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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
+ + + + +  
PUBLIC MEETING  
FOR PUBLIC COMMENT ON  
THE DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT  
(GEIS)  
FOR IN-SITU LEACH URANIUM MILLING FACILITIES

+ + + + +  
MONDAY  
SEPTEMBER 8, 2008

+ + + + +  
BEST WESTERN INN & SUITES  
3009 WEST HIGHWAY 66  
GALLUP, NEW MEXICO 87301-6813

+ + + + +  
The meeting was convened at 7:00 p.m.

PRESENT:

- CHIP CAMERON
- LARRY W. CAMPER
- JAMES R. PARK
- JOAN W. OLMSTEAD
- GREGORY F. SUBER
- RON LINTON

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P R O C E E D I N G S

7:00 P.M.

1  
2  
3 MR. CAMERON: Good evening, everyone. My  
4 name is Chip Cameron and I work for the Executive  
5 Director for Operations at the Nuclear Regulatory  
6 Commission which we'll be referring to as the NRC  
7 tonight.

8 It's my pleasure to serve as the  
9 facilitator for the meeting tonight. And in that role  
10 I'll try to help all of you to have a productive  
11 meeting tonight.

12 Our subject tonight is a discussion of a  
13 document that the NRC has prepared. It's a Draft  
14 Generic Environmental Impact Statement or GEIS and  
15 this Draft Generic Environmental Impact Statement is  
16 on uranium milling, specifically on a technology  
17 called in-situ recovery or ISR.

18 And I just wanted to go over a few things  
19 on the meeting process before we get into the  
20 substance of tonight's discussion and I wanted to tell  
21 you about the format for the meeting tonight, some  
22 very basic ground rules for running the meeting and  
23 also to introduce the NRC speakers who will be talking  
24 to you tonight.

25 In terms of format for the meeting, it's a

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1 two-part format. The first part is to give you  
2 information and we have two relatively brief NRC  
3 presentations to give you some background on the Draft  
4 GEIS, what the preliminary findings are in the GEIS,  
5 how you can influence the final version and how the  
6 GEIS might be used on site-specific license  
7 applications.

8 After we hear those NRC presentations,  
9 we're going to go out to all of you for some questions  
10 before we get to the primary objective of our meeting  
11 tonight and that's to listen to your advice, your  
12 recommendations, your concerns about the issues that  
13 are in the Draft GEIS.

14 The NRC staff is going to tell you about  
15 the fact that we're also taking written comments on  
16 these issues, but we wanted to be with you in person  
17 tonight to talk with you and anything that you say  
18 tonight is going to have the same weight as a written  
19 comment. You may hear things tonight that will prompt  
20 you to file a written comment. You may want to  
21 amplify on your comments tonight with written comment.

22 All of that is fine.

23 In terms of ground rules for the meeting,  
24 I would ask you to just hold your questions until both  
25 of the NRC speakers are finished and that way we can

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1 get the whole piece of information out to you before  
2 we go for questions.

3 When we do get the questions and it will  
4 be a short time so that we can get to the comments  
5 from all of you, but when we do get the questions if  
6 you have a question, just signal me and I'll bring you  
7 this cordless microphone and if you could please  
8 introduce yourselves to us and ask your question.

9 I would ask that only one person speak at  
10 a time, the most important reason so that we can get  
11 that person who has the microphone our full attention,  
12 but also so that we can get what I call a clean  
13 transcript. We are taking a transcript of the  
14 meeting. Raymond Vetter is our court reporter who is  
15 here tonight and one person at a time will allow him  
16 to know who is talking. And this transcript is going  
17 to be the NRC's and the public's record of the meeting  
18 tonight that will be publicly available to anybody who  
19 wants it.

20 After the questions, we're going to go to  
21 the comment period of the meeting. And I think  
22 there's a number of people who have filled out the  
23 yellow cards that wish to speak tonight and I'll be  
24 calling your name out and if you could just come up  
25 here to the podium to talk to us and I would ask you

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1 to try to be brief. We have a number of people who  
2 want to speak and we want to make sure that there's  
3 time for everybody to talk tonight. So I'm going to  
4 ask you to follow a five-minute guideline and it is a  
5 guideline. It's not anything rigid, but to follow a  
6 five-minute guideline in your prepared comments. I  
7 found that five minutes is usually enough for people  
8 to summarize their concerns. And it does alert people  
9 in the audience and the NRC staff to issues that they  
10 have to start thinking about right away. And there's  
11 also the opportunity to amplify on your comments  
12 tonight in a written comment.

13 And finally, I would just ask everybody to  
14 extend courtesy to all who are here tonight. You may  
15 hear opinions that differ from yours, but just please  
16 respect the person who is giving that particular  
17 comment.

18 Let me introduce the NRC speakers to you.  
19 We're first going to hear from Larry Camper who is  
20 right here. Larry is the Director of the Division of  
21 Waste Management and Environmental Protection of the  
22 NRC and he's going to give you an introduction to the  
23 responsibilities of the NRC and a brief overview of  
24 some of the important issues in the Draft GEIS.

25 We're then going to go to Jim Park and Jim

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1 is the project manager for the preparation of this  
2 Draft Generic Environmental Impact Statement and Jim  
3 is going to give you all the details, in findings, why  
4 the NRC staff is doing it, methodology, things like  
5 that. And then we'll go on to you for questions.

6 Just let me introduce a few other NRC  
7 people. This is Gregory Suber and Greg is the Branch  
8 Chief of the Environmental Branch in Larry's Division  
9 and Jim Park works for Greg. We also have our senior  
10 attorney here, Joan Olmstead from our Office of the  
11 General Counsel in case there's questions about the  
12 legal process. And we have Ron Linton here who is  
13 also in Larry's Division and Ron is responsible for  
14 doing the licensing reviews on the site-specific  
15 license applications that we might get for an ISR  
16 project.

17 And with that, I'm going to ask Larry to  
18 go and then we'll go to Jim and then we'll go on to  
19 all of you. Thank you. And thank you for being  
20 here tonight.

21 MR. CAMPER: Thank you, Chip. Good  
22 evening, everyone.

23 Let me echo what Chip said. Thank you for  
24 coming out tonight. Thank you for taking part in this  
25 process. It's an important part of what we do to be

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1 able to come out and talk with communities like yours  
2 about our regulatory process, to answer your questions  
3 and to hear your comments. So we really do welcome  
4 that and thanks for taking the time and the energy and  
5 effort to be involved.

6 It's always a pleasure to be in New  
7 Mexico. It's a lovely place you live. I envy you at  
8 times when I'm out West. In fact, I envy you every  
9 time I'm out West. So it's a pleasure to be here.

10 As mentioned, I am the Director of the  
11 Division of Waste Management and Environmental  
12 Protection. Part of what we do in my division is  
13 provide regulatory oversight of uranium recovery  
14 licensing, whether it be through milling or it be  
15 through this in-situ process that Chip mentioned.

16 My division is responsible for developing  
17 the G-E-I-S or GEIS that we're here tonight to talk  
18 about.

19 Next slide.

20 (Slide change.)

21 The purpose of the meeting tonight,  
22 there's an act called the National Environmental  
23 Policy Act of 1969 and it is the federal standard  
24 that's designed to ensure that there's protection of  
25 the environment and it's a disclosure process. It's

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1 the process that federal agencies are supposed to use  
2 when they are taking a major federal action and in  
3 this case the major federal action under consideration  
4 would be a license application to authorize the  
5 production of uranium recovery through the in-situ  
6 process or through the milling process.

7 We like to describe our activities to date  
8 to assess the in-situ recovery process. We'd like to,  
9 of course, listen and gain your insights, your  
10 concerns, your thoughts about the Generic  
11 Environmental Impact Statement.

12 This is a second in a series of meetings  
13 that we've had here in New Mexico. We were here  
14 several months ago. We had meetings here in Gallup,  
15 in Grants, and also in Albuquerque. This particular  
16 series of meetings, the three in New Mexico this week  
17 is part of eight meetings that are taking place in  
18 August and September. Other meetings are taking place  
19 in Wyoming, have taken place in Wyoming, South Dakota,  
20 Nebraska, and there will be meetings later this month  
21 in western Wyoming. So there's eight public meetings  
22 about this particular document.

23 The scoping meetings that we had here in  
24 Gallup and Grants and Albuquerque, we listened to your  
25 comments. We transcribed the meeting. We factored

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1 those comments into consideration and we made  
2 modifications to the Draft GEIS that's now out for  
3 comment, based upon some of the things that we heard  
4 during that meeting. And we want to hear more  
5 tonight.

6 The Draft GEIS, I think there was a copy  
7 laying out on the table, it's a pretty thick document.

8 A lot of work went into it. Now what we need to do  
9 is take this draft document and finalize this  
10 document.

11 Next slide.

12 (Slide change.)

13 I do want to talk about our roles and  
14 responsibilities with an emphasis upon the National  
15 Environmental Policy Act. We will talk about the  
16 Draft GEIS, the approach that we used in the GEIS  
17 document, the purpose for the document. We'll talk  
18 about some of the findings that are reported in that  
19 document. We'll talk about our schedule for  
20 completing the GEIS, some of the next steps involved  
21 in the process, and then finally, of course, as Chip  
22 pointed out, we'll listen to public questions and  
23 comments.

24 Next slide.

25 (Slide change.)

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1           In terms of our roles and  
2 responsibilities, there are several points I'd like to  
3 make. We're an independent federal agency. What does  
4 that mean? That means we're not part of the Executive  
5 Branch of the Government. We're an independent agency  
6 that responds directly to and is oversight by  
7 congressional oversight committees, the Congress of  
8 the United States. As such, we're not part of any  
9 Administration and power at the time. Administrations  
10 come and go. The Congress continues to operate and we  
11 answer directly to the Congress.

12           We are not the Atomic Energy Commission.  
13 The old AEC used to have responsibility for promoting  
14 the use, peaceful use of atoms. It had  
15 responsibilities for ensuring that the nation had an  
16 adequate supply of uranium, both for national defense  
17 and subsequently for commercial power. We have no  
18 role to play whatsoever in the procurement of uranium.

19           We're not an advocate of industry. We are a federal  
20 regulator of an independent nature.

21           Our mission is to protect public health  
22 and safety and the environment. As I said, we do not  
23 promote the use of nuclear power. We do not promote  
24 uranium recovery. Rather, we protect and ensure that  
25 it's done in a safe manner that satisfies our

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1 regulations and protects the environment.

2 Openness and soliciting of comments is an  
3 important part of the process and it's one of our core  
4 values. NRC's regulations for governing environmental  
5 protection are set forth in Title 10, Code of Federal  
6 Regulations, Part 51, 10 CFR Part 51, and those  
7 regulations are built in part and used as guidelines  
8 for Council on Environmental Quality. The CEQ, as  
9 it's known, is that branch of the Federal Government  
10 which is charged with ensuring that the National  
11 Environmental Policy Act is met. So our regulations  
12 take the CEQ regulations into consideration.

13 Next slide.

14 (Slide change.)

15 Now the licensing review process itself.  
16 Our decision to grant or to deny a license application  
17 is based upon our safety review and our environment  
18 review. There is no pre-ordained conclusion that we  
19 will accept and issue a license, nor is there a pre-  
20 ordained conclusion that we will deny the license.  
21 Each application that we review as an Agency, whether  
22 it be a nuclear power plant, a hospital wanting to use  
23 radioactive materials, a uranium recovery facility,  
24 it's on the basis and the merit of the case before us  
25 and the application quality and whether or not it

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1 satisfies our regulations.

2           There are two parts to the process. One  
3 is an acceptance review. It's a 90-day acceptance  
4 review where we take a good look at the application  
5 and deem if it's worthy of proceeding with a full-  
6 blown comprehensive technical review. We bring  
7 together a team that looks at it, health physicists,  
8 hydrologists, engineers, and determine whether or not  
9 the package warrants full consideration of technical  
10 review.

11           We then conduct the detailed technical  
12 review. The technical review has two parts. It has a  
13 safety review. We have regulations in Part 40 of our  
14 regulations that set forth the regulatory criteria  
15 that has to be satisfied in order to be granted a  
16 license to recover uranium.

17           We also conduct an environmental review.  
18 And we have guidelines. We have the regulations in  
19 Part 51, and these two together are complementary and  
20 both must be completed. It takes about two years to  
21 complete the entire review process, both the safety  
22 side and the environmental side.

23           Next slide.

24           (Slide change.)

25           The environmental review process itself

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1 using the Generic Environmental Impact Statement. The  
2 GEIS or the G-E-I-S is a process whereby we are  
3 looking at a large number of ISR applications, all of  
4 which use a common methodology in the technology  
5 involved. It's true whether it be in Wyoming or in  
6 New Mexico, the technical considerations are the same.

7 We then take those technical considerations for in-  
8 situ recovery, we look at them in terms of  
9 environmental consequences, and we do so in the four  
10 regions that have been set forth and defined in the  
11 GEIS.

12 We use geographical and physical  
13 characteristics of bounding considerations within this  
14 document and then we bring that to bear upon the in-  
15 situ recovery process.

16 The steps to the process, first was  
17 scoping. Scoping is a process that's used any time  
18 you develop a Generic Environmental Impact Statement  
19 or a Programmatic Environmental Impact Statement that  
20 is known in NEPA space, or if you are doing a site-  
21 specific Environmental Impact Statement. You just go  
22 out and scope what are the things that need to be  
23 considered in that Generic Environmental Impact  
24 Statement.

25 We created a draft which I just showed you

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1 a moment ago. You put the draft out for comments.  
2 It's out for comments now. Jim will talk more about  
3 the time line for providing comments.

4 And then you go out to the public and you  
5 explain what it's about. You get the comments. You  
6 analyze the comments and you then factor them into the  
7 final document that's developed. This GEIS will be  
8 used to conduct a site-specific review.

9 Next slide.

10 (Slide change.)

11 What I wanted to do in the next two or  
12 three slides is cover a couple of topics. I read the  
13 transcripts from all of the public meetings that we  
14 had during the scoping process. I met with my  
15 managers who went out and took part in those meetings.

16 I met with the technical staff. I reread the  
17 transcripts again last weekend before coming out here  
18 and there were three or four things that popped out at  
19 me, that cry out for better explanation, more  
20 clarification.

21 Some of them, even when I've clarified it,  
22 some of you still not will agree with them and that's  
23 okay. But it is incumbent upon me, I think, to at  
24 least clarify three or four of these central issues.

25 First is the role of the GEIS itself. The

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1 GEIS is a starting point. It's a starting point in  
2 our review process. We start with this document. We  
3 bound a number of technical considerations that relate  
4 to in-situ recovery. We apply them to the four  
5 geographical regions that we know uranium recovery  
6 will take place via this technical method. At the  
7 same time that this GEIS is going on, each of the  
8 applicants that are going to apply for or have  
9 currently applied for a license to pursue in-situ  
10 recovery submit to us an environmental report. We  
11 look at that environmental report. We ask questions  
12 of the applicant about it. We go out to the site. We  
13 verify some of the information ourselves. We do our  
14 own analyses. And this environmental report that the  
15 applicant provides that is site-specific is another  
16 cornerstone of what leads to a comprehensive  
17 environmental review of a given site.

18 The same time that's going on, over here  
19 on the right side, what I call other relevant  
20 information is we're conducting our safety review.  
21 Recall a moment ago I said there are two major parts  
22 of this: environmental review and safety review. So  
23 the safety review is going on right now. For example,  
24 we have three applications in-house today for in-situ  
25 recovery. The safety review of those applications is

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1 going on right now while the GEIS is being developed  
2 and the environmental report filed by those applicants  
3 is being reviewed.

4 And then finally, we will take all of this  
5 information, the bounding information from the GEIS,  
6 the information provided in the environmental report  
7 that's site-specific, the safety review findings and  
8 then the site-specific environmental review.

9 Now a site-specific environmental review  
10 will take one of two pathways. In NEPA parlance, it's  
11 called an environmental assessment. When you step  
12 through the environmental assessment, site-specific,  
13 you can reach a conclusion if there's a FONSI, a  
14 finding of no significant impact, or you can reach the  
15 conclusion that you need to do a full-blown  
16 Environmental Impact Statement for that given site,  
17 even though you've done a GEIS for the technology at  
18 large.

19 So I share this with you because I want  
20 you to understand that the GEIS is not designed to  
21 shorten or circumvent the NEPA process or the conduct  
22 of a site-specific environmental review. It is a  
23 starting point. It is one key component of the  
24 process.

25 Next slide.

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1 (Slide change.)

2 Another thing that I read a lot about was  
3 drinking water, concerns about drinking water.  
4 There's probably no place in the United States where  
5 drinking water is more precious than the western  
6 United States. In fact, to the Navajo, it's sacred.  
7 It's very, very important.

8 Drinking water is important everywhere.  
9 The confusion that I see or the misunderstanding that  
10 I saw was the fact that there is a view or a  
11 perception or a concern that in-situ uranium recovery  
12 is going to take place in an aquifer that is the  
13 source of drinking water. In-situ recovery can only  
14 take place in an aquifer that has been exempted by the  
15 Environmental Protection Agency, EPA.

16 To be an exempted aquifer, what does that  
17 mean? It means it does not currently serve as a  
18 source of drinking water and it cannot now or will not  
19 in the future serve as a source of drinking water or  
20 total dissolved solids in that particular aquifer are  
21 too great, their numbers are right there. It  
22 has to meet one of those criteria when the EPA  
23 designates it as an exempt aquifer.

