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UNITED STATES OF AMERICA

U.S. NUCLEAR REGULATORY COMMISSION

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PUBLIC MEETING

PROPOSED RULE: GEIS SCOPING MEETING

+ + + + +

SEPTEMBER 27, 2007

+ + + + +

GALLUP, NEW MEXICO

+ + + + +

The public meeting convened in the Best
Western Inn and Suites, Banquet Room, 3009 W. Highway
66, Gallup, New Mexico, at 7:07 p.m.

Present on behalf of the Nuclear Regulatory
Commission:

SCOTT FLANDERS

GREGORY SUBER

PAUL MICHALAK

JOAN OLMSTEAD, ESQ.

PERRY CHARLEY

LANCE RAKOVAN

LIZETTE ROLDAN

CAROL WALLS

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P-R-O-C-E-E-D-I-N-G-S

7:07 p.m.

1
2
3 MR. RAKOVAN: Good evening, everyone. My
4 name is Lance Rakovan. I am a communications
5 assistant at the Nuclear Regulatory Commission, or
6 NRC, based in Rockville, Maryland, and it's my
7 pleasure to serve as your facilitator for tonight's
8 public meeting.

9 The purpose of tonight's meeting is to
10 obtain comments on the scope of the uranium recovery
11 Generic Environmental Impact Statement, or GEIS, as
12 I'm sure you'll hear a number of NRC types refer to it
13 tonight.

14 It's my pleasure to serve as your
15 facilitator for tonight's meeting. Before things get
16 started, I wanted to go over kind of what to expect
17 from tonight and also go over a few ground rules in
18 terms of participation at tonight's meeting.

19 If you take a look at tonight's agenda,
20 which there were copies of on the back table, where
21 hopefully you registered when you came in. If you
22 want you can go grab one right now.

23 We're going to start out with some
24 presentations that we're hoping to give you some
25 background and some base information about the topics

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1 that the Generic Environmental Impact Statements will
2 cover and also about NRC's rules and responsibilities,
3 and the safety review of the uranium recovery's
4 application and amendments.

5 So we're going to start out with those.
6 After that, we're basically going to turn the meeting
7 over to why we're here tonight, and that's to listen
8 to you, to get your opinions on what we should take
9 into account when looking at the scoping of this
10 Generic Environmental Impact Statement. So we're
11 going to be opening up the floor to you.

12 When you walked in, hopefully you were
13 given a choice to fill out your yellow card, which
14 would designate that you were hoping to speak tonight,
15 or a blue card which meant that you were just here
16 more or less to observe.

17 Now, if you didn't sign up to speak,
18 that's okay, you can always change your mind during
19 the meeting. If you would like to sign up to speak as
20 I'm done, simply put your hand up, get my attention.
21 I have a few yellow cards. Essentially what we're
22 going to do is once we're done with the presentations,
23 I'm going to go through the cards as I have them, call
24 people up to the microphone. Given the amount of time
25 that they have and the number of speakers that we

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1 have, I'm going to try to ask that you limit your
2 comments to a few minutes.

3 I'm probably going to ask about five
4 minutes maximum. That way that gives a chance for
5 everybody who signed up to talk, and for those who
6 were too shy to sign up initially and wanted to get up
7 after everybody else is done, they may have a chance
8 to say something too. So we're going to try and give
9 everybody a chance to come up here.

10 I just want to stress that getting a
11 statement at tonight's meeting is not the only way
12 that you can have your comments taken. We'll be going
13 through the other ways that you can do that tonight
14 during our presentations. And also tonight at the
15 meeting, if you want to provide a written statement,
16 again just get my attention, and we'll have that
17 included into the record of tonight's meeting.

18 Which again I want to point out that we
19 are transcribing tonight's meeting. So it's very
20 important when you're speaking to use a microphone, to
21 make sure that you have only one person speaking at a
22 time, and that way we could get a clean transcript.

23 And also, so we know who's speaking, when you
24 come up to speak, if you can identify yourself, and if
25 there's any group that you're with, give us that as

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1 well; and that way we'll get a clean transcript and
2 we'll have a good idea of who all of our speakers were
3 tonight.

4 Just a few ground rules again, try to be
5 respectful of everyone who's speaking, especially when
6 they come up to the podium and the floor is theirs,
7 even if you don't agree with their opinion. That'll
8 help the meeting go smoother.

9 Also if someone previous to you made a
10 statement that you agree with, if you just want to go
11 ahead and say, you know, this gentleman has already
12 said this and refer back to them, that's okay too.
13 That helps us remember -- or get down in the
14 transcript that we had more than one person who agreed
15 with a particular point and helps the meeting to go
16 faster.

17 I'd like to introduce Mr. Perry Charley
18 who is going to be doing some translating for us
19 tonight. He is associated with DinDoña Shiprock
20 Campus. He's been our cultural consultant while we've
21 been here and hopefully he'll be providing some
22 interpretation in Navajo tonight. So if anybody's
23 speaking too quickly like I probably am right now, you
24 know, throw something at us and hopefully we'll slow
25 down.

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1 For those of you who came in and signed
2 up, there were some public meeting feedback forms on
3 the back table. If you could fill those out and
4 either give them to an NRC person or drop them in the
5 mail. Once they get to us, those give us an idea on
6 how we can improve our public meetings in the future.

7 Also, if everyone could please silence
8 your cell phones or any other electronic equipment you
9 have at this point. I was at a meeting recently where
10 I think at least four or five times during the meeting
11 a different person's cell phone or pager or whatever
12 rang and it really disrupted the meeting. So we
13 appreciate silencing those at this point.

14 The restrooms are when you leave, on your
15 right, both men and women. Obviously the exits are in
16 the back of the room, so if anything happens,
17 emergency-wise, hopefully not, but obviously your
18 exits are going to be behind you.

19 I appreciate all your help in making
20 tonight a productive meeting and I'm going to see if
21 Mr. Charley wants a little time to translate and I'm
22 actually going to give him my notes as well, just in
23 case he would like to use them, if you could read my
24 writing.

25 (Mr. Charley translates in Navajo)

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1 MR. RAKOVAN: It sounds so much cooler
2 when he says it.

3 Again, if you have not signed up to speak
4 and yet would like to, I have a couple of the yellow
5 cards here that would help us, you know, keep track.
6 So if you want to raise your hand I could bring those
7 to you now. With that, I will turn things over to
8 Scott Flanders.

9 MR. FLANDERS: Good evening, everyone.
10 Can you hear me okay? Good evening. My name is Scott
11 Flanders. I'm the Deputy Director of the Division of
12 Waste Management, Environment Protection at the
13 Nuclear Regulatory Commission.

14 And I first want to welcome you and thank
15 you for coming out to our meeting tonight. We
16 recognize that you all have busy schedules and we
17 appreciate you taking the time to come out and
18 participate in the process.

19 As Lance mentioned earlier, the purpose of
20 tonight's meeting is to -- is for us to receive
21 comments from you on the Generic Environmental Impact
22 Statement (GEIS) that we're working on for in situ
23 leach uranium recovery facilities.

24 The public process and public comment
25 portion of the -- of our process is very important to

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1 us, and we really appreciate again the time that you
2 take -- you've taken out of your schedule to come and
3 participate in our meeting.

4 Before I go any further let me introduce
5 some of the NRC staff who's here with us. At the far
6 end of the table, there's Mr. Gregory Suber, who is
7 the Branch Chief of our Environmental Review Branch
8 and has lead responsibility for preparing the Generic
9 Environmental Impact Statement.

10 Next to him is Ms. Joan Olmstead, who is a
11 member of our General Counsel's Office. And sitting
12 on the other side of Mr. Charley is Paul Michalak,
13 which, which is one of our senior project managers and
14 technical experts on the area of the uranium recovery
15 in situ leach recovery activities. So with that, if I
16 could have the next slide, please.

17 Before we go -- we get too far, I want to
18 just spend a little bit of time giving you a brief
19 overview of what to expect tonight.

20 First, we're going to start off with a
21 brief overview of the NRC's roles and responsibilities
22 for those of you who may not be as familiar with the
23 Nuclear Regulatory Commission. I know some of you
24 are, but for those who might not be, we're going to
25 spend just a few minutes going over the NRC's rules

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1 and responsibilities. And I'll do that in just a
2 few moments.

3 Next, we're going to have Mr. Paul
4 Michalak talk about the NRC safety review process and
5 we -- for in situ leach recovery. And we thought this
6 was an important piece, to give you some background as
7 Mr. Rakovan -- or Lance -- mentioned earlier about the
8 process, to ensure that you have good background, to
9 provide his comments on the Generic Environmental
10 Impact Statement.

11 And then Mr. Suber is going to discuss the
12 environmental review process for in situ leach uranium
13 recovery facilities and he is going to, in that
14 presentation, talk about how the Generic Environmental
15 Impact Statement fits within that overall
16 site-specific review for -- again, in situ leach
17 facilities, when -- if and when we receive
18 applications for actual site-specific facilities.

19 And then the final, and the heart of the
20 presentation or the meeting tonight is going to be the
21 public comment process. The -- that is where you are
22 going to get the opportunity to provide us comments on
23 the Generic Environmental Impact Statement.

24 So that is the key part of the meeting, so
25 we're going to try to keep our presentations as brief

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1 as possible and then move on from there. Now Paul's
2 motioning for Mr. Charley.

3 (Mr. Charley translates in Navajo)

4 MR. FLANDERS: Okay. If you could make
5 that the next slide.

6 I'm just going to briefly go over the
7 NRC's roles and responsibilities. And the Nuclear
8 Regulatory Commission is an independent federal agency
9 that's headed by a five - five-member Commission, one
10 of which is designated by the President as the
11 Chairman. The other five, the other members are also
12 appointed by the President and confirmed by the U.S.
13 Senate into their positions.

14 Now the NRC's primary mission is to
15 regulate the nation's civilian uses of radioactive
16 materials to ensure adequate protection of public
17 health and safety, to promote the common defense and
18 security, and to protect the environment.

19 We have regulatory authority over a
20 diverse set of facilities, nuclear facilities and uses
21 of nuclear materials. However, you can group them to
22 three primary categories. One being reactors; we
23 regulate commercial nuclear reactors that generate
24 electricity, and we also regulate research and test
25 reactors that you may find in a university for

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1 academic research activities.

2 The next wide grouping, you can consider
3 as materials which uses -- which involves the use of
4 nuclear materials in medical, industrial and academic
5 settings, as well as facilities that produce nuclear
6 field.

7 The last and third group would be waste.
8 And that group include transportation and storage of -
9 - and dispose of nuclear materials and waste and the
10 decommissioning of nuclear facilities.

11 So if you think about them in those three
12 bar groups, that demonstrates a diverse set -- of
13 responsibility that the U.S. Nuclear Regulatory has.

14 How do we carry out our mission? If you
15 can think of three primary guideposts that -- and keep
16 this in mind, you'll understand how the NRC carries
17 out its mission.

18 The first is, that we establish
19 regulations and standards by which licensees are
20 originally licensed and must meet throughout their
21 operating life, their facility or for their use of
22 nuclear materials.

23 The next is the licensing process, and
24 once we establish the regulations, we then evaluate
25 each application to ensure that that application

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1 satisfies the regulations that have been established
2 for that particular technology or use of that
3 particular material.

4 Once, and if we decide that a facility
5 should be licensed and meets all of our safety
6 standards, then we continue to inspect them throughout
7 the lifetime of the facility or the use of the
8 material to ensure that they're in compliance with
9 those regulations; and if we determine through our
10 inspection process that they are not in compliance
11 with those regulations then we will use enforcement
12 action to bring them back into compliance.

13 This was just a quick overview of our
14 regulatory process. You will hear more about the
15 licensing process as it relates to in situ leach
16 facilities in Mr. Suber and Mr. Michalak's
17 presentations.

18 So in closing, I want to leave you with
19 one final thought, and if you take this away, that the
20 Nuclear Regulatory Commission's primary mission is to
21 protect public health and safety. And we do this by
22 focusing on our licensing activities, inspection
23 activities and the regulations that we generate.

24 Again, if you want to find out more about
25 the U.S. Nuclear Regulatory Commission, you can go to

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1 our website at www.nrc.gov. With that I'll stop and
2 let Mr. Charley provide translation, and then turn it
3 over to Mr. Michalak.

4 (Mr. Charley translates in Navajo)

5 MR. MICHALAK: Hi. My name's Paul
6 Michalak, I'm the Project Manager with the Uranium
7 Recovery and Licensing Branch of the NRC.

8 The focus of my presentation today will be
9 the safety review portion of the NRC's site-specific
10 uranium recovery application review process.

11 But before I get into the safety review,
12 I'd like to briefly describe in situ leach uranium
13 recovery.

14 (Mr. Charley translates in Navajo)

15 MR. MICHALAK: What I've done is I've
16 broken down the process into three general components.
17 The first component is subsurface injection and
18 recovery. The second component is surface, where
19 there's further processing performed, and the third
20 component is restoration of ground water.

21 (Mr. Charley translates in Navajo)

22 MR. MICHALAK: The subsurface component
23 involves taking a mixture of native ground water,
24 oxygen, bicarbonate, sometimes carbon dioxide and
25 injecting it into the ore zone. That mixture is known

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1 as a lixiviant and it dissolves the uranium into the
2 ground water. That ground water is then pumped to the
3 surface.

4 (Mr. Charley translates in Navajo)

5 MR. MICHALAK: In the surface component
6 that uranium mixture called a lixiviant is pumped into
7 a processing plant. This is a processing plant at the
8 Smith Ranch ISL near Douglas, Wyoming. In the
9 processing plant, ion exchange, elution,
10 precipitation, thickening, drying and then packing is
11 performed on the liquid. The final product is a
12 commodity known as yellow cake. It's a yellowish-
13 greenish powder, uranium oxide.

14 (Mr. Charley translates in Navajo)

15 MR. MICHALAK: When the in situ leach
16 process is completed, ground water in the ore zone is
17 restored to either pre-operational levels, EPA
18 drinking water standards, or secondary standards if
19 there are some constituents that prove problematic
20 with respect to restoring to either pre-operational or
21 EPA drinking water standards.

22 Before any secondary standards are
23 approved, the applicant or licensee must show that
24 U.S. EPA drinking water standards will not be exceeded
25 in any potential drinking water source.

