



The Honorable Jonathan Nez
President, Navajo Nation
The Honorable Christopher Hanson
Chair, United States Nuclear Regulatory Commission
The Honorable Jeff Baran
Member, United States Nuclear Regulatory Commission
The Honorable David Wright
Member, United States Nuclear Regulatory Commission

April 7, 2022

Dear President Nez and Members of the Commission,

We, the residents of Red Water Pond Road and members of the Multicultural Alliance for a Safe Environment (collectively, “Community”), write to express concern with the U.S. Nuclear Regulatory Commission’s anticipated visit to the Red Water Pond Road community on April 22, 2022. Our concerns have several bases.

First, we are unclear about the purpose of the Commission’s visit. If the purpose of the visit is to hear community concerns about the U.S. Environmental Protection Agency’s and NRC’s plan to amend General Electric’s NRC license to allow mine waste from the Northeast Churchrock Mine (NECRM) to be consolidated at the United Nuclear Corporation uranium mill tailings site, we have made our position on that matter clear. Since the EPA proposed the waste consolidation plan, we have been adamantly opposed to waste consolidation, voicing our concerns to EPA as early as 2009. We believe that the Red Water Pond Road community should no longer be considered a suitable location for

radioactive waste dumping and that waste from the NECRM and Quivira Mine should be moved out of Navajo Indian Country to a centralized, geotechnically appropriate waste disposal site. We have expressed these concerns throughout the NRC's waste consolidation EIS process, beginning in 2019. In 2021 we submitted formal comments on the waste consolidation plan, again expressing our concerns and opposition. Since 2021, we have not wavered in our opposition to consolidating NECRM mine waste at the UNC mill site.

Nevertheless, we are willing to reiterate our position and concerns in a face-to-face conversation with the Commission. We also anticipate and value the opportunity to share our thoughts on solutions with the Commission in person. We respectfully ask that the Commission clarify the purpose of its visit to the Red Water Pond Road community so that Community can be best prepared to make the Commission's visit productive.

Second, whatever the reason for the Commission's visit, it is unlikely that the Commission can meaningfully engage with Community in the time currently allotted. Rather than 1.5 hours for a site visit, we suggest allotting three hours, in order to meaningfully engage with Community members.

Third, it is our understanding that only people designated by the NRC and Navajo Nation EPA will be permitted to speak at the evening public meeting in Gallup on the NRC's 10-year plan to address uranium contamination on the Navajo Nation. We are concerned that this limitation stifles the public's voice and the voices of all those who have been most immediately and chronically affected by uranium contamination. We ask that any member of the public who wishes to speak at the public meeting be allowed to do so.

Finally, we implore President Nez to authorize a variance from Public Health Emergency Order 2022-01 to allow more than 25 people to gather at the Red Water Pond Road community for the Commission's visit. The Commission, NRC staff, and Navajo Nation EPA staff will constitute a majority of the 25 person limit, leaving few opportunities for members of the Red Water Pond Road and Pipeline Road communities, who most immediately affected by the EPA's and NRC's waste consolidation plan, to engage with the Commission. As a matter of equity, all the people from the most affected communities should be able to meet with the Commission to express their concerns and ideas to the body who will be imposing its decisions upon them. Moreover, while the meeting area at Red Water Pond Road community is covered, it is open air and could seat

more than 50 people while still observing appropriate social distancing. Participants could also be required to wear face masks to further reduce the risk of viral spread.

We look forward to working with the Commission and the Navajo Nation to address our concerns and making the Commission's visit as productive as possible.

Regards,

Edith Hood

Edith Hood, Red Water Pond Road Community Association

Susan R Gordon

Susan Gordon, Multicultural Alliance for a Safe Environment

cc: Valinda Shirley, Navajo Nation EPA
Dariel Yazzie, Navajo Nation EPA
Merv Lynch, Navajo Nation EPA

McCloskey, Bridin

Attachments: 22.04.07 RWPRC letter to NN and NRC.pdf

From: Susan Gordon - MASE <sgordon@swuraniumimpacts.org>

Sent: Thursday, April 07, 2022 4:21 PM

To: jonathannez@navajo-nsn.gov; Chairman Resource <Chairman.Resource@nrc.gov>; CMRBARAN Resource <CMRBARAN@nrc.gov>; CMRWright Resource <CMRWright@nrc.gov>

Cc: Valinda C. Shirley <valinda.shirley@navajo-nsn.gov>; Dariel Yazzie <darielyazzie@navajo-nsn.gov>; mlynch@navajo-nsn.gov; Edith Hood <ediehood@yahoo.com>

Subject: [External_Sender] Letter from Red Water Pond Road Community - April 7, 2022

Please find attached a letter from the Red Water Pond Road Community and the Multicultural Alliance for a Safe Environment addressed to:

The Honorable Jonathan Nez, President, Navajo Nation
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Chair, United States Nuclear Regulatory Commission
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Please let me know if you have problems reading the letter or any questions.

We look forward to your response.

Susan Gordon, Coordinator
Multicultural Alliance for a Safe Environment

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Keep Uranium In The Ground!