

**Official Transcript of Proceedings**  
**NUCLEAR REGULATORY COMMISSION**

Title: Public Scoping Meeting for the Environmental  
Impact Statement for the Church Rock Uranium Mill  
Site Located in McKinley County, NM

Docket Number: 04008907

Location: Gallup, New Mexico

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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

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TUESDAY, MARCH 19, 2019

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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

SCOTT BURNELL

TAMYRA BROCKINGTON

ADAM GENDELMAN

ANGEL MORENO

PAM NOTO

BO PHAM

CINTHYA ROMAN

JIM SMITH

ASHLEY WALDRON

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

6:07 p.m.

1  
2  
3 MR. CAMERON: Okay. Good evening,  
4 everybody. And thank you so much for being here. And  
5 Sarah is going to do a blessing, a prayer for us.

6 MS. ADEKY: Thank you. I'm honored to do  
7 the prayer as with this gathering here and also give  
8 my thanks to the Red Water Pond Community for asking  
9 me to do the prayer. I'm honored to do so.

10 (Native language spoken.)

11 MR. CAMERON: Thank you, Sarah. Good  
12 evening, everybody. My name is Chip Cameron and please  
13 to serve as your facilitator for tonight's meeting.  
14 And in that role as facilitator, I'm going to try to  
15 help all of you to have a good meeting.

16 And there are two objectives to the meeting  
17 tonight. And one is to ensure that the Nuclear  
18 Regulatory Commission staff -- and we're going to be  
19 calling them the NRC. That the NRC gives you clear  
20 information on what the decision making process is  
21 regard to the Church Rock issue.

22 Second, and most important objective --  
23 second -- okay, can I stop now? Second, and most  
24 important objective is to allow the NRC staff to listen  
25 to your advice on what should be within the scope of

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1 the Environmental Impact Statement that they're  
2 preparing.

3 And that's why these meetings tonight,  
4 Thursday night are called scoping meetings. That's  
5 a term that's used in connection with the preparation  
6 of an Environmental Impact Statement. And you will  
7 also hear that acronym EIS tossed around. But we'll  
8 try not to use many other acronyms other than that.

9 But then NRC staff wants to hear from you.

10 And scoping, very simple. What should be within the  
11 scope of the Environmental Impact Statement? What  
12 issues should be considered in that Environmental  
13 Impact Statement? And Ashley Waldron from the NRC  
14 staff -- I'm going to introduce all of the NRC staff  
15 in a couple minutes. But Ashley and her presentation  
16 is going to tell you more about what the NRC's review  
17 process is.

18 There's an environmental review. That's  
19 why we're here tonight. There's also a safety review  
20 that's done before the NRC decides whether -- and that's  
21 underline, whether -- whether a license can be granted.

22 And I want to tell you a little bit of what you can  
23 expect tonight.

24 We are taking a record of everything that's  
25 said tonight, all of your comments. We have a

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1 stenographer here. This is Dylan. So he's keeping  
2 track everything that is said. There'll be a  
3 transcript available sometime within the next few  
4 weeks, and the NRC will tell you how you can get that  
5 transcript. It's the NRC's record of the meeting and  
6 it's your record of the meeting.

7 We're going to start off with two brief  
8 NRC presentations tonight to give you an idea of what's  
9 going on. And then we're going to go for a short  
10 question and answer session with you on any, what I  
11 call, clarifying issues, clarifying questions about  
12 the NRC process. Not about the substance, but about  
13 the NRC process.

14 And I apologize for the fact that it's going  
15 to be short because the main thing the NRC has to  
16 accomplish tonight is to listen to your comments. And  
17 we have to have those comments on the record. That's  
18 why we have a stenographer because the NRC is going  
19 to respond to all of those comments.

20 I'm setting a five-minute guideline for  
21 comments tonight. And we'll be flexible about that,  
22 but approximately five minutes. And I apologize that  
23 it's so short, but you can expand on anything you say  
24 tonight. Even if you don't talk tonight, you can submit  
25 a written comment to the NRC and Ashley will tell you

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1 how to do that.

2 And if you do want to speak tonight, please  
3 sign one of the blue cards. I think everybody has  
4 signed in with the blue cards, and I'll just call your  
5 name. And if you could come up to the podium and address  
6 not only the NRC but the rest of the people in your  
7 community.

8 And let me do some intros so we can get  
9 started here. And the first person I want to introduce  
10 is Cinthya, Cinthya Roman right here. And Cinthya is  
11 the Chief of the Environmental Review Branch, and that's  
12 in the NRC Office of Nuclear Material Safety and  
13 Safeguards. Then this is Ashley Waldron. Ashley is  
14 the project manager for this environmental review, and  
15 she works for Cinthya.

16 We also have members of our safety team  
17 here so that they can listen to what you're saying.  
18 If any safety issues are raised, we have Bo Pham right  
19 here. And Bo is the senior NRC official here, and he'll  
20 be closing out the meeting for us when we get to the  
21 end of the meeting. But he's the Deputy Director of  
22 the Division of Decommissioning Uranium Recovery and  
23 Low Level Waste. And that again is in this Office of  
24 Nuclear Material Safety and Safeguards.

25 The project manager on the safety side who

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1 works for Bo is also here and it's Jim Smith right here.

2 We also have Pam. Where is Pam? Pam Noto back there,  
3 she's also an environmental project manager. We have  
4 Scott Burnell. Scott is back there. He's with our  
5 Office of Public Affairs.

6 And we have Adam Gendelman right here.  
7 He's with the Office of General Counsel at the NRC.  
8 And we also have our Office of Congressional Affairs  
9 representative and that's Angel Moreno right back  
10 there. And we do have a representative of Senator  
11 Udall's office here, Cal Curley right here. Thank you  
12 for being here. Thank you the Senator, Cal.

13 And after the meeting, NRC people will be  
14 around to talk to you about issues that you might want  
15 to talk about. And with that, I'm going to ask Cinthya  
16 to come up and lead us off.

17 MS. ROMAN: Good evening. Thank you for  
18 being here tonight. As you said, my name is Cinthya  
19 Roman. I'm the chief of the environmental review  
20 branch. The staff in my branch is going to be  
21 conducting the environmental review for the license  
22 amendment request for the Church Rock project.

23 Today I want to give you a quick overview  
24 of the NRC process of what NRC does and our role for  
25 this particular project. I'm going to be very quick

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1 because as Chip said, we want to hear from you. That's  
2 the main objective today.

3 So on this slide, you can see what is the  
4 NRC mission. We license and regulate the Nation's  
5 civilian use of radioactive materials to protect the  
6 public health and safety, to promote common defense  
7 and security, and protect the environment.

8 Here I just want to show you a few of the  
9 things that we regulate. For example, we regulate  
10 nuclear power plants that produce about 20 percent of  
11 the energy in the United States. The nuclear fuel that  
12 is used in the reactors is also regulated by NRC. We  
13 regulate nuclear storage facilities, transportation,  
14 and medical uses of nuclear medicine.

15 NRC has tried to open and transparent in  
16 our regulatory process. We try to provide many  
17 opportunities for members of the public to have meetings  
18 like this to express your concerns and environmental  
19 and safety issues. And we also -- as Chip mentioned,  
20 we have other methods that you can use to provide  
21 information.

22 So what is NRC's role for this particular  
23 project? We received a license amendment request from  
24 the United Nuclear Corporation, and they are asking  
25 to amend their existing NRC license that we authorize

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1 about one million cubic yards of contaminated soil from  
2 the Church Rock mine to the nearby uranium mill for  
3 disposal at the mill waste facility.

4 As an independent regulator, we will  
5 determine whether it's safe to place the mine waste  
6 at the mill site. We will also evaluate the  
7 environmental impacts of the proposed action. As  
8 Ashley will explain later, the result of the impact  
9 evaluation will be documented in an Environmental  
10 Impact Statement which is a public document. This  
11 analysis along other factors will form the basis for  
12 the staff decision to issue the license amendment or  
13 not.

14 Again, thank you for being here today.  
15 This concludes my remark. And now I'm going to ask  
16 Ashley to provide a review of the environmental review  
17 process and how you can comment.

18 MS. WALDRON: Thank you, Cinthya. So good  
19 evening. My name is Ashley Waldron, and I'm the  
20 environmental project manager for the environmental  
21 review of the UNC Church Rock Mill -- oh, thank you,  
22 sorry, okay -- for the UNC Church Rock mill site license  
23 amendment application. I'm being assisted by our  
24 contractor, the Center for Nuclear Waste and Regulatory  
25 Analysis, or the Center, who will help us prepare the

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1 Environmental Impact Statement.

2 Okay. As Cinthya mentioned, this  
3 describes United Nuclear Corporation's proposal to move  
4 approximately one million cubic yards of mine waste  
5 onto the existing mill tailings impoundment at the  
6 Church Rock mill site.

7 Okay. So this is a site map. It shows  
8 the location of the mine and mill sites. The Northeast  
9 Church Rock mine site which is where the waste will  
10 be coming from is located to the west of Highway 566.

11 And the Church Rock mill site which is shown outlined  
12 in the yellow border is where the mine waste would be  
13 coming onto. So the tailings disposal area located  
14 -- are delineated in the purple dash line is where that  
15 waste would be stored.

16 So we have a poster of this same graphic.

17 It shows how UNC is proposing the mine waste to be  
18 stored within the tailings disposal area. The mine  
19 waste is shown in the crosshatch pattern and will be  
20 stored on top of the existing mill tailings. The mine  
21 waste would then be capped with a new engineered cover.

22 Okay. So this flowchart provides an  
23 overview of the license review process. After the  
24 application is submitted, NRC conducts an acceptance  
25 review of the technical and environmental reports to

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1 determine if the application has sufficient information  
2 to begin a detailed review. If so, the NRC docket  
3 the application. This is the start of the  
4 environmental and safety reviews which is where we  
5 currently are in the process.

6 The safety review is represented in orange  
7 on the left-hand side of the figure. And this review  
8 looks at technical aspects of the proposal and ensures  
9 the requirements of 10 CFR Parts 20 and 40 are met.  
10 The results of this review will produce a safety  
11 evaluation report.

12 The environmental review which is  
13 represented in orange -- I'm sorry, in green in the  
14 middle of the figure will produce an Environmental  
15 Impact Statement. On the right-hand side, you'll see  
16 adjudicatory hearings. This refers to the opportunity  
17 for hearing for the public to request a hearing on the  
18 license amendment application. Hearings would be held  
19 if a petition to intervene is granted. If no petitions  
20 to intervene are requested and granted, there would  
21 be no hearing on this licensing action.

22 The results of these three processes, a  
23 hearing if granted, the results of the environmental  
24 review documented in an Environmental Impact Statement,  
25 and the safety review documented in a safety evaluation

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1 report will factor into the NRC's final decision on  
2 whether or not to grant the license amendment.

3 And I do want to note that the opportunity  
4 to request a hearing, a petition to intervene was issued  
5 on March 13th in the Federal Register. The deadline  
6 to submit a request is May 13th, 2019. No hearing  
7 requests will be accepted here at this scoping meeting,  
8 and the focus on this meeting is the environmental  
9 review and scoping process.

10 Okay. This diagram outlines the  
11 environmental review process in more detail. The  
12 opportunities for public involvement are highlighted  
13 in blue. So I mentioned the license application was  
14 received September 24th, 2018. And the NRC completed  
15 its acceptance review December 21st, 2018. And the  
16 NRC started its environmental review by publishing the  
17 notice of intent to inform the public of our plan to  
18 prepare an EIS and conduct the scoping process which  
19 occurred on February 8th, 2019.

20 The blue box on the right-hand side of this  
21 figure identifies the scoping process of which this  
22 meeting is a part of. The purpose of this phase is  
23 to gather more information to help prepare the EIS.  
24 Comments gathered from this meeting as well as other  
25 information collected will be independently evaluated

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1 for impacts of this particular project on the  
2 environment.

3 We will document your comments today as  
4 part of the meeting transcript and the public can also  
5 provide written comments through the end of the scoping  
6 period. NRC will analyze the information gathered,  
7 develop the draft EIS, and issue it for public comment.

8 And that time, we'll invite the public's comments on  
9 the draft EIS as shown in the lower blue box of this  
10 figure. And at that time, the staff will then schedule  
11 another public meeting and hear comments at that time.

12 The final EIS and results of the safety review will  
13 contribute to the NRC's final decision on the license  
14 amendment.

15 Our environmental review process is based  
16 on the requirements of the National Environmental  
17 Policy Act, or NEPA. NEPA requires federal agencies  
18 to apply a systematic approach to evaluate the impacts  
19 of its actions on the environment. NRC will prepare  
20 an EIS in accordance with its regulations and guidance.

21 An EIS is a comprehensive document that  
22 provides decision makers and the public with a detailed  
23 and thorough evaluation of significant environmental  
24 impacts which may result from United Nuclear  
25 Corporation's proposed action.

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1           This slide discusses the information  
2 gathered during the EIS process. We consider the  
3 license application which includes an environmental  
4 report, and we will conduct a site visit and solicit  
5 input from public and governmental and private sector  
6 agencies and organizations as well as gather public  
7 comments so that the analysis can be more clearly  
8 focused on the issues of genuine concern.

