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President Ben Shelly Delares 'Uranium Legacy Remembrance and Action Day'

Window Rock, AZ—President Ben Shelly announced today that he has issued a proclamation declaring Saturday, July 16, 'Uranium Legacy Remembrance and Action Day.' The proclamation was issued to commemorate the 32nd Anniversary of the Church Rock Uranium Tailings Spill and 60 years of Uranium Impacts in Navajo Country.

"In 1979, radioactive waters flowed and through Church Rock Chapter, in to Gallup and flooded the homes of Navajo residents and changed the world," stated President Shelly. "Navajo lands became the testing grounds for the world to test the impact of accidental nuclear releases on unsuspecting people and sacred, pristine lands, our lands. As a result, we pass the Diné Natural Resources Protection Act of 2005, banning uranium mining and processing on Navajo lands until the impacts have been addressed and sadly, we are generations away from addressing all those problems. I am honored to sign this proclamation to remember the people affected by radioactive waste and lands contaminated in New Mexico and Arizona."

Full text of the proclamation is below:

WHEREAS, On July 16, 1979, an earthen dam at the United Nuclear Corporation uranium mill tailings facility collapsed, releasing 1,100 tons of radioactive tailings and 94 million gallons of toxic wastewater to the Puerco River; and

WHEREAS, The Church Rock Uranium Tailings Spill contaminated the river for at least 80 miles, affecting the communities of Pinedale, Church Rock, Gallup, Tseyatoh and Manuelito in New Mexico, and Lupton, Houck and the New Lands Area near Sanders and Chambers in Arizona; and

WHEREAS, The Spill is the largest release of radioactive waste, by volume, in U.S. history, and ranks second only to the Chernobyl nuclear reactor accident in total radiation released; and

WHEREAS, Many Navajo residents of the river valley lost livestock in the days after the Spill, others stopped gathering herbs from the river banks, and a few were burned by the acidic wastewater; and

WHEREAS, The Puerco River was also contaminated by discharges of untreated or poorly treated uranium mine water and municipal sewage for a period spanning parts of three decades, and uranium levels in groundwater below the streambed in the Church Rock area was increased by up 67 times over normal levels; and

WHEREAS, Despite the widespread impacts of the Tailings Spill and of mine dewatering in communities downstream from Church Rock in the 1970s and 1980s, federal and state governments declined to fund and conduct a comprehensive health study among the populations in the Puerco River Valley in both states; and

WHEREAS, Beginning in 2003, Church Rock Chapter and community-based groups secured private funding to conduct environmental monitoring that demonstrated mining-related contamination was still present in residential areas near mining and milling operations, more than 20 years after the last mines closed; and

WHEREAS, Beginning in 2004, community-based groups collaborated with universities to conduct a targeted health study in 20 chapters of the Eastern Navajo Agency, the preliminary results of which have been reported to the Navajo Nation and indicate that long-term exposure to uranium from living in close proximity to abandoned mines increases an individual's risk of kidney disease and diabetes; and

WHEREAS, Only a few of the 19 abandoned mines in the Church Rock area have been reclaimed, largely as a result of the efforts of the Navajo Nation Abandoned Mine Lands Department, and a reclamation plan was proposed just this year for the Northeast Church Rock Mine, the largest abandoned mine in the area, which closed more than 27 years ago; and

WHEREAS, The company that has acquired UNC — General Electric — and which is now responsible for remediating the UNC tailings pile and the Northeast Church Rock Mine, has not publicly committed the necessary financial resources to restore the lands damaged by mining, to improve public roads in the residential areas near the mine, and remove all mining wastes from the area as requested by local residents; and

WHEREAS, The Navajo Nation has asked Congress to appropriate one-half billion dollars to help remediate and restore more than 500 uranium mining sites, scores of homes contaminated with mine wastes, and dozens of water sources polluted with uranium that are located throughout Navajo Country, yet the Federal Government has allocated only a few million dollars in new funding from existing agency budgets to address the Navajo Uranium Legacy; and

WHEREAS, Other communities in the Grants Mineral Belt — notably Cebolleta, Laguna Pueblo, Milan, and Ambrosia Lake — have been similarly impacted by uranium mining and milling, and reclamation and restoration of lands and water in these places, and protection of public health, are also lagging behind because of the lack of a comprehensive Federal plan to address the Uranium Legacy; and

WHEREAS, Early uranium workers have not been fully compensated for the diseases they contracted from their work in the 1940s, '50s and '60s, and evidence suggests that those who worked after 1971 in “modern” mines were also exposed to dangerous levels of radiation and toxic substances that may have adversely affected their health, too; and

WHEREAS, In response to the threat of new uranium mining proposed in Church Rock and Crownpoint Chapters and around Mt. Taylor, a sacred mountain of the Navajo and Pueblo peoples, the Navajo Nation Council adopted the Diné Natural Resources Protection Act (DNRPA) on April 19, 2005, prohibiting uranium mining and processing in Navajo Country; and

WHEREAS, The Red Water Pond Road Community, with support from Church Rock and Coyote Canyon chapters and other organizations, is holding a 32nd Anniversary Commemoration of the Church

Rock Uranium Tailings Spill “to remember and honor the Diné communities that were affected by the largest release of radioactive waste in U.S. history, and to reaffirm the Navajo Nation’s ban on uranium mining and processing”.

