil scraped off around their homes
14 and the hills they had with trees, they have uncovered
15 some of their sacred sites.

16 And this isn't good to see. I've seen that
17 beautiful community turn into something that is like
18 you just scraped off maybe a cucumber, or you peeled
19 an orange, and that's the way the community is right
20 now. We still see where the scraping went. There is
21 no vegetation, there's no new vegetation that has
22 happened after the Band-Aid job that they had put in.

23 And today, after 2005, going through a lot
24 of events that they have gone through, and it's
25 hardship, because buses come in, their children walk

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 from their home through the contamination to get on
2 the bus. And then they come back, and they do the same
3 every day. They were concerned about that.

4 Now that the community looks very, very
5 different from the first time that I've seen it. They
6 want their homeland back, to restore it to whatever
7 history it held, the copper valleys that it held. I
8 don't know if it's ever going to be done.

9 They themselves, they withheld their
10 environmental ethics before the mining companies came
11 in. They didn't tear up their land, they utilized their
12 land and planted their corn, they planted other foods
13 that they could use. They knew how to handle that.

14 They also had their flock of sheep, they
15 had their cattle. That was introduced a little bit
16 later in our history. But they had horses. These are
17 the animals that they value. These are the animals
18 that were put there at creation time.

19 So they had and practiced the environmental
20 ethics. They valued their existence and how they
21 relate to -- to be with the animals, and even the plants.

22 You heard them, that they miss those plants that they
23 used to use for their healing, for also as edible food,
24 and also to use it to buy the wool when they do their
25 weaving. This is what the women are missing. So just

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 an analogy to think about.

2 If you have a maid coming into your home
3 to clean your house, do you want that maid to sweep
4 the floor thoroughly, that cleaning is done? What if
5 the maid sweeps all the trash under your bed. But you
6 never know it's there. Years later, you find it.

7 You would be angry. This is what the
8 community don't need. We don't want cleanup crews to
9 come in and just put it into where it's now designated
10 to on the illustration over there, on the poster, and
11 how it's going to be done. It's just like sweeping
12 it under their own bed. Years later, it's going to
13 reappear. It's not going to go anywhere.
14 Contamination's still going to be there.

15 And then there's people that live on the
16 east side, we call them Pipe Line Road residents.
17 They're not here, but they don't know about this.
18 People living on the west side, along the Puerco, they
19 don't know about the contamination going in right there
20 in their back yard.

21 Look what happened when the spill back in
22 1979, a lot of them didn't know that that was
23 contaminated water. They still put their sheet down
24 into that water. Some of them walked in that
25 contamination.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 I've seen and heard people that they had
2 ailments after that. Some people couldn't walk
3 anymore. Some people had cancer. Some people had skin
4 disease, because the contamination was so bad that it
5 started to eat their skin years later.

6 So those kinds things I know is there.
7 And I wish we could have done some oral history
8 collection out of what we have heard from the residents
9 or people in that community when we first did the house
10 study in that area.

11 We're going to be kicking off another study
12 in the same areas. And this is to see if we can improve
13 their health.

14 MR. CAMERON: And, Sarah, could you sum
15 up for us, please? Thank you.

16 MS. ADEKY: So, if agencies can work
17 together, Navajo Nation EPA, U.S. EPA, the Navajo Nation
18 Government.

19 There is another organization, I don't know
20 where they would fit in, Diné Uranium Regulatory
21 Advisory Commission. It's a newly created commission.

22 If all of you could get together and help
23 the residents at Red Water Pond have someone come in
24 and give them some administrative assistance so they
25 can plan and move and have their community either create

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 it there where they have their homestead. So where
2 it's not contaminated, contamination is lessened.

3 Or, they want to move up on the Mesa. And
4 they have plans. They have some foresight as to what
5 they want to do.

6 But who is there to pull all of the
7 resources together for them. There isn't one person
8 that, or a couple agencies that might be able to do
9 that.

10 That's what they need. They need someone
11 to really help them do some planning and organizing.

12 So, you might also think about that when you have your
13 meetings on the government to government.

14 And don't leave the residents out of your
15 meetings too. Keep them informed so that they know
16 what is coming up, because if they don't, they do their
17 advocacy for themselves in the way that you've heard
18 Tuesday night and tonight. It's still going to go on.

19 So show some results to them.

20 MR. CAMERON: Thank you.

21 MS. ADEKY: Thank you.

22 MR. CAMERON: Thank you for the prayer the
23 other night too.

24 MS. ADEKY: Thank you.

25 MR. CAMERON: Is Karlthial Kavasseri here?

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 Sorry, I didn't pronounce it correctly,
2 yes?

3 MR. KAVASSERI: No.

4 MR. CAMERON: When you come up --

5 MR. KAVASSERI: Sure.

6 MR. CAMERON: -- just say your name for
7 Dylan so he can get --

8 MR. KAVASSERI: Yes, sir.

9 MR. CAMERON: I mean, into the microphone.

10 MR. KAVASSERI: Okay. It's Karthik
11 Kavasseri.

12 So, I appreciate getting called up, I
13 didn't know I would be. Because I have more just honest
14 questions.

15 I'm a physician, I've been a physician in
16 this community. I work south of here in Zuni now.

17 But even as a physician who takes lives
18 into my hands, I do not envy your jobs. Because, it's
19 clear to me that the decision that you make from here
20 not only affects a handful of lives that you might see,
21 but generations to come.

