

DENISON MINES (USA) CORPORATION
WHITE MESA URANIUM MILL
GROUNDWATER DISCHARGE PERMIT MODIFICATION
PUBLIC HEARING

Tuesday, May 4, 2010

7:00 p.m.

Held at the Blanding Arts and Events Center
715 West 200 South
Blanding, Utah

Reported by Vicky McDaniel, CSR, RMR

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P R O C E E D I N G S

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3 MR. GOBLE: Okay, it's seven o'clock and
4 I'll go ahead and get started.

5 My name is Phil Goble. I'm with the
6 Division of Radiation Control, and today I have
7 Mr. David Rupp assisting me. We're here to take
8 public comment regarding the proposed changes for the
9 White Mesa Mill permit and also license amendment.

10 The way this will work today is, I'll go
11 ahead and make a brief statement, then I will open
12 the time over to you to speak.

13 The way we've set it up, and you saw our
14 public notice, is because we have two different
15 documents we're talking about today, the license and
16 also the permit. We're going to set it up so we'll
17 talk about the license first and then we'll talk
18 about the permit. So from seven to eight we'll talk
19 about the license, eight to nine we'll talk about the
20 permit. There may be some people who only want to
21 make comment on one of them, so we'll give them an
22 opportunity to let me know now, and if they would
23 like to leave, they can leave, so they don't have to
24 stay for the whole time. But if you want to stay for
25 the whole time, that's fine.

1 The way this is going to work is, I'll
2 give each and every person a chance to talk. You'll
3 have five minutes to speak. Everyone gets an
4 opportunity to speak. We have seven people to talk
5 right now. And then at the end of your five minutes,
6 what we'll do is -- actually, after four minutes
7 we'll say "one minute" to give you a warning, and
8 then we'll say "time." And then we'll need you to
9 stop your public comment, and the next person gets
10 the opportunity.

11 At the end of the public comment, after
12 everyone has had a chance, those who still have more
13 to say will get the opportunity to speak again. So
14 we want to hear everyone if they have anything to
15 say.

16 Also, the public comment period actually
17 doesn't close till this next Monday, on May the 10th.
18 So if you don't say everything you'd like to say and
19 you forget about it, you still have the opportunity
20 to make public comment. And you can submit that to
21 me either by e-mail, which is pgoble@utah.gov, or you
22 can also mail that to us. Our address can be found
23 on our website, which is radiationcontrol.utah.gov.

24 So what I'd like to do now is, I'm going
25 to look at the list, and I want to determine who is

1 going to speak just on the license, who on the
2 permit, or who's going to speak on both. So it looks
3 like the first person here -- well, he actually says
4 he's unsure if he wants to make a comment or not, is
5 Steve Hancock. Do you want to make a comment?

6 MR. HANCOCK: I'm still not sure.

7 MR. GOBLE: Okay, we'll put you at the
8 end. The next person I have here is Bradley Angel.

9 MR. ANGEL: I'll just make one comment
10 addressing both.

11 MR. GOBLE: Okay. That sounds fine. So
12 you'll do both.

13 Okay. Next we have Toni Turk. Do you
14 want to do just the license or the permit, or both?
15 Or are you just making a general statement?

16 MR. TURK: Just a general statement.

17 MR. GOBLE: Okay. All right. And
18 Mr. Chris Webb?

19 MR. WEBB: One comment.

20 MR. GOBLE: Okay. And Ms. Fields?

21 MS. FIELDS: On both.

22 MR. GOBLE: Both. And Mr. Lyman?

23 MR. LYMAN: Both.

24 MR. GOBLE: Both.

25 Okay. Well, what I'll do first is, I'll

1 just tell you, I guess, what some of the changes are
2 for the permit and the license, and then we'll go
3 ahead and open up the public comment. And it looks
4 like the first person to speak will be Mr. Angel.
5 I'll let you know when that time has come.

