



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

September 30, 2021

MEMORANDUM TO: Jessie M. Quintero, Chief
Environmental Review Materials Branch
Division of Rulemaking, Environmental,
and Financial Support
Office of Nuclear Material Safety
and Safeguards

FROM: Ashley Waldron, Project Manager
Environmental Review Materials Branch
Division of Rulemaking, Environmental,
and Financial Support
Office of Nuclear Material Safety
and Safeguards

A handwritten signature in black ink, appearing to read "awaldron".

Signed by Waldron, Ashley
on 09/30/21

SUBJECT: SUMMARY OF AUGUST 27, 2021 TELECONFERENCE WITH
DEPARTMENT OF INTERIOR, U.S. GEOLOGICAL SURVEY, AND
BUREAU OF INDIAN AFFAIRS TO DISCUSS COMMENTS ON DRAFT
ENVIRONMENTAL IMPACT STATEMENT FOR UNITED NUCLEAR
CORPORATION CHURCH ROCK MILL SITE LICENSE AMENDMENT
REQUEST, MCKINLEY COUNTY, NEW MEXICO (DOCKET NUMBER:
40-8907)

On August 27, 2021, the U.S. Nuclear Regulatory Commission (NRC) hosted a teleconference with Department of Interior (DOI), United States Geological Service (USGS), and the Bureau of Indian Affairs (BIA). The purpose of the teleconference was to discuss comments submitted by DOI, USGS, and the BIA on the NRC's Draft Environmental Impact Statement (DEIS) for the Church Rock Mill Site License Amendment Request (Agencywide Documents and Access and Management System (ADAMS) Accession No.: ML21165A131). The DEIS was published on November 13, 2020 and the comment period has been extended until November 1, 2021.

MEETING SUMMARY

The NRC staff opened the call by stating the purpose and reviewing the agenda. Staff from the various agencies then introduced themselves and explained their respective roles. Ms. Susan King (DOI) explained how the DOI and, specifically, the BIA, is structured. Ms. King described the role of her coordination within DOI with the various agencies, such as the USGS and BIA, and how those agencies coordinated their review of the NRC's DEIS. Ms. King stated that DOI has expertise with Federally recognized Tribes and tribal members.

The NRC staff went through some of the comments provided by DOI (including USGS and BIA) in its letter dated June 11, 2021 (ADAMS Accession No. ML21165A131).

Ms. King, DOI, requested that a separate document be developed to clarify agency roles. The NRC staff noted that the U.S. Environmental Protection Agency (EPA) recently developed a publicly available fact sheet which clarifies roles and provides a historical timeline. The EPA staff shared a link to the fact sheet, <https://www.epa.gov/system/files/documents/2021-08/northeast-church-rock-cleanup-plan-concerns-and-responses-2021-08.pdf>.

The DOI provided a comment regarding incorporation of the Navajo perspective into the DEIS, noting that the overall tone of the DEIS is that “the people” are referred to as a group, not people, and improvements could be made to be more respectful. The NRC staff stated they would consider the tone in addressing the DOI’s comments.

The DOI submitted a comment regarding principal threat waste (PTW) including a suggestion that the NRC reach out the Ute Tribe near White Mesa. The NRC staff clarified that the decision about the location of the PTW disposal is not yet decided and the decision about where the waste would go would be decided prior to implementation of the EPA’s remedy. Ms. Sara Jacobs, EPA, spoke about PTW and stated that White Mesa is only one of the options for the location of the PTW. Ms. King, BIA, explained her view that the DEIS implies the preference is for the White Mesa location. The NRC staff indicated that it would review the text in the DEIS related to PTW disposition.

Next, the agencies discussed USGS’s comments. Ms. Johanna Blake (USGS) noted she reviewed how the DEIS addresses exposure from various pathways and suggested that adding information about exposure pathways would generally address her comments. Ms. Blake asked whether moving the mine waste would release harmful elements. Ms. Jacobs, of EPA, stated the DEIS has several references and she spoke about the EPA processes taken to address the radiological particles.

Next, USGS discussed their comments related scouring and metal mobilization in the arroyo were discussed. Ms. Janet Brooks, with EPA, spoke about the metals that were in the mine discharge water and stated that there are likely metals in the deposits. Ms. Cynthia Wetmore, from EPA, described the impact of mine water discharges and studies done with the USGS. Soil samples have been collected, and metals have dispersed into the soils to about background concentrations. The USGS suggested post-construction soil sampling to monitor changes in soils and suggested that groundwater chemistry could be more reader friendly, such as adding a table.

The USGS noted that the 100-year flood plain and the modeling for the proposed cover are of concern including severe rainfall and the language about the “overtopping” of the drainage. It was suggested during the call that the language in the DEIS about floodplains and improvements could be clarified.

Ms. George Padilla, of BIA Navajo Region, suggested incorporating more of the community’s perspective and noted that BIA will likely have more comments on the DEIS.

OUTCOME/ACTION ITEMS

The participants discussed scheduling a possible follow-up call to continue the discussion of DOI/BIA's comments. The NRC staff have followed up with DOI, who have stated a second meeting is not necessary at this time.

MEETING ATTENDEES

Ashley Waldron – NRC
Christine Pineda – NRC
James Smith – NRC
Jessie Quintero - NRC
Patrick LaPlante – SwRI (NRC contractor)
Amy Minor – SwRI (NRC contractor)

George Padilla – BIA/Navajo Region
Myles Lytle – BIA/Navajo Region

Susan King – DOI

Sara Jacobs – EPA Region 9
Cynthia Wetmore – EPA Region 9
Janet Brooks – EPA Region 6

Johanna Blake – USGS