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

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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

TUESDAY, MARCH 19, 2019

GALLUP, NEW MEXICO

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

NRC STAFF PRESENT:
CHIP CAMERON, Meeting Facilitator
SCOTT BURNEILL
TAMYRA BROCKINGTON
ADAM GENDELMAN
ANGEL MORENO
PAM NOTO
BO PHAM
CINTHYA ROMAN
JIM SMITH
ASHLEY WALDRON
MR. CAMERON: Okay. Good evening, everybody. And thank you so much for being here. And Sarah is going to do a blessing, a prayer for us.

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

(Native language spoken.)

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

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

Second, and most important objective -- second -- okay, can I stop now? Second, and most important objective is to allow the NRC staff to listen to your advice on what should be within the scope of
the Environmental Impact Statement that they're preparing.

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

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

There's an environmental review. That's why we're here tonight. There's also a safety review that's done before the NRC decides whether -- and that's underline, whether -- whether a license can be granted. And I want to tell you a little bit of what you can expect tonight.

We are taking a record of everything that's said tonight, all of your comments. We have a
stenographer here. This is Dylan. So he's keeping track everything that is said. There'll be a transcript available sometime within the next few weeks, and the NRC will tell you how you can get that transcript. It's the NRC's record of the meeting and it's your record of the meeting.

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

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

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

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

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

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

The project manager on the safety side who
works for Bo is also here and it's Jim Smith right here.

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

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

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

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

Today I want to give you a quick overview of the NRC process of what NRC does and our role for this particular project. I'm going to be very quick
because as Chip said, we want to hear from you. That's the main objective today.

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

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

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

So what is NRC's role for this particular project? We received a license amendment request from the United Nuclear Corporation, and they are asking to amend their existing NRC license that we authorize
about one million cubic yards of contaminated soil from the Church Rock mine to the nearby uranium mill for disposal at the mill waste facility.

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

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

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

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

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

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

So we have a poster of this same graphic. It shows how UNC is proposing the mine waste to be stored within the tailings disposal area. The mine waste is shown in the crosshatch pattern and will be stored on top of the existing mill tailings. The mine waste would then be capped with a new engineered cover.

Okay. So this flowchart provides an overview of the license review process. After the application is submitted, NRC conducts an acceptance review of the technical and environmental reports to
determine if the application has sufficient information to begin a detailed review. If so, the NRC docket the application. This is the start of the environmental and safety reviews which is where we currently are in the process.

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

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

The results of these three processes, a hearing if granted, the results of the environmental review documented in an Environmental Impact Statement, and the safety review documented in a safety evaluation.
report will factor into the NRC's final decision on whether or not to grant the license amendment.

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

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

The blue box on the right-hand side of this figure identifies the scoping process of which this meeting is a part of. The purpose of this phase is to gather more information to help prepare the EIS. Comments gathered from this meeting as well as other information collected will be independently evaluated.
for impacts of this particular project on the environment.

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

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

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

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

An EIS is a comprehensive document that provides decision makers and the public with a detailed and thorough evaluation of significant environmental impacts which may result from United Nuclear Corporation's proposed action.
This slide discusses the information gathered during the EIS process. We consider the license application which includes an environmental report, and we will conduct a site visit and solicit input from public and governmental and private sector agencies and organizations as well as gather public comments so that the analysis can be more clearly focused on the issues of genuine concern.

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

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

This slide shows the NRC's environmental
review schedule. I mentioned earlier that we prepared a Federal Register notice, an intent to prepare an EIS and conduct the scoping process. And we will be accepting comments through April 19th, 2019.

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

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

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

This is the type of information NRC is looking for to determine the appropriate scope of the EIS. NRC wants to determine the range of issues,
reasonable alternatives to be examined in the EIS, and identify any other relevant information to be included in its environmental review.

Okay. This slide shows how to provide NRC with your scoping comments for our EIS. Written or oral comments provided tonight will be transcribed. Comments may be sent through regular mail, online, or by email. The information is included on this slide. Please keep in mind that any scoping comments should be provided by April 19th, 2019, to ensure consideration.

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

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

MR. CAMERON: Okay. Thanks, Ashley. And I know it's hard to read the details on these slides. There are paper copies in the back of the room, not
only in English but also in Diné. So you can get that information off there.

And we can go through some questions now.

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

The NRC is here today and Tuesday in a scoping meeting to hear your comments. But the NRC staff is going to be out here over the next year or so, and they're going to be talking to tribal officials. They're going to be going to some of the chapter houses perhaps, some of the community associations. So that's going to give you an opportunity to just sit down and talk to them and have a dialogue.