24 In addition to it being an exempt aquifer,  
25 our regulations or states that regulate in-situ

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1 recovery like the State of Texas, for example, put  
2 conditions on the license that says the aquifer, even  
3 though it is exempt, must be restored to baseline  
4 conditions, meaning what it was before you did in-situ  
5 recovery of uranium there or maximum concentration  
6 limits which are consistent with EPA regulations for  
7 safe drinking water or an alternate concentration  
8 limit which typically involves class of use. And the  
9 ACL, alternate concentration limit, only comes to bear  
10 if you can't meet the baseline condition or you can't  
11 meet MCLs.

12 So I think it's terribly important to make  
13 that point clear to you because I know it's a lot of  
14 concern, understandably so, but I also think there's  
15 some confusion or misunderstanding about it.

16 Next slide.

17 (Slide change.)

18 Another issue that came up again and again  
19 was okay, so you restore these things, what's the  
20 track record? How has it been going? And this slide  
21 depicts three commercial operations and two pilot  
22 operations and it shows you the percentage of  
23 completions which for the pilots range 68 to 70  
24 percent successful remediation to baseline values or  
25 premining class of use. And for three commercial

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1 sites, the range is from 50 percent to 86 percent.  
2 Now none of those numbers are 100 percent.  
3 Remediation is not complete. Remediation is on-going.  
4 It's not over yet. Remediation in some cases takes  
5 several years. It's case-specific. It depends upon  
6 that particular aquifer, the conditions of that  
7 aquifer, and the techniques used to restore. But at  
8 least this gives you some idea of what's going on in  
9 terms of restoration. Is it working? Or to what  
10 degree is it working and the fact that remediation  
11 continues.

12 Next slide.

13 (Slide change.)

14 Another thing we heard in all the meetings  
15 was you need to have more tribal consultations. You  
16 need to have more government to government meetings.  
17 We heard you. We heard you very loud and very clear  
18 and you're absolutely right.

19 The slide you see before you shows you  
20 those meetings of a government to government nature  
21 that we're having this week in New Mexico. Today, we  
22 met with the Navajo Nation for about two hours and 15  
23 minutes, a very good discussion. We also met with the  
24 Mayor of Gallup for about an hour, very good  
25 discussion. We have meetings this week with the

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1 Pueblo of Laguna, also the Pueblo of Acoma, sorry to  
2 those of you from that Pueblo, it's not on here, but  
3 that was a late meeting we set up. I apologize for it  
4 not being on the slide, but we're going to meet with  
5 that Pueblo as well. We are going to meet with the  
6 State of New Mexico, the Governor's Office, the  
7 Governor's Director of Environmental Concerns and  
8 Environmental Issues. We are also going to meet with  
9 the State of New Mexico Environmental Department,  
10 NMED, to talk -- two separate meetings.

11 We're going to meet with the State of New  
12 Mexico Historic Preservation Division and last, but  
13 not least, we're also going to meet tomorrow morning  
14 with the Mayor Grants who is here this evening. Thank  
15 you, sir. I look forward to that meeting tomorrow  
16 morning.

17 So the point is we're taking this  
18 opportunity while we're out here, not only to have  
19 these public meetings, but also to hold more  
20 government to government meetings. We offered today  
21 with the Navajo nation to have more government to  
22 government meetings. We actually discussed a point.  
23 We might get together again. We make the same offer  
24 to the other government agencies identified on the  
25 slide, and others if we've missed some.

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1 Next slide.

2 (Slide change.)

3 My last slide would be why are we here  
4 tonight? First of all, we want to provide you with  
5 more detailed information about the GEIS and the  
6 process we're using. Jim will go into that in much  
7 more detail than I have here thus far.

8 More importantly, we want to continue the  
9 listening process and have public dialogue with you  
10 and answer your questions and address your concerns  
11 and things about the GEIS that you want to better  
12 understand.

13 We want to answer questions that you have  
14 about the GEIS and I'm sure some of you have looked at  
15 it. Some of you have looked at it somewhat. Some of  
16 you probably have read it from cover to cover, so  
17 there will be a spectrum of questions and we hope to  
18 answer them.

19 I want to reiterate something in my last  
20 remark that Chip said. We're going to have an  
21 opportunity to ask questions here in a few minutes.  
22 You're to have an opportunity to make comments. And  
23 as always the case in public meetings, the spectrum of  
24 comments will run the gamut. There will be comments  
25 that have nothing to do in particular with this

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1 particular document that we're soliciting input on.  
2 There will be comments that have to do with other  
3 things, much more broadly, for example, other sources  
4 of energy, the nuclear renaissance and what have you.

5 And that's fine. It's all part of the public process  
6 and your comments will be what you want them to be.  
7 But I would encourage you to maximize this opportunity  
8 to comment about the Generic Environmental Impact  
9 Statement. We're here to get your comments at this  
10 stage of the game during the comment period before we  
11 finalize. It is your opportunity to provide us with  
12 your thoughts and observations on the Generic  
13 Environmental Impact Statement and how well we have  
14 handled the in-situ recovery technology and how well  
15 we've handled this issue from a technical regulatory  
16 standpoint. So don't miss that opportunity to comment  
17 in particular about the GEIS.

18 So with that, I'll stop and Chip, back to  
19 you.

20 (Slide change.)

21 MR. CAMERON: Thank you very much, Larry.

22 We're going to have Jim Park come up and tell you  
23 about the GEIS and if -- we will get to everybody who  
24 wants to comment tonight. If we don't get to you,  
25 your question, the NRC staff will be here after the

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1 meeting to answer questions. And Jim is also going to  
2 give you some contact phone and email information for  
3 the NRC staff if you want to call them or email them,  
4 please do so.

5 Jim, Jim Park.

6 MR. PARK: Thank you, Chip, and good  
7 evening, everybody. And again, thank you for coming.  
8 The purpose of my talk this evening is to tell you a  
9 little bit more about the Draft Generic Environmental  
10 Impact Statement. And there are several things that  
11 I'd like to discuss in this presentation.

12 First, I'll just give some basics about  
13 the in-situ leach process. I'll give you some  
14 background on just why did we prepare this document,  
15 what approach that we took in doing so, some of the  
16 preliminary findings we've come to, and finally, what  
17 ways that you can comment on this document to help in  
18 making it a final document.

19 First of all, the in-situ leach process is  
20 very different than conventional mining and milling in  
21 that there's no open pits. There's no crushing and  
22 grinding of ore. And there is no tailings piles  
23 associated with in-situ leach process. Instead,  
24 there's three basic components, the first being  
25 mobilization of the uranium underground, the

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1 processing for that uranium above ground, and finally  
2 restoration of the affected aquifer.

3 (Slide change.)

4 This is a picture of a portion of a well  
5 field. Currently, there are two operating NRC  
6 licensed ISL facilities. This is from one of them.  
7 It's near Douglas, Wyoming. And what this picture is  
8 intended to show is some of the aspects of what you  
9 would see on the surface. The white sort of canisters  
10 are covers for the various wells that are associated  
11 with this process.

12 Those wells are connected below ground by  
13 piping that's four to six feet below ground and that  
14 building you see in the middle distance is the place  
15 where that all comes together. It's given a name  
16 known as a header house. And simply what that does is  
17 it's a place where the flow in those pipes and the  
18 flow in those wells is monitored as the process goes  
19 along.

20 And finally, where do these solutions go  
21 to that's associated with this process? Well, not in  
22 this picture, but in a couple of slides there is an  
23 essential building where the uranium is extracted as  
24 part of this process.

25 (Slide change.)

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1           This is a very simplified diagram that's  
2 intended to show just some of the basic concepts  
3 associated with in-situ leach. First, I'll draw your  
4 attention to the yellow layer that you see. It's a  
5 very light yellow and it has a gray section in it.  
6 The gray section is where the -- it's sort of a  
7 backwards C shape and that's where the uranium deposit  
8 is located. And the yellow is a formation below  
9 ground that is known as an aquifer. It's a water  
10 bearing unit that water moves relatively freely and  
11 that's needed as part of this process.

12           Above and below this yellow unit are two  
13 what are called clays in this diagram. They would be  
14 confining units. They work to confine the movement of  
15 the water in that yellow layer.

16           I'd also draw your attention to the wells  
17 that are there and this is really the heart of this  
18 process and how it works. I draw your attention to  
19 the center ones that have the blue arrows and the red  
20 arrows associated with them.

21           There are two types of wells associated.  
22 There is an injection well and there's a production or  
23 recovery well and in this diagram the injection well  
24 has the blue arrows and it is down those wells that  
25 water, the water from that yellow formation, the

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1 aquifer, is taken. The company would add oxygen and  
2 carbon dioxide or maybe sodium bicarbonate to that  
3 water. When that is added to the water and pumped  
4 down the injection well, what it does is it liberates  
5 or mobilizes the uranium that's found and then that  
6 water moves along with the uranium in it and is drawn  
7 up a recovery well or a production well with the red  
8 arrows and drawn back to the surface and from there  
9 back to a processing plant where the uranium is  
10 extracted.

11 There are other wells that you see on this  
12 diagram. And those are monitor wells. And I'll be  
13 speaking a little bit more about them in the very next  
14 slide. But they're basically there, if you'll notice,  
15 they're at the same level that this activity is  
16 occurring, down in that yellow unit as well as they  
17 are in this diagram, above that confining layer. They  
18 can also be completed below. And the purpose of those  
19 wells is to provide basically an early detection  
20 system so if this, the movement of these fluids is  
21 going beyond where the company expects them to go,  
22 they can find that problem earlier rather than later.

23 (Slide change.)

24 This diagram is intended to show you, in a  
25 sense, a picture of looking down on top of a well

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1 field. In the center of the diagram the closely  
2 spaced sort of square units is the well field. And  
3 this is what is known as a 5-spot pattern. That means  
4 there are four wells at each of the corners. Those  
5 would be the injection wells and there's one well in  
6 the center for the fifth well that is the production  
7 well where the water is drawn back to the surface.

8 Now what I'd like to point out to you  
9 though is the ring of monitor wells that surround the  
10 well field, now the distance between these wells, one,  
11 from each other as well as between them and the well  
12 field is a very site-specific issue, but they can be  
13 anywhere from 300 to 400 feet apart. And again,  
14 they're intended to provide both a sense -- of early  
15 detection, if the fluids are moving in a lateral  
16 direction, they are designed to be put there to  
17 provide that early detection. As well, it's hard to  
18 see in this diagram, but there are also those  
19 additional wells that are drilled right in the heart  
20 of the well field above and below to see if the fluids  
21 are moving in a vertical direction, either up or down.

22 And the company can take corrective actions to  
23 correct that situation.

24 (Slide change.)

25 This is a picture that again from that

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1 same in-situ leach process that's up in near Douglas,  
2 Wyoming. And the larger of the two buildings is the  
3 location that houses all of the equipment to extract  
4 that uranium. Basically, there's a process called ion  
5 exchange where the water that contains the uranium  
6 flows across resin beads and those beads attract the  
7 uranium away from the water that it's in. So then  
8 that uranium that's extracted, those beads are washed.

9 The uranium is taken off. It's concentrated,  
10 precipitated. It's dried and eventually packed in 55  
11 gallon drums, steel drums for transport offsite for  
12 further processing.

13 This is also where in order for this  
14 process to work more water is taken out than is re-  
15 injected back into the ground. After they take the  
16 uranium out, they're taking some additional water out  
17 because what this does is it tends to draw in the well  
18 field to draw the water into the well field rather  
19 than sending it out, so it draws the waters in and  
20 that they pump. So they're taking at least 1 to 3  
21 percent of their overall flow rate and then this water  
22 has to be disposed of in an approved manner. Often,  
23 they can use evaporation ponds. They might use, if  
24 they're approved by the state it could be applied sort  
25 of on the land and sort of irrigation fashion. Or it

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1 can be pumped down deep injection wells that would  
2 have to be approved by the state.

3 (Slide change.)

4 If the NRC granted a license to a company,  
5 the license would address the following issues for  
6 that facility. It would address the construction of  
7 that facility, all of the infrastructure, the piping,  
8 the wells, the building and the equipment needed to  
9 extract the uranium. All of that would be encompassed  
10 in construction.

11 It would address the operation of that  
12 facility, its safe operation, so that -- how much  
13 water can it pump in any particular point in time?  
14 How much uranium can it actually extract during the  
15 course of a year?

16 There's also the restoration that's  
17 involved, after the uranium is extracted. So that is  
18 addressed in the license as well as the  
19 decommissioning of the entire facility and individual  
20 well fields as they go along at the end of the whole  
21 process for the company.

22 (Slide change.)

23 In addition to any license that the NRC  
24 would grant, there are other federal and state  
25 agencies associated with this, so it's a multiple

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1 overlapping sort of regulation that's involved. And  
2 Larry referred, and told us about aquifer exemptions.

3 This can be a portion of an aquifer. The entire  
4 aquifer does not have to be exempt. A portion where  
5 the company intends to use this process needs to have  
6 an approval from either the EPA or the state. In New  
7 Mexico, it depends where the site would be located as  
8 to which -- whether the EPA or the state is the one to  
9 grant that exemption or be involved in that exemption.  
10 But again, it can be a portion. It's only where the  
11 company intends to do that, the in-situ leach process.

12 If they wanted to actually inject and run  
13 this process, they need approval again from either the  
14 EPA or the state to operate those injection wells.  
15 Any discharge of waste needs to be permitted ahead of  
16 time. And if there are federal lands involved, they  
17 are state-managed lands, then there may be additional  
18 approvals that the company would need to get before it  
19 could operate.

20 (Slide change.)

21 So with that background why did we feel a  
22 need to prepare a Generic Environmental Impact  
23 Statement?

24 Currently, we've been approached by  
25 upwards of 8 to 10 companies who have indicated their

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1 plans to submit license applications for in-situ leach  
2 for perhaps up to 30 different locations. And so  
3 faced with what we need to do environmentally, we felt  
4 that there is a similarity in the process that would  
5 be used, no matter where it would be and that there  
6 would be commonality in some of the environmental  
7 issues and we would take a look at those at this time.

8 This, of course, as Larry has previously  
9 indicated, would not get rid of any site-specific  
10 review. That would happen no matter where that  
11 facility or that application was proposed.

12 And so what this GEIS is intended to do is  
13 intended to focus our resources so that when we do a  
14 site-specific review, we have a very rigorous and  
15 thorough review involved and we do that in a  
16 consistent fashion, no matter the application or where  
17 it is.

18 (Slide change.)

19 The purpose of this document is, as I  
20 said, is to evaluate issues that would be common to  
21 the process that we would see. We know that no matter  
22 where it's operated what we see is a similarity in the  
23 process and that leads to some common environmental  
24 concerns. And as Larry indicated, this is a starting  
25 point that prepares us for the site-specific reviews.

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1 (Slide change.)

2 So what does this Generic Environmental  
3 Impact Statement cover? That's the scope of this  
4 document. Well, because licensing involves  
5 construction, operation, restoration, decommissioning,  
6 that's what this document also addresses. And what we  
7 did is we're evaluating the potential environmental  
8 impacts of using this process and the impacts to  
9 resources, like your air and water, transportation.

10 (Slide change.)

11 The approach that we took was basically a  
12 four-step approach and I'll go through each of these  
13 steps in turn.

14 The first was to identify uranium milling  
15 regions, as we call them, and there were certain  
16 considerations that we had. First, it needed to be in  
17 states where NRC was the licensing authority. There  
18 are states such as Texas, Colorado, and Utah, where  
19 those states, under an agreement state program with  
20 the NRC, those states are the regulatory authority.

21 We also looked at locations of past and  
22 current uranium milling activities. I spoke earlier  
23 about industry telling us where they were thinking of  
24 submitting applications. Finally, we looked at where  
25 historically uranium is found in the states of

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1 Wyoming, Nebraska, South Dakota, and New Mexico.

2 And from that we identified four milling  
3 regions.

4 (Slide change.)

5 And this map is intended to show where  
6 they are. Two are found completely within the State  
7 of Wyoming. One that covers portions of Wyoming,  
8 South Dakota, and Nebraska. And finally, the reason  
9 we're here tonight is one that's in New Mexico that  
10 covers basically the counties, McKinley County and  
11 Cibola County, portions of Cibola County.

12 (Slide change.)

13 And this is a close up of the New Mexico  
14 region and we have this on a handout, I believe,  
15 outside, so if you'd like to take this with you to  
16 look at.

17 (Slide change.)

18 So having identified our milling regions,  
19 next thing we did was describe the in-situ leach  
20 process in some detail. And again we did it for the  
21 life cycle of the facility, what would we intend to  
22 see if this in-situ leach facility was constructed and  
23 operated and eventually decommissioned?

24 Certain aspects that we looked at, this is  
25 just a sum of them. We looked at the health and

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1 safety, radiological health and safety of workers who  
2 might be at those facilities, as well as the members  
3 of the public who live in the area around such a  
4 facility, how waste would be handled, transportation  
5 issues, and financial assurance. That is, the company  
6 has to put up money ahead of time to pay and basically  
7 they're putting money aside for the cleanup of that  
8 site, the aquifer restoration and the decommissioning.

