

**MINUTES**  
**of the**  
**URANIUM POLICY SUBCOMMITTEE**  
**OF THE INDIAN AFFAIRS COMMITTEE AND**  
**OF THE RADIOACTIVE AND HAZARDOUS MATERIALS COMMITTEE**  
**August 24-25, 2009**  
**Red Rock State Park, Gallup, NM**  
**Cibola County Government Center, Grants, NM**

The first meeting of the Uranium Policy Subcommittee was called to order by Senator Lynda M. Lovejoy, co-chair, on Monday, August 24, 2009, at 10:10 a.m. in Red Rock State Park, Gallup.

**Present**

Rep. Patricia A. Lundstrom, Co-Chair  
Sen. Lynda M. Lovejoy, Co-Chair  
Sen. Vernon D. Asbill (8/24/09)  
Rep. John A. Heaton  
Sen. David Ulibarri (8/25/09)  
Rep. Jeannette O. Wallace

**Absent**

**Guest Legislator**

Sen. George K. Munoz (8/24/09)

(Attendance dates are noted for members not present for the entire meeting.)

**Staff**

Damian Lara  
Joshua Sanchez

**Guest List**

The complete guest list is in the meeting file.

**Monday, August 24 — Red Rock State Park**

**Welcome and Introductions**

The subcommittee members introduced themselves and thanked all guests and community members in attendance. Senator Lovejoy indicated that the two days of meetings would focus on uranium legacy issues. These issues are controversial and are in great need of attention by the legislature. These issues will be the focus of future meetings in the coming months. Presenters were asked to focus on the issues on the agenda.

**Update on Washington, D.C., Trip**

Mr. Lara, Legislative Council Service (LCS), gave an update on the outcomes of the trip to Washington, D.C., regarding uranium legacy cleanup. The meetings were focused on cleanup of uranium mines in New Mexico. As a result of the meetings between the ad hoc Uranium

Mining and Tailings Task Force and members of Congress and federal agencies, action to clean up the uranium legacy has taken place. Congressman Ben Ray Lujan has drafted legislation "to provide for a study of abandoned uranium mines in the southwest, to provide for abandoned uranium mine cleanup across jurisdictional lines, including boundaries between tribal land and public land, to establish an intergovernmental Abandoned Legacy Cleanup Program, and for other purposes". Senator Tom Udall included committee report language, for both the energy and water appropriations and interior appropriations bills, requesting a "five-year plan" similar to that of the Navajo Nation Five-Year Plan requested by the U.S. House Committee on Oversight and Government Reform for "New Mexico and other states with uranium contamination" and hopes to include the language in the actual appropriations bills. State and federal agencies have increased dialogue, coordination and cooperation in relation to uranium legacy cleanup. An informal "technical working group" to address uranium contamination in the Grants Mineral Belt was established consisting of the various federal and state agencies with authority to address uranium legacy. The Environmental Protection Agency (EPA) has taken the lead on drafting a "five-year plan" similar to that of the Navajo Nation Five-Year Plan requested by the U.S. House Committee on Oversight and Government Reform. The Bureau of Land Management has made some grant money available for uranium legacy cleanup. Finally, the various federal agencies with authority for uranium legacy cleanup will present before the joint meeting of the Indian Affairs Committee (IAC) and the Radioactive and Hazardous Materials Committee (RHMC) on September 10, 2009, regarding action plans and their commitment to the "five-year plan".

In response to subcommittee questions on federal legislation regarding appropriations for future cleanup, Mr. Lara replied that Representative Ben Ray Lujan will have to take the appropriations to the appropriations committee because the bill only authorizes expenditure of \$4 million and does not fund the program. Mr. Lara added that Senator Jeff Bingaman has introduced a hard rock mining bill. The bill will most likely not get a vote on the floor at this time due to the current health care priorities in Congress. The New Mexico congressional delegation has supported Senator Bingaman's bill, but no further action has been taken on the issue.

