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My comments for Docket ID NRC-2019-0026 are attached.

Laura Watchempino

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Email: [UNC-ChurchRockEIS@nrc.gov](mailto:UNC-ChurchRockEIS@nrc.gov)

RE: Docket ID NRC-2019-0026; Draft EIS for the Disposal of Mine Waste at the United Nuclear Corporation Mill Site

I oppose the NRC's preferred alternative to consolidate uranium mine waste from the Northeast Churchrock Mine for disposal on top of mill tailings at the UNC/GE Mill Site for the following reasons:

EPA's proposed alternative prioritizes the interests of regulators and United Nuclear Corporation (UNC), now General Electric, in relocating UNC mine waste onto its patch of private property nestled within Navajo Nation trust lands.

The preferred alternative subjects the nearby Red Water Pond Road community and the surrounding Navajo Nation to a continuing risk of groundwater contamination from the unlined mill tailings waste pile and windblown soil contamination during the excavation and transport of NECR mine waste.

UNC is also responsible for the 94 million gallons of liquid waste and 1,100 tons of radioactive mill tailings that washed into the Puerco River from its mill tailings dam on July 16, 1979. Published reports indicate that contamination from the tailings spill, combined with more than twenty years of discharge from mines in the Churchrock area during the 1960s through 1980s, still remains in downstream communities all the way to Sanders, Arizona and the Navajo community of Nahata' Dził. The contamination continues to plague community drinking water wells in the Sanders area.

EPA's 2011 Community Update purported to use the most stringent uranium mine cleanup standard in the nation for NECR mine waste, but neglected to address the unlined mill waste impoundment that would form the foundation for the mine waste. This is the same impoundment that was breached in 1979.

The mill tailings pile will always be vulnerable to flash flooding in the Pipeline Arroyo, posing a continuous threat to nearby residents and downstream communities in New Mexico and Arizona.

The preferred alternative will further blur responsibility for the decommissioned mill site, once the mine waste is encapsulated on top of the mill tailings. Will the NRC and DOE assume responsibility for long-term monitoring of the consolidated waste pile next to an arroyo that is prone to flash flooding?

Variation in the mine waste, consisting of soil, waste rock, mine debris, and vegetation could lead to slumps in the mine waste cover and mill tailings compaction, similar to what has happened at the Bluewater Disposal Site in New Mexico. Characterization of each waste type is needed to assess the impacts of waste compaction.

In fact, the disposal of UNC mine waste with UNC/GE mill tailings amounts to the creation of a de facto permanent repository in the middle of Indian Country without the consent of the Navajo Nation or the Red Water Pond Road community members.

Unless the decommissioning plan for UNC mill site addresses the permanent disposal of UNC mine waste, piggybacking these two waste types, along with reclamation authorities, is not authorized. UMTRCA regulations require uranium mill tailings to be isolated from the surrounding environment to maintain long-term protectiveness of human health and the environment.

Piling 1,000,000 cubic yards of uranium mine waste on top of an unlined uranium mill tailings impoundment that previously underwent a catastrophic failure will increase the chances of future releases due to the additional load.

NRC's preferred alternative is destined to lead to a compound failure, without any analysis of what protective measures should be put in place to mitigate future tailings dam seepage and erosion. The Pipeline Arroyo chute will be ineffective to mitigate future releases of radioactive materials due to flooding and erosion.

The NRC must deny NRC/GE's license amendment to permanently dispose of 1 million cubic yards of mine waste on top of its unlined mill tailings.

The only viable alternative is No Action. The No Action alternative will allow UNC/GE to move forward with its reclamation plan for the isolation and maintenance of mill tailings in accordance with its current NRC license. This will give UNC/GE and EPA the opportunity to explore other viable alternatives, such as the relocation of UNC/GE mine and mill waste to a suitable geologic repository.

Submitted by:

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