



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

February 9, 1996

Hydro Resources, Inc.
12750 Merit Drive
Suite 1020, LB 12
Dallas, Texas 75251

Attention: Mr. Mark Pelizza, Environmental Manager

SUBJECT: REQUEST FOR ADDITIONAL INFORMATION; WATER RESOURCES PROTECTION AND COST/BENEFIT ANALYSIS; SAFETY ANALYSIS REVIEW AND ENVIRONMENTAL REVIEW FOR THE HYDRO RESOURCES, INC. (HRI) URANIUM SOLUTION MINING LICENSE APPLICATION, CROWNPOINT, NEW MEXICO

Dear Mr. Pelizza:

As stated in our January 11, 1996 request for additional information, the U.S. Nuclear Regulatory Commission staff, with the assistance of Oak Ridge National Laboratory (ORNL), is transmitting the enclosed request for additional information for water resources protection and cost/benefit analysis review areas. Enclosure 1 to this letter contains the requests for additional information in these two areas. Enclosure 2 contains the Description of Proposed Action and Alternatives (DOPAA), which forms the basis for the alternative action evaluation in the final Environmental Impact Statement (EIS). The enclosed DOPAA is included as a reference for your responses to the cost/benefit information requests.

The water resource protection issues described in Enclosure 1 contain a broad range of environmental and safety concerns. However, the NRC staff views the following three main issues as especially critical to the continued licensing review and for completing the final EIS:

- a demonstrated ability to restore the groundwater after solution mining, as detailed in comments 49, 50, and 51;
- the ability to conduct solution mining close to a public water supply at Crownpoint, as described in comments 73, 74, and 75; and
- the effects of old mine tunnels on vertical and horizontal control of potential excursions at the Church Rock property, as described in comment 87.

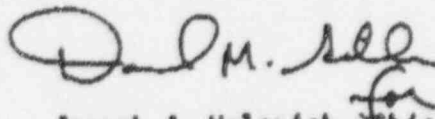
The NRC's review of HRI's proposed Crownpoint and Unit 1 operations is based on the assumption that the town of Crownpoint will continue to operate the existing water wells for supplying drinking water to the community. If this situation changes, HRI must provide an analysis to address the potential impacts the proposed activities may have on any new water supply wells.

M. Pelizza

2

In order to support the review schedule, please provide your response to the issues identified in Enclosure 1 within 60 days of the date of this letter. If you are unable to meet this date, please provide your schedule for responding within 10 days of receipt of this letter. If you have any questions concerning this letter, please contact the NRC Project Manager Mr. Michael Layton at (301) 415-6676.

Sincerely,



Joseph J. Holonich, Chief
Uranium Recovery Branch
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards

Enclosures: As stated
Docket No.: 40-8968
Casework Nos.: X60529, X60576
cc: James Saulsbury, ORNL

TELECOPIER COVER SHEET

NEW MEXICO ENVIRONMENTAL LAW CENTER
1405 Luisa St, Suite 5
Santa Fe, New Mexico 87505

Date: December 18, 1996

To: Director
Division of Freedom of Information and Publication
Services
U.S. Nuclear Regulatory Commission
(301) 415-5130 /A (301) 415 5272

From: Susan G. Jordan
(505) 989-9022

Sender's Fax Number: (505) 989-3769

NUMBER OF PAGES INCLUDING COVER SHEET: 15

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Message:

Attached please find a Freedom of Information Act request. The original of the attached was sent by U.S. mail on December 17, 1996.

STATUS SUMMARY SHEET

Page 1

ALLEGATION NUMBER: NMSS-95-A-0003

FACILITY: Hydro Resources, Inc. // Uranium Resources, Inc.