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

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

MR. CAMERON: Thanks, Teddy. And I don't
Mr. Pham: Thank you for your question. Anybody else have any questions or comments?
is Annie Benally and I'm with Red Water Pond, a community association.

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

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

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

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

Thank you.
MR. CAMERON: Okay. Thank you, Annie.

To reframe that into a question is when are you going to come out and talk to us and give us some training?

And as I mentioned, the NRC staff, they're going to be out to talk to the association. And you were going to make a comment to that effect. I think you did, so thank you. Thank you very much. Yes sir.

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

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

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

MR. CAMERON: Okay. Thanks, Tony. And I know it's real easy to go into the comment mode rather than questions. So Tony, we'll be back to you to see
MR. NOTAH BENALLY: Good afternoon or good evening. My name is Notah Benally. I'm also from Red Water Pond.

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

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

MR. CAMERON: Great. Thank you for that question. And I guess I'm going to go to Ashley. Can you tell everyone about how the National Historic Preservation Act which is part of the EIS process? Can you tell people how that works and if there's something you can say in response to the gentlemen's
question about what period does that apply to? Could you talk to us now, please.

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

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

MS. WALDRON: And your consultation hopefully will identify those issues before the draft EIS is issued for public comment. So coming out and talking to you guys and gathering all that information, we're hoping to capture all that early in the process.
MR. CAMERON: That's an important point. It's going to be a consultation with tribal officials, with all of you while this EIS is being developed. And I'm going to go to a couple more, and then we're going to have to get to comment. And go ahead.

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

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

NRC's safety evaluation report, an EIS, are going to be done in the three to five years after contentions are being required under this notice. We won't know what the NRC thinks are relevant or
important. So I think it's appropriate to consider an alternative for the intervention deadline in the 2022 period rather than 2019. We don't know what NRC is going to be identifying as safety issues and certain contentions cannot reasonably be expected within two months as I understand it.

Thank you.

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

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

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

MR. CAMERON: Okay. Let me turn --

(Simultaneous speaking.)
MR. CAMERON: Let me turn to our OGC staff member for some clarification. And then we're going to go back to two more questions and then we're going to go to the comment period.

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

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

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

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

MR. CAMERON: And if you want -- Paul, if you want to talk more about the hearing process,
recommend that you talk to Adam after the meeting because we have to go on. Thank you. Yes sir?

MR. HUDSON: Hi. My name is Christopher Hudson. I'm with McKinley Community Health Alliance. And my only question was on the review process was during the engaging of the consulting agencies what the transparency and that looks like. We know in the public comment we have a stenographer and everything. But what could those meetings look like when you're consulting with our tribal decision makers and things? And what kind of feedback are we going to get back in the community on those?

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

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

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

MS. KEYANNA: Good evening. My name is Teracita Keyanna. And I was wondering the EPA gave the community an opportunity to sit in, in their meetings so that the community voice was heard. And
I'm wondering if the community is given that opportunity with you as well.

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

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

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

MS. ROMAN: Yes, sorry. I would like to add that we are going to have other opportunities for public participation. We will have public meetings. We will announce those in the NRC website as we move along on this project. And we will come again here once we have a draft EIS document. So we can explain our initial findings and get feedback from you guys. So we will have many opportunities for public engagement.
MR. CAMERON: Okay. Thank you. We're going to go to comment now. But there's a resource list back with Cartosha at the table right over there that you may have seen it already. But it has information on it about how to get questions answered and other things. So that's back at Cartosha's table.

And with that, I'm going to call the first three speakers. We're going to go to Ray Benally, Notah Benally, and then we're going to go to Mervyn Tilden.

So would Ray like to come up and make a comment?

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

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

When I write a letter, it only takes me two or three minutes on the typewriter. How long?
This is what we want an answer. You say this and that. And you're missing the whole area that's supposed to be fixed up to where it's decontaminate the area.

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

Let's get real and do this right offhand instead of -- I live in the county. I live in Gallup. I love my city. I'm speaking for contamination is no place for Gallup and surrounding area. I'm a Navajo. I don't claim to be anybody else because I got pride. You can blame me because I worked that shaft. I took out those contaminated material.

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

They destroyed that land. I'm part of that
-- I hate to say it. We drilled. We've done a lot
of exploration. And we took some mining material out
of that, Kerr-McGee, UNC. When Kerr-McGee left, they
tried to change the name. Oh, it's -- they're passing
the buck. Let's get this in, get those paperwork done.

We'd like good answers, say, hey, we're done, instead
of talking, talking. We've been talking, what, 30
years at the most.

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

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

MR. NOTAH BENALLY: Good evening again.

My comment is that when I walked in here this evening,
I looked at the second chart from the live site. And
I noticed the retaining ponds and the cover is above
the Arroyo Basin.