6 So since we're going to be talking about
7 the license first, now, the big thing here is Denison
8 Mines have proposed to make a new tailings cell,
9 Tailings Cell 4B. That is the reason for having this
10 public meeting today. Some of the changes or
11 additions to the license include the submittal of an
12 updated Reclamation Plan and specifications for
13 approval to include Tailings Cell 4B, changes in
14 tailings cell wastewater freeboard requirements, the
15 submittal for approval for written Standard Operating
16 Procedures, and improvements for content for the
17 Annual Technical Evaluation Report.

18 And then regarding the permit, we have an
19 addition of a definition for engineering design
20 standards for the new Tailings Cell 4B, definition of
21 BAT performance standards for Tailings Cell 4B,
22 installation of at least three new monitoring wells
23 hydraulically downgradient of Tailings Cell 4B, the
24 submittal of an updated BAT monitoring plan for cell
25 4B, the submittal of an additional hydrogeologic

1 investigation report of nearby seeps and Ruin Spring,
2 and the submittal of an engineering as-built report
3 regarding Cell 4B.

4 So, do we have anyone else who's making
5 public comment? We have one more? Can you bring
6 that to me, please.

7 MR. RUPP: Sure. Actually, not.
8 Actually, it's a question. Maybe. It's a maybe.

9 MR. GOBLE: Okay. Mr. Taylor Lyman, you
10 have a question mark here. Are you wanting to make
11 comment?

12 MR. T. LYMAN: We'll see.

13 MR. GOBLE: Okay. Well, we can wait until
14 the end and I can ask you.

15 All right. Now, like I said, the first
16 person who will make public comment will be
17 Mr. Bradley Angel. And like I said, what we'll do is
18 we'll give you five minutes, you'll hear a one-minute
19 warning, and then we'll tell you "time." Then you
20 also have the opportunity to give your comment again.
21 So let's turn this over to Mr. Angel.

22 MR. ANGEL: Thanks. Good evening. Again,
23 my name is Bradley Angel, and my address is P.O. Box
24 1078, Moab. And I'm here as director of an
25 organization called Green Action for Health and

1 Environmental Justice and on behalf of our
2 constituents in both Grand and San Juan County
3 including White Basin Ute community.

4 A few comments. One is that I've been
5 coming to hearings on this mill for a number of years
6 now, and I know it's not how your agency does this,
7 but it's a problem and it's a flaw that I didn't
8 receive notice. And unless you affirmatively sign up
9 on your website on the ListServ, you don't get these
10 notices.

11 And that might be something I can do, but
12 for people who are actually most directly affected by
13 decisions the state makes and is making around this
14 facility, it's a big problem. Because, for example,
15 a lot of folks at the White Basin Ute community are
16 low income and do not have regular access to
17 Internet. So the way the rules are set up
18 systemically makes it a reality that most folks who
19 are most affected have no idea this meeting is even
20 happening, and I think that's a real problem. And
21 one of the reasons it's such a big problem is that
22 your agency and other state agencies consistently
23 fail to assess the impacts of actual ones that are
24 documented as well as potential in the future on the
25 health and environment and cultural resources of this

1 area.

2 So, for example, you know, when was the
3 last time you all assessed the yellowcake coming out
4 of the stacks at the uranium mill? When is the last
5 time the people of White Mesa, the actual tribal
6 members, were informed about that? I don't know if
7 that ever happened.

8 For the discussion and issues before us
9 today, in particular we are very concerned and
10 opposed to this new construction that's proposed
11 because, once again, with the blessing of the State
12 of Utah, the company is destroying ceremonial,
13 potential ceremonial but certainly culturally
14 significant sites that are well documented, that,
15 just as you at the state, the people in this audience
16 would not want or churches and temples desecrated,
17 this once again with the state blessings is what's
18 happening.

19 We think not only is that unethical and
20 immoral, we also think it's illegal. And it doesn't
21 matter from our perspective if it's happening on
22 private land, because it's happening courtesy of
23 state permits.

