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Antoinette Walker-Smith,
Ashley Waldron, Mary
Neely

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Email: austinurcadez@email.arizona.edu
Organization: University of Arizona

General Comment

Please find our comment letter as an attachment. Docket ID Number NRC-2019-0026

Attachments

Public Comment Final-2

Docket ID Number NRC-2019-0026

Valeria Davila, Ana Murrieta, and Austin Urcadez
The University of Arizona
Environment and Natural Resources 2
1064 East Lowell Street
Tucson, AZ 85721

U.S. Nuclear Regulatory Commission
Mail Stop: TWFN-7-A60M
Program Management, Announcements and Editing Staff
Washington, DC 20555-0001

To whom it may concern,

These comments are provided on behalf of a group of students from the University of Arizona completing a Natural Resources Law and Policy course. We are passionate about Environmental Law and Policy and we intend to pursue careers that positively impact our environment and surrounding communities. Our group examined the proposed action of transferring Northeast Church Rock (NECR) mine waste via dump trucks to the United Nuclear Corporation Mill Site. This proposal is written by the U.S. Nuclear Regulatory Commission (NRC) to review the United Nuclear Corporation's (UNC) request to amend its license for the clean up of the NECR mine waste. Some concerns we have about the EIS are the environmental, cultural, and safety aspects. Overall, we agree with the purpose of the proposal but we wish to convey suggestions to increase the overall benefit to the Navajo Nation and surrounding land.

We believe there need to be safety precautions when handling the old mine waste as this can contaminate not only the workers but the area around it. The uranium is of concern as it can leach into the groundwater which would affect communities in the surrounding area and also harm any species that reside in the area. "The effects of the mine and mill tailings disposal on surface water hydrology would be similar to those associated with mining itself: greater storm runoff from disturbed land, including land, previously mined and used for tailings disposal" (Potential Environmental Effects of Uranium Mining, Processing, and Reclamation, 2012). To prevent unnecessary waste exposure "A thorough site characterization, supplemented by air quality and hydrological modeling, is essential for estimating the potential environmental impacts of uranium mining, processing [and reclamation] under site-specific conditions and mitigation practices" (Potential Environmental Effects of Uranium Mining, Processing, and Reclamation, 2012). Also, the species will lose some habitat according to the construction plans and there needs to be an analysis for protected species in the area to ensure there is no incidental take during the process. We propose the 1A alternative to reduce the amount of degradation to the soils that would occur with the proposed action due to the transportation of mine waste. This

alternative will also reduce the impacts of the air quality in the area by reducing emissions and dust.

The community most affected by the NECR mine waste and the proposed transfer of the mine waste to the mill site is the Navajo Nation. They continue to be affected by the NECR mine waste that has been left there since 1986 when the mine closed down (Morales 2016). The EIS does not address the relocation of the residents during the proposed transfer of mine waste nor does it mention the recompensation of the Navajo Nation community. These are flaws in the EIS we suggest you make changes about. Include temporary/permanent relocation of Navajo Nation communities affected by the project acceptable to the residents to avoid further damage to their culture. They will be affected by the proposed action, therefore they need to be taken into consideration. Include victim compensation to Navajo Nation communities affected throughout the 15 year period the mine was operational and the 39 years the residents were exposed to the harmful radioactive effects of the mine waste. Many Navajo people died of kidney failure and cancer caused by the uranium contamination of the mine (Morales 2016). Even now, babies are being born with uranium contamination, so the effects of the mine have lasted over half a century (Morales 2016). Navajo Nation communities deserve compensation for the suffering they have endured due to the NECR mine, whether it be from the NRC or UNC. Another suggestion we have is to continuously consult with the Navajo Nation Department of Justice and Navajo Nation communities to ensure that they support the project. These communities have endured unjustifiable damage to their culture and land, so their compensation and relocation must be taken into consideration.

Since this project is dealing with hazardous waste, we feel that the potential impacts to workers must also be addressed in this EIS. Workers will be exposed to radiation while completing this project. According to the World Nuclear Association, when working with uranium, "Radiation doses and risks should be kept as low as reasonably achievable (ALARA), economic and social factors being taken into account" (World Nuclear Association, 2020). To prevent unnecessary radiation exposure, dust is one of the most important aspects to control as it also has the potential to impact the surrounding communities that will not have any safety gear. When inhaled, the uranium in dust can give rise to lung cancer (World Nuclear Association, 2020). Including worker protective gear and other precautions the agency will take is essential to ensure no corners will be cut in regards to the safety of workers and the Navajo Nation. To prevent further exposure of uranium to the Navajo Nation and new exposure to workers, the EIS should outline the precautionary steps that will be taken to ensure safety.

Overall the project would benefit the Navajo Nation with the restoration of cultural lands and it would bring the land back to a normal state. Although the Navajo Nation will be impacted during the construction, they will benefit in the long term. Our suggestions were made to lessen the impacts on the Navajo Nation and the environmental aspects affecting water quality, wildlife, and pollution. We agree with the 1A alternative as this will bring less impact to the surrounding area compared to the proposed action.

Sincerely,

Valeria Davila, Ana Murrieta, and Austin Urcadez

Citations

Committee on Uranium Mining in Virginia. "Potential Environmental Effects of Uranium Mining, Processing, and Reclamation." *Uranium Mining in Virginia: Scientific, Technical, Environmental, Human Health and Safety, and Regulatory Aspects of Uranium Mining and Processing in Virginia*, National Academies Press, 2012.

Morales, Laurel. *For The Navajo Nation, Uranium Mining's Deadly Legacy Lingers*. 2016, <https://www.npr.org/sections/health-shots/2016/04/10/473547227/for-the-navajo-nation-uranium-minings-deadly-legacy-lingers>

World Nuclear Association. *Occupational Safety in Uranium Mining*. 2020, www.world-nuclear.org/information-library/safety-and-security/radiation-and-health/occupational-safety-in-uranium-mining.aspx.