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

Because if you listen to the news this week, I think
Nebraska is under water. I think with Mother Nature
the way it was presented to us this evening in a prayer
is that Mother Nature is going to take care of us. And if we don't take care of Mother Nature, we're going to be still cleaning that. That's my first comment.

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

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

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

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

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

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

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

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

Another document I'm going to submit for the record is relating an act related to resources and fundamental law enacting the Diné Natural Resources
Protection Act of 2005, amending Title 18 of the Navajo Nation Code. This purpose is to ensure that no further damage to the culture, society, and economy of the Navajo Nation occurs because of uranium mining within the Navajo Nation and the Navajo country and that no further damage to your culture, society, and economy of the Navajo Nation occurs because of uranium processing to all adverse economic, environmental, and human health effects from past uranium mining and processing have been eliminated or substantially reduced to the satisfaction of the Navajo Nation Council.

Which brings me to the point of where is the Navajo Nation? Why are they not here? They need to be here. They need to be a part of this process. You need to involve them. They have departments within the Navajo Nation that can help you, that can assist you. But more importantly, you need to get out to the chapter levels, Church Rock chapter, Mariano Lake, Pinedale, Smith Lake.

When that uranium is going to be thrown up into the air, the wind can carry it for miles and miles all around. The protection of the Navajo Nation is right here and it's also in fundamental law. You need to involve the Navajo Nation. And if there's any
kind of transportation, you also need to involve the
City of Gallup because the City of Gallup has passed
a resolution, No. R2018-27, a resolution opposing
transportation of high level radioactive waste via
railway through the City of Gallup for the purpose of
temporary consolidated storage of radioactive waste
in New Mexico. This was passed on 25th day of September
2018.

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

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

And the other thing I want to say is it
was said very distinct of my father's clan. (Native language spoken.) It was said, did you understand that? You need to bring this into the Navajo language, and the only way you're going to do it is involve the Navajo Nation and bring what you have to them. Invite them. Go to the chapter levels. Invite the communities, the communities that are going to be potentially impacted by the activity, by the disturbance of what is out there right now. That is something that's to be addressed.

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

We all know that Donald Trump is one of the most racist and discriminatory people, and it was said that he will probably take money at his whim to build a wall that shouldn't even be there. The destruction of that wall will cost this community if the money is that is put aside for this cleanup is taken away to prevent the wall.
And in closing, I urge the Nuclear Regulatory Commission to listen to the people. Go to each and every chapter within a 50-mile radius because that would be the kill zone, the dead zone where this dust will be thrown up into the air and carried in a 50-mile radius easily. So consider that. I'll give you this for the record.

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

MR. TILDEN: Thank you.

(Applause.)

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

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

But everything is going out here. Okay.
I've been to places that I never thought this would take me, especially regarding the place where I live. I've been to Washington, D.C. in front of a congressional hearing. And at that time, just like what Mervyn said, where is the BIA? Where is the NRC? Where's DOE? Where is IHS? And then, of course, EPA? They were asked, where have you people been? This is going on, on Navajo land.

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

So why is it taking so long just to clean this mess up? And I ask you, people from other parts of Washington, D.C. or even other places. Come over to where I live so you can see what I'm talking about. And I invite you to come over before you go back to where you're from. Come and see what I'm talking about.

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

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

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

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

You heard tonight from many community members of Red Water Pond Road Community within Church Rock. I recently became more involved talking with them. And I think with you being members of the Nuclear
Regulatory Commission, the one thing that binds us all together no matter where we come, who we work for is that we're human beings. And it's so easy to think that people that live within a certain community who are even in a neighborhood can easily move to another area.

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

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

What has happened to the Navajo people should have never happened. Our own government officials within the Navajo Nation beginning in the 1920s to the 1930s going forward, those people who were elected into those positions, they allowed all of this to happen, with over 500 uranium mine sites on the Navajo
Nation. And even here in the New Mexico, we have to end up with all the clean-up, the remediation and reclamations that we have to do.

And it's costing way more money than when we give licenses to those people, companies to have to come in and dig and mine. But the after results, not only to human beings but also the ground water, the plants, the animals, the air, there's a huge cost to it. And it's going to be us, all of us, including you as members of the Nuclear Regulatory Commission that have to really think about what is most important. Is it the human lives, our environment, or is it going to be allowing companies to continue doing what they do to the land?

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

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

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

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

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

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

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

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

My family's land was beautiful. We had amazing vegetation that we used for medicinal purposes. Due to the contamination, we lost our livestock and lost some of our traditional teachings such as weaving. We used to dye sheep wool with the natural vegetation around our homes, and we would make really beautiful rugs.

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

(Appause.)