9 And this, the money is determined on a third party  
10 doing this work, not the NRC, not the company itself,  
11 but an independent third party. And that value, that  
12 money that is set aside is reviewed annually,  
13 depending on the activities at this facility.

14 And finally, what we did also was look  
15 back at over the 30 years that NRC has been involved  
16 in licensing these facilities, what have we seen  
17 environmentally?

18 (Slide change.)

19 The next step was to describe the  
20 environment in each of these four regions. And we did  
21 that in terms of what we call environmental resource  
22 categories and these are found in a document known as  
23 NUREG-1748. And basically, that document is guidance  
24 to the NRC staff in how it is supposed to do its  
25 environment reviews.

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1           And in that document there are found 13  
2 resource areas which as you look through them would be  
3 intended to provide a comprehensive and wide-ranging  
4 description of the environment. Understand that this  
5 discussion is necessarily regional in nature. We're  
6 not looking at specific locations. We're looking at  
7 the region to provide that sort of baseline  
8 considerations for our environmental review.

9           (Slide change.)

10           The fourth step was having identified our  
11 regions, describing the process, describing the  
12 environment in each of these regions we looked at for  
13 each region what environmental impacts are potentially  
14 to be found associated with the ISL process.

15           So we did that for each of the four  
16 milling regions, separately. We looked at each phase  
17 in the life of an ISL facility. We looked at each of  
18 the 13 resource areas that you saw on the previous  
19 slide. And we characterized the impacts in terms of  
20 significance because as Larry indicated previously,  
21 significance determines whether or not you prepare an  
22 Environmental Impact Statement or whether it's an  
23 environmental assessment for a specific site.

24           And finally, we describe some possible  
25 mitigation measures to reduce impacts to be used by

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1 the companies.

2           These are the categories that we used for  
3 significance. Now significance again refers to both  
4 the context, where is this happening; what place, what  
5 time, as well as the intensity of the impacts.

6           What I'd like to point out here though is  
7 that we use small, moderate and large, but whether  
8 it's small or large, depends on how that resource is  
9 affected and how much you can see and notice in the  
10 alteration of the resource. And so for example, let's  
11 say it was transportation as a resource categories.  
12 Issues like how many cars are on the road, what type  
13 of -- what's the accident rates that you might see?  
14 Travel times between two locations. Those are  
15 important aspects of your daily ride along the roads  
16 that you see.

17           What would an ISL facility do to those  
18 types of aspects of transportation? That's an example  
19 of when we talk about important attributes.

20           (Slide change.)

21           And given that, all that background now  
22 let's look at some findings, draft findings for the  
23 New Mexico region. And these again are preliminary  
24 findings and we look forward to your comments on this  
25 document.

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1 (Slide change.)

2 The whole purpose of this document again  
3 is to be used as part of the site-specific review. So  
4 for these four areas we believe that associated with a  
5 proposed in-situ leach facility in the New Mexico  
6 region that the impacts would be they're minor or not  
7 detectable.

8 (Slide change.)

9 For these, where it's small to moderate  
10 potential impacts, it would require additional focus  
11 of the NRC staff during its site-specific review  
12 because there's a range of potential impacts and what  
13 that range depends on are aspects of the site that are  
14 specific to the site and conditions that might happen  
15 at any of these facilities.

16 And so again, these -- a moderate impact  
17 is one that you would notice some change in the  
18 resource.

19 (Slide change.)

20 And finally, we have these categories,  
21 land use, geology and soils, groundwater, threatened  
22 and endangered species, and historic and cultural  
23 resources as having the potential for anywhere from  
24 small to large potential impacts. Again, that's a  
25 very site-specific nature of these reviews. In our

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1 document, we point out certain conditions that would  
2 lead to either a small or to a large or to a moderate  
3 impact. And we have to do a review of these  
4 especially if this -- if these areas are going to  
5 receive the greatest focus of NRC's site-specific  
6 reviews.

7 (Slide change.)

8 Now I'd like to speak briefly about our  
9 schedule and how you can comment on the document.

10 (Slide change.)

11 This process began back in July of 2007  
12 and in July of this year, a year later, we issued the  
13 Generic Environmental Impact Statement for public  
14 comment. And we are accepting comments through the  
15 7th of October. And we plan to issue our final by  
16 June of 2009, next year.

17 (Slide change.)

18 Comments can be received by written letter  
19 or by email, either way is acceptable. This is on a  
20 handout outside that you can take with you as well as  
21 you have opportunities tonight to provide your  
22 comments orally.

23 (Slide change.)

24 And if you have any questions about either  
25 the Draft Generic Environmental Impact Statement or

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1 about the in-situ leach process. Here are two names,  
2 one of them being mine that you can contact. And  
3 again, this information is on the handout outside. So  
4 thank you for your attention and thank you again for  
5 coming.

6 MR. CAMERON: Thank you, Jim. We have  
7 time for some questions before we go to the comment  
8 period of the meeting.

9 Are there any questions about what you've  
10 just heard?

11 Yes, sir. Please introduce yourself.

12 MR. NEZ: My name is Teddy Nez and I'm one  
13 of the grassroot individuals from Red Water Pond Road.

14 My question will be on the impact of environmental  
15 justice area on the health, the health issues. Can  
16 you comment on that?

17 And your mission statement talks about  
18 some of the public health issues.

19 MR. CAMERON: Thank you, sir. Let's  
20 address two big issues. One is how is environmental  
21 justice addressed in the GEIS and how is it addressed  
22 in site-specific relationship there. And where is the  
23 public health and safety review done?

24 Jim, do you want to talk about the  
25 environmental justice issue?

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1 MR. PARK: Environmental justice, we  
2 prepared -- in our document, there's a separate  
3 chapter devoted solely to environmental justice and in  
4 this Draft Generic Environmental Impact Statement, we  
5 recognize that environmental justice is very much a  
6 site-specific issue. And at that point in our  
7 process, we can only make some initial sort of general  
8 findings that would help us to focus for the site-  
9 specific reviews.

10 There were certain areas identified for  
11 this particular region in New Mexico. For example,  
12 visual, cultural issues, groundwater issues, land use  
13 issues that are documented in our Draft Generic  
14 Environmental Impact Statement that again are provided  
15 as in a sense a preparation for what we would need to  
16 do for any site-specific application. So at this  
17 point in time, again, this is a preparation for those  
18 reviews.

19 MR. CAMERON: So any details or analysis  
20 done on environmental justice is going to be in the  
21 site-specific review.

22 MR. PARK: That's correct. We've only  
23 done some initial looks at population distributions  
24 and also the types of resource areas where we think  
25 would be of greater concern in a site-specific

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1 environmental justice review.

2 MR. CAMERON: Okay, thank you. Larry, do  
3 you want to talk about the public health?

4 MR. CAMPER: Yes.

5 MR. CAMERON: And it's the big one.

6 MR. CAMPER: Public health and safety is  
7 interspersed throughout much of the review process,  
8 but principally public health and safety is addressed  
9 in this box that we've identified as other relevant  
10 information and data.

11 If you look in our regulations in Part 40  
12 for uranium recovery, there's a number of things that  
13 are in there, in particular, Appendix A sets forth a  
14 number of criteria that have to be met. And they're  
15 designed to address public health and safety.

16 Another one of our regulations that comes  
17 to bear and I hate to spew out regulatory citations,  
18 but I guess it's a necessary evil, is 10 CFR Part 20.

19 That's our standards for protection. All of our  
20 activities bring to bear the standards for protection  
21 that are in Part 20. And those standards, for  
22 example, address things such as effluent releases,  
23 exposure limitations of site boundary, exposure  
24 limitations to members of the public, exposure  
25 limitations to occupational workers that are doing

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1 uranium recovery or any other licensed activity. But  
2 you find in the environmental report there are  
3 elements in there that arguably get at public health  
4 and safety issues, certainly the site-specific  
5 evaluation will, but the principal component of it is  
6 within the safety review which is articulated for  
7 uranium recovery in Part 40, Appendix A, in  
8 particular; and in Part 20, protection standards.

9 MR. CAMERON: When you say protection  
10 standards, you mean protection of the public from  
11 radiation?

12 MR. CAMPER: Protection from radiation  
13 exposure. That's correct.

14 MR. CAMERON: Okay, thank you. Others  
15 have questions at this point?

16 Yes.

17 MS. CAMPOS: Good evening, my name is Rita  
18 Campos. You said earlier that you are an independent  
19 agency and I'm a little bit confused. Does this mean  
20 you don't work under the Government to protect the  
21 people? You're just an independent agency, is that  
22 what I'm understanding?

23 And my other question was this Generic  
24 Environmental Impact Statement. I've come to learn  
25 about this about two or three years ago and to me, I

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1 just -- I take it as a way of making mining, any kind  
2 of mining easier for companies who are wanting to get  
3 licenses. And that's all it is, you know. No one is  
4 listening. That's how I feel. This is just a way to  
5 make it easier for the companies.

6 MR. CAMERON: Thank you. Larry, if you  
7 could provide a little bit more clarification on what  
8 you meant by independent, relative to Executive Branch  
9 control. But it wasn't independent of anybody else  
10 and also you've heard the lady's concern about what  
11 she thinks the purpose of the GEIS is. So if you  
12 could talk to those?

13 MR. CAMPER: Sure. Thank you for your  
14 questions and your comments.

15 As I pointed out, maybe not as well as I  
16 should have during my comments, we're -- historically,  
17 the Atomic Energy Commission, the AEC, was charged  
18 with both regulating the use -- things dealing with  
19 radioactive materials. They had a broad spectrum of  
20 responsibilities that actually promoted the use of  
21 peaceful atoms. It was charged with ensuring that the  
22 country got the uranium that it needed during the war  
23 years for national security. It was charged with  
24 ensuring that the country got the uranium it needed  
25 for weapons production in the Cold War. It had a

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1 leadership role in procuring the necessary uranium  
2 that was used during the upstart of the commercial  
3 power industry. And the point I was making is that  
4 our Agency, unlike the AEC, has none of those charges  
5 or responsibilities. We were created to be an  
6 independent, federal regulator, to provide protection  
7 and oversight for commercial uses of radiative  
8 materials.

9           And when I say independent, what I mean is  
10 we're not a cabinet-level office. We're not part of  
11 the Executive Branch. As I mentioned in my comments,  
12 we report directly to congressional oversight  
13 committees. Therefore, we are not encumbered or  
14 controlled by the Executive Branch of the Government.

15       Clearly, we don't ignore Executive Branch Government,  
16 but our reporting responsibility is to congressional  
17 oversight committees and that's what it means to be an  
18 independent federal regulator. There are a few  
19 agencies that are independent federal regulators. We  
20 are one of them. But our mission, contrary to what  
21 you think or what you thought I was saying, our  
22 mission is strictly about protecting public health and  
23 safety. There are no promotional aspects to our  
24 Agency whatsoever. It's strictly protection of public  
25 health and safety.

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1           With regards to the GEIS, the GEIS, we  
2 have, as a Federal Agency, we have an incumbent  
3 responsibility to ensure that we meet our  
4 responsibilities under the National Environmental  
5 Policy Act. The National Environmental Policy Act  
6 says that Federal Agencies, when taking a major  
7 federal action which in this case would be to issue a  
8 license, presumably, to procure uranium or to seek  
9 uranium in-situ recovery, we have an obligation to go  
10 through a disclosure process called for in NEPA. Our  
11 regulations in Part 51 set forth the requirement that  
12 there be an Environmental Impact Statement conducted.

13 NEPA and the Council on Environmental Quality set  
14 forth in their regulations and guidance a process  
15 whereby a Programmatic Environmental Impact Statement  
16 can be done. We call it a GEIS. It wish sometimes we  
17 didn't call it generic. It's gotten a bad flavor  
18 about it. But it's a Programmatic Environmental  
19 Impact Statement.

20           And then it says you may tier, you may  
21 take the information that you develop during the  
22 process of creating that Programmatic Environmental  
23 Impact Statement and then use it to tier off of and  
24 conduct site-specific environmental assessments or  
25 site-specific environmental reviews.

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1           There's nothing about the process that is  
2 intended to make it easier for any company to obtain a  
3 license. It's not designed to expedite the process.  
4 Rather, it's designed to ensure that we fulfill our  
5 obligations under the National Environmental Policy  
6 Act and CEQ regulations and ensure that we've done a  
7 thorough analysis that would then lead to a focus  
8 during the site-specific analysis on those things that  
9 are truly site-specific such as cultural history  
10 issues. Some of them are groundwater hydrology issues  
11 and things of that nature, as Jim was pointing out in  
12 his comments.

13           So I can only assure you that there's  
14 nothing about this tool, this GEIS, that is designed  
15 to make it easier for companies to obtain a license.

16           MR. CAMERON: Okay, thank you. We have a  
17 question back here.

18           MS. RADER: I'm Patricia Rader. I live  
19 between Grants and Gallup. I have two questions. The  
20 first is during the licensure process is there an  
21 opportunity for public comment concerning whether the  
22 license will be granted?

23           My second question is what percentage of  
24 the Nuclear Regulatory Commission is devoted to  
25 monitoring the whole process?

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1 MR. CAMERON: Okay, great. The first  
2 question about participation, perhaps Joan could talk  
3 about the NRC's hearing process which is different  
4 than the public meeting process. And the second  
5 question goes to the inspection resources in the  
6 region.

7 This is Joan Olmstead who will talk about  
8 the hearing process.

9 Joan?

10 MS. OLMSTEAD: What happens is when we  
11 receive application and we accept it, there's a notice  
12 put in the Federal Register that allows people 60 days  
13 to request a hearing, and if there's a hearing, then  
14 that allows more public participation. They can raise  
15 contentions about the licensing process and go before  
16 the Hearing Board.

17 Then the other way too for public  
18 participation is through the NEPA process. We've  
19 already said publicly any EAs we prepare will go out  
20 for public comment and also we have the EIS process  
21 that has scoping if we're doing the EIS and also we  
22 take public comments on the Draft EISs, too.

23 MR. CAMERON: And Joan, you may want to  
24 talk to Patricia later on to tell her some more  
25 details about what Joan referred to as the hearing

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1 process because the public meeting on the site-  
2 specific environmental review you can read the  
3 environmental review and you can come in here and make  
4 a comment.

5 The hearing process is an adjudicatory  
6 process where there are standards that have to be met  
7 to be able to participate in that and Joan referred to  
8 one of them as contention, but Joan, do you want to  
9 put any gloss on that for people to understand what  
10 needs to be done to participate in the hearing?

11 MS. OLMSTEAD: We have certain regulatory  
12 requirements in Part 2, 10 CFR Part 2 in which  
13 somebody shows that they have standing and that they  
14 have to meet those requirements to be able to  
15 participate in the hearing. And then they have to  
16 make a contention that is accepted. Other affected  
17 local government, state or tribal entities can also --  
18 even if they don't meet the Part 2 requirements for  
19 standing and there's a hearing that's going to go on,  
20 they can also participate.

21 MR. CAMERON: And Joan, a contention very  
22 simply is?

23 MS. OLMSTEAD: It's like raising a concern  
24 or argument about the licensing process.

25 MR. CAMERON: Such as the license

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1 application doesn't meet one of the NRC regulations?

2 MS. OLMSTEAD: Right.

3

4 MR. CAMERON: Okay, all right, thank you.

5 Larry?

6 MR. CAMPER: Two points. One thing I  
7 would add to Joan's point, when we step through a  
8 particular license application, I mentioned that it  
9 ultimately comes down to a site-specific environmental  
10 review. That will take on the context of what's known  
11 in NEPA space as an environmental assessment. It may  
12 go to the Environmental Impact Statement depending  
13 upon what criteria might trigger that's in our NUREG  
14 1748 that Jim mentioned.

15 One of the things that we have committed  
16 to do for uranium recovery, although it wasn't  
17 required, we opted to do it was we do intend to  
18 publish environmental assessments for public comment.

19 So there would be an opportunity to comment to and  
20 react to a site-specific environmental review.  
21 Clearly, if a site goes into environmental impact  
22 space, there's another whole process involved. Then  
23 you're back into another scoping meeting and the  
24 commensurate public meetings that take place. You're  
25 into another Draft Environmental Impact Statement, the

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1 commensurate comment process like we have tonight, for  
2 example. And so that would depend upon -- that's on  
3 the environmental side.

4  
5 And by the way, aside from the hearing  
6 process, people provide comments to us all the time.  
7 We get letters about specific applications or about  
8 specific license operations and we review those and  
9 respond to those as a matter of doing business pro  
10 forma. So that does happen.

11 With regards to your question about the  
12 resources, it's a little tough to answer that  
13 question. I think you used percentage. It's a little  
14 tough to answer in terms of percent. What I'll try to  
15 do -- put it close to being exact numbers.

16 The Agency is growing. It's a small  
17 Agency and it's been historically for years about 3200  
18 people. It's growing now. I don't know the exact  
19 side right now. Maybe my colleagues do, but we're  
20 approaching a number of 3800, I think, and the reason  
21 that principally is because of new reactor licensing.

22 There's been a lot of growth on new reactor  
23 licensing. So I can't give you a precise percent, but  
24 I can tell you what we do.