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1 (Mr. Charley translates in Navajo)

2 MR. MICHALAK: The applicable uranium
3 recovery regulations for the NRC are found in 10 CFR
4 Part 40 Appendix A. The primary reference used by the
5 uranium recovery branch in our safety reviews is
6 NUREG-1569, the Standard Review Plan for In Situ
7 Uranium Extraction License Applications.

8 NUREG-1569 is a comprehensive document
9 that contains all the acceptance criteria that we use
10 in our safety reviews, and this is available on the
11 NRC website.

12 (Mr. Charley translates in Navajo)

13 MR. MICHALAK: In general ISL facilities
14 must be designed and operated such that radiation dose
15 is in -- is kept within specific regulatory limits.

16 The facility must also have a monitoring
17 program to verify that they keep the radiation dose
18 within specified regulatory limits. Beyond just the
19 regulations, the NRC expects the applicant to design a
20 system where radiation is as low as reasonably
21 achievable. We call that program ALARA. And then
22 finally, personnel have appropriate radiation safety
23 training.

24 (Mr. Charley translates in Navajo)

25 MR. MICHALAK: The scope of the NRC's

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1 safety review covers effluent control systems,
2 operations, radiation safety controls and monitoring,
3 which is really a subset of operations, ground water
4 and plant decommissioning.

5 (Mr. Charley translates in Navajo)

6 MR. MICHALAK: The safety review evaluates
7 the effluent control systems with respect to gases and
8 airborne particulates, liquids and solids and
9 contaminated equipment.

10 A good example of this would be the
11 monitoring and controls in the facility's yellowcake
12 drying and packing areas. These are locations where
13 there's a potential for airborne particulates that
14 contain uranium.

15 (Mr. Charley translates in Navajo)

16 MR. MICHALAK: The safety review will also
17 include an evaluation of -- a detailed description of
18 operational components. I think a good example of
19 this would be the applicant's radiation safety
20 training program.

21 ISLs will likely hire large amounts of
22 plumbers, electricians and mechanics who will not have
23 any radiation safety training backgrounds. It's going
24 to be important for these people to be trained, and an
25 application will not be approved unless it contains a

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1 rigorous and comprehensive radiation safety-training
2 program.

3 (Mr. Charley translates in Navajo)

4 MR. MICHALAK: The safety review will also
5 evaluate detailed descriptions of the applicant's
6 radiation safety components.

7 A couple of good examples of this will be
8 our evaluation of methods, instrumentation and
9 equipment associated with external radiation and
10 airborne radiation monitoring programs. Another good
11 example will be our evaluation of their bioassay
12 program. We will expect a program in which baseline
13 bioassay urinalyses are collected at the time of hire.
14 We will also expect periodic testing during operation,
15 and exit urinalysis at the time of employment
16 termination.

17 (Mr. Charley translates in Navajo)

18 MR. MICHALAK: Our site-specific safety
19 review will include an evaluation of ground water data
20 and information with respect to preoperational
21 conditions, operational conditions, and
22 post-operational conditions.

23 A good example of this is the need to
24 verify the hydraulic connection between the ore zone
25 and the monitoring network. This is important because

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1 the monitoring network will be used to verify the
2 existence of an inward gradient in the well field; and
3 it's the inward gradient, which is one of the
4 components that controls the uranium solution in the
5 well field. The hydraulic connection between the ore
6 zone and the monitoring network is also important
7 because that monitoring network is sampled because
8 it's monitored -- because they use that monitoring
9 system to identify if an excursion of uranium mixture
10 occurs outside the ore body.

11 (Mr. Charley translates in Navajo)

12 MR. MICHALAK: In plant decommissioning,
13 the NRC evaluates methodologies used to clean up the
14 site when operations are completed.

15 Of particular interest on this slide is
16 the need for a - for the applicant to have a surety, a
17 financial surety. When -- at the time the first
18 shovel breaks ground at the facility, the licensee is
19 required to have a financial note, a bond, or some
20 kind of insurance that would have sufficient funds to
21 decommission the site. In this way, if they would
22 become bankrupt, there would be enough money to
23 perform decommissioning, reclamation and ground water
24 restoration.

25 (Mr. Charley translates in Navajo)

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1 MR. MICHALAK: I'd now like to turn the
2 floor over to Greg.

3 MR. SUBER: Thank you, Paul.

4 First of all, I'd like to thank everybody
5 for coming out. We know that you made a sacrifice to
6 come out to our meeting today, but we would like to
7 thank you because the kind of interaction that we get
8 here is very important to us. Public participation is
9 important to the NRC, it's important to our process.

10 In fact, the reason we are here tonight is
11 because when we had a meeting in Albuquerque, you told
12 us that we needed to come to this area because if this
13 is where the activities were potentially going to be
14 sited, then the people here wanted to have their voice
15 heard in this community. We heard you and we're here
16 tonight, and we welcome your further comments.

17 My name is Gregory Suber and I am the
18 Chief of the Environmental Review branch that is
19 review -- that is producing the Generic Environmental
20 Impact Statement. This is -- Lizette Roldan is here
21 also, she's one of my staff members and if anybody
22 would prefer to communicate in Spanish, then they can
23 feel free to talk to Ms. Roldan and she will
24 facilitate that for us.

25 Okay. Scott has already talked to you

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1 about the NRC, what we are and what we do. And Paul
2 has given you an overview of our safety review for
3 ISLs. What I would like to do is I would like to
4 discuss the environmental regulations that the NRC
5 must adhere to. To detail for you the review process
6 that we go in -- that we're going to undertake for
7 this GEIS process, and also describe the ways that you
8 can participate in this process.

9 (Mr. Charley translates in Navajo)

10 MR. SUBER: I'd like to quickly just
11 reiterate something that my supervisor Scott Flanders
12 mentioned today. Our goal, our mission is to protect
13 human health and to protect the environment. That's
14 why we're here, and we are fulfilling our obligations.

15 In fact, when we do our safety review,
16 we're fulfilling our regulatory responsibilities to
17 protect the environment through implementation of the
18 National Environmental Policy Act. Now the National
19 Environmental Policy Act, also known as NEPA, was
20 enacted in 1969. And what NEPA did is it required all
21 federal agencies to conduct a systematic review of the
22 environmental impacts for their federal actions. What
23 that means is the NRC has to take a hard look at the
24 implications to the environment for all of its
25 licensing actions.

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1 NEPA is what we call a disclosure tool,
2 and what that means is that we gather information and
3 then we disclose to the public what information we're
4 going to use in our analysis; and then we invite the
5 public to comment to us as to what they think is
6 important, what part of our analysis we should
7 concentrate on and how they think we should conduct
8 our analysis.

9 What this results in, is it results in an
10 exchange that allows our review to become better,
11 because it reflects what's important in your
12 community. So right now, I'm going to take a few
13 minutes to do a couple of things. I'm going to
14 discuss the purpose of the uranium covering GEIS, I'm
15 going to describe the review process that we're going
16 to use and then I'm going to identify the areas in our
17 evaluation. And then we're going to get out of the
18 way and let you comment on what you - on where -- what
19 aspects of our review you think we should concentrate
20 on.

21 (Mr. Charley translates in Navajo)

22 MR. SUBER: And now I'd like to discuss
23 the purpose of the GEIS. The NRC proposed doing the
24 GEIS because they wanted to take advantage of a
25 framework that we wanted to create in grouping issues

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1 that are common to ISL facilities and creating one
2 document that examined those issues, and then on a
3 site-specific basis, create another document that
4 looks at the unique features of a particular site that
5 couldn't be covered in the GEIS.

6 Now what this approach did, is it allowed
7 us to eliminate or reduce redundancies in our
8 analysis. Once we did an analysis, if it was
9 applicable to other sites, we wouldn't have to repeat
10 it time and time again. It was an efficiency that we
11 gained in reviewing our applications. And what that
12 did, and what we hoped to achieve by this is to take
13 our resources at the site-specific level and be able
14 to target those resources into the areas that are most
15 important.

16 And that would allow us to focus our
17 review on the site-specific aspects of the application
18 when we receive an application, focus that review on
19 those important site-specific areas that are unique
20 and that need a very thorough and rigorous evaluation.

21 (Mr. Charley translates in Navajo)

22 MR. SUBER: Here we have a graph of the
23 review process and how we envision going forward from
24 this point. But in order to create the GEIS, we have
25 to gather information and that information comes from

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1 a variety of sources, but right now we're doing what
2 we call the scoping process.

3 And in the scoping process, we go to the
4 public and we look for public input on our process.
5 We look for exchange between the NRC and the public as
6 to how you think we should go forward in our review,
7 and what areas you think we think -- you think we
8 should cover in our reviews, excuse me.

9 And we also use technical information that
10 we gather to come together and to draft a Generic
11 Environmental Impact Statement. Now, we have public
12 participation here at the scoping meeting, but also
13 once we finish the generic -- once we have the draft
14 Generic Environmental Impact Statement, we have
15 another public comment meeting. And the reason for
16 that meeting is to come out and to let you evaluate
17 the draft GEIS and to tell us how well we reflected
18 your comments that you submitted to us through this
19 scoping period.

20 Now, once issued, and we receive the
21 comments from the public, we'll issue a final draft --
22 a final GEIS. And upon receiving site-specific
23 applications, we will take those applications and we
24 will evaluate those applications with respect to the
25 GEIS. And what we'll find is, we'll find that there

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1 are resource areas in that site-specific application
2 that may be bound by the GEIS, meaning that the
3 conclusions of the GEIS are applicable to that
4 specific site.

5 There may also be areas, resource areas in
6 the site-specific evaluation that are not bound by the
7 GEIS, and at that point, we'll have to focus our
8 attention specifically on those areas that are not
9 bound by the GEIS.

10 Now, if we look at those areas, and we can
11 evaluate them, and we can come to what we call a
12 finding of no significant impact, then we'll prepare
13 an environmental assessment and we'll look close at
14 the findings. However, and this is important, if we
15 evaluate that resource area in the site-specific
16 review, and we cannot come to a finding, then we will
17 have to initiate a supplemental EIS for that site.

18 So there's two possibilities for a
19 site-specific review. We can either have an EA that
20 closes with a FONSI or we can have a supplemental EIS.

21 Now, to go to another point, in our last
22 meeting at Albuquerque, you made it quite clear that
23 you wanted to be sure that you could comment on an EA
24 that we issued. And there was not -- it was not
25 certain at that time whether the process would allow

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1 that. But because of your comments, we've gone back
2 and we are going to release -- we are going to -- when
3 we issue our draft environmental assessment, we're
4 going to issue those for public comment. So you'll
5 have another opportunity to comment, even if we
6 conclude that the site-specific review can be closed
7 with a FONSI.

8 And of course, if the site-specific review
9 is closed with a supplemental EIS, then we'll have
10 another scoping meeting and we'll have another draft
11 public environmental impact statement meeting.

12 So all along the process, there's a
13 variety of points where you, the public, can inform us
14 as to how you think our evaluation is going, and give
15 us input as to what the scope of that evaluation
16 should be.

17 (Mr. Charley translates in Navajo)

18 MR. SUBER: Now this slide was put here
19 just to illustrate a point that this is not a new
20 undertaking for the NRC. We've done several Generic
21 Environmental Impact Statements in the past. In fact,
22 the one that's probably more -- most similar to the
23 one that we're doing now is the GEIS that we did for
24 license renewal where we performed the Generic
25 Environmental Impact Statement for license renewal,

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1 and then for each individual plant, we did a
2 supplemental environmental impact statement.

3 Now the term "generic" may be throwing
4 some people off. Other agencies use what they call
5 programmatic EIS's. Well, we just call them generic
6 EIS's, but it's basically the same term.

7 (Mr. Charley translates in Navajo)

8 MR. SUBER: Now what you see on this slide
9 are the typical or traditional impact areas that we
10 look at. Now this slide is not all inclusive, maybe
11 that -- there may be some areas up here that you think
12 are important that are included on the slide. And
13 that's where this scoping process comes in handy,
14 because we are looking for comments for you -- from
15 you as to which areas here you think we should
16 concentrate the most effort on, and also, and more
17 importantly, if there are some areas that you know of,
18 there are some concerns that you have that are not
19 reflected on this slide, what this does is it improves
20 our process.

21 It improves the quality of our review
22 because we know from you what's important. We don't
23 live in this community. You live in this community.
24 You know the resources in this community. You know
25 the areas of this community. You know the values of

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1 this community. And the more you communicate those
2 values to us, the more quality and the better review
3 we'll be able to prepare.

4 (Mr. Charley translates in Navajo)

5 MR. SUBER: Now this slide shows a
6 proposed schedule for the GEIS. I would like to pull
7 your attention to this slide here. The scoping
8 period, the scoping comment period has been extended.
9 Initially the scoping period was due to end on
10 September the 4th, and we received comments from the
11 public that that just wasn't enough time. And we
12 consequently extended it to October the 8th, but after
13 reviewing our schedule and understanding the amount of
14 concern that we had from the public, we went ahead and
15 extended it 'til October the 31st.

16 And that's basically because we want to be
17 responsive to your concerns, and we want you to have
18 time to give us input in this process.

19 The next line I'd like to pull your
20 attention to is the draft GEIS stage. Presently, this
21 schedule -- we are scheduled to issue the draft GEIS
22 around April of 2008. Now once we issue that draft
23 document, we'll have another public comment meeting
24 where we'll come out again into your community and
25 accept your comments on the draft GEIS; and

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1 ultimately, we'll -- we plan to issue the final GEIS
2 in January of 2009.

3 (Mr. Charley translates in Navajo)

4 MR. DALY: Excuse me, Mr. Suber, Chief
5 Suber. We're now an hour behind our schedule. I
6 called for the order today, can we get on with this
7 meeting?

8 MR. RAKOVAN: Just for the transcript, the
9 gentleman stood up and complained about the length of
10 time that it was taking. I was going to address that
11 when we started again, and thank you for your
12 patience, but I guess it's a little too late for that.

13 The fact is, is that tonight is maybe the
14 only night that we have in Gallup to convey this
15 information to you, so we thought that it was
16 important to do so. As you can see -- well, okay.
17 That's -- it's gone.

18 As you could see on the previous slide,
19 you have until October 31st to comment on this process,
20 so tonight is not the only night that you have to get
21 up here and comment. So we understand that this is
22 taking a long time. We believe that having the
23 translation is very important and we wanted to provide
24 that service and to do that. So I apologize if it's
25 taking a long time, but we think it's necessary. So

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1 if -- please. And we can stay a lot longer than
2 nine o'clock. I understand it's taking a long time,
3 but we can be here for a while.