MS. KEYANNA: Good evening. My name is Teracita Keyanna as she introduced me. I feel like our community wasn't heard enough when it came to talking to the EPA. And I'm hoping that the NRC will
be more proactive about listening to our concerns and how we're trying to help you help our community. We've been there. We know what happens with the land. We understand the land. We understand what happens. And we see it firsthand.

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

It's no longer -- we can't be safe there. And that's something that I can't even provide safety for my children just because of what happened a generation before me. It was taken away from me. My safety was taken away from me. My child's safety was taken away from her. All our family members, it was taken away from them. And they should've had the opportunity to talk and say, what about this, what about that. They should've been given the opportunity to ask all these questions.

Just like they asked for you to come out to these chapter meetings, these kinds of meetings should've happened before. It shouldn't be done now
after the fact. All this after the fact Band-Aid solution is not working for our community. I don't understand why you have a responsible party and yet -- they make billions of dollars of day and yet we're here with pennies and we're fighting for that. And I don't understand why it's an issue.

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

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

We know these issues are here, and we already understand that it's affecting us. So just please really, really listen and consider everything
that we say because we've been living it for a long
time. I was there in '81. I didn't even get to see
the whole tailing spill or anything. And yet I'm still
affected by it.

Everybody has these post '71 and all this.

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

Thank you.

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

MR. PETERSON BELL: (Native language
spoken.) How long? How long are we going to live with
this contamination? It's almost 70 years now. I've
been looking at it when the mine first began back in
the late '70s. And then it shut down in 1985, I think
it was. From there on, it didn't get addressed until
the late 1990s. Finally, they got to do this and the
U.S. EPA get the lead on this to do the clean-up which
drags on forever. It should've been done 2014 -- 2010
to 2014. Now it's dragging on to 2020, '23.
We need to clean this up, federal people. We need to do this right away. I'm not young anymore. Most of us are not young. My mother, my father died because of this. And most of these are getting old. We're getting old, so please do this right and clean up the mess that the other people have put down.

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

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

Okay.

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

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

But one of the things that I was paying attention to your maps. Have you ever considered a
study on the rainfalls of that area? We have three canyons right where we live. And when the rain hits the wind -- I mean, the snow, those arroyos, some places they overflow. And if you look at your bridge right now the EPA built, it's already undercutting it. That's, what, three weeks ago, four weeks ago?

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

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

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

So all these things, we're afraid that the people downhill again is going to meet some toxic waste.
We don't know still how toxic it still is. And then Pipeline Road will be contaminated with the dust with all the trucking, re-landscaping, putting on top of the mill, tailings.

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

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

So don't be afraid of us. We're looking for people that has something here. We don't want people that can see and talk from their heads only. We want compassion. My mother said, this is not going to be done in my lifetime. So she died, 2012. I lost three parents that year, my dad, my mom, and my
father-in-law. And I lost my job in the middle of that.

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

Thank you.

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

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

And what happened? What happened to the safety and health, to our community? You guys are saying that you do that to help people. But where are
you? We lost a lot of people, the illness of cancer, kidney disease. And there were a lot of workers that camped out there. Most of them are gone.

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

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

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

We move three times in just Gallup. It was a hardship. And we couldn't do what we want out there because we're used to the open land, to our Mother Earth, the sunshine, the air, and the water. We're used to that.

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

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

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

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

So that's why we're here. I want you to
understand. And the rain comes, monsoon, that's when
everything washes down. And we get a lot of that in
August. That's where the bridge, kind of some of the
stuff washed away. So we cherish our land, our Mother Earth has provided for us, clean air, water, plants, animal. This even degraded our animal which we raise and sell.

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

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

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

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

I'm not too familiar with the entire plan, but I do have a lot of concerns for the permanent repository and keeping the waste here. It seems like
there's a huge -- I guess I don't know if it's the
elephant in the room. But I'm wondering why hasn't
the EPA, either Region 9 or 6, or NRC demanded that
UNC also characterize the full extent of the 1979
tailing spill. That's always left out of the picture.
That needs to be included in this process that the
entire spill should be characterized and also dealt
with and paid for by not just UNC but the Federal
Government.

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

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

So reprocessing is -- in one sense, you
might say it's cleaning up the mine. But it's also
producing more waste, and reprocessing is not an acceptable form of dealing with the waste from one community and taking it to another one just to make more waste. And in addition to transporting it there to different places, that is always a risk is transporting it either to Utah or Andrews. And none of this makes any sense.

