

# Northeast Church Rock Cleanup Plan Concerns and Responses



## Background

**What is USEPA's cleanup plan for the Northeast Church Rock (NECR) Mine waste?**

The U.S. Environmental Protection Agency (USEPA) developed a cleanup plan in 2011 under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). The cleanup plan is to remove about 1 million cubic yards (about 1.4 million tons) of the lower level mine waste from approximately 125 acres of tribal trust land and place and cap the waste on the nearby privately-owned United Nuclear Corporation (UNC) Mill Site. The Navajo land would then be available for unrestricted and traditional uses. This plan is dependent on the Nuclear Regulatory Commission's (NRC) approval of a license amendment request to place and cap the mine waste on the mill tailings site. The more highly contaminated mine waste (<5%) would go to a licensed facility farther away from the Navajo Nation.

**What is the current status of the cleanup plan for the NECR mine waste?**

NRC is considering whether to grant a license amendment request for the UNC Mill Site that would allow the NECR mine waste to be moved to and placed and capped at that site. USEPA has already approved the mine waste cleanup plan, but NRC approval to move the waste to the mill site is also required. NRC has published a draft environmental impact statement. The 353-day public comment period on this draft report ends on November 1, 2021.



The draft environmental impact statement and public comment

information can be found on NRC's webpage:  
<https://www.nrc.gov/info-finder/decommissioning/uranium/united-nuclear-corporation-unc-public-mtgs.html>

## Contacts

**Sara Jacobs**  
 USEPA Region 9  
 Remedial Project Manager  
 (415) 972-3564  
[jacobs.sara@epa.gov](mailto:jacobs.sara@epa.gov)

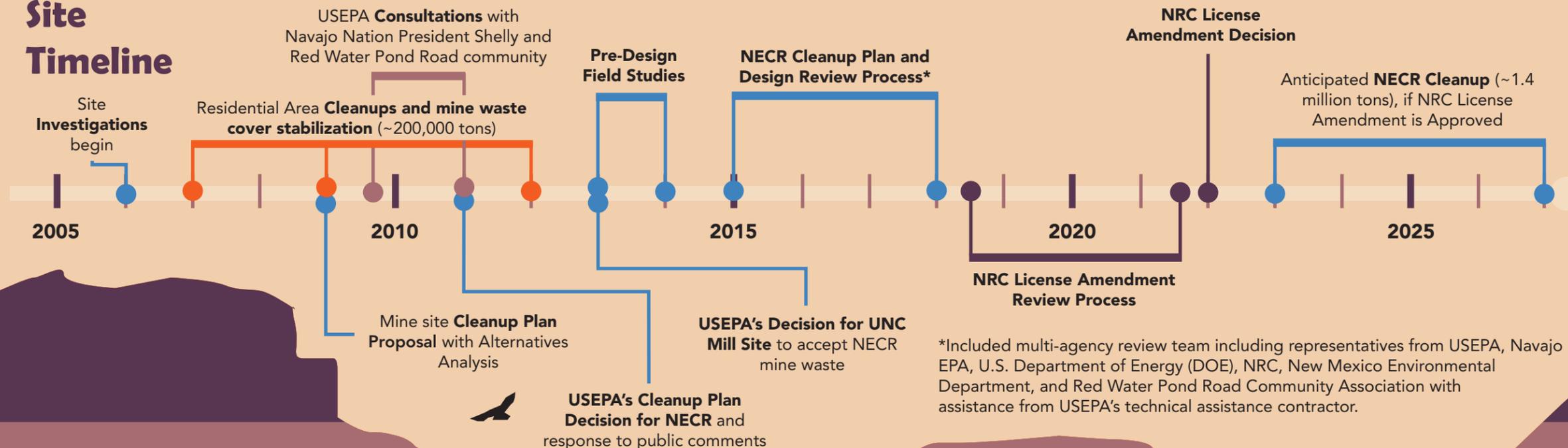
**Priscilla Tom**  
 USEPA Region 9  
 Community Involvement Coordinator  
 (505) 240-0093  
[tom.priscilla@epa.gov](mailto:tom.priscilla@epa.gov)

## Additional Information

**USEPA NECR Mine:**  
<https://www.epa.gov/navajo-nation-uranium-cleanup/northeast-church-rock-mine>

**UNC Mill Site:**  
<https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.cleanup&id=0600819>

## Site Timeline



\*Included multi-agency review team including representatives from USEPA, Navajo EPA, U.S. Department of Energy (DOE), NRC, New Mexico Environmental Department, and Red Water Pond Road Community Association with assistance from USEPA's technical assistance contractor.

# Concerns



# Responses

**Why isn't all of the NECR Mine waste being taken farther away than the UNC Mill Site?**



Using the nearby licensed UNC Mill Site for disposal of about 1 million cubic yards (about 1.4 million tons) of mine waste meets CERCLA cleanup criteria in this Superfund law passed by Congress, of:

1. Effectiveness (protection of human health and the environment),
2. Implementability (logistically practical), and
3. Cost. Using a licensed facility located farther away did not meet USEPA's cost criteria because the UNC Mill Site is protective, implementable, and much less costly (\$44 vs. \$294 million from 2009 Alternatives Analysis).

**When will the cleanup begin?**



Cleanup has already happened within the nearby residential area, where about 150,000 cubic yards (over 200,000 tons) of contaminated soil has been removed. In addition, the mine waste pile was regraded, covered, and revegetated to stabilize the pile during planning for the mine site cleanup. USEPA anticipates the cleanup will begin in 2023 if NRC approves the UNC Mill license amendment in 2022. The cleanup would take four years.

**Will the project be safe for the people living near the mill site?**



Yes. USEPA has completed their design review and the NRC has performed an initial safety review for adding the mine site waste to the UNC Mill Site tailings disposal area and both agencies concluded that the site will be safe for nearby residents during construction and after completion. Due to the disruption during construction, residents of the Red Water Pond Road community have been given the option to move to voluntary alternative housing. The design and license, if approved, include improvements to the UNC Mill Site cover and Pipeline Arroyo stormwater controls as well as ongoing monitoring to ensure that the site remains safe.

**Could another event like the 1979 spill occur?**



No, an event like the 1979 spill could not occur today because the site has been closed and the conditions are not the same. Most importantly, because there are no longer liquid tailings stored at the mill site, there is no chance that a similar release of that type could occur. The 1979 spill occurred during mill operations, when the site included a dam that was holding back millions of gallons of liquid tailings. When the dam broke, this highly contaminated liquid flowed downstream. The combined mine waste repository and mill tailings impoundment is designed to withstand erosion from wind, storm events and natural disasters, such as the maximum possible flood and largest earthquake that could occur.

**How will the site be monitored in the future to make sure that the repository remains protective?**



Federal regulations require USEPA five-year reviews to evaluate the site protectiveness and DOE performs annual site inspections after the site is transferred to DOE for long-term care. The federal government will oversee the UNC Mill Site forever and take action to address any safety problems that arise.

**What will happen if NRC does not approve the license to put the NECR Mine Waste at the UNC Mill Site?**



The 2011 USEPA cleanup plan would not occur. General Electric Company/UNC would not be allowed to move the NECR mine waste to the UNC mill site. The UNC Mill would continue to be overseen by NRC and USEPA. USEPA would need to consider other cleanup options for the about 1 million cubic yards (about 1.4 million tons) of NECR mine waste. Options would include capping the waste in place on the mine site or trying to identify another nearby disposal facility. Even in a best case scenario with accelerated efforts, substantial additional delay prior to cleanup is likely.