4 MR. FLANDERS: Excuse me. We're about to
5 wrap up. We have just one more -- two more slides
6 that give you some information in terms of how you can
7 provide comments and we'll extend the meeting by an
8 hour or longer as necessary, as long as we're able to
9 stay, to ensure you have ample opportunity to provide
10 your comments. Thank you.

11 MR. SUBER: And the information you have
12 here on the slide shows you one -- well, actually two
13 ways to submit comments. I'd like to make the point
14 that this meeting that we're having tonight is being
15 transcribed, so all of the comments that you give
16 orally will be transcribed and will be treated by the
17 NRC with the same weight that we treat written
18 comments.

19 Now, written comments can be submitted by
20 mail to this address, or if you'd prefer, you can also
21 email written comments to our email address. Now this
22 information is also included on a handout that's on a
23 table right outside this room, so if you don't have a
24 pen or you don't want to write it down, that's fine,
25 because you can get the information right outside the

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1 room.

2 (Mr. Charley translates in Navajo)

3 MR. SUBER: Okay. Now this is contact
4 information and this is also available on the slide
5 outside the room.

6 (Mr. Charley translates in Navajo)

7 MR. SUBER: And we've also set up a web
8 page that has information about the GEIS process, and
9 also this -- I don't want to be redundant, but this is
10 also on the slide that you can receive on the table
11 outside the room.

12 (Mr. Charley translates in Navajo)

13 MR. SUBER: Okay. And that concludes my
14 presentation. I'd once again like to thank you for
15 your patience, and thank you for coming out tonight
16 and I look forward to your comments.

17 And I'd just like to say as Lance is
18 walking up, that your comments are important to us.
19 As you've already seen, they have affected the way we
20 are conducting the review in the GEIS process. We've
21 extended the comment period. We're issuing EAs for
22 public comment, so your comments have been heard and
23 they are important to us. And I'd just like to thank
24 you for your attention.

25 MR. RAKOVAN: Thanks, guys. And again, I

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1 apologize to all those who think that we took too
2 long in doing that. I've got the public meeting
3 feedback forms right here, if you want to fill it out
4 and give it to me, I'd be more than happy to take your
5 comments. This is one of the few meetings that we've
6 ever done with a translator and we are learning. So I
7 apologize that it took so long to get to this point.

8 We're going to go ahead and go to the
9 comment period. Perry, as long as you're okay with
10 continuing to translate, do you want to give a shot at
11 maybe summarizing the speakers once they come up and
12 speak? Does that sound okay? Okay.

13 Again, given the amount of time that we
14 have, I'm going to ask that people be concise. We do
15 want your comments, we do want to hear from you, but I
16 have quite a few speakers signed up to speak and we're
17 going to try to stay as long as possible, so hopefully
18 we can have a chance to get everybody up here.

19 What I'm going to do is I'm just going to
20 start going through the cards. I'll probably read two
21 or three names at a time, just to give you an idea of
22 who to expect. Once you come up to the mic, if you
23 could please identify yourself and any group or
24 organization that you're with if that's appropriate.

25 And basically the floor is yours.

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1 Specifically as we went through in our
2 presentations, we are looking for comments on what we
3 should take into account in terms of the Generic
4 Environmental Impact Statement.

5 So having said that, let's start out with
6 George Arthur from the Navajo Nation Council.

7 MR. ARTHUR: Well, good evening everybody
8 that's here. I am glad that the general public has a
9 great interest in this discussion, and I appreciate
10 again, your presence here and showing your interest.

11 I'd also like to thank the panel here for
12 coming to this area. Oftentimes only a handful of
13 people get the chance to visit you in the Washington
14 area.

15 My name is George Arthur. I am presently
16 serving on the Navajo Nation Council. I sit with the
17 Natural Resources Committee, as their chairman. And
18 just real quick, our questions and comments.

19 First of all, I want to ask the Commission
20 in what shape or form do you have provisions that you
21 can assure my people, the Native American people, that
22 the sincerity of protecting religious sites in your
23 generic EIS? Where in your discussion do you have
24 that provision? And if you can assure the Navajo
25 people and Native American that have symbolic,

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1 religious symbols in these areas, primarily as we
2 discuss now the Mount Taylor area; that is part of our
3 sacred mountains.

4 Second is that a few years ago during the
5 Clinton administration, there was an executive order
6 that was issued and as far as I know, it hasn't been
7 rescinded, that all cabinet branches have trust
8 responsibility. And I'm sure as NRC, that you are
9 answerable to some form of cabinet level review.

10 So in -- maybe in that instance, I don't
11 know whether or not you also are charged with trust
12 responsibility for Navajo people and Native American
13 in general. With that scenario, do you played out
14 that role?

15 And my conclusion question, I'm sure you
16 are aware that the Navajo Nation Council has
17 established and has a position in reference to these
18 additional development in respect to uranium mining
19 and processing. That is Navajo Nation's position, and
20 it's not going to be altered from that. Thank you.

21 (Applause)

22 MR. RAKOVAN: Thank you, sir.

23 Perry, do you want to do some translation
24 or --

25 (Mr. Charley questions in Navajo)

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1 MR. RAKOVAN: Okay. It doesn't look
2 like -- okay.

3 Then the next few speakers; David
4 Ulibarri, Cibola County Manager, and following him Joe
5 Murrietta from City of Grants. David Ulibarri from
6 Cibola County Manager. Okay.

7 Joe Murrietta from the City of Grants.

8 MR. MURRIETTA: Good evening. My name is
9 Joe Murrietta and I'm the mayor of the City of Grants,
10 New Mexico.

11 And I'm here tonight to let you know that
12 as a lifelong citizen of the Grants area, which in a
13 few months will be 60 years, and I only bring it up to
14 your -- for your information because I want to let you
15 know that I am personally familiar with over 50 --
16 over -- with a majority of my citizens in the Grants
17 area, and also in reality, I'm probably related to a
18 good percentage of them.

19 But with that in mind, I'm here tonight to
20 express the City of Grants' support for the
21 development of the uranium recovery industry, which
22 was illustrated with the passage of a resolution
23 support of this industry by the Grants City Council
24 unanimously late last year. With that in mind, the --
25 my citizens are -- understand the industry because of

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1 our past experience with the industry.

2 We eagerly anticipate the development of
3 this industry in the next few years because we all --
4 we recognize the economic benefit from this industry,
5 the potential for growth within our communities. And
6 also that we understand that, and fully realize that
7 we need a dependable, productive alternative fuel
8 source which will provide fuel and power for our
9 nation -- and the entire world as a matter of fact,
10 and will lessen the dependence which we have now on
11 foreign fuels, which -- and which are -- I think we
12 all are -- recognize at this time.

13 Again, I'd like to say the City of Grants
14 wholeheartedly supports the development of the uranium
15 recovery industry.

16 Thank you.

17 (Applause)

18 MR. RAKOVAN: Thank you, sir.

19 Next, we'll go to Danny Charley, Jay
20 Charley, and then Rick Van Horn.

21 MR. CHARLEY: Hello everyone, and good
22 evening NRC. My name is Danny Charley, and I'm an
23 allottee. And I have uranium in my land and I'm
24 confident in saying that property rights to which the
25 greatest interest in the development of uranium.

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1 What is at stake here? Economic development and
2 hundreds of jobs that the people can have that they
3 don't have right now. Not only that, economic
4 development. In Crownpoint area, people are, you
5 know, they're desperately in need of jobs.
6 Crownpoint can grow the surrounding areas. The towns
7 can grow. And it can bring a lot of money into our
8 communities and into our towns.

9 As citizens who drink water, we also have
10 concerns regarding protection of our local
11 environment, including drinking water. Both these
12 issues are extremely important to all of us
13 allottees. We're not just looking at the money. My
14 land can help a lot of people get jobs. There's
15 people running around, groups that are against
16 uranium. They're not going to give us jobs, but my
17 land will. My land will give several hundred people
18 jobs and provide food to their families.

19 My understanding is that NRC will evaluate
20 recent U.S. uranium operations Generic Environmental
21 Impact Statement. Using this information, NRC will
22 weigh the potential impacts associated with such
23 proposed operations and will use this information to
24 make new uranium operations safer. And if we can
25 just understand that.

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1 Allottees, all of us allottees, strongly
2 support the preparation of this Generic Environmental
3 Impact Statement, and we believe that the Nuclear
4 Regulatory Commission's effort is in the best
5 interests of all Navajos, and not only the allottees.

6 In closing, let me say that ENDAUM, uranium --
7 they're saying that uranium is dangerous, that ENDAUM
8 has nothing to lose by opposing uranium development.
9 Us allottees do.

10 We are offered an opportunity to have the
11 Federal Government prepare a neutral ground base
12 study to evaluate safety. Why do some people oppose
13 this study? I do not want to see this opportunity
14 wasted at this time, when the recovery of uranium
15 presents a chance to improve the livelihood of a lot
16 of people that can have jobs. A lot of men and women
17 out there are wishing that they can have a job.
18 Instead of going to food stamp offices and selling
19 burritos at flea markets, you know, they can have a
20 check. The recovery of uranium presents a chance to
21 improve the livelihood of Navajo families, escape
22 their poor financial conditions. Why not let us all
23 work together and do this? Thank you.

24 MR. RAKOVAN: And we're going to go next to
25 Jay Charley, then Rick VanHorn, and then George

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1 Byers.

2 MR. CHARLEY: Good evening everybody. My
3 name is Jay Charley. Just real quick, I had a
4 question. You guys are going to do this study,
5 right? And you guys are just here to see what we
6 want you guys to focus on or if we miss any of the
7 areas that you guys need to focus on, is that what
8 you guys are here for? Right?

9 MR. RAKOVAN: I'll give a yes.

10 MR. CHARLEY: So you're not here to see
11 whether or not uranium mining is bad or not, you're
12 just here to say what we should focus on, what is our
13 concerns, what we need you guys to focus on; is that
14 what you guys are here for? Is that the main reason
15 why you're here?

16 MR. RAKOVAN: That's the main reason why
17 we're here. And I don't want to get into a Q and A
18 with you, because we're here mostly to listen to you.
19 And since I'm the facilitator, any of these gentlemen
20 can probably go and answer your question in back, but
21 we want to leave the microphone open for comments, so
22 --

23 MR. CHARLEY: That's just what I wanted to
24 know. I mean, I just didn't want this to turn into,
25 you know, whether or not -- I think we're losing the

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1 focus here. You guys are here to listen to what we
2 need you guys to focus on, not whether or not the
3 uranium mine should go through. Yes, I believe it
4 should, but I believe that, you know, instead of
5 taking off in one direction that we need to focus on
6 what you guys are here for. I don't know if you guys
7 think the same way, or -- but you guys are here for
8 that reason.

9 MR. FLANDERS: I just want to say that
10 we're here to listen tonight, and I -- and we'll
11 listen to all comments. Again, the focus of
12 tonight's meeting, as we stated earlier the purpose
13 was to receive comments on the scope of the Generic
14 Environmental Impact Statement, but we're here to
15 listen, and we'll listen to all comments.

16 MR. CHARLEY: Okay. That's all I wanted to
17 just say is I was getting confused on whether or not,
18 you know, but you guys are going to do the study,
19 right? And you're just here to listen on what we
20 want you guys to focus on? All right. Thank you.

21 MR. RAKOVAN: Rick VanHorn, please.

22 MR. VANHORN: My name is Rick VanHorn. I'm
23 the COO for Uranium Resources/HRI. As you know, we
24 have been working to the Church Rock facility for
25 over 20 years. We have our EIS completed. It was

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1 completed --

2 MR. RAKOVAN: If you want to move the mike
3 around, please.

4 MR. VANHORN: We have completed our EIS, it
5 was completed in 1997. We have an NRC license to
6 operate at Church Rock and Crownpoint.

7 We believe that the GEIS process will
8 provide an unbiased review of the past 30 years of
9 ISL mining. Our company has been in ISL for - well,
10 sometime in 1977. We also -- we think it'll identify
11 and put to rest misconceptions that exist about the
12 industry. We believe it'll also identify areas of
13 concern. This is good for all of us.

14 The one thing it will not do is it will not
15 allow us to gloss over site-specific issues, but
16 rather it's going to highlight them, so we can pay
17 attention to them.

18 And based on all that, Uranium Resources
19 and HRI support your process with GEIS and look
20 forward to the results. Thank you.

21 MR. RAKOVAN: Thank you. I'd like to thank
22 all the speakers so far for coming up here, staying
23 to the point, staying concise, and introducing
24 yourself so we can make sure that we know who's
25 speaking on the transcript.

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1 Our next three speakers, I have George
2 Byers, Cal Curley and Larry King.

3 Mr. Byers? And careful of the cords,
4 please.

5 MR. BYERS: Thank you. I'm George Byers
6 with Neutron Energy. Our company controls about
7 30 million pounds or more of historic uranium
8 resources, most of which are on the east side of
9 Mount Taylor, most of which are conventional minable,
10 but some of which have ISL potential.

11 And I want to thank you and commend you for
12 listening in Albuquerque. You heard a couple of
13 things. You heard people say we want another public
14 meeting and you're holding it. You heard the
15 confusion about whether or not a generic EIS would be
16 the only thing. And you went to great lengths
17 tonight to explain that there is going to be
18 additional assessment.

19 Our company, all the other companies that I
20 know of, are doing our site evaluations now, our data
21 gathering on the basis that we most likely are going
22 to have to do in the EIS, and we're prepared to do
23 that. We're prepared to take that step.

24 The location that our company has its
25 uranium resources are on two land grants, Juan Tafoya

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1 and Cebolleta on the east side of Mount Taylor.
2 The people that live there have lived there for many
3 generations, for about 400 years. They have been
4 ranchers, they have been farmers, they have used the
5 water, and they understand what uranium mining has
6 meant to them because they've done this in the past.
7 They've done it safely, and they're prepared to do it
8 again. They know that one of the benefits they're
9 going to get is going to be royalty payments that
10 they are going to receive. They're going to get
11 scholarship money which is already beginning. The
12 royalty payments come upon production, and they are
13 already preparing to -- how do we improve irrigation
14 systems, waste water systems, domestic water systems,
15 transfer stations. They're already looking at ways
16 to use that uranium royalty money to benefit them and
17 their people. They're fortunate. They may not
18 understand, but they are prepared to do what the --
19 probably the best conservation president we had said.
20 That was Teddy Roosevelt. He said, "Do what you can
21 with what you have, where you are."