9           We gather this information to help us  
10 determine which issues should be considered in our  
11 review. We also expect to request additional  
12 information from United Nuclear Corporation following  
13 the completion of these activities.

14           As for environmental impacts to be  
15 considered, the EIS will evaluate potential  
16 environmental impacts of the proposed action and  
17 reasonable alternatives including the no action  
18 alternative. Examples of review areas or what we  
19 sometimes call resource areas that may be addressed  
20 in the EIS include land use, transportation, geology  
21 and soils, water resources, ecological resources, air  
22 quality, socioeconomics, public and occupational  
23 health, and environmental justice. Other review areas  
24 may be identified throughout the scoping process.

25           This slide shows the NRC's environmental

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1 review schedule. I mentioned earlier that we prepared  
2 a Federal Register notice, an intent to prepare an EIS  
3 and conduct the scoping process. And we will be  
4 accepting comments through April 19th, 2019.

5 NRC will prepare a draft EIS which we expect  
6 to issue July of 2020 in which we will have a public  
7 comment period and public meeting following the  
8 issuance of that draft EIS. The final EIS is expected  
9 to be issued August 2021, and a final licensing decision  
10 is expected by January 2022.

11 Note that this schedule is subject to  
12 change based on the quality of UNC's responsiveness  
13 to a request for additional information, timely input  
14 and agreement from other Federal Government agencies,  
15 and finally that no hearing requests are received.

16 So why is NRC requesting public scoping  
17 comments? The principle goals of the EIS scoping  
18 process are to ensure that important issues are  
19 identified early and properly studied, identify  
20 significant issues to be analyzed, eliminate  
21 unimportant issues from detailed consideration, and  
22 identify public concerns.

23 This is the type of information NRC is  
24 looking for to determine the appropriate scope of the  
25 EIS. NRC wants to determine the range of issues,

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1 reasonable alternatives to be examined in the EIS, and  
2 identify any other relevant information to be included  
3 in its environmental review.

4 Okay. This slide shows how to provide NRC  
5 with your scoping comments for our EIS. Written or  
6 oral comments provided tonight will be transcribed.  
7 Comments may be sent through regular mail, online, or  
8 by email. The information is included on this slide.

9 Please keep in mind that any scoping comments should  
10 be provided by April 19th, 2019, to ensure  
11 consideration.

12 This slide provides additional  
13 information, additional resources where you can find  
14 information. I also want to mention that we're going  
15 to be -- there will be copies of the license application  
16 and environmental report at the Octavia Fellin Public  
17 Library here in Gallup. And I've included my  
18 information on this slide as well as safety plan  
19 information if you have questions about our review.

20 This concludes my portion of the  
21 presentation. I'll turn it back over to Chip. Thank  
22 you.

23 MR. CAMERON: Okay. Thanks, Ashley. And  
24 I know it's hard to read the details on these slides.  
25 There are paper copies in the back of the room, not

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1 only in English but also in Diné. So you can get that  
2 information off there.

3 And we can go through some questions now.

4 And I'm sorry it's going to be short question period  
5 on questions about the process. But I just wanted to  
6 call your attention to one of the slides. Ashley showed  
7 the slide, but there's a poster over here, information  
8 sources for the EIS.

9 The NRC is here today and Tuesday in a  
10 scoping meeting to hear your comments. But the NRC  
11 staff is going to be out here over the next year or  
12 so, and they're going to be talking to tribal officials.

13 They're going to be going to some of the chapter houses  
14 perhaps, some of the community associations. So that's  
15 going to give you an opportunity to just sit down and  
16 talk to them and have a dialogue.

17 And with that, are there any questions  
18 about how the NRC is going to do this? Yes sir?

19 MR. NEIGH: Good evening. My name is  
20 Teddy Nez. As far as my questions is, is the assessment,  
21 the word assessment. 1979 I heard that word  
22 assessment. I still hear assessment. How many more  
23 years of an assessment are you guys going to do before  
24 you start moving?

25 MR. CAMERON: Thanks, Teddy. And I don't

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1 know whether -- who should answer this from the NRC  
2 staff. The question is, is basically I think what  
3 Teddy's concern is, is when is this going to be done.

4 Can we give people some timelines or indications?  
5 Bo?

6 MR. PHAM: Thank you for your question,  
7 and I don't know if I have a satisfactory answer. But  
8 what we do try to do is lay out a timeline for how we  
9 can get this done. I think what's happening over here  
10 in terms of you get an assessment. The reassessment  
11 is that for every assessment done, someone else may  
12 have a different take to it basically. So we do get  
13 the situation where different assessments or  
14 characterizations are competing against one another.

15 So to the extent that we can, Ashley had  
16 the schedule that we have up there. And that's  
17 basically our template in how we're going to approach  
18 this. And so barring special circumstances where we  
19 can't really help it, we'll try to do our best to keep  
20 it on schedule.

21 MR. PHAM: Thanks, Bo. Do you want to add  
22 anything, Cinthya? You don't have to, but -- okay.  
23 Thank you, Teddy, for the question. Anybody else have  
24 a process question like Teddy just asked? Annie?

25 MS. BENALLY: Hi. Good evening. My name

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1 is Annie Benally and I'm with Red Water Pond, a community  
2 association.

3 The slides and the presentation you gave  
4 me, to me, it don't make sense to me because you didn't  
5 come down to my level. So when you do some  
6 presentation, you need to come down to our level so  
7 all of can understand what you guys are talking about.

8 Right now, you went through slides and  
9 everything else. And I'm sitting there, huh? UNC,  
10 I think they were GE, stuff like that. It's kind of  
11 confusing to us or to me. I can't speak for everybody,  
12 but I believe we need good training on the NRC side.

13 And have you considered our timeline living  
14 with the waste? How long is it going to take? I agree  
15 with Teddy. Assessment, how long? We've been living  
16 there with it for 40-odd years. And we're still sitting  
17 out there, and we're being told that it's going to be  
18 cleaned up.

19 I'd like to see it cleaned up before I kick  
20 the bucket. I'd like to see my grandkids grow in a  
21 clean environment. Our homeland, that's my homeland  
22 that you guys came out and corrupted. You wanted  
23 something from underground. You took it. Now clean  
24 up your mess. Whoever's mess, but it's not mine.

25 Thank you.

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1 MR. CAMERON: Okay. Thank you, Annie.  
2 To reframe that into a question is when are you going  
3 to come out and talk to us and give us some training?  
4 And as I mentioned, the NRC staff, they're going to  
5 be out to talk to the association. And you were going  
6 to make a comment to that effect. I think you did,  
7 so thank you. Thank you very much. Yes sir.

8 MR. HOOD: Good evening. My name is Tony  
9 Hood. I'm a member of Red Water Community Association  
10 also, and I've lived there for all my life. And when  
11 first time we saw prospectors coming on, they didn't  
12 ask for permission to explore for uranium. They did  
13 not make an offering to Mother Earth as one should.  
14 That's the proper way of taking from Mother Earth.

15 And also there is damage to the biosphere,  
16 the lithosphere, the atmosphere. So I don't know how  
17 you can undamage that. So my mom and dad are gone.  
18 My dad had pulmonary fibrosis and my mom had ovarian  
19 cancer just by living in proximity of the mine. And  
20 my children and my grandchildren are exposed.

21 So if you want to make this right, do it  
22 right. Don't cut corners.

23 MR. CAMERON: Okay. Thanks, Tony. And  
24 I know it's real easy to go into the comment mode rather  
25 than questions. So Tony, we'll be back to you to see

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1 if you have another comment.

2 Yes sir, do you have a question about the  
3 process?

4 MR. NOTAH BENALLY: Good afternoon or good  
5 evening. My name is Notah Benally. I'm also from Red  
6 Water Pond.

7 Under your resource areas, one of the  
8 resources or one of the areas that you are addressing  
9 is the -- I think what my family is talking about is  
10 the historic and cultural. What are you restoring as  
11 far as historic and cultural values? Or is it the  
12 values that was there prior to the mining starting?  
13 Or are you talking about cultural values, historical  
14 values during the mining? Or are you talking about  
15 historic, cultural values today?

16 What resources are you looking at? What  
17 are you trying to restore back as far as historic and  
18 the cultural values that my family has been living on  
19 all these years? Thank you.

20 MR. CAMERON: Great. Thank you for that  
21 question. And I guess I'm going to go to Ashley. Can  
22 you tell everyone about how the National Historic  
23 Preservation Act which is part of the EIS process?  
24 Can you tell people how that works and if there's  
25 something you can say in response to the gentlemen's

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1 question about what period does that apply to? Could  
2 you talk to us now, please.

3 MS. WALDRON: So we have a separate process  
4 under the National Historic Preservation Act or Section  
5 106 where we would consult on these types of issues,  
6 historic and cultural resources. But it would look  
7 at historic context. So we would look way back. We  
8 would look at what's currently on the land, if there  
9 is archeological sites, if there's tribal sites. We  
10 would gather all that information and we would analyze  
11 all of that in our Environmental Impact Statement.

12 MR. CAMERON: And there'll be an  
13 opportunity. When the NRC is through scoping and  
14 writing, they're going to issue a draft Environmental  
15 Impact Statement and they're going to come out here  
16 for comment, a meeting like this, but also written  
17 comment. And if you look at the historical, cultural  
18 write-up that they have, you can offer your suggestions  
19 by how they missed the boat. Maybe they won't miss  
20 the boat, but you can do that. Go ahead.

21 MS. WALDRON: And your consultation  
22 hopefully will identify those issues before the draft  
23 EIS is issued for public comment. So coming out and  
24 talking to you guys and gathering all that information,  
25 we're hoping to capture all that early in the process.

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1 MR. CAMERON: That's an important point.  
2 It's going to be a consultation with tribal officials,  
3 with all of you while this EIS is being developed.  
4 And I'm going to go to a couple more, and then we're  
5 going to have to get to comment. And go ahead.

6 MR. ROBINSON: Good evening. My name is  
7 Paul Robinson. I'd like to make a comment. A  
8 question, I was going to ask questions. Procedurally,  
9 it's quite important that the term you all in  
10 consultation is not limited to tribal officials and  
11 what demonstrates that commitment to work with you all  
12 for whom the land has specific value as a tribe is a  
13 very important distinction that I hope you'll be able  
14 to incorporate into your program.

15 I'm particularly concerned about the  
16 second public notice that NRC found necessary to publish  
17 in the Federal Register which puts a very tight time  
18 limit on the filing of intervention. An intervention  
19 requires identification of contentions as I understand  
20 it which are issues which one contends or disagrees  
21 with.

22 NRC's safety evaluation report, an EIS,  
23 are going to be done in the three to five years after  
24 contentions are being required under this notice. We  
25 won't know what the NRC thinks are relevant or

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1 important. So I think it's appropriate to consider  
2 an alternative for the intervention deadline in the  
3 2022 period rather than 2019. We don't know what NRC  
4 is going to be identifying as safety issues and certain  
5 contentions cannot reasonably be expected within two  
6 months as I understand it.

7 Thank you.

8 MR. CAMERON: And thank you for your first  
9 point also. And there will be a scoping report. There  
10 will be a transcript. But I mean, the NRC is going  
11 to take this 60-day comment back. But for those of  
12 you who don't know about the NRC hearing process, this  
13 first round of contentions is on the license applicant's  
14 environmental report copied over there. Okay? And  
15 they're what's called a final safety analysis report.

16 After the NRC is done with the draft  
17 Environmental Impact Statement and their safety  
18 evaluation report, then there's an opportunity for more  
19 contentions on the NRC documents.

20 MR. ROBINSON: Not if the hard deadline  
21 as printed the in Federal Register. As I actually  
22 mentioned, there will be no interventions allowed after  
23 60 days.

24 MR. CAMERON: Okay. Let me turn --

25 (Simultaneous speaking.)

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1                   MR. CAMERON: Let me turn to our OGC staff  
2 member for some clarification. And then we're going  
3 to go back to two more questions and then we're going  
4 to go to the comment period.

5                   MR. GENDELMAN: Thanks, Chip. Hello.  
6 Good evening. I understand your concern, and Chip is  
7 correct that the intervention deadline which I believe  
8 expires in May, it is focused on the application. And  
9 so the contentions that one would file obviously can't  
10 consider documents that the NRC or others have an issue.

11                   But what it also means is if there are deficiencies  
12 in the application, even where the NRC may agree with  
13 the finding that those particular sections are  
14 insufficient, those contentions would be heard in the  
15 context of being focused on the application.

16                   As Chip noted, when the NRC issues its  
17 evaluation documents, there is another opportunity.  
18 I think as you may have referenced, there's a separate  
19 for what are called late filed contentions which are  
20 considered under a different standard than contentions  
21 filed during the main hearing period on the application.

22                   But there is that opportunity of if you can make those  
23 demonstrations.

24                   MR. CAMERON: And if you want -- Paul, if  
25 you want to talk more about the hearing process,

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1 recommend that you talk to Adam after the meeting  
2 because we have to go on. Thank you. Yes sir?

3 MR. HUDSON: Hi. My name is Christopher  
4 Hudson. I'm with McKinley Community Health Alliance.

5 And my only question was on the review process was  
6 during the engaging of the consulting agencies what  
7 the transparency and that looks like. We know in the  
8 public comment we have a stenographer and everything.