Concern No. 1/8	Description: URI may have followed a practice of lying to State of Texas (TNRCC) and been involved in covering up "accidents."	Location: Alleger docs 2/15/95 fax
ACTION: Referred to State of Texas.		
CLOSURE: Closed. Not substantiated. Texas performed a review of files and records, which found no record of any official Texas Dept. of Health (TDH) or Texas Natural Resources Conservation Commission (TNRCC) administrative hearing against URI for "lying" or "covering up" accidents. There are no indications that criminal charges have been filed against the company by either regulatory agency.		
Concern No. 2/8	Description: Environmental sampling & recordkeeping not in accordance with license conditions.	Location: Alleger docs 2/15/95 fax
ACTION: Referred to State of Texas		
CLOSURE: Closed. Substantiated. Licensee was cited for violation, responded appropriately, and matter was closed by Texas.		
Concern No. 3/8	Description: Various spills & leaks from pipelines & evap. ponds reported by URI. Delay of repairs to evap. pond leaks implied in two instances.	Location: Alleger docs 2/15/95 fax
ACTION: Referred to State of Texas.		
CLOSURE: Closed. Substantiated. Leaks and spills from pipelines have been reported by URI in accordance with license conditions. A records search found one letter concerning delays in repairs to leaking ponds. There did not appear to have been any further requests or action by TDH.		

STATUS SUMMARY SHEET

Page 2

ALLEGATION NUMBER: NMSS-95-A-0003

FACILITY: Hydro Resources, Inc. // Uranium Resources, Inc.

Concern No.
4/8

Description: URI "caught" by state in "improperly disposing" of waste water through land application w/o state authorization in June 1991.

Location:
Alleger docs
2/15/95 fax

ACTION: Referred to State of Texas

CLOSURE: Closed. Substantiated. A memo of June 21, 1991 details allegations that URI was improperly irrigating using fluids from the mine or plant process. The TDH investigated and found that the company officials were under the impressions that conversations with individuals from TDH and Texas Water Commission (TWC) that they would not need a TWC permit or a TDH license amendment for the activity. The investigation concluded that URI had not violated the Texas regulations or their license.

Concern No.
5/8

Description: Texas Dept. of Health interoffice memo recommends not granting amendment, alleging URI disposed of prohibited byproduct material in interim storage ponds at Rosita, in violation of license condition.

Location:
Alleger docs
2/15/95 fax

ACTION: Referred to State of Texas.

CLOSURE: Closed. Substantiated. URI was cited for a license violation concerning prohibited byproduct material disposal in the interim storage pond at Rosita. The license amendment for extension of interim storage disposal pond was subsequently granted.

Concern No.
6/8

Description: URI has followed a practice of misrepresentation to State of Texas about their operation.

Location:
Alleger docs -
Transcript
2/22/95, pp.85-
86

ACTION: Referred to State of Texas.

CLOSURE: Closed. Not substantiated. Licensee was cited for violation, but State did not find intent to misrepresent.

STATUS SUMMARY SHEET

Page 3

ALLEGATION NUMBER: NMSS-95-A-0003

FACILITY: Hydro Resources, Inc. // Uranium Resources, Inc.

Concern No.
7/8

Description: Lack of informed consent by landowners asked to sign leases.

Location:
Alleger docs -
Transcript
2/22/95, pp.131-
132

ACTION: Referred to Bureau of Indian Affairs.

CLOSURE: Closed. Not substantiated. See BIA letter dtd 7/6/95.

Concern No.
8/8

Description: HRI's process will destroy drinking water, in violation of Safe Drinking Water Act. Companies have not been able to restore drinking water quality. Water still contains various metals. HRI & parent company URI have bad past record in Texas - spills, mining solution excursions, accidents, lack of proper monitoring, misrepresentation to State.

Location:
Alleger docs
Transcript
2/23/95, pp.27-
29

ACTION: Referred to State of Texas.

CLOSURE: Closed. Not substantiated. Concerns centering around HRI's ability to safely operate and uranium in-situ leach operation in a drinking water aquifer are currently being reviewed by the NRC as part of the Environmental Impact Statement and the Safety Evaluation Report.