22 And so, I'm new to this. And so I assume
23 that you've put some thought into this plan. But I
24 do just have some questions about it and really, that's
25 the approach that I have for this is just, I have

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 questions about how reasonable of a plan this is.

2 When I look at the picture, and I've been
3 looking at it ever since I came here, and I'm somewhat
4 familiar with the plan. What I notice is that, I'm
5 pretty sure that this is a flood plain, or at the very
6 least, the arroyo there does allow for water to travel
7 from the region, you know, through Gallup, and into
8 the Sanders area and past that probably.

9 So the questions I have, just to consider,
10 that I hope that you guys have considered are, what
11 amount of rain fall would it take for that arroyo to
12 carry radioactive waste further down, and how often
13 does rain like that come?

14 Because honestly, I don't know the answer
15 to either of those questions. I think that's something
16 that would be good for everybody to know and for us
17 to have an idea of before we kind of walk into this.

18 The other question that I have, looking
19 at the map there, it doesn't seem like the physical
20 distance from the, what is it, the NECR, somebody tell
21 me, the site that they're moving from to the UNC site
22 that they're moving to, it doesn't seem like the
23 physical distance is that far. And so far, I just
24 haven't heard of what the calculated risk reduction
25 is.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 And what I mean by that is, I assume that
2 the reason that we're doing this, the reason that this
3 plan even exists, is to have a positive health outcome
4 in the surrounding communities. So what, what is the
5 risk reduction?

6 It just doesn't seem like they've moving
7 anything very far. The geographic distance seems very
8 short to me.

9 So these are, honestly, they're just
10 questions that I have. What's the actual risk
11 reduction?

12 What are the risks that are being reduced
13 and how are those assessed?

14 Yes, that's it. That's all I got. Thank
15 you.

16 MR. CAMERON: Good questions, thank you.
17 Thank you very much.

18 Leona? Do you want to come up and speak
19 to us?

20 MS. MORGAN: Sure.

21 MR. CAMERON: Okay. We're going to go to
22 Leona Morgan, and then Rose Bell and then Edith Hood.

23 MS. MORGAN: Thanks, Chip. So, I just
24 wanted to introduce myself to my relatives here.

25 (Native language spoken.)

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 MS. MORGAN: I'm here, again. What some
2 of the things that you all heard on Tuesday night and
3 tonight I think are really necessary to tell you, but
4 I'd also like to address some of my comments to the
5 residents here.

6 So, the issue, I'm going to repeat from
7 Tuesday, is that there's a lot of stuff that's left
8 out of the proposals. First of all, the proposals by
9 UNC are, they're just ridiculous.

10 I mean, this is not an adequate job they
11 did to come up with their best fit for their pocket
12 book. So, UNC, whatever they're proposing is not good
13 enough.

14 NRC needs to work with the, as Sarah
15 mentioned, the Diné Uranium Remediation Advisory
16 Committee, or DURAC. And NRC needs to also communicate
17 all of these things to all the appropriate agencies.

18 So all the chapters in eastern agency, the
19 Eastern Land Commission, the Eastern Navajo Agency.
20 In addition to the EPA and then also, the Navajo Nation
21 Council, the Natural Resources Committee, the Health
22 and Human Services Committee, the Law and Order
23 Committee. So all these things.

24 The scope of the cleanup also is lacking,
25 they're proposing to do a little bit of moving some

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 waste to another site. But I don't think this is the
2 full extent of the mess that UNC made.

3 So we know there is still contamination
4 at Section 17. And then on Tuesday I also mentioned
5 the entire length of the 1979 Church Rock spill.

6 This has gone, this went all the way, 100
7 miles into Arizona, when 90 million gallons of
8 radioactive waste broke from the dam and 1,100 tons,
9 none of that has been cleaned up.

10 And EPA Region 6 said they're only required
11 to look at the property boundary. You all need to
12 require UNC to clean up the whole mess. Which is
13 everything that went all the way into Holbrook and
14 beyond.

15 And in addition to that, some of the stuff
16 you've heard is about the health. How can UNC clean
17 up the mess they made with our health?

18 Does UNC, can they come in and scrape out
19 our lungs like they're scraping out the earth? I mean,
20 these are serious problems.

21 My family has a lot of health problems.
22 We know that a lot of these are caused by different
23 uranium mining companies. And how much does, how much
24 is UNC responsible for this?

25 What type of reparations can they make

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 beyond just this little band-aid?

2 This is an insult to our people. These
3 proposals should not be accepted. NRC should reject
4 their license amendment because these are not good
5 enough.

6 These proposals are, have not been fully
7 studied, they're not considering a lot of the things
8 all of our people are talking about. And I think NRC
9 needs to require UNC to work with the communities, and
10 the different agencies, to come up with a better plan.

11 Because this is just not good enough.

12 So now, I want to talk to my relatives here.

13 So, the NRC is not just going to go to you or UNC is
14 not just going to say, hey, this is what we're doing.

15 So Tuesday I was looking at the book that
16 was at the back of the room, and in that book there
17 is a letter from the Pinedale Chapter staff person that
18 said, hey, this is to their contractor, the letter in
19 there said, our chapter officials want to sit down,
20 face-to-face meeting.

21 So after the meeting Tuesday night I asked
22 the NRC staff who addressed this. So because the
23 community wrote the letter to the contractor, the
24 contractor is not legally bound to give this information
25 to NRC to say, hey, these people want a face-to-face

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 meeting.