24 The State of Utah has an obligation. You
25 are making consideration under federal rules. You

1 have delegated authority from the federal government
2 to run this program. And I would venture to guess
3 that the Division of Radiation Control receives some
4 other additional types of benefits, maybe financial
5 benefits, such as grant program or other support from
6 the federal government.

7 If any of that is true, which I think all
8 of it probably is, then the state once again is
9 violating the United States Civil Rights Act, Title
10 VI. And I've raised this before, and it's completely
11 ignored by the state.

12 As a recipient of federal funding, you are
13 prohibited from taking any actions that would have
14 discriminatory or disproportionate impact on low
15 income people of color, like the White Mesa Ute
16 people. It's illegal.

17 MR. RUPP: One minute.

18 MR. ANGEL: And the desecration and
19 absolute destruction of ancient sites that could
20 involve burials that are certainly culturally
21 significant, not just some ancient artifact for a
22 museum; they're part of the living culture of the
23 people here. And your agency, by the decisions
24 you've made in the past and by the one I believe
25 you're planning on approving, which you should not,

1 would not only help desecrate these sites, continue
2 to devastate the culture of the native peoples of
3 this area, and we believe violate the Civil Rights
4 Act. So we really want you to take a look at that
5 before any decisions are made. Thank you.

6 MR. GOBLE: Mr. Angel, did you want to
7 reserve any time for later?

8 MR. ANGEL: No. Thank you.

9 MR. GOBLE: All right. Our next person
10 will be a Mr. Toni Turk.

11 MR. TURK: Thank you. I appreciate the
12 opportunity to address this body. I'd like to
13 introduce myself. I'm the mayor of Blanding, and I
14 would like to respond to some of Mr. Angel's
15 comments. Since he is from Moab, he may not be, you
16 know, as informed about the communications and the
17 processes that occur here as someone that is local.

18 I would point out that White Mesa, Inc. is
19 a major employer of the White Mesa Ute community and
20 works in collaboration with Denison Mines for that
21 employment.

22 The other part to that is that Cleo
23 Bradford, who has worked very closely with the White
24 Mesa Utes, is very computer literate and is able to
25 receive and disperse all communications that pertain

1 to that community and, to my knowledge, does that.
2 In fact, they have a Ute meeting house just close to
3 this facility.

4 The other is, at Rotary Club recently we
5 had a detailed presentation of the archeological
6 recovery of knowledge that Denison Mines has funded,
7 and that has added significantly to the database of
8 understanding of the cultures that have lived here
9 anciently. And all of those artifacts that are
10 recovered and recovered according to archeological
11 procedure are made available for further research at
12 the Edge of the Cedars Museum.

13 Now, I would like to address the plans for
14 this expansion of the new cell and express confidence
15 in the science that the White Mesa management,
16 Denison Mines, their oversight that they have
17 exercised. If there was something that was going to
18 be going on ten miles from this community that was a
19 threat to this community, Blanding City would be the
20 first in line to be concerned. But we do have
21 confidence that they are professional and that good
22 science is going forward. And there is a place for
23 regulatory oversight, and that is to ensure that
24 those processes are appropriate and timely and that
25 the necessary adjustments are made as adjustments are

1 seen to be needed.

2 I would like to point out that San Juan
3 County is the most impoverished county in the state
4 of Utah. By some reckoning, it's somewhere between
5 the 8th and the 15th most impoverished county in the
6 United States. And to not support one of the main
7 economic engines that support this economy and
8 support a large portion of our indigenous peoples and
9 their livelihoods I think would be shortsighted. It
10 certainly would fall short of being concerned for the
11 life, liberty, pursuit of happiness of our population
12 that reside here.

13 And I would express the opinion that
14 Denison Mines is good for our community, it's good
15 for our area, and we have every confidence that they
16 are being good neighbors and that they are being good
17 contributors to our economy.

18 Those are my thoughts.

19 MR. GOBLE: All right. Thank you,
20 Mr. Turk. Our next person that wanted to speak is
21 Mr. Chris Webb.

22 MR. WEBB: Hello. My name is Chris Webb.
23 I am the Blanding city manager.

24 I have been associated with the mill most
25 of my life growing up here in Blanding. In fact, I

1 was involved in the construction of the mill, though
2 at that time was not aware at what point I might get
3 involved or be involved with the mill and their
4 operations there.