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

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

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

MS. ELLISON: Good evening. (Native language spoken.) I want to thank the United States Nuclear Commission for coming. I understand you represent the U.S. government. As you know, we as an indigenous people, we have a long, dark history with the U.S. government and everybody that come since.
This history has got us into this situation, and that is because of our trust relationship with the U.S. government, a treaty that we had signed as two foreign governments over 150 years ago. This trust relationship has now become a resource exploitation relationship of all Indian lands in the United States. We all understand that U.S. corporations are used as subsidiaries to achieve national objectives such as security.

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

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

Why is that not happening? Well, it's because once the money has been made, then you just leave everything behind. This has been economic model that has been used by colonialists since the beginning.
of time, maybe even back when the Jews were slaves. So please value human life. We understand that money is important to your culture. But to our culture, the Earth is our mother and we would like this to end.

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

When you use our language as we shared for you in the wars, please respect it and use it properly. Take that time. We have professors who have PhDs. Our language is now written in your alphabet. But we do appreciate that gesture.

One of the interesting facts about this community is that ten percent of the student population qualifies for special education. As we know, special education requires a lot of money. So then you start thinking about the effects that this has had on our communities since they started digging up nuclear waste. I think genetic research on how it's impacted our sensory issues, our population, our children, is extremely important.
It's in the history of the United States government to conduct human experiments on minority groups. Well, this, in a way, is an experiment. And we are American citizens. We have those rights. We fought for your economic model, for your country, for your philosophy.

I just think about the value of money. How do you place that value on the quality of life for a people who aren't measured in that way? You can't. Looking at this chart here, our request is that this nuclear waste be cleaned up. We don't want it buried on top of our water. That is a terrible idea. Who came up with that idea? What school did they go to?

Some other individuals have mentioned the process and it's complicated. There's issues already. So we'd like to ask for a few things. On the intervention deadline of 60 days, why not make it two years? Why not make it flexible? What's the rush?

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

Usually, I look at the newspapers. Usually, I'm on social media. But in this region, if
you're not familiar with this region, a lot of the messages are passed through the radio stations, through billboards. None of that. That requires effort. Please put more effort into this. In terms of your public engagement, we have a full government that has all those services. Please utilize them.

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

MR. CAMERON: Okay. Thank you.

(Applause.)

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

MR. HOOD: (Native language spoken.) Good evening, again. As I mentioned, I'm from Red Water Pond Road Community. That was the name that was given to our community on the road that goes up that mesa.

Red Water Pond is way over there where the mesa drops off. But we have names for our area. And to be reverent for the land, we have a lot of names for that area.

(Native language spoken) is that mesa that overlooks the uranium mine, Kerr-McGee. There are various places. (Native language spoken.) Holy places. When the sun comes up in the morning, it hits
that red mesa. So those are called (native language spoken), holy places where the first sunlight hits. So it's not just Church Rock. We go by several names, all descriptive of the land. So just for your information.

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

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

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

We are in the Fourth World. They call it a glittering world. (Native language spoken.) You can see that in the snow. You can see it in the glints in the snow. You can see it in the stars. But that has been changing
to all the litter and trash.

So where will we go? What other world are we going to go if we don't take care of our mother, (native language spoken)? That is translated. The cavity from where we are from, from the earth's womb. So if you want to do -- if you want to clean, you need to consider the hydrosphere. Our water table has been contaminated. Our atmosphere is contaminated with smoke and other stuff. And our lithosphere has been damaged, desecrated with mining, drilling, blasting, bulldozing.

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

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

It's a special place. It's oriented to the east. So when the sun comes up and it shines into the hogan over there, and that's a place designated
for the holy man, the medicine man. And when you go
into the hogan, you walk in a clockwise direction.
That's how prayers, ideas, songs should go. We're not
a linear society like all the progressions of the
clean-up and stuff.

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

Thank you.

MR. CAMERON: Thank you. Thank you, Tony.
And is Terry here? You want two seconds.

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

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

MR. NEZ: Good evening. My name is Teddy
Nez. I just want to mention I thank you for the
presentation this evening and thank you for informing us that you have a repository in operation right now which we never heard of. So this is good information for us and then the repository that you're going to create. And I'll be talking about the environmental impact and using the genetic information that we have acquired using the western ways of life and the traditional way of life, including the water, air, ground, vegetation.

We had -- anytime when something is going on, we ask a before picture, how things look and then after the job is done. We need a picture of that after. And then right now we have five years, five years, five years, five-year plans. We're asking for 50, 100-year plan so you will plan for 100 years you have more planning, more scope of work that you need to do.

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

And the rules and regulation in all these areas, the five agencies, they don't meet the same idea, the same plan. But Nuclear Regulatory Commission, just by moving dirt from one area to another area, EPA does
not have the same regulation. Department of Health, IHS does not have the same regulation. So you have to really take a look at these and the BIA.

