Appearances

DONALD R. METZLER
PROGRAM MANAGER
U.S. DEPARTMENT OF ENERGY
2597 3/4 Road
Grand Junction, Colorado 81503

JOEL BERWICK

TOBY WRIGHT

DEBBIE PETERSON

WENDEE RYAN

VIVIAN BOWIE

The Draft Environmental Impact Statement (DEIS) Public Hearing held at the College of Eastern Utah, Arts and Events Center Auditorium, 639 West 100 South, Blanding, Utah, on the 27th day of January, 2005, at 6:00 o'clock p.m., before Joseph J. Rusk, Registered Professional Reporter and Notary Public at Large.

* * *

Document #112 Webb, Chris City of Blanding, City Manager

MS. RYAN: Chris Webb.

MR. WEBB: Thank you. I am Chris Webb, C-h-r-i-s, W-e-b-b, I am City Manager for the City of Blanding and am speaking as a representative for the City of Blanding. We are a cooperating agency, and the first thing I would like to say is we appreciate the opportunity to be involved in the process, and it has been a very professional process. One thing we have learned is that there are uncertainties with the whole process of determining what to do with this site, and that the decision-makers that are making decisions aren't all in Washington, that a lot of those decisions on what is included in the EIS and some of the comments that may have been determined to not be viable have not been included. So some decisions have been made already, with respect to what is in the EIS, and in general, and some of those comments and decisions that we don't totally agree with, but in general, we agree with the EIS. First, it appears as you look at the EIS that the first thing you want to try to start to do is to interpret it yourself and make decisions regarding, all right, this is the cheapest, that is the way we ought to go. Well, if that were the case then we would obviously do nothing and leave it in place and DOE would go away. And so we think that it is obvious that just because it is the cheapest, doesn't mean that is the way we ought to go. We are of the opinion that to leave the tailings capped in place does not eliminate the potential damage to the river and surrounding properties. In addition it does not stop the river's continuous move toward the contaminated pile. In our opinion, leaving it in place would only be a temporary solution with little to no investment return tradeoff.

Further, as we look at the alternatives, we don't believe that there is any alternative that provides the same return on the investment that the slurry line option does in the White Mesa mill project, even if I use the alternative not the cheapest. Because aside from the economic impact to benefit the community and benefits of recycling and extracting the remaining minerals, what impact that would have is that the project would tie directly into our water shortage that has been plaguing San Juan County consistently in cycles, and those cycles every time they come around they cost the Federal Government millions of dollars in drought mitigation over the years. I know the City over the last five years have received three and a half million dollars in just one drought cycle, in the City of Blanding itself, and that does not include farmers and others in San Juan County that are affected by this drought that would benefit. One of the things we did, which was not taken into consideration in this EIS, is requested that the investment on that slurry line be considered, and we don't believe that it was given consideration in the least amount, and that it needs to have a return on investment that is not being considered with respect to that line.

The next point I want to make is why are we proposing to create a new site when we have a tailings site that exists? Why create a new tailings site? We don't need to do that. We pointed out in certain counties building a new tailings site, we don't think this makes any sense.

Again, the other thing we wanted to say is that we have been a little bit shocked and somewhat dismayed about the lack of understanding regarding the issues of public safety. We love our neighbors, we love our citizens, and we don't want anybody to get hurt. But emotions are high, there are misunderstandings that are too numerous to mention here tonight, but we have full confidence that the DOE has the ability to provide the necessary regulatory standards to ensure public safety and environmental compliance. Our education from the Utah Department of Environmental Quality, as well as our calls to the NRC, we have become educated and are somewhat comfortable as a city that the environmental -- that the processes can be handled both safely for the public, and the associated risks are minimal if nonexistent.

So along those lines, we encourage a full education program regarding the associated risks so that the public can come to the same conclusion that we have come, with the information that we have received.

Thank you.

MS. RYAN: Thank you, Chris.

Document #113 Frazier, Ana Marie Diné CARE

Ana Frazier.