The subcommittee commented that the New Mexico congressional delegation should have gotten more involved with this issue because it impacts many New Mexico communities and state agencies. The subcommittee requested that LCS staff continue to follow up on this issue, adding that in New Mexico "uranium mines should get more attention than coal mines".

The subcommittee asked Mr. Lara to go over the eight points of a previous letter sent to the New Mexico congressional delegation by the Uranium Mining and Tailings Task Force and the status of the delegation's actions on those points. Point one was the introduction of federal legislation to establish authority and funding for abandoned mine reclamation, regional ground water remediation and set-aside money from the sale of uranium held in the Department of Energy (DOE) for uranium legacy cleanup activities in New Mexico. Representative Ben Ray Lujan is currently working on draft legislation that covers the first two points.

The second point was to urge Interior Secretary Ken Salazar to revise Solicitor Opinion

M-37014 and the resulting Office of Surface Mining and Reclamation Enforcement (OSM) regulations that limited use of replacement funds for non-coal mine reclamation. None of the New Mexico congressional delegation sent a letter to Secretary Salazar, despite draft language being provided to them by LCS staff.

The third point simply asked that future funding pursuant to the Surface Mining Control and Reclamation Act of 1977 explicitly provide flexibility for non-coal mine site reclamation. All of the New Mexico congressional delegation members indicated that they supported flexibility through informal channels of communication.

The fourth point simply asked support for Senator Bingaman's hard rock mining bill. Most of the New Mexico congressional delegation members have become co-sponsors of that legislation.

The fifth point requested the delegation to seek appropriations for a five-year plan similar to that of the Navajo Nation Five-Year Plan requested by the U.S. House Committee on Oversight and Government Reform and on the ground action by federal agencies such as the EPA, DOE and Department of Interior (DOI).

The sixth point asked the delegation to urge the Nuclear Regulation Commission to review cleanup and ground water plans and the background levels of aquifers to ensure cleanup standards that are equivalent to or more stringent than the levels required by Appendix A to 10 code of federal regulations Part 40 and the standards promulgated by the EPA in 40 code of federal regulations Part 192, Subparts D and E. To the knowledge of Mr. Lara, none of the delegation members have taken any action on this point.

The seventh point asked the delegation to seek a National Academy of Sciences study for the reclamation of uranium mines and remediation of ground water contamination caused by uranium mining and milling activities, including cost analysis, cleanup technology and the funding source of abandoned mine cleanup. To the knowledge of Mr. Lara, none of the delegation members have taken any action on this point.

The eighth point asked the delegation to amend the Radiation Exposure Compensation Act of 1990 (RECA) to include uranium miners who worked after 1971. Mr. Lara indicated that Representative Ben Ray Lujan's office had been in contact regarding this point and seemed interested in drafting legislation. As of yet, Representative Ben Ray Lujan's office had not shared any draft language.

Upon motion by Representative Heaton, seconded by Representative Lundstrom, the subcommittee voted without objection to recommend that the joint committees send letters to Energy Secretary Steven Chu, Under Secretary Kristina M. Johnson and Assistant Secretary for Environmental Management Inés Triay requesting them to fund uranium mine cleanup activities because the abandoned uranium mines are a result of the United States defense program similar to the Title II uranium mills.

Upon motion by Representative Lundstrom, seconded by Representative Heaton, the subcommittee voted without objection to recommend that the joint committees send a letter once again outlining the eight points in the letter previously sent to the New Mexico congressional delegation and emphasizing the need for a timely OSM rule change on non-coal funding flexibility to the New Mexico congressional delegation, Governor Bill Richardson and Lieutenant Governor Diane Denish.

In response to an inquiry from the subcommittee, Mr. Lara clarified the Governor's Office was asked to participate and work with the subcommittee on uranium legacy issues. Mr. Lara informed the subcommittee that invitations were sent to the governor's staff and that staff replied to indicate they were unable to attend the meeting.