2 So, if you want a face-to-face meeting,
3 get your chapters to request a face-to-face meeting.

4 EPA, request a face-to-face meeting.

5 People that talk to DURAC, get DURAC to
6 request a face-to-face meeting. All of your
7 connections to your different agencies, your hospitals,
8 your whatever, request these meetings. Request
9 additional hearings. You have until May 14th, I
10 believe, to request additional hearings.

11 NRC also needs to go to any of the
12 communities that are referenced in these proposals.
13 So if you're going to look at even considering shipping
14 the waste to White Mesa Mill, you need to have a hearing
15 around White Mesa Mill with the Ute Mountain community
16 folks in Blanding and Bluff, Utah.

17 If you're going to ship it to Andrews, you
18 got to have hearings down there Eunice, New Mexico.
19 They're going to ship it up to Utah, have hearings at
20 Salt Lake City and all of those surrounding communities.

21 You can't just be allowing UNC to make these
22 proposals without notifying all of those communities
23 that are going to be affected. And of course, put
24 announcements about these things along all of the
25 transport routes.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 I know that some of you know me because
2 we're fighting Holtec and you guys are allowing Holtec,
3 you're looking at bringing all the nuclear waste from
4 every reactor to New Mexico. And for us, as Diné
5 people, that means transporting it on the railroad by
6 two of our sacred mountains.

7 How do you even study that or require
8 protection for that?

9 I don't think you have any clue. You need
10 to come to our people to figure these things out. So
11 if they're going to move waste, just from one site to
12 another, that's not good enough. But if you're going
13 to ship it somewhere far away, you really need to look
14 at the safety of our communities, our environment and
15 our sacred sites.

16 And to some of the other things in your
17 book, the company, the contractor, they sent all these
18 letters to different offices to say, hey, are there
19 any endangered species over here, and then the company
20 or the UNM, whoever, they sent the letter back saying,
21 oh no, we don't have any record of those endangered
22 species out there.

23 But, by the way, we don't go out there so
24 we can't really say, honestly, that there is or there
25 are not endangered species. So, you need to require

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 UNC to study all of that and work with the local people
2 to look at the animals, the little plants and any
3 impacts.

4 If this thing is supposed to be good for
5 1,000 years, that's also something to consider.

6 The last comment I want to make is, I'm
7 going to continue making comments, but this, by letters
8 and that kind of thing, and we'll get other folks to
9 send comments, but this proposal, it's very lacking
10 in how it's supposed to store waste.

11 So, when we're talking about radioactive
12 waste, these dangerous, potentially threatening wastes
13 need to be permanently isolated from human populations
14 and the environment. You can't just put it on top of
15 another waste pile and cover it with some clay and some
16 plants. It needs to be permanently isolated.

17 And these need to be marked adequately,
18 like Mr. Tilden was saying. What kind of language are
19 you going to use.

20 Because right now, when we pass by
21 contaminated sites, most of these places are not fenced,
22 there's no signs or the sign is all faded down there
23 under the weeds. So these are all things that need
24 to be considered by UNC.

25 They're not looking at the real problem.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 They're not even working with the local people. This
2 all needs to be considered. And you need to redo the
3 whole, all the proposals need to be redone. So, this
4 is all I wanted to say.

5 MR. CAMERON: Okay.

6 MS. MORGAN: Thank you.

7 MR. CAMERON: Thank you, Leona.

8 (Applause.)

9 MR. CAMERON: And we're going to go to Rose
10 Bell, Edith Hood and then we'll go to Larry King. Ms.
11 Rose. Rose Bell.

12 MS. BELL: Good evening. My name is Rose
13 Bell and introducing myself.

14 (Native language spoken.)

15 MS. BELL: And I just have a question about
16 the risks that is going to, how if you transport the
17 material, the contaminated material from where it's
18 at now to the UNC site, how are you going to do that
19 when you're transporting the material?

20 Are you going to use the trucks, are they
21 going to be covered, are they going to be encased?

22 The reason why I'm asking this, I worked
23 on a project out there a few months ago, and I saw
24 firsthand for myself, the workers were not from around
25 here, they were from Idaho. The drivers and the loader

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 operators were from Idaho.

2 So anytime you bring in workers from
3 elsewhere that don't live around here, that don't
4 utilize the land here, they're just there for the money.

5 So when they did this, there was, I've
6 observed spillage. They didn't load the material
7 right, it was offset. So whenever they went through
8 the lower water crossing or on slight curves, I could
9 see the spillage.

10 And I did report it to the people in charge
11 but it's no big deal. I mean, when they picked up stuff,
12 there was five sites where they had higher contaminated
13 uranium, when they picked it up and taking it up to
14 the pile, it had to go through my family's resident.

15 And I saw the spill.

16 I took some pictures. So, when you are
17 transporting these materials, I mean, you really need
18 to consider how you're doing it.

19 And not only that, we, through the Navajo
20 Nation, we do have qualified operators and we do have
21 trained people that was, there was like five groups
22 that went through the Navajo Nation with HAZWOPER.

23 And they were trained, but they were never
24 considered. They pulled people from elsewhere, so when
25 we do this, I mean, you need to consider some of these.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 The reason why another, it's personal, is
2 because my husband has worked in the uranium mine and
3 has lived there all his life. And then my daughter
4 did, and I have grandchildren that live there. And
5 now they are dealing with health issues.

6 So it comes home back to me where if it's
7 going to be done the right way, it needs to have a lot
8 of studies, a lot, just like Leona said, you need to
9 go back and review the whole thing, how are you going
10 to do all the transporting, the lining.