NOW, THEREFORE, BE IT PROCLAIMED...

That, for the foregoing reasons, I, Ben Shelly, President of the Navajo Nation, hereby declare July 16, 2011, as “Uranium Legacy Remembrance and Action Day” for the purpose of informing the people of the United States of America and of the World that we, the Diné, will never forget the devastation that uranium mining and processing has wrought on the health, safety, and natural resources of our Nation, and that we will continue to work to restore our health, lands and water to their natural conditions to return harmony and balance to our relationship with our sacred Mother, the Earth.

And further, I also proclaim that the Navajo Nation reasserts its call to the Federal Government and private industry to appropriate the necessary financial resources to undertake and complete within the next decade a Comprehensive Action Plan to resolve the Uranium Legacy throughout the U.S., toward of the goals of —

1. Implement and enforce the DNRPA ban on uranium mining and processing in Navajo Country.
 - 1a. This goal can be implemented by the Navajo Nation taking a direct role technically and legally in federal licensing (NRC) and state permitting (NMED) of the proposed HRI Crownpoint Uranium Solution Mining Project, which is currently focused on permitting the Church Rock Section 8 ISL site. NMED is considering whether to renew HRI's 1989 state injection permit, and the Navajo Nation can support the community by becoming a party to the NMED's permitting process and opposing issuance of the permit.
2. Develop and implement a comprehensive solution to reclamation of mines and disposal of mine wastes in the Church Rock area.
 - 2a. The larger Church Rock community has opposed EPA's proposal to move the Northeast Church Rock Mine wastes to the UNC/GE tailings site. RWPRCA has offered options for considering EPA's proposal, but only if a thorough investigation of alternative sites and consolidation of wastes from other abandoned mines in the area is conducted.
3. Press the Federal Government to expand funding for health studies.
 - 3a. The existing DiNEH Project kidney health study has run out of funds, yet has another 9 to 12 months of work to do to complete the study, which to date shows that living near abandoned mines and mine wastes increases health risks.
 - 3b. The Navajo Birth Cohort Study, which will assess the effect of uranium exposures on pregnancies and pregnancy outcomes, is authorized for only three years (FYs 2010-11 thru 2012-13) and has funding for only the first two FYs; it will need funding for a much long period to obtain results.
 - 3c. Funds are needed to study the effects of uranium exposures on the health of the current populations, from children to elderlies.
 - 3d. Funds are needed to expanded sampling and testing of unregulated water sources and to improve and expand existing public water supplies.
4. Advocate for amendments to RECA to fully compensate all uranium workers through 1990 and provide compensation for community members made ill by living near mine and mill wastes.
 - 4a. The Navajo Nation should support the proposed amendments to RECA to improve access to compensation benefits for workers currently covered by the law (1949-1971) and to expand eligibility to people who workers from 1972 to 1990.

4b. Results of the current health studies indicate that uranium wastes have contributed to increased health risks among community members who live near AUMs. The proposed amendments to RECA authorize health studies among these community members, and the Navajo Nation should support these amendments and provide information to Congress on the extent of environmental contamination in uranium-impacted communities.

That, for the foregoing reasons, I further proclaim that the Navajo Nation reaffirms its commitment to implement and enforce the Diné Natural Resources Protection Act to prevent further harm to our people and our resources from uranium development in Navajo Country, and I call on Federal and State permitting agencies to respect the Navajo Nation's sovereign uranium ban by declining to issue permits for new mines and mills within Navajo Country.

And that, I hereby recognize and extend the Navajo Nation's deepest appreciation to the many Diné individuals, communities and organizations, and the many non-Navajo individuals and organizations, who have worked tirelessly for 30 years to study the effects of the Tailings Spill and uranium mining in Navajo Country, and who have continually sought and demanded justice for those who have been adversely affected by the Uranium Legacy.

Attest:

Signed at the Executive Office this 15th Day of July 2011.

Witness my hand and the Great Seal of the Navajo Nation

President Ben Shelly

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