9 But what could those meetings look like when you're  
10 consulting with our tribal decision makers and things?

11 And what kind of feedback are we going to get back  
12 in the community on those?

13 MR. CAMERON: Okay. Ashley, do you want  
14 to answer that question?

15 MS. WALDRON: So the results of this  
16 meeting and then the results of the other meetings that  
17 we have other agency meetings will be summarized in  
18 a scoping summary report that will be published after  
19 our visit here and published on our public web page.

20 MR. CAMERON: Okay. And let's take one  
21 more right here.

22 MS. KEYANNA: Good evening. My name is  
23 Teracita Keyanna. And I was wondering the EPA gave  
24 the community an opportunity to sit in, in their  
25 meetings so that the community voice was heard. And

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1 I'm wondering if the community is given that opportunity  
2 with you as well.

3 MR. CAMERON: Do you want to answer that?  
4 Ashley or Cinthya? Cinthya, Cinthya Roman.

5 MS. ROMAN: Yes, so today is the first  
6 opportunity to hear from all of you. So after we are  
7 done with the questions, we are just going to hear all  
8 your concerns, things that we need to be addressing  
9 in our Environmental Impact Statement so we can prepare  
10 a document that appropriately captures the community  
11 concerns. So this is why I was trying to say that today  
12 is really important that you guys speak up and share  
13 your concerns with us.

14 MR. CAMERON: Okay. Thank you all.  
15 We've heard some good comments already. We're going  
16 to go to the comment -- you want to add something?

17 MS. ROMAN: Yes, sorry. I would like to  
18 add that we are going to have other opportunities for  
19 public participation. We will have public meetings.  
20 We will announce those in the NRC website as we move  
21 along on this project. And we will come again here  
22 once we have a draft EIS document. So we can explain  
23 our initial findings and get feedback from you guys.  
24 So we will have many opportunities for public  
25 engagement.

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1 MR. CAMERON: Okay. Thank you. We're  
2 going to go to comment now. But there's a resource  
3 list back with Cartosha at the table right over there  
4 that you may have seen it already. But it has  
5 information on it about how to get questions answered  
6 and other things. So that's back at Cartosha's table.

7 And with that, I'm going to call the first  
8 three speakers. We're going to go to Ray Benally, Notah  
9 Benally, and then we're going to go to Mervyn Tilden.  
10 So would Ray like to come up and make a comment?

11 MR. RAY BENALLY: (Native language  
12 spoken.) Anybody understand that? Now it seems like  
13 I don't know how many decades it's been going on. We're  
14 going to send you the results. We won't do this. We  
15 can do that. How long? Another 20 years, 30 years?

16 Because we had signed off a lot of paperwork  
17 and we met with a lot of public officials who represent  
18 -- I don't know if they really are representing what  
19 they said they are. So just I've been hearing this  
20 and that. How long is it going to -- if you're supposed  
21 to accommodate on a lot of these folks including me  
22 does it take for you to -- that dictator, whatever --  
23 put the records on file. How long does it take?

24 When I write a letter, it only takes me  
25 two or three minutes on the typewriter. How long?

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1 This is what we want an answer. You say this and that.

2 And you're missing the whole area that's supposed to  
3 be fixed up to where it's decontaminate the area.

4 To tell you the truth, if you're claiming  
5 that this is going to happen, you're going to have to  
6 clean up all the way from the mine area to Grants.  
7 They have a mill there, a place called Anaconda. For  
8 four or five years, there were trucks running back and  
9 forth from Church Rock Mine all the way to Grants.  
10 And they didn't have covers on it. How much of that  
11 contamination is spread along that 566, Old 66, and  
12 I-40?

13 Let's get real and do this right offhand  
14 instead of -- I live in the county. I live in Gallup.

15 I love my city. I'm speaking for contamination is  
16 no place for Gallup and surrounding area. I'm a Navajo.

17 I don't claim to be anybody else because I got pride.

18 You can blame me because I worked that shaft. I took  
19 out those contaminated material.

20 While you guys are making up your mind all  
21 these years, what, that mine shaft will only sit there,  
22 what, eight, nine years. They close that mine shaft  
23 because we've got a pricing difference. They shut that  
24 mine because of the price of uranium. So UNC says,  
25 oh, they sold us out. We can get uranium cheaper from

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1 Australia and foreign countries.

2 They destroyed that land. I'm part of that  
3 -- I hate to say it. We drilled. We've done a lot  
4 of exploration. And we took some mining material out  
5 of that, Kerr-McGee, UNC. When Kerr-McGee left, they  
6 tried to change the name. Oh, it's -- they're passing  
7 the buck. Let's get this in, get those paperwork done.  
8 We'd like good answers, say, hey, we're done, instead  
9 of talking, talking. We've been talking, what, 30  
10 years at the most.

11 I proudly say I participated in the mining  
12 and I'm thankful. I got my share of what I wanted.  
13 Thank you very much.

14 MR. CAMERON: Thank you. Thank you very  
15 much, Ray. And Notah, this is Notah Benally.

16 MR. NOTAH BENALLY: Good evening again.  
17 My comment is that when I walked in here this evening,  
18 I looked at the second chart from the live site. And  
19 I noticed the retaining ponds and the cover is above  
20 the Arroyo Basin.

21 The first thought that came to my mind was  
22 are we going to be still cleaning the next 100 years?

23 Because if you listen to the news this week, I think  
24 Nebraska is under water. I think with Mother Nature  
25 the way it was presented to us this evening in a prayer

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1 is that Mother Nature is going to take care of us.  
2 And if we don't take care of Mother Nature, we're going  
3 to be still cleaning that. That's my first comment.

4 My second comment is that I get a lot of  
5 information by my sister, Annie Benally. Again,  
6 national news says that our President is looking for  
7 money to build that wall. And I know EPA has been  
8 holding whatever superfund you have. You better hold  
9 on tight because he's going to come and get it. And  
10 if he wants that wall, he is going to get his money's  
11 worth. And that's one comment that I don't think it's  
12 -- I don't know if we're all aware. But he is looking.

13 I think two weeks ago, he said that he was looking  
14 at cutting EPA. And I think that's where the superfund  
15 is coming from.

16 So the last comment I'd like to make is  
17 that earlier I talked about historic and cultural  
18 values. I was hoping to hear we're going to restore  
19 it back to original cultural values -- cultural,  
20 environmental status. I was hoping I would hear that.

21 But I did not. And that's what worries me is the  
22 historic and the cultural values that we have practiced,  
23 my grandparents have practiced for so long going to  
24 be restored back to the original environmental status.

25 Thank you.

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1 MR. CAMERON: Thank you very much, Notah.  
2 We're going to go to Mervyn Tilden next. And then  
3 we're going to go to Edith Hood and then Jean Pinto.  
4 So this is Mervyn, Mervyn Tilden.

5 MR. TILDEN: Good evening. My name is  
6 Mervyn Tilden. I'm from Church Rock. I live here in  
7 Gallup. I've got some concerns that I need to bring  
8 up, and the first one is in regards to the process that  
9 is happening right now.

10 The Nuclear Regulatory Commission needs  
11 to provide interpreters, translators from English into  
12 Navajo. When they came here last May 21st, 2018, they  
13 came out with a document. And so these documents for  
14 the record, by the way, they mutilated the Navajo  
15 translation. This is absolutely incorrect. This is  
16 not Navajo. It looks more like a foreign language.

17 You've got 4s, exclamation points, triple  
18 7s, 11, 9, 33. All of this is supposed to be for us  
19 as the public. Okay. So it's really good that you  
20 come here. You're going to be here today, Thursday  
21 night. But I want you to understand you need to go  
22 to the communities in the south at the chapter level.

23 Another document I'm going to submit for  
24 the record is relating an act related to resources and  
25 fundamental law enacting the Diné Natural Resources

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1 Protection Act of 2005, amending Title 18 of the Navajo  
2 Nation Code. This purpose is to ensure that no further  
3 damage to the culture, society, and economy of the  
4 Navajo Nation occurs because of uranium mining within  
5 the Navajo Nation and the Navajo country and that no  
6 further damage to your culture, society, and economy  
7 of the Navajo Nation occurs because of uranium  
8 processing to all adverse economic, environmental, and  
9 human health effects from past uranium mining and  
10 processing have been eliminated or substantially  
11 reduced to the satisfaction of the Navajo Nation  
12 Council.

13 Which brings me to the point of where is  
14 the Navajo Nation? Why are they not here? They need  
15 to be here. They need to be a part of this process.

16 You need to involve them. They have departments  
17 within the Navajo Nation that can help you, that can  
18 assist you. But more importantly, you need to get out  
19 to the chapter levels, Church Rock chapter, Mariano  
20 Lake, Pinedale, Smith Lake.

21 When that uranium is going to be thrown  
22 up into the air, the wind can carry it for miles and  
23 miles all around. The protection of the Navajo Nation  
24 is right here and it's also in fundamental law. You  
25 need to involve the Navajo Nation. And if there's any

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1 kind of transportation, you also need to involve the  
2 City of Gallup because the City of Gallup has passed  
3 a resolution, No. R2018-27, a resolution opposing  
4 transportation of high level radioactive waste via  
5 railway through the City of Gallup for the purpose of  
6 temporary consolidated storage of radioactive waste  
7 in New Mexico. This was passed on 25th day of September  
8 2018.

9 McKinley County also followed with  
10 Resolution No. OCT-18-069, a resolution opposing  
11 transportation of high level radioactive waste via  
12 railway through McKinley County for the purpose of  
13 temporary consolidated storage of radioactive waste  
14 in New Mexico.

15 The City of Albuquerque also has a  
16 resolution like this. As a matter of fact, this  
17 resolution from the City of Gallup they used the  
18 resolution as a template. But also along I-40 there  
19 are Navajo communities. This also goes through New  
20 Mexico, the city of Bernalillo, Belen, Las Cruces, Jal,  
21 Lake Arthur. They all have a resolution similar to  
22 this. So it'd be important for the Nuclear Regulatory  
23 Commission to take these as my submission for the  
24 record.

25 And the other thing I want to say is it

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1 was said very distinct of my father's clan. (Native  
2 language spoken.) It was said, did you understand  
3 that? You need to bring this into the Navajo language,  
4 and the only way you're going to do it is involve the  
5 Navajo Nation and bring what you have to them. Invite  
6 them. Go to the chapter levels. Invite the  
7 communities, the communities that are going to be  
8 potentially impacted by the activity, by the  
9 disturbance of what is out there right now. That is  
10 something that's to be addressed.

11 The United States Government, just like  
12 the United States Nuclear Regulatory Commission, has  
13 a trust responsibility to the Navajo people. The  
14 health and public safety of the Navajo people will be  
15 placed in jeopardy. Where is the Indian Health  
16 Service? They need to be involved. The Bureau of  
17 Indian Affairs, the United States Department of  
18 Justice, where are they at?

19 We all know that Donald Trump is one of  
20 the most racist and discriminatory people, and it was  
21 said that he will probably take money at his whim to  
22 build a wall that shouldn't even be there. The  
23 destruction of that wall will cost this community if  
24 the money is that is put aside for this cleanup is taken  
25 away to prevent the wall.

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1                   And in closing, I urge the Nuclear  
2                   Regulatory Commission to listen to the people. Go to  
3                   each and every chapter within a 50-mile radius because  
4                   that would be the kill zone, the dead zone where this  
5                   dust will be thrown up into the air and carried in a  
6                   50-mile radius easily. So consider that. I'll give  
7                   you this for the record.

8                   MR. CAMERON: Okay. Thank you very much,  
9                   Mervyn.

10                  MR. TILDEN: Thank you.

11                  (Applause.)

12                  MR. CAMERON: And Mervyn, your cane.  
13                  Edith, are you ready to come up and talk  
14                  to us? Okay, come on.

15                  MS. HOOD: (Native language spoken.) I  
16                  welcome you federal entities for coming here. Okay.  
17                  Thank you. I am from Red Water Pond Road from the  
18                  land of the Kinlichii'niis, the Red House People. And  
19                  I wanted to make a comment earlier about the time.  
20                  Why is the time so lengthy with these federal agencies?  
21                  And time is very precious. Why so short? Some of  
22                  us don't have much. And instead we have just a hurry  
23                  up and wait thing that goes on with the Federal  
24                  Government. And so I wanted to say that earlier.

25                  But everything is going out here. Okay.

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1 I've been to places that I never thought this would  
2 take me, especially regarding the place where I live.

3 I've been to Washington, D.C. in front of a  
4 congressional hearing. And at that time, just like  
5 what Mervyn said, where is the BIA? Where is the NRC?  
6 Where's DOE? Where is IHS? And then, of course, EPA?  
7 They were asked, where have you people been? This  
8 is going on, on Navajo land.

9 And we were just children when all of this  
10 took place. We had no say in the matter. Navajo Nation  
11 signed the papers. Let them loose on us. So today  
12 we're still trying to fight for this to get that  
13 contaminated waste off the land. It has affected the  
14 health of the people, my people. And also the plants,  
15 the herbs that I use in the cultural, the prayers, the  
16 ceremonies. Everything has been affected, the water  
17 cycle, the living plant cycle. Everything has been  
18 affected.

19 So why is it taking so long just to clean  
20 this mess up? And I ask you, people from other parts  
21 of Washington, D.C. or even other places. Come over  
22 to where I live so you can see what I'm talking about.