25 In my division in the next fiscal year,

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1 there will be 96 FTE. Of those 96 full-time  
2 employees, probably somewhat on the order of 22, 23,  
3 24, in that range, will be devoted to uranium recovery  
4 licensing activities. That's both the safety review  
5 and the environmental review. We are seeking more  
6 resources, but that's currently under budget  
7 considerations by the Commission. I don't know what  
8 will happen beyond that. There's another major  
9 component of the resources. Uranium recovery  
10 inspection activities are conducted out of our Region  
11 4 office which is in Arlington, Texas. I think they  
12 probably have a couple of FTE right now and they'll be  
13 growing again over the next couple of years because  
14 once we move through the licensing phase and we assume  
15 for sake of discussion that licenses are issued, then  
16 there will be an on-going inspection activity. So  
17 that inspection resource will increase in the future  
18 as well.

19 I think Jim mentioned in his comments we  
20 currently have something like 30 applications that are  
21 anticipated through credible Letters of Intent.  
22 Ultimately, all of those will have to be going to a  
23 monitoring and inspection mode, so the region will  
24 receive more resources as we move down the line. So  
25 at least that gives you some idea of the size of my

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1 division and a number of FTE that are devoted to  
2 uranium recovery, but I don't know what that is as a  
3 percent. That's a moving target number.

4 MR. CAMERON: Thank you, Larry. We have a  
5 question here and then we'll see if there's a question  
6 right there and then I think we'll have to go to  
7 public comments so we can get you out of here at a  
8 reasonable time.

9 MS. SMITH: I have two questions. The  
10 first question is in relation to the safety of  
11 communities where there's going to uranium recovery  
12 facilities, to that aspect are the health care  
13 facilities, will those health care facilities be  
14 involved in this process as far as comments are  
15 concerned? Because when you're talking about rural  
16 communities, some of our sites here in New Mexico as  
17 being an underlying region for the GEIS, are you going  
18 to look at whether these health care facilities can  
19 handle some accidents, whether it be explosive  
20 accidents, contamination, employee accidents. Can  
21 these health care facilities handle these types of  
22 safety issues? And since they're more rural, what  
23 types of resources are going to be drawn in to these  
24 communities to help take care of those  
25 responsibilities?

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1 My other question is in regard to the  
2 Federal Government to Government relation as far as  
3 the Navajo Nation passed its ban on uranium mining  
4 which has been instrumental to the Navajo people and  
5 finally what is going to be considered in regards to  
6 the uranium mining ban on the Navajo Nation and why  
7 should the Navajo Nation conduct Government to  
8 Government relations when they are simply opposing and  
9 ban as opposed to the Navajo people?

10 MR. CAMERON: Okay, thank you. The first  
11 question -- to answer the first question, I think you  
12 may have to briefly describe what types of hazards  
13 could result from either occupational hazards or  
14 hazards to the community that could result, but I  
15 think you get the thrust of the young woman's question  
16 is is do we look in the -- either the GEIS or most  
17 likely the site-specific environmental review? Do we  
18 look at the -- whether health care facilities exist?  
19 And secondly, and I know the second one is for Larry  
20 in terms of the relationship between the NRC licensing  
21 process and the Diné Natural Resources Protection Act  
22 of 2005.

23 Jim, do you want to talk to the health  
24 care facilities question and then we'll turn it to  
25 Larry?

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1 MR. PARK: Certainly. In regards to what  
2 is discussed in the Generic Environmental Impact  
3 Statement with regard to hazards, there's a separate  
4 section that discusses some of the industrial hazards  
5 associated with these facilities, the type of  
6 chemicals that they'd be using, some of the concerns  
7 in using those chemicals. We also looked at risks of  
8 transportation and transporting materials, for  
9 example, the yellow cake that would be produced by  
10 these facilities through local communities, and the  
11 risks that those communities might see.

12 Additionally, we looked at in terms of  
13 socio-economics, we tried to do an assessment of what  
14 different communities might be affected because they  
15 are located within that region, to describe them in  
16 enough detail so that when we get to a site-specific  
17 review issues such as the ability of those hospitals  
18 and the emergency crews that might be associated with  
19 dealing with these hazards, at a site-specific level  
20 we look at in much more detail at that, those issues.

21 We've done some initial work in this  
22 Generic Environmental Impact Statement in addressing  
23 those concerns.

24 MR. CAMERON: Okay, thank you, Jim.

25 Larry, on the Navajo law?

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1 MR. CAMPER: Before I do that, just a  
2 footnote to the --with regards to occupational health  
3 and safety, our regulations are Part 20 which I cited  
4 earlier set forth exposure limitations to workers,  
5 whether it be a uranium recovery licensee or any other  
6 kind of license activity. There are limits and one of  
7 the things that an applicant does in its safety side  
8 of the application is explain its occupational health  
9 and safety process as it relates to radiation  
10 exposure. There are other federal agencies, for  
11 example, OSHA that deal with worker safety,  
12 construction accidents and the like, but in terms of  
13 occupational exposure and what processes will be in  
14 place to reduce occupational exposure and to maintain  
15 it at something known as ALARA which stands for as low  
16 as reasonably achievable. It's a concept that exists  
17 in radiation protection whereby you try to keep  
18 exposure to a minimum. That is set forth in the  
19 safety side of the review.

20 With regards to your question regarding  
21 the Navajo Nation, if I understood your question  
22 correctly and I hope I did, but I'll take a shot at  
23 what I think I heard, I think the essence of your  
24 question is why would we do this GEIS or why would we  
25 consider licensing in-situ uranium recovery when the

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1 Navajo Nation in its 2005 act has put a ban on uranium  
2 recovery on the Navajo Nation. Is that the essence of  
3 your question?

4 MS. SMITH: Somewhat.

5 MR. CAMPER: Okay. It's a great question.  
6 It's a complicated question. I'll try to give you a  
7 fairly brief answer.

8 First of all, we have responsibility  
9 throughout our jurisdiction for those states in which  
10 the Nuclear Regulatory Commission has not granted  
11 power to an agreement statement, for example, Texas,  
12 or Utah. We have a responsibility under the Atomic  
13 Energy Act to oversee and provide regulatory oversight  
14 for uranium recovery, whether it be milling or in-situ  
15 recovery.

16 Currently, the State of New Mexico is  
17 under NRC jurisdiction. Wyoming, Nebraska, South  
18 Dakota, are under NRC jurisdiction. There's a much  
19 larger portion of the country than the Navajo Nation  
20 for which we have jurisdiction and inherent oversight  
21 responsibility. We cannot fail to carry out our  
22 regulatory responsibility throughout the United States  
23 where we have jurisdiction because the Navajo Nation  
24 has passed a resolution banning uranium recovery on  
25 the Navajo Nation. So we simply have a regulatory

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1 responsibility to carry out licensing activities,  
2 regulatory oversight, and producing this GEIS is part  
3 of that.

4 More specifically, there is not before us  
5 now, nor am I aware of an application of a company to  
6 proceed with uranium recovery in-situ on Navajo -- on  
7 the Navajo Nation. There is a current court case  
8 involving a location in New Mexico, the Crown Point  
9 community that's currently undergoing litigation as to  
10 that community and whether certain land adjacent to  
11 that community is characterized as Indian Country,  
12 even though it's not on the Navajo Nation per se.  
13 That's undergoing litigation in the 10th Circuit. I  
14 certainly will let Joan speak to that more eloquently  
15 than I can. The outcome of that remains to be seen.  
16 Even though that entity was issued a license, they've  
17 not proceeded with operation because it's tied up in a  
18 Court case.

19 So I guess, in essence, the answer to your  
20 question is even though the Navajo Nation in the 2005  
21 Act forbid uranium recovery on the Nation, it is  
22 proceeding elsewhere in the United States, presumably,  
23 and we have a responsibility as a federal regulator to  
24 provide regulatory oversight including the necessary  
25 guidance to ensure that it's done safely.

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1 MR. CAMERON: Larry, there's one other  
2 point I think people will be interested in on that is  
3 that as you and Jim -- Jim pointed out, you pointed  
4 out, an applicant for one of these licenses not only  
5 has to get license from the NRC, but has to satisfy  
6 other jurisdictions including the Navajo Nation where  
7 the Navajo Nation has jurisdiction.

8 Can you just talk about what our policy is  
9 in terms of the 2005 Navajo Act?

10 MR. CAMPER: Yes, thank you. That's a  
11 good point, Chip.

12 This question comes up from time to time  
13 and I thank Chip for rephrasing it that way. When we  
14 review an application and we do a safety review and  
15 the environmental review, we do so focused upon our  
16 regulatory criteria and our regulatory authority under  
17 the Atomic Energy Act. We have no authority to  
18 enforce the Navajo Nation's ban on uranium recovery  
19 any more than we have the authority to enforce certain  
20 states' authority to issue permits, for example, for  
21 underground injection control. We don't have the  
22 authority to do that. So given that there's no  
23 authority to do it, we obviously don't do that.

24 What we do do is review an application,  
25 focus upon the safety review, focus upon the

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1 environmental review, and we proceed with the  
2 assumption that the applicant is going to get any and  
3 all other permits that are necessary to be able to  
4 proceed with, in this case, conducting in-situ uranium  
5 recovery. And in fact, we may very well condition a  
6 license that says all of their permits and conditions  
7 have to be satisfied. And I can assure you that these  
8 companies that proceed with uranium recovery are aware  
9 of the other requirements and permits that have to be  
10 satisfied. And I am certain that if any of them  
11 decide to proceed or try to proceed with uranium  
12 recovery on Navajo land, they understand what they're  
13 proceeding to do. But it's not our regulatory  
14 authority to stop them from doing that. It's our  
15 regulatory responsibility to review their application  
16 with the assumption that all other permits will be  
17 procured.

18 MR. CAMERON: We're in no way challenging  
19 the Navajo Nation.

20 MR. CAMPER: Not at all. Not at all.

21 MR. CAMERON: Let's take one more  
22 question. I apologize. We have about 20 speakers too  
23 and let's see if we can get through those and then go  
24 to other questions unless we have just one brief  
25 question. But I think you had a question, didn't you?

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1 MS. TSOSIE: My question was why are  
2 licenses offered for 40 year duration and then offered  
3 again for 20 years if they show reasonableness and  
4 little environmental effect? Why is the license given  
5 for a 40-year period without any type of annual check  
6 up or evaluation to see that they are in compliance  
7 environmentally and to see that they are in compliance  
8 with environmental standards that are adopted. We  
9 have new regulations and new standards that are  
10 adopted often, often enough, I mean beyond the 40  
11 years that these contracts are offered for. And it  
12 seems like if somebody received a license, it doesn't  
13 matter what the regulations are now, they've got their  
14 license in the '80s and they can function under those  
15 regulations of the '80s, whether it's seen now as a  
16 form of pollution, as a form of environmental damage,  
17 public health damage. I feel like it's an advantage  
18 to the company to allow them to set up for 40 years  
19 because you've got to understand that it's going to  
20 millions of dollars for them to set up their facility  
21 wherever they set it up. They're going to spend lots  
22 of money and to make it easy for them to set. You  
23 said you don't want to make it easy for them, but why  
24 give them a license for 40 years to handle such  
25 radioactive materials, such hazardous material? Why

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1 give them a license for 40 years to handle something  
2 that should be checked on maybe more often than 40  
3 years. I mean I'm sure we check hospitals every three  
4 months. We check on babies every day. We do these  
5 things because we care about our health, so why give  
6 these licenses for 40 years?

7 MR. CAMERON: Let's answer the question  
8 about the license term and also make sure that  
9 everybody understands it's not that the NRC just gives  
10 them a license for 40 years.

11 MR. CAMPER: First of all, all licenses  
12 that we issue are not issued for 40 years. In uranium  
13 recovery --

14 MS. TSOSIE: In fact, for here it's 40  
15 years.

16 MR. CAMPER: Uranium recovery, in  
17 particular, is 10 years. Some licenses are issued for  
18 five years. Nuclear power plants have longer  
19 licenses. So not all are 40 years. But nor is the  
20 regulatory process static. Don't assume that when you  
21 are issued a license, no matter what license category  
22 it is, any change in regulatory standards that come to  
23 bear are brought to bear in real time over the course  
24 of the license. For example, if EPA changes a  
25 particular standard that applies some license category

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1 that we have, the new standard comes to bear. Part  
2 20, the standard for protection of the public against  
3 radiation is updated from time to time. Public doses  
4 or worker doses are reduced. Those become real time  
5 for that licensee. It's not a static affair.

6 We -- once we issue the license we inspect  
7 all of our facilities under some defined frequency.  
8 The higher the risk of activity license, the greater  
9 is the inspection frequency. The most extreme end,  
10 for example, is nuclear power plants. We have a  
11 resident and deputy resident inspector on site all the  
12 time. Other activities are inspected yearly, every  
13 two or three years, depending upon the risk. So it's  
14 not a static process once you issue the license. It's  
15 end game. It doesn't work like that.

16 MR. CAMERON: Okay, there's one young man  
17 over here who has a good question and then we're going  
18 to public comment right after this. Please introduce  
19 yourself to us.

20 MR. GARCIA: I'm William Garcia from Smith  
21 Lake. I had a question wondering if this is going to  
22 benefit the Navajo Nation and if they're going to  
23 receive any royalties and if we are I don't think the  
24 elders are going to be around to even see these and  
25 it's going to be passed down to our kids' kids.

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1 That's my question.

2 MR. CAMERON: Okay, this looks at -- this  
3 may be not within the NRC's jurisdiction, but can we  
4 provide any information at all about what benefits  
5 there might be to the Navajo Nation from if one of  
6 these facilities was located there.

7 And Jim, maybe that goes -- maybe you look  
8 at that in the socio-economic impacts where you look  
9 at jobs and taxes and things like that. Maybe you  
10 could just talk to that a little bit.

11 MR. PARK: Yes. I can't speak directly to  
12 what benefits the Nation might receive. You also had  
13 the question about royalties. That's not something I  
14 can speak to, but in terms of what a facility would  
15 need to operate. It needs workers. It needs  
16 infrastructure, the materials to purchase on a regular  
17 basis. Also, depending on the communities that are  
18 involved and the counties and the state, there also  
19 may be taxes that are associated with that facility  
20 operating. So for example, I'm aware that the other  
21 licensee that we have that's operating, I showed a  
22 picture from one from Wyoming. The other one is  
23 located in Nebraska. And in the Year 2007, it had an  
24 estimated \$4 million that in values that was moved  
25 back into the community associated with the materials

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1 and everything else associated with that facility  
2 operating. That may also include the workers who are  
3 on site. Hopefully, that answers some of your  
4 question and concern.

5 MR. CAMERON: Okay, thank you. Thank you  
6 all for those questions and the staff will be here  
7 afterwards to talk in further detail with you.

8 The first three speakers, first of all,  
9 we're going to go to I believe it's Norman John. And  
10 then we're going to Commissioner Ernest Becenti and  
11 then to Major Joe Murrietta.

12 Norman? Is Norman still here. Hi,  
13 Norman. If you could just -- if you wouldn't mind  
14 coming up here because this microphone clearly -- that  
15 one doesn't work. That's a dead mike. It's for him.

16 Just come up here and then it will make sure we get  
17 it on the transcript.

18 Thank you very much.

19 MR. JOHN: First time, Councilman. Good  
20 evening, ladies and gentlemen, and the NRC staff. My  
21 name is Norman John, II. I'm an elected official for  
22 the Navajo Nation and I represent the greatest State  
23 in the Union, New Mexico. because of diverse culture  
24 and languages that we have in the State.

25 Earlier, the presentation stated that

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1 you're here to protect the interests of the people and  
2 the environment. I was thinking that the question  
3 came about when the young lady asked about the Diné  
4 Protection Act. It's not only Navajo Nation. Navajo  
5 Nations comprise of the Trust Land. And you're  
6 talking about the Trust Land. But on the eastern  
7 side, we have fee lands. We have territorial  
8 jurisdiction and we have an agreement with the State  
9 of New Mexico and the Bureau of Indian Affairs on  
10 right of ways for highways, natural gas lines, power  
11 lines and the question from the young man from Smith  
12 Lake says that is it going to benefit the Navajo  
13 Nation?

14 I think the Diné Protection Act states in  
15 there that to ban any uranium mining or extractions  
16 and I think it clearly states that the Navajo Nation  
17 leadership opposes it and I think that the NRC should  
18 recognize and have respect for the Navajo Nation  
19 instead of just saying it's only on Navajo Nation  
20 land.

21 We're recognized as a federal Indian  
22 Tribe. We have a treaty with the country of Mexico,  
23 1842, 1848 and 1868, we have a treaty as a recognized  
24 tribe. And it covers the State of Utah, Arizona, New  
25 Mexico and part of Colorado and the federal entities

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1 should recognize these and I hope and pray that the  
2 NRC takes this into consideration with respect to the  
3 Navajo people.

4           The Diné Protection Act states that to  
5 ensure that no further damage to the culture, society  
6 and economics of the Navajo Nation occurs because of  
7 uranium mining within the Navajo Nation and the Navajo  
8 Nation Indian Country. You have to recognize that,  
9 the Indian Country. And that no further damage to the  
10 culture, society, and the economy of the Navajo Nation  
11 occurs because of uranium processing until all adverse  
12 economic, environmental, and human health effects from  
13 the past mining and processing have been eliminated or  
14 sustained substantially reduced to the satisfaction of  
15 the Navajo Nation Council leadership.

16           The Federal Government has to listen to  
17 us. We're being evaluated every four years because of  
18 the interest of the Navajo people and they put us in  
19 these positions for the grassroot people to realize  
20 that we need something done here. We need to protect  
21 our homeland.

