



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

June 28, 2021

**VIA EMAIL ONLY**

Mr. Jonathan Nez, President  
Navajo Nation  
P.O. Box 7740  
Window Rock, AZ 86515  
[jonathannez@navajo-nsn.gov](mailto:jonathannez@navajo-nsn.gov)

SUBJECT: RESPONSE TO REQUEST FOR EXTENSION OF PUBLIC COMMENT PERIOD FOR THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE DISPOSAL OF MINE WASTE AT THE UNITED NUCLEAR CORPORATION MILL SITE IN MCKINLEY COUNTY, NEW MEXICO (DOCKET NUMBER: 40-8907)

Dear President Nez:

The U.S. Nuclear Regulatory Commission (NRC) received your May 26, 2021, request to again extend the public comment period on the draft Environmental Impact Statement (DEIS) for the proposed disposal of mine waste at the United Nuclear Corporation Mill Site.<sup>1</sup> The NRC recognizes that the additional time would allow for further dialogue with the affected Navajo communities and has therefore decided to reopen the public comment period on the DEIS until October 31, 2021, as you have requested.<sup>2</sup> The reopening of the DEIS comment period was noticed in the *Federal Register* (86 FR 32285) on June 17, 2021, and is also noted on the NRC's website.

We are appreciative of both the Red Water Pond Road community members and the Navajo Nation Environmental Protection Agency staff's insights thus far on how to best engage with the Navajo community, as well as their comments on the DEIS received to date (see enclosure). As described in more detail in the enclosure below, the NRC staff has and will continue to communicate about the proposed project to assist members of the public in submitting comments or additional comments on the DEIS. If conditions allow, the NRC is anticipating holding one or more in-person meetings in the local area.

The NRC will continue to accept comments via toll-free telephone voicemail, email, postal mail, and online at [www.regulations.gov](http://www.regulations.gov). Methods to provide comments are also described on our project webpage at <https://www.nrc.gov/info-finder/decommissioning/uranium/united-nuclear-corporation/meetings.html>.

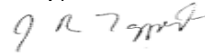
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<sup>1</sup> Available in the NRC's Agencywide Documents Access and Management System ([ADAMS](#)) at Accession No. [ML21152A051](#); also see previous Navajo Nation extension request available in the NRC's [ADAMS](#) at Accession No. [ML20357B084](#)

<sup>2</sup> Due to October 31, 2021, falling on a Sunday, comments will be accepted for consideration until Monday, November 1, 2021

Should your staff have further questions regarding the NRC's environmental review, they may contact Ms. Ashley Waldron via email at [Ashley.Waldron@nrc.gov](mailto:Ashley.Waldron@nrc.gov) or via phone at (301) 415-7317. If you would like to speak with me directly, you may reach me via email at [John.Tappert@nrc.gov](mailto:John.Tappert@nrc.gov) or via phone at 301-415-2486.

Sincerely,



Signed by Tappert, John  
on 06/28/21

John R. Tappert, Director  
Division of Rulemaking, Environmental,  
and Financial Support  
Office of Nuclear Material Safety  
and Safeguards

Docket No. 40-8907

Enclosure:  
Summary of NRC Outreach During  
Public Comment Period

cc via email:

Myron Lizer, Navajo Nation, [myronlizer@navajo-nsn.gov](mailto:myronlizer@navajo-nsn.gov)  
Valinda Shirley, NNEPA, [valinda.shirley@navajo-nsn.gov](mailto:valinda.shirley@navajo-nsn.gov)  
Dariel Yazzie, NNEPA, [darielyazzie@navajo-nsn.gov](mailto:darielyazzie@navajo-nsn.gov)  
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## **Summary of U.S. Nuclear Regulatory Commission Outreach During Public Comment Period**

The U.S. Nuclear Regulatory Commission (NRC) issued the draft Environmental Impact Statement (DEIS) for public comment in November 2020. Since that time, the NRC has conducted outreach with the public while faced with the challenges of the public health emergency, which has not allowed for face-to-face interactions. These challenges have been compounded by the local communities' limited cellular and internet services.