23 And I invite you to come over before you go back to  
24 where you're from. Come and see what I'm talking about.

25 Thank you.

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1 MR. CAMERON: Thank you very much, Edith.  
2 Jean, Jean Pinto? And then we're going to go to Percy  
3 Anderson and then to Teracita and her daughter.

4 MS. PINTO: (Native language spoken.)  
5 Every time they set a date to clean up this mess, they  
6 keep postponing. How long are they going to do that?  
7 We live in all that, all the ruins. And most of what  
8 Edith said is right. We all think about every day.  
9 And I don't know if it'll ever been clean. That's all  
10 I got to say.

11 MR. CAMERON: Okay. Thank you, Jean.  
12 Thank you very much. And Percy? This is Percy  
13 Anderson.

14 MR. ANDERSON: Hello, everybody. Good  
15 evening. (Native language spoken.) My name is Percy  
16 Anderson. I'm also from a community west of here to  
17 west side of Gallup called Manuelito. And I'm also  
18 the vice chair of the land use planning committee there.  
19 And I'm very aware of government structures, all the  
20 way from the local level to the federal level up to  
21 the international level.

22 You heard tonight from many community  
23 members of Red Water Pond Road Community within Church  
24 Rock. I recently became more involved talking with  
25 them. And I think with you being members of the Nuclear

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1 Regulatory Commission, the one thing that binds us all  
2 together no matter where we come, who we work for is  
3 that we're human beings. And it's so easy to think  
4 that people that live within a certain community who  
5 are even in a neighborhood can easily move to another  
6 area.

7 The distinction that I want to bring up  
8 here between us, the indigenous people of this area  
9 versus people that live in other areas of this country,  
10 live in urban areas is that we understand the link we  
11 have to the earth that we walk on. And I think some  
12 of you here who are a part of the Nuclear Regulatory  
13 Commission understand that.

14 It's like when you have a home and you own  
15 it and you become so acquainted with that neighborhood  
16 you live in and you have so many friends around you,  
17 family members. And if a devastation came across where  
18 you live, a natural disaster, environmental disaster,  
19 it's going to be difficult and it's going to be hard.

20 What has happened to the Navajo people  
21 should have never happened. Our own government  
22 officials within the Navajo Nation beginning in the  
23 1920s to the 1930s going forward, those people who were  
24 elected into those positions, they allowed all of this  
25 to happen, with over 500 uranium mine sites on the Navajo

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1 Nation. And even here in the New Mexico, we have to  
2 end up with all the clean-up, the remediation and  
3 reclamations that we have to do.

4 And it's costing way more money than when  
5 we give licenses to those people, companies to have  
6 to come in and dig and mine. But the after results,  
7 not only to human beings but also the ground water,  
8 the plants, the animals, the air, there's a huge cost  
9 to it. And it's going to be us, all of us, including  
10 you as members of the Nuclear Regulatory Commission  
11 that have to really think about what is most important.

12 Is it the human lives, our environment, or is it going  
13 to be allowing companies to continue doing what they  
14 do to the land?

15 I looked at that picture, the second one,  
16 where the groundwater is located, and I measured the  
17 size of that car. And if you go from where the tailings  
18 are at to the ground water, that's probably about four,  
19 five, or six cars to the ground water.

20 I have been going out to chapter  
21 communities here in McKinley County, and there are  
22 chapter communities here in McKinley County where  
23 there's no safe drinking water. Smith Lake chapter  
24 which is east of Church Rock, Pinedale chapter, they  
25 don't have safe drinking water anymore in their

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1 community. They have to purchase their water.

2 And water is what sustains us. It's what  
3 gives us life. And the way the tailings are going to  
4 be, the waste disposal is going set up, situated, what  
5 about if there's another spill again? What about if  
6 it breaks open? Then again all the people are going  
7 to be affected that live along Rio Puerco.

8 And the last thing I just want to say is  
9 there's a high cancer rate among the people along the  
10 Rio Puerco from Church Rock going all the way to Arizona  
11 to Holbrook. There hasn't been no studies done on the  
12 cancer rates among the people. Even to this day there  
13 are people living with cancer along Rio Puerco.

14 And so I just want to end it there and say  
15 thank you. You guys are going through a process, and  
16 it was explained to us. And just please remember that  
17 we are all human and we all have a right to live a  
18 healthy, safe life on this planet. So thank you.

19 MR. CAMERON: Thank you. Thank you,  
20 Percy. We have Teracita Keyanna and Kara.

21 MS. IYOFF: Don't look at me. (Native  
22 language spoken.) Good evening. My name is Kara Iyoff  
23 and my mother is Teracita Keyanna. I come from the  
24 Red Water Pond Road Community. And as a young adult,  
25 I can finalize realize what my family has been

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1       advocating for.

2                   My great grandmother, the great -- I mean,  
3       sorry, the late Katherine Duncan, my grandfather,  
4       Thomas Bell, my mother and myself don't appreciate that  
5       our land was contaminated and that we had to move on  
6       multiple occasions.

7                   My family's land was beautiful. We had  
8       amazing vegetation that we used for medicinal purposes.

9       Due to the contamination, we lost our livestock and  
10      lost some of our traditional teachings such as weaving.

11      We used to dye sheep wool with the natural vegetation  
12      around our homes, and we would make really beautiful  
13      rugs.

14                  The younger generation become more or more  
15      clueless on our traditional values, and these issues  
16      don't help. They really don't. It would be very  
17      helpful if you would just listen to everyone who spoke  
18      and who is going to speak. I don't really get a say  
19      meaning I'm 17 and I'm speaking. I'm the youngest  
20      generation so far.

21                  (Applause.)

22                  MS. KEYANNA: Good evening. My name is  
23      Teracita Keyanna as she introduced me. I feel like  
24      our community wasn't heard enough when it came to  
25      talking to the EPA. And I'm hoping that the NRC will

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1 be more proactive about listening to our concerns and  
2 how we're trying to help you help our community. We've  
3 been there. We know what happens with the land. We  
4 understand the land. We understand what happens. And  
5 we see it firsthand.

6 So like my aunt said, Edith, come over.  
7 Visit the place and really see our natural beauty.  
8 And then just look towards the mining areas and notice  
9 the big difference and how our life changed. We used  
10 to have this beautiful -- it's like something that you  
11 would see in all these National Geographic books. But  
12 it's no longer like that. It's been ruined.

13 It's no longer -- we can't be safe there.

14 And that's something that I can't even provide safety  
15 for my children just because of what happened a  
16 generation before me. It was taken away from me. My  
17 safety was taken away from me. My child's safety was  
18 taken away from her. All our family members, it was  
19 taken away from them. And they should've had the  
20 opportunity to talk and say, what about this, what  
21 about that. They should've been given the opportunity  
22 to ask all these questions.

23 Just like they asked for you to come out  
24 to these chapter meetings, these kinds of meetings  
25 should've happened before. It shouldn't be done now

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1 after the fact. All this after the fact Band-Aid  
2 solution is not working for our community. I don't  
3 understand why you have a responsible party and yet  
4 -- they make billions of dollars of day and yet we're  
5 here with pennies and we're fighting for that. And  
6 I don't understand why it's an issue.

7           These things shouldn't be an issue for the  
8 community. The community should've already been right  
9 at the first step. They're finding out what's going  
10 to happen, what needs to be happening. And it needs  
11 to be known that our health issues need to be understood  
12 completely, the cancers, the respiratory diseases.  
13 All these different issues should be addressed. Not  
14 after but during, right now, because it's not going  
15 away.

16           I've lost three babies. It's not fair that  
17 I lost those babies. It's not fair that I lost my  
18 grandmother to pulmonary fibrosis and I had to watch  
19 her gasp for her air just to live. And she just passed  
20 away. It's not fair that my son was born with a hole  
21 in his heart. I don't understand why it's okay that  
22 the government just gets to say, go ahead.

23           We know these issues are here, and we  
24 already understand that it's affecting us. So just  
25 please really, really listen and consider everything

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1 that we say because we've been living it for a long  
2 time. I was there in '81. I didn't even get to see  
3 the whole tailing spill or anything. And yet I'm still  
4 affected by it.

5           Everybody has these post '71 and all this.

6           It shouldn't matter. We're affected, and it shouldn't  
7 matter what time this all occurred. There should be  
8 no boundaries, nothing. It should just be one solution  
9 for everybody. But I understand that it's not. But  
10 we should be treated equally no matter what.

11           Thank you.

12           MR. CAMERON: Thank you. Thank you, both,  
13 Teracita. Thank you. Let's go to Peterson Bell and  
14 Thompson Bell and then we're going to go to Susan Gordon  
15 and Christopher Hudson.

16           MR. PETERSON BELL: (Native language  
17 spoken.) How long? How long are we going to live with  
18 this contamination? It's almost 70 years now. I've  
19 been looking at it when the mine first began back in  
20 the late '70s. And then it shut down in 1985, I think  
21 it was. From there on, it didn't get addressed until  
22 the late 1990s. Finally, they got to do this and the  
23 U.S. EPA get the lead on this to do the clean-up which  
24 drags on forever. It should've been done 2014 -- 2010  
25 to 2014. Now it's dragging on to 2020, '23.

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1                   We need to clean this up, federal people.  
2                   We need to do this right away. I'm not young anymore.  
3                   Most of us are not young. My mother, my father died  
4 because of this. And most of these are getting old.  
5                   We're getting old, so please do this right and clean  
6 up the mess that the other people have put down.

7                   That's all I would like to say. Thank you.

8                   MR. CAMERON: Thank you. Thank you,  
9 Thompson. I think it's Peterson. This is Thompson.  
10                  Okay.

11                  MR. THOMPSON BELL: It's okay. We're  
12 brothers. Thompson Bell, that was my daughter and  
13 granddaughter and my brother before me. My wife, Rose,  
14 my four little boys over there. They're my little  
15 noisemakers. They're trying to eat a while ago. But  
16 that's the kind of thing we always have to deal with.  
17                  We teach our little boys to clean up after themselves.  
18                  Teach them. They sure make a big mess.

19                  So I think a lot of these corporations have  
20 done that to us. See, that's my backyard, Red Water  
21 Pond, that whole section. Used to be my running space.  
22                  But now hopefully I can retire in the next two years  
23 and take care of my family in a slow paced way.

24                  But one of the things that I was paying  
25 attention to your maps. Have you ever considered a

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1 study on the rainfalls of that area? We have three  
2 canyons right where we live. And when the rain hits  
3 the wind -- I mean, the snow, those arroyos, some places  
4 they overflow. And if you look at your bridge right  
5 now the EPA built, it's already undercutting it.  
6 That's, what, three weeks ago, four weeks ago?

7 We had a -- what is that -- 20-foot pipe  
8 that was put there for us. A big rain storm just took  
9 that pipe and sent it right to the ground. And the  
10 only thing sticking out was four feet of metal. That's  
11 how strong that water flow can be coming on that Arroyo.

12 And when you look at the word you used there  
13 is the jetty, the natural flow of where the river used  
14 to flow. It's already trying to find its way back.  
15 And the area right before the field starts where the  
16 pipeline road starts, there's always a water puddle.

17 I mean, it's a huge puddle to the point where the  
18 neighborhood from what the pipeline road people has  
19 to move up a little bit up the hill to drive right by  
20 that little hill that sits right there. And you're  
21 looking at about four to six feet of mud there that  
22 washes back up. So they can avoid it. They have a  
23 road that sits a little higher.

24 So all these things, we're afraid that the  
25 people downhill again is going to meet some toxic waste.

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1 We don't know still how toxic it still is. And then  
2 Pipeline Road will be contaminated with the dust with  
3 all the trucking, re-landscaping, putting on top of  
4 the mill, tailings.

5 So contamination, if it's not done  
6 downhill, we cut at the erosion -- I mean, the water  
7 erosion. Or maybe the dust going uphill towards  
8 Pipeline Road residents, all these things sometimes  
9 we overlook. I mean, have you ever ridden a horse and  
10 you were following somebody? Guess what? You're  
11 going to have dust in your face. You just have to catch  
12 up. A lot of times, those dusts we can't control,  
13 contamination again.

14 So what I'm saying is have you looked at  
15 the whole story? Do you see what erosion can do? And  
16 you know what? My family knows about these things.  
17 That's what Edith is saying. Come see it. Come see  
18 it for yourself. Hey, we're not the enemy. We'll even  
19 feed you. I'm sorry it's going to be a month.

20 So don't be afraid of us. We're looking  
21 for people that has something here. We don't want  
22 people that can see and talk from their heads only.  
23 We want compassion. My mother said, this is not going  
24 to be done in my lifetime. So she died, 2012. I lost  
25 three parents that year, my dad, my mom, and my

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1 father-in-law. And I lost my job in the middle of that.

2 So I'm still here. I still have to go back  
3 because my brother says, you're the only one that can  
4 take the sheep, the land, and the home. He already  
5 told me that. I can't deny it. I'm the one. In my  
6 family, we can do it. By the way, if you think you  
7 guys are busy, try adopting four little boys. They  
8 all came to us at about one and a half. But somebody  
9 had to do it. So NRC, do it with the people in mind.

10 Thank you.

11 MR. CAMERON: Thank you. Thank you very  
12 much, Thompson. Oh, don't worry. Christopher? And  
13 how about Bertha, Bertha Nez. Bertha, why don't you  
14 come up and talk.