URI has received Notices of Violations from the State of Texas with severity levels up to class III. The company has reported leaks and spills which are not unusual for in situ uranium mines. According to the Texas files, the company was compelled to follow regulations and its license with corrective actions verified at the next inspection.

Page 1

FACILITY: Hydro Resources, Inc.

 $B/2$

Hydro Resources, Inc.

List of Concerns

A number of concerns were raised regarding operations, radiological, environmental and other issues. The concerns are summarized as follows:

1. Uranium Resources, Inc. (URI) may have followed a practice of lying to the State of Texas (Texas Natural Resources Conservation Commission) and been involved in covering up "accidents."
2. Environmental sampling and recordkeeping was not in accordance with license conditions.
3. Various spills and leaks from pipelines and evaporation ponds have been reported by URI. Delay of repairs to evaporation pond leaks was implied in two instances.
4. URI was "caught" by the State in "improperly disposing" of waste water through land application without state authorization in June 1991.
5. A Texas Dept. of Health interoffice memo recommends not granting a license amendment, alleging that URI disposed of prohibited byproduct material in interim storage ponds at Rosita, in violation of a license condition.
6. [Transcript 2/22/95, pp.85-86] URI has followed a practice of misrepresentation to the State of Texas about their operation.
7. [Transcript 2/22/95, pp.130-132] (a) Water will not be restored to original quality. Water will be permanently contaminated. An accident is probable which would destroy the water supply for the community. (b) The Community does not have training, experience, or facilities for handling the results of accidents involving trucks carrying slurry or yellowcake. (c) There are insufficient provisions for studies regarding long term exposure of the local population to additional radiation. No provision has been made for monitoring the health of the population. (d) There was a lack of informed consent by landowners asked to sign leases. [Issue referred to Bureau of Indian Affairs.] (e) The cost benefit ratio of the project favors the uranium company but does not benefit the land or the citizens.
8. [Transcript 2/23/95, pp.27-29] (a) Hydro Resources, Inc.'s (HRI's) process will destroy the drinking water, in violation of the Safe Drinking Water Act. Companies have not been able to restore drinking water quality. The water still contains various specified metals. HRI and its parent company, URI, have a bad past record in Texas - spills, mining solution excursions, accidents, lack of proper monitoring, misrepresentation to the State.
9. [Transcript 2/23/95, pp.43-45] HRI has no experience at mines 760 feet or 2,300 feet. The Environmental Impact Statement (EIS) does not consider the plant's disruption of local religion and way of life. The EIS does not consider the poor condition of Crownpoint & Church Rock which would be used to transport radioactive material. There is inadequate provision for disposal of tailings and radioactive waste.

B/3

Allegations against Uranium Resources, Inc.
February 15, 1995 Facsimile from
Zuni Mountain Coalition

Background

Hydro Resources, Inc. (HRI) has applied to the NRC for a combined source material and by-product material license (10 CFR Part 40) for operating an in-situ leach (ISL) uranium operation in McKinley County, New Mexico. A Draft Environmental Impact Statement (DEIS) Availability and a Notice of Opportunity for Hearing were published in the Federal Register on November 14, 1994. Several groups and individuals, including Zuni Mountain Coalition (ZMC) and Mervyn Tilden, have petitioned for a hearing.

Allegations

The Division of Waste Management (DWM) received a disjointed facsimile from either ZMC or Mervyn Tilden containing several statements alleging that Uranium Resources, Inc. (URI), the parent company of HRI, has a "clear pattern of misrepresentation, deception, false and misleading statements" regarding URI's ISL operations in Texas. A brief summary of the allegations and statements contained in the facsimile are provided below:

- URI may have followed a practice of lying to the state (Texas Natural Resources Conservation Commission (TNRCC)) and been involved in covering up "accidents."
- Lists alleged URI violations from TNRCC files and requests NRC investigation and appropriate penalties for all related violations. Violations listed include:

Environmental sampling and record keeping not conducted in accordance with License Conditions (5 "violations" over the period of May 1991 to March 1993)

Various spills and leaks from pipelines and evaporation ponds reported by URI (14 occurrences - 12 between June 1988 to December 1989, and 2 occurrences in 1994). Delay of repairs to evaporation pond leaks implied in two instances.