MS. FRAZIER: Can you hear me? I put my notes in my computer, so my name is Ana, A-n-a, Marie, M-a-r-i-e, Frazier, F-r-a-z-i-e-r. I am from the Navajo Nation, southwest part of the Navajo Nation, and I am here on behalf of the White Mountain Ute, and the Navajos. And the Department of Energy-sponsored Draft Environmental Impact Statements to moving the uranium to the White Mesa mill from the Moab uranium mill, mill tailings will have a greater health adverse impact on the native people who live downwind, downriver and in and around Blanding. All of these people from White Mesa have been voicing their objection to the uranium waste facility at White Mesa for close to 30 years. To increase the volume of the uranium tailings at

White Mesa, especially of the mill, will only increase the contamination of the groundwater, the air and create pollution. Then the air contaminants from any tailings facilities will be downwind and downstream.

People in the Four Corners area have a long history of exposure to uranium radiation causing cancer of all kinds from the uranium production since the 1930s.

Many of the uranium mines in the area are abandoned and were never reclaimed. It appears the Department of Energy and the Federal Government has not learned from the past and has no plans for the natives of the State of Utah to deal with more radiation exposure.

The native people of the area have lived here way before the white man came to this country. There are many cultural sites such as burial places, old dwellings, Anasazi ruins of which we are descendants. There are places where our ancestors fought battles. There are herbs for healing, and downriver from the mill there are offering places throughout this area. The White Mesa mill was built over more than 200 Ute and Navajo and Anasazi ceremonial and burial sites. This is a clear violation of the Historic Sites Act, which was passed in 1935; National Historical Preservation Act in 1966; American Indians Freedom Act, 1978; and the Archaeological Preservation Act, 1979. The Ute Tribe and Navajo Tribal culture don't understand why the white folks will never understand why we preferred the mill site as sacred and want to protect the values that were passed on to us. Our ancestors learned to respect the burial places, the areas our ancestors lived and prayed. Our great-great-grandparents survived the cultures and treatment under the U.S. Cavalry, and by practicing their own little prayers and following the values that were carried on today. It is a way of life. And as long as you live here, as our neighbors, we will continue to voice our standing as to the desecration of the culture and burial sites, because that is who we are.

The value of the future of our children is valuable, and we don't want anything in any form that will harm our people and our living species in this area. We have learned that through our history. The White Mesa mill is almost 30 years old, the lining of those cesspools that are located behind the facility will eventually corrode. The man-made pipe will corrode and there will be spills somewhere, and something will eventually happen and everyone will suffer from the spill to the White Mesa Utes and Navajos and those living downriver.

We also have the White Mesa Utes and Navajos that use our environment. We are opposed to the Draft Environmental Impact Statement, and moving the uranium mill tailings to include White Mesa mill as one of their three on-site facilities.

And thank you.

MS. RYAN: Thank you for that. There was no one else who signed up originally to comment. Is there anyone else at this time who would like to comment? All right.

Thank you.

(Public hearing concluded at 6:50 o'clock p.m.).

REPORTER'S CERTIFICATE

I, Joseph J. Rusk, do hereby certify that the foregoing is a true transcript of the testimony given and the proceedings had.

_____

JOSEPH J. RUSK, CSR, RPR, RMR
Registered Professional Reporter
RUSK & RUSK COURT REPORTERS
Post Office Box 3911
Grand Junction, Colorado 81502

My Commission Expires: 10/10/2006

Document #114 Loux, Robert Nevada Agency for Nuclear Projects

#114, p.1

Kym Bevan

From: Joe Strolin [jstrolin@nuc.state.nv.us]
Sent: Wednesday, February 09, 2005 4:51 PM
To: moabcomments
Cc: Bob Loux
Subject: Comments on Moab Uranium Mill Tailings Draft EIS

Attached is a MS Word file containing comments from the Nevada Agency for Nuclear Projects, submitted on behalf of the State of Nevada, on the Draft Environmental Impact Statement for Remediation of the Moab Uranium Mill Tailing, Grand and San Juan Counties, Utah (DOE/EIS-0355D). If you have questions, please do not hesitate to contact me or Robert Loux, Agency Executive Director, at 775-687-3744.

I would appreciate it if you would acknowledge receipt of these comments.

