



SAN JUAN COUNTY COMMISSION

Kenneth Maryboy Chairman
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July 2, 2020

Mr. Ty L. Howard, Director
Division of Waste Management and Radiation Control
Utah Department of Environmental Quality
195 North 1950 West
PO Box 144880
Salt Lake City, Utah 84114

To Whom It May Concern:

Mr. Howard, we appreciate the additional time for public comment regarding the Energy Fuels Resources (USA) Inc.: Amendment #10 of the 11e.(2) Byproduct License No. UT1900479 and Modification to Groundwater Quality Discharge Permit No. UGW370004. The San Juan Board of County Commission respectfully requests the Utah Department of Environmental Quality (DEQ), Division of Waste Management and Radiation Control (DWMRC) deny the proposed Licensing Action to amend the Energy Fuels Resources Inc. 11e.(2) Byproduct Radioactive Material License and the Groundwater Quality Discharge Permit for the White Mesa Uranium Mill site in San Juan County, near Blanding and White Mesa Ute Communities.

The San Juan Board of County Commissioners understands and respects that fact that Energy Fuels has provided and continues to provide family wage earning jobs for our citizens, and we continue to hope for their success as an employer here in San Juan County.

However, we are also concerned about the long-term effects of such an operation which requires tight regulatory controls and constrains. The long-delayed, limited and unfinished cleanup of the mines, mill tailings, ponds and other contaminated areas continues throughout the County today, decades after the uranium companies left their toxic wastes in San Juan and Grand Counties. Many areas of the County remain contaminated and toxic to humans, domestic livestock and wildlife. Drinking water sources contaminated by the uranium and oil extraction industries are currently unfit for human and animal consumption requiring residents in the areas to travel miles away in order to obtain fresh uncontaminated drinking water and hauling that water miles back in order to sustain life and proper hygiene. Due to the unregulated contamination of the past, this way of life will continue but there is no reason to continue to add more or affect more of our citizens' water sources.

This decades-long uranium-based issue has led to immense suffering and dire consequences across the full spectrum of San Juan County residents. Premature deaths, cancers, chronic illnesses and other significant health impacts have plagued indigenous and non-indigenous residents alike.

Based on per capita income, San Juan County is the poorest of the 29 counties in Utah. It has a majority Native American population. San Juan County's Native Americans and non-indigenous population have suffered a disproportionate burden of costs while others have profited from the uranium industries activities.

We understand that Energy Fuels currently imports alternate feed material (Uranium Material) into San Juan County from outside sources, even as far away as Canada. However, the current proposal to import Uranium Material into San Juan County from another Country, Silmet, Estonia and from the Pacific Railroad Moffat Tunnel in Colorado is too much. The 10-year proposal to import 2,200 tons of Uranium Material, just from Estonia, will have a longer-lasting negative effect on our County. It should not be the responsibility of Energy Fuels to assist other Country's or other State's extraction companies with disposing of their used radioactive waste here in our County at any level of radioactivity, large or small. Clearly, the regulations in those areas do not allow for the long-term storage of byproduct from extraction, so why should we? No one else is willing to take this radioactive waste, so the applicant is requesting that the State of Utah allow it to use San Juan County as a dumping ground for world. This is a long-term commitment which will only add to the long-term effects associated with this waste.

The historical environmental injustice endured by the County's indigenous and low-income populations will be exacerbated if the State allows the importation of radioactive wastes to be deposited at the White Mesa Uranium Mill, adjacent to the White Mesa Ute community. Throughout the years, you have heard from our White Mesa Ute Tribe as well as other citizens of our County express concerns with their drinking water, we appreciate your willingness to work with us and all of our residents, but please understand that our concerns stem from the fact that history has not addressed current and future concerns for our limited resources which sustain and preserve our health, safety and general welfare for not only now, but also for the future.

It's time the State of Utah treat areas near Native American communities, or any other City and Town within San Juan County with equal consideration as you would a metropolitan area and deny the amendments and modifications to the permit proposal. The residents of San Juan County deserve nothing less and certainly do not need to continue to be the world's dumping ground for hazardous materials at any level.

We also request an independent review of the Mill Tailings Management System. Our citizens continue to express concern that these existing cells continue to leak. Our greater concern is the long-term stability and viability of these cells and cell life cycles and the ability to avoid or prevent contamination of our resources throughout time.

For the reasons discussed above, the San Juan County Commission opposes the proposed amendments and modifications for the License Condition 10.10 and Condition 10.12, which would authorize Energy Fuels Resources to receive radioactive Uranium Material from Silmet, Estonia and from the Pacific Railroad Moffat Tunnel in Colorado at the White Mesa Uranium Mill site in San Juan County.

Sincerely,

Kenneth Maryboy
San Juan County Commission Chairman