5 As I started my job as the Blanding City
6 manager 14 years ago, the mill operations have been
7 up and down. They've been able to propose different
8 actions out there again to continue to see the
9 further viability of the operations there.

10 As those things have happened, it's raised
11 questions in the minds not only of Blanding citizens
12 but of other people around in the region. And a lot
13 of people get very, very emotionally involved in
14 these things, saying, listen, we love the area, we
15 love the surroundings, and we're worried, what's this
16 going to do to us. And we can't get too caught up
17 emotionally. We have to rely on the sciences and we
18 have to get involved.

19 For those reasons, as a community we
20 approached the NRC and said, okay, tell us what's
21 real. We need to know if there is a health and life
22 safety threat here. We need to know if there is a
23 problem. Because again, as our mayor has just stated
24 previously, we'll be the first to step in line.
25 Because the health and life safety of our citizens is

1 more important than any economic development,
2 obviously; although, again, that's an important part
3 of a community if it can be done right.

4 So meeting with them and having the
5 sciences explained to us and what's happening and how
6 those protections are in place and what needs to
7 happen, it was amazing. It was absolutely amazing to
8 find out the things that have to be done and all the
9 regulations in place to ensure public safety.

10 The State of Utah, Blanding City, San Juan
11 County, none of us want to see anybody hurt or
12 damaged. And what we have found out in our
13 experience over the many, many years now in dealing
14 with the mill is that they are a very good steward
15 and a very good partner and a very good community
16 member. And if those regulations are followed to the
17 T, all the way down to what kind of pencil you can
18 use in making your reports and signing your names and
19 those kind of things, it's just amazing to me all the
20 regulations that you have to follow through.

21 And as those things, the sciences and
22 stuff were explained to us, we became very supportive
23 of the processes and became very confident that they
24 can continue those processes if those regulations
25 that are set up by the scientists that run our nation

1 and run our state. We appreciate that. Again,
2 emotions set aside, we support what's happening there
3 and want to speak in favor of that.

4 MR. GOBLE: All right. Thank you,
5 Mr. Webb. The next person that wanted to speak is
6 Ms. Fields.

7 MS. FIELDS: My name is Sarah Fields, and
8 I represent an organization named Uranium Watch in
9 Moab, Utah. And I thank you for the opportunity to
10 speak.

11 I agree with the previous speakers that
12 the regulations and the implementation of the
13 regulations by the licensee are very important. I
14 will be submitting some written comments, but I also
15 have a few oral comments.

16 First regards the archeological resources
17 at the mill. Currently archeological excavation is
18 taking place from either -- a few over ten
19 archeological sites are being excavated. Most of the
20 archeological sites on White Mesa are ancient pit
21 houses.

22 When the site was constructed in the late
23 1970's and early 1980's, there was extensive
24 archeological excavation. Artifacts were taken.
25 Some of those ended up at the University of Utah;

1 some of those ended up at Edge of the Cedars. And
2 yet in the past 30 years, none of those artifacts
3 have been exhibited at Edge of the Cedars, and there
4 have been no additional studies and there have been
5 no presentations related to that extensive
6 archeological excavation.

7 Although artifacts will be taken,
8 essentially these historic, to me, incredibly
9 beautiful and significant sites that could have been
10 the basis for a national monument here in San Juan
11 County, which would probably over the years have
12 brought more economic benefit to this area, these
13 sites will also be destroyed. They will be destroyed
14 by the construction of the mill.

15 So the essence of these sites will be
16 destruction. And as the mill expands, more sites
17 will be destroyed, because White Mesa of itself is an
18 archeological district, and I would think that the
19 community would have more of an interest in
20 preserving those sites.