11 It was addressed by somebody, that they
12 have to do the study underneath where it's existing.
13 We just can't say, let's put it on top.

14 So with that, that's one, some of my
15 questions. How are you going to do the transporting
16 of the contaminated material? Thank you.

17 MR. CAMERON: Okay, thank you. Thank you,
18 Rose. And the NRC has heard these questions from you
19 tonight. Edith, and then we'll go to Larry.

20 This is Edith Hood.

21 MS. HOOD: Good evening, everyone. And
22 I'd like to thank the NRC and the EPA for coming out
23 yesterday, out to Red Water Pond area.

24 I thank you for looking at the site that
25 we talk about, that you can only imagine in your mind.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 Now you've seen it. Thank you.

2 The first thing I would like to say is,
3 yes, here, we natives always say we are interrelated
4 with nature, mother earth. Even when life starts for
5 our kids, the children's umbilical cord are cut, buried
6 in the land, in the hopes that the child will always
7 come back to that land. And a lot of this has happened
8 the Navajo way, in our own back yards.

9 And we take the herbs, even the sandstones,
10 to be made into sand painting. We used the herbs from
11 the earth. And in doing this, we only take what we
12 need. We say a prayer. We only take what we need.

13 But in other societies, look what happened,
14 they left a mess and left it there for us to deal with.

15 I think Tuesday night we had all voiced
16 the frustration, the stress of living in a uranium
17 impacted community. But yet, we still hope that it
18 gets cleaned up, despite all the struggles and the
19 things we have to go to.

20 Especially when you're dealing with your
21 own government. I often wonder, at these meetings,
22 where are my Navajo leaders. Where are they?

23 We invite them, we call them. We tell
24 them, Red Water Pond has a meeting every month. The
25 second Wednesday of each month, where are you.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 Okay. In thinking about this, I would like
2 to stress the wants, the needs of the community as I
3 have heard it and as for myself. Since you're doing
4 the scoping.

5 I think that, Number 1, if we have to have
6 the waste pile to remove the very first one, the very
7 first preference was to move it off Indian land. Off
8 the reservation. Take it somewhere else.

9 But it seems that we were always told no.
10 It's too much money to move this. And so it seems
11 like they're going to take it a mile down the road and
12 put it there.

13 And also, in doing this, this waste that
14 they're moving is from Northeast United Nuclear, which
15 is named GE now, will be taken a mile down the road.

16 But at the same time, as you've seen it yesterday,
17 across the way on the north side, there's that pile
18 from Kerr-McGee, that's going to be sitting there.

19 And from what I know, UNC does not want
20 to take that pile and put it with theirs down the road.

21 What the community wants is that they both be cleaned
22 up at the same time so we don't have to go back and
23 do it the second time. Re-contaminating.

24 (Applause.)

25 MS. HOOD: And then when they do clean this

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 up, if they ever clean it up, that they do a very good
2 job of monitoring the people that are doing this work.

3 And when this happens, if that cleanup ever
4 happens, I'd like to say that, you know, people have
5 moved out, some of them have moved out, because we kept
6 getting told that we cannot afford to foot the bill
7 so you guys can move up, further up on the Mesa.

8 So, just as a device of method. People
9 have moved out. There's still some of us there though.

10 And we're going to stay there until it cleans up.
11 Until it gets cleaned up.

12 And when this happens, if we get relocated
13 upon the Mesa, and I don't think we're asking for much
14 when we're asking for homes. We're not asking for
15 mansions, a castle. We're not asking for a freeway
16 up that road. All we want is a dirt road, maybe with
17 a gravel that can be maintained.

18 We can have a one frame, well, for me,
19 that's what I say. I said, I can just live in a one
20 frame house up there with a kerosene lamp, with a water
21 barrel. That's how I grew up. It will be just like
22 camping out. So I feel that I'm not asking for much.

23 And as, you know, all human beings are
24 entitled to live in a safe environment regardless of
25 ethnicity. And with all this, the justice, the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 equality and the pursuit of happiness.

2 Sometimes I ask, where is this pursuit of
3 happiness when I cannot get what I want. I didn't ask
4 the mining company to move in. I was a child then.

5 We were in the safety of our grandparents.

6 We had three medicine men living there. And it was
7 very safe for me at the time.

8 And I always wonder, I wonder, what my three
9 grandkids would say today when they see this mess.
10 So, thank you for listening to us, NRC.

11 Help is get back the Hózhó, as we talked
12 about. The Hózhó that we grew up with. And treat us
13 with the respect that we deserve.

14 And if this could please be cleaned up in
15 a timely manner. Because, I, myself, have worked in
16 the mines, 2,000 feet below ground, 18,000 feet, working
17 alongside with the miners.

18 And when this mining came into our
19 community, a catastrophe has started with mother earth
20 and with the health of all living things. And it caught
21 up with me 20 years later.

22 I was diagnosed with lymphoma and I had
23 to go through all that chemo, which killed me. And
24 I still the effects of it today. So I've lived with
25 that.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 MR. CAMERON: And could you just sum up
2 for us, Edith, please? Thank you.

3 MS. HOOD: Okay. I wanted very much to
4 show you a PowerPoint, but we don't have the equipment
5 for it right now. And thank you for listening to me.

6 MR. CAMERON: Okay, thank you.

7 (Applause.)

8 MR. CAMERON: Thank you, Edith. And now
9 we're going to hear from Larry King and then we're going
10 to go to, we're going to go to Anna. Anna Benally and
11 to Bradley Henio.