Upon motion by Representative Lundstrom, seconded by Representative Heaton, the subcommittee voted without objection to recommend that the joint committees send a letter to Interior Secretary Ken Salazar, Solicitor Hilary Tompkins and OSM Acting Director Glenda Owens to revise Solicitor Opinion M-37014 and the resulting (OSM) regulations that limited use of replacement funds for non-coal mine reclamation.

Upon motion by Representative Lundstrom, seconded by Senator Lovejoy, the subcommittee voted without objection to request the New Mexico Legislative Council to approve the Uranium Policy Subcommittee to travel to Washington, D.C., to hold future meetings regarding uranium legacy in order to inform the joint committees of the progress made by the federal government.

The subcommittee emphasized that the New Mexico Legislature is a citizen legislature with no full-time staff dedicated solely to stay current on information and work with the federal government. Another trip and help from the Governor's Office would be a great benefit, because this subcommittee has only one staff member following the issue on a regular basis along with many other duties.

### **Uranium Legacy Impact on Regional Ground Water Quality**

Bill Olsen, chief of the Ground Water Bureau of the New Mexico Department of Environment (NMED), and Jerry Schoepner, uranium project team leader of the NMED, were present to give a presentation. Mr. Olsen presented the responsibilities for the NMED in regard to cleanup of uranium mining sites, issues in water quality permits for uranium mines, uranium mine closure activities and coordination with the Mining and Minerals Division of the Energy, Minerals and Natural Resources Department (EMNRD). Mr. Olsen informed the committee that, typically, the NMED addresses cleanup in a three-point criteria of 1) closure; 2) abatement and plans under Water Quality Control Commission regulations; and 3) Superfund. Mr. Olsen added that there is currently active cleanup. The NMED is having problems finding responsible parties to commence cleanup activities. The problem arose because some of the mining companies no longer exist.

Mr. Schoepner informed the subcommittee on details of the Grants Uranium Belt in

regard to geographic location, geological hydrological locations and contamination impact, disbursement of contamination, mining de-watering and discharge into surface water, leaching problems and windblown contamination. Thirteen mines are currently under state regulations.

Mr. Schoeppner also informed the subcommittee that the information being presented was taken from historical data on old mines and new mine site measurements. Mr. Schoeppner also explained the criteria used to determine the extent of cleanup implemented for each mine. He described two concepts being used in uranium mine cleanup. Both concepts are based on historical data and the identity of the owner of the mine. The two concepts are baseline and background. Planned future activities use the compiled historical data to: form current outlooks of mining cleanup and emergency removal assessments; sample current water wells; assess risks and hazards; and plan for placement of air and water monitors. Mr. Schoeppner concluded his presentation by stating that even with the current collaboration with other state and federal entities, the cleanup planning and implementation process will remain challenging.

The subcommittee directed LCS staff to research the roll of the national resource trustee. The subcommittee requested both Mr. Olsen and Mr. Schoeppner to provide the joint committees with more detailed information on baseline and background levels in regard to cleanup standards.

#### **Abandoned Uranium Mines — Status Update**

Bill Brancard, director of the Mining and Minerals Division (MMD) of the EMNRD, gave an overview of all projects worked on related to active and abandoned uranium mines cleanup. He informed the subcommittee that the focus of current efforts is in abandoned uranium mines that are 30 years old. The primary focus is on surface disturbances of those abandoned uranium mines. The MMD has compiled a database of abandoned uranium mines, in cooperation with the NMED. The MMD has two lists of mines. The first list includes mines that actually produced uranium, which totaled 259 mines, and the second list consists of mines that have no recorded production, including those used for exploratory information. The majority of these mines are located in Cibola, McKinley and San Juan counties. Some sites have reclamation; 137 do not have any record, and they are the ones that are the focus of this project. Twenty-seven sites are joint state and federal project efforts; the legislature has partially funded this effort.

