

# Navajo Nation pushes for radioactive waste remnants to be removed



The Northeast Church Rock Mine in October 2009. (Photo from the U.S. EPA)

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GALLUP – Navajo Nation continues to hold strong on its stance against radioactive waste being dumped near its lands, while also pushing for the waste to be removed completely.

The Church Rock uranium mill site is owned by United Nuclear Corporation, and in 1979 this site is where 93 million gallons of radioactive tailings were released into the Pipeline Arroyo and Puerco River. This is the biggest radioactive spill in U.S. History.

It's well-documented how this spill has impacted the Navajo people, poisoning the water and land. But this is not a devastation of the past, because waste remnants still exist. Where to dump those remnants is the issue before the Navajo Environmental Protection Agency and the Red Water Pond Road Community Association today.

Dariel Yazzie is the supervisor at Navajo Superfund Program within the Nation's EPA. He said they are asking the Nuclear Regulatory Commission to come back "and make more of an effort to convey at a higher level to the community what is in the draft environmental impact statement."

The corporation that owns the site asked to amend its source material license for its former uranium mill north-east of Gallup. The Nuclear Regulatory Commission prepared an environmental impact statement as part of its review of this request. If the license is amended, that would allow the corporation to transfer about 1 million cubic yards of mine waste from its northeast mine to a location that's less than a mile from the uranium mill site and still on Navajo Nation trust land just south of the reservation.

The Church Rock uranium mill site is licensed by the commission — and it's a Superfund site identified and listed by the United States' EPA.

The U.S. EPA defines the northeast mine as the highest priority for cleanup out of the abandoned uranium mines in the area because of its size and how close it is to the community.

The Red Water Pond Road Community sits between

the northeast Churchrock mine and the Kerr-McGee Quivira mines. Those are additional abandoned uranium mines just a few steps away from the United Nuclear Corporation's mill site.

There are about 524 abandoned uranium mine sites on the Navajo Nation, and the tribe's EPA says there are likely more. Of these mines, 219 of them have available funds for cleanup and remediation efforts, leaving 305 unaddressed sites that pose severe environmental and health dangers to surrounding areas and people.

"The Navajo people have endured decades of radiation exposure and contamination caused by uranium mining and production, and continues to impact the health of individuals, families and communities," said Navajo President Jonathan Nez during a recent meeting with the Red Water Pond Road Community Association. "We strongly oppose the proposed amendment that would allow the transfer of uranium mine waste and contamination just a short distance from the Navajo Nation and the homes of our Navajo people."

Red Water Pond Road Community and many other Navajo communities have been severely impacted by the legacy of uranium mining on the Navajo Nation. The draft environmental impact statement finds there were serious effects on groundwater, public and occupational health, and historic and cultural resources from past uranium activities at the Northeast Church Rock Mine and the corporation's mill site, Nez said in his April 2021 letter to the John Tappert, director of the Division of Decommissioning, Uranium Recovery and Waste Programs at the U.S. Nuclear Regulatory Commission.

In April, the commission held a radio forum on KTNN, the radio station that serves the Navajo people, to inform communities about the license amendment. Dumping costs spurred the request to leave the waste near the Navajo Nation. It's cheaper to transfer the waste down the road at \$44 million than to transport it to the nearest off-reservation facility at \$293 million.

"The U.S. EPA noted in its decision that the community and the Navajo Nation government had supported the transfer to a licensed repository further away from

the Navajo Nation," said Ashley Waldron, environmental project manager for the commission during the radio forum. "The U.S. EPA said it was not able to select this option under Superfund criteria for its decision, which included cost."

The Nuclear Regulatory Commission has failed to provide what the Navajo Nation has needed during this comment period, said Yazzie from the Navajo Nation EPA. He said the NRC used the pandemic as an excuse not to make more of an effort to visit Navajo Nation and talk with the communities, and this was seen as problematic. Also, the person the commission identified as a tribal liaison was clarified later on to actually be an administrative liaison, and what exactly this individual's job entailed was never specified to Navajo Nation.

He never got their definition of the role this liaison was supposed to be playing, he said. "To me the liaison should've been the person packing all the draft EIS comments around, knocking on doors, making sure people know what's in the draft EIS. That didn't happen."

If waste were to be transferred to the Church Rock mill site, it would be transported by dump trucks. The roads used to get the waste to the mill site would be inaccessible to the public, except for one crossing at Highway 566, Waldron said.

Regardless, people dislike the plan. "The community still feels they don't want the waste to go across the highway," Yazzie said.

But that may not be of concern to the U.S. federal government, he added, because after a May meeting, the community was told that if they don't support the license amendment then they will have to wait another 10 years to get the ball moving again on waste removal.

"We felt from the Navajo Nation that was inappropriate," Yazzie said. "To say you won't be able to get anything done for 10 years, that felt more like a threat to the community. The community is frustrated it's taken this long."

Navajo Nation will continue to discuss the proposed plan and license amendment with the Red Water Pond Community Association.