Sincerely,

Joseph C. Strolin, Administrator
Planning Division
Nevada Agency for Nuclear Projects
Office of the Governor
1761 E. College Parkway, Suite 118
Carson City, Nevada 89706
(775) 687-3744
(775) 687-5277 (Fax)

#114, p2

KENNY C. GUINN
Governor

STATE OF NEVADA

ROBERT R. LOUX
Executive Director

OFFICE OF THE GOVERNOR
AGENCY FOR NUCLEAR PROJECTS
1761 E. College Parkway, Suite 118
Carson City, Nevada 89706
Telephone: (775) 687-3744 • Fax: (775) 687-5277
E-mail: nwpo@nuc.state.nv.us

February 8, 2005

Don Metzler
Moab Federal Project Director
U.S. Department of Energy
2597 B 3/4 Road
Grand Junction, CO 81503

RE: Remediation of the Moab Uranium Mill Tailings, Grand and San Juan Counties, Utah, Draft Environmental Impact Statement (DOE/EIS-0355D).

Dear Mr. Metzler:

The following are the comments of the Nevada Agency for Nuclear Projects regarding the subject Draft EIS, submitted on behalf of the State of Nevada.

Nevada's immediate interest in remediation of the Moab uranium mill tailings, currently stored on the west bank of the Colorado River, near Moab, Utah, is the long-term protection of the quality of Colorado River water, upon which the existing and rapidly growing population of southern Nevada relies for a large portion of its drinking water.

We agree with the Department of Energy's assessment (page S-48) that, "Selection of the No Action alternative for either surface or ground water remediation would not fulfill DOE's obligations under federal law to protect human health and the environment." The current location of the uranium mill tailings leaves them vulnerable to erosion by the flow of the Colorado River during times of flood, and contributes to contaminants entering surface water and local groundwater.

The On-Site Disposal Alternative, described as "stabilizing and capping the tailings pile in place" (page 1-7), while designed to meet applicable requirements of the Environmental Protection Agency and the Nuclear Regulatory Commission, does not

#114, p3

permanently alleviate the risk of erosion of the tailings pile. And it does not afford the opportunity for permanent remediation of the currently contaminated groundwater. Relocation of the uranium tailings to a suitable alternative site, with appropriate design and subsequent monitoring, would eliminate the risk of future erosion of contaminants into the Colorado River from this source, and would provide for the long-term protection of surface water quality. Additionally, according to the Draft EIS, remediation of the currently contaminated groundwater could be accomplished to meet a standard acceptable to the affected parties.

We appreciate the opportunity to comment on this Draft EIS. If you have questions about our comments, please contact me.

Sincerely,

Robert R. Loux

Robert R. Loux
Executive Director

RRL/cs
cc: Kenny Guinn, Governor
Nevada Congressional Delegation

2

Document #119 Delegation of Utah

Received Feb-14-05 09:24am From-2025865211 To-US DEPARTMENT OF ENE Page 02

#119, p1

02/11/2005 10:44 AM US Senator Robert F. Bennett 2/:

United States Senate

WASHINGTON, DC 20510

February 9, 2005

The Honorable Samuel W. Bodman
Secretary
U.S. Department of Energy
1000 Independence Ave. S.W.
Washington, DC 20585

Dear Secretary Bodman:

Congratulations on your recent nomination and confirmation as Secretary of the Department of Energy (DOE).

We write to express the strong and united support of the Utah Congressional delegation for moving the Moab Uranium Mill Tailings Pile from the banks of the Colorado River, and to urge that an alternative accomplishing that objective be selected from the recently released Draft Environmental Impact Statement (DEIS).

The state of Utah, with the strong support of its Congressional delegation, has been working closely with the federal government for more than a decade to reach resolution regarding questions about the tailings pile and its remediation. As you may know, the delegation, with the support of DOE, successfully included language in the Floyd D. Spence National Defense Authorization Act for FY 2001 (P.L. 106-398) that amended the Uranium Mill Tailings Radiation Control Act (UMTRCA) to transfer ownership of the Moab pile to DOE and to direct its remediation.