URI "caught" by state in "improperly disposing" of waste water through land application without state authorization in June 1991. Unclear what action, if any, was taken.

Inter-office memo (Texas Department of Health) concerning URI amendment request for Rosita, TX ISL facility. The author of the memo recommends not granting amendment, alleging URI disposed of prohibited byproduct material in interim storage ponds at Rosita, in violation of license condition, which was the subject of the amendment request.

B/4

Additionally, NRC staff conducted three public meetings on February 22 and 23, 1995, in the communities near the proposed HRI facility. These meetings were conducted to receive comments on the DEIS, with transcriptions made of all three meetings. During the meetings, transcribed statements by Mervyn Tilden also allege impropriety in URI's Texas operations.

FEBRUARY 15,

Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
ATTN: Docketing and Service Branch

Post-It brand fax transmittal memo 7671		# of pages *
To: Joseph Holonich	From: Mervyn T. ...	
Co: NRC - Chief of W&U	Co: ...	
Dept: AP, DWM, N&S	Phone #	
Fax # 301 415 5392	Fax # (505) 285 5014	

Mr. Joseph J. Holonich, Chief
High-Level Waste and Uranium Recovery Branch
Division of Waste Management
Office of Nuclear Materials, Safety and Safeguard,
Mail Stop TWFN 7J-9

RE: Docket No. 40-8968
Hydro Resources, Inc.

Dear Sir or Madam:

As a person whose interest would be affected by the approval of any licenses and leases to construct and operate the Crownpoint and Church Rock In situ Leach (ISL) Uranium Mining Project ("Project"), I hereby submit my ammended request that a public hearing be held to review the Draft Enviromental Impact Statement ("DEIS"). I further request that the period for public comment be extended 60 days beyond Feb. 28, 1995 for good cause as provided for in 10 CFR 2.711(a).

REQUEST for PUBLIC HEARING

I reside in Church Rock, New Mexico, on the Eastern Agency of the Navajo Nation on land held in trust by the U.S. Government. I live approximately 5 miles south of the proposed Church Rock mine units and processing facility. I use the area around the proposed Project for recreational, occupational, and spiritual purposes. Area aquifers provide my water of life for drinking and domestic uses. I utilize the roads that would be used to transport source and byproduct material for the proposed Project in my work as a writer, audio/visual consultant, and community organizer. On occasion, I eat meat from animals that may graze on or around the Church Rock site.

Under the Atomic Energy Act, 42 U.S.C.A. 2239(a), I am entitled to request a hearing prior to the granting of a license for the Project. If the Project is approved as provided for in the DEIS, my interests will be adversely affected in various ways.

My concerns are based upon, but not limited to:

* The Dine' people reside within the 6 sacred mountains. All of the land is considered our "Mother", all life is interrelated and connected spiritually according to our beliefs. Our traditional way of life will once again be threatend with change, (land, people, buildings, etc.), yet our traditions and culture dictate that we remain on the land of our ancestors.

* There is a dire need to translate the information contained in the DEIS from English to Dine' (Navajo) this will provide for decisions

B/5

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ALLEGATION REVIEW BOARD

SUMMARY

Allegation Number: NMSS-95-A-0003 Hydro Resources, Inc.

1. The NMSS Allegation Review Board met on February 17, 1995, at 1:30 p.m in T7E47.
2. Present at the meeting were:
J. J. Holonich, Chief, HLUR, Chairman
M. C. Layton, PAHB
R. L. O'Connell, OAC
3. Facilities involved: Crown Point and Church Rock In Situ Leach Mining Project, Church Rock, New Mexico.
4. Description: Numerous concerns re operations, radiological, environmental and other issues. List of concerns will be itemized for next meeting. Issues involve both HRI and URI (parent company).
5. Allegation assigned to HLUR
6. Safety significance: Unknown
7. Priority: Normal
8. OI/OIG: Copy to be provided to OI when concerns have been compiled.
9. The following resolution plan & schedule was approved by the ARB:
Allegation was contained in fax transmittal of disparate parts of several documents, i.e., only selected pages. ARB reviewed and determined that it would be necessary for staff to analyze the documents and attempt to compile a list of concerns. ARB will review again when list completed and will then determine course of action.