22 The people at Cebolleta and Juan Tafoya
23 have uranium, they're prepared to do the best with
24 it. Thank you.

25 MR. RAKOVAN: Cal Curley.

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1 MR. CURLEY: (Speaks in Navajo) I'm going
2 to talk in Navajo and then we can interpret in
3 English. Just kidding.

4 Good evening, everyone. My name is Cal
5 Curley and I'm with Congressman Tom Udall's office
6 here in Gallup, and I am here to read Congressman
7 Udall's statement:

8 "Dear Commissioners, thank you for the
9 opportunity to contribute to this discussion. As you
10 know, we have a troubled history with uranium mining
11 in Navajo country, and this is an important issue for
12 us.

13 "Sixty years ago, government engineers came
14 to Navajo country to begin mining uranium for a new
15 weapon that the world was just coming to know and
16 fear. They spoke of defending the nation, and they
17 promised economic benefits to the Navajo people, but
18 they did not mention the brutal health and
19 environmental effects of mining radioactive
20 materials. By the 1980's, the damage done by uranium
21 mining was all too apparent. Hundreds of families
22 had lost their loved ones and breadwinners to the
23 efforts of mining.

24 "With loved ones dying young from lung
25 cancer and other radiation-related diseases, the

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1 Navajo people filed suit to demand compensation.
2 My father, Stuart Udall, got the first court case
3 calling for justice for Navajo miners, a paramount
4 case I had the opportunity to work on with him.

5 "His work and the efforts of Navajo
6 activists led to the passage of the Radiation
7 Exposure Act (RECA). Today, the Federal Government
8 still has not found the financial resources to fully
9 fund RECA. The Navajos struggled to receive
10 compensation they deserved. Sadly some seemed more
11 interested in expanding uranium mining than cleaning
12 up the mess left behind by uranium industries.

13 "As the NRC works quickly to streamline
14 their approval process for more uranium mining, you
15 must ensure that the errors of the past are not
16 repeated. Navajo land is a brutal reminder of what
17 can happen when planners allow zeal for mining to
18 cloud their judgment. Too often, attempts to
19 simplify environmental protection measures deny local
20 communities their opportunity to affect the approval
21 process for new mines.

22 "In New Mexico, uranium mines have been
23 located near some of the most vulnerable communities
24 in the state. The Federal Government has the duty to
25 protect these communities from harm, and the NRC

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1 should not limit the ability of community members
2 to protect themselves from potentially ill-advised
3 mining projects.

4 "For example, the Navajo Nation has passed
5 legislation banning uranium extraction and processing
6 on tribal lands. The NRC should respect sovereign
7 right to reject these potentially dangerous
8 activities. Any future mining raises particular
9 concerns.

10 "As you know, water is a precious resource
11 in New Mexico, and future mining has the potential to
12 compromise the water supply to tens of thousands of
13 New Mexicans.

14 "In Wyoming, the NRC certified water as
15 restored, despite a uranium level 100 times higher
16 than the EPA considers safe.

17 "For the NRC -- before the NRC rushes to
18 approve new mines, it should address safety concerns
19 and standards related to any future mining and ensure
20 that local communities have the opportunity to
21 protect water supplies during the mining approval
22 process. As you develop your proposal, I ask you to
23 remember that the environmental impact statement is
24 not just another piece of red tape. It is a crucial
25 defense against the kind of irresponsibility that has

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1 already led to the death of too many Navajo miners,
2 and to the poisoning of some of the most beautiful
3 land in our nation.

4 "This is about our lives, our land, our
5 communities. On behalf of the Navajo people and all
6 of those who have been and will be affected by
7 uranium mining, I urge you to be cautious and I look
8 forward to working with you to protect the citizens
9 of New Mexico and the nation. Sincerely, Tom Udall,
10 a member of Congress."

11 Thank you for your time.

12 MR. RAKOVAN: Thank you. Next three
13 speakers, I have Larry King, Stephen Etsitty, and
14 James Martinez.

15 Mr. King.

16 MR. KING: Good evening, everybody. My
17 name is Larry King and I live in Church Rock chapter
18 area and HRI is proposing an in situ leach mining
19 right in my own backyard, about a thousand feet away.

20 And number one, the community of
21 Church Rock is opposed to any new type of mining
22 company moving into our community. There are still a
23 lot of contaminants still left behind from previous
24 mining. That needs to be addressed first before it
25 can be even considered letting applicants, new mining

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1 to process their applications.

2 And to get to the point of what the meeting
3 is about tonight, the GEIS I think should not even be
4 an issue at all because it's only from what I read in
5 the papers, it's to speed up the process of issuing a
6 license to mining companies, just to make some people
7 in Washington, to make their job a lot easier and
8 quicker. This GEIS should not even be an issue right
9 now.

10 Each EIS should be taken and reviewed,
11 piece-by-piece, for each mining company. These
12 proposed mine sites and geographic locations are not
13 the same from New Mexico or to Wyoming. So these
14 EIS, to me, should be taken by locations, not with
15 this Generic Environment Impact Statement. To me
16 it's discrimination against the native America
17 people.

18 We practice our native traditional -- I'm a
19 traditional person. I believe in my traditional
20 values. I value the Mother Earth as sacred and the
21 plants that are around the area, the water we hold
22 sacred. Gallup is always in the paper saying that
23 the water in the Gallup area is going to be scarce in
24 about ten years if nothing is done. What if that
25 happens? The Navajo people have to rely on a lot of

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1 these outlying areas where there's watering points.
2 Crownpoint chapter has a watering point, and
3 Crownpoint community has a few thousand people, but
4 there's several outlying communities that rely on
5 this watering point, from Lake Valley, from Torean,
6 from Smith Lake. What if these waters, the aquifers
7 are contaminated? Where are you guys going to get
8 your water?

9 So I'm also proud to say -- I just became
10 an heir to some allotments, several allotment, a lot
11 of land, so all allottees are not for uranium mining.
12 I'm against uranium mining. Thank you.

13 MR. RAKOVAN: Thank you, sir.

14 Stephen Etsitty.

15 MR. ETSITTY: My name is Stephen Etsitty.
16 I'm the executive director for the Navajo Nation's
17 Environmental Protection Agency. NNEPA requires
18 meaningful public involvement, especially for
19 individuals in communities who may be directly and
20 indirectly impacted by a proposed action. It's my
21 hope that the result of this scoping process is the
22 realization that the no-action alternative is the
23 preferred alternative, meaning that no action would
24 be to not build or license potential uranium milling
25 facilities, and that under this alternative the NRC

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1 would not approve future license applications.

2 In this process, NRC shall not assume that
3 conditions are the same or similar in all western
4 states where past, current, or proposed ISL mining
5 and milling developments are occurring or likely to
6 occur. NRC's proposed GEIS shall not limit public --
7 meaningful public participation, nor limit the
8 ability to identify significant issues, nor limit the
9 analysis of direct, indirect, or cumulative effects.

10 The proposed GEIS shall not increase the
11 likelihood that a private individual or developer
12 forego the process of a site-specific environmental
13 review and documentation for a proposed ISL mining
14 and milling license application.

15 As was explained earlier, the GEIS
16 potentially shortens the need for process and implies
17 to some extent that local government decisions and/or
18 authorities that limit or prohibit ISL mining and
19 milling may not be acknowledged or considered by the
20 NRC. It was stated earlier that important land use
21 laws that should be deemed to be important is the
22 Navajo Nation's Diné Natural Resources Protection Act
23 of 2005 which prohibits uranium development.

24 The Navajo government submits that there is
25 no other political geographical area in the United

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1 States and perhaps the world that has suffered and
2 continues to suffer from the environmental impacts of
3 past uranium mining and processing to the same extent
4 as the Navajo Nation.

5 There is no guarantee that the proposed
6 GEIS will improve NRC's efficiency. In addition,
7 there is no guarantee that NRC will respond
8 adequately to environmental consequences of new
9 uranium development.

10 Therefore the Navajo Nation respectfully
11 requests the NRC to provide the Nation and the public
12 with any examples of aquifers utilized for ISL mining
13 where the post-ISL mining condition of the aquifer is
14 as good as the pre-ISL mining conditions. Let me
15 wrap up here.

16 The uranium legacy on the Navajo Nation
17 goes back approximately 90 years, and the legacy
18 consists of approximately 1,349 abandoned uranium
19 mines, four former uranium military processing
20 facilities known as UMTRCA sites, and two known ISL
21 pilot projects located on free land surrounded by
22 Navajo Nation trust land. Together these sites are
23 the sources of known and potentially hazardous
24 substance releases, and today more than one-third of
25 our 110 Navajo communities and a growing population

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1 of young and elderly are living with varied and
2 significant health impacts from past uranium
3 development.

4 During the '80s, the Navajo Nation began
5 conducting radiological surveys of abandoned uranium
6 mines, waste ore piles, uranium military sites,
7 transfer and haul roads, and homes that were
8 constructed with some of these waste uranium ore
9 material.

10 In 1993, the Navajo Nation testified in
11 hearings before Congress and requested assistance to
12 assess and mitigate adverse environmental and human
13 health impacts attributed to historical uranium
14 mining and milling activities.

15 Since then, the U.S. Government's response
16 has been sporadic, and the Navajo Nation's efforts
17 have resulted in the identification of additional
18 contaminated sites which have yet to be addressed.

19 The Navajo Nation has also determined that
20 the NRC and the Atomic Energy Commission approved
21 waste management practices, for example the disposal
22 of mill tailings at the two mine shafts at northeast
23 Church Rock mine near Pine Hill, New Mexico, which
24 posed potential adverse impacts to ground water
25 resources.

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1 Although NRC's decisions may have been
2 coordinated with state agencies in New Mexico, there
3 was no available documentation to indicate that NRC
4 formally consulted with the Navajo Nation on a
5 government-to-government basis.

6 Formal consultations were also lacking with
7 the Atomic Energy Commission's decisions to exclude
8 mill waste for proper disposal, which was -- has been
9 discovered by the Navajo Nation on adjacent vicinity
10 property at a former Rare Metals of America uranium
11 milling facility near Tuba City, Arizona.

12 So the U.S. Government has yet to
13 completely verify, assess, or mitigate ongoing
14 hazardous substance releases throughout the Navajo
15 Nation from the last wave of uranium development.
16 How is it possible that the NRC's proposed GEIS
17 appropriately address all these impacts, cumulative
18 impacts, sufficiently to justify issuance of future
19 leases or licenses for renewed uranium development?

20 How would NRC's proposed GEIS appropriately
21 address abandoned uranium mining and milling impacts
22 within adjacent state jurisdictions?

23 The states of Arizona, Utah, and New Mexico
24 have not formally proposed an agreeable approach to
25 assess the -- to assess and mitigate hazardous

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1 substance releases from state lands that are
2 adversely impacting the Navajo Nation.

3 How will NRC's proposed GEIS acknowledge,
4 assess, and mitigate the unique history of the Navajo
5 Nation's uranium legacy? Our current conditions and
6 the impacts from the last wave of uranium development
7 are neither well understood nor predictable.

8 What assurances do we have that new uranium
9 development will not adversely impact human health
10 and the environment on the Navajo Nation?

11 How will NRC's proposed GEIS address
12 potential cumulative impacts, which may include
13 impacts from both past and new -- actually which
14 should include impacts from both past and new uranium
15 development activities.

16 The renewed interest in uranium resources
17 is driven by current uranium prices, and NRC is
18 proposing to expedite the NEPA process with the
19 proposed GEIS, which has the likely potential to
20 exacerbate existing and devastating conditions on the
21 Navajo Nation.

22 So formal consultation and the proposed
23 GEIS must acknowledge the existing impacts to the
24 Navajo people from past uranium development, current
25 Navajo law, which prohibits new uranium development

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1 until the legacy of adverse and devastating impacts
2 have been completely addressed by the U.S.
3 Government. Thank you very much.

4 MR. RAKOVAN: Thank you for your comments.

5 The next three speakers, James Martinez,
6 Benjamin House, and Chee Smith, Jr.

7 MR. MARTINEZ: My name is James Martinez.

8 I am here on behalf of myself, my family, Puerta
9 Villa Land Grant Corporation, which I am an heir to.

10 I attended the NRC hearing on August 9th in
11 Albuquerque. I had the opportunity to listen to all
12 the representatives speaking, and I am concerned
13 about some that made -- who spoke and referred to
14 Mount Taylor as their mountain.

15 As me -- as I am second generation heir to
16 the Land Grant which is also Mount Taylor, I want to
17 also make it clear and state that Mount Taylor is my
18 mountain too.

19 Over 30 years ago, uranium mining began in
20 our community. We have a mine and shaft -- a mine,
21 shaft, and mill in the midst of our Land Grant, and
22 mining was done safely during that time. We have
23 never had any issues on our land being harmed and not
24 being able to provide our crops and water for our
25 livestock and our own personal use. We continue to

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1 raise livestock, develop our lands with crops, and
2 maintain our water hand-in-hand with uranium mining.

3 And also, we also already are benefiting
4 from the mining with the scholarships that are being
5 offered to my children and the Land Grant children.
6 We are already starting to teach our children.

7 And also I want to say that I have a lot of
8 health problems, and I wish I could blame it on the
9 uranium. My family has a lot of health problems, and
10 I wish I could blame it on the uranium. That way the
11 doctors could pinpoint it right away.

12 And everybody is scared about the uranium,
13 I don't know why. You know, it's going to generate a
14 lot of jobs for a lot of people here, and also for my
15 people. The money that we're going to generate,
16 hopefully we could maybe get the mine back that we
17 lost like Laguna did. Laguna made a lot of money
18 with the uranium, and they bought a lot of land back
19 that they had lost. And hopefully my people can do
20 the same.

21 I just want to thank you all for listening
22 to me.

23 (Applause)

24 MR. RAKOVAN: Benjamin House.

25 MR. HOUSE: My name is Benjamin House, an

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1 allottee and president of the Eastern Navajo
2 Allotees' Association.

3 In his new book, The Age of Turbulence,
4 Alan Greenspan makes it clear that the Iraq war was
5 largely about oil.

6 My point is that energy is so necessary in
7 modern society that we will send our sons and
8 daughters to war to fight for it because we do not
9 have sufficient oil here in the States. This is not
10 acceptable.

11 We must develop alternatives to this poor
12 and largely Arabic dependence to oil. One widely
13 acceptable solution is nuclear energy. It is clean
14 and we have the fuel right here at home. Yet there
15 are many who would have nuclear power plants fueled
16 by foreign uranium.