Mr. Brancard explained that his projects have been done typically alone without state or federal assistance, but now they are in cooperation with both state and federal entities in cleanup efforts. Mr. Brancard also noted that as part of a five-year plan for uranium legacy cleanup, the MMD is forming a database of all surface cleanup sites. Mr. Brancard also gave a short overview of funding sources, in which he explained the problems he faced in getting initial funds to keep research of sites going. He briefly discussed Senator Bingaman's efforts to amend current mining laws to include uranium issues into cleanup fund appropriations. He also explained funding problems related to delays in appointment of DOI officials. The delays have resulted in programs being tabled instead of moving forward.

In response to a subcommittee inquiry, Mr. Brancard explained that penalties from improper mining practices that had been in a state-created fund were appropriated by the legislature for this purpose and state and federal appropriations for such projects have funded the efforts.

Mr. Brancard also responded by supporting previously made comments to continue to pressure the New Mexico congressional delegation to support and fund uranium mine cleanup efforts. He also stressed the importance of high-ranking state and federal officials being aware of the seriousness and dangers of not reclaiming uranium mines; that way officials can make more informed decisions on which projects to move forward.

On an inquiry from the subcommittee, the audience was asked if there are any congressional staffers present. Representative Ben Ray Lujan had one constituent services representative in the audience. The subcommittee asked that all information heard today please be forwarded to Washington, D.C., so that these concerns can be addressed in a timely manner. The constituent services representative responded that she would pass on all information she heard to the D.C. office.

In his closing remarks, Mr Brancard informed the subcommittee that his organization is being negatively impacted by the state's hiring freeze and that key positions that relate to working on these issues have not yet been filled. He also informed the subcommittee that his staff have taken on a bigger workload and are being stretched thin in addressing these issues. The subcommittee also requested an outline from the NMED on any future MMD project plans.

### **Navajo Nation Five-Year Plan**

Stephen B. Etsitty of the Navajo Nation EPA was the third presenter. Mr. Etsitty thanked the subcommittee for the invitation to speak and gave an overview of the Navajo Nation's Five-Year Plan for surface mine cleanup. The plan is to remain active until 2012. He informed the subcommittee that the federal EPA was in charge of most operations and gave a brief history of how the Navajo Nation EPA raised uranium mine cleanup concerns to the U.S. House Natural Resources Subcommittee in 1993. He briefed members on all problems being faced by his organization and problems related to cost-sharing to attain more federal and state funding. He asked the subcommittee to request federal agencies to ease some funding restrictions so that the Navajo EPA can continue to qualify for funding under uranium mine cleanup programs.

Mr. Etsitty gave a brief overview of a new project with the federal Centers for Disease Control and Prevention to study consumption of uranium in ground water for Navajo tribal members. He requested continued support from the subcommittee and opened the floor to questions.

The subcommittee asked how these projects affect the underground aquifer. Mr. Etsitty responded that none of these projects are meant to clean up ground water; they are meant for surface and subsurface cleanup activity only.

The subcommittee expressed its frustration with EPA Region 6 and Region 9 not working together to address cleanup in the area. Mr. Etsitty responded that they have recently started to collaborate efforts regarding cleanup, but more work needs to be done to address this issue. The subcommittee expressed its desire for both EPA Regions 9 and 6 and the Navajo EPA to work together and change the focus of cleanup activities to ground water, because it is the same ground water aquifer that is being used and exposed to contamination by everyone.

The subcommittee directed LCS staff to examine the extent of coordination between EPA Region 6 and Region 9 in working on ground water remediation.

### **Community Concern: Complete Cleanup**

The fourth panel of presenters were Chris Shuey of the Southwest Research and Information Center and Mitchell W. Capitan, Art Gebeau and Nadine Padilla of the Multicultural Alliance for a Safe Environment. The panel presented on community concerns for a complete cleanup of uranium legacy sites in Cibola County and McKinley County areas.

The presenting panel requested both the IAC and RHMC to seek an Army Corps of Engineers study on moving the tailings piles from the Homestake Mine, resulting in accelerated remediation at that site. The panel also requested both committees to help expand the RECA for post-1971 uranium workers and provide funding for health studies and requested both subcommittees to use the cleanup opportunities to create green jobs for New Mexicans. The panel then opened the floor to questions from subcommittee members.

