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**Sent:** Thursday, May 27, 2021 11:59 PM  
**To:** UNC-ChurchRockEIS Resource; UNC-ChurchRockEIS Resource  
**Subject:** [External\_Sender] re: Docket NRC-2019-0026 Comments on DEIS on NECR uranium mine alleged cleanup & waste consolidation

May 27, 2021

Office of Administration, Mail Stop: TWFN-7-A60M  
Attn.: Program Management, Announcements and Editing Staff  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

To whom it may concern at the Nuclear Regulatory Commission and beyond,

A couple key points which I did not bring up in the first part of my comments are in regards to E.P.A. ACTION LEVELS for RADIOACTIVE WASTE as well as failure to consider catastrophic flood in the Pipeline Arroyo which would severely impact the plan to haul all of the NECR AUM waste across the road to the UNC Mill Tailings site.

What odd logic! First of all, United Nuclear was running both the NECR mine as well as the UNC Mill Tailings site when there was the massive collapse of the uranium tailings dam spilling 93-94 million gallons of acidic radioactive waste into the North Fork of the Rio Puerco and into Pipeline Arroyo. What sort of level-headed person or agency might give such a company another chance. Well they were allowed to mill for another few years to pile up more radioactive mill tailings. Not only is it insane to trust such a company to store radioactive mill tailings at the UNCMT site (which they have sought to concentrate in "three cells" thus far), but then to allow them to profit and accept the massive amount of mine waste from the NECR AUM to place on top of the other facility without seriously considering what would happen to the waste in a 1000-year flood is nonsensical unless you are a sadist, want indigenous people to suffer, and do not believe in Murphy's Law. This company should still be paying through the nose for the 1979 spill – do not let them cause any more damage by poor tailings management on the largest uranium mine on Navajo land!

The Nuclear Regulatory Commission must reject any proposed amendment to Source Material License No. SUA-1475 for former UNC Church Rock uranium mill site until there is withdrawal of the EIS and until a more holistic approach (rather than piece-meal) is taken in regards to radioactive material on the Navajo Reservation as a whole.

So not only has the Navajo Nation been ignored in regards to calling for the removal of "all contaminated materials from all UMTRCA sites", but now not only will the 3 cells of concentrated radioactive mill tailings at the UNC Mill Tailings site be left in place without a liner, but the proposal is to add the million cubic yards of mine waste from the largest AUM (Abandoned Uranium Mine) on Navajo land (the NECR Mine) to this already proven extremely

dangerous (note huge spill of July 16, 1979) UNC Mill Tailings site to be placed “on top” of the other facility is a further insult to indigenous people, flies in the face of environmental justice, and is a gift to a reckless company responsible for the greatest nuclear disaster to befall the Southwest to this day.

One would think that a company that owns the area which suffered the largest ever uranium tailings dam collapse would thus be out of the running or consideration to receive any more radioactive material. Yet the company was allowed to mill for a few more years, and apparently has been focused on seeking other radioactive mill tailings to place in three “cells” thus far at the UNC Mill Tailings site. While project proponents may argue that this is the best site for the massive amount of mining waste from the NECR Mine, it actually appears to be the worst site since a collapse of the uranium tailings dam in this area caused a regional disaster whose impact will last billions of years. This company has failed in the past, was taken over by shady failing General Electric whose reactors melted down at Fukushima partially due to poor design, and deserves no more chances except to fork over huge amounts of money for punishment for their reckless behavior seeking profit over the poisoning of nearby indigenous communities. THIS SITE HAS ALREADY FAILED MISERABLY – if it is an alleged “clean-up” site, then do not add to its radioactive and toxic burden!

I will now quote most of a paragraph from the first page of the Executive Summary (pg. xvii): “The NECR Mine Site is a former uranium mine operated by UNC.” USEPA describes it like this: “after extensive uranium mineral exploration in the 1950s and 1960s, mining development began at the NECR Mine Site in 1967 and ended in 1982. While the mine operated, it served as the principal mineral source for the UNC uranium mill. The NECR Mine Site is located LESS THAN 1.6 KILOMETERS (KM) [1 MILE (MI)] northwest of the UNC Mill Site. The NECR Mine Site is located on Navajo Nation land and land held by the United States in trust for the Navajo Nation. After the mine was shut down, RESIDUAL MATERIALS, INCLUDING LOW-GRADE URANIUM ORE, WASTE ROCK, AND OVERBURDEN WASTES REMAINED AT THE SITE.”

While examining the November 1991 document called A Guide to Principal Threat and Low-Level Threat Wastes, the little “Highlight 3” box called “Examples of Principal & Low-Level Wastes”, I note that all 3 bullet points giving examples of Principal Threat Wastes within that box seem consistent with the need to haul this NECR to an off-site facility not in the midst of Navajo villages or on the Navajo Reservation / Navajo Nation land.

There are emphatic denials (for instance in TABLE ES-1) about any public health threat from action alternatives in numerous places in the document, but another portion mentions “radiological impacts” to nearby native low-income communities (but then says “but no public health impacts).

The last paragraph of the Executive Summary reads: “Navajo Nation lands also surround the proposed project area. Beyond the northeastern boundary of the proposed project area, the Red Water Pond Road Community is situated between the NECR Mine and the Kerr-McGee Quivira Mines (hereafter referred to as the Quivira Mine Site) and is within 0.22 km [0.14 mi] of

the UNC Mill Site. Uranium mining in the vicinity of the proposed project area has impacted the Red Water Pond Road Community and areas beyond.”

I do not believe the claim that “The purpose of and need for the proposed action, therefore, is to facilitate the expeditious and safe disposal of the NECR mine waste from Navajo Nation land to protect human health and the environment from actual or threatened releases of this material.” Note there is not one indication that any of these mine wastes and radioactive mill tailings on the 525 AUMs on the Navajo Reservation these main agencies are looking to anything but to linguistically detoxify “principal threat wastes” in order to just haul the waste down the road (in midst of several Navajo communities) at the site which already hosted likely the worst uranium-related disaster in history. It looks like the NRC and EPA hope to avoid mandate to haul material that involved Principal Threat Wastes off-site. Basically dump quick and cheap on and right next to Navajo Nation is the sad theme.

Sincerely,

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