22           I understand the warfare to be used in  
23 these. In South Vietnam from '72 to 1975 insecticides  
24 were used. Unbranded was that. But the Federal  
25 Government don't have any benefits for us. We're just

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1 like guinea pigs. While we're protected, every  
2 individual on the face of the earth and then now this.

3 I just ask the NRC to have a respect for the Navajo  
4 Nation's position, and to carry out your mission to  
5 protect the people and the environment. Again, carry  
6 out your mission statement.

7 Thank you.

8 MR. CAMERON: Thank you.

9 (Applause.)

10 MR. CAMERON: Commissioner Becenti.

11 MR. BECENTI: Good evening, ladies and  
12 gentlemen and Panel Members.

13 I am Ernest Becenti, Jr., a Commissioner  
14 of McKinley County. I am one of the three  
15 Commissioners of McKinley County and tonight I will  
16 read a statement to you in letter form that all three  
17 Commissioners have signed.

18 And the letter states: "We are writing to  
19 you as elected representatives of McKinley County who  
20 support the return of uranium mining in our region.  
21 Thank you for conducting tonight's public hearing here  
22 in Gallup. Residents of the county appreciate the NRC  
23 taking the time to educate everyone on the development  
24 of a Draft Generic Environmental Impact Statement and  
25 its impact on in-situ recovery facilities. McKinley

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1 County supports new uranium operations in the Grants  
2 mineral belt. This region of the State is in dire  
3 need of meaningful economic development.

4 "A recent economic impact study conducted  
5 by New Mexico State University illustrates the  
6 positive physical benefits that industry will have  
7 both in McKinley and Cibola Counties, as well as the  
8 State of New Mexico. The study is done by Arrowhead  
9 Center in Las Cruces and estimates that New Mexico has  
10 up to 341 million pounds of uranium ore and the  
11 potential of \$30 billion. There's also the geological  
12 prediction that another 300 million pounds of ore is  
13 deposited in this particular area. This natural  
14 resource needs to be harvested so that the residents  
15 of our community can secure high-paying jobs.

16 "The current energy situation is a wakeup  
17 call to many Americans who realize that we cannot  
18 afford to be at the mercy of hostile foreign  
19 governments for our energy needs. We have the power  
20 in our own backyard to supply the country's need for  
21 future generations of Americans.

22 "It is important that we develop domestic  
23 resources of uranium to promote energy independence  
24 for our nation. Nuclear power fueled by New Mexico  
25 uranium will help reduce greenhouse gas emissions

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1 globally. The McKinley County Commissioners passed a  
2 resolution supporting the return of uranium mining.  
3 We also support the NRC with regards to the Generic  
4 Environmental Impact Statement process as we believe  
5 it will make licensing process more efficient and at  
6 the same time protect the environment, the  
7 communities, and the workers."

8 That is a letter to the panel and also  
9 I'll be submitting a resolution with this particular  
10 letter.

11 In addition, I'd just like to indicate  
12 that the draft confirms that ISR uranium recovery is  
13 one of the lowest risk activities in the nuclear fuel  
14 cycle. In 30 years of ISR operations there have been  
15 no significant adverse impacts to adjacent or  
16 nonexempt resources of drinking water outside this  
17 recovery zone.

18 We commend the NRC for doing a very  
19 thorough job on this particular draft. In our review,  
20 the draft makes me very confident that uranium mining  
21 can be conducted in New Mexico that is safe and will  
22 protect the worker as well as the public and the  
23 environment.

24 We urge the NRC to finalize this draft as  
25 soon as possible to help the public evaluate new ISR

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1 projects.

2 Thank you very much.

3 (Applause.)

4 MR. CAMERON: Thank you. We'll hear from  
5 Joe Murrietta. Then we're going to hear from Teddy  
6 Nez and Rose Marine Cecchini.

7 MR. MURRIETTA: Good evening. My name is  
8 Joe Murrietta. I'm the Mayor of Grants, New Mexico.  
9 I was born in Grants almost 61 years ago and I'm still  
10 here. I was also a uranium company employee during  
11 the '60s, '70s and early '80s.

12 I feel very confident tonight that I can  
13 say that I, the citizens of my community, and my  
14 county understand the uranium industry and realize the  
15 importance of the industry to our community and our  
16 region.

17 That being said, the Grants City Council,  
18 myself, would like to give its support to the Draft  
19 GEIS that's being presented here tonight and we feel  
20 that it is adequate document to evaluate the licensee  
21 applications for in-situ leaching in our area and we  
22 are looking forward to that resurgence of the uranium  
23 industry in this community and our community and in  
24 the entire region.

25 Thank you.

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1 (Applause.)

2 MR. CAMERON: Next is Teddy Nez.

3 MR. NEZ: My name is Teddy Nez, grassroots  
4 representative from Northeast Church Rock Mine. I  
5 live between United Nuclear's mine wastes and Kerr  
6 McGee's mine waste. One of the things that we talk  
7 about is we're asking for long-term protection. From  
8 that viewpoint, the repository we're trying to address  
9 that, the mine waste that is piled up there and then  
10 if we can store some of these wastes let's say for  
11 example behind the Commissioner's back yard, let's see  
12 what he's going to say about that, to where the danger  
13 of it even with the institute of the new state-of-the-  
14 art way of mining is the most dangerous way because of  
15 the pollution that it's going to create in our  
16 aquifers.

17 The water will come in from that door and  
18 goes out this door in the earth itself, so what  
19 happens in there? The perimeter is within this room,  
20 so the water comes in the permitted area and then it  
21 leaves the area. So with that said, in the  
22 restoration of these mining areas the monitoring, the  
23 health issues that we're concerned with, the  
24 researchers, they define a problem with us . They say  
25 that this is what your problem is, for example,

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1 cancer. That's all they say. But we want to have a  
2 treatment. We want to address these treatments in the  
3 national health care issues to where the funding that  
4 needs to be provided from the Government, the United  
5 States Federal Government and the State Government  
6 itself, we need to address these issues.

7 As far as the treatment is concerned, we  
8 want to have it in the western way of treatment and  
9 then traditional way of treatment.

10 Thank you.

11 MR. CAMERON: Thank you. Rose Marie. And  
12 then Benjamin House and Tracy Tsosie and Don Hyde.

13 MS. CECCHINI: Good afternoon, everyone.  
14 And greetings especially to the Nuclear Regulatory  
15 Commission members.

16 America is a democracy and I believe that  
17 a public hearing is about speaking the truth from many  
18 different perspectives. And I think this is what  
19 we're doing this evening.

20 I am Rose Marie Cecchini. I'm a Maryknoll  
21 sister and I am coordinating the Office of Peace,  
22 Justice and Creation Stewardship for the Diocese of  
23 Gallup. So I have a special responsibility to really  
24 seek the economic, not the economic simply, but the  
25 spiritual, moral, ethical, and environmental justice

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1 principles of any issue.

2 I was very happy to learn that the mission  
3 of the Nuclear Regulatory Commission is precisely  
4 that, to protect the safety and welfare of the people  
5 and the environment everywhere in this beloved land of  
6 ours in America.

7 Now I noted that in this Environmental  
8 Impact Statement, there is also the concerns about the  
9 impacts and I'd like to say that these are all  
10 environmental justice, moral, and ethical principles  
11 because anything, any proposed uranium mining project  
12 that might adversely impact in any way the living  
13 systems of our earth, that means the water, the soil,  
14 the plants, the air, the wildlife, that makes life  
15 possible for you and me and everything else living on  
16 this planet is a grave moral and ethical and  
17 environmental justice issue. That's precisely  
18 what concerns me.

19 I am aware in looking over the Generic  
20 Environmental Impact Statement that there is a  
21 reference in Chapter 6 which discusses a potential for  
22 disproportionately high and adverse environmental and  
23 health impacts on minority and low-income populations  
24 from future ISL licensing in specified uranium milling  
25 regions. And I understand now it will be very site-

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1 specific. But there's a different perspective here  
2 between discussing these high and adverse  
3 environmental health impacts on minority and low-  
4 income populations from in-situ leach mining and a  
5 perspective that asks in the first place why any group  
6 of people, their communities, their water, their land,  
7 their wildlife should be sacrificed in any way  
8 whatsoever so that uranium mining and nuclear energy  
9 corporations can proceed to maximize profits with, of  
10 course, some token benefits with the local promoters.

11 And the overwhelming facts that we have been  
12 receiving from our friends in Kingsburg, Texas,  
13 friends in Colorado, and elsewhere who have  
14 experienced the impacts from in-situ to light leach  
15 mining have put a penetrating spotlight on some  
16 inadequacies of the Generic Environmental Impact  
17 Statement. And first of all is the fact that although  
18 we did have an explanation of the in-situ leach mining  
19 process it is by its very nature irreversibly  
20 contaminating water. And by releasing through the  
21 oxygen, injection of oxygen and sodium bicarbonate,  
22 causing the uranium to leach off the rock formations  
23 into the water, so you have contaminated plumes.

24 We cannot, without seeing it and being in  
25 the aquifer know where these plumes are migrating.

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1 And we cannot put our total trust in monitoring wells  
2 because we know those didn't work in Kingsburg, Texas.

3 Secondly, the commercial scale ISL mines  
4 have failed to restore groundwater. We understand  
5 that it's a long process, but there are some areas  
6 where this has not taken place and so the levels of  
7 acceptable water standards have been lowered and we  
8 know cases of this type.

9 So we're very concerned about the uranium  
10 industry's history which is very abysmal. And has  
11 created massive pollution and failing to clean it up  
12 as we have heard from our friends, Mr. Nez, people who  
13 live in the Church Rock vicinity and also in Tuba  
14 City, Arizona, where radioactive waste was simply  
15 poured into the garbage dump area.

16 And thirdly, in the high desert arid water  
17 scarce regions of New Mexico, this form of uranium  
18 mining is utilizing a precious resource, water. And  
19 if this water is contaminated, there's no other safe,  
20 clean, reliable water source available and without  
21 water there is no life.

22 So there's another glaring inadequacy I  
23 think that exemplifies something that we're talking  
24 about here. And this is out of a concern for the  
25 future of our American people and of this beautiful

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1 land of ours and that is any kind of a paradigm which  
2 regards the earth as nothing more than a collection of  
3 natural resources to be exploited to the maximum, to  
4 extract to the maximum for economic profit. And now  
5 we see that that is not adequate. That cannot be a  
6 sustainable future economically or environmentally.

7 So we're very concerned about that from a very  
8 spiritual, moral, and ethical justice perspective.

9 We would also like more jobs and economic  
10 well being for all communities here in New Mexico, for  
11 everyone who is in favor of uranium mining and the  
12 reasons for that we support, but the way to achieve  
13 this is by keeping the focus on the real project of  
14 developing renewable energy. That is wind, solar,  
15 geothermal and other technologies that will bring far  
16 more jobs to New Mexico than uranium mining or nuclear  
17 power.

18 So during these days when there's a lot of  
19 lobbying going on in Congress for billions of dollars  
20 for the nuclear industry, I would hope that we could  
21 lobby for billions of dollars to invest in our future  
22 and that is in renewable energy and I hope that will  
23 not harm the land and the water that is so precious to  
24 all of us.

25 Thank you.

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1 (Applause.)

2 MR. CAMERON: Thank you. Benjamin House  
3 and then Tracy Tsosie.

4 This is Benjamin House.

5 (Applause.)

6 MR. HOUSE: I'd like for the members of  
7 the Allottee Association to stand up please. All of  
8 you Allottees stand up. See how many we have here?  
9 Okay, thank you.

10 The Allottees, we appreciate the NRC  
11 holding public meeting to encourage stakeholders,  
12 public involvement in the development of the Generic  
13 Environmental Impact Statement to be used in accessing  
14 potential environmental impacts at in-situ recovery  
15 facilities.

16 The Navajo Allottees supports new uranium  
17 operations in New Mexico. New Mexico leads the nation  
18 in known uranium resources. Many of the resources are  
19 under land owned by Navajo Allottees and can be  
20 recovered by modern ISR techniques that will provide  
21 an important source of economic development. The  
22 Eastern Navajo Allottees Association desired the  
23 opportunity to develop their land and their mineral  
24 resources for safe, commercial recovery. As a nation,  
25 we need new mines to fuel growing nuclear reactor

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1 fleet in this country. We need the jobs and positive  
2 economic benefits uranium production will bring to our  
3 community.

4 The Draft GEIS establishes that uranium-  
5 bearing aquifers exist in northwest New Mexico. These  
6 uranium-bearing aquifers are not fit for drinking  
7 water supply purposes unless the water is treated.  
8 This is the case whether these uranium-bearing  
9 aquifers are mined or not.

10 ISR uranium recovery has been on-going in  
11 the United States for 30 years. With all of the  
12 information gathered on ISR over the past 30 years,  
13 the Draft GEIS shows that a streamlined license  
14 process can be achieved for general matters and allow  
15 NRC to focus on site-specific issues for each new  
16 license application.

17 ISR EIS will not replace need for site-  
18 specific EIS, but will promote the availability of  
19 domestic sources for uranium to fuel our nation's  
20 expanding fleet of nuclear power reactors. My review  
21 of the EIS makes me very confident that uranium can be  
22 conducted in New Mexico that is safe and will protect  
23 the worker, the public, and the environment. I and  
24 the Allottees of more than 400 members, we urge NRC to  
25 finalize the ISR as soon as possible to help the

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1 public evaluate new ISR projects.

2 Thank you very much.

3 (Applause.)

4 MR. CAMERON: Thank you very much for your  
5 comments.

6 We're going to go to Tracy Tsosie now and  
7 then Don Hyde.

8 This is Tracy.

9 MS. TSOSIE: I wanted to first explain why  
10 I'm here. I first was informed that there was going  
11 to be this meeting today. I didn't know that there  
12 was going to be any type of meeting about in-situ  
13 leach mining, but I feel strongly about my opposition  
14 to it.

15 I am a biology major, chemistry minor. I  
16 have taken many classes on chemicals, uranium is one  
17 of them, and we learned from the very beginning that  
18 uranium has a very long half life. Uranium takes  
19 about 90 years to deplete, by half, and then it takes  
20 another 90 years to deplete by half, and then another  
21 90 years to deplete by half, and it never goes away.  
22 And the entire time it's depleting, it is radiating on  
23 anybody who is near it.

24 I see people who are here who are  
25 Allottees. It makes me sad that you would see it as a

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1 benefit because it's not. It will -- if it doesn't  
2 damage you, it will damage your children. It will  
3 damage your grandchildren. You will have defects to  
4 your children, to us and any amount of money that they  
5 give us, any amount is not worth the life of your  
6 children. It's not worth the life of your  
7 grandchildren. You look at yourself in the mirror and  
8 you see your perfect face. Maybe you don't see that  
9 you're pretty as you could be, but you are perfect.  
10 You can speak, you can walk, you have eyes that look,  
11 you have ears that function, you have a brain that  
12 works.

13 If you expose children to uranium, if you  
14 expose yourself to uranium you are subjugating your  
15 own genetic reproductive cells to the bombardment of  
16 the uranium radiation. Radiation will destroy your  
17 DNA. I read in here somewhere it says DNA repairs  
18 itself and there's little to no effect and it usually  
19 does a good job. Usually. People experience genetic  
20 defects daily. It also says here that we are exposed  
21 to radiation on a daily basis, blah, blah, blah. But  
22 the uranium is a high concentration of radiation any  
23 way you look at it. They tell you don't lick the  
24 walls, don't let your children lick the walls if your  
25 walls were in the '50s. Why? Because they had lead

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1 in the paint. Because your children can become sick,  
2 can become disabled, can become deformed because all  
3 they did was lick the paint off the walls and it had  
4 lead in it.

5 I am afraid for us as a Navajo people  
6 because we are considering putting something so  
7 detrimental right there in our backyards.

8 I read here that it says that we want to  
9 set up these locations in rural areas. Why not set up  
10 a uranium in-situ leach mine outside of Albuquerque?  
11 Why not? Maybe because you will receive such a huge  
12 amount of opposition it wouldn't be worth the time.  
13 But let's try it out here with these Navajo people who  
14 can barely speak for themselves, who barely know how  
15 to speak English, who are not educated as well as the  
16 bilagonas and let's throw money at them and tell them  
17 that it's going to be okay. And then let's let them  
18 go home with this hope that their wealth is going to  
19 outweigh the damage that's going to be caused to the  
20 children.

21 I say it's not. It's not worth it. It's  
22 not worth risking, having a child who could not be as  
23 well off as you are because you chose to subjugate  
24 them to radiation.

25 I couldn't live with myself. I don't see

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1 how anybody else could live with consciously making  
2 this decision in the name of money. I ask anybody who  
3 values their health, who values their children's  
4 health to oppose exploration of uranium, any exposure  
5 is not worth it.

6 I don't care if there's radiation that  
7 we're bombarded with daily. We don't need something  
8 there that radiates and kills us and then to justify  
9 it and say well, you know what? You guys are exposed  
10 to radiation all the time. So having uranium there is  
11 okay because it's radiation too and they're the same  
12 thing. No, they're not.