Contaminants, including ammonia, various metals, and radionuclides, are presently leaching into the Colorado River from the tailings pile, placing threatened and endangered species at risk. We are also concerned that as long as the tailings pile remains along the banks of the river, the migration of those contaminants will continue to threaten not only water quality in the Colorado River, but adjacent wetlands, and groundwater down gradient of the pile. Moreover, the review by the National Academy of Sciences panel, directed to take place as part of the legislation, highlighted the significance of considering the lack of stability, through time, of the existing riverbank site as DOE developed its remediation plan. Geologic data has proven instrumental in demonstrating the extent of the river's migration both under the tailings pile and the Matheson Marsh in the recent past. Consequently, we believe the only appropriate action is to move the pile from the banks of the river.

02/14/2005 10:32 FAX 2025865211 DOE EM-03 002

Received Feb-14-05 09:24am From-2025865211 To-US DEPARTMENT OF ENE Page 03

#119, p2

02/17/2005 10:44 AM US Senator Robert F. Bennett 3/3

We believe there is broad support among local, state, and federal stakeholders for moving the tailings pile and we urge you to select an alternative that would result in the moving of the pile from the banks of the river.

Sincerely,

Orrin G. Hatch
U.S. Senator

Robert F. Bennett
U.S. Senator

Chris Cannon
U.S. Representative

Jim Matheson
U.S. Representative

Rob Bishop
U.S. Representative

02/14/2005 10:33 FAX 2025865211 DOE EM-03 003

Document #120 Stafford, Michael J. Nevada Department of Administration

KENNY C. GUINN
Governor

STATE OF NEVADA

JOHN P. COMEAUX
Director

DEPARTMENT OF ADMINISTRATION
209 E. Musser Street, Room 200
Carson City, Nevada 89701-4298
Fax (775) 684-0260
(775) 684-0209

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#120

February 8, 2005

Don Metzler, Moab Federal Project Director
U.S. Department of Energy
2597 B ¾ Road
Grand Junction, CO 81503

Re: SAI NV #E2005 -099
Project: DEIS Remediation of the Moab Uranium Mill Tailings, Grand and San Juan Counties Utah

Dear Mr. Metzler:

Thank you for the opportunity to review the above referenced project.

The State Clearinghouse, as per Executive Order 12372, has processed the proposal and has no comment. Your proposal is not in conflict with state plans, goals or objectives. If you have any questions, please contact me at (775) 684-0209.

Sincerely,

Michael J. Stafford
Nevada State Clearinghouse Coordinator/SPOC

Document #127 McCleary, Jeff and Wren Individual

From: Wren McCleary [gravitylow@yahoo.com]
Sent: Friday, February 11, 2005 1:50 PM
To: moabcomments
Subject: DEIS Comments

Comments on Draft EIS – Moab Mill Tailings

Jeff McCleary
367 East Center
Moab, Utah 84532
February 11, 2005

1) The draft EIS fails to include information from two studies conducted by Grand County and submitted to the NRC (a cooperating agency for the EIS) in 1996. These studies were a sediment study that indicated that the Colorado River has migrated across its floodplain in the geologically recent past, and an air photo study that indicated the river has migrated toward the pile between photo dates of 6/30/75 and 8/17/95. The draft EIS should be an objective document. Omitting available, previously submitted information that does not support DOE's contention that the current site is suitable for a disposal cell biases the document and undermines its credibility.
2) The geologic hazard evaluation fails to discuss the formation of breccia pipes due to salt dissolution. Breccia pipes of this type are common in the Paradox Basin, and the closest one to the tailings pile is right across the highway at the entrance to Arches National Park. Again, the breccia pipe issue was known to the NRC (a cooperating agency for the EIS) in 1996 but has been omitted from the draft EIS.
3) The draft EIS lacks a systematic discussion of the "Features, Events, and Processes (FEP's)" that will impact the ability of the current site to contain and isolate the waste. The FEP's methodology has been used extensively at other DOE radioactive waste sites and would be appropriate here. Features would include items such as breccia pipes, which are evidence of past, localized collapse, and faults, across which there can be differential subsidence due to dissolution. Processes would include the migration of the river across its floodplain and ongoing dissolution of the salt that underlies the pile. Events would include local events such as seismic events, as well as regional or global events such as climate change. DOE documents developed for other radioactive waste sites indicate climate change in the next 600 to 1000 years; bringing the likelihood of larger floods and greater erosion.
4) On page 3-6 the draft EIS makes the statement that the site area is covered by alluvium of the Colorado River that is approximately 20 feet thick. I fully agree with that statement. That statement is also 100% in agreement with the data from the Grand County sediment study submitted to the NRC in 1996. However, that statement contradicts DOE's contention that sediment from Moab and Courthouse Washes has overpowered the Colorado River and pushed it to the south away from the pile. The Colorado River is bedded in alluvium in the Moab Valley, and alluvial-bedded rivers migrate across their floodplains. The Colorado River terrace remnant north of the river on the east side of the Moab Valley also demonstrates that the river has migrated in the geologically recent past.