Activity

Due Date

a. Compile list of concerns

03/15/95

a. ARB review

03/22/95

10. Prepared by: *Robert W. Connell*
R. L. O'Connell, NMSS OAC

Date: *2/17/95*

11. Approved by: *J. J. Holonich*
J. J. Holonich, Chairman, ARB

Date: *Feb 17, 1995*

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2/17/95 Mike Layton, Joe Holonick

Received paper by fax listing numerous concerns.

Sent by Bumi Mountain Coalition.

Planning Board has been appointed.

Bumi Mtn Coal. has not been granted standing yet.

Asked Joe to have someone make an itemized list of the concerns, organized in some way, by categories, non-NRC issues etc.

Hold ARB after staff get back from field -
probable meeting week of 2/27.

Determine course of action

Board Notification

Notification to Texer re URI concerns

3/1 of Joe Holonick -

He will talk to Mike Layton
re the list of contentions
let me know when they are
ready to meet.

B/7

Official Transcript of Proceedings
NUCLEAR REGULATORY COMMISSION

Title: Public Hearing
Evening Session

Docket Number: (not applicable)

Location: Crownpoint, New Mexico

Date: Wednesday, February 22, 1995

Work Order No.: NRC-143

Pages 101-218

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B/8

1 UNITED STATES OF AMERICA
2 NUCLEAR REGULATORY COMMISSION

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4 PUBLIC HEARING

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6 EVENING SESSION

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8 WEDNESDAY

9 FEBRUARY 22, 1995

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11 CROWNPOINT, NEW MEXICO

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13 The public hearing commenced at the Crownpoint
14 Chapter House, at 10:00 a.m., Dan Gillen, Moderator,
15 presiding.

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1 So this is my concern here and I'm speaking on
2 behalf of myself, my parents, my grandchildren to come as
3 well as my children and for the community. Thank you.

4 (Applause.)

5 (Statement given in English and translated
6 into Navajo.)

7 MODERATOR GILLEN: Joan Klonowski?

8 STATEMENT OF JOAN KLONOWSKI

9 MS. KLONOWSKI: My name is Joan Klonowski and
10 I live in Crownpoint. I have some serious concerns that
11 were not addressed in the draft of the Environmental
12 Impact Statement. I'll divide them into three general
13 groups. As a resident of Crownpoint one of my concerns
14 of course is the water and the water might possibly be
15 restored to certain fixed standards but it will not be
16 restored to its original quality.

17 It would result in permanent contamination and
18 during the 20 years of mining at least one accident or
19 excursion is probable which would destroy the water supply
20 for us and for many of the neighboring communities and
21 there will never be any way to correct that kind of
22 damage.

23 In addition to the water, the spills, my home
24 is close to the highway and when there will be one of the
25 accidents involving a truck carrying the slurry or the

1 yellow cake, there could be a delay of certainly four to
2 six hours before anyone is notified and there is no one to
3 notify.

4 We have no regular fire department. The
5 Crownpoint LHS unit is very small. The policemen are
6 limited in a large area and none of these people have
7 adequate training or experience in handling any kind of
8 radioactive spill. Those are my concerns as a resident of
9 Crownpoint.

10 As a physician my two major concerns are the
11 Impact Statement does say that there will be more exposure
12 to radioactive substances. Since the population and
13 actually all of the life forms here in Crownpoint are
14 already exposed to twice the acceptable level, there's no
15 mention made of any kind of studies related to the long
16 term exposure of high risk populations to additional
17 radiation. And a second part is that there's no provision
18 for a system to monitor the health of the population under
19 these conditions.