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

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

This genetic stuff has created post traumatic stress -- PTSD, a disorder that is created based upon some of the memories that the mining has happened. We say, oh, I saw a light over there against that mountain. I saw a tractor. Those are stress and are a disorder.
So we need for you to fix these things. And then we have presented a lot of -- in the public hearing with the five agencies, we presented written comments, public comments, but no answer. We made a presentation. Our presentation has been cut. So my presentation on the internet has been cut. I tried to review it. Only half of the information is there.

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

Thank you.

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

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

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

I reside at 33 Red Water Pond Road since 2000 to today. And before that, I resided with my mom at 31A Red Water Pond Road. Before that, I had no problems with my health when I was residing with my
mom. I can go to work. I didn't have no problem at all until I moved to my new location where I bought a house and I moved there. I then started to get sick. I have asthma, diabetes, and I could not have babies.

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

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

So there were no signs anywhere around that area stating that it's dangerous. And also when it rains, you can smell the uranium because we live between two uranium piles. So when it rains, you should come up and go to our area. We're inviting you to come up to our area to look at our area where we're living.
And I hope just the color of our skin is not a problem. It's always discrimination. So please do not discriminate us because of the color of our skin.

Thank you.

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

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

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

I mean, life isn't fair is what people always say. Why isn't life fair? You got your models that you guys drew up. I don't know how much money
you guys paid for to bring up all this, but I guarantee you, Mother Nature has got something else in store for you all.

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

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

The last time when they did the clean-up, like my sister, Bertha, said, one area behind my late parents' house, the hill on top of it was never cleaned. And the reason being is because we told them we want some trees up there is what we said.

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

I'm pretty sure all of you guys do too. And we want
the best for our family.

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

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

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

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

It's really heart-wrenching to see our land

dissipated. It was once a beautiful place and is still

a beautiful place. But on top of it, it's just covered

up. Every day, I pray that some miracle will happen

and it'll be cleaned up as soon as possible.

We started out in 2007, and they keep

saying, it's going to be clean. It's going to be this

year. Then it's the next year. Then a couple of years.

I mean, come on. I think you guys all need to do

something and get your act together and clean it up

because I value my life. So does my family.

I value the place where I live because it's

a nice place where we're all living. I'm pretty sure

you all value your place in your own backyards with

no problems.

But most of all, please don't put a Band-Aid

on it. Clean it up for us so we can enjoy the rest

of our lives in good harmony. Thank you.

MR. CAMERON: Okay. Thank you. Thank

you, Grace. Christopher? Is that Christopher? No?

Do you want to speak? Well, come on up, and then we're

going to go to Susan and then to Chris and then to Paul.

And just please introduce yourself.

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

I lived all my life in a contaminated area.

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

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

And I also worked at UNC mine for seven and a half years right after high school with no one telling us. A majority of my former coworkers have echoed the same, saying that nobody was ever -- we were never told about the danger of being exposed or working
in uranium mining. It don't affect you right away, but we're at that age now, a majority of us from Red Water Pond.

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

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

But all along, EPA had made up their mind already to just move the current design from the mine site to the mill site. Cost is always the main issue.

It's too expensive. They always think about money, not lives, not human lives. And NRC staff are probably
sitting here, why are they address us? Why is everybody pointing at us?

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

And I've always said, and we voiced several times with EPA the design on the second chart. From a previous former worker that was part of the reclamation a few years ago, he kept telling the group at meetings that he was part of the reclamation and there are trash that were buried exactly where the proposed mine waste are going to be deposited. It's going to be right on top of these waste these waste that the former workers that they buried these waste. I'm sure they were not compacted. There's voids in those trash pile. And I've always said, how are you going to ensure the community and put their mind at ease that there's going to be no ground movement?

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

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

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

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

And we've also stressed to EPA before that regardless of you saying that six inch of clay is good enough as a liner to prevent any seepage, put our mind
at ease. If you're going to go that route, put about a foot, two feet of clay liner underneath and along with a plastic liner. Why are you just going with just the very bare minimum of your requirements? Double your requirements. Triple your requirements.

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

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

I worked for the government sector, and I've tried to convey that information to incoming new employees that have college degrees that have got through their schooling looking at their textbooks, learning from textbooks, learning from the computer. But I keep telling them, that's not the only thing that you should be relying on. You need to go out in the field and listen and see what's going on out there.
and compromise. Meet in the middle on how you're going
to do your job and complete your job.

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

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

Thank you.

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

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

So through the process of them
communicating regularly with the Environmental
Protection Agency about developing this particular
plan. And what you may or may not know is that as EPA
has done some -- well, first, I wanted to just say what
you've been hearing from the community is the
environmental injustice that they have experienced.
And that is what they want addressed. It has been an
injustice to this community for decades now, and that's
what they want you to hear and to approach this from
a different place because they've had plenty of
bureaucracy.