5) Figure 3-1 has been generalized to the point of uselessness. Igneous rocks are incorrectly shown outcropping in Spanish Valley, some anticlines have been linked and others omitted, and none of the information is referenced as to its source so there is no traceability as to where this information came from. Unfortunately, this figure is typical of the document as a whole. The referencing of source information is so poor that the draft EIS must be considered sub-standard. The result is that many of the statements in the draft EIS are reduced to unsupported assertions about the geology and hazards at the site.
6) An objective analysis of the current location of the tailings, perhaps facilitated by a "Features, Events, and Processes (FEP's)" methodology, would likely demonstrate that the site is not suitable for the construction of a disposal cell. The tailings should be relocated to a Mancos Shale area to the north by rail or slurry line.

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Document #136 Lippman, Robert Castle Valley Town Council

Law Offices
of
ROBERT P. LIPPMAN

P.O. BOX 1115 • ~~103~~ EAST BIRCH • FLAGSTAFF, ARIZONA 86002
~~(520) 523-6943~~ • ~~(520)~~ 928 774-0130

COMMENTS ON DEIS FOR MOAB, UTAH, UMTRA PROJECT SITE,
U.S.DEPARTMENT OF ENERGY

Submitted by ROBERT LIPPMAN January 26, 2005

These are general and conceptual comments on the DEIS regarding remediation alternatives for the Atlas uranium tailings located along the Colorado River near Moab, Utah.

1. The matter should have been resolved and remedied decades ago; each month of delay increases the ultimate costs of remediation, and studying the matter endlessly will not change the most basic observations and essential conclusions that are to be drawn. Several dozen other tailings sites in the Colorado River drainage have already been moved, and yet this high priority site still awaits remediation.

2. The placement of the tailings and their ongoing impacts upon air and water quality, and on human and non-human health and well being, have permissively violated a myriad of Federal pollution control laws and regulations, along with defying common sense. These impacts are not limited to local effects, but extend regionally and downstream, potentially affecting the health and well being of tens of millions of Americans and Colorado River water users (culinary, agricultural, recreational), and the integrity of a vast percentage of America's agricultural production of 4-season produce. There are also international and treaty implications to the downstream movement of pollutants from the tailings. The site is also the source of social, economic and aesthetic impacts on the residents and well being of the Moab area, and the remediation plan needs to ensure the least disruption of local amenities.

3. Long term containment of the tailings is impossible in the present floodplain of an active hydrological (and uncertain geological) system. The inconsistencies and contradictions in government studies raise sufficient uncertainty to warrant moving the pile regardless the statistical cost-benefit estimates. Cyclical flooding and river channel migration will ultimately have a direct impact on the pile, in addition to the present and ongoing effects and releases of harmful materials.

4. Capping the tailings in place will do nothing to remedy the present and long term groundwater and surface flow contamination situation, and the site would still be subject to hydrological and geological forces and changes; the "no action" alternative will further

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allow ongoing public exposure to radon and hazardous particulate matter, in addition to the groundwater and river flow impacts.

5. The only rational and justifiable option for mandatory remediation is to

   a. move the tailings by rail to a more stable and prepared site, north of Moab, avoiding disturbance to population centers, and eliminating the problems associated with using precious Colorado River water for such an enterprise, and the end problem of contaminated water at the new site;

   b. reject the White Mesa slurry alternative due to the transferred impacts upon local, Native American communities and sovereign/trust lands (which also raises legal issues of environmental justice); and,

   c. continue remediation and future prevention plans for ancillary sites in the Colorado River Basin and regional drainages.