17 Currently the country that is increasing
18 its uranium production the fastest is Kazakhstan,
19 another Arabic society. Does it make sense for the
20 United States to reduce our dependence on Arabic oil
21 by developing nuclear power only to increase on (sic)
22 dependence on Arabic uranium, uranium that we can
23 again go to war for some day?

24 So here is my request to the NRC, with
25 haste, conduct the Generic Environmental Impact

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1 Statement as a matter of energy security.

2 Two, make concrete recommendation that will
3 allow safe development of the country's uranium
4 resources.

5 Three, evaluate the national security
6 implications of continued foreign reliance on oil and
7 potentially uranium.

8 Finally, if uranium recovery is not safe,
9 just say so. But if it is safe, also say so. And in
10 the GEIS alternative, let us compare the safety of
11 domestic uranium development with the safety of going
12 to war for energy security. Thank you.

13 (Applause)

14 MR. RAKOVAN: Chee Smith, Jr.

15 MR. SMITH: Good evening, ladies and
16 gentlemen, NRC Commission, and staff. My name is
17 Chee Smith, Jr. I'm a former chapter president for
18 Power State chapter, which is about 35 miles east of
19 Crownpoint and Eastern Navajo Agency. I also sit on
20 the board of ENDAUM.

21 In the year 2001, ENDAUM traveled to
22 Rockville, Maryland to testify before the NRC
23 Commission to oppose the grant of license to HRI to
24 mine in the Crownpoint area and Church Rock area.
25 Two sites are proposed in Crownpoint, and two sites

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1 are proposed in Church Rock.

2 As we all know, water is a precious
3 commodity. No matter what you put in the water,
4 water cannot be restored to its original state. We
5 all know that.

6 People from Wilos Lake travel to Crownpoint
7 35 miles every day with four or five barrels, 50
8 gallon barrels in their trucks, hauling water for
9 cooking, for washing, for their livestock. And that
10 takes a toll on their vehicles. So what I'm saying
11 is if the ISL method goes through, people might be --
12 would have to get water from somewhere outside of the
13 Navajo Reservation. And along with -- I agree with
14 the mission of the NRC where they are to protect the
15 public health and safety and the environment. And I
16 think I'm talking about the lives of our people.

17 The one question or concern that I have
18 falls under the historical and cultural resources.
19 Mount Taylor is one of our four sacred mountains.
20 Our people use it, they go up there to gather herbs,
21 they do their prayers up there, and they respect the
22 wildlife that's up there, but they use the eagle
23 feathers for their ceremonies. So we who respect
24 Mother Earth -- and we intend to keep the earth as
25 God has created it for us to respect it. Thank you

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1 very much.

2 (Applause)

3 MR. RAKOVAN: Thank you, sir.

4 The next three speakers I have Art Gebeau,
5 Rhilla Vasquez and Jay Tonny Bowman.

6 Art Gebeau.

7 MR. GEBEAU: I'll try to be brief. I
8 believe the previous speakers have pretty well
9 addressed everything. My name is Art Gebeau. I'm a
10 citizen in the Milan area, and next month it'll be 50
11 years, so I've been here a little while.

12 I was in the uranium mining and milling
13 industry for 36 years, from 1957 'til 1993, so I have
14 some acquaintanceship with what we're talking about
15 tonight.

16 Now I'm a member of a group known as the
17 Blue Water Valley Downstream Alliance. We're a group
18 of homeowners who live in the vicinity of the
19 Homestake Mill. Many of these people lived there
20 long before the mill was there. I did not; I came
21 there in '78 to live at that point.

22 The Homestake Mill started up in '58.
23 Within three years, pollution was discovered in the
24 ground water outside of the mill property. This was
25 reported by the United States Public Health Service

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1 as there were no other regulatory agencies doing
2 anything then. After that, things kept on and by the
3 mid to late '70s, the pollution was probably a half-
4 mile outside of the mill boundary. The alluvial
5 aquifer and the three upper bedrock aquifers were all
6 involved by that time.

7 The NRC and the EPA and the company have
8 been diligently working on this problem since about
9 that time, and through their great efforts, now the
10 pollution is about three miles outside the boundary
11 of that mill. They think -- they say they're doing
12 good because some of the monitored wells, the
13 pollution levels are lower, but they sure as heck
14 have encompassed a lot more area. My house is in
15 that area. Now they say gee, Homestake is not to
16 blame for all of this because there's something
17 coming at them from upstream, upstream being where
18 two other mills previously were and a bunch of mines.

19 So they've given Homestake what's called
20 alternate concentration limits. This is a nice way
21 of saying you're not going to meet drinking water
22 standards so we'll just raise up the floor that
23 you've got to meet. And by the way people, don't use
24 your wells. Don't drink the water. Don't feed your
25 livestock with it. Don't raise gardens with it. You

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1 probably shouldn't even shower in it. Go find you
2 some water. And that's what the folks in Crownpoint
3 are saying could happen to them. Go find you some
4 water.

5 I want to thank you all for your diligent
6 efforts on the water situation on the Homestake Mill.
7 Thank you.

8 (Applause)

9 MR. RAKOVAN: Rhilla Vasquez.

10 MS. VASQUEZ: Hello, I'm Rhilla Vasquez and
11 like Art says, I'm with the Blue Water Valley Down
12 Stream Alliance. And our wells are contaminated.

13 As far as NRC goes, I've had questions at
14 previous meetings. We had a meeting at Grants on the
15 18th.

16 UNIDENTIFIED SPEAKER: Can't hear you.

17 MS. VASQUEZ: We had a meeting at Grants on
18 September 18th. Mr. Von Till couldn't answer my
19 questions.

20 As far as the GEIS study goes, I -- at this
21 point I don't see what it's going to do. You haven't
22 done anything to help clean up the community as it
23 is. You say you're going to use all your data and
24 all your research. We've asked for research over the
25 last 30 years, but NRC tells us there's no

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1 insufficient data. Well how can you set a standard
2 if there's no insufficient data to back up your
3 standards? So what we're asking for is a little bit
4 of help in trying to clean up the mess.

5 As far as uranium recovery, you people need
6 to think hard and fast. Thank you.

7 (Applause)

8 MR. RAKOVAN: Mr. Bowman.

9 MR. BOWMAN: (Speaks in Navajo) Loud
10 audience. My name is Jay Tonny Bowman. I'm from
11 Twin Lakes, New Mexico, about 15 miles from -- north
12 of here. I'd like to thank U.S. NRC for bringing
13 this hearing to this community. It is enlightening.
14 Do you hear me? I guess I can hear myself or -- it
15 is isn't -- why I say it is enlightening is, this is
16 the first time that I'm hearing this kind of a
17 meeting.

18 I'm going to speak on the political
19 response to the oppositions to mining and recovery in
20 the uranium in this area. I have heard the Navajo
21 Nation President Joe Shirley express opposition to
22 development of uranium through radio and newspapers.
23 The local uranium supply is on the Navajo allotment
24 land. Joe Shirley expressed that there will be no
25 uranium exploration, mining, recovery on the Navajo

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1 and Navajo allotment land. I believe this is --
2 interferes with Navajo private property and owners
3 intending to utilize their property in lawful and
4 profitable manner. Opposition mostly beyond --
5 opposition must prove beyond a reasonable doubt that
6 the -- through technical, scientific, medical, and
7 other scientific datas.

8 On the other hand, President Joe Shirley
9 should assist the Navajo allottees to market their
10 uranium properties to the maximum extent of
11 possibility, not hinder their wishes for business
12 development and opportunities. I'm going to make
13 this comment in non-technical aspect of uranium
14 activities and development, so therefore I fully
15 support uranium development here.

16 I would request that NRC grant private
17 companies their license to recover uranium in and
18 around Crownpoint and other places for profit, other
19 opportunities which would give the people opportunity
20 to engage in much needed employment. If you oppose
21 this kind of development and opportunity and
22 employment, what are your arguments?

23 I don't have a job now. What are the
24 opportunities that you can make available for the
25 people, for the kids who I see walking on the road,

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1 hitchhiking somewhere. They don't have enough
2 education. They have nothing to look forward to, but
3 all I hear now is opposition, opposition, opposition
4 from Joe Shirley. Why don't they help the people
5 here and come up with solutions for the disease that
6 they claim that uranium brings, the disease that the
7 -- the air and the environment. Find solutions, not
8 say don't do something that the people should engage
9 in. It's their property and I heard it mentioned
10 that somebody was here for 60 years. Look, we've
11 been here for thousands and thousands of years on
12 this continent, and so what -- we need opportunities.
13 Give us opportunities. If you have better solutions,
14 let's hear it, not negative obstruction. Thank you.

15 (Applause)

16 MR. RAKOVAN: I'm going to continue to go
17 through the speakers -- through the cards more or
18 less in the order that I was given them. Our next
19 three speakers I have are Chuck Wade, Teddy Nez, and
20 Derrith Watchman-Moore.

21 Chuck Wade.

22 MR. WADE: My name is -- can you hear me
23 back there? Because you can't really tell from here.
24 My name is Chuck Wade. I'm a retired general
25 contractor from here in Gallup, and I have been

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1 studying alternative energy for many years. What
2 I'd like for you to know that uranium is not an
3 alternative energy.

4 (Applause)

5 MR. WADE: Uranium is finite, and that any
6 rate of use of uranium at some point in time, it's
7 going to be totally depleted off this earth. Then
8 what are we going to do to make electricity? I have
9 a suggestion. Let's not use fuel to make
10 electricity. It's absolutely not necessary.

11 And what I mean by that is there are
12 methods and I have one in my hand here, is a
13 provisional patent application for a heat
14 amplification process that takes no incoming fuel and
15 puts out lots of energy. And I will explain that
16 very, very easily. Take normal electricity and start
17 -- and put it into an infrared light bulb. That
18 light bulb will turn it in -- turn the electricity
19 into heat. That heat goes into a nano-sized
20 particle. That particle will be -- will start self-
21 resonating and will take in 18 times more energy than
22 you put in. And that's -- then it will not only take
23 it in, then it will reradiate it out.

24 Therefore you put in one part of energy,
25 you get out 18 parts of energy. You can take two of

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1 three of those parts of energy that comes out, run
2 it back in, and heat that light bulb and this whole
3 process becomes a self-powering generator. Why I say
4 all this is, we're up here talking about a little
5 bitty in situ mining process that will help a few
6 people here, that will help and hinder and hurt many
7 more people, but it will have almost no effect to the
8 people of this world. What we need to do is solve
9 our energy, our fuel for energy problem. And this
10 heat amplification process will do that. What I
11 would encourage you to do, for the Navajo Nation and
12 even HRI, to go together and engineer, manufacture,
13 and put this heat amplification process into
14 industry. That way these processes and unit can go
15 throughout the world and help the people of the
16 world, put jobs here on the Navajo Nation. I see a
17 lot of good. And I absolutely cannot see any good of
18 having in situ mining going into our water tables in
19 this arid land.

20 Let me explain just a little bit what --
21 how uranium does energy, or becomes electricity I
22 should say. What uranium does it creates heat, very,
23 very efficiently. That heat boils water to make
24 steam to turn a turbine and the only thing that
25 turbine does, folks, is make a -- it goes round and

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1 round and it creates a rotating magnetic flux. Not
2 one part of that uranium goes down the -- because
3 that rotating magnetic flux has the energy of the
4 vacuum which is a -- absolutely the energy of the
5 universe at its disposal. This energy from the
6 vacuum goes into that rotating magnetic flux, is
7 consolidated, and comes out of that flux as usable
8 photons, then it goes into the wire and we use it.
9 There is absolutely nothing in uranium that is used
10 to make electricity per se.

11 I'm sure there's lots of questions and I
12 won't take anymore of your time, and I'd be happy to
13 work with the Navajo Nation and HRI or anyone else
14 that wants to solve our fuel for energy problem.
15 Thank you.

16 (Applause)

17 MR. RAKOVAN: Teddy Nez.

18 I have a feeling that's going to happen a
19 few more times before this meeting is over.

20 MR. NEZ: I'm the next to trip on the
21 extension cord. My name is Teddy Nez. I live at Red
22 Water Pond Road between the two abandoned mines,
23 United Nuclear and Kerr-McGee mining.

24 And I've been -- my family's been living
25 there for eight generations. You can calculate that.

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1 And that -- I'll talk about the license issue. And
2 then talk about contamination on the ground, air,
3 plants, sunlight, health, human health.

4 So I've been living in that area for --
5 1968 and then I went to Vietnam, far from our
6 country, then came back and then developed post-
7 traumatic syndrome on that site, and then I had to
8 live with the abandoned uranium mine post-traumatic
9 syndrome, so health issue.

10 I need to address that to the NRC and then
11 we need to have the health, our health issue, I have
12 cancer; I'm living it. I live in it everyday. And
13 then I have to go through the post-traumatic syndrome
14 with the uranium and then with the -- as a Vietnam
15 veteran, I have to go through with that, living with
16 the contaminated water. Our water is already
17 contaminated, and then on the -- some of the
18 regulations, some of the standards that you have, I
19 would make a request to have that like -- if the
20 water is contaminated, it should be a hundred percent
21 cured, instead of 40, 60, or any of the given
22 factors. So illness, we're living with it. We have
23 people that have cancers, so we have five individuals
24 that we have cancer. So as far as the license issue,
25 I would say no to it. Thank you.

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1 (Applause)

2 MR. RAKOVAN: Derrith Watchman-Moore.

3 MS. WATCHMAN-MOORE: Good evening. My name
4 is Derrith Watchman-Moore, and I'm representing the
5 State of New Mexico and the Office of the Governor,
6 Governor Bill Richardson, as well as the New Mexico
7 Environment Department. And I have a letter written
8 by the Governor to Chairman Dale E. Klein of the U.S.
9 Regulatory -- Nuclear Regulatory Commission, and his
10 letter is dated July 31st. And I want to note for
11 the record that the Governor did receive a response
12 from Chairman Klein on September 12th. And I want to
13 submit that particular letter for the record and if
14 you have access, you can, you know, make sure that
15 that letter is in the record.

16 But I want to preface the Governor's letter
17 first by saying the State of New Mexico wants to
18 applaud the NRC this evening for coming to the
19 community where the action is going to take place.
20 But we also want to say that we, as government, have
21 to do a little better. And you're getting there and
22 -- but you're not close.