20 Finally, my last set of concerns are as a
21 taxpayer and as a citizen of the United States. Several
22 of the people who have legal title to the land disclaim
23 being told the truth when they were asked to sign a paper
24 which eventually turned out to be a lease agreement. What
25 safeguards are in place to assure their informed consent?

1 Otherwise approving the application would be participating
2 in fraud.

3 And finally, according to the Impact Statement
4 the cost benefit ratio of the project is definitely in
5 favor of the uranium company. It will not enrich the
6 land. It will not enrich the people and why would a
7 government, the United States Government Agency, grant a
8 license that harms the United States and betrays the trust
9 of its citizens?

10 (Statement given in English and translated
11 into Navajo.)

12 MODERATOR GILLEN: Richard Brostrom?

13 STATEMENT OF RICHARD BROSTROM

14 MR. BROSTROM: First of all, I just want to
15 know who I should be speaking to. Is anyone from HRI
16 here? Okay. My name is Richard Brostrom and I'm a
17 physician at the hospital in town. I'm a lieutenant in
18 the Public Health Service and my job is to guard the
19 health of the 40,000 Navajos that use our community
20 hospital.

21 I also have a graduate degree in environmental
22 management. I have done some graduate physics work and
23 I've worked as a consultant to the Environmental
24 Protection Agency for more than three years. More
25 importantly, I have two little boys that live within the

Official Transcript of Proceedings
NUCLEAR REGULATORY COMMISSION

Title: Public Hearing
Morning Session

*Exempts
of
Transcripts*

Docket Number: (not applicable)

Location: Crownpoint, New Mexico

Date: Wednesday, February 22, 1995

Work Order No.: NRC-143

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UNITED STATES OF AMERICA

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NUCLEAR REGULATORY COMMISSION

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4

PUBLIC HEARING

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MORNING SESSION

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WEDNESDAY

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FEBRUARY 22, 1995

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CROWNPOINT, NEW MEXICO

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The public hearing commenced at the Crownpoint

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Chapter House, at 10:00 a.m., Dan Gillen, Moderator,

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presiding.

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1 down and I can see it happening. And I'm one of those
2 that is not in favor of allowing this mine here in
3 Crownpoint. Water is more valuable than money. Thank
4 you.

5 MODERATOR GILLEN: Mervyn Tilden.

6 STATEMENT OF MERVYN TILDEN

7 MERVYN TILDEN: Good afternoon. My name is
8 Mervyn Tilden. (Navajo spoken.)

9 I want to comment on this book right here.
10 This is what it's all about. What you guys are talking
11 about today. My first comment comes from page 3-4,
12 Section 3.2.1, "Regional Languages." There's information
13 in here that tells you about the mine that HRI, Hydro
14 Resources wants to locate here. Going to be over here,
15 and over here on this side. It has some information in
16 here about Red Rock State Park. This is what they say
17 about Red Rock State Park.

18 "Red Rock State Park which is located just ten miles
19 west of Gallup."

20 Ten miles west of Gallup, that's where they
21 put Red Rock State Park. Red Rock State Park is about
22 four miles east of Gallup. Just the opposite of what
23 they're saying in here. But this is what they are doing
24 with the rest of the information. They make it sound very
25 good, that they will have control over this mining

1 operation, when, in fact, the parent company, URI, Uranium
2 Resources, Incorporated, has experienced a lot of failure
3 of the equipment that they use in this mining operation.
4 They have a dismal track record. A very poor track
5 record. In regards to the accident, there's already a
6 report that we obtained that basically says this company
7 has followed in practice of misrepresentation, of
8 practically lying to the State of Texas about their
9 operation.

10 But if we go back to what I just said, this is
11 what it's all about. The information that they give you
12 on the Red Rock State Park is absolutely wrong and it's
13 the same way with everything else. But they're not going
14 to tell you that. Not any one of these officials up here
15 from the Nuclear Regulatory Commission or Hydro Resources,
16 Incorporated. They're not going to tell you this.

