

WESTWATER NAVAJO COMMUNITY

c/o M. Hutchins 264 West 100 North Blanding, Utah 84511

Before Judge Peter B. Bloch, Presiding Officer
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

RE: ADDITIONAL FILINGS in protest of Energy Fuels Nuclear, Inc.
Source Materials License No. SUA - 1358
White Mesa Uranium Mill
Docket No. 40-8681-MLA

AFFIDAVIT

I am Lula Katso, Spokesperson for the Navajo Nation's Westwater Reservation Community. Our home is 4.5 miles from the Energy Fuels Nuclear (EFN) Uranium mill site at White Mesa. Many of us have family members who are buried at Westwater Canyon near where the mill sits. These family members lived approximately 1-2 mile from Energy Fuels about 30 years ago.

Our Navajo traditions teach us to respect the graves of our ancestors. We are afraid of the bad spirit which our teachings tell us is with the Cotter Concentrate because it killed so many people. These spirits are not free to leave the Cotter Concentrate, but they stay wherever it is and cause our minds to be sick, especially in the night, when we think about these things. All traditional Navajo people feel this way, and even people down across the river are afraid.

We have studied a lot, and we know that the wastes of the Cotter Concentrate have caused health hazards everywhere they have been. Our minds are sickened when we think of it, because the facts surrounding the three previous EPA Superfund sights are proof enough.

We are afraid of the radionuclides and other hazardous wastes that are a part of the Cotter Concentrate. The mill sits on the edge of Westwater Canyon.

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and the leech fields might drain down into the canyon water and go to the river. We are also afraid because so many of our friends and relatives in White Mesa are sick with kidney failure, diabetes, thyroid trouble, cancer, and other sicknesses which we are afraid are caused by the EFN poisons going down into the wells. We know that the wells have never been properly tested, and that EFN is doing other dishonest things, and that they don't even test the boys who work there properly.

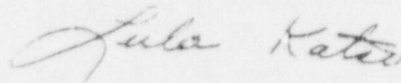
We can smell the poisons when the mill is running, so we know that we are breathing these poisons and they are making us sick. It was that way in Lincoln Park, Colorado and other places also. We know that with the Cotter Concentrate this will have to be made a Superfund site and our problems will go on and on forever.

We believe that allowing the EFN mill to implement its license is a violation of the Environmental Justice laws. Why are they putting these things so close to Indians? When there is something this terrible, and they put it by minorities or Indigenous People, it is enough evidence to give us cause using the law of President Clinton's Executive Order on Environmental Justice. On May 16, 1997, the National Environmental Justice Advisory Council passed Indigenous Peoples Resolution No. 23 saying that Cultural and Spiritual beliefs are valid reasons to not put Nuclear wastes in our traditional areas.

We appeal to the Presiding Officer on the basis of these things mentioned for a Hearing in this matter. We will continue to appeal until we have a fair hearing, because our fears and our sicknesses are enough to give us a right to be heard.

We will not give up, because we cannot give up.

Sincerely,

A handwritten signature in cursive script that reads "Lula Katso".

Lula Katso
Spokesperson for Westwater Navajos

Dated this 7th day of June, 1997

WESTWATER NAVAJO COMMUNITY

c/o M. Hutchins 264 West 100 North Blanding, Utah 84511

April 30, 1997

FAXED APRIL 30, 1997

Shirley Jackson, Chairman
Nuclear Regulatory Commission
11555 Rockville Place
Rockville, Maryland 20555

Dear Ms. Jackson:

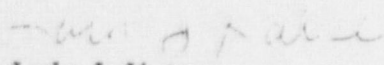
The Westwater Community requests standing in the issue of license amendments that you approved for Energy Fuels Nuclear to bring Nuclear Waste and put it in the tailings ponds at their White Mesa mill. We would like to have a hearing with your board, here in Blanding if possible, to discuss our concerns.

Our main complaints are: 1. Health and safety. We know that the Wastes Energy Fuels Nuclear wants to bring here have caused health hazards everywhere they have been. Reports say that they were being ingested through breathing the air, as well as through drinking water, while they were in Lincoln Park, Colorado. We believe they will be harmful to us here as well. 2. Spiritual health. We do not like bringing leftover waste from the Atomic Bomb that killed so many people, and putting it on the graves of our ancestors. Things like this carry a bad spirit that will never go away.

We will continue to protest all proposals to bring hazardous wastes so close to people whose health and safety are at risk, and into lands where our ancestors are buried.

Thank you for your help.

Sincerely,


Lula J. Katso
Community Spokesperson

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