The subcommittee inquired where the tailings piles should go if they were to be removed. Is it a good idea to place the tailings piles in an area where there is no contamination and possibly contaminate something else? The panel members responded that they do not know where the piles should be removed, but they are simply suggesting that it would help speed up the remediation process.

Following the presentation regarding community concerns, Senator Lovejoy recessed the meeting at 4:45 p.m.

### **Tuesday, August 25 — Cibola County Government Center**

The first meeting of the Uranium Policy Subcommittee was called back into session by Senator Lovejoy at 9:15 a.m. at the Cibola County Government Center.

### **Roundtable Discussion**

Representative Lundstrom gave an overview of the day's meeting moderated by Carl Moore. She then handed the floor over to Mr. Moore, who then presented the ground rules for the roundtable discussion. He explained that the purpose of today's discussions was to reach a consensus of items to be discussed at the joint meeting of the IAC and RHMC in Albuquerque on September 10, 2009. He also requested participants in this discussion to be clear, open and critical yet civil in conducting themselves in a respectful manner and to work together to address

the uranium legacy issues that impact New Mexico. He also noted that a report on this meeting would be prepared for both the subcommittee and the public to review. Mr. Moore explained that today's discussion would be directly related to the handouts given to subcommittee members at the after-meeting dinner of yesterday's subcommittee meeting in Gallup. He asked for a show of hands of people in the audience who attended that dinner meeting and selected three attendees of that meeting to briefly give their personal opinions of what was discussed and the productivity of it.

Mr. Moore selected Frank Cerno of the Pueblo of Laguna, Mark Pelizza of Uranium Resources, Inc., and Senator Lovejoy to make brief comments.

Mr. Cerno stated that he found the meeting interesting, especially the presentation regarding the Grants Uranium Belt. He felt cleanup efforts are more focused on surface sites and not ground water. He recommended that the focus of cleanup be on ground water contamination. Mr. Cerno voiced his concerns about funding problems for cleanup activities. He recommended that the whole region of uranium activity be included in cleanup plans instead of just site-specific areas. He also noted that he would like to see studies on the impact of uranium on the cultures of the surrounding areas where uranium mining has been conducted to get a different point of view on uranium legacy.

Mr. Pelizza expressed his frustration with the problems left by the uranium legacy. He felt that it is a good thing that talks on the issue are happening, but he expressed that a greater need for action should be done in addition to any discussion. He sees the locals of the area feeling the burden of the uncleaned mines and the health problems that the mines have created. Mr. Pelizza wondered why, with 32 of the 520 mine sites the Navajo Nation has identified for cleanup, there is not more interstate cooperation in addressing cleanup for both states. He added that more coalitions should be formed to work on all aspects of the uranium legacy.

Senator Lovejoy expressed her satisfaction with yesterday's meeting. She felt the group was diverse and had an open exchange of ideas. Senator Lovejoy was happy everyone stayed on point for the meeting, but members of the group are still far apart on addressing some points on the legacy issue. She reiterated that more collaboration and more open dialogue need to be done by coming together to resolve these issues instead of just finger pointing. She questioned who should be the one to step up and address this issue, either the federal or state government, or both. Senator Lovejoy commented on the sensitivity of the impact to local cultures and the need to have everyone that is a stakeholder be involved with solving the legacy problems. She noted the problems that keep the parties far apart and expressed her opinion that more education on the issue is needed on all sides. She expressed her displeasure with the lack of assistance and coordination with uranium legacy issues from the Governor's Office and how the whole issue of uranium cleanup is not taken as seriously as it should be. She closed her comments by stating that despite the problems related to the issue, there is hope in addressing the problems and that good progress for the September meetings has been made with yesterday's meeting.