12 MR. KING: Good evening, everyone.

13 (Native language spoken.)

14 MR. KING: Red Water Pond community are
15 my internal relatives. There was two elderly sisters
16 that live up there.

17 The Red Water Pond community, Edith and
18 her family are from one elderly sister and the other
19 grandma, the other elderly sister, are from that
20 lineage. My grandma is from that side.

21 So, I have close ties with the community.

22 And my concerns are the safety of the community. When
23 this, whenever the time comes around, I hope to see
24 that in the very near future, when the cleanup starts.

25 Right now, it's proposed, it's been

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 proposed to 2023. And I hope the date is still set
2 as is, or even earlier.

3 But, my concern is the safety of the
4 community. When the transportation, the removal of
5 mine waste across the street, towards the mill to be
6 placed on top of the mill waste, the other forgotten
7 community, the pipeline community, will be directly
8 affected.

9 Because the turnoff to the mill site, the
10 pipeline community utilizes the same turnoff. And
11 they're downwind from all this removal that's going
12 to take place.

13 Although the notice has been published
14 everywhere, but I don't think the community are, they're
15 probably tired, just like the Red Water Pond community
16 is. And I feel the same way that I'm just tired of
17 hearing. And I don't want to listen to any more of
18 this.

19 These lies, these things that are being
20 said but never carried out. So, I'm sure the pipeline
21 community people are just the same.

22 But I think the NRC, the agencies that are
23 spearheading this cleanup, needs to meet directly with
24 both communities, the pipeline community, which is
25 further, a little further up north with several

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 residents. With members probably polling close to 100.

2 But the NRC, EPA needs to start meeting
3 directly with each community, or both at the same time.

4 And explain, not using your big words, come down to
5 the grass root level. I'm sure you guys have liaisons.

6 I was just looking at the pamphlets back
7 there and I made a comment, and I've always felt that
8 way. When these pamphlets are published or is
9 translated to the Navajo language, how do you expect
10 elderlies that don't know how to read English to read
11 those pamphlets published in the Navajo language? It
12 does not make sense.

13 The Navajo language is designed, or was
14 created, the way I look at it, from the beginning of
15 life for the Navajo Nation, to be carried out orally,
16 not written.

17 So, I'm educated. I worked with the
18 government sector until I retired, and I still can't
19 read that pamphlet. So, I made that comment to those
20 ladies back there.

21 So I take that into consideration. If you
22 want to really tell the community what you need to tell
23 them. Get your translators, your liaisons by you and
24 have them do the translation.

25 But my concern, like I said, is the safety

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 of the both communities. You need, I don't know if
2 that's addressed. I don't think it's addressed in
3 your, any of your documents. But that should be one
4 of the, that's one of my concerns.

5 I can't even read my own writing. And the
6 other thing, this past Tuesday, I made a comment too,
7 and I'm going to reemphasize that again, the whole area
8 where the tailings pond weir is in a flood plain.

9 And I'm not satisfied, and I haven't been
10 reassured that there is going to be no ground movement
11 where the waste is going to be stacked. I finally
12 looked at the diagram, the second diagram.

13 That's not right. You got your mine waste,
14 actually it says tailings waste, and then you got your
15 tailings nicely separated.

16 That's not the case from one of the former
17 workers that's stated time and time again over the
18 years. He was part of the reclamation crew when they
19 were cleaning up the mine waste.

20 And actually, that's not the mill waste
21 on the furthest right-hand side where it's kind of
22 colored red. It's the mine waste that was buried, that
23 are buried in that tailings pond.

24 He says that those are wastes that came
25 out of the mine, out of the mine area that they were

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 not able to decontaminate. They're buried there.

2 So, that tailings should, to me that
3 diagram is not right. And I looked at the diagram
4 again. And I know the community, the first priority,
5 the first thing they said was to move the waste off
6 Navajo land, out of the community.

7 But of course, like we said, EPA already
8 had their mind made up. But they just came out and
9 said, well, what do you want to do, when in actuality
10 they had already made their mind set to just move from
11 one waste to the, and a mile down the road to the tailings
12 pond.

13 So, in that case, we emphasize that those
14 liners be double in size, triple in size. And the way
15 that diagram is, there's going to be no added additional
16 liners, no extra layers, it's just going to be pile,
17 the mine waste is just going to be piled right directly
18 on top of the tailings pond.

19 MR. CAMERON: And can you sum up?

20 MR. KING: To me that's not right. And
21 then the, and rerouting the channel, mother nature does
22 its own thing.

23 Even though the channel is rerouted to
24 avoid all of that, it's going to find its way back to
25 where its original route was. So, to me that's not

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 really, that's not right.

2 And then to propose, it was mentioned,
3 well, last thing. That EPA, the Trump Administration
4 is proposing to cut 31 percent of the EPA budget in
5 the 2020 budget.

6 It was mentioned to you, to this group
7 Tuesday, to do everything you can to hang on to all
8 the budget and not to get any cuts if you can. But,
9 if that's impossible, I work for the government sector.

10 Anytime there's a cut, the government sector is always
11 top heavy.

12 The real workers are the field staff. So
13 if there's going to be cuts, make sure it's not top
14 heavy. You keep a lot of your field workers out here
15 that needs to work with the community and ensure that
16 their work is done properly. But get this cleanup done
17 ASAP. Thank you.