23 I also want to add that it's unfortunate
24 that the NRC did not consult, communicate, invite, or
25 even allow participation by the State of New Mexico

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1 where most of this activity is going to be
2 occurring in the U.S., when you even had the idea of
3 a GEIS. And we would have told you that that
4 particular process is probably not a good one because
5 you're going to end up doing an EIS for every site
6 anyway. So you're not saving any money at all.

7 And if you were to conduct a cost benefit
8 analysis, your cost benefit analysis will tell you
9 that your proposed EGI -- or GEIS process is not
10 going to save you any money.

11 And the Governor acknowledges that your
12 goal is efficiency and I believe he talked about cost
13 and time. The State of New Mexico also considers
14 efficiency something that we consider in government
15 decisions, but we also consider the community wishes.
16 And so we are getting better at understanding the
17 community needs.

18 So I want to read a couple of comments from
19 the letter and I won't read it in detail because I
20 understand this particular letter was also read for
21 the record -- into the record at the Albuquerque
22 meeting.

23 But the Governor says that he shares your
24 goal of efficiency and governmental oversight, but
25 however in this case he believes that your attempt at

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1 efficiency will negatively impact the ability of
2 New Mexico citizens to participate in the NRC
3 licensing processes for individual facilities.

4 He also says that there is nothing generic
5 about the concerns that many New Mexicos have -- New
6 Mexicans have with proposals to open or start new
7 uranium mining and milling operations in their
8 communities. The Governor states that New Mexico
9 citizens have the right to full involvement in
10 decisions, and that New Mexico citizens have a
11 problem with a proposal of a Generic Environmental
12 Impact Statement -- okay, I have to read this again,
13 that the NRC's GEIS proposal is contrary to the State
14 of New Mexico's public participation permitting
15 process. And that given the concerns of New Mexico
16 citizens and their concern about public participation
17 in this particular process, that the Governor asks
18 that you eliminate the EGIS (sic) process and that
19 you are respectful to the sovereign Native American
20 tribes in Pueblos and the general public,
21 particularly in this particular part of the State.

22 The Governor states that the -- New Mexico
23 must be assured that the public is given a robust
24 opportunity to participate in the decisions and that
25 all environmental, water, resource, and public --

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1 potential public health issues are thoroughly
2 examined for each operation.

3 And given that we're far into this process,
4 I would add that the primary area that you should be
5 concerned about, and given that there are many, many
6 significant cultural sites and concerns regarding
7 protection of sacred sites, and given the fact that
8 there are environmental justice concerns, that you'll
9 find that these particular concerns and issues will
10 take you straight to the EIS process.

11 In conclusion, the Governor wants to be
12 assured that the public to review individual
13 Environmental Impact Statements for proposed uranium
14 mines and mills in New Mexico are on a case-by-case
15 basis and that the only way to get there again is
16 through an Environmental Impact Statement for each
17 particular site. Thank you.

18 (Applause)

19 MR. RAKOVAN: Thank you.

20 The next three speakers that I have are
21 Annie Sorrell, Michael Daly, and Eric Jantz.

22 Annie Sorrell.

23 MS. SORRELL: Good evening. (Speaks in
24 Navajo) Well just by listening, a lot of us are
25 living out in the past. You know some of us want to

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1 go forward. We want to see what we can establish.
2 We want to see what improvement we can make. Too
3 much of this way back 1968, those years are gone.
4 That's why our government doesn't get anywhere, it's
5 because they live in the past. They go back, go back
6 and forth. We need to go forward.

7 I'm for uranium mine. I'm allottee, I have
8 a land. Our parents have given us land in Crownpoint
9 and in Smith Lake, and I'd like to see Crownpoint as
10 a city, a town. I'll always say that I want a big
11 motel there. I want a big restaurant because we have
12 a lot of tours that goes to Chaco Canyon. And we
13 need these places, you know, established. I'd really
14 like to see some improvement on the reservation.

15 Our chapter places are the only thing that
16 lightens up is the Bashas. That's the town Mr.
17 MacDonald established and what more has been
18 established this year -- for the next -- for the last
19 eight years as far as I know? What are we doing?
20 Where are we going? Do you ever think of your
21 grandchildren, your children? They need jobs. They
22 need to improve themselves in the housing. A lot of
23 these houses are built, the rents are too high
24 because our children are not working. And our
25 grandchildren are coming up. I think we should think

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1 again, and I'm in favor of uranium mines. Not that
2 I want the money. We need businesses. We need auto
3 sales. We need a lot of things that we can enjoy
4 while we're here.

5 You talk about a lot about these sacred
6 places, and it looks like we're pulling Mount Taylor
7 with the Mexican people. They're my people, yes.
8 And the Navajo, we are pulling them. We're pulling
9 it this way. And the Hopis took our land, they said
10 something about regaining our land. Maybe when we
11 get our uranium we'll buy our land that's been given
12 away. Watching our leaders just -- you know, the
13 lands that were stolen from them.

14 I'm in favor of a lot of improvements on
15 the reservation and I'd like to see it. A lot of us
16 are middle age and we're grandmas and you know, our -
17 - my parents have -- are both gone, but you know we
18 want to do what we can while we're here. And that's
19 why a lot of our children are off reservation. They
20 have jobs back there because there wasn't -- the jobs
21 weren't available and then the pay was really bad.

22 So some of you are leaders here like
23 George. And the rest of you, please think again.
24 Think tomorrow. We need the best for our children.
25 We need to concentrate in helping the children with

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1 drugs, alcohol, and meth, whatever it is. That's
2 what we need to concentrate on, I think, other than
3 uranium. Not all people are gone with uranium.
4 There was tuberculosis. I know when I was a little
5 girl, you know, I herd sheep and I always say that we
6 herd sheep near Wilson and Cindy's place (phonetic)
7 and you could just see dust. And I'll always say
8 that we just blew dust away from Cactus and Edith
9 (phonetic). And then if we see ponds when we're
10 thirsty, we just blow all the bugs away and drink
11 water.

12 What are we afraid of? We need to get away
13 from this being afraid and do something about it.
14 I'm in favor of uranium and I'm glad these people are
15 supporting us.

16 (Applause)

17 MR. RAKOVAN: Michael Daly.

18 MR. DALY: Thank you. Good evening, NRC
19 staff and ladies and gentlemen. My name is Michael
20 Daly. I'm outgoing chairman of McKinley County Water
21 Board. The county commission appointed us several
22 years to go -- to look into issues related to water
23 and to advise them in those matters in a way that
24 might be beneficial to them.

25 One of the things we looked at was the

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1 mining by H -- the proposed mining by HRI at
2 Crownpoint and Church Rock. And the way we did that,
3 we asked HRI to come in and give a presentation, and
4 then we asked ENDAUM and the Southwest Research and
5 Information Center through ENDAUM to come and speak
6 to us so we could evaluate it. What we received from
7 HRI was a technical presentation, and parenthetically
8 while I'm talking about a technical presentation, Mr.
9 Michalak, I really appreciated your presentation.
10 It's obvious that you understand the subject and you
11 could also communicate it very clearly. Thank you.
12 But -- I liked it. I'm sorry.

13 But anyway, what we received from HRI was a
14 pretty clear technical presentation and it sounded
15 good to us.

16 When an ENDAUM representative came to us,
17 what we got was a very heartfelt visceral reaction to
18 any kind of mining. We didn't hear a technical
19 argument against the in situ leach mining. What we
20 heard was about all the past mining problems that
21 we've been hearing about tonight. And Southwest
22 Research and Information Center did not come to our
23 board. They did come to the Gallup water board,
24 however.

25 What we did then is we investigated --

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1 there's a final EIS for HRI's proposals at Church
2 Rock and Crownpoint, and there were appeals made by
3 the Southwest Research Information Center and by
4 ENDAUM, technical presentations, and we got the
5 hearing reports and read those. And based on that,
6 we concluded that there is -- that the mining
7 operation won't impair the water.

8 The conclusion here in a short paragraph:
9 "After a review of the materials provided, an
10 investigation into the assertions made by those
11 opposing in situ leach mining, we discovered no
12 evidence that would suggest that the mining operation
13 will impair our water supply."

14 And there's one other thing here. I want
15 you to know that the people on the water board are
16 all volunteers and we have a broad spectrum. We're
17 not yes-men for the uranium industry and I mean, we
18 just -- we had had a broad view from both sides. And
19 -- but we did come together on this issue.

20 The other thing, and I think it's more like
21 a recommendation, I'm not sure the environment
22 department is going to be in charge, but we did also
23 recommend that there be frequent split sampling at
24 the monitor wells to be sure that the material is
25 contained, the mining operation is contained in the

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1 area it's intended. You can have excursions, they
2 do go off. And HRI proposal is to mine \$100 million
3 worth of uranium a year. If they can mine \$100
4 million uranium a year, I think we could probably
5 have weekly or monthly split sampling and it wouldn't
6 break anybody's back and be safe. Thank you.

7 (Applause)

8 MR. RAKOVAN: Eric Santz (sic).

9 MR. JANTZ: Jantz.

10 MR. RAKOVAN: Jantz, sorry.

11 MR. JANTZ: Not a problem.

12 MR. RAKOVAN: I thought it started with an
13 S. I apologize.

14 MR. JANTZ: It's okay. Hi, my name is Eric
15 Jantz. I'm a staff attorney with the New Mexico
16 Environmental Law Center. I represent a number of
17 organizations who are submitting written comments on
18 the proposed GEIS, among them Eastern Navajo Diné
19 Against Uranium Mining, Blue Water Valley Down Stream
20 Alliance, Southwest Research and Information Center,
21 and the Haak'u Water Office of the Acoma Pueblo.

22 And tonight I'm actually speaking on behalf
23 of, for the most part, Haak'u Water Office of the
24 Acoma Pueblo. The folks from ENDAUM and Blue Water
25 Valley have done a great job of giving their concerns

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1 about proposed uranium mining, as well as the
2 legacy of past uranium mining.

3 One thing I do want to correct that was
4 made in the NRC presentation at the beginning of this
5 meeting is the impression that ground water can be
6 restored after ISL mining. There's never been a
7 commercial ISL mine in the United States that's
8 restored ground water to its pre-mining condition.
9 It hasn't happened.

10 I have in my hand a report by the U.S.
11 Geological Survey prepared for the NRC about ground
12 water restoration. The -- one of the examples they
13 give of a successful restoration is the Highland,
14 Wyoming, the Highland Oil Field, a project in
15 Wyoming. The original baseline water quality for
16 uranium, which is a poison; it, if ingested, will
17 result in kidney failure and damage, was .05 (sic)
18 milligrams of water per liter. After restoration,
19 after restoration, it was 3.53 milligrams per liter
20 of water, from 0.5 to 3.53 of this kidney toxicant,
21 and that was considered a successful restoration by
22 the NRC. So I just want to let the folks out here
23 know that that's what restoration means to the
24 Nuclear Regulatory Commission.

25 In terms of the GEIS process, it's

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1 unfortunate that the NRC has represented that it
2 takes public comment into account. At the
3 Albuquerque meeting, a representative from Haak'u
4 Water stood up before a crowd of 250 so people and
5 asked for a tribal consultation on this GEIS. That
6 hasn't been done. I'm here to ask for that again. A
7 tribal consultation was absolutely not done in the
8 context of whether or not a GEAS -- GEIS should be
9 prepared. And tribal consultation, at least with
10 Acoma Pueblo, has not occurred to date.

11 As trustee, as a federal trustee for
12 tribes, the Nuclear Regulatory Commission, as an
13 agency of the Federal Government, has an obligation
14 to consult with tribal governments. Tribal
15 governments aren't a member of the public, they are
16 governments. Government-to-government consultation
17 is necessary and should commence at the as soon as
18 possible date. Thank you for your time. (Speaks
19 Navajo)

20 (Applause)

21 MR. RAKOVAN: I'd like to thank everyone
22 who has spoken tonight and, you know, thank you for
23 keeping with our time so we can get through. I've
24 got a number of people that we're going to get
25 through so we're going to just keep on going.

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1 The next three speakers that I have are
2 Jerry Pohl, Terry Fletcher, and Rose Marie Cocchini.

3 Jerry Pohl.

4 MR. POHL: Good evening, ladies and
5 gentlemen. My name is Jerry Pohl. I'm here to
6 represent the Cebolleta Land Grant. I want to thank
7 you -- all you guys for being here and I respect all
8 you guys' thoughts. And as leaders of your people, I
9 know you've got concerns for them, but I also want
10 you guys to respect my thoughts.

11 I've lived in the Cebolleta Land Grant for
12 many generations, I have come back from the colonial
13 times, my people have been there for just about ever.
14 We live on the east side of Mount Taylor. We used to
15 own 200,000 acres of the mountain on the inside and
16 the Alpy Ranch, the Elkins Ranch, even part of the
17 Flowing B (phonetic) Ranch and the Puerta Villa Land
18 Grant. That all belonged to the Cebolleta Land
19 Grant.

20 We have had mining in the past in the
21 Cebolleta Land Grant. It never hurt our water. It
22 always produced good jobs for us. In fact, most of
23 the people have stayed in the Cebolleta area because
24 of the mines, because they didn't have to go out and
25 look for jobs. The mines can do a lot of good things

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1 for the people. It's governed right. With today's
2 technology I think they can even do a lot better. So
3 don't be afraid of it, don't be afraid of uranium.

4 I myself have worked ten years in the
5 underground mining. I also have worked in the
6 reclamation of Anaconda Mine. In this respect, I
7 know I can represent a few miners and the mill
8 workers that are anxious and willing to go back to
9 work. I want to thank you all.

10 (Applause)

11 MR. RAKOVAN: Terry Fletcher.

12 MR. FLETCHER: Good evening, ladies and
13 gentlemen. My name is Terry Fletcher and I'm the
14 president of the New Mexico Mining Association. One
15 of our functions is education of the public and
16 government officials.

17 The World Health Organization has commented
18 the greatest threat to the health and welfare of
19 rural people is poverty.

20 Mining can be conducted in a sustainable
21 and environmentally sound manner. We support the
22 GEIS. This allows mining companies to prepare a
23 robust EIS. It allows NRC to concentrate its
24 expertise and experience on the site-specific aspects
25 of each and every site.