Mr. Moore asked for additional opinions from the audience and then reiterated the

obstacles that are being faced for the issue of uranium legacy, referring to the blue handout with which he provided attendees. Mr. Brancard added to Mr. Moore's comments, stating that there is no law that requires any uranium business to clean up past legacy in the time frame prior to 1972 and that there is no one law to give cleanup authority to any one federal agency.

The subcommittee members commented on how the legislature has shortcomings in passing bills regarding uranium legacy issues and how the bills end up dying in a committee or on the floor. They noted that there are problems with gaining legislator support on certain issues and that, without more public support, these efforts will fail to gain passage through a committee. Without some lobbying efforts, this initiative will die.

Secretary of Indian Affairs Alvin Warren made the comment that this issue of uranium legacy is of importance to the governor, his staff and agencies, but there is a greater need for higher engagement and remediation. The subcommittee expressed its feeling that a lack of representation from the Governor's Office says something about the governor's stance on this issue.

Mr. Moore then broke the roundtable group into three separate groups to form ideas of short-term action that the subcommittee can recommend to the joint committees to address uranium legacy issues. Mr. Moore then reviewed the group's lists of short-term ideas and asked the roundtable discussion group as a whole what should be agreed on as a group, and who should be responsible for follow-up.

### **Final Recommendations**

The subcommittee then held final discussions on the recommendations for short-term action to address the uranium legacy issues. General consensus was reached on the short-term recommendations of the subcommittee. The Uranium Policy Subcommittee recommends that the RHMC:

- Support a joint memorial requesting the New Mexico Institute of Mining and Technology and New Mexico State University-Grants Campus work with the United States Geological Survey and New Mexico Bureau of Geology and Mineral Resources to produce and provide educational materials for public dissemination regarding uranium legacy concerns in New Mexico.
- Vote to send a letter on behalf of both committees to Senator Jeff Bingaman, Senator Tom Udall, Representative Ben Ray Lujan and Representative Harry Teague requesting that they hold joint field hearing style meetings in the Grants Mineral Belt region on the topic of uranium legacy in New Mexico.
- Vote to send a letter on behalf of both committees to New Mexico congressional delegation members requesting that they seek a National Academy of Sciences, Institute of Medicine or similar impartial and capable federal agency study to identify diseases or conditions caused by radiological or heavy metal exposure as a result of

- past uranium mining and milling activities, including birth defects and kidney failure.
- Vote to send a letter on behalf of both committees to Governor Bill Richardson requesting that he place uranium legacy cleanup on the proclamation for the special session tentatively planned for later this year.
  - Vote to send a letter on behalf of both committees to New Mexico congressional delegation members requesting that they work to achieve the eight points outlined in the previous letter sent by the Uranium Mining and Tailings Task Force.
  - Respectfully express to the federal agencies collaborating on a New Mexico five-year plan to address uranium legacy cleanup the importance of including: an electronic clearinghouse of relevant uranium legacy data compiled from federal and state agencies and company reports assessable to federal and state agencies; a comprehensive peer-reviewed study to fill in the data gaps related to current uranium legacy contamination of both surface land and surface and ground water on a regional level; community input; and proper funding and commitment in order to duplicate the success of the EPA Region 9 in reaching benchmarks on the Navajo Nation Five-Year Plan.
  - Respectfully request that the EPA include a model in which the tailings piles at the Homestake site are completely removed in the optimization study currently underway.
  - The subcommittee directed LCS staff to research alternative avenues to pressure the federal government to dedicate the proceeds from the sale of the uranium inventory held by the DOE specifically to fund uranium legacy cleanup activities in New Mexico.
  - The subcommittee directed LCS staff to research the efforts taken by other states to address uranium legacy.
  - The subcommittee directed LCS staff to work with the Indian Affairs Department to seek formal endorsement and support from the affected tribes of the letters sent by the joint committees.
  - The subcommittee directed LCS staff to work with the interim legislative Land Grant Committee to seek formal endorsement and support from the affected acequias and land grants of the letters sent by the joint committees.
  - The subcommittee directed LCS staff to draft a report on the subcommittee's recommendations to the joint committees and have the report ready to present on September 10, 2009.