21 I've talked with the NRC recently about
22 whether Section 106 consultation was required. I
23 have not yet gotten a response from them. They're
24 looking into this. But I think the failure of the
25 Division of Radiation Control and the failure of the

1 Utah Historical Society to consult with the White
2 Mesa Ute and the Ute Mountain tribal governments and
3 the Navajo tribal historic preservation is
4 unacceptable, and I feel the Division of Radiation
5 Control must consult with these entities before they
6 approve this license amendment.

7 Also, license condition 9.7 needs to be
8 stricken from the license. That license condition
9 pertains to cultural resources at the mill and refers
10 to a memorandum of agreement between the Utah State
11 historical preservation officer --

12 MR. RUPP: One minute.

13 MS. FIELDS: -- the advisory council in
14 historic preservation, the NRC and energy is nuclear.
15 This MOU is totally out of date. It's from 1979,
16 amended in 1983. It doesn't refer to the current
17 conditions of the license, so that license condition
18 should be reviewed and should be brought up to date.

19 Let's see. I'll just go on what I have
20 time for. Oh. Also, the Division of Radiation
21 Control should make the effluent monitoring reports
22 and any additional effluent monitoring information
23 submitted by the licensee pursuant to license
24 condition 11.2 available on the DRC website. You've
25 done a really good job to make all the documents

1 relating to this license amendment request, the cell
2 4A --

3 MR. RUPP: Time's up.

4 MS. FIELDS: -- the license available, and
5 I commend you for that. Thank you.

6 MR. GOBLE: Thank you, Ms. Fields. Would
7 you like to reserve some time after everyone else has
8 had the opportunity to speak?

9 MS. FIELDS: Yes.

10 MR. GOBLE: Okay. We'll go ahead and do
11 that for you. The next who wanted to speak was
12 Mr. Joe Lyman.

13 MR. J. LYMAN: I kind of stumbled into
14 finding out this meeting was happening, and I sent
15 out an e-mail to a few people, hoping they could get
16 here. And I'll address a thought to that a little
17 bit later.

18 But my impression of what's happened with
19 the mill over the years that it's been there, I
20 worked there for a period of time when I was younger,
21 is that by and large they've been very responsible
22 with what they've done. I think that Mr. Webb's
23 comments addressed that point.

24 I have seen at times, some of the
25 opposition to activity of the mill have not been well

1 founded. Maybe some of them have, maybe some of them
2 haven't; but I know there's been some of the
3 opposition expressed that turned out to not be
4 particularly well founded. So I can't address what
5 anybody is saying today. It's just been historical
6 observation.

7 I think the employment that they provide
8 is critical. As Mayor Turk illustrated, we're in an
9 extremely depressed economy, and a lot of the
10 employment that the mill provides is to the very
11 people that some say we should be protecting from the
12 mill. And it could be devastating to the entire area
13 to not have that employment and support that, which I
14 do.

15 I'm pretty sure we could probably have a
16 roomful of people here in support of the mill, but
17 they, like me, are businessmen who are trying to
18 provide for themselves and provide opportunities for
19 others to provide for their families. We're just too
20 busy. We're trying to make this country run, and
21 frankly, we're too busy trying to do that to spend a
22 lot of time and energy coming to these kinds of
23 meetings.

24 And on that note, I've still got work to
25 do tonight, so I've got to go. But I've got to think

1 I would represent 50 people if they only had the time
2 and the ability to become aware of these things to
3 come and speak and support the mill. I think they
4 would be here. So I support what they're trying to
5 do. Thank you.

6 MR. GOBLE: All right. Thank you,
7 Mr. Lyman.

8 So the next person, we have a Mr. Steve
9 Hancock. You had unsure. Would you like to make
10 a --

11 MR. HANCOCK: I'm good for now.

12 MR. GOBLE: All right, Steve. And another
13 person we have as kind of a maybe was Taylor Lyman.
14 Would you like to --

15 MR. T. LYMAN: No.

16 MR. GOBLE: No. Okay, Ms. Fields. And
17 presently we don't have anyone else on the list, so
18 go ahead and speak till you're done, I guess.

