

From: Dariel Yazzie <darielyazzie@navajo-nsn.gov>
Sent: Friday, May 28, 2021 10:10 PM
To: Tappert, John
Cc: Waldron, Ashley; Talley, Sandra; Whitaker, Scheera; Pineda, Christine; Quintero, Jessie; Doane, Margaret; Lubinski, John; manzanilla.enrique@epa.gov; Duncan, Will; Hogan, Sean; Chilingaryan, Sona; Valinda C. Shirley
Subject: [External_Sender] Letter for NRC to extend DEIS comment period
Attachments: President letter to US NRC extension request 2nd2.pdf

Good evening all;

Please find attached letter from the Navajo Nation President Jonathan Nez regarding the current NRC DEIS comment period.

Thank you.

-DYazzie

Federal Register Notice: 85FR72706
Comment Number: 117

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THE NAVAJO NATION



JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

May 26, 2021

John Tappert, Director
Division of Decommissioning, Uranium Recovery, and Waste Programs
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
john.tappert@nrc.gov

RE: Second Request for Extension of Public Comment Period for Draft Environmental Impact Statement for License Amendment for United Nuclear Corporation Church Rock Project, Docket ID NRC-2019-0026

Dear Mr. Tappert,

We are writing to request a second extension for the comment period on the Draft Environmental Impact Statement (DEIS) for a license amendment for the United Nuclear Corporation Church Rock Project, Docket ID NRC-2019-0026. The current deadline of May 27, 2021 is insufficient to provide the surrounding Navajo communities a meaningful opportunity to comment on the DEIS for the reasons stated below. We therefore respectfully request that the Nuclear Regulatory Commission (NRC) extend the deadline for public comment on the DEIS to October 31, 2021.

As indicated in my December 21, 2020 request to extend the comment period on the DEIS, "it is critical that the public have an adequate opportunity to meaningfully review and comment on the DEIS to ensure that the NRC's analysis is complete and considers all the options for and impacts of the proposed license amendment." Furthermore, the surrounding Navajo communities are closer than any other community to the proposed project area and would be significantly and disproportionately affected by the proposed action. While efforts have been made to convey the scope of the DEIS and the purpose of the public comment period through virtual public comment sessions and pre-recorded radio announcements, more time and effort is essential to accomplish the level of engagement that is consistent with our Diné Fundamental Laws and adequately engage Navajo community members. The Diné people are unique in their perspective and a comprehensive and complete analysis by the NRC cannot be accomplished with any accuracies without their insight and input.

Open dialogue on an individual level is essential, with consideration for the corresponding mandatory and voluntary health and safety restrictions as we continue to fight through the COVID-19 pandemic. It has been disappointing to learn that public comment meetings ended before scheduled end times, dates and times were changed with little to no notice, and information was not readily available in Diné Bizaad (the Navajo language). The culmination of these actions has risen to a level of disrespect that is contrary to our Diné cultural teachings. Our Diné cultural teachings acknowledge that we are connected with the land, air, water, plants, animals, and other five-fingered beings. Meaningful review of the DEIS means that community members must have the opportunity to understand the DEIS in this context and respond accordingly. Those Navajo

communities that would be most impacted have not been provided sufficient opportunity to fully understand the DEIS and provide meaningful comments.

The technical and complex nature of the DEIS requires considerable and consistent engagement in order to educate community members and afford them the opportunity to review and comment on the DEIS. The DEIS is nearly four hundred (400) pages long. The DEIS is filled with cross-references to NRC guidance documents; other federal laws, regulations, and actions; technical descriptions; figures; tables and data analyses; appendices; and historical information and descriptions of the surrounding community. Processing all of this information not only requires the technical expertise of our Navajo Nation Environmental Protection Agency (NNEPA), but also competent technical explanations in the Navajo language. This alone, is reason enough to extend the public comment period. It is impossible for Navajo community members to meaningfully review and comment on the DEIS without understanding the depth and breadth of the information it includes.

We will conclude by acknowledging the fact that telecommunication and broadband limitations remain. The virtual public comment sessions that have been held require a stable internet or cellular connection. This is simply not feasible for many Navajo community members. The pre-recorded broadcasts aired over KTNN lack the conversational and cumulative nature of a public comment session. A more effective radio communication would be a radio forum where the information is presented and the public calls-in to respond. While COVID has limited the ways to effectively communicate public messages, it has not eliminated the essential need for them. These limitations cannot be allowed to leave the Navajo people without a total comprehension of the proposed actions. We must have more time to safely and properly engage our community members.

The extension of the public comment period to October 31, 2021 is crucial to provide Navajo communities with an adequate opportunity to meaningfully review and comment on the DEIS. This request is reasonable in light of the ongoing pandemic, the technical and complex nature of the DEIS, and the telecommunication and broadband limitations faced by Navajo community members. We look forward to your affirmative response to this request.

Sincerely,


Jonathan Nez, *President*
THE NAVAJO NATION


Myron Lizer, *Vice President*
THE NAVAJO NATION

cc: Margaret Doane, Executive Director for Operations, U.S. Nuclear Regulatory Commission, Margaret.Doane@NRC.gov
John W. Lubinski, Director, Office of Nuclear Material Safety and Safeguards U.S. Nuclear Regulatory Commission, John.Lubinski@NRC.gov
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Valinda Shirley, Executive Director, Navajo Nation EPA