- The subcommittee indicated that members should host a breakfast during the Sixty-Second Annual Meeting of the Council of State Governments-WEST to create awareness of uranium legacy at a national level.
- The subcommittee also stated that all of the state holders that participated at the meeting must work together and continue to engage the legislature to ensure the body as a whole is informed about uranium legacy and the need for action.
- There was heavy debate on the feasibility of holding a decision-makers conference due to lack of funding for the New Mexico Bureau of Geology and Mineral Resources to host the conference for IAC and RHMC members. The out-of-pocket cost for a decision-makers conference is approximately \$75,000. While the subcommittee members agreed that the conference would be beneficial, no consensus among the members could be made on how to recommend funding for the conference.

The subcommittee directed LCS staff to request another subcommittee meeting in December to follow up on what was discussed and on letters sent to congressional delegates and federal agencies. Subcommittee members added that it sounds like a good idea, but it may not be approved by the New Mexico Legislative Council.

### **Public Comments**

The floor was then open to public comments. Senator Lovejoy thanked all that signed up to make a public comment and then went over the ground rules for making public comments.

The first public comment came from Steve Stewart, president of Stewart Brothers Drilling Company based in the Grants/Milan area. Mr. Stewart thanked the subcommittee for its work on addressing problems with the uranium mining legacy. He expressed his concerns about the effects of higher standards for exploratory drilling. He encouraged the subcommittee to continue its efforts on the legacy issue and asked the subcommittee to support uranium mining in local areas. He informed the subcommittee that his company has experienced job losses because of increased regulations and noted that the losses in jobs affect the tax base and revenue raised. He thanked the subcommittee for the opportunity to speak.

Next to make a public comment was Les Gaines, also from Stewart Brothers Drilling. Mr. Gaines thanked the subcommittee for the opportunity to speak. He then expressed his concerns about job losses due to a lack of mining in the local area. He encouraged continued work on legacy issues and subcommittee support for the uranium mining industry.

The next person to make a public comment was Benjamin House of the Eastern Navajo Lake Association-Uranium Resources Division. Mr. House commented on the positive impact of uranium mining on the Navajo Nation. He expressed the need for further support of mining to create jobs. He requested that the subcommittee support the uranium mining industry.

Ron Pynes, a local businessman, was the next to make a public comment. Mr. Pynes commented on the need for continued support for active uranium mining in the local area and throughout New Mexico. He cited the need for uranium mining to curb the outsourcing of uranium from foreign suppliers and advocated the use of domestic uranium mining to fulfill the country's uranium needs.

The final person to make a public comment was James Marquez from Marquez, New Mexico. Mr. Marquez made the comment that the subcommittee should be supportive of continued uranium mining. He cited the need for jobs and industry in the local area and that supporting the industry would bring jobs to the area. He touched on the problems with past remediation efforts and stated that the problems should not be what hinder future mining efforts because mining is much safer now than it was in the past. Mr. Marquez then thanked the subcommittee for allowing him to make a public comment.

After Mr. Marquez made his comments, the subcommittee asked a couple of questions regarding their comments.

Senator Asbill asked Mr. House a question regarding his stance for continued uranium mining on the Navajo Nation. Senator Asbill asked, "What is the status of the Navajo Nation's moratorium on uranium mining?". Mr. House replied, "There is still a ban, but it should be lifted and let us develop the land how we see fit".

Senator Lovejoy made her closing remarks by thanking her colleagues on the subcommittee for the work on uranium legacy issues. She thanked Mr. Moore for facilitating the roundtable discussion, she thanked the audience for their attendance and participation in the roundtable discussions, and she thanked the subcommittee staff for their work on the subcommittee. She reminded everyone that there will be a joint meeting of the IAC and HMC next month on September 10, 2009 in Albuquerque.

### **Adjournment**

There being no further business before the subcommittee, the first meeting of the Uranium Policy Subcommittee was adjourned at 3:35 p.m.