So as the community worked with the EPA,
the EPA did come in and sort of say, this is what we're
going to do, and then asked the community for some input.
And then said, oh, we can't do that. Well, they
presented a model of what is not the way to work with
the community. And as NRC, you have an opportunity
to do something different and to do it better than was
done through EPA.

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

One thing that happened over the course
of a number of years as EPA was doing clean-up was that the community was moved into housing in Gallup for several months at a time as they did critical clean-ups. But EPA said that this particular clean-up was not one that required the community to move away. It's safe, the EPA is saying, for the community to live there. And yet what the community has said for years is that they would like to move as a community to the Black Standing Tree Mesa which is three miles further up on top of the mesa. They want to stay together as a community.

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

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

(Applause.)

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

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

I love these people. They have taught me so much. And you have the opportunity to learn from them too if you take the time. They have personally invited you tonight to come to their homes. They're opening their doors. They're feed you. You need to do that and really understand what your job is here. It's not just about moving this from one place to another. It's about addressing the environmental injustice that has happened to them for decades.

You guys should find a way to buy their
houses and move them away up the mesa. That should be part of your scoping process. That's what they want. They have so much information about this, and they're sharing it with you tonight. And I really, really hope that you listen and approach this in a way that's never been done by EPA or by NRC before. You can create a model. I mean, the suggestion that before you even dig up one shovel that you have a medicine man come out and conduct a ceremony. It would make such a difference to this community, and it would make a difference to you as well.

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

(Pause.)

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

The uranium legacy on Navajo and throughout
the Western United States is a huge problem. And many of us and many of the people that live in these communities will be long gone by the time that any of this gets resolved. That's why we say this is really for the generations to come, for the grandchildren.

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

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

This is a huge conference of researchers from all over the world, and people from the communities were able to present the concepts of exposure over time. This has never been done before, with their own
information in their own words. This is an issue that needs to be addressed in the EIS for this project because after all we're here for a scoping meeting, right?

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

So when you've got flood waters coming down the pipeline on a road that is undercutting the tailings dam, that should be a primary issue in the EIS. Keep in mind that this tailings dam was made in 1974 to 1977. It was unlined. It was sited -- as people have said, it was sited between -- on top of aluminum and bedrock.

There was differential settlement noted in the tailings dam within a year of operation. Larry King was amongst the people who helped identify cracks
in the dam in 1978 and early 1979 before it broke because it was being overfilled with tailing solution and it was in a bad site.

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

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

MR. CAMERON: Hey, Chris.

MR. SHUEY: Yeah.

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

MR. SHUEY: Oh, okay.

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

MR. SHUEY: Okay, sorry. So that's what it looked like three weeks later after several runoff events in the pipeline arroyo. Go back a few years.
These are pictures that Terry Keyanna took. Flood waters coming down across the -- in the pipeline next to the Guevara site. Flood waters in the pipeline arroyo. The mine sites are back there. This is going toward UNC.

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

I have spent time sampling water in runoff conditions in this state and this region for the last 30-some years. You have to be there to experience it. This can't be modeled. This can't be estimated. These are real live effects of being in an arid climate when you experience these intense summer thunderstorms.

Thompson Bell talked about the drainage coming out of three different canyons. You guys need to get out of Rockville and get out here and look at this stuff. I won't make a comment about what I call the NRC buildings. But they're very tall and they're very black. Let's put it that way.
So when you see stuff like this, and none of us are privileged because we're not part of the licensee to go down into the pipeline arroyo next to this tailings dam. So you're our eyes and ears. The community can't get down there. We can't get down there. We can't see what that effects are on the starter dam.

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

The median uranium concentration in urine of those 22 people was an order of magnitude greater than the 95th percentile under NHANES. What's NHANES? What's the 95th percentile? It's a hell of a lot of uranium in urine for people who weren't on a drinking water supply that had uranium in it. It was at very low levels. So they're getting uranium in their bodies in other ways.
This is a consistent finding throughout the state of New Mexico. It's a consistent finding of the participants on our Navajo birth cohort study. And these are a multitude of different pathways affecting people. It's not simple. People get incorporated, uranium and other trace metals incorporated into their bodies by living in these areas.

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

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

It's economical. They've got plans. As Susan said, they've got plans designed by the Indigenous Design and Planning Institute where they've got ecofriendly homes and communities. The biggest impediment, a road. We need a road up there. So there's every reason in the EIS to assess as a matter of protecting the public health of this community to
move people up to the mesa and cover the cost in the context of remediation.