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1 I was going to speak to you a little bit
2 tonight about energy independence for our nation, but
3 Mr. House did a wonderful job, so I'm not going to
4 repeat that. But I do want to point out that we're
5 all feeling the impact of higher natural gas prices
6 and gasoline at \$3 a gallon. Gasoline, we're only
7 dependent on 60 percent of our oil resources outside
8 of the United States. Nuclear power is a given
9 source. Whether we like it or not, it's going to be
10 a mix for the future. Today we only achieve four
11 percent of that from domestic supply. How would we
12 like to be 96 percent dependent on the rest of the
13 world for one of major sources of energy. So energy
14 independence, local jobs, the swift and concise
15 actions from the NRC; we support the GEIS. Thank
16 you.

17 (Applause)

18 MR. RAKOVAN: Rose Marie Cocchini.

19 MS. COCCHINI: Good evening everyone, and
20 also members of the Nuclear Regulatory Commission.
21 Welcome, and thank you for your presentation.

22 I'm Sister Rose Marie Cocchini and I'm
23 presently serving as coordinator of the Office of
24 Peace, Justice, and Creations Stewardship for the
25 Diocese of Gallup. And perhaps I'm stepping back

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1 with a different perspective, but I think it's a
2 very important perspective, especially for people of
3 faith. And we have many different religions and
4 traditions represented here, but we all share a deep
5 concern for life.

6 And so I'd like to just begin by sharing
7 the quote from Chief Blackout, who said and reminded
8 us decades ago that we belong to the earth. We do
9 not own the earth. The earth does not belong to us.
10 And it's very obvious that our human life is very
11 dependent upon everything that the earth provides for
12 us. We're all totally dependent on the biosystems of
13 earth.

14 Yet somehow our western civilization has
15 proceeded and continued to regard the earth as a
16 natural resource to be exploited and used for
17 development and for economic profit. And at this
18 time I think most of us are growing in an awareness
19 that our earth is very limited, and we're seeing it
20 with global warming. We understand that the whole
21 earth is going to suffer as a result from rising
22 seas, from the continuing drought here in the
23 southwest, which will only continue and worsen.

24 And so as we look at this and we reflect on
25 it, that we all share in one web of life, regardless

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1 of our cultural, ethnic and racial backgrounds. If
2 we truly come to that from a religious perspective,
3 then we know that our personal and individual choices
4 are affecting each and every one in our community of
5 life. And that's all living beings, our fellow kin,
6 creatures, the life and the beauty of the southwest,
7 the earth around us.

8 In learning of this challenge of this
9 possible resumption of uranium mining in the Diocese
10 of Gallup, Bishop Donald Pollot responded by issuing
11 a pastoral statement and the title is "God's Sacred
12 Gift of Water." And he addressed this to all people
13 of faith. And his intent was to place this
14 discussion in a broader context, and that context for
15 people of faith is one of relationship with our
16 creator and the relationship we have with all God's
17 creation. So you may bear with me with some of the
18 traditions of this concept or this idea that we are
19 one family under one creator, that the creation is
20 God's self-revelatory gift to each of us, and it's a
21 revelation of God's love and care.

22 All of us, each and every human being is
23 created in the image and likeness of our creator. We
24 are all one, brothers and sisters in this family.
25 These are very basic fundamental beliefs for people

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1 who hold religion important and faith and
2 spirituality in their daily living. And so we are
3 each entrusted with the sacred vocation to somehow
4 share and mirror this love for each other, for God's
5 creation, and for all the community of life. And not
6 just for ourselves, but for our future generations.
7 We learned this from our Native Americans brothers
8 and sisters. It's the seventh generation, how will
9 they be impacted.

10 So in this particular pastoral statement,
11 the Bishop presents the idea that when life-
12 sustaining waters are threatened, we're all
13 challenged then to go deeper and to somehow
14 understand that we need to respect and protect water
15 as God's sacred gift. It's not a natural resource to
16 use and misuse and contaminate because it will bring
17 us more economic profit.

18 So we're being challenged about renewable
19 energy. What are the possibilities? Where's the
20 solar energy and the hydro energy, the wind energy,
21 where are the alternative energy technologies that
22 our scientists, our very talented scientists and
23 technologies could help us open up for the future.

24 The -- also in this statement, it is
25 reminded that numerous scientific and medical experts

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1 have warned that invasive and experimental in situ
2 leach uranium mining technology would invade and as
3 we have heard already, irreversibly contaminate vital
4 water reserves in the aquifers, pollute soil, air.
5 We've heard this and we see evidence, those of us who
6 have traveled to these former uranium sites.

7 So there's no scientific evidence, as was
8 presented by Eric Jantz from the New Mexico
9 Environmental Law Center, no scientific evidence that
10 uranium-contaminated waters have ever been restored
11 to pre-operation standards.

12 So the Bishop asks us to look at this.
13 What about the contamination and destruction of vital
14 water reserves? What does that mean for us? For our
15 communities? For all life in our region? And
16 nothing is more precious than what sustains life, the
17 bio regions. We know that.

18 So the pastoral statement invites us in our
19 public policy making, and our discussions with our
20 officials and those who represent agencies to focus
21 directly on environmental issues at stake,
22 safeguarding vital water reserves for present and
23 future generations. What is the common good for all
24 in the communities involved, which by necessity
25 includes the good of the earth and the earth's living

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1 systems. Without water there is no life.

2 And so for those of us who have the
3 religious perspective and that spiritual, moral,
4 ethical, environmental justice principles are at the
5 core of our faith journey, our life journey, these
6 are very serious considerations. So we join you all
7 in looking at these challenges, but now is the time,
8 here is the place, and we are the stewards of God's
9 sacred creation. Thank you.

10 (Applause)

11 MR. RAKOVAN: From my card count, it looks
12 like we're winding down to the last, like half dozen
13 or so speakers, so we'll keep on moving.

14 Melvin Capitan, Jr., Susan and Juan
15 Elizondo.

16 Melvin Capitan, Jr., please.

17 MR. CAPITAN: Good evening or goodnight,
18 NRC representative. I'm Melvin Capitan, Jr. and I'm
19 a Navajo and a geologist for HRI.

20 I strongly support the preparation of the
21 Generic Environmental Impact Statement. I understand
22 your concerns and issue on underground drinking
23 water. I work with the Navajo Nation Environmental
24 Protection Agency under the underground injection
25 control CIE for six years, and then worked for the

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1 BIA for another five years. I'm also a resident of
2 the Greater Aneth oil field, have lived with
3 exploration and production of oil and gas most of my
4 life. I'm aware of the pros and cons of the
5 industry.

6 My recommendation is that the in situ
7 recovery ISL method is the best method due to the
8 safety and cleanness of the operation and
9 development, because I'm the guy in charge of the
10 geology of the operation.

11 It is my belief that if we don't pursue
12 with the GEIS, the residents of Crownpoint and Church
13 Rock will lose out on economic benefit.

14 There have been statements still, as I said
15 in Albuquerque, many in regard to annihilation and
16 genocide of the Navajo people, but if you look at
17 Crownpoint and Church Rock today, the population of
18 those communities seem to have tripled. I see more
19 homes. How will these growth -- growing communities
20 sustain themselves without the resources that money
21 could provide for them.

22 Finally I'd like to ask the Navajo Nation
23 Council delegates and the president and vice
24 president, come on, my own people, can't not work
25 together. We need to sit down with some -- bring in

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1 -- back the young people like myself back to the
2 reservation, hire us on to resolve all these issues.
3 That's a solution right there. But it's been the
4 past. The past is still with us and I don't like
5 that at all. So I encourage the Navajo Nation to
6 step up. Thank you.

7 (Applause)

8 MR. RAKOVAN: Susan and Juan Elizondo.
9 Susan and Juan Elizondo. Okay.

10 I apologize, but I know I'm going to
11 slaughter this one because I'm having a difficult
12 time reading it. Sarah Nemio-Adeky. If you could
13 please introduce yourself, because I apologize, but I
14 can't make out the name.

15 After her we'll go to Chris Kenny and Phil
16 Harrison.

17 MS. NEMIO-ADEKY: Good evening. It's
18 actually -- they can call me Adeky which is Japan,
19 it's Japanese, and sometimes it's Adeky but it's
20 actually Adeky. Sara Nemio-Adeky. That's my name.

21 MR. RAKOVAN: Thank you.

22 MS. NEMIO-ADEKY: Good evening, members of
23 the NRC.

24 UNIDENTIFIED SPEAKER: We can't hear you.

25 MS. NEMIO-ADEKY: Okay. I just mentioned

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1 who I am, addressing myself properly here. I'm a
2 Navajo, a member of the Eastern Navajo Agency. I'm
3 also an allottee of the -- within the Eastern Navajo
4 Agency. I'm here to talk about what is happening
5 within our Eastern Navajo Agency communities.

6 I've been working in that area for the last
7 two and a half years and have come on a one-to-one
8 basis with our community members out there. We have
9 many, many cases of where our people are suffering
10 from the legacy in one way or another. And I think
11 not only if -- until we come on a one-to-one basis
12 with our people, will we find what is really
13 happening out there.

14 I know that we are in an economical
15 distress time within our nation, but we have to look
16 at what we have and the resources that we have right
17 here in our own areas and where our people are
18 dwelling. There's a lot of rich resources there, and
19 whether it's on the subsurface -- in the subsurface
20 area or in the surface area. And our people cherish
21 that, and they don't want to see any more unforeseen,
22 unpleasant things that will happen to them because
23 they don't know, they don't know what's coming down
24 on them. They don't understand the in situ leach
25 mining like a lot of the technical people understand.

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1 They don't know what is going to happen to them.
2 We hear testimonies. We hear oil history coming from
3 them, and they are very saddened by what is
4 happening.

5 So as you look at the -- your Generic
6 Environmental Impact Statement and how you're going
7 to develop that, I just heard just this evening that
8 one of the requirement is the bio assay program that
9 the mining companies have to implement. I think it's
10 just proper to properly -- it's proper to go beyond
11 that and go to the communities and give them the full
12 health studies too. I think they need to be assured
13 that what their health state is like, because this is
14 what is lacking there. They don't know what is
15 happening to them. There are health assessments
16 going on. There's some data gathering going on, but
17 that is not enough. It goes beyond that for our
18 Navajo people. There's many things that have
19 happened, and I think we can go down the line. A lot
20 of it has been mentioned, but the Navajo Nation we
21 kept saying our president, Joe Shirley, he only
22 validated the law.

23 The Navajo Nation Council, a majority has
24 voted to ban uranium mining and processing. And the
25 -- to this day, the support is still there with the

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1 Navajo Nation Council. And that should be upheld
2 by outside agencies, including the mining companies,
3 as well as our neighboring tribes, Acoma Pueblo,
4 Laguna Pueblo, and all inter-Pueblo council have also
5 passed resolution opposing any new uranium resource
6 development that is going to happen near their sites.

7 I'm from Cebolla County. I live in Cebolla
8 County and that's where my voting is at. And my home
9 chapter, Ramah Navajo chapter is the only chapter in
10 Cebolla County, and they have the resolution opposing
11 uranium mining.

12 And it's only the City of Grants, a very
13 few people that are in support of uranium mining.

14 We hold and cherish our sacred mountain,
15 Mount Taylor, and we have a Navajo history and
16 culture committee that have endorsed the resolution
17 that they will come forth and they will -- in their
18 own language to say that it's improper and it's also
19 a -- it's improper for mining companies to go in and
20 start digging.

21 Right now we have abandoned mines. We have
22 holes in the earth that go somewhere, and we could
23 hear our mother earth just moaning right there.
24 She's still hurting. And that's what I know, 'cause
25 I go out there and I look and we do ground truthing,

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1 and we come across these places, and we investigate
2 in our own ways as to what happened. And it saddens
3 our hearts to see that.

4 And it just so happens that your comment
5 period ends on October the 31st. And my brother
6 here, Perry Charley, said that's the day that the day
7 that the Little Chube saw something about Little
8 Chube. But you know that's the day that I would say
9 for Halloween, that's the day that people celebrate
10 evil. And in our language we would say (speaks
11 Navajo). And maybe this is rightful. You know it's
12 wrong, it's wrong to be -- start celebrating the in
13 situ leach mining and processing and supporting it,
14 because that's the day of, and the way we see it as
15 Navajo people, it's celebrating evil. And maybe
16 that's where it will end up. Thank you.

17 (Applause)

18 MR. RAKOVAN: Thank you for your comments.
19 Chris Kenny.

20 MR. KENNY: Short people here. This feels
21 strange. I'd like to request in the future in your
22 meetings that you allow the speaker to be able to
23 address the people here, as well as people out here,
24 somehow. I think it could be possible.

25 I wanted to start by just voicing my

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1 support for a few of the speakers that I have
2 heard, Larry King, absolutely, Stephen I believe his
3 last name is Edison, absolutely. If Governor
4 Richardson said what I think he did, you'll find out
5 my support for that later. Eric Jantz, absolutely.

6 I -- so that I don't need to say what those
7 people said. My feeling is what we in this country,
8 maybe especially, but all other the world, have a
9 belief, an inherent belief in the infallibility of
10 our own goodness, and that we couldn't possibly do
11 anything bad.

12 And I just want to say that my name is
13 Chris Kenny, and I forgot to say that. And I'm a
14 scientist like you people, and I can tell, I can look
15 into your faces and see that you are very genuine in
16 what you do, you're very competent, you're given a
17 challenge, you go after it in the best possible way.
18 And if I were in charge of this task, I couldn't
19 possibly imagine doing it any better than you have
20 demonstrated and which you're going to be doing for
21 the next two years.

22 However, it does seem like humans are
23 capable of doing things that surprise themselves. If
24 for example we had done an environmental impact study
25 on the initial holocaust to the Navajo in the 1800s,

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1 I'm sure they were people just like you on the
2 committees in Washington to look at that, and the
3 decision to control the Navajo problem basically was
4 coming from people who saw land they wanted and
5 wanted to get it. And the solution was to
6 assassinate a few million Navajo and put the rest on
7 a reservation, a concentration camp. There's always
8 a justification with well-meaning people who are
9 heavily religious, who are doing what they think is
10 best, but it often is not in their own backyards and
11 not with their own relatives and not with their own
12 people. And we have another example of this going on
13 here.

14 These people will not live here and they
15 have conveniently chosen the people who live here to
16 be the sufferers if something goes wrong, not
17 themselves.

18 If we had done an environmental impact
19 study on what would happen to Vietnam -- it's just
20 impossible to imagine how good people can go so
21 wrong. But they do, so we have to keep watch over
22 ourselves.