13 All I can say is I went to school for  
14 this. I know, I know exactly what you guys are  
15 talking about. I'm sorry I don't have a better  
16 defense. I'm sorry I'm ill prepared, but I wanted  
17 everyone here to know that I am opposed to this as a  
18 person, as an individual, as a youth in today's  
19 society. I think there are better alternatives for  
20 us. We can create money other ways. Seeking uranium  
21 and radiation as a means of becoming wealthy, I think  
22 it's the wrong way to go and there are many ways to  
23 become wealthy. You look at the United States. The  
24 United States has wealth and they don't exploit  
25 uranium and subjugate their children to radiation to

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1 become wealthy.

2 Thank you.

3 (Applause.)

4 MR. CAMERON: Thank you. Don Hyde and  
5 George Munez and Chris Shuey.

6 MR. HYDE: My name is Don Hyde from  
7 Gallup. And I think a lot of us have forgotten a  
8 legacy of uranium mining and milling in Indian Country  
9 and Northwest New Mexico. On July 16, 1979, the worst  
10 spill of uranium tailings in the country, possibly the  
11 world, that flowed through the Rio Puerco, right  
12 through Gallup and down into Arizona. People graze  
13 their sheep and played in it and there have been  
14 deaths and birth defects, defects on the miners.  
15 Obviously, we had different technology. An awful lot  
16 of miners have died.

17 In context, the World Nuclear Association  
18 says there is an over-supply of uranium in the last 50  
19 years. Right now the price of uranium is up, but it's  
20 probably on a bubble. And when it goes down, the rate  
21 payers, us, the people who use the electricity will be  
22 paying that higher price.

23 Also, there are many more jobs in  
24 renewable energy than there are in nuclear mining,  
25 uranium mining. How many jobs do you think there's

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1 going to be in the ISL out there? How many? A few.  
2 Whereas, renewable energy will provide hundreds of  
3 jobs.

4 I had a few questions I didn't get to ask  
5 them earlier. I wanted to know whether there had been  
6 exploratory drilling already going on up here because  
7 there is radioactive dust on the land from previous  
8 mining and milling activities and that gets carried by  
9 the wind and the water. It's still there. It's still  
10 radioactive.

11 I had a question as to which aquifer has  
12 been exempted and why it was exempted. Was it because  
13 of previous uranium contamination?

14 I had a question about that one to three  
15 percent of excess water that -- in the ISL process is  
16 going to be put in evaporation ponds or injection  
17 wells or on surface of the land.

18 I had a question as to which congressional  
19 committees provide oversight over the NRC.

20 And of course, Congress people are never  
21 bought off, are they?

22 So I would recommend that people support  
23 the no action alternative which is listed in the  
24 documents that would stop this process and prevent the  
25 ISL mining.

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1 MR. CAMERON: Thank you very much.

2 (Applause.)

3 George will be next. Is George here?  
4 We're going to go to Christine Smith and Lynnea Smith  
5 and then we're going to go Rita Capitan and Mitchell  
6 Capitan.

7 MS. C. SMITH: Good evening. My name is  
8 Christine Smith. I am a teacher at Crownpoint  
9 Elementary School, so I'm here to represent my family.

10 I have brothers and sisters and nieces and nephews  
11 and all my children live in Crownpoint, so I represent  
12 my family.

13 I also represent my first graders who are  
14 going to grow up and become the future residents of  
15 Crownpoint.

16 They deserve a chance. They deserve a  
17 life in Crownpoint free from contamination. I haven't  
18 heard anybody talk about our future. We have to think  
19 about them, not just what we can get now.

20 This GEIS is a one-size fit all for  
21 everything across this country. Our community is  
22 unique. I live a quarter, almost less than a quarter  
23 of a mile from a processing plant. I go out my back  
24 door and it's right there. Talk about trying to get  
25 spirituality. I can't get spirituality because I have

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1 to look at that processing plant.

2 It invades my life every day. I think of  
3 it as a resident of Crownpoint. I think of it as a  
4 teacher. I think of it as a mother. I have to speak  
5 for my children. I have to speak for the future.

6 I am tired of people telling us that the  
7 water that we drink is contaminated and I've seen this  
8 in several newspapers. It's not contaminated, not  
9 yet. It will be if we let this ISL mining go on.

10 Our school is located one mile up the road  
11 from this processing plant and I want you to know that  
12 the wind blows up that direction.

13 MS. TSOSIE: What processing plant are you  
14 talking about?

15 MS. C. SMITH: I'm talking about the HRI  
16 Processing Plant.

17 MS. TSOSIE: What are they processing?

18 MR. CAMERON: Let's let her finish her  
19 statement, please.

20 MS. C. SMITH: This processing will  
21 receive the uranium and process the ore that's the  
22 processing plant that I'm talking about. And I live  
23 less than a quarter of a mile there.

24 My church, all our churches are located up  
25 that road. So you say that it's not going to affect

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1 the environment? Well, I consider that human beings  
2 are a part of the environment. So you have to take  
3 that into consideration. The people that live there,  
4 the people that are going to be affected now and also  
5 in the future, I want a life for my kids. I want a  
6 life for my grandchildren. So I'm asking you  
7 to consider that.

8 Our water is clean and it belongs to  
9 everybody. Everybody has a say. Thank you.

10 MR. CAMERON: Thank you.

11 (Applause.)

12 MS. L. SMITH: Okay, my daughter is  
13 sleeping so -- she sleeps pretty good when I keep her.

14 My name is Lynnea Smith and I'm from the  
15 community of Crownpoint. I grew up in Crownpoint. I  
16 live in Crownpoint and my family is in Crownpoint and  
17 I'm sick to death of people telling us to move, just  
18 because they want their money. That is my home. I am  
19 sick of it. I am sick of this company coming into our  
20 communities and saying here, here's a \$100,000, let us  
21 mine there.

22 My child's life, my children's life, my  
23 grandchildren's life and I am sick of you people  
24 because how can you put your children at risk? You're  
25 going to be long gone. Money comes and it goes. I'm

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1 surprised of you people of Grants. The uranium boom,  
2 it came and it went. Economics, politics, it  
3 fluctuates, it changes. Money, it will come and it  
4 will go.

5 What are you going to do when there's no  
6 water? What are you going to do? Are we all going to  
7 sit at Crownpoint Dialysis Center, all saying hey, you  
8 know what, I drink uranium mining water because they  
9 contaminated it and I have nowhere else to go because  
10 there was not enough money to relocate an entire  
11 community, to relocate the community next to us who  
12 our water sources serve.

13 And in regards to the Navajo Nation  
14 uranium mining ban, that was put into place to protect  
15 all people, all the Navajo people within Indian  
16 Country because your water doesn't stay within a  
17 circle. It doesn't stay in a little square. It  
18 doesn't stay in a box. It runs under your home. It  
19 runs under my home and it runs from one community to  
20 another.

21 How can you as traditional, elderly people  
22 encourage this? Give me my money. Weren't you proud  
23 that our elderly people could live off the land? What  
24 are you teaching your grandchildren if all they want  
25 is money? We're always talking about loss of culture,

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1 loss of identity. Money cannot buy that culture.  
2 Money cannot buy that identity. And I'm sick of it.  
3 I'm sick of it. It has not gone away for the last 20  
4 years, for the last 5 years and we're just being told,  
5 you know what, it's under your ground, we want it.  
6 We'll pay you whatever amount. I'm sorry, but my  
7 children are not worth that. My family is not worth  
8 that. Their grandmother is not worth that.

9           And whether or not you have children -- if  
10 you don't have children right now, you're going to be  
11 sorry when you do, because when they drink that  
12 uranium mining water, when they drink that uranium and  
13 get it into their kidneys, and it kills the cells in  
14 the kidneys and their kidneys cannot product the waste  
15 and excrete, then what are you going to do? You're  
16 going to watch that little child on a dialysis machine  
17 and how much money are you going to give up in the  
18 world to have your child live to become an old person,  
19 to watch their grandchildren? There's no amount of  
20 money.

21           So you want to center on the topic of  
22 money and what the benefits are? I'm sorry, but  
23 that's not a benefit to me to die, to have our  
24 children die and just because I may not live to see  
25 it, I'm not about to subject future people to that.

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1 And that's why I helped to push the uranium ban.  
2 That's why your future, your leaders accepted that  
3 challenge to protect people, just because they didn't  
4 know any better.

5 Become educated. Go out and learn about  
6 it. You don't like the way I talk about it? You  
7 don't like the way somebody else talks about it? Go  
8 out and learn about it.

9 Don't take the easy way out just because  
10 somebody says so. Learn about it. Learn how it  
11 damages the kidneys. Go and talk to somebody who  
12 lived in the uranium mining community. Go talk to  
13 somebody whose family members have died.

14 Become informed. Teach yourself. Don't  
15 let other people make that decision for you. But for  
16 me, I know. I have that education behind me. I work  
17 in a health care facility. And unfortunately, our  
18 health care facility doesn't have those resources to  
19 take care of our family.

20 You know what? Everybody likes to talk  
21 about terrorists. What if they find out we're  
22 producing uranium in Crownpoint and they decide to  
23 bomb our facility? Who is going to take care of the  
24 people then? What resources are available to our  
25 Navajo people? And you know what, I'm sorry to say

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1 this, I don't mean to offend my people, but they're  
2 going to say I don't give a damn. We should have  
3 gotten rid of them 100 years ago. And that's the  
4 truth.

5 So think about that. Think about that,  
6 Mr. Becenti when the people come into Wal-Mart. The  
7 people you serve who can't live sustainable lives.  
8 They have to come in and get cheap stuff. They have  
9 to live with uranium mining tailings in their  
10 backyard. They're dying. They can't work. And yet,  
11 they can't grow vegetables. They can't eat their  
12 animals. Think about that.

13 Would anybody want uranium mining tailings  
14 in their backyard? Would you give your children water  
15 that is laden with uranium to drink every day of  
16 their life? Think about that.

17 I know I've taken up more than my time,  
18 but that is everything I have to say. And I hope  
19 somebody listens out there.

20 MR. CAMERON: Thank you.

21 (Applause.)

22 MR. CAMERON: We'll have Rita Capitan,  
23 then Mitchell Capitan and then Robert Tohe.

24 MS. CAPITAN: Good evening, every one. My  
25 name is Rita Capitan and I come to you from

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1 Crownpoint, New Mexico which is where they would like  
2 to do the in-situ leach mining processing after  
3 they've taken the uranium out from Church Rock area.

4           You know, we've dealt with this for 15  
5 years, 15 long years and people keep asking are you  
6 still at it? But you know we've got to keep going  
7 because this is so important to us, this is a serious  
8 issue.

9           We were so fortunate to have Navajo Nation  
10 leaders five years ago that stood up for us. After  
11 all these years, we've gone to many leaders in the  
12 Crownpoint area, all over the place, seeking for help  
13 to Gallup, seeking for help to find out that a lot of  
14 leaders have been paid under the table. I'm sorry,  
15 but politics, that's the way it works, I guess.

16           No offense to the Mayor of Grants, and I  
17 don't know about the Mayor of Gallup, but I know the  
18 Commissioners of Gallup are wanting that uranium for  
19 economic reasons they said.

20           Nothing has changed. Uranium is always  
21 going to be uranium. It's been dangerous for  
22 thousands of years. The uranium from 2,000 years ago  
23 is just as dangerous today. Once you mess with the  
24 ore, once you bother it, it's dangerous. And that's  
25 what a lot of our elders don't know. They just know

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1 what's been told to them.

2 And so I hope that the Grants kids can  
3 look in the dictionary and really find out what  
4 uranium is and get more information to them because I  
5 know a lot of them still don't know what it is and  
6 they still don't know how dangerous it is.

7 I'm speaking for my community as well and  
8 our families and our precious children and their  
9 children in the years to come. We want them to drink  
10 the same good water we have now. We don't want  
11 anyone, especially from the outside to come in and  
12 destroy what precious water we have. And I just thank  
13 the Navajo Nation council for being there to stand up  
14 for our people.

15 We want our children to drink the same  
16 good water we have, we have had, because this is our  
17 -- the water we have is our blood vessel of the lands,  
18 not only here, but just anywhere.

19 Drinking water in some areas, to name a  
20 few, Smith Lake, Casamere Lake, Church Rock, they have  
21 uranium in it, a lot of it to where people can't drink  
22 it. They can't consume it. And we don't want that to  
23 happen in our area. Crownpoint, I understand has one  
24 of the best water in the country. So in my heart I  
25 know that our drinking water for our communities, our

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1 children, the future is so much more important than  
2 royalty. Just like Lynnea said, you have to be --  
3 something has got to be wrong with you to think that  
4 this is not important.

5 So [speaking in Diné].

6 (Applause.)

7 MR. CAPITAN: Good evening, everyone.

8 [Speaking in Diné.]

9 I'd like to thank the Nuclear Regulatory  
10 Commission. I speak on behalf of protection and  
11 safety. And it sounds like your mission, sounds like  
12 you are the good guardian of our well being, so  
13 hopefully you will take that message with you.

14 First of all, I myself have been a uranium  
15 worker. I myself have experience in the ISL mining  
16 back in 1980. Mobil Oil did a demonstration project  
17 west of Crownpoint. It was a small-scale ISL mining  
18 which they demonstrated for six years.

19 You know as James Park was talking about  
20 the ISL mining right here, it sounds so easy. It  
21 sounds a perfect scenario of how a mining can be done.

22 But what if, what if there's contamination, there's  
23 excursion that passes through the monitored wells.  
24 What if -- what's the plan right there? I didn't hear  
25 that. It's just a perfect scenario of ISL mining that

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1 he demonstrates that the mining companies will  
2 demonstrate to us that it is so easy to mine uranium.

3 I say uranium recovery is easy with ISL  
4 mining. It's the cheapest way of mining. The water  
5 is going to do the work for you, the pumps, but the  
6 manpower, there's not going to be that much, there's  
7 not going to be that many personnel working, only the  
8 highly technical people will be the ones that will be  
9 hired to do this kind of work.

10 So when uranium recovery is done, it will  
11 be simple. We can extract uranium. But the bad part  
12 about ISL mining is restoration. That's the worst  
13 headache that can happen to an ISL mine because I've  
14 seen it.

15 When I worked with Mobil, we produced  
16 uranium oil for about 18 months. Oh, I saw that  
17 yellow cake. I carried that yellow cake. I cooked  
18 that yellow cake, weighed it and everything, the  
19 concentration of the uranium ore. But after that, the  
20 company and the price of uranium went so low that we  
21 couldn't afford to mine uranium. That's when we said  
22 okay, let's go into restoration. For three years, we  
23 couldn't restore the water. That's a very small scale  
24 of ISL demonstration project, ISL mining. And this is  
25 what I always talk about to everybody. I think I'm

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1 the first hand experienced person that has done this  
2 kind of work and I've seen it for myself. I talked to  
3 my wife about it. And that's where I came from.  
4 Fourteen years ago, we intervened with the Nuclear  
5 Regulatory Commission on this proposed uranium mine.  
6 We commented on the DEIS, Draft Environmental Impact  
7 Statement. What happened to that?

8 Then we commented again on the FEIS.  
9 What's happening? Now we call it a Generic EIS. I  
10 thought this was done for. I thought we had commented  
11 and everything -- we spent millions of dollars getting  
12 our expert to testify for us. Nothing has been done  
13 yet and my people here, the pro uranium and the people  
14 that are against uranium it's sad to hear to -- it's  
15 saddened to be clapping from one side and the other  
16 side. This is not the Navajo way. This is not the  
17 Indian way. Let's be banned together in one and  
18 protect our land and our water because water is  
19 sacred. We live with water. How about if there was  
20 no water? We can't live. We might have a million  
21 dollars right here and I'm thirsty, which one am I  
22 going to take? I'm going to drink that water.

23 As you know, we have a drought in this  
24 area for 15 years. The Navajo Nation, the Government  
25 has issued a restriction policy five years ago and

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1 there's a policy in place amongst the Navajo people on  
2 how to protect their water, how to take care of their  
3 water.

4 I work for the Navajo Tribal Utility  
5 Authority and I work with my customers and I talk to  
6 them about these issues, about the policy of this  
7 water restriction. I tell my customers do not wash  
8 your vehicle. Do not waste water. Do not water your  
9 grass. Things like that. Water is sacred. And we as  
10 of today, we are in drought restriction and our water  
11 can't be recharged as fast as it could be. And how  
12 and why are we going to do this kind of mining? It's  
13 going to take a lot of water for this type of ISL  
14 mining. We can't afford to lose our water.

15 Thank you very much.

16 (Applause.)

17 MR. CAMERON: Thank you. Thank you very  
18 much. Robert Tohe and then we're going to go to Ronny  
19 Pynes, Joy Burns, and John Robran.

20 MR. TOHE: Good evening. NRC people,  
21 staff, and community people and residents have turned  
22 out this evening to offer up your comments and I too  
23 am here to offer my comments all on this Generic  
24 Environmental Impact Statement.

25 Before I do that I want to introduce

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1 myself. My name is Robert Tohe.

2 I am originally from Coyote Canyon. I  
3 have the homesite lease in Mexican Springs currently,  
4 but I work for the Environmental Justice Program with  
5 the Sierra Club. And what I want to do is offer my  
6 comments, briefly, because I know there are others  
7 that want to comment as well. But I want to focus my  
8 comments on the inadequacies of this Generic  
9 Environmental Impact Statement.

10 The Draft GEIS is grossly inadequate in  
11 this discussion and analysis. NRC needs to go back to  
12 square one and rewrite this GEIS to include the amount  
13 of information necessary for the appropriate  
14 environmental impact or rather the National  
15 Environmental Policy Act analysis.