19 MS. FIELDS: I won't take too much time.

20 MR. GOBLE: Okay.

21 MS. FIELDS: In going over the safety
22 evaluation report, and I, too, have other employment
23 and did not have a lot of time to go over all of
24 this; but when you talk about long-term impacts of
25 the mill, it states that the SERs, which is the

1 Safety Evaluation Report, which is the environmental
2 analysis that you're required to do for a major
3 license amendment under the Atomic Energy Act; the
4 Atomic Energy Act has specific requirements for
5 agreement states, and the state of Utah is an
6 agreement state under the NRC's regulation under the
7 Atomic Energy Act where the federal government has
8 given the state of Utah the responsibility for
9 regulating uranium mills in Utah.

10 But when you talk about long-term impacts,
11 you don't really define what long-term impact means.
12 The SER states that Cell 4B has been designed to
13 provide reasonable assurance that radiological
14 hazards will be suitably controlled for 1,000 years
15 to the extent reasonably achievable, and in any case,
16 for at least 200 years. The federal regulations
17 limit the technical assessment for -- the technical
18 requirements for long-term containment of the
19 tailings to that 200-year to 1,000-year period.

20 However, we all know that those tailings
21 are going to be there in perpetuity, forever. So 200
22 to 1,000 years isn't a very long time period when you
23 think that they are going to be there forever and
24 ever.

25 So eventually the liners will break down,

1 the tailings cover will erode, and eventually the
2 tailings and associated radioactive and
3 nonradioactive contaminants will disperse into the
4 air, water, and soil. It's not a matter of if, it's
5 a matter of when. Most -- you, me, the people in
6 this room are not going to be here then. But there
7 still will be, hopefully, a population in this area.

8 And I think when the Division of Radiation
9 Control looks at the long-term impacts that they
10 really have to at least honestly assess what's going
11 to happen to those tailings 10,000 years from now --
12 you know, 2,000, 10,000, 100,000 years from now.

13 Also, in your SER you talk about isolation
14 without ongoing maintenance. And I think the
15 Division of Radiation Control in conjunction with the
16 NRC and in conjunction with the Department of Energy,
17 which now has responsibility, that's Department of
18 Energy now has the responsibility for long-term
19 maintenance for all the old type, what they call
20 Title I uranium mills, and for any uranium mills,
21 other uranium mills that have closed.

22 So they're finding out what the issues are
23 even over the short period of time of 50 years from
24 the closure of some of these sites. So they've been
25 discovering what some of the long-term maintenance

1 issues are, whether it's contamination of the
2 groundwater. And in the west there are billions of
3 gallons of groundwater that has been contaminated by
4 uranium mills.

5 So they're looking at groundwater
6 contamination, they're looking at the erosion, and
7 even now the Department of Energy is looking into
8 different types of caps for mill tailings, because I
9 think they're finding that some of the previously
10 designed caps that have been put in place are really
11 not as adequate as they had predicted.

12 So I think the Division of Radiation
13 Control with the NRC and the DOE should take a harder
14 look at what really -- what is a realistic long-term
15 maintenance scenario for White Mesa and for other
16 uranium mill tailing sites, whether in Utah or in
17 other states, and take advantage of the new data and
18 the new information that is being generated so that
19 when this tailing cell and the other tailing cell at
20 White Mesa are complete, have gone through operation,
21 they get covered, the plan, the long-term reclamation
22 plan is adequate.

23 Thank you.

24 MR. GOBLE: Thank you, Ms. Fields. Is
25 there anyone else who didn't sign up who would like

1 to speak now?

2 MR. TURK: Is it possible for additional
3 comment?

4 MR. GOBLE: Absolutely, Mr. Turk. You can
5 come up, absolutely.

6 MR. TURK: The point that I would like to
7 bring forward at this time is, following Katrina,
8 that disaster on the Gulf Coast, which was
9 devastating to our country, the Associated Press
10 conducted a study to determine what city in the
11 United States would be the safest city from natural
12 disaster, and they came to the conclusion that
13 Blanding would be that city. And that was an AP
14 publication.