My last point, Mr. Facilitator, is I'm going to go back to one of the original comments that Paul made. I've been reading the public notice again. I want to read this. It says -- this is with respect to the March 13th Federal Register notice announcing the beginning of the 60-day period to request an evidentiary hearing and file contentions.

Petitions must be filed no later than 60 days from the date of the publication of this notice. That means May 14th. It goes on to talk about the things you have to do. We went through this back in '94 to 2010 with the HRI licensing. But the key difference was in October of 1994 when a similar notice came out and we can avail ourselves of this notice to request a hearing -- and evidentiary hearing was that there was already an EIS. There was a draft EIS that you could react to, that you could base your contentions on.

Do you, anybody in the NRC, think it's absolutely possible to not only write a petition, file it, find the experts and the lawyers to do it in 60 days without a record other than 27 volumes of an application that nobody has looked at? I think that
Ms. Ellison said, make the deadline two years from now, and I'll go one better than that. Withdraw the notice. I'm not commenting about the legality. I'm commenting about the appropriateness. You're piling on this community again. It's got to stop. This is an environmental injustice that's been said and it is not consistent with the declaration of the rights of indigenous people from the UN.

Thank you.

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

(Applause.)

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

MR. SHUEY: We have more than that.

MR. CAMERON: Okay. Thank you very much.

And Paul? Yeah, that's okay.

(Simultaneous speaking.)

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

MR. ROBINSON: Thank you very much.

MR. CAMERON: Paul Robinson.

MR. ROBINSON: Good evening. Thank you
for the opportunity to address this important issue. And I hope it is a process that leads to a safe lasting remedy for the people affected by the releases from the site.

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

There was a very superficial and qualitative assessment of potential alternative disposal sites done by EPA Region 9 staff that really could use some science behind it. Those analyses did not consider a rigorous assessment. The preparer had to be told that there was actually a dedicated government owned repository in Utah that meets the NRC's 10 CFR Part 20 siting and disposal standards. That's a very good test. We're glad to know that the staff could site those rules. Let's see if they can be applied to a site that is sitting on
sand that has already failed and is in a flood plain.
None of the criteria are met with this poor site.

There's other opportunities such as a new site. The owner of the property owns other property. And the U.S. Government is a responsible party for a substantial portion of the cost. And that entity has a lot of money. And it's using its federal land in a very isolated place to dispose of waste.

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

I'm looking at that map next to Chip over there. And there's a uranium mine north of the Church Rock site that is not listed there. Kerr-McGee operated, Quivira-owned site that is one of the sites that contributed to the uranium remediation fund that Navajo has generated. It's nonexistent. We have maps. It's as if it doesn't exist. So the best would
be only a partial remedy. The jurisdictional barriers to consolidating waste need to be addressed in the interest of long-term safety.

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

How sites are enclosed to prevent dust.

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

And then there's the question of the application. As I understand the application, and I
have not looked at the whole thing, is that it doesn't propose a remedy for all the waste at the northeast Church Rock site because there's a category of principle threat waste which doesn't have a remedy. There's no storage point. There's no disposal site.

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

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

Four different kinds of errors. Still got the report out. Haven't been back to upgrade it. We are relying on the infiltration properties of the existing tailings and the cover as the liner for the
new waste. So hopefully, the Center which I understand is doing the EIS -- hopefully, they'll be able to reach firm conclusion and use data that is not full of errors, discrepancies, and other gaps. Three years since they could've come back and looked at some of that. Maybe they'll make it.

Navajo communities rely on livestock as part of their tradition and food. And moving people to a motel room three times in a row doesn't give them a kitchen or space, much less room for the livestock. So having a home where there's area around for the livestock an opportunity to use the summer and winter patterns, that's a concept of making a Navajo person whole.

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

So what DOE is going to need to know in terms of erosion resistance, vegetation management, ground water management, that's who the GE is going
to be giving the site to. And they're going to have
to fund all of the monitoring and maintenance with the
long-term continued care fund.

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

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

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

MR. CAMERON: And could I ask you to just
sum as well. Thank you.

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

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

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

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

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

       Thank you very much.

       MR. CAMERON: Thank you very much, Paul.

       And thank all of you. I think you all deserve a round
of applause. You're a great, great audience, great
I'm going to ask Bo Pham, the senior NRC official, to close the meeting out for us. Bo?

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

But to the extent that we can document in a transparent fashion the impacts that you've told us about today and work with the community to get that information documents in EIS, I give you our commitment to do that. I also give you our commitment from the NRC to make sure that we do a thorough job of this review. We do it in a timely manner. I've heard plenty from folks today already about how long this has been taking.

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

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

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

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

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

(Whereupon, the above-entitled matter went
off the record at 9:14 p.m.)