15 MS. NEZ: (Native language spoken.) I'm  
16 from Red Water Pond Road, and I'm glad you guys are  
17 here to hear us. I live right on the base of that waste  
18 pipe. And every day I think when it rains, snow, that  
19 water runs down to the house. It's covered. But the  
20 water, it goes down deeper in the dirt and still that  
21 contamination comes down. And all the dust, that's  
22 what we live with.

23 And what happened? What happened to the  
24 safety and health, to our community? You guys are  
25 saying that you do that to help people. But where are

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1 you? We lost a lot of people, the illness of cancer,  
2 kidney disease. And there were a lot of workers that  
3 camped out there. Most of them are gone.

4 People always say, oh, my dad, my brother  
5 worked there, but they're gone because of all this  
6 uranium contamination. So we want to see it clean up.

7 We say that because we have grandkids and the future  
8 of our children, their health. And we don't want them  
9 to go through what we're going through today.

10 And if this happened somewhere else, I know  
11 this would get cleaned up right away. But with us,  
12 it's still going. It looks like nobody is really  
13 listening. Every day, we try and we tell everybody  
14 that comes around. We tell them what we live through.

15 We move three times in just Gallup. It was a hardship.

16 And we couldn't do what we want out there because we're  
17 used to the open land, to our Mother Earth, the sunshine,  
18 the air, and the water. We're used to that.

19 And then you're talking about cultural.  
20 It's already been disturbed. Now what are you going  
21 to do? You're going to come and say some prayers for  
22 us and put offering down for us again? That's what  
23 our grandparents did, our elders. But they're all  
24 gone.

25 And we had a group of students that came

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1 from New York. They came to see the land because you  
2 guys live in a city. All you have is cement all over,  
3 right, street. And these kids, and they said, I didn't  
4 know the ground was brown. And they were scared because  
5 there's a lot of noise at night, like, the birds and  
6 the night critters make noise. And they were scared  
7 of that. And they went to take a walk and they got  
8 lost. And some places, you can't get the communication  
9 on their cell phone. They couldn't get in touch with  
10 anybody, so they were lost.

11 So us, we don't belong in the city. We're  
12 country. We're so used to our Mother Earth, Father  
13 Sky. And the four wall is our -- the four directions  
14 is our four wall. That's how we're connected. And  
15 every prayer we say starts from east and all the way  
16 around.

17 So that's how we Navajos live. And it's  
18 been disturbed around our place. Our hill on the side,  
19 there was trees. There was prayers said there. And  
20 then there was plants that were used for traditional  
21 use, all gone.

22 So that's why we're here. I want you to  
23 understand. And the rain comes, monsoon, that's when  
24 everything washes down. And we get a lot of that in  
25 August. That's where the bridge, kind of some of the

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1 stuff washed away. So we cherish our land, our Mother  
2 Earth has provided for us, clean air, water, plants,  
3 animal. This even degraded our animal which we raise  
4 and sell.

5 So that's what we go through. I want you  
6 to understand that. Thank you.

7 MR. CAMERON: Thank you. Thank you very  
8 much, Bertha. Leona Morgan and then we'll go to Emily  
9 Ellison. This is Leona Morgan coming up.

10 MS. MORGAN: Good evening. My name is  
11 Leona Morgan, and my family is from the -- I'm sorry,  
12 the Crown Point area and we also have family connections  
13 to the Red Water Pond Road Community. And my family,  
14 like you've heard, most of the folks here have been  
15 impacted by the health. Their health has been impacted  
16 by the past mining.

17 We've lost people. We've had a lot of  
18 folks die from cancer and other problems that are listed  
19 on the RICA (phonetic) lists. And the work that I do  
20 largely was to help prevent new mining in the Church  
21 Rock area, and it's really unfortunate that we're having  
22 to deal with this situation.

23 I'm not too familiar with the entire plan,  
24 but I do have a lot of concerns for the permanent  
25 repository and keeping the waste here. It seems like

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1 there's a huge -- I guess I don't know if it's the  
2 elephant in the room. But I'm wondering why hasn't  
3 the EPA, either Region 9 or 6, or NRC demanded that  
4 UNC also characterize the full extent of the 1979  
5 tailing spill. That's always left out of the picture.

6 That needs to be included in this process that the  
7 entire spill should be characterized and also dealt  
8 with and paid for by not just UNC but the Federal  
9 Government.

10 In addition to moving some of the  
11 proposals, I was just looking at the different  
12 alternatives for getting rid of waste. One of the  
13 alternatives that I'm really concerned about is moving  
14 waste to the White Mesa Mill for reprocessing. That's  
15 just making more waste and also burdening the White  
16 Mesa community which is also an indigenous community.

17 So the Ute folks, they live very close to  
18 the mill. And they have been insistent on not allowing  
19 more alternative feed to be processed at the White Mesa  
20 Mill. And so our Navajo Nation law against the  
21 transport of radioactive materials is specifically to  
22 not allow radioactive materials to be transported  
23 across Navajo except for clean-up.

24 So reprocessing is -- in one sense, you  
25 might say it's cleaning up the mine. But it's also

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1 producing more waste, and reprocessing is not an  
2 acceptable form of dealing with the waste from one  
3 community and taking it to another one just to make  
4 more waste. And in addition to transporting it there  
5 to different places, that is always a risk is  
6 transporting it either to Utah or Andrews. And none  
7 of this makes any sense.

8 So I'm going to continue to study what's  
9 being proposed. And hopefully the NRC has heard loud  
10 and clear that you should've been coming to the  
11 chapters. You should've been giving this information  
12 to the communities and included folks in the process,  
13 not just giving us these alternatives that UNC is  
14 proposing but to have some actual real community-based  
15 approaches.

16 So that concludes my comments for now, but  
17 I'll have some more. So thank you.

18 MR. CAMERON: Okay. Thank you. Thank  
19 you again, Leona. Emily, Emily Ellison?

20 MS. ELLISON: Good evening. (Native  
21 language spoken.) I want to thank the United States  
22 Nuclear Commission for coming. I understand you  
23 represent the U.S. government. As you know, we as an  
24 indigenous people, we have a long, dark history with  
25 the U.S. government and everybody that come since.

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1           This history has got us into this  
2 situation, and that is because of our trust relationship  
3 with the U.S. government, a treaty that we had signed  
4 as two foreign governments over 150 years ago. This  
5 trust relationship has now become a resource  
6 exploitation relationship of all Indian lands in the  
7 United States. We all understand that U.S.  
8 corporations are used as subsidiaries to achieve  
9 national objectives such as security.

10           This economic model has been a part of our  
11 history since the very beginning. Indigenous people  
12 have been economically exploited from the very  
13 beginning, and we would like this to end. We'd like  
14 this trust relationship that we have with the U.S.  
15 government to end. We'd like to sell our materials  
16 at market value, preferably international value.

17           We own this resource. You guys should be  
18 meeting with our democratically elected government,  
19 the Navajo Nation Council, the President's office.  
20 You should have this flag and that flag and the Navajo  
21 Nation flag there.

22           Why is that not happening? Well, it's  
23 because once the money has been made, then you just  
24 leave everything behind. This has been economic model  
25 that has been used by colonialists since the beginning

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1 of time, maybe even back when the Jews were slaves.  
2 So please value human life. We understand that money  
3 is important to your culture. But to our culture, the  
4 Earth is our mother and we would like this to end.

5 This term, scoping, scoping, my  
6 understanding of that definition should be taken at  
7 the chapter level. This is not scoping. We're in a  
8 border town. There's transportation issues. You look  
9 at our economic model here that has been placed upon  
10 us by the United States Government. We're limited.  
11 We're economic slaves.

12 When you use our language as we shared for  
13 you in the wars, please respect it and use it properly.

14 Take that time. We have professors who have PhDs.  
15 Our language is now written in your alphabet. But we  
16 do appreciate that gesture.

17 One of the interesting facts about this  
18 community is that ten percent of the student population  
19 qualifies for special education. As we know, special  
20 education requires a lot of money. So then you start  
21 thinking about the effects that this has had on our  
22 communities since they started digging up nuclear  
23 waste. I think genetic research on how it's impacted  
24 our sensory issues, our population, our children, is  
25 extremely important.

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1           It's in the history of the United States  
2 government to conduct human experiments on minority  
3 groups. Well, this, in a way, is an experiment. And  
4 we are American citizens. We have those rights. We  
5 fought for your economic model, for your country, for  
6 your philosophy.

7           I just think about the value of money.  
8 How do you place that value on the quality of life for  
9 a people who aren't measured in that way? You can't.

10          Looking at this chart here, our request is that this  
11 nuclear waste be cleaned up. We don't want it buried  
12 on top of our water. That is a terrible idea. Who  
13 came up with that idea? What school did they go to?

14          Some other individuals have mentioned the  
15 process and it's complicated. There's issues already.

16          So we'd like to ask for a few things. On the  
17 intervention deadline of 60 days, why not make it two  
18 years? Why not make it flexible? What's the rush?

19          The hearing process, it needs to be more  
20 clear and transparent. I came across this meeting  
21 after I got off of work, took my shoes off. Sat on  
22 my couch, got on Facebook. And I live right across  
23 the street, so I came here.

24          Usually, I look at the newspapers.  
25 Usually, I'm on social media. But in this region, if

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1 you're not familiar with this region, a lot of the  
2 messages are passed through the radio stations, through  
3 billboards. None of that. That requires effort.  
4 Please put more effort into this. In terms of your  
5 public engagement, we have a full government that has  
6 all those services. Please utilize them.

7 The last request is please clean up your  
8 mess. We are sick and tired of suffering the U.S.  
9 government. Thank you.

10 MR. CAMERON: Okay. Thank you.

11 (Applause.)

12 MR. CAMERON: Thank you, Emily. I'm going  
13 to go to Tony Hood and Teddy Neigh next. Tony?

14 MR. HOOD: (Native language spoken.)  
15 Good evening, again. As I mentioned, I'm from Red Water  
16 Pond Road Community. That was the name that was given  
17 to our community on the road that goes up that mesa.  
18 Red Water Pond is way over there where the mesa drops  
19 off. But we have names for our area. And to be  
20 reverent for the land, we have a lot of names for that  
21 area.

22 (Native language spoken) is that mesa that  
23 overlooks the uranium mine, Kerr-McGee. There are  
24 various places. (Native language spoken.) Holy  
25 places. When the sun comes up in the morning, it hits

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1 that red mesa. So those are called (native language  
2 spoken), holy places where the first sunlight hits.  
3 So it's not just Church Rock. We go by several names,  
4 all descriptive of the land. So just for your  
5 information.

6 We are connected to Mother Earth by our  
7 feet and it goes up to our legs, our torso, and our  
8 head, to the top of our head. That's the Diné  
9 perspective. That's how we look at anatomy and health  
10 too whereas the other perception, they start with the  
11 head.

12 And also our elders tell us that we are  
13 (native language spoken), holy people of the earth.  
14 And the holy people and the Creator instill the sacred  
15 language. Diné, we are Diné. Diné is powerful. It  
16 helped alter the course of war.

17 So I just want you to know that information,  
18 and we are the seventh generation. So we need to make  
19 a better place for our children, our grandchildren.  
20 Through the stories of our elders, we came from the  
21 First World, Second World, Third World, Fourth World.

22 We are in the Fourth World. They call it a glittering  
23 world. (Native language spoken.) You can see that  
24 in the snow. You can see it in the glints in the snow.

25 You can see it in the stars. But that has been changing

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1 to all the litter and trash.

2 So where will we go? What other world are  
3 we going to go if we don't take care of our mother,  
4 (native language spoken)? That is translated. The  
5 cavity from where we are from, from the earth's womb.

6 So if you want to do -- if you want to clean, you need  
7 to consider the hydrosphere. Our water table has been  
8 contaminated. Our atmosphere is contaminated with  
9 smoke and other stuff. And our lithosphere has been  
10 damaged, desecrated with mining, drilling, blasting,  
11 bulldozing.

12 Here's something for you to think of. The  
13 mines at its height had three shifts, 23-7. And each  
14 shift would blast, morning, noon, evening. So all that  
15 dynamite has hurt, all that blasting has hurt our Mother  
16 Earth. Think about it.

17 So if you want to do this properly, you  
18 need to get our elders, our medicine people together  
19 to have a ceremony. (Native language spoken), the  
20 beauty way. It's a healing ceremony. And we've talked  
21 to General Electric. At one time, they promised us  
22 to build hogans. (Native language spoken.)

23 It's a special place. It's oriented to  
24 the east. So when the sun comes up and it shines into  
25 the hogan over there, and that's a place designated

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1 for the holy man, the medicine man. And when you go  
2 into the hogan, you walk in a clockwise direction.  
3 That's how prayers, ideas, songs should go. We're not  
4 a linear society like all the progressions of the  
5 clean-up and stuff.

6 So I would really encourage NRC and all  
7 the entities of the government to do a good job. I  
8 know that there are so many regulations. We say (native  
9 language spoken). You are entangled with all these  
10 regulations. If you follow the natural law, it  
11 wouldn't be like that. Just clean it up and do it right.