15 I think that really speaks to the
16 substructure of the land that we're in. We're not in
17 an earthquake prone area. We don't have significant
18 natural disturbance in this area. It would seem that
19 if you're going to have a location to contain the
20 materials that need to be contained when we're, you
21 know, talking in terms of many years into the future,
22 it would seem that this would be a place that would
23 certainly rise to the top as a location that would
24 have a long-term, secure dynamic coming from nature
25 itself.

1 So with that in mind, I believe that
2 this -- you know, with science, with nature, we have
3 the potential to create what we need to create in
4 order to produce the energy that this nation is going
5 to require.

6 There's been a lot of debate about nuclear
7 energy, and that's not what this meeting's about; but
8 on the green side of the equation, nuclear energy is
9 free from a lot of the downsides of other energy
10 forms. So I just want to add that part.

11 MR. GOBLE: All right. Thank you,
12 Mr. Turk.

13 Let's see. Also, Mr. Angel, do you have
14 more? And then we'll follow up with Mr. Webb.

15 MR. ANGEL: Bradley Angel. You know,
16 science that allows radioactive materials to be
17 unprotected and unwatched and have no provisions for
18 it for thousands of years after Denison Mines is gone
19 and we're all gone is a big problem. And as we all
20 know, for example, in this area the wind blows pretty
21 fiercely, and leaving radioactive materials blowing.
22 I would also ask you if the state agency is aware of
23 any time, for example, that radioactive materials
24 associated with this facility ended up not contained,
25 such as by the highway.

1 And again, you know, issues of what comes
2 out in the stack, particularly yellowcake. When was
3 the last time? I think that's really important,
4 because we're all in a need for good economy, for
5 health as well. And I think that is more important
6 than that. But, you know, people also have a right
7 in our democracy to know what they're being exposed
8 to, and I don't think that information's been fully
9 disclosed; and I know for a fact in talking to a
10 number of tribal members over the years, they did not
11 know, for example, that yellowcake was coming out of
12 that stack. And that's unacceptable.

13 In terms of an economic boom, I think if
14 you look at, in one short sentence, there's an
15 economic boom in Moab right now resulting in the
16 cleanup of the radioactive pile of tailings from the
17 old Atlas Mill. But that's not a good situation.
18 It's costing taxpayers millions and millions and
19 millions of dollars. So I think we need to be
20 protective of health.

21 Also that, whatever your perspective, if
22 you're for this facility, against it, don't know, I
23 again want to say that it's not just enough that
24 Mr. Bradford at White Mesa, Inc. knew about this. We
25 know a number of tribal members, at least, I can't

1 speak for all, had no idea this was going on tonight.
2 And that's why I think the state has to do a better
3 job and change the rules to ensure that in a
4 democracy people have the right to exercise their
5 democrat rights to participate in decisions that
6 affect their lives, and that includes knowing about
7 meetings like this. But thank you.

8 MR. GOBLE: Thank you, Mr. Angel.

9 Mr. Webb, you wanted to say more?

10 MR. WEBB: I did. Just a couple points,
11 hearing these additional comments.

12 There's a lot of things, being in a city
13 position and having to go through this process
14 myself. In addition to a city manager, I'm also the
15 environmental certifying officer for the city, state
16 recognized. We've got to go through these processes
17 all of the time.

18 And there's a lot of these existing laws
19 that we'd like to see changed one way or the other.
20 It's been addressed here tonight. I think the state
21 ought to change the rules. They ought to do this,
22 they ought to do that. And some of those rules will
23 probably go through a process of change.

24 I also sat on the State Division of
25 Drinking Water board for eight years, went through

1 all kinds of processes and public processes in these
2 rules. And there's people that come in all the time
3 saying, these rules need to change; we've got to get
4 tougher, because what if, what if, what if.