17 But this draft Environmental Impact Statement,
18 Hydro Resources, Incorporated, this is their justification
19 to get at all that uranium. But they're going to say,
20 that we followed procedure, that we went to the public.
21 The same way with NRC here. They're going to say the same
22 thing.

23 MODERATOR GILLEN: Comment on the document,
24 don't preach about us.

25 MR. TILDEN: I was told not to preach about

Official Transcript of Proceedings
NUCLEAR REGULATORY COMMISSION

Title: Public Hearing

Docket Number: (not applicable)

Location: Church Rock, New Mexico

Date: Thursday, February 23, 1995

Work Order No.: NRC-144

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1 UNITED STATES OF AMERICA
2 NUCLEAR REGULATORY COMMISSION

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4 PUBLIC HEARING

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6 THURSDAY

7 FEBRUARY 23, 1995

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9 CHURCH ROCK, NEW MEXICO

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11 The Public Hearing commenced at the Church Rock
12 Chapter House, at 6:00 p.m., Dan Gillen, Moderator,
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25	

1 and we use that road.

2 We don't need the uranium. Why are we getting
3 more uranium United States already has a lot of uranium.
4 And, besides the price is pretty low which is about nine
5 cents a pound now. Uranium -- is it \$9.00? \$9.00 a
6 pound, okay, correction on that one.

7 Uranium will effect us now -- it won't affect
8 us now but later in the future it might affect us. Some
9 of the old mine that was left behind by the company that
10 left the area several years back, some of them have been
11 left just the way it is and it's never been rehab'd.
12 Who's going to pay for it?

13 Like I mentioned before, if they give us money
14 like looking at one dollar and if they give us 80 cents
15 out of a dollar and let them keep 20 cents, we might think
16 about it. Thank you.

17 (Statement given in Navajo and translated into
18 English.)

19 MODERATOR GILLEN: Mary Lou Jones?

20 STATEMENT OF MARY LOU JONES

21 MS. JONES: Hi, my name is Mary Lou Jones and
22 I'm with the Zuni Mountain Coalition. And, we've
23 discussed this with our lawyer Steve Sherwood from Santa
24 Fe and decided that this project is most likely against
25 the Safe Drinking Water Act.

1 Page 3-18 states that HRI expects to place at
2 least one Navajo tribal utility authority well due to
3 mining activities showing that it is expected that their
4 process will destroy the drinking water there. The Safe
5 Drinking Water Act states that underground injections must
6 not endanger drinking water sources.

7 Section 4.1.4 of the draft EIS demonstrates
8 that neither HRI or Mobil has been able to restore the
9 purity of the groundwater.

10 Table 4.3 shows that after leach test the so-
11 called restored water sample had elevated levels of
12 arsenic, manganese, solinium, radium, and uranium. Page
13 4-7 states that even after months of treatment mellidnium
14 concentration remain above allowable standards.

15 The draft EIS does not discuss the presence of
16 Thorium 230 in the mining solution. Thorium 230 is the
17 parent radio-nucleus high of Radium 226 and has a half-
18 life of 75,000 years. HRI's past record in Texas also
19 shows numerous spills, mining solution excursions,
20 accidents, and lack of proper monitoring. According to
21 the Texas Natural Resource Conservation Commission spills
22 are expected and they are require a spill map be filed
23 with them.

24 Employees of the State of Texas have called
25 HRI's parent company Uranium Resources Inc.'s track record

1 abominable. These employees have noted that URI's record
2 of misrepresentation of information to the state. This is
3 an arid climate and everyone's groundwater is a precious
4 resource. Please don't gamble with it.

5 (Applause.)

6 (Statement given in English and translated into
7 Navajo.)

8 MODERATOR GILLEN: Mervyn Tilden?

9 STATEMENT OF MERVYN TILDEN

10 MR. TILDEN: I'm Mervyn Tilden. My paternal
11 clan is Topoha, my maternal clan is Tochina. I live just
12 down over here in Indian village. I want to clarify my
13 role in this situation here. First of all, I myself along
14 with two other individuals -- actually three other
15 individuals, that's four groups are known as Interveners
16 in this case. We have been following this process ever
17 since they decided to come and poison our land.