12 Thank you.

13 MR. CAMERON: Thank you. Thank you, Tony.

14 And is Terry here? You want two seconds.

15 MS. BENALLY: Two seconds, two. I'd like  
16 to know why all EPAs are sitting in the back. This  
17 is your meeting. You're supposed to be sitting up here  
18 listening to us. But every one of you are sitting in  
19 the back. Thank you.

20 MR. CAMERON: Okay. Thank you, Annie.  
21 Teddy, here's Teddy. And then we're going to go to  
22 Jacqueline Bell-Jefferson and Grace Henio, I think.  
23 And then we have a few more speakers.

24 MR. NEZ: Good evening. My name is Teddy  
25 Nez. I just want to mention I thank you for the

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1 presentation this evening and thank you for informing  
2 us that you have a repository in operation right now  
3 which we never heard of. So this is good information  
4 for us and then the repository that you're going to  
5 create. And I'll be talking about the environmental  
6 impact and using the genetic information that we have  
7 acquired using the western ways of life and the  
8 traditional way of life, including the water, air,  
9 ground, vegetation.

10 We had -- anytime when something is going  
11 on, we ask a before picture, how things look and then  
12 after the job is done. We need a picture of that after.

13 And then right now we have five years, five years,  
14 five years, five-year plans. We're asking for 50,  
15 100-year plan so you will plan for 100 years you have  
16 more planning, more scope of work that you need to do.

17 The rules and regulation versus the rules  
18 of thumb, let me explain. We need a community at the  
19 table. So the table will consist of U.S. EPA, NRC,  
20 DOE, DOH, IHS, BIA. Where are they? Where are our  
21 council of delegates? Where is everybody else?

22 And the rules and regulation in all these  
23 areas, the five agencies, they don't meet the same idea,  
24 the same plan. But Nuclear Regulatory Commission, just  
25 by moving dirt from one area to another area, EPA does

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1 not have the same regulation. Department of Health,  
2 IHS does not have the same regulation. So you have  
3 to really take a look at these and the BIA.

4 As far as the environmental impact, using  
5 the western and traditional ways, there's scientific  
6 proof that the impact, genetic information that is  
7 available through vegetation, through the grounds is  
8 available. So our ways, human life is important. Diné  
9 is our genetic way of things to where our genetic  
10 information that's passed on from generation to  
11 generation to where the uranium, the environmental  
12 impact impacts us in our reproduction.

13 So we need answers. We need for your  
14 regulations to work together, not work against each  
15 other. Knowing that, for example, U.S. EPA Region 9,  
16 Region 6, their regulation does not -- what you call  
17 -- rules and regulation is not consistent. They work  
18 against each other, so is with Nuclear Regulatory  
19 Commission.

20 This genetic stuff has created post  
21 traumatic stress -- PTSD, a disorder that is created  
22 based upon some of the memories that the mining has  
23 happened. We say, oh, I saw a light over there against  
24 that mountain. I saw a tractor. Those are stress and  
25 are a disorder.

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1           So we need for you to fix these things.  
2           And then we have presented a lot of -- in the public  
3           hearing with the five agencies, we presented written  
4           comments, public comments, but no answer. We made a  
5           presentation. Our presentation has been cut. So my  
6           presentation on the internet has been cut. I tried  
7           to review it. Only half of the information is there.

8           So that way, our genetic DNA has been  
9           affected, on the air, the water, the grounds, the  
10          vegetation, our animals. So the vegetation, the animal  
11          eats it and then we eat the animals. So it affects  
12          our genetic reproduction. So those are damaged. We  
13          have those fixed.

14                 Thank you.

15                 MR. CAMERON: Thank you. Thank you,  
16          Teddy, very much. And Jacqueline, is Jacqueline here?

17                 And then we're going to go to Grace and then Christopher  
18          Hudson and Susan Gordon.

19                 MS. BELL-JEFFERSON: Hello. My name is  
20          Jacqueline Bell-Jefferson, the daughter of the late  
21          Katherine Duncan and Peter C. Bell.

22                 I reside at 33 Red Water Pond Road since  
23          2000 to today. And before that, I resided with my mom  
24          at 31A Red Water Pond Road. Before that, I had no  
25          problems with my health when I was residing with my

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1 mom. I can go to work. I didn't have no problem at  
2 all until I moved to my new location where I bought  
3 a house and I moved there. I then started to get sick.

4 I have asthma, diabetes, and I could not have babies.

5 In 2017 and 2018, that's when they came,  
6 that area where I guess I live next to a vent hole that  
7 they cleaned up 2017 and '18. After that, I gone off  
8 my asthma inhalers. To this day, I'm still residing  
9 there. I'm still working on my health, making sure  
10 that I'm taking care of myself. But to this day, I  
11 can't have a child.

12 And I just adopted kids like my brother,  
13 Thomas. So I have six little ones and I'm very  
14 concerned about my kids. They're not used to this  
15 uranium area. I was living there ever since I was a  
16 little child, and I didn't know what uranium was when  
17 I was small. And I used to play into those ponds and  
18 dirt. We used to roll all over the place with my cousins  
19 and my sisters.

20 So there were no signs anywhere around that  
21 area stating that it's dangerous. And also when it  
22 rains, you can smell the uranium because we live between  
23 two uranium piles. So when it rains, you should come  
24 up and go to our area. We're inviting you to come up  
25 to our area to look at our area where we're living.

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1           And I hope just the color of our skin is  
2 not a problem. It's always discrimination. So please  
3 do not discriminate us because of the color of our skin.

4           Thank you.

5           MR. CAMERON: Thank you. Thank you,  
6 Jacqueline. Grace? Then we're going to go to  
7 Christopher and then Susan and then to Chris Shuey and  
8 Paul Robinson.

9           MS. HENIO: Good evening. My name is  
10 Grace Henio. I reside at Red Water Pond too. My sister  
11 is Bertha. My sister is Jean, Edith, and Tony. I,  
12 on the other hand, grew up with Jackie as well and just  
13 what she describes.

14           But my first question to you guys, all of  
15 you, EPA, how much do you value your life? How much  
16 do you value your home where you live? Because ours  
17 is contaminated. And Mother Earth has been  
18 contaminated. You guys took her bowel out and exposed  
19 that, and now that's loose. And every day we inhale  
20 that. And some of us do have health problems, health  
21 issues, major ones, congestion heart failure down to  
22 cancer.

23           I mean, life isn't fair is what people  
24 always say. Why isn't life fair? You got your models  
25 that you guys drew up. I don't know how much money

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1 you guys paid for to bring up all this, but I guarantee  
2 you, Mother Nature has got something else in store for  
3 you all.

4 Just like my brother told you, Thomas.  
5 Once in a great while, we'll have a major storm. And  
6 where you guys planning on putting that, you're asking  
7 for some more clean-up. You're just asking for another  
8 repeat of what happened. And that's what I see. I  
9 mean, you never know. We might actually have a mile  
10 earthquake. What's going to happen to that?

11 I always go back to that and say, you're  
12 probably angry, Mother Earth. She might retaliate on  
13 you guys. We come from traditional beliefs. We are  
14 a strong family even though we're going through a lot  
15 with health issues. But the most important thing is  
16 we want this whole thing cleaned up.

17 The last time when they did the clean-up,  
18 like my sister, Bertha, said, one area behind my late  
19 parents' house, the hill on top of it was never cleaned.

20 And the reason being is because we told them we want  
21 some trees up there is what we said.

22 But it's really frustrating knowing that  
23 we have grandkids who are going to have health issues  
24 because we live in two mine areas. I love my family.

25 I'm pretty sure all of you guys do too. And we want

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1 the best for our family.

2 But the one thing is we really want it  
3 cleaned up. And the other thing is we need all these  
4 officials to be involved and stand behind us and support  
5 us. Rally us on. Say, hey, let's get this cleaned  
6 up. Let's get this done.

7 I remember one year when we had the  
8 commemoration. We had one Navajo President come out  
9 to the site. I'll never forget that. He comes up and  
10 he's ready to get off and he hesitated. And the first  
11 thing that came out of his mouth is, is this place safe  
12 to get off on? Seriously? Really? I mean, how sad  
13 is that? Your own official saying that in front of  
14 everyone.

15 My response to that was, like, I didn't  
16 know what to think or what to say of him except the  
17 worst process of my mind going through a lot of things  
18 saying, how could you say that to us? And then what  
19 my family said. Please come out to the site. Look  
20 at it.

21 And just like Jackie told you. We used  
22 to play in those water ponds that stream off. We took  
23 baths in those. We even wash our clothes in them.  
24 We played in the dirt. But nobody never ever came up  
25 and said, hey, this might be contaminated. Just

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1 recently they started putting up signs.

2 It's really heart-wrenching to see our land  
3 dissipated. It was once a beautiful place and is still  
4 a beautiful place. But on top of it, it's just covered  
5 up. Every day, I pray that some miracle will happen  
6 and it'll be cleaned up as soon as possible.

7 We started out in 2007, and they keep  
8 saying, it's going to be clean. It's going to be this  
9 year. Then it's the next year. Then a couple of years.

10 I mean, come on. I think you guys all need to do  
11 something and get your act together and clean it up  
12 because I value my life. So does my family.

13 I value the place where I live because it's  
14 a nice place where we're all living. I'm pretty sure  
15 you all value your place in your own backyards with  
16 no problems.

17 But most of all, please don't put a Band-Aid  
18 on it. Clean it up for us so we can enjoy the rest  
19 of our lives in good harmony. Thank you.

20 MR. CAMERON: Okay. Thank you. Thank  
21 you, Grace. Christopher? Is that Christopher? No?

22 Do you want to speak? Well, come on up, and then we're  
23 going to go to Susan and then to Chris and then to Paul.

24 And just please introduce yourself.

25 MR. KING: Good evening, everyone. I'm

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1 not Christopher, but I'm taking his place. I did not  
2 write my name down to be a speaker. I didn't know there  
3 was a sign-in list. But my name is Larry King. I live  
4 about four or five miles before you get to the UNC site  
5 and the mill waste.

6 I lived all my life in a contaminated area.

7 I worked in a contaminated area, and I've been working  
8 against new uranium mining since January of 1997 to  
9 this day. I was involved with a grassroots  
10 organization that fought hard with NRC for 16 years  
11 trying to get NRC to pull the license on HRI. But we  
12 exhausted all our legal process, but we did manage to  
13 stop them using our own tribal laws that were passed  
14 by one of our -- our President back in 2005, Dr. Joe  
15 Shirley, Jr. -- President Joe Shirley, Jr.

16 He was the one that approved and enacted  
17 the Diné Protection Act which bans all the uranium  
18 mining at a Navajo reservation and also thereafter the  
19 transportation of any -- banning any transportation  
20 of uranium mining -- uranium on tribal trust roads.

21 And I also worked at UNC mine for seven  
22 and a half years right after high school with no one  
23 telling us. A majority of my former coworkers have  
24 echoed the same, saying that nobody was ever -- we were  
25 never told about the danger of being exposed or working

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1 in uranium mining. It don't affect you right away,  
2 but we're at that age now, a majority of us from Red  
3 Water Pond.

4 I still associate with Red Water Pond  
5 because the two grandmas were sisters and they came  
6 from that area. And the majority of the Red Water Pond  
7 is from one sister, and I with the other sister with  
8 Annie Benally and Notah Benally. And so I'm still part  
9 of Red Water Pond and I'm also part of the Eastern Navajo  
10 Diné Against Uranium Mining that we fought long and  
11 hard with NRC. And of course it was through NRC.

12 To me, I've always thought NRC, they're  
13 industry people. They don't listen to grassroots  
14 people at all. But I do hope that you do take into  
15 consideration all of the comments that people are  
16 voicing. A few years ago when EPA first came in and  
17 said, here are the options. What does Red Water Pond  
18 Community -- what are their options? What do they want  
19 to do with the mine waste? What do they -- so we told  
20 them the priority, move the waste out of the community.

21 But all along, EPA had made up their mind  
22 already to just move the current design from the mine  
23 site to the mill site. Cost is always the main issue.  
24 It's too expensive. They always think about money,  
25 not lives, not human lives. And NRC staff are probably

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1 sitting here, why are they address us? Why is everybody  
2 pointing at us?

3 You inherited the problem from previous  
4 administrations of NRC staff years ago. NRC has issued  
5 the license to UNC to do the mining. So therefore,  
6 you inherit that matter. That's why we're addressing  
7 you guys as though you were the one that, but you're  
8 still part of NRC, even from the past.

9 And I've always said, and we voiced several  
10 times with EPA the design on the second chart. From  
11 a previous former worker that was part of the  
12 reclamation a few years ago, he kept telling the group  
13 at meetings that he was part of the reclamation and  
14 there are trash that were buried exactly where the  
15 proposed mine waste are going to be deposited. It's  
16 going to be right on top of these waste these waste  
17 that the former workers that they buried these waste.

18 I'm sure they were not compacted. There's  
19 voids in those trash pile. And I've always said, how  
20 are you going to ensure the community and put their  
21 mind at ease that there's going to be no ground movement?

22 But I never got no answer. And right now, you're going  
23 to put over a million cubic feet of mine waste on top  
24 of another waste.

25 Well, actually, those are waste that came

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1 out of the mine that are buried in those tailings pond.  
2 Waste that they were not able to decontaminate.  
3 They're buried in there. Several years ago, nobody  
4 would believe them. But a few years ago, Polaroid  
5 pictures surfaced and he was telling the truth. He  
6 tried to bring that up before EPA. I'm sure NRC was  
7 part of that group that didn't believe him either.  
8 But there's pictures that surfaced, and he was telling  
9 the truth.