5 Well, some of those "what ifs," as we
6 discover more and the sciences change and they're
7 saying that rules need to be changed, great, change
8 them. But these applications before you today aren't
9 about those what ifs. And yeah, and this a good
10 forum to encourage the state to change the rules.
11 But these applications ought to be judged today on
12 today's rules and the rules that are today in place.
13 And if those rules at some point require additional
14 monitoring, great.

15 But I can tell you that the monitoring is
16 happening, that the state ensures the monitoring's
17 happening, and that the rules are being followed as
18 they are in place. And so we encourage the state to
19 make sure that when they judge these applications for
20 processes that they're judging them based on today's
21 rules, not on hopes for changes in future rules, but
22 those rules are changed today.

23 The other point that I wanted to make is
24 with regard to archaeology. We understand the
25 important heritage that comes to the citizens of our

1 community in these archeological sites. The city of
2 Blanding is over 40 percent Native American, so we
3 understand how important those sites are, and we
4 spend as a city in doing our projects hundreds of
5 thousands of dollars in collecting data, in analyzing
6 that data so that we can find out and make sure that
7 we're not letting some valuable resource go or some
8 valuable data go.

9 But as we go to an area like our big
10 reservoir, when we went out there and put in our Big
11 Fork Reservoir, there are so many sites in our area
12 that nothing would happen if we didn't let any site
13 go. So sometimes sites have to be mitigated. We
14 collect all the data we can, and then a site is
15 covered, or could even be lost after that process
16 happens.

17 So we understand that process is
18 happening, that these applications -- through these
19 applications that that process is happening, that the
20 mill has spent hundreds of thousands of dollars in
21 collecting data so that they too could move forward
22 with their projects. And we would encourage that in
23 this case, that these applications be approved.

24 MR. GOBLE: Thank you, Mr. Webb.

25 Okay. If there's no one else that wanted

1 to speak, we don't have anyone else that signed up.
2 We're scheduled until 9 o'clock. So what we'll do
3 right now is, I'm going to go ahead and call a
4 recess. We'll call a recess for -- let's see. Right
5 now the time is -- it's 7:42. Let's call a recess
6 until 8:15 and see if anyone shows up.

7 For those that are here, you guys are
8 welcome to stay. You might have more comment in the
9 future. And we're going to be here for I guess the
10 next half hour to see if anyone else wants to show up
11 and make comments. So I'm going to go ahead and call
12 a recess right now, and we'll take pretty much a
13 half-hour break.

14 (Recess from 7:42 p.m. to 8:15 p.m.)

15 MR. GOBLE: The time is now 8:15. We'll
16 go ahead and open back up the meeting. It looks like
17 no one else has signed up to make public comment. So
18 do any of you gentlemen who are here want to make
19 comment? Okay.

20 I just want to let you guys know that
21 public comment can be received up to 5 o'clock on
22 Monday, May 10th. And like I said, you can either
23 e-mail that to me at pgoble@utah.gov, or you can go
24 on our website and you can find our address and mail
25 it to us. And so long as it has the postmarked date

1 of that date, May 10th, we'll accept it.

2 I forgot to thank Vicky here. The person
3 who was helping us today is Vicky McDaniel. I forgot
4 to introduce her earlier today, so I wanted to do
5 that now.

6 Since we don't have anyone else to make
7 public comment, I'm going to go ahead and call this
8 meeting ended. So this meeting is now adjourned.
9 Thank you for attending, and when we have one in the
10 future, we'd like your presence again. So thank you
11 very much.

12 (Meeting adjourned at 8:16 p.m.)

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REPORTER'S CERTIFICATE

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

I, VICKY McDANIEL, Registered Merit Reporter and Notary Public in and for the State of Utah, do hereby certify:

That on May 4, 2010, the foregoing proceedings were reported by me in stenotype and thereafter transcribed, and that a full, true, and correct transcription of said proceedings is set forth in the preceding pages.

WITNESS MY HAND AND OFFICIAL SEAL this 9th day of May, 2010.

VICKY McDANIEL, CSR, RMR
Notary Public
Residing in Salt Lake County