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U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515

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April 19, 2012

Secretary Steven Chu
Department of Energy
1000 Independence Ave. SW
Washington, DC 20585

Administrator Lisa Jackson
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, DC 20460

Dear Secretary Chu and Administrator Jackson:

On March 31, 2012, *The New York Times* reported on the Department of Energy's and the Environmental Protection Agency's failure to clean up and remediate abandoned uranium mines that once supplied the federal government's nuclear weapons program on the Navajo Nation Reservation. As Democratic members concerned with environmental protection of Native American communities, we are deeply troubled by the federal government's failure and such failure's impact on the health and safety of Navajo Nation citizens.

The United States has a trust responsibility to provide for the health, safety and welfare of all Native Americans and Alaska Natives, and the Department of Health and Human Services, Indian Health Service in particular has a solemn obligation to protect and promote individual Indian health and safety. We have written to IHS Director Dr. Roubideaux seeking information regarding what steps her agency has undertaken or plans to undertake in concert with DOE and the EPA to address and prevent human contamination from radioactive mining sites on federal trust lands within the Navajo Nation. We now write to seek similar information regarding your respective agencies' response to this situation.

The *Times* reports that a uranium mine long abandoned in Cameron, Arizona, near the Grand Canyon continues to emit harmful and life threatening radioactivity despite a five year, multi-agency plan that reflects the "largest federal effort to date to clean up uranium mines" on the Reservation. Indeed, the EPA investigated the levels of radioactivity on this particular site and determined that further environmental review was necessary, yet according to the article,

nothing has been done to alert the public of the radioactive hazards that remain at the site or prevent people from entering. Evidence of social activity has been found on or near the old mine, indicating that exposure to radioactivity may be ongoing. This is especially disconcerting as the article further reports that “two days of exposure at the Cameron site reportedly would expose a person to more external radiation than the Nuclear Regulatory Commission considers safe for an entire year.”

And yet the mines on Navajo lands comprise just a fraction of the total found in the greater United States. The EPA has identified 4,000 uranium mines nationwide and 15,000 with “uranium occurrence.” Abandoned uranium mines are found in 14 western states, and 75% are on federal or tribal land. Moreover, the costs of cleaning up these sites far exceed reclamation funds that federal, state and tribal governments have available for reclamation. While there is not a national estimate of clean up costs of existing abandoned uranium mines, a study by the DOE in 2000 found that cleaning up 54 abandoned uranium mines cost nearly \$2.3 billion.¹

The Committee on Natural Resources heard about the wide reach of abandoned uranium mines during a February hearing convened to consider changes to the Surface Mining Reclamation Act. During that hearing, the Committee heard testimony from officials from the Navajo Nation and the Pueblo of Laguna that chronicled the struggles it has had cleaning up toxic waste left at abandoned uranium mines. Near Laguna, three decades after closing in 1982, the Jackpile-Paguate mine continues to contaminate streams used by the 8,200-person Tribe whose reservation is located 45 miles west of Albuquerque, New Mexico. The mine’s now-defunct operator, ARCO, provided just \$43 million of the estimated \$400 million cost to reclaim the mine. The Tribe, which has recently begun working with the EPA, has struggled to find funds not only to reclaim the land, but also to conduct critical studies to monitor post-reclamation environmental health. And, as the *Times* article indicates, the Navajo Nation alone has hundreds of abandoned uranium mines on its lands that continue to expose Navajos to high levels of radioactivity without the prospect remediation in the near term.

The connection between human exposure to high levels of radioactivity, like those found at the Cameron site, and development of serious and life-threatening health problems is undeniable. Citizens of the Navajo Nation, as trust beneficiaries, deserve better treatment from their fiduciary – the United States Government. And lack of funding or intra-agency politics are poor excuses for the federal government’s failure to remediate abandon mines within the Navajo Nation’s territory, particularly when these mines pose a real and immediate health threat. As the

¹ <http://www.epa.gov/radiation/docs/tenorm/402-r-08-005-voli/402-r-08-005-v1-ch4.pdf>

trustee-delegates to the Navajo Nation, whose future generations are being exposed to extremely radioactive sites due to federal neglect, you should agree that urgent action must be taken to address this ongoing problem. We await your full response to how and when your agencies plan to undertake and complete radioactive contamination cleanup of the Cameron site, as well as hundreds of other such sites across the Reservation, by May 21, 2012.

Please contact Jennifer Romero of the House Natural Resources Committee Democratic staff at 202-225-6065 with any questions.

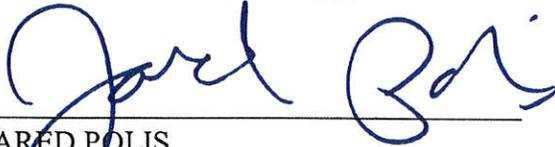
Sincerely yours,



EDWARD J. MARKEY
Ranking Member
Natural Resources Committee



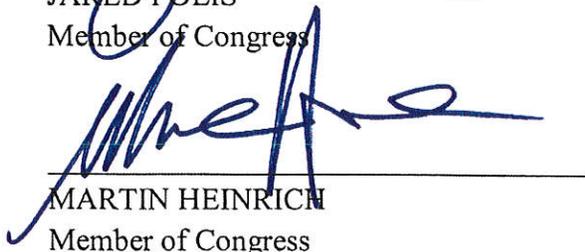
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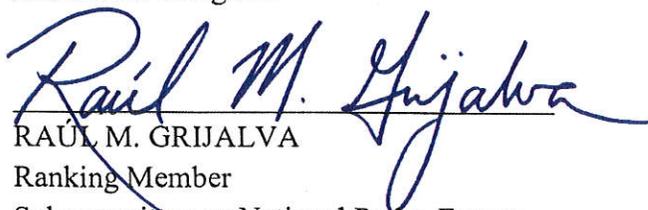
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Member of Congress



ED PASTOR
Member of Congress



RAÚL M. GRIJALVA
Ranking Member
Subcommittee on National Parks, Forests
and Public Lands

cc: Secretary Ken Salazar, Department of the Interior
Dr. Roubideaux, Director, Indian Health Service