18 MR. CAMERON: Okay, thank you. Thank you,
19 Larry.

20 (Applause.)

21 MR. CAMERON: Did someone leave their
22 book? Edith, okay. It's right here, we'll have it
23 for you.

24 Anna. Okay, for the record, this is Anna
25 Benally.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 MS. BENALLY: Okay, I want you up here with
2 me so we can make The Independent again, from today's
3 paper.

4 (Laughter.)

5 MR. CAMERON: Oh, you want to have another
6 picture?

7 MS. BENALLY: I want another picture for
8 today's paper. Hi, my name is Anna Benally, I am a
9 resident of Red Water Pont community association.

10 And for me, I had an interview this morning
11 and I felt very hurt. Because when, Ms. Q, Ms. Q?

12 (Native language spoken.)

13 MS. BENALLY: Come on, move. This is my
14 granddaughter.

15 When I was her age, she's 9 years old,
16 that's when the mines came in. I'm 61 right now and
17 she's 9 years old.

18 I don't want her to be worrying about the
19 next 50 years, when it's going to be cleaned up. My
20 grandma, I never saw her, but my mom had always
21 instructed me, take care of the land.

22 (Native language spoken.)

23 MS. BENALLY: We're taking care of each
24 other, we're watching over each other. But Archaea
25 is all messed up.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 And this really hurt me because my
2 ancestor, I still have sheep counts, 500 goats, 500
3 sheeps, 40 rams, 50 goats, cattles. All that is gone.

4 And even to this day we don't have nothing
5 out there because there is no vegetation due to all
6 the waste that has been left behind.

7 And to me, it's hurtful for me because I
8 drive the tailings from the UNC every morning. And
9 it's hurtful for me because it's a reminder how she's
10 going to deal with it when she grows up to be my age.

11 And this is what really hurt me, because
12 my parents, my father was a medicine man, his dad was
13 a medicine man. And they're prayers were very sacred.

14 And in them is, they always told us --
15 (Native language spoken.)

16 MS. BENALLY: -- be good to each other,
17 help each other.

18 And that's what we're doing. We're trying
19 to help Archaea to get back to normal. And I don't
20 want her to be saying, my grandma came up here and told
21 me to do this.

22 I don't want her to be 61 years old and
23 trying to get this all cleaned up. I'm doing it for
24 her. I have two other grandkids that I have
25 guardianship of.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 So please, I'm just, I'm pleading with you
2 to take care of it. And it hurts to drive by every
3 day because it still sits there.

4 I look at it every day. And so now the
5 front yard, the back yard, I mean, we, Red Water Pond,
6 have become strong to live with this toxic waste that's
7 in our yards.

8 But like I said, I don't want her to be
9 looking at it when she's 61 years old. And she's 9.
10 Thank you.

11 MR. CAMERON: Thank you, Anna.

12 MS. BENALLY: Yes.

13 MR. CAMERON: Thank you Anna. And is
14 Bradley, Bradley.

15 And please introduce yourself too, I wasn't
16 sure if I pronounced your last name.

17 MR. BRADLEY: Good evening. I can see you
18 guys are all tired and kind of lazy. Why don't you
19 all stand up for us? Stand up. Stand up. Stretch
20 out. Stretch out. There you go. Now you guys all
21 wake up, you can go ahead and sit back down.

22 Now, I just got a few things to say. Like,
23 EPA, we're missing a lot of EPA officials at our
24 meetings. I haven't seen you all there yet. We'd like
25 to invite you there.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 And I think it's very important that you
2 are the liaison between our committee with the tribal
3 official. Make them come over. I have invited them
4 to come over to our meeting, our situation. That's
5 what I'm asking for.

6 You said you are supporting the Navajo
7 tribe, the Navajo people. I would ask you to do that.

8 Help us to make a connection with the tribal officials
9 and the tribe, to come to these meetings and support
10 us.

11 We need guidance from a lot of this stuff
12 that we're trying to do. Like we went up to the Black
13 Mesa, we have a lot of, we told you that needs to be
14 met. The road, the infrastructures, water,
15 electricity, stuff like that.

16 We have no, told travel authority that we
17 can work, something has to be worked out. How you can
18 help us out with that, working with that.

19 And the new administration, or I don't know
20 if you've been here before, Nuclear Regulatory
21 Commission. How long have you guys been here in that,
22 where you're sitting in your position?

23 Are you going to be here next year?

24 Are you going to be holding that same
25 position in two years?

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 It changes. You guys change all the time
2 and it seems like we start all over again. That's the
3 whole thing, we drop our plans trying to move.

4 The EPA came in here with the UNC and did
5 a plan and all the graph and everything else was put
6 out, all along here, all beautiful. This is the plan.

7 This is going to happen 2014. This is
8 going to happen. This is going to start planning, we're
9 going to start moving, be prepared.

10 What happened? We're starting all over
11 again. Whose plans are we under now? And I hope you
12 guys push this project to take place right away.

13 And I live in Red Water Pond road and I
14 know my in-laws, what they deal with. I'm just married
15 to that community.

16 So, like I said, the bureaucracy gets in
17 the way a lot of times. We like to continue moving
18 this project, these loads right away. Even before
19 2023.

20 I know they say not to rush it but I know
21 there's a way that's already been planned. There's
22 a way that you can duplicate some other projects that's
23 happening out there already, that take place. That
24 we can use or adopt that.

25 Now, I've been in the Military for 33 years.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 So I know how the government works. I know how the
2 federal works. I got out when I was a sergeant major,
3 so I've been to Iraq three times.