10 So there are mine waste buried right there  
11 already. And the proposed repository, that's in a  
12 flood plain area. There used to be an old dam that  
13 used to exist. I remember when I was still a kid there.

14 I remember that dam right there.

15 And from what our experts tell us, I'm not  
16 a geologist so I don't know what goes into determining  
17 the geology layout of an area. But our expert had been  
18 telling us that in the first place that was a bad place  
19 to build a tailings pond because, if I heard it right,  
20 there's a shale bed -- rock bed on shale that's not  
21 compatible or not a good place to build such -- like,  
22 what was built there by UNC.

23 And we've also stressed to EPA before that  
24 regardless of you saying that six inch of clay is good  
25 enough as a liner to prevent any seepage, put our mind

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1 at ease. If you're going to go that route, put about  
2 a foot, two feet of clay liner underneath and along  
3 with a plastic liner. Why are you just going with just  
4 the very bare minimum of your requirements? Double  
5 your requirements. Triple your requirements.

6 I'm sure it's not going to cost millions  
7 of dollars or even in the billions if you were going  
8 to be transported elsewhere. This is probably just  
9 like pennies and pocket change that they're going to  
10 be spending here. So put the community's mind at ease  
11 and triple that.

12 And also you need to start listening to  
13 the community. The local community are your experts  
14 on what's in their immediate community. If they say  
15 there's a lot of water that runs through here, believe  
16 them because they live there 24-7. Don't rely on your  
17 scientific data or your models on your computer.

18 I worked for the government sector, and  
19 I've tried to convey that information to incoming new  
20 employees that have college degrees that have got  
21 through their schooling looking at their textbooks,  
22 learning from textbooks, learning from the computer.

23 But I keep telling them, that's not the only thing  
24 that you should be relying on. You need to go out in  
25 the field and listen and see what's going on out there

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1 and compromise. Meet in the middle on how you're going  
2 to do your job and complete your job.

3 That's what you need to do, listen.  
4 There's your experts right there behind you. Don't  
5 just rely on your computer models, whatever comes out  
6 of your computer or your textbook teaching. It's great  
7 that you got your college education, your schooling  
8 out of the way, and you're making a good living out  
9 of that.

10 Give the community people a chance at a  
11 good life, a safe life, and a long, prosperous life.

12 Thank you.

13 MR. CAMERON: Okay. Thank you. Thank  
14 you, Larry. We're going to go to Susan Gordon and then  
15 Chris Shuey and Paul Robinson.

16 MS. GORDON: Hello. My name is Susan  
17 Gordon, and I'm the coordinator for the Multicultural  
18 Alliance for Safe Environment. And I have been working  
19 with the Red Water Pond Road Community for about five  
20 years.

21 So through the process of them  
22 communicating regularly with the Environmental  
23 Protection Agency about developing this particular  
24 plan. And what you may or may not know is that as EPA  
25 has done some -- well, first, I wanted to just say what

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1 you've been hearing from the community is the  
2 environmental injustice that they have experienced.  
3 And that is what they want addressed. It has been an  
4 injustice to this community for decades now, and that's  
5 what they want you to hear and to approach this from  
6 a different place because they've had plenty of  
7 bureaucracy.

8 So as the community worked with the EPA,  
9 the EPA did come in and sort of say, this is what we're  
10 going to do, and then asked the community for some input.

11 And then said, oh, we can't do that. Well, they  
12 presented a model of what is not the way to work with  
13 the community. And as NRC, you have an opportunity  
14 to do something different and to do it better than was  
15 done through EPA.

16 So I really encourage you to think about  
17 community involvement in your meetings, not just you're  
18 going to come and do a public hearing. This is not  
19 community involvement. They had calls every month with  
20 EPA. EPA came out and had a staff person that came  
21 to the Red Water Pond Road meetings every month and  
22 helped with those communications. So that's the kind  
23 of communication they're talking about. This is not  
24 communication.

25 One thing that happened over the course

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1 of a number of years as EPA was doing clean-up was that  
2 the community was moved into housing in Gallup for  
3 several months at a time as they did critical clean-ups.

4 But EPA said that this particular clean-up was not  
5 one that required the community to move away. It's  
6 safe, the EPA is saying, for the community to live there.

7 And yet what the community has said for years is that  
8 they would like to move as a community to the Black  
9 Standing Tree Mesa which is three miles further up on  
10 top of the mesa. They want to stay together as a  
11 community.

12 They have worked with the University of  
13 New Mexico architecture students. They have complete  
14 plans that could be adopted to move the community up  
15 there for sustainable housing with solar and water and  
16 energy. That's what the community wants.

17 But what's going on is EPA and there's a  
18 new guy here tonight, Michael Grove. I haven't met  
19 you. Where are you? There he is. So the Army Corps  
20 of Engineers has brought in somebody that's going to  
21 help the community move away. That's an environmental  
22 injustice. They're destroying this community.  
23 Instead of keeping them together, they are buying them  
24 houses in other parts of the reservation or in Gallup  
25 and destroying this community because it's cheaper and

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1 easier according to you guys to do that than to do what's  
2 freaking right.

3 (Applause.)

4 MS. GORDON: So talk to the community.  
5 Talk to the community. Talk to them about what they  
6 really want which is to move away. You've heard plenty  
7 about how they feel about this plan. This is not a  
8 good enough plan. What are you guys going to do about?

9 It's in a flood plain. What are you going  
10 to do 100 years from now? Who's going to be monitoring  
11 it in the future when something happens? The ground  
12 water has never been included in looking at this  
13 clean-up plan. Why is that? Why isn't that part of  
14 the scope of what's going to happen here? Clean up  
15 the ground water. Return the water to this community.

16 I love these people. They have taught me  
17 so much. And you have the opportunity to learn from  
18 them too if you take the time. They have personally  
19 invited you tonight to come to their homes. They're  
20 opening their doors. They're feed you. You need to  
21 do that and really understand what your job is here.

22 It's not just about moving this from one place to  
23 another. It's about addressing the environmental  
24 injustice that has happened to them for decades.

25 You guys should find a way to buy their

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1 houses and move them away up the mesa. That should  
2 be part of your scoping process. That's what they want.

3 They have so much information about this,  
4 and they're sharing it with you tonight. And I really,  
5 really hope that you listen and approach this in a way  
6 that's never been done by EPA or by NRC before. You  
7 can create a model. I mean, the suggestion that before  
8 you even dig up one shovel that you have a medicine  
9 man come out and conduct a ceremony. It would make  
10 such a difference to this community, and it would make  
11 a difference to you as well.

12 MR. CAMERON: Thank you. Thank you,  
13 Susan. And we're going to go to Chris Shuey next who's  
14 going to talk to us and show us some pictures also.  
15 And then we're going to go to Paul.

16 (Pause.)

17 MR. SHUEY: So my name is Chris Shuey.  
18 I'm working at Southwest Research Information Center  
19 in Albuquerque. I'm just a white guy from Ohio of  
20 European ancestry. So I figured a long time ago that  
21 one of the ways that you deal with white privilege is  
22 that you work to right all the wrongs that white  
23 privilege has done to the native people of our continent  
24 in our nation.

25 The uranium legacy on Navajo and throughout

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1 the Western United States is a huge problem. And many  
2 of us and many of the people that live in these  
3 communities will be long gone by the time that any of  
4 this gets resolved. That's why we say this is really  
5 for the generations to come, for the grandchildren.

6 I was privileged many, many, many years  
7 ago to be taken in by this community as not just an  
8 outside researcher, activist, but as a colleague, a  
9 friend, as family. We had an effort several months  
10 back that capsulized the story of Red Water Pond Road  
11 and these multi-generations of exposure that has taken  
12 place at the hands of the nuclear industry and the  
13 uranium industry.

14 There was no prior consent. Informed  
15 prior consent wasn't even a concept at the time. The  
16 NRC doesn't have to make that mistake anymore. I  
17 challenge you to take what the information is in this  
18 poster that was put together and presented by Peterson  
19 Bell, Edith, Hood, Bertha Nez, Terry Keyanna, and others  
20 at the 10th International Conference of Metals  
21 Toxicity and Carcinogenesis in Albuquerque in October.

22 This is a huge conference of researchers  
23 from all over the world, and people from the communities  
24 were able to present the concepts of exposure over time.

25 This has never been done before, with their own

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1 information in their own words. This is an issue that  
2 needs to be addressed in the EIS for this project because  
3 after all we're here for a scoping meeting, right?

4 So I'm going to talk really briefly -- as  
5 briefly as I can about some of the health issues, this  
6 notion of moving, and the psychosocial impacts in the  
7 community. There's thousands of issues to be  
8 considered in the EIS. But the integrity of the  
9 tailings cell, of the tailings dam, under this intense  
10 summer thunderstorm runoff, which I'm going to show  
11 you a few pictures of just as an example, is critical  
12 because you, the NRC, have to guarantee that even with  
13 mine waste on top, this site has to comply with the  
14 longevity criteria under 10 CFR Part 20 Appendix --  
15 40 Appendix B, up to 1,000 years and in no class less  
16 than 200.

17 So when you've got flood waters coming down  
18 the pipeline on a road that is undercutting the tailings  
19 dam, that should be a primary issue in the EIS. Keep  
20 in mind that this tailings dam was made in 1974 to 1977.

21 It was unlined. It was sited -- as people have said,  
22 it was sited between -- on top of aluminum and bedrock.

23 There was differential settlement noted  
24 in the tailings dam within a year of operation. Larry  
25 King was amongst the people who helped identify cracks

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1 in the dam in 1978 and early 1979 before it broke because  
2 it was being overfilled with tailing solution and it  
3 was in a bad site.

4 If that license by the State of New Mexico  
5 had been issued three weeks later. In May of 1977,  
6 it would've fallen under the state's water quality  
7 control commission regulations and it probably would  
8 never have been permitted because it's a bad site.

9 So let me just show you these few photos  
10 here real quick. I'm going to go recently and then  
11 back in time. So this is what some of the armoring  
12 of the bottom of the Pipeline Arroyo looks like with  
13 the construction of the new bridge over the Red Water  
14 Pond Road. That was toward the end of June of last  
15 year. This is what it looks like three weeks later.

16 MR. CAMERON: Hey, Chris.

17 MR. SHUEY: Yeah.

18 MR. CAMERON: To make sure we get you on  
19 the transcript.

20 MR. SHUEY: Oh, okay.

21 MR. CAMERON: Everybody can hear you, but  
22 these need to --

23 MR. SHUEY: Okay, sorry. So that's what  
24 it looked like three weeks later after several runoff  
25 events in the pipeline arroyo. Go back a few years.

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1       These are pictures that Terry Keyanna took. Flood  
2 waters coming down across the -- in the pipeline next  
3 to the Guevara site. Flood waters in the pipeline  
4 arroyo. The mine sites are back there. This is going  
5 toward UNC.

6               Standing at the crossing, this is a  
7 crossing, a pipeline road over the pipeline arroyo.  
8 You wouldn't want to drive a car over that I wouldn't  
9 think. So ponding back in 2006, ponding in the area  
10 north of the UNC north cell from runoffs. And this  
11 happened to be a few miles downstream across the street  
12 from Larry King's house where a flash flood took out  
13 the southwest corner of the old Church Rock mine.

14               I have spent time sampling water in runoff  
15 conditions in this state and this region for the last  
16 30-some years. You have to be there to experience it.

17       This can't be modeled. This can't be estimated.  
18 These are real live effects of being in an arid climate  
19 when you experience these intense summer thunderstorms.

20               Thompson Bell talked about the drainage  
21 coming out of three different canyons. You guys need  
22 to get out of Rockville and get out here and look at  
23 this stuff. I won't make a comment about what I call  
24 the NRC buildings. But they're very tall and they're  
25 very black. Let's put it that way.

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1           So when you see stuff like this, and none  
2 of us are privileged because we're not part of the  
3 licensee to go down into the pipeline arroyo next to  
4 this tailings dam. So you're our eyes and ears. The  
5 community can't get down there. We can't get down  
6 there. We can't see what that effects are on the  
7 starter dam.

8           And again, this was a bad site. It was  
9 a bad plan to begin with. Percy Anderson said there  
10 hadn't been health studies done along the Puerco.  
11 That's true. I'm involved in environmental health  
12 research with our collaboration with UNM. I can tell  
13 you that the only studies that really have ever been  
14 done in the Red Water Pond Road area were with 22 people  
15 in June of 2007. We made a MASH unit out of Bertha  
16 Nez's front living room. We took blood and urine  
17 samples from people.

18           The median uranium concentration in urine  
19 of those 22 people was an order of magnitude greater  
20 than the 95th percentile under NHANES. What's NHANES?  
21       What's the 95th percentile? It's a hell of a lot of  
22 uranium in urine for people who weren't on a drinking  
23 water supply that had uranium in it. It was at very  
24 low levels. So they're getting uranium in their bodies  
25 in other ways.

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1           This is a consistent finding throughout  
2 the state of New Mexico. It's a consistent finding  
3 of the participants on our Navajo birth cohort study.