23 Every single person in this room I would
24 guess is currently contributing to the holocaust in
25 Iraq every April 15th. You know where your money is

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1 going. It's going to kill those people. Do you
2 stop yourselves? No, because you have an inherent
3 belief in the goodness of this country and the
4 goodness of yourselves. And that the allegiance and
5 the service of God and country is your protection
6 system. You can't serve your God and country,
7 because God does not favor a particular country or a
8 particular culture and certainly does not consider
9 the Navajo to be expendable.

10 I would say you already have your answer.
11 You've had it for years now. The Navajo clearly said
12 no. Why do another study? Because you're paid to do
13 it and you have a job. Find another job.

14 (Applause)

15 MR. KENNY: And I'm sure you can do a good
16 job in other areas where your true beliefs can be in
17 action and know that you're doing the right thing.
18 You're very smart people.

19 Now, I would encourage, and I want to
20 mention Chuck Wade here in a particular kind of way.
21 He mentions using a renewable resource. Uranium is
22 like oil; it will come to an end. What do we have?
23 Why I am wearing this T-shirt? We have renewable,
24 sustainable energy, plentiful. It's cheap. Just
25 because we have 30 new nuclear plants being approved

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1 in Texas does not mean they have to come here and
2 as a afterthought, figure out how to get the uranium.

3 We just say no, no. I say no now, you say
4 no, we fire these people. No study. Use their
5 salaries to build a solar plant for our city and
6 we'll have a lot of money left over. Thank you.

7 (Applause)

8 MR. RAKOVAN: Suddenly I'm glad that I'm
9 the facilitator of this meeting.

10 (Laughter)

11 MR. RAKOVAN: Having said that, we've got
12 three more speakers that I have signed up to speak
13 tonight. Phil Harrison, Leona Morgan, and Linda
14 Evers.

15 If we could we please have Phil Harrison.

16 MR. HARRISON: I need to lower this a bit
17 here. The uranium made me short.

18 Good evening ladies and gentlemen. My name
19 is Phil Harrison and I'm from Red Valley co-chapter.
20 And I -- it's my first term on the Navajo Nation
21 Council and I sit on the resource committee. I
22 wanted to speak on the issue, being a concerned
23 citizen and a concerned leader.

24 I have dealt with uranium for -- since the
25 1950s. I grew up in the mining camps and I lost my

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1 father to lung cancer. And I also worked in the
2 mines too, and went through some health problems.
3 And I lost many relatives in the Community of Cove
4 (phonetic) and the Community of Red Valley.

5 If you experience these health problems and
6 the destruction of our mother earth and contamination
7 in our water, contamination in the vegetation, the
8 air that we breathe, what life that we have, you
9 would know what you're talking about. If you were
10 never exposed to any kind of genocide or radiation
11 exposure, then if you don't live in the impacted
12 areas, then you wouldn't care. You wouldn't know
13 what will come of it.

14 I have experienced this firsthand, and this
15 is my first time that I actually -- going on record,
16 but I spent 27 years of my life. I been to the
17 military, and came back on the hardship discharge
18 because of my father was dying; I had to help my
19 family. The uranium had denied my education, and I
20 had to cut short of my military career. And I
21 lobbied for 27 years to, along with Tom Udahl,
22 Congressman Udahl, and Stewart Udahl, and by the way,
23 I had really enjoined the statement that Congressman
24 Udahl delivered. Thank you very much, Congressman
25 Udahl. And he had helped us. And he had seen this

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1 and spent many hours on the road meeting with
2 people, meeting with congressional people, and seeing
3 that we're starting another trend of uranium mining,
4 which is not good for us, not good for us.

5 And I sat back there and having people talk
6 about saying that this is good for all of us. What
7 do you mean by that? As leaders, we have to take
8 care of our younger generation, we have to take care
9 of our elderly. And that's how I took my oath in
10 January. As leaders, you don't poison your people,
11 you don't bring harm to your relatives, to your
12 children. This is really outrageous. If they can
13 make bombs with uranium, we are fragile. Just
14 imagine what they will do.

15 Money is not the answer. To me I think
16 this is greed, ignorance, and the nuclear field cycle
17 as you know, ends up back in the Native American
18 country. You mine, you mill, you burn, where does
19 the ashes go. It goes back to the Native Americans'
20 territory. And that is how I describe nuclear field
21 cycle.

22 So I do not support this and I will stand
23 by what the 40th council has passed, the Natural
24 Resource Protection Act, that ban uranium mining or
25 any kind of technology until, as our honorable

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1 president says, that until they find a cure for
2 cancer. So that's something that I will support
3 while I sit on the council.

4 And by the way, talking about Halloween, if
5 you see that word there GIS, that -- half of that
6 word means crazy. If you finish it, add some more
7 letters to it, it will be crazy. Thank you.

8 (Applause)

9 MR. RAKOVAN: Leona Morgan. Leona Morgan.

10 MS. MORGAN: Right here.

11 MR. RAKOVAN: Okay, I see her. Thanks.

12 MS. MORGAN: (Speaks in Navajo) Hello, my
13 name is Leona Morgan. I am the lead organizer of the
14 organization ENDAUM Eastern Navajo Diné Against
15 Uranium workers -- I mean against uranium mining, not
16 uranium workers. It's been a long night.

17 I have some print for -- to submit to the
18 NRC. I'd just like to make my commentary on all the
19 things that were said tonight and on the Generic
20 Environmental Impact Statement.

21 As a community organization, ENDAUM is
22 concerned with the quality of life of Diné people.
23 We are also concerned for our future generations.
24 And as a community organizer, I have been trained in
25 working with grassroots people, and one of the things

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1 that we observed in our Navajo people is the lack
2 of education. Yes, there's poverty, there's other
3 issues. And I understand that there's individuals
4 that are concerned for the benefit of their own
5 family because they need to know that there is job
6 security, there's economic development so that when
7 their kids go to school, they'd have jobs to come
8 home to. That is a concern, and so I'm going to
9 address that in a minute, but I just wanted to point
10 out that we are all concerned for the best things
11 that we want for our people. And so right now I
12 believe that if there was more education on the
13 effects, both negative and positive, if we can look
14 at the cost benefit analysis and see that there is
15 the benefit for a short time that is a little bit of
16 fuel for some people that are not on the reservation,
17 it's a little bit of energy through the nuclear fuel
18 chain that we just heard about, and it's also a
19 little bit of economic development for our people,
20 but only for a short time.

21 If you think about the uranium industry,
22 the reason why it ended and all the other things that
23 have happened, we've seen this before and it's a
24 process that we need to re-examine because it ended
25 for a reason and we're going to go through the same

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1 thing again if we don't learn our lesson.

2 And so part of the thing I'm stressing
3 about education is that there are risks, there are
4 risks that will affect our future generations beyond
5 my lifetime, beyond my children's lifetime. If the
6 uranium -- if the half-life of uranium is longer than
7 any of our lives, we will not see the total effects
8 that it is causing our people. And so there's just
9 one thing I wanted to point out that the effects are
10 much longer that we even can imagine.

11 But I want to talk a little bit about the
12 job, economic development. If we are able as Navajo
13 people to create our own industries, we can find
14 better solutions. Someone was commenting about
15 better solutions and alternate sources of energy.
16 There are excellent abundant sources of energy in
17 this region that are wind and solar, so I'd like to
18 stress to the NRC, and to all the people here
19 tonight, that we should as Navajo people look into
20 the industries of wind and solar, because we can
21 develop these ourselves and we don't have to allow
22 other companies to come in and benefit from our
23 resources.

24 And so that's one thing that we should
25 consider as the U.S. -- one of the countries that

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1 uses the most energy in the world, when our
2 population is growing, that's just going to increase
3 our need for energy, and uranium is just going to
4 pollute our land even more. So we need to find
5 energy sources that will last as much as our energy
6 needs are growing.

7 And so the other thing I wanted to address
8 about the Generic Environmental Impact Statement is
9 that EIS, they should be -- an EIS is made to be
10 site-specific. So we need -- each site needs to be
11 examined and have its own individual EIS. And that
12 needs to be presented to each community, meaning if
13 it's in a chapter area, it's appropriate to address
14 the chapter and to do tribal consultation.

15 I know at the Albuquerque meeting of the
16 NRC, Robert Tookey presented a resolution from the
17 all Indian Pueblo Council, which is a representative
18 of all the 19 pueblos in the state of New Mexico, and
19 they signed a resolution that has been submitted to
20 the NRC at the last meeting in Albuquerque.

21 And so tonight what I want to submit to
22 you, the NRC, and to point out to the people
23 listening is that the Navajo tribe has had a ban on
24 uranium through our Diné Natural Resources Protection
25 Act of 2005, and so I have a copy of that right here

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1 that I'd like to submit. I'm sure you have
2 several copies, but this is just to add to the
3 record.

4 So right here what I have also is a packet
5 of all the resolutions signed by different
6 communities dating back to 2003. There are several
7 groups, chapters, Church Rock chapter, Crownpoint
8 chapter, that have all signed resolutions opposing
9 uranium mining.

10 There are also letters from our different
11 Navajo Nation leadership, including -- going all the
12 way back to President Zaw and Shirley, and right here
13 I want to represent -- I want to present this which
14 I'd like to call the past, present, and future, the
15 past being all the resolutions signed, the present
16 being the -- our current ban, Navajo Nation ban that
17 I'd like to stress to ask the NRC to please respect
18 the sovereignty of the Navajo people. When we make a
19 law in our country, in Navajo Indian country, that
20 pertains to everything within it. And that includes
21 independent Indian communities such as Church Rock
22 and Crownpoint.

23 (Applause)

24 MS. MORGAN: And so unfortunately one of
25 the sites that is currently under, I guess, under

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1 attack is Mount Taylor, and so as a community
2 organization, we are also concerned about our sacred
3 sites. As Diné people, it is explained -- it's try -
4 - it's almost explained in the fundamental law, but
5 unless you speak and understand our tradition, the
6 fundamental law in its written form is just a
7 description of what the belief is of the Navajo
8 people, which defines our, in western words, our
9 religion.

10 It is not a religion, it is a way of life,
11 but as Americans, our First Amendment Right is to the
12 freedom of any religion of our choosing. And as
13 Navajo people, this is a religion that has existed
14 since time immemorial. And so as a sacred site,
15 Mount Taylor is inherently important in our community
16 -- in our people's philosophy that there are
17 teachings that go way back that explain that when
18 things happen to our sacred sites, things that are
19 negative or a long time ago we refer to a lot of
20 these as monsters such as poverty and laziness and
21 all these things. We knew of them as monsters and so
22 currently uranium is a new kind of monster. It's
23 something that is plaguing our people and it's
24 destroying the health and it's also creating this
25 false economy.

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1 If HRI and other companies are coming in
2 asking to use our resources, it's only to benefit
3 themselves. And the economy will only go to benefit
4 the people in the offices and the cities that are
5 wherever the energy is going, not our own Diné
6 people.

7 And so I'd just like to present this other
8 article. It says, "The Luke Chapter Considers Just
9 Transition." Just transition is -- it's an energy
10 development between the Navajo and the Hopi with the
11 State of California to promote and to increase the
12 production of wind and solar power. And so here --
13 these are all the documents and so someone else was
14 asking for proof. There's a book I have right here
15 that everyone, I'm sure you've seen, has lots of
16 proof about the scientific documentation against
17 uranium mining and why it's bad for our people.

18 And so I'd just like to thank the NRC for
19 holding additional meetings and for extending the
20 commentary period. And so I'd like to thank you for
21 that.

22 And lastly I'd just like to reiterate that
23 we would like tribal consultation, not just for
24 Navajo, for all the tribes in affected areas in every
25 state, and so federally-recognized tribes. And to go

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1 to all the communities.

2 And also that as Diné people, when there
3 are negative effects to our natural world, it affects
4 us as people. And so that's when things start to
5 happen to our mentality and the stories that go with
6 it; there's disease, there's growing substance abuse,
7 all of these things. There are effects of -- that
8 were taught to us in our traditions.

9 And so again I'd just like to say thank
10 you. Thank you for your time and (speaks Navajo).

11 (Applause)

12 MR. RAKOVAN: The final card that I have is
13 Linda Evers.

14 MS. EVERS: I'll keep it short. It's
15 almost morning again. We are with Post 71 Uranium
16 Committee. We have been doing an involuntary survey
17 on safety guidelines and health problems and safety
18 meetings that people had to work with in the previous
19 uranium boom. We're trying to get compensation
20 extended up 'til 1990 to include all the people that
21 were over-radiated and were never informed.

22 For one thing that I would like to make a
23 point is, Mayor Marietta out of Grants has turned a
24 blind eye and a deaf ear to our people and our
25 predicaments and our health problems. And he does

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1 not speak for Grants and Milan when it comes to
2 saying that they support uranium mining.

3 (Applause)

4 MS. EVERS: There is a big constituent that
5 does not support it at all because we're sick and
6 dying in our 30s and 40s, and it's from radiation
7 overexposure, lack of safety equipment. I saw in
8 your presentation that you talked a lot about safety
9 training. Safety training and safety equipment are
10 two different things. You could be trained all you
11 want but unless you're properly protected, you're
12 still overly radiated.

13 You've heard over and over again there's no
14 way to reclaim water once it's toxic. I live in Art
15 Gebeau's neighborhood. The EPA came out and tested
16 my well. My well was a little contaminated, so
17 instead of telling me it was contaminated, they
18 raised the numbers and told me I could consume the
19 water. When I took a jar of water to the EPA's
20 office and set it on his desk and told him you drink
21 it first, he put on a rubber glove and carried it out
22 of his office.

23 So we have good reason to not trust the NRA
24 (sic), we have good reason not to trust the EPA, and
25 you're not going to convince us with a little study.

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1 You're going to have to step up, you're going to
2 have to put up. I know uranium is a renewable,
3 reusable energy. Our point is, is we shouldn't have
4 to sacrifice one more life to get uranium out of the
5 ground. Thank you for your time.

6 MR. RAKOVAN: Thank you.

7 Scott, did you want to close things out?

8 MR. FLANDERS: I just want to say in
9 closing I want to thank all of you for coming out for
10 the meeting. I know it's been a long meeting and I
11 appreciate you staying until the end to provide your
12 comments. All your comments will be taken into
13 consideration as we prepare the draft Generic
14 Environmental Impact Statement and we will be back
15 out as Greg said before when we actually have a draft
16 for you to provide comments to us on that as well.

17 Again, we appreciate you for your time and
18 attention. Thank you very much.

19 (Whereupon the above-entitled matter was
20 concluded at 11:01 p.m.)

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