It is further urged that the DOE expeditiously implement the relocation plan, and ensure that adequate funding is made available for the project.
Thank you for the opportunity to submit these comments; I look forward to the Department's implementation of this remediation mandate.

Sincerely,

Robert Lippman
Town Council Member
Castle Valley, Utah

HC 64 Box 3208
Castle Valley, UT 84532
<robert.lippman@nau.edu>

Document #137 Town of Castle Valley Castle Valley

TOWN OF CASTLE VALLEY, UTAH

RESOLUTION 2005 – 1

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CASTLE VALLEY, UTAH, SUPPORTING THE RELOCATION OF THE ATLAS URANIUM MILL TAILINGS PILE FROM THE BANKS OF THE COLORADO RIVER

WHEREAS, The Town Council of Castle Valley, Utah shares the resolved concerns of the City of Moab Town Council, the Grand County Commission, the Utah State Legislature, and the White Mesa Ute Community of the Ute Mountain Tribe regarding the disposition and remediation of the Atlas Uranium Mill Tailings Pile; and

WHEREAS, The United States Federal Department of Energy has prepared a draft Environmental Impact Statement identifying and addressing options for remediation of the tailings pile which consists of approximately 12 million tons/8 million cubic yards of radioactive waste and other toxic materials, and which is located on a floodplain adjacent to the Colorado River at Moab, Utah; and

WHEREAS, The Town Council is concerned with the documented air and water quality impacts of the tailings pile on the general health, safety, welfare and recreation economy of Southeast Utah and its residents; as well as being concerned with present and potential water quality impacts and threats to the downstream environment, the health and safety of tens of millions of downstream water users, and the integrity of a significant share of the nation's produce grown from Colorado River water, especially given the real possibility of catastrophic flood, or migration of the river channel towards the tailings pile; and

WHEREAS, because of the geologic complexity of the present tailings site and the historic, erratic nature of hydrological cycles of the Colorado River, there are serious uncertainties associated with the long-term integrity of the remediation-in-place alternative ("capping"); and

WHEREAS, the remediation option of removing the tailings pile by slurry line to an existing site at White Mesa, south of Moab, Utah, will severely impact the health, safety, welfare and culture of the White Mesa Ute Community of the Ute Mountain Tribe, and also raises unresolved questions about the contaminated slurry water and the propriety of using precious Colorado River water for such a purpose.

NOW THEREFORE, IT IS HEREBY RESOLVED THAT THE TOWN COUNCIL OF CASTLE VALLEY, UTAH, strongly supports moving the Atlas Uranium Mill Tailings Pile from the banks of the Colorado River, and that the Town Council urges the Federal Department of Energy to select its remediation option of moving the tailings pile by rail to a safer, more stable location to be selected north of the Colorado River, and to expeditiously implement it's remediation plan for such action.

PASSED, ADOPTED AND APPROVED this 10th day of February, 2005, by the following vote of the Town Council in open session:

Those voting aye: Bob Lippman, Bruce Keeler, Jerry Bidinger, and Robert Ryan;

Those voting nay: Darr Hatch.

TOWN OF CASTLE VALLEY, UTAH

Bruce Keeler, Mayor

ATTEST:

Jennifer Mengel, Town Recorder

Document #213 Landa, Suzanne Individual

From: Suzanne Landa [srlanda@pacbell.net]
Sent: Sunday, February 13, 2005 9:07 PM
To: moabcomments
Subject: Moab DEIS Comment: S.R.Landa 02-13-05
Re: EIS assessment of environmental impacts of actions in remediating tailings, ground water, and contaminated soils at the Moab UMTRA Project Site and vicinity properties.

Moving the Moab Uranium Mill tailings to a location where there is no potential for ground-water contamination is the only acceptable option. Cost should not be a factor when the results protect our ecological environment and assure safe household water for millions of people.