4           And these are a multitude of different pathways  
5 affecting people. It's not simple. People get  
6 incorporated, uranium and other trace metals  
7 incorporated into their bodies by living in these areas.

8           Go back to the poster and remember these  
9 multi-generations of exposure.

10           There is no reason that the government  
11 cannot help this community go to Standing Black Tree  
12 mesa. You can do some back of the envelope  
13 calculations. And if you're going to put members of,  
14 let's just say, ten families in hotels for at least  
15 five years, maybe seven years for all we know, it would  
16 cost you twice as much to do that than building  
17 200,000-dollar homes for ten families up on the top  
18 of the mesa.

19           It's economical. They've got plans. As  
20 Susan said, they've got plans designed by the Indigenous  
21 Design and Planning Institute where they've got  
22 ecofriendly homes and communities. The biggest  
23 impediment, a road. We need a road up there. So  
24 there's every reason in the EIS to assess as a matter  
25 of protecting the public health of this community to

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1 move people up to the mesa and cover the cost in the  
2 context of remediation.

3 My last point, Mr. Facilitator, is I'm  
4 going to go back to one of the original comments that  
5 Paul made. I've been reading the public notice again.

6 I want to read this. It says -- this is with respect  
7 to the March 13th Federal Register notice announcing  
8 the beginning of the 60-day period to request an  
9 evidentiary hearing and file contentions.

10 Petitions must be filed no later than 60  
11 days from the date of the publication of this notice.

12 That means May 14th. It goes on to talk about the  
13 things you have to do. We went through this back in  
14 '94 to 2010 with the HRI licensing. But the key  
15 difference was in October of 1994 when a similar notice  
16 came out and we can avail ourselves of this notice to  
17 request a hearing -- and evidentiary hearing was that  
18 there was already an EIS. There was a draft EIS that  
19 you could react to, that you could base your contentions  
20 on.

21 Do you, anybody in the NRC, think it's  
22 absolutely possible to not only write a petition, file  
23 it, find the experts and the lawyers to do it in 60  
24 days without a record other than 27 volumes of an  
25 application that nobody has looked at? I think that

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1 Ms. Ellison said, make the deadline two years from now,  
2 and I'll go one better than that. Withdraw the notice.

3 I'm not commenting about the legality. I'm commenting  
4 about the appropriateness.

5 You're piling on this community again.  
6 It's got to stop. This is an environmental injustice  
7 that's been said and it is not consistent with the  
8 declaration of the rights of indigenous people from  
9 the UN.

10 Thank you.

11 MR. CAMERON: Thank you. Thank you very,  
12 Chris.

13 (Applause.)

14 MR. CAMERON: And Chris, I think it that  
15 it would be really useful for the NRC if they could  
16 get copies of the photos. No problem there? Okay.

17 MR. SHUEY: We have more than that.

18 MR. CAMERON: Okay. Thank you very much.  
19 And Paul? Yeah, that's okay.

20 (Simultaneous speaking.)

21 MR. CAMERON: No, no, I did that. Don't  
22 worry about it. There you go. Okay. There you go.

23 MR. ROBINSON: Thank you very much.

24 MR. CAMERON: Paul Robinson.

25 MR. ROBINSON: Good evening. Thank you

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1 for the opportunity to address this important issue.

2 And I hope it is a process that leads to a safe lasting  
3 remedy for the people affected by the releases from  
4 the site.

5 In terms of scoping and comments, I'm very  
6 much looking forward to an EIS on this site because  
7 there's never been a hard look at this site. The  
8 licensing back in my youth in the '70s did not consider  
9 site impacts and long-term remedies. The superfund  
10 process does not provide for a hard look like one should  
11 be getting in the EIS process. So a qualitative  
12 analyses are not sufficient for this problem. A  
13 quantitative approach will be necessary, and there's  
14 many ways in the work done in the past could be enhanced.

15 There was a very superficial and  
16 qualitative assessment of potential alternative  
17 disposal sites done by EPA Region 9 staff that really  
18 could use some science behind it. Those analyses did  
19 not consider a rigorous assessment. The preparer had  
20 to be told that there was actually a dedicated  
21 government owned repository in Utah that meets the NRC's  
22 10 CFR Part 20 siting and disposal standards.

23 That's a very good test. We're glad to  
24 know that the staff could site those rules. Let's see  
25 if they can be applied to a site that is sitting on

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1 sand that has already failed and is in a flood plain.

2 None of the criteria are met with this poor site.

3 There's other opportunities such as a new  
4 site. The owner of the property owns other property.

5 And the U.S. Government is a responsible party for  
6 a substantial portion of the cost. And that entity  
7 has a lot of money. And it's using its federal land  
8 in a very isolated place to dispose of waste.

9 I don't know if my friend, Cal Curley, is  
10 still here. He usually has a lot of staying power.  
11 The only obstacle to the Moab site is allowing  
12 additional space besides the Moab. The site is  
13 Crescent Junction. The legislation is very narrow,  
14 adding a single line to allow Church Rock waste or Navajo  
15 waste. This would provide a remedy at a site that  
16 allows for below grade disposal in a type of environment  
17 that does have potential to last as long as a site is  
18 needed to last to address the waste at a uranium.

19 I'm looking at that map next to Chip over  
20 there. And there's a uranium mine north of the Church  
21 Rock site that is not listed there. Kerr-McGee  
22 operated, Quivira-owned site that is one of the sites  
23 that contributed to the uranium remediation fund that  
24 Navajo has generated. It's nonexistent. We have  
25 maps. It's as if it doesn't exist. So the best would

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1 be only a partial remedy. The jurisdictional barriers  
2 to consolidating waste need to be addressed in the  
3 interest of long-term safety.

4 There's a very difficult -- there's a lot  
5 of new information being generated on fine dust from  
6 uranium sites and their both radioactive and heavy metal  
7 content, both uranium and arsenic. And data is showing  
8 that the crystals of the ore are respirable size. We're  
9 not talking about giant coarse crystals. We're talking  
10 about non-scale crystals. And that is a source of  
11 exposure risk from uranium waste. And the management  
12 of the relocation of the waste, how it's transferred.  
13 How sites are enclosed to prevent dust.

14 There's a very strong model that's been  
15 developed at the DOE site, at Moab. And that's a very  
16 important detail to articulate. There's no reason to  
17 use trucks. There are other conveyor mechanisms.  
18 Covered conveyors are quite typical in the mining  
19 industry. There's no reason to have a road crossing  
20 that requires stoppage. A grade separation like that  
21 installed near the Kerr-McGee tailings pile at Ambrosia  
22 Lake is an excellent alternative for five years of  
23 movement.

24 And then there's the question of the  
25 application. As I understand the application, and I

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1 have not looked at the whole thing, is that it doesn't  
2 propose a remedy for all the waste at the northeast  
3 Church Rock site because there's a category of principle  
4 threat waste which doesn't have a remedy. There's no  
5 storage point. There's no disposal site.

6 And that might've been a basis for  
7 determining that the application was incomplete because  
8 it doesn't provide a remedy for all the waste that are  
9 being managed, giving a former Dow Jones 30 industrial  
10 firms incompletes when they've handing in an assignment  
11 is quite rare. But that's a very important  
12 incompleteness, and I know they'd like to be back at  
13 the Dow Jones Industrial 30.

14 The Center for Nuclear Waste Regulatory  
15 Analysis, they did a report in 2015 that addressed net  
16 infiltration at the Church Rock site along with several  
17 other sites. Let's see. The conclusion was that firm  
18 conclusions could not be drawn because of water balance  
19 errors, uncertainty in the water balance components,  
20 discrepancy between the apparent water balance, and  
21 changes in volumetric contents.

22 Four different kinds of errors. Still got  
23 the report out. Haven't been back to upgrade it. We  
24 are relying on the infiltration properties of the  
25 existing tailings and the cover as the liner for the

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1 new waste. So hopefully, the Center which I understand  
2 is doing the EIS -- hopefully, they'll be able to reach  
3 firm conclusion and use data that is not full of errors,  
4 discrepancies, and other gaps. Three years since they  
5 could've come back and looked at some of that. Maybe  
6 they'll make it.

7 Navajo communities rely on livestock as  
8 part of their tradition and food. And moving people  
9 to a motel room three times in a row doesn't give them  
10 a kitchen or space, much less room for the livestock.

11 So having a home where there's area around for the  
12 livestock an opportunity to use the summer and winter  
13 patterns, that's a concept of making a Navajo person  
14 whole.

15 This site is going to be managed and owned  
16 by the Federal Government and to completion and managed  
17 by the legacy management portion of Department of  
18 Energy. Now Department of Energy knows that there are  
19 tailings covers that have failed. They know that  
20 tailings covers have eroded substantially, and there's  
21 been substantial seepage below inactive tailings piles  
22 that have supposedly been drained.

23 So what DOE is going to need to know in  
24 terms of erosion resistance, vegetation management,  
25 ground water management, that's who the GE is going

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1 to be giving the site to. And they're going to have  
2 to fund all of the monitoring and maintenance with the  
3 long-term continued care fund.

4 So the difference between short-term  
5 benefits like saving 10 or 20 million dollars and  
6 long-term risks which are in perpetuity with these  
7 materials, 1,000 years just is not enough to think about  
8 radon or uranium 235 or thorium or radium which comes  
9 from radon which generates radon. And radium has a  
10 1,600 year half-life. So 1,600 years, around a half  
11 of the most hazardous of the solids.

12 And there's heavy metals associated with  
13 the ore and the waste. And sometimes the heavy metals  
14 are higher in the waste than in the ore because the  
15 extraction method is not designed to focus on the  
16 arsenic or other associated heavy metals. They're  
17 looking for uranium content.

18 There was a congressional hearing on the  
19 Church Rock facility in 1980 that identified some of  
20 the defects in the site. And as you noticed in the  
21 color posters, the site is all tan. It's just solid,  
22 undifferentiated. That's not what's there. And it's  
23 dishonest to represent it with that oversimplification  
24 in my opinion. And the --

25 MR. CAMERON: And could I ask you to just

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1 sum as well. Thank you.

2 MR. ROBINSON: Yes. I'm just looking for  
3 my last thought. So that the plan that's being proposed  
4 doesn't have a remedy for all of the waste at the site.

5 It doesn't have a remedy for all of the waste within  
6 the mining district or within a reasonable distance.

7 And it doesn't have a remedy based on site specific  
8 climate data.

9 And so generating models for these very  
10 unusual climate systems are quite difficult when one  
11 looks at the map that shows the jetty, the orange blob  
12 at the southwest end of the Arroyo. That is below where  
13 most of the water comes in and it's below where the  
14 water would impinge on the tailings pond. So it's got  
15 to make it past, about 400 yards of tailings pond before  
16 it gets to the area that's protected.

17 So why the jetty is so short, why one thinks  
18 that that's going to be a 1,000-year solution, it's  
19 focusing on cost, not safety. And safety would be a  
20 better goal. It would be more in keeping with the  
21 mission of the Commission as I understand it.

22 Thank you very much.

23 MR. CAMERON: Thank you very much, Paul.

24 And thank all of you. I think you all deserve a round  
25 of applause. You're a great, great audience, great

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1 commenters.

2 I'm going to ask Bo Pham, the senior NRC  
3 official, to close the meeting out for us. Bo?

4 MR. PHAM: Thank you, Chip. And thank  
5 you, all of you, for coming out tonight to attend the  
6 meeting. And I got to say I really want to personally  
7 thank you all, the speakers that came up to tell us  
8 about the impacts that impacted your lives, your health,  
9 your community over the years. And I honestly wish  
10 I could stand here and tell you that we're here to make  
11 that better. But I can't say that because there are  
12 limits to what regulatory authority and how far of a  
13 reach we can do.

14 But to the extent that we can document in  
15 a transparent fashion the impacts that you've told us  
16 about today and work with the community to get that  
17 information documents in EIS, I give you our commitment  
18 to do that. I also give you our commitment from the  
19 NRC to make sure that we do a thorough job of this review.

20 We do it in a timely manner. I've heard plenty from  
21 folks today already about how long this has been taking.

22 And I want to make sure that we do this  
23 in a transparent manner and that what our analysis says,  
24 what our conclusions are. That you will have an  
25 opportunity to look at those things and comment on them

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1 and provide an alternative perspective if you have them.

2 So the other thing that really stuck with  
3 me as I listened in the audience today was that our  
4 failure up to this point to really figure out how to  
5 engage and reach out to the community. So I promise  
6 you that we will look for better ways to do that.

7 I know, as Ashley said earlier, as part  
8 of our standard consultation process is through the  
9 Historic Preservation Act that we do write letters to  
10 consult with tribes that we know of basically. What  
11 we've heard from you guys today, we need to figure out  
12 how to reach out to you guys at the chapter level and  
13 at the various community level as well. So our staff  
14 will make sure we do a better job of that.

15 And finally, I do want to apologize for  
16 all the shortcomings in terms of planning and logistics  
17 for this meeting in terms of reaching out to get your  
18 input in terms of what sort of interpretation or  
19 translation we need at this community. We will  
20 certainly try to do a better job of that in future  
21 meetings as well.

22 So with that, again, I thank you all for  
23 coming out tonight. I thank you for providing us your  
24 views. And I wish you a good night. Thank you.

25 (Whereupon, the above-entitled matter went

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1 off the record at 9:14 p.m.)

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