4 So, I hope you guys help my in-laws, my
5 --

6 (Native language spoken.)

7 MR. BRADLEY: And the same thing with the
8 Navajo Tribe, I hope you push that up. And I count
9 on you. And come to our meetings every second Wednesday
10 of the month. That's all I got to say.

11 MR. CAMERON: Thank you.

12 MR. BRADLEY: Okay.

13 MR. CAMERON: Thank you, Bradley. Thank
14 you.

15 (Applause.)

16 MR. CAMERON: And Teracita Keyanna. No?
17 Well, Emily said that English was a low context
18 language, so I'm sorry.

19 MS. KEYANNA: That's fine.

20 MR. CAMERON: Go ahead. And, Emily, is
21 our last speaker, and then Dariel Yazzie is going to
22 come up, say a few words and then Bo Pham is going to
23 close the meeting out for us.

24 MS. KEYANNA: Okay. Okay, so, my name is
25 Teracita Keyanna. I come from the Red Water Pond Road

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 community.

2 And I wanted to help out my aunt. There
3 was, you know, she has a lot to say and there's not
4 enough time in the world for everybody else to say
5 anything.

6 So, there was points that she wanted to
7 make. That the NRC, you guys need to get some cultural
8 sensitivity training.

9 You need to make sure that you understand
10 everything about all our culture and why. Not just
11 hear it, but understand it. And come to the community
12 and learn it. Don't just ask us to send you an email
13 about what it's about.

14 And she also wanted me to bring up, when
15 you do send out, do your licensing and you issue these
16 licenses, please make sure that you actually go out
17 to those communities and you make sure that those
18 community members are being taken care of.

19 Because, sometimes the EPA doesn't listen.

20 And it's very frustrating for the communities to have
21 to deal with that and constantly being told no or we
22 can do that.

23 What we're doing right now is changing a
24 law. It's an amendment. And these things can be
25 changed.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 And I we don't understand why these
2 different issues that we're having where we're
3 constantly getting the constant no about is why?

4 You guys are changing laws to make
5 billionaires richer. You're changing laws to the
6 lining of people's pocket even more.

7 And who's the one that gets stepped on?
8 The little people. I'm a little person. I don't have
9 a million dollars, I don't have a mansion.

10 But I have a home that I constantly can
11 go to. I have that traditional tie, I have that
12 physical tie. And that's what my aunt was talking
13 about. It's not just, we don't want to move, it's
14 because we're physically tied to the land.

15 Another thing she wanted me to bring up
16 was a quote that she wanted to read but she wasn't able
17 to get a chance to. And it goes, "we went to Geneva,
18 the sixth nations Iroquois and the Great Lakota Nation,
19 as representatives of the indigenous people of the
20 western hemisphere.

21 And what was the message that we gave, there
22 is a hue and a cry for human rights. They said, for
23 all people.

24 And the indigenous people said, what of
25 the rights of the natural world. Where is the seat

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 for the buffalo and the eagle.

2 Who is representing them here in this
3 forum. Who is speaking for the waters of the earth,
4 who is speaking for the trees and the forests. Who
5 is speaking for the fish, for the whales, for the
6 beavers, for our children."

7 This was said by a gentleman in 1990 named
8 Oren Lyons of the Onondaga tribe. And that's what we're
9 doing right now for our Navajo Nation, for our children,
10 our future generations. Because they don't have a
11 voice yet.

12 But it's not only them, we're also speaking
13 for people who have no more voice, for those who have
14 passed because they died from cancers, respiratory
15 diseases. So, we want their voices to be heard.

16 We want our children's children,
17 children's, like Tilden said, seven generations. This
18 is not our land, we're borrowing it from our children.
19 Thank you.

20 MR. CAMERON: Thank you.

21 (Applause.)

22 MR. CAMERON: Thank you, Teracita. And
23 Dariel, you want to close us?

24 MR. YAZZIE: Sure.

25 MR. CAMERON: And we'll go to Bo after you

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 talk.

2 MR. YAZZIE: Okay. I want to literally
3 take off my hat and put on a different hat. Something
4 I want you guys to understand and want you to know.

5 I'm talking to the NRC panel, I'm also
6 talking to my family that sits out here. The reason
7 why I'm involved with this goes beyond a paycheck.

8 Looking at me you probably wouldn't know
9 that at an early age in my life I had cancer. I don't
10 ever cut my hair short, short because I've got this
11 big scar on the side of my head that goes from here
12 all the way to the back. And I'm very self-conscious
13 of it.

14 But it's gone. Through a lot of treatment,
15 being sick, feeling just awful. But I dealt with it.
16 I got through with it.

17 It took western medicine, it took my
18 traditional teachings, the traditional practitioners,
19 to get me to where I could function in a capacity where
20 hopefully, as my eternal grandfather said to me, do
21 something about this now. Don't be afraid of it. You
22 fought with it already.

23 (Native language spoken.)

24 MR. YAZZIE: So, I got involved and I
25 started working with different agencies to, first and

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 foremost, educate myself as to what it is that we're
2 doing. As I moved forward and started to understand
3 the science, then I had to go backwards again and figure
4 out, okay, what is it traditionally.

5 (Native language spoken.)

6 MR. YAZZIE: Where does it come from? It
7 has a name --

8 (Native language spoken.)

9 MR. YAZZIE: So, in my earlier comments,
10 that's what I shared. The NRC group, the panel. We
11 talked earlier today and I said, okay, here's what I
12 want you to think on.