Below is a summary of the efforts the NRC staff have made since the beginning of the comment period to engage the local community. We appreciate the Navajo Nation Environmental Protection Agency (NN EPA) staff's helpful suggestions and feedback in identifying many of these activities.

### **Public Meetings**

The NRC held three public meetings on December 2 and 9, 2020 and April 29, 2021 via webinar and land-line telephone (toll-free). The meeting on April 29, 2021 was held in the evening, from 6 PM to 9 PM Mountain Time to accommodate people who work during the day. Transcripts, audio recordings, and presentation materials for all three of our public meetings can be accessed on our project webpage: <https://www.nrc.gov/info-finder/decommissioning/uranium/united-nuclear-corporation/meetings.html>

### **Radio Broadcasts**

The NRC staff prepared three scripts for radio broadcast that describe the history of the Church Rock mine and mill sites, the DEIS, and the NRC staff's safety evaluation. These pre-recorded broadcasts were aired several times in April and May on the KTTN and KGAK radio stations in English and in the Navajo language. The broadcasts are available through links on our webpage (see link above) or on YouTube at [https://www.youtube.com/playlist?list=PLBpOUiOs1fJY\\_FDcFZFShFgm2w4AG6Yj-](https://www.youtube.com/playlist?list=PLBpOUiOs1fJY_FDcFZFShFgm2w4AG6Yj-).

The NRC staff sought to inform the Navajo communities of the comment period extensions and all of the scheduled meetings and broadcasts. The NRC published ads on local radio and in local newspapers and sent alerts and fliers via email, in addition to notifying the community during prescheduled periodic phone calls.

### **Targeted Outreach with the Red Water Pond Road Community**

The NRC staff also conducted targeted outreach with the Red Water Pond Road (RWPR) community, which would be most impacted by the proposed action. The staff held telephone calls with interested community members to engage on an individual level and also offered to have small group calls. During these calls, the NRC staff explained the proposal and the NRC's role, answered questions, and listened to the participants' concerns and comments. The NRC staff also participated and were available to answer questions in monthly calls with the RWPR community hosted by the U.S. Environmental Protection Agency.

Enclosure

## Informational Newspaper Ads

We published half and full-page ads in the Gallup Independent to describe the project and the DEIS and explain how to provide comments.

## Hardcopy Materials

The NRC staff has sent out paper copies of documents to be distributed within the local communities, both to individuals and to the Octavia Fellin Public Library. We sent copies of the DEIS, the Reader's Guide (a summary document of the DEIS), public meeting presentation materials, the NRC staff's safety evaluation, and radio broadcast scripts.

## DEIS Comments from Navajo Organizations

We appreciate the comments on the DEIS we have received from the community and other Navajo Nation groups. The table below highlights comment submittals from Navajo Nation organizations thus far, in addition to comments received during the public meetings.

Organization	Link to Comments	Date Submitted
Red Water Pond Road Community	<a href="https://www.nrc.gov/docs/ML2113/ML21139A251.pdf">https://www.nrc.gov/docs/ML2113/ML21139A251.pdf</a>	May 19, 2021
	<a href="https://www.nrc.gov/docs/ML2114/ML21147A572.pdf">https://www.nrc.gov/docs/ML2114/ML21147A572.pdf</a>	May 27, 2021
Dine Uranium Remediation Advisory Commission	<a href="https://www.nrc.gov/docs/ML2114/ML21147A550.pdf">https://www.nrc.gov/docs/ML2114/ML21147A550.pdf</a>	May 27, 2021
NN EPA	<a href="https://www.nrc.gov/docs/ML2114/ML21147A554.pdf">https://www.nrc.gov/docs/ML2114/ML21147A554.pdf</a>	May 27, 2021
Navajo Nation Becenti Chapter	<a href="https://www.nrc.gov/docs/ML2114/ML21147A001.pdf">https://www.nrc.gov/docs/ML2114/ML21147A001.pdf</a>	May 26, 2021