16 This analysis is critical to allow the  
17 public and government agencies such as the NRC to  
18 consider the environmental impacts of uranium mining  
19 before they occur. Uranium mining impacts air, water  
20 quality, and local land use. Local roads, schools,  
21 hospitals will be under additional stress from an  
22 influx of workers and construction activities.  
23 However, local people must shoulder the impacts and  
24 will not benefit from the electricity produced. You  
25 have to understand uranium is an international

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1 commodity and it's all likely that the foreign mining  
2 companies will export this uranium for themselves.  
3 Now this will negate any public benefit to our  
4 communities that could have been derived from these  
5 projects.

6 There are better and more sustainable ways  
7 to meet our nation's energy demands. Uranium mining  
8 companies have a long history of violating public  
9 health, environmental protection laws.

10 The GEIS needs to consider the compliance  
11 history of the history and appropriately assess the  
12 risk of these companies in violating the law.

13 The GEIS does not appropriately consider  
14 the full cycle of the nuclear energy including uranium  
15 mining exploration, energy production, and waste  
16 disposal. The GEIS also does not consider climate  
17 change and other foreseeable impacts of this uranium  
18 mining. These are all related impacts that should be  
19 considered under the GEIS.

20 If these projects are to go forward, NRC  
21 needs to consider the additional mitigation and  
22 alternative options.

23 The GEIS includes a variety of best  
24 management practices designed to mitigate  
25 environmental impacts. However, these measures are

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1 not regulatory requirements. NRC should  
2 consider making these practices licensing conditions,  
3 otherwise, they should consider making important  
4 appropriate mitigation.

5 Local people are concerned about  
6 groundwater impacts, air quality degradation impacts,  
7 the land use and wildlife, and more importantly,  
8 public health and safety.

9 NRC needs to implement enforceable  
10 measures that will mitigate and prevent these impacts.

11 Due to these and other deficiencies, NRC should grant  
12 an additional 180-day extension of the comment period  
13 beyond October 7th.

14 Thank you.

15 (Applause.)

16 MR. CAMERON: Thank you. We're going to  
17 go to Ronny Pynes and Joy burns and John Robran.

18 MR. PYNES: Good evening. My name is  
19 Ronny Pynes. I'm a resident, 32-year resident of  
20 Grants, Cibola County area. I raised three sons in  
21 that area, my wife and I did. I'm a building  
22 contractor, land owner there. Very proud to be a part  
23 of that community. I've seen some times when Grants  
24 was growing and I've seen many years when it hasn't.  
25 I have a lot to learn about the GEIS. I'll be the

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1 first one to admit that. I'm learning as I go.

2 I will have to say in my understanding of  
3 what I've learned so far is that the GEIS license  
4 process is making a very good attempt to be thorough.

5 I don't know that any documentation or process that  
6 we follow in our lives is perfect, but I have to admit  
7 that two years is a fairly lengthy time in which to  
8 research and study all of the possibilities that they  
9 can think of and know about. So my hat is off to this  
10 committee here, this panel and your efforts to protect  
11 us all.

12 I would have to also say that I -- in the  
13 30 years or so that the ISL process has been in place  
14 it has a very high percentage of success and safety.  
15 There again, we have low oil well accidents, coal mine  
16 accidents. Does that mean we shut them down? That we  
17 don't do that any more? I wish it were a perfect  
18 world. I really do. But it's not. We have to live  
19 and learn.

20 There are some things that probably were  
21 done and mistakes made by companies 30 years ago, but  
22 my understanding from the panel tonight that those  
23 issues are being looked at. They're going to be  
24 scrutinized and they're going to be held accountable.

25 I very much support this GEIS and I very much support

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1 the ISL process if done responsibly and as a  
2 responsible father of three sons and my future  
3 grandchildren, if we haven't noticed, this country and  
4 this world is in a bit of an energy crunch.

5 We have, all of us, whether you're Anglo,  
6 Hispanic, Native American, it doesn't matter. We have  
7 an opportunity in this part of the country to make a  
8 difference and our country needs, the state needs it  
9 and I feel our communities need it. I want to thank  
10 the panel for allowing me an opportunity to say my  
11 peace. Thank you very much.

12 (Applause.)

13 MR. CAMERON: Thank you. Joy Burns and  
14 then John Robran and Patricia Rader and Annie Sorrell.

15 MS. BURNS: My name is Joy Burns and I'm  
16 also from Grants. I am here as a citizen of the  
17 community and of the same community that you're  
18 talking about. The same dangers that you're talking  
19 about, I worry about also.

20 I appreciate the panel for your dedication  
21 in researching and trying to make this a safe issue.

22 I feel like there are dangers in  
23 everything that we encounter in the world. I have  
24 some precancerous skin spots on my face right now. It  
25 doesn't mean that I want to block the sun out. I have

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1 to take precautions. I have to control the issues  
2 that are connected with that.

3 I feel the same way about uranium mining.

4 Seven generations of my family have made the Cibola  
5 and the McKinley communities their home. My roots and  
6 my culture are here. We are, in general, poor  
7 communities. We are desperately in need of a steady  
8 employment base for our families and a tax base for  
9 our public services. We want all of our children and  
10 grandchildren to have the opportunity of good  
11 employment here at home.

12 I want that eighth generation of my family  
13 to live here and to belong to this community and I  
14 want them to be safe in doing it. I believe that the  
15 panel's dedication, that their goal is to allow that  
16 to happen. If they tell me, if they tell the  
17 community that they have all of these points that they  
18 have presented to us, they have tons of education and  
19 research behind them, then I feel that I am going to  
20 feel good with it.

21 I definitely don't want to risk the lives  
22 or the safety of my children. We live in a world  
23 where everything risks the lives and the safety of our  
24 children. When you get in your car and drive home  
25 tonight, you are risking the lives and the safety of

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1 your children. So we have to deal with the risks of  
2 the world and we have to cope with them.

3 The vast majority of the private citizens  
4 and business people of Grants support a new  
5 responsible uranium industry. I appreciate that the  
6 opportunity given here tonight to hear and understand  
7 how the GEIS will expedite standard requirements and I  
8 show my support with this process that will still  
9 guard our safety of the workers and our environment.

10 Our communities need jobs. Our counties  
11 and our state need revenue. Our country needs nuclear  
12 fuel for a secure home environment. The right answer  
13 is really very easy and it can be done safely.

14 (Applause.)

15 MR. CAMERON: Thank you. We'll go to John  
16 Robran and then we'll go to Patricia Rader and Annie  
17 Sorrell.

18 MR. ROBRAN: Greetings, everybody. I  
19 really appreciate the way the crowd is acting and the  
20 job that the Commission people are doing, everybody.  
21 We all live on this earth. The last time I checked  
22 the water sample at McCaffee Campground it tested  
23 positive and it was good, and you were drinking it.  
24 That was five years ago.

25 Now I just wish that these people at

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1 Crownpoint, if they've got that facility out there,  
2 why can't that be moved? Help those people. Surely,  
3 they can put it somewhere where it won't be that much  
4 of a factor, of a destruction.

5 I just see things compromised a little  
6 bit. Get along the way it should be and everything  
7 else that's been said I agree with. I feel sorry for  
8 these people that have these problems and feel like  
9 they do, but the process needs to be done safely and  
10 it is. I think they've made giant steps.

11 Thank you for your time.

12 (Applause.)

13 MR. CAMERON: Thank you very much. This  
14 is Patricia Rader.

15 MS. RADER: Hi. I'm Patricia Rader. I'm  
16 a concerned citizen and a resident of Cibola County  
17 near Blue Water Lake between Grants and Gallup. I  
18 don't see the ISL mining as a bridge to the future. I  
19 do hope the NRC will serve its purpose and not grant  
20 licenses for ISL mining. I see perhaps the licensing  
21 procedure would be good, but the monitoring and risks  
22 of the actual process, I think even if one person is  
23 hurt or put in a health care facility because of it I  
24 think that's not worth all of the effort and money  
25 that could be gained from that nuclear process.

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1 Thank you.

2 (Applause.)

3 MR. CAMERON: Thank you. Now Annie.

4 MS. SORRELL: Hello to everyone. I'm  
5 happy to be here. I'd like to present my thoughts and  
6 my thanks for all of you being here, the Allottees,  
7 people who are from Gallup, all the people from  
8 Grants, I appreciate you coming all the way.

9 I am an Allottee. I am from Smith Lake  
10 and we have a land that we're trying to take care of.

11 I'd like to go back a little bit of how this banning  
12 was presented. It was very unprofessional. It was  
13 just a few of Allottees that were present and our  
14 leader came in and just stormed in, sat down and said  
15 no, no uranium and stepped out. That's not the kind  
16 of leader I'm proud of, I'm sorry to say, because I  
17 speak the truth.

18 He didn't reason out with the Allottees.  
19 He didn't -- maybe he did with the other group, the  
20 opposite group, but I didn't see him presenting at the  
21 Chapter House or any place to say that uranium was  
22 dangerous.

23 There's all kinds of diseases come from  
24 coal, pollution, and there's always a word that I see  
25 on TV and it's spelled M-E-T-S-O-T-H-I -- I forget

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1 what it was and the doctor says that it causes cancer.

2 People have had cancer, yes. People had all kinds of  
3 disease. I know I have lost three brothers of  
4 diarrheas. And there are other things that we can  
5 discuss that's killing us every day. But what you see  
6 today nobody talks about it. Alcohol, you see people  
7 get run over. You see people stabbing each other.  
8 You see kids fighting, killing. What about drugs?  
9 Nobody talks about it. That's even more dangerous  
10 than uranium. Peyote. That's a narcotic. Diabetes,  
11 too much sugar. You know I thank my mother for  
12 regrinding corn and we had corn field and we brought  
13 in corn. We brought in all kinds of products and she  
14 made food for us in there. And that makes us healthy.  
15 But today people are dying from diabetes and you  
16 people don't mention that.

17 Why only cancer? I think with uranium,  
18 it's -- if uranium was bad, God wouldn't have created  
19 it. In the Bible it says God created the earth. If  
20 it was dangerous, why would he put it underground?  
21 Why would he put oil underground? Why would he put  
22 coal under our ground. I think it's for our usage. So  
23 think again and you can't just live in fear thinking  
24 oh, that's dangerous. People in the hills smoke, I  
25 don't know what their tradition is. I don't know very

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1 much about it, but that's dangerous too, inhaling  
2 heroin is dangerous. Smoking marijuana is dangerous.

3 Nobody mentions these things.

4 So it's to me, it's to see our children,  
5 thousands and thousands of them, I worked in the  
6 school district for 15 years. Children graduate. Do  
7 we have jobs for them? Does our leader so oh, that  
8 community had so many graduates. Let's find jobs for  
9 them. You see a cartoon in the Navajo Times. I  
10 couldn't believe it. There were students with cap and  
11 gowns going up the stairs, oh, they were cheering,  
12 they were saying I graduated. I put in 12 years,  
13 here's my diploma. No jobs. They fell to the ground.

14 And where did they go? Down the street to have fun.  
15 Who speaks for them? Nobody does.

16 I'm sorry. I just think we should hunt  
17 jobs for them and a lot of our kids are into computer.

18 They could help us, a lot of inventions and these  
19 computer to improve our communities and develop  
20 businesses.

21 We don't have anything on the Reservation.  
22 It's so sad. You go through the Reservation.  
23 There's an old trading post still going. I know the  
24 leaders that established these supermarkets, he was my  
25 boss in '89 when all these people turned over the

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1 government. I suffered because I was broke from my  
2 people and they put me in prison. I was one that was  
3 put in prison for what? Just to believe that some  
4 things were being established to find businesses.

5 I'm not ashamed to say I went to prison, I  
6 am a prisoner, but it just made me strong. It just  
7 got me closer to the Lord that he is my creator. He  
8 created the earth. He created the sun. You hear  
9 these messages in churches. These resources, I think,  
10 is for us to use, coal, uranium, oil, we're in need of  
11 oil. How much gas? How much money have we paid for  
12 gas? Everybody was complaining and I always say God  
13 created these. If we could only put them to use, I  
14 don't think we would be complaining. We'd be blessed.

15 MR. CAMERON: I'm going to have to ask you  
16 to wrap up.

17 MS. SORRELL: Well, I'm a preacher too.  
18 So and then for our servicemen in Iraq, they inhale  
19 all these neutralized poisonous air and everything.  
20 They're not complaining that they're going to have  
21 cancer. But they're coming home with their legs  
22 missing. Arms missing. But I have really -- I have  
23 confidence that with the new technology I think we can  
24 find a safe way of developing uranium. A mine that  
25 will take care of our resources, our water, our air.

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1 There's ways it can be prevented. And we must not  
2 live in fear. Let's just say let's do it right to  
3 protect us and let these people help us establish it.

4 Thank you for listening.

5 (Applause.)

6 MR. CAMERON: Thank you. This is Chuck  
7 Wade and then James Martinez.

8 MR. WADE: Good evening, ladies and  
9 gentlemen. My name is Chuck Wade and what I'd like to  
10 do is suggest that this whole GEIS process be put on  
11 hold until new technology alternative energy sees the  
12 light of day. I have been studying alternative energy  
13 for several years and we absolutely do not use, need  
14 to use uranium to make heat to make electricity.

15 (Applause.)

16 Nor do we need to make -- to use -- to  
17 make -- we do not need to use fuel to make electricity  
18 and I've been studying these. And why I'm absolutely  
19 disgusted with some of these leaders who say they want  
20 to come in here and let these folks mine uranium, it's  
21 not necessary. What we need to do is build new  
22 technology and not have to worry with uranium. What  
23 does uranium do and how is it used? The only thing  
24 that uranium does to make electricity is to produce  
25 the heat that makes the boilers make steam and then

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1 the steam turns a turbine to make electricity.

2 We do not need to use -- I'm so dry I can  
3 hardly stand it up here. I wish you all had some  
4 water. But anyway, I'm not going to take much of your  
5 time, folks. I'm just going to say that this mining  
6 of uranium is absolutely stupid. And it's also going  
7 to be extremely expensive, so somebody that goes out  
8 there and puts in all this in-situ and then we're not  
9 going to need it. Thank you.

10 I had a whole lot to say, but I've got a  
11 whole lot in this book here. I'm not going to read it  
12 to you, but what I will do is have it put  
13 electronically and put it into the record of these  
14 proceedings. There's research in here that goes all  
15 the way from the history of how we have absolutely  
16 been taken for a ride on making electricity and heat,  
17 all the way from 1890 to when the electricity,  
18 electrical engineering was just started. They made  
19 the formulas to use fuel to make energy. It's not  
20 necessary.

21 Also, in 1900, there is another part of  
22 the energy component that's coming out of this light  
23 up here. The lighting up here is called pointing.  
24 The pointing energy flow. Right around pointing there  
25 is a huge hebercrite component that they chose not in

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1 1900 not to use.

2 What we need to do is use hebercrite folks  
3 and that's what we can do. And this right here,  
4 there's two ways to use hebercrite. Our energy  
5 problems is not an energy problem, it's a fuel  
6 problem. If we do not use fuel, we will not have a  
7 problem.

8 Thank you.

9 (Applause.)

10 MR. CAMERON: Thank you, Chuck. James  
11 Martinez. Thank you all for your patience. Then  
12 we'll go to Chris Shuey.

13 MR. MARTINEZ: I'm James Martinez. I'm a  
14 lifetime resident of Mount Taylor. I don't want to  
15 take up too much of your time because I know everybody  
16 wants to go home. I'm just -- I want to say the NRC  
17 has done a good job on this and also I forgot what I  
18 was going to say I've been sitting so long.

19 I am from the Juan Tafoya Land Grant and  
20 we are right below Mount Taylor and I am the fifth  
21 generation and we are for uranium. We did lease our  
22 land and I hope that everybody would come together and  
23 keep positive on this because people say a lot of  
24 things. You know, uranium is stupid and you know this  
25 is bad. I think you guys have done a good job and I

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1 hope on the next meeting I can say a little bit more  
2 because I'm tired right now. And I hope all of you  
3 Navajos can come together because I have a problem  
4 with my people too, but if we can come together and  
5 you know, do this positive, not tell this is wrong,  
6 this is right, you're going to die from this, you're  
7 going to die from that. I'm a farmer. I can't farm  
8 no more. That doesn't have nothing to do with  
9 uranium. I'm a rancher. I can't ranch no more. That  
10 doesn't have nothing to do with uranium. All I have  
11 left is uranium to mine. And I hope that we can come  
12 together and we can do that peacefully and make  
13 everything prosper and get our kids educated, you  
14 know, they can be the CEOs, not the miners and you  
15 know, I think we can get a lot done if we come  
16 together and not be divided. So thank you.

17 (Applause.)

18 MR. CAMERON: Thank you. We'll hear from  
19 Chris Shuey at this point and then we're going to  
20 Gerri Harrison and Don Steele, Chris Kenny.

21 MR. SHUEY: Good evening. It is late.  
22 There's a lot to say. My name is Chris Shuey and I  
23 direct the Uranium Impact Assessment Program at  
24 Southwest Research and Information Center in  
25 Albuquerque and I've had the privilege or the ignominy

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1 of working on this issue for 30 years.