13 There is a traditional value that needs
14 to be integrated into what we're doing. You heard it
15 here this evening a number of times.

16 So, for me, again, wearing my Navajo, just
17 a regular person, wearing that hat, the impacts are
18 great and they affect me.

19 My father is in his mid-70's. Late 70's.

20 Still a young man. I see my wife's father whose still
21 up and capable to move around, and my father is younger
22 than him, and he can't function in the same capacity.

23 Because, one, we grew up right next to the
24 mines. Two, he worked in the mines. Three, as a young
25 man he grew up with the exposure. The science tells

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 us that's where we're most susceptible at.

2 So now, he gets around with a walker, he's
3 got lung damage that's going to shorten his life. We've
4 dealt with three strokes. We were told four years ago,
5 prepare your family. Three months is what they told
6 us.

7 I believe with the love that my sisters,
8 my family, what we do for him, what we provide for him,
9 he's still here with us. Through prayer.

10 The impacts of prayer, the impacts of what
11 we can do as traditional people and making the offerings
12 that we make, are very powerful. We've not included
13 that with our solutions with how we're going to address
14 all of this.

15 We look at it and there is questions for
16 the designs. There's questions in the process.
17 There's questions with the information sources, are
18 they legitimate.

19 There's questions to the partnerships that
20 exist. Are you going to be the same group that we're
21 going to work with to finalize this or is it going to
22 change.

23 For my family that's here, the community
24 members --

25 (Native language spoken.)

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 MR. YAZZIE: Thank you.

2 (Native language spoken.)

3 MR. YAZZIE: I want to say thank you for
4 asking me to stay, I was hungry. I still am.

5 But hearing everything that everybody had
6 to say, I am very moved. And I hope the comments that
7 we share, the ideas that we're sharing with you now,
8 I hope you're moved. I hope you moved to do something,
9 to include something.

10 A couple of weeks ago I went to Phoenix
11 to attend this symposium where we talked about these
12 types of issues across the world. This idea of
13 including fundamental law, traditional law, natural
14 law, hasn't been done yet.

15 And the processes are complicated, even
16 there. And so, let's include that. This might, this
17 just might be the very thing we need to be successful
18 in addressing these longstanding issues.

19 Mr. Tilden said it. Let's include that.

20 Let's look at that.

21 There was a young lady that was here
22 earlier, I think she left, she was very, what's the
23 word I'm looking for. I loved the way she stated things
24 in regards to what we need to be doing, again, with
25 the cultural values.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 My brother, thank you, you're right. I
2 need to be more involved. I need to be the conduit
3 from this group to the community. If they're not
4 available, then come and talk to me.

5 If anything, that's happened here, I would
6 like for you guys to understand that I want to be that
7 conduit. Share that information with me.

8 Because if you're going to share something
9 one way, let me get it out to the community in our own
10 language so they understand it completely. They're
11 not second guessing their own understanding of the
12 English language. Thank you.

13 MR. CAMERON: And thank you.

14 (Applause.)

15 MR. CAMERON: Thank you again, Dariel for
16 being here. And Bo Pham is going to close up for us.

17 MR. PHAM: Thank you again for those of
18 you who came back out, but also first timers. Thank
19 you for coming out tonight.

20 And also, thank you to the community for
21 your hospitality, to our team whose been, since we've
22 been here this week.

23 I thank you for also opening our eyes.
24 Tuesday was a really awakening for us. We've realized
25 that we've sort of, we're in a foreign place and we

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 didn't really know how to talk to, to the community.

2 And we still don't. I'll acknowledge that.

3 But part of that eyes opening for us is,
4 we were able to get to the site, while we were here
5 this week, after the meeting on Tuesday. We were able
6 to look at the proximity of where the community lived
7 within the, where the mine spoils is and where the site
8 is. Including Edith's family.

9 And we also were able to take a look at
10 the jetty that was a source of many comments that we
11 heard Tuesday night as well. So we thank you for
12 helping appoint us in those directions.

13 This is exactly what the purpose of scoping
14 is intended for and we'll continue to reach out and
15 get more information from the community with that
16 respect.

17 I will also acknowledge that there is a
18 great deal of trust that needs to be earned from us
19 to working with the community. This is an example I
20 was listening to some of the speakers tonight. And
21 there were questions.

22 For example, like the, any leakage from
23 the tailings impoundment that exists there. And I'll
24 be honest, as an engineer and a long time NRC regulator,
25 my initial instinct would have been to say, okay, yes,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 I know exactly what the limits are and I know what the
2 status is there.

3 But to tell you the truth, what have we
4 been hearing this whole week is that I can tell you
5 until I'm blue in the face, and if you don't trust what
6 I'm saying, all those graphs and what we say and all
7 our figures mean nothing. So we do acknowledge that,
8 as part of this process we need to figure out how to
9 earn that trust.

10 When we were with, met with the EPA, Navajo
11 EPA this morning, I think we all admitted that we are
12 clueless in terms of how to reach out to the community
13 and how to talk with the community through the correct
14 process.

15 I'll be honest with you, I don't think we'll
16 perfect it, but we're going to try really hard and we're
17 going to keep working through every channel that we
18 have to try to get it right. So, I give you that
19 commitment from the NRC.

20 So with that, again, I thank you for being
21 here and I wish you all a goodnight.

22 (Whereupon, the above-entitled matter went
23 off the record at 9:21 p.m.)
24
25

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1

2