Eastern Navajo Diné Against Uranium Mining
P.O. Box 1212
Crownpoint, New Mexico 87313

Chairman Christopher Hanson
Commissioner Jeff Baran
Commissioner David Wright
U.S. Nuclear Regulatory Commission
Mail Stop O-16, B33
Washington, D.C. 20555-0001

August 15, 2022

Dear Chairman Hanson, Commissioner Baran, Commissioner Wright:

Thank you for your visit to the Navajo Nation in April of 2022. During your visit to Red Water Pond Community and Gallup, New Mexico I was invited to make public comment at your field hearing on April 22, 2022. During my statement I made reference to Material License SUA-1580 which was issued by the NRC to Hydro Resources, Inc. "HRI" and I requested that NRC rescind SUA-1580. As the Director of Eastern Navajo Diné Against Uranium Mining "ENDAUM" I am respectfully following up.

ENDAUM is a grassroots organization made up of volunteers of Navajo people from various communities located within Eastern Navajo Agency of the Navajo Nation. Our mission is to protect the purity of the water, air, land, and community health of our people who reside within the region that have been long exposed to contamination from decades of uranium mining and milling activities. Our work is rooted in Diné culture and our foundation is in our traditional Diné Fundamental Law, as we oppose **any** uranium mining and processing activities.

Our organization and communities continue to be concerned with proposed *In Situ* Leach Mining within Navajo Indian Country. We would like to present some information for your review as we continue to ask that NRC rescind SUA-1580.

1. The Navajo Nation and the United States government adopted the Navajo Treaty of Bosque Redondo of 1868 in which the United States formally entered into a peace agreement in which certain rights and responsibilities were granted to each party, of that, the United States were given trust responsibility to protect and preserve the well-being of the Navajo people.
2. The Navajo Nation has a law in place called the Diné Natural Resources Protection Act "DNRPA" of 2005, which is to ensure that no further damage to the culture, society, and economy of the Navajo Nation occurs because of uranium mining within the Navajo Nation and the Navajo Indian Country and to declare that uranium mining and processing is prohibited within Navajo Indian Country.

3. The Navajo Tribal Utility Authority "NTUA" Management Board adopted Resolution NTUA-11-97 that states that there are two primary operating wells within the area of the local aquifer that serves over 10,000 residents in several Diné communities, and therefore they oppose the Crownpoint Uranium Project due to the overwhelming threat of contamination from In Situ Leach Mining; and further states that the Nuclear Regulatory Commission "NRC" is inadequate and unresponsive to the needs of NTUA with respect to the water supply, maintaining existing high quality water supply, and future water quality and quantity concerns.
4. On October 21, 2021 the Navajo Nation restated the position of opposing uranium mining through a joint proclamation by the Navajo Nation President and Vice President and the 24th Navajo Nation Council, and requests the United States government to respect tribal sovereignty by supporting laws of the Navajo Nation, including the DNRPA.
5. According to the 2021 NOAA Drought Task Force Report on the 2020-2021 Southwestern U.S. Drought, the region where our Navajo communities are located in are under severe drought conditions resulting in emergency declarations and first ever water delivery shortfalls among southwestern states including Arizona, California, Colorado, Nevada, Utah, and New Mexico. This is a great concern to water availability to Navajo communities with the emphasis that water is life.
6. In accordance to the American Declaration on the Rights and Duties of Man, there is violation of human rights in the failure to protect the life, health, property, and culture of Diné people who will be impacted by the Crownpoint Uranium Project, in which SUA-1580 was issued for *In Situ* Leach Mining.

We are requesting you and your fellow commissioners of NRC to correct one of many wrongs that have been made toward the Navajo people for decades. By rescinding SUA-1508, the NRC will uphold the Navajo Treaty of Bosque Redondo of 1868 and lead the direction that other U.S. federal agencies can follow.

If you should have any questions please feel free to contact both myself via email at jonjperry@yahoo.com and our legal counsel, Eric Jantz, Senior Staff Attorney with the New Mexico Environmental Law Center at ejantz@nmelc.org. Thank you.

Respectfully,

Jonathan Perry

Jonathan Perry,
ENDAUM Director

cc: ENDAUM Files
Eric Jantz, NMELC Senior Staff Attorney

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