2 I can't begin to tell you the impact that  
3 speaking with the women in Red Valley had on my life  
4 in 1978. People, ladies, women with several children  
5 who had lost their husbands to lung cancer at a very  
6 early age. So there are some life-changing  
7 experiences that one draws upon to frame their values  
8 after you've grown up and you've left your home.

9 The pattern over these last three or four  
10 decades has been of diminished health, loss of land,  
11 loss of water, from operations and companies that  
12 didn't care about who they were poisoning and what  
13 they were doing to the communities that had invited  
14 them in. And one of the critical things that we face  
15 in this current debate over renewed uranium mining is  
16 whether you believe that private industry has changed  
17 and that you can trust them.

18 In 2003, we were invited by Church Rock  
19 Chapter to begin an environmental assessment of areas  
20 in the residential areas where Mr. Nez lives, up and  
21 down Route 566, to determine if there were lingering  
22 effects of the past uranium operations. There was a  
23 big housing tract proposed for the area. And we  
24 didn't really know. And over the course of three and  
25 a half, four years, we could trace back, we did

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1 radiation monitoring, gamma radiation surveys. We did  
2 uranium and soil surveys. We did water quality  
3 assessments. We did indoor radon testing. We did a  
4 variety of assessments that the Government should have  
5 done many years ago.

6 We found that the effects of mining were  
7 still prevalent long after the mines had shut down,  
8 long after the last jobs had been closed out. And  
9 they're still there to this day. There has been no  
10 clean up. There has been no compensation, but we're  
11 given lots of promises once again that everything is  
12 going to be hunky-dory.

13 It's tough, in my view, to believe those  
14 promises right now, knowing what I know. I'm going to  
15 get to real quick comments on the cumulative impacts  
16 issues that I think is so critical to this GEIS.

17 The fact of the matter is that chemically  
18 when you remove uranium from its resting place in the  
19 earth and expose it to air, oxygen, it concentrates.  
20 It's very mobile in the environment in the hexavalent  
21 form. We see it moving fast down surface waters and  
22 runoff situations and most importantly we see it  
23 moving rapidly into the soil column and into shallow  
24 groundwater from mining facilities, conventional  
25 mining facilities.

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1           But we do not on a regional basis see  
2 uranium at high concentrations or even at  
3 concentrations exceeding the Federal and State and  
4 Tribal drinking water standard in bedrock water wells.

5           I was going to talk extensively about water quality  
6 at tomorrow night's hearing. I'll just say a couple  
7 of words about it now.

8           As part of the health studies that we're  
9 part of, I've sampled more than a hundred water wells  
10 in the San Juan Basin in the lower part of this area  
11 out here from the Chaco Slope through Church Rock up  
12 through Crownpoint, as far east as Torreon up through  
13 Coyote Canyon. I found eight wells that have uranium,  
14 naturally occurring uranium concentrations above the  
15 drinking water standard in the uriferous aquifer for  
16 this to be mined.

17           The point of this is is that if you don't  
18 disturb that aquifer with oxygenating substances and  
19 chemicals and blowing oxygen into the water that  
20 you're injecting, you don't liberate uranium. It's in  
21 a reduced fashion that stays there. It's when you  
22 start moving it around that you effect the environment  
23 and you affect people's health.

24           We think that there's a reason that kidney  
25 disease, chronic kidney disease runs three to five

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1 times the rates in the Eastern Agency that it does  
2 anywhere else in this State and in the nation as a  
3 whole. And it's not all about diabetes and  
4 hypertension and obesity. There are environmental  
5 factors and they're becoming more and more known as  
6 each year goes on.

7 I appreciate the NRC's attempt to provide  
8 this opportunity for all of us to speak and I  
9 appreciate the work that went into this document.

10 But I have to say that I think you're  
11 wrong in limiting the GEIS assessment to only a kind  
12 of vague and superficial analysis of the way that  
13 technology works. And the reason I say this is  
14 because you have a body of almost 40 years of  
15 experience of ISL operations. In Section 2 of the  
16 GEIS you spent like two pages talking about excursions  
17 and maybe three talking about failed restoration. I  
18 learned more from Mr. Camper's one slide in his talk  
19 tonight on restoration effectiveness or  
20 ineffectiveness at several of the Wyoming facilities  
21 that you don't find here in the GEIS.

22 The cumulative effects table in Section 5  
23 doesn't even include two of the uranium mills in the  
24 State of New Mexico, doesn't include the Mobil Section  
25 9 pilot project that Mr. Capitan talked about and does

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1 not include any of the 250 abandoned mines. Now you  
2 said that this is a document about ISL operations and  
3 I agree that it is, but there are key elements of the  
4 analysis that you miss when you don't include the  
5 impacts from the legacy.

6 ISL operations that are proposed in this  
7 state and really, there are only two or three of them  
8 that I'm aware of that have decided to use ISL  
9 techniques are in areas that have already been  
10 affected by uranium mining. A key element in any ISL  
11 operation is to determine the baseline water quality.

12 You cannot determine the baseline water quality if  
13 you don't know what the effects of the past operations  
14 have been.

15 Our friends in Milan have calculated that  
16 there's 1.2 million acre feet of groundwater that has  
17 been contaminated in the alluvial and bedrock aquifers  
18 from Ambrosia Lake through and to Milan. And the  
19 plumes emanating from the Homestake facility are just  
20 lapping at the Milan City water wells.

21 Dozens of private wells have been  
22 contaminated in those communities. You say this is  
23 from conventional milling and mining and it is. The  
24 point is is that this is a tremendous amount of  
25 resource that has been contaminated by past activities

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1 and when the next ISL operation comes in I can almost  
2 guarantee you that the operators will say the current  
3 water quality that has been perturbed by past  
4 operations is now the new baseline. So each new  
5 succession of uranium development increases the level  
6 of contamination that we now call background or  
7 baseline. It has nothing to do with what occurs  
8 naturally. The existing impacts came into play on the  
9 HRI proceeding as you well know where on the Section  
10 17 mining proposed ISL mining site there was an old  
11 Church Rock mine that had never been cleaned up,  
12 radiological contamination had spread all through that  
13 site, along 566 and over into grazing lands occupied  
14 by Mr. King and his families.

15 The doses from that waste would have  
16 violated the total effective dose equivalent rule, the  
17 100 millirem rule if the Commission and the staff and  
18 the licensing board had not ruled that that waste is  
19 now background because NRC doesn't regulate uranium  
20 mining.

21 Your job is to protect the public health  
22 and safety as you said, but when it comes to  
23 radiological hazards on a site that you licensed, you  
24 punted. Worse, you played God. Humans put that stuff  
25 there. The Creator didn't.

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1           Somebody has got to be responsible for it.  
2           And when you license, and when you go into thinking  
3           about licensing specific ISL activities, you must take  
4           into account these past impacts.

5           I don't think at this point without major  
6           improvements in the depth of the analysis that you can  
7           use this GEIS in a final form as a tiering document to  
8           any site-specific licensing. It doesn't meet the  
9           test. And I don't think you're going to be able to  
10          justify going to environmental assessments in site-  
11          specific licensing by referring back to the GEIS. It  
12          begs the question is this effort worth it? It takes a  
13          lot of time and resources by the Federal Government  
14          and those of us who are having to read through it.

15          I think you should reconsider whether this  
16          process is necessary and whether you can gain the same  
17          disclosure to the public of environmental impacts by  
18          doing EISs for each license application.

19                    Thank you.

20                    (Applause.)

21                    MR. CAMERON: Thank you. Gerri Harrison.  
22                    Do you want to come up and speak.

23                    MS. HARRISON: Good evening. My name is  
24                    Gerri Harrison and I reside in Gallup, New Mexico. I  
25                    have lived there since 1979. I also vote in Church

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1 Rock, New Mexico and I would like to say to the United  
2 States Nuclear Regulatory Commission through the  
3 United Nuclear Corporation and its subsidiaries have  
4 failed the members of Gallup, Church Rock, Pinedale  
5 and surrounding communities when the uranium mill  
6 tailings were left uncovered and the contamination in  
7 the Rio Puerco in the early '80s.

8           When my children were small at that time,  
9 I had to tell them that the Rio Puerco was dirty  
10 water. So when we would drive over the Rio Puerco, we  
11 always used to say dirty water, dirty water, dirty  
12 water because that was what it was and it still is.

13           Nothing was done by the Nuclear Regulatory  
14 Commission then and where are they now? The dirty  
15 water still runs through Gallup. Many, many families  
16 have -- were impacted by drinking this water. Many  
17 have died from leukemia who were lifelong residents of  
18 Gallup and Church Rock and one who was very dear to  
19 me.

20           The Nuclear Regulatory Commission has  
21 abandoned the closed down mining operations and has  
22 left the UNC and its subsidiaries to deal with the  
23 Navajo Nation for its cleanup at the contaminated  
24 sites.

25           The United Nuclear Commission isn't there

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1 to help remove the contamination which is very, very  
2 expensive. The Navajo Nation has to come up with  
3 those dollars during negotiations.

4 So the groundwater has been contaminated  
5 before. The Generic EIS points out that the large  
6 clearly noticeable attributes of the resource area  
7 with potential impacts highlight again the  
8 groundwater, the land use, the geological and soils,  
9 the endangered species, and historic and cultural  
10 resources.

11 I say to you let's repeat history in the  
12 name of economic development. Let's protect the  
13 earth, our Mother, and not cause further harm to her.

14 Not to mention our sacred Mount Taylor where we  
15 worship daily through our prayers. Thank you.

16 (Applause.)

17 MR. CAMERON: Thank you, Gerri. Don  
18 Steele.

19 MR. STEELE: Yes, thank you. Thank you  
20 very much. And thanks to the Nuclear Regulatory  
21 Commission for having a hearing, a listening session,  
22 as I believe you called it and what I'd like to ask is  
23 my hope that as you've heard the varying viewpoints  
24 tonight, you've listened with your hearts as well as  
25 with your heads.

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1           For many of us who live here and don't  
2 just come visit two or three times a year have to  
3 listen with the care for our children, our elders, all  
4 of us who will continue to be here.

5           I'm the pastor of a local congregation  
6 here in Gallup and I'm also a part-time chaplain at  
7 our hospitals here where I daily visit with people who  
8 are dying as a result of the contamination that has  
9 already come from uranium milling and mining. There  
10 has been no real effort to care for that as was  
11 eloquently said earlier.

12           But I'm noting that with the exception of  
13 the courageous mother who brought her child, perhaps  
14 the people that most need to be heard are not able to  
15 be here tonight. They can't read the GEIS report.  
16 They are children. And many of them live with the  
17 absence of ears, with blindness, and with brain tumors  
18 as a result of the mining that has been done in this  
19 area.

20           The proposal for in-situ leach mining  
21 theoretically is supposed to be safer. But in fact,  
22 the most precious natural resource that we have in  
23 this area is water. The Gallup area has at most the  
24 possibility of 20 years of survival with our present  
25 water resources. If we use some of that water for in-

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1 situ leach mining and destroy others of that because  
2 the water cannot be contained and will be radioactive,  
3 we will have essentially condemned these communities  
4 to death.

5 So I ask you to listen with your hearts  
6 and also some of you maybe want to go with some of our  
7 special education teachers to the schools or maybe to  
8 Ms. Smith's classroom in Crownpoint. Thank you very  
9 much.

10 (Applause.)

11 MR. CAMERON: Thank you, Don.

12 Chris Kenny.

13 MR. KENNY: It's very difficult to speak  
14 to a roomful that is so divided with so many people  
15 who are in favor and so many people are against. I  
16 can only wish that all of you, including the people at  
17 this table over here, would look beyond your  
18 pocketbooks into what's really being talked about  
19 here, really seriously, to do the research that some  
20 of us have done. In order to get a few hundred  
21 dollars, you're going to be in trouble.

22 I wish to direct most of my comments to  
23 these people who know exactly what they're doing. You  
24 are obviously good people. I can see right into your  
25 hearts and see that you want to do well. But your

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1 intelligence does tell you that you know exactly what  
2 you're doing again when you go around the world and  
3 you rape the land and the air and the water and rape  
4 and destroy and kill people's lives and their  
5 children's lives and their grandparents' lives and  
6 their dogs and their cats. The people that have hired  
7 you have done it in Iraq. They did it before in  
8 Vietnam. They saw what they wanted also in the  
9 Southwest 200 years ago and they took, exterminating  
10 millions of people then also. You're coming back to  
11 exterminate more because you want something here and  
12 just like you do with roads and with railroads because  
13 you want it, you will do it. But the three of you to  
14 be assistants, of assistance to this force with your  
15 faith and your intelligence and your heart, shame on  
16 you.

17 (Applause.)

18 MR. CAMERON: We have two speakers.  
19 First, Tony Hood, then Edith Hood, and then I'll ask  
20 Larry to close the meeting out for us. This is Tony  
21 Hood.

22 MR. HOOD: Good evening. My name is Tony  
23 Hood. I live the impacted area over at Church Rock.

24 I would like to see a show of hands that  
25 live about a quarter mile from uranium dump. Okay.

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1 So that's where we live. We live between Kerr McGee  
2 and United "Unclears" a waste dump and we've been  
3 living there for seven generations.

4 And we weren't asked if it was okay to put  
5 that mine there. The Government officials compromised  
6 a lot of people's health. They think human life is  
7 expendable. It's not. It's precious.

8 Our grandfathers and grandmothers talk  
9 about respect, respecting your mother first, Mother  
10 Earth. They say [in another language] is synonymous  
11 with the womb itself. That's where we all come from.

12 So that's how we need to respect her and not take and  
13 take and take without giving back.

14 What's the weather doing? That's her way  
15 of getting back at us. There's a story about what the  
16 elders tell of emergence in the first world. People  
17 live harmoniously until there was a perpetrator, the  
18 coyote. He messed it up. So we had to come to the  
19 second world. And it keeps going like that.

20 Right now we're in the fifth world, the  
21 glittering world. Where are we going to go when we  
22 mess this up? We need to stop these perpetrators from  
23 running around, big companies, big Government, the  
24 military. So that's all I want to say. Thank you.

25 (Applause.)

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1 MS. HOOD: Good evening, everyone. My  
2 name is Edith Hood and I would like to say that I'm  
3 from Red Water Pond. I sort of refer to it as Ground  
4 Zero because that's where all the hazardous materials  
5 are above earth and we have to live right there and we  
6 have lived with it 30 years or so. And it's taken  
7 that long just to start to have the Federal Government  
8 start to look in on it and start cleaning it up.

9 Just like the reference was made to Mother  
10 Earth, it is the basis for all living things and it  
11 gives you all the necessary things in life. So we  
12 have to take care of it. I teach about human  
13 environment interaction with my six grade students and  
14 I said we live peacefully with Mother Earth, but once  
15 man decides to do something with it and leaves bad  
16 things that's where your problems start.

17 I had a chance to go to Washington to  
18 appear before Congress last fall and we were asked  
19 what our experiences were living where we are living  
20 now. And once question was asked, why can't you move  
21 from that area? As a Navajo, once we are born, we  
22 have ties to Mother Earth and we just don't run off  
23 the land because something happened. So we've lived  
24 with it this long and now people are finally starting  
25 to clean up, not actually clean up, but are in the

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1 process of planning to clean up after 30 years.

2 I just feel that some people need to be  
3 educated about what happens with the environment when  
4 humans upset Mother Earth. I say that because of the  
5 future of my children and my grandchildren.

6 And I thank Mr. Shuey and his people for  
7 putting light on the situation after so many years  
8 we've been asking for help and Congressman Waxman of  
9 Washington, D.C., I thank him for finally getting the  
10 legwork on this mess and I think all of you for being  
11 here. Thank you.

12 (Applause.)

13 MR. CAMERON: I thank all of you for your  
14 comments tonight and I'm going to ask Larry Camper,  
15 our senior official, to close the meeting out for us.

16 MR. CAMPER: Thank you, Chip. We've heard  
17 many comments tonight. All are heartfelt. All of you  
18 believe what you're saying, all of you mean what  
19 you're saying, all of you care. We know that It's a  
20 difficult subject. We know that.

21 We thank you for those comments. We thank  
22 you for those comments, every one of them. Some of  
23 you made very specific comments about the GEIS that  
24 were critical of certain parts of the GEIS, or  
25 constructive commentary about the GEIS. We'll examine

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1 those and look at them very closely. We appreciate  
2 those kinds of comments.

3 One thing I do feel compelled to react to  
4 is respecting the Navajo Nation. When I was asked a  
5 question about the Navajo ban what I was trying to do  
6 was explain jurisdiction and our authority and what it  
7 is we can and cannot do with regards to the Navajo  
8 ban. Nothing in my comments implied any lack of  
9 respect for the Navajo Nation or its decision in 2005  
10 to ban uranium, that is a decision of that sovereign  
11 nation. We do respect that, but we also have  
12 different authorities and different obligations.

13 Certainly, if there were to be an  
14 application come forth for an in-situ recovery site on  
15 the Navajo Nation, one of the first things we would do  
16 is seek a government-to-government consultation with  
17 the Navajo Nation.

18 And I think finally to all of you, I thank  
19 you for your patience. I thank you for enduring a  
20 long evening. You have made a valuable contribution  
21 to the process. And we value all of your input.  
22 Thanks for being here. Thank you for participating.

23 (Applause.)

24 (Whereupon, at 10:30 p.m., the public  
25 meeting was concluded.

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