18 We've met their deadlines. The four groups are
19 Dineh CARE, the Zuni Mountain Coalition, the Water
20 Information Network, and Southwest Research Information
21 Center. The reason why we're opposed is the concerns that
22 are being spoken about tonight but the main one is being
23 the water.

24 This draft Environmental Impact Statement that
25 explains HRI's proposal is like a bad script in a John

1 And, last, the group, the eastern Navajo Dineh
2 against uranium mining, they need to be classified and
3 allowed to be interveners in this case as well. Thank you
4 for your time.

5 (Applause.)

6 (Statement given in English and translated into
7 Navajo.)

8 MODERATOR GILLEN: Mr. Largo.

9 STATEMENT OF MR. LARGO

10 MR. LARGO: First of all I'd like to say is I'm
11 from the Crownpoint, north of Crownpoint called Sandy Rock
12 and White Rock, White Valley. My grant went on to the lot
13 and homestead in that area which has been -- the name
14 hasn't been changed because they haven't done a darn thing
15 about those things yet.

16 So, I'm so involved in Consolidate Act (ph.).
17 Being in the Consolidate Act is a jungle. The Federal
18 Government did that, we didn't do it.

19 First of all, for the past many years even in
20 World War II we had a lot of response with radioactive
21 waste. We've suffered and died so many of us. We're
22 probably more experienced with radioactive than you people
23 sitting here because we had a ton of that. Just a few
24 months I lost my uncle, my father's young brother. He
25 could be 100 years old if he was still good but he died

1 from cancer.

2 (Statement given in Navajo and translated into
3 English.)

4 MR. LARGO: I myself have been wrong. I was
5 with a corporation back when the corporation was building
6 power plants all over the country and far east and
7 everywhere I worked for eight years. Last job I had I
8 work in National Pipeline a member of International
9 Operation for 38 years.

10 I have a lot of experience with these things.
11 I want to read some of the letters from scratch I got
12 here. Sometimes I can't read my handwriting. I write
13 like a doctor.

14 (Statement given in Navajo and translated into
15 English.)

16 MR. LARGO: Navajo people never had a chance
17 to iron out the uranium mining plant or with informing the
18 1980 study by Mobil report in that draft EIS the
19 groundwater higher than today. But, EIS state at level --
20 and state standards but Navajo people don't even know
21 about the law. The record shows that while in Texas -- a
22 well in Texas only 400 feet. HRI has no experience in a
23 mine at 760 foot or 2,300 feet.

24 EIS, it never considered the valley of the
25 plant that disrupting the local religious and a way of

1 life. The EIS don't take into consideration the poor
2 condition of the Crownpoint and Church Rock which would be
3 used to transport radioactive from the Crownpoint to
4 Church Rock plants. The tailing disposal site of mining
5 waste means it could be left in the Crownpoint and Church
6 Rock.

7 Past many years we've been facing this kind of
8 radioactive material, waste. It costs us a million
9 dollars. We buried radioactive waste in Arizona, New
10 Mexico and part of Utah.

11 Now, you're asking us to start all over again.
12 When HRI, the company, is having a difficult waste storage
13 mining site into Texas. URI has a record of violation in
14 the area such as the storage of radioactive material, with
15 handling unauthorized waste, leaking, spilling at the
16 Texas plant.

17 You people working with the -- with the
18 worldwide -- like I said I can't read my own handwriting.
19 Oh -- worldwide over-supply of uranium with the U.S. 1994
20 order of the U.S. Adjustment. The area population none in
21 this figure and no --

22 As far as I'm concern HRI company has a bad
23 record of having a disposal site for mining waste. They
24 have problem with the Indian Consolidate Act. The Indian
25 Cosolidated Act is letting you guys want to do.