The EIS indicates that as much as 80 percent of the pile could wash into the Colorado River during a severe flood. With the earth's climate changing, a severe flood occurring in the near future is likely. In San Diego, we don't know what affect the continued seepage or sudden release of toxic waste from this pile could have on our southern California lives. However, the adverse impact on plants and animals and on the health of people who live and work along the river is of concern to all of us.

The Colorado River is not only a critical ecological component of the Southwest; it provides the household water supply for 26 million American. In Southern California we have taken the availability of our fresh water far too lightly. The affects of this toxic seepage should be a wakeup call for all. I agree wholeheartedly with Mr. Richardson who said "The range in vision should be to the future and to protect a valuable water supply." The Moab site must be cleaned up in a way that fully protects our water supply with no more delays.

The relocation of the pile is preferable to capping in place in every respect except that it would cost more. The greater indirect costs imposed on other parts of society should be strongly considered when deciding on the remediation plan.

It's time for our government to become accountable for its past and responsible for our future. "The pile" must be moved.

Sincerely,
Suzanne Landa
1068 Oliver Ave.
San Diego, CA 92109

Document #264 Oblak, Denise Utah Guides and Outfitters Association

#264

UTAH
GUIDES &
OUTFITTERS

Post Office Box 1412 Moab, Utah 84532 435-259-2870 www.utah-adventures.com

February 14, 2005

Moab DEIS Comments
U.S. Dept. of Energy Grand Junction
2597 B ¾ Road
Grand Junction, CO 81503

At its annual meeting on February 8, 2005, the Utah Guides & Outfitters (UGO) Association met to discuss the Department of Energy's draft EIS for the remediation of the Moab Tailings pile. The Utah Guides & Outfitters Association comprises over 40 businesses throughout the state that specialize in offering guided tours on the public lands and waterways throughout Utah, including the Colorado River near Moab and Cataract Canyon downstream.

Our members have unanimously agreed to support an alternative that would move the pile from its present location on the banks of the Colorado River. The preferred permanent storage sites would be either Klondike Bluffs or Crescent Junction due to their remote locations and accessibility via rail cars. A slurry line option is opposed by our group due to its unnecessary waste of precious water resources.

UGO members are taking this stand to point out what they see as obvious … hazardous waste stored on the bank of a major river is a very bad idea. Catastrophic flooding on the Colorado River has happened in the past and it will happen again in the future. Many of our member companies and guides remember the huge run-off from the 1983-84 season which threatened to compromise Glen Canyon Dam. And, the peak flows that year were not even at the level that would be expected from a 100-year or 500-year flood. If the river can threaten a concrete dam structure, it is not a huge stretch of the imagination to think it could potentially affect a dirt pile next to its shore.

Another example of the destructive force that a river can wield occurred just a few weeks ago in southwestern Utah. The usually sedate Santa Clara River swelled from a flow of 5 CFS to 6500 CFS in just a matter of days, causing the destruction of nearly 20 homes. If something like this were to happen in the Colorado River drainage, some or perhaps all of the 13 million tons of highly toxic waste could be flushed downstream, which would

contaminate the culinary water that 26 million downstream users depend upon, not to mention that this same water is used for agricultural purposes to grow much of our nation's produce.

To consider capping this pile in place would be highly irresponsible. In today's political climate of soaring deficits, concerns over the solvency of social security, and other weighty issues, it is important to consider the costs of remediation. But putting cost considerations ahead of health and safety concerns for our citizens is unthinkable, perhaps even criminal. In fact, the 1999 Floyd D. Spence Act that transferred responsibility for the Atlas Tailings Pile to the Department of Energy contained a provision requiring the DOE to move the tailings away from the banks of the Colorado River and to clean up the groundwater.

Of 21 similar tailings piles located throughout the nation, Moab's pile is the only one that has not been moved. Nine of these 21 piles were located in flood plains, a risk factor that contributed to their removal. Why should the Moab Tailings Pile be treated differently? It should not.

The Utah Guides and Outfitters Association calls for the DOE for carry out the mandate as set forth in the 1999 legislation, to relocate the tailings to a suitable location that removes the threat to human health and safety from the events caused by a catastrophic flood event.

Thank you for your prompt attention to this important matter.

Sincerely,

Denise Oblak, President
Utah Guides & Outfitters Association