

Hello Defenders,

A lot has happened since our last newsletter. We hosted the North American Indigenous Peoples Caucus meeting in March, a Sioux Nation Treaty Council meeting in April, prepared testimony for a hearing scheduled in August of the Crow Butte Uranium In Situ Recovery Mining and Milling operation, and also gave our comments at the Environmental Protection Agency hearing in Chadron, NB, regarding new rules for In Situ Recovery operations. We also have two new Board members: Carla Rae Marshall, a member of the Cheyenne River Sioux Tribe, and Erica Long Wolf, a member of the Northern Cheyenne Nation. Thank you to Carla and Erica for coming on board.

### **A. New regulations on In Situ Leach (ISL) or In Situ Recovery (ISR) Uranium Mining**

**SUMMARY:** The U.S. Environmental Protection Agency is announcing an extension of the public comment period for the Notice of Proposed Rulemaking (NPRM) requesting public comment and information on revisions to the EPA's "Health and Environmental Protection Standards for Uranium and Thorium Mill Tailings." The EPA published the NPRM on January 26, 2015 in the Federal Register (80 FR 4156).

Basically what the EPA is asking is if the public approves of 13 elements being listed to be watched during monitoring of ISR Uranium mining and/or milling operations. Monitoring would occur before the start up, during the operation, and for 30 years after the operation is finished. This is due to the companies pushing dissolving agents into the ground to dissolve Uranium and many other elements during ISR mining. Often, the dissolved solution goes out of the area and pollutes groundwater, or comes to the surface and pollutes rivers and streams due to accidents, pipes breaking, or the dissolving agent eating through the soil. It is very dangerous as the solution contains radioactive particles.

The EPA is just now making new regulations for the ground water that can be polluted by ISR Uranium mining. Research all over the world shows that this type of mining, ISR, always causes problems that can't be fixed. For people in the United States, this is more than 30 years late but we still need to voice our concerns.

If you want to comment on this, two copies of your letter need to be sent by May 27th. The address is:

Air and Radiation Docket  
EPA Docket Center  
Docket ID No. EPA\_HQ\_OAR\_2012\_0788  
1200 Pennsylvania Ave. NW  
Washington DC 20460

The beginning of your letter also needs to include the following so your letter won't get lost at EPA:

“Re: Health and Environmental Protection Standards for Uranium and Thorium Mill Tailings (40 CFR 192) Docket ID No. EPA\_HQ\_OAR\_2012\_0788”

The recommendations we have given in our comments to EPA include:

1. Thanking the EPA for listing the 13 ground water constituents. However, the number of constituents needs to be expanded to include all of the decay products of Uranium 238, or naturally occurring Uranium, including naturally occurring Thorium 234 prior to beginning an ISR operation.
2. A map showing where the list of constituents are located within a 200 mile radius of the operation site, and the amount of constituents found, needs to be prepared before the mining operation begins and the information given to the public for their consideration.
3. A map of the direction of flow underground within a 200 mile radius of the operation site, in case the dissolved Uranium and all other constituents escape from the mining operation. The map must be available to the public for their consideration prior to beginning an ISR operation.
4. A map of the rate of flow underground within the aquifer in a 200 mile radius of the operation site, that could carry the dissolved Uranium and all other materials that might escape from the mining operation. The map must be available to the public for their consideration prior to beginning an ISR operation.
5. A map of all wells getting water from the aquifer in a 200 mile radius of the operation site must be given to the public for their consideration prior to the start of an ISR operation, because the pulling pressure of the well will pull the dissolving Uranium and other radioactive materials into the well field should they escape from the mining operation.
6. The deposit of Uranium to be mined must be contained on all sides by a geologic layer within the aquifer so it will not be spread by the dissolving agent. The layers keeping the Uranium from spreading must not be able to be melted by the dissolving agent.
7. The ground water chemistry should be monitored by an independent monitor frequently on an unannounced basis, not left to self-monitoring by the mining/milling company. It is not excessive to require 30 years of monitoring due to the long half-life of many radioactive materials such as naturally occurring Uranium 238 whose half-life is 4.4 billion years.
8. Criminal charges must be filed for any late reporting of accidents or excursions as radioactive pollution is too dangerous to the health of all people and the environment.
9. Finally, the rights granted to the people of the Great Sioux Nation in the 1868 Fort Laramie Treaty are not waived by the submission of comments.

If you would like a copy of our complete comments, please let us know at Defenders of the Black Hills, PO Box 2003, Rapid City, SD 57709.

## **B. Old Graves found in Bear Butte area**

There is a push by the Meade County Commissioners to have a gravel by-pass road built around Sturgis, SD. This is the town where a large motorcycle rally is held in August which ties up traffic on Interstate 90. However, in the area where they want to build the road, they have found many ancient, American Indian graves. One of the County Commissioners, Alan Aker, still wants to build the road. However, according to SD law, it is a felony to disturb graves. (See SD Compiled Laws 34-27-26 to 34-27-31.)

34-27-26. Disturbing human skeletal remains or funerary objects as felony. No person unless authorized by the state archaeologist may knowingly disturb or knowingly permit disturbance of human skeletal remains or funerary objects except a law enforcement officer or coroner or other official designated by law in performance of official duties. A violation of this section is a Class 6 felony.

Please contact the Tribal Historic Preservation Offices, the Tribal Presidents and Councils, and all your neighbors and friends, and let them know about this. Perhaps a big Prayer Gathering needs to happen to help protect our ancestors' graves. Perhaps many letters to the Meade County Commissioners would also help. Their address is:

Meade County Commissioners  
1425 Sherman St.  
Sturgis, SD 57785

## **C. Riley Pass Abandoned Uranium Mine Wopila and Environmental Campout**

Some of you know that for more than 10 years, we have been going to the east side of the Riley Pass Abandoned Uranium Mine to pray at a sacred site and ask for the clean up of the 103 abandoned uranium mines and prospects in Harding County. The dust and water runoff from these mines travel to pollute the air and the Grand and Morreau Rivers with dangerous radioactive particles. Now, through a lawsuit that was won, the Riley Pass mine is scheduled to be cleaned up.

In the Sioux culture, we need to give thanks to the Creator for answering our prayers, so a **Wopila Prayer Gathering is planned for Friday, June 12th, at 10:00 AM (MDST) at the sacred site near the Riley Pass Mine**

. However, due to high radiation levels at the site, we ask that no children or young adults attend. Dust masks will be available.

The turnoff, a red gravel road, going to the Riley Pass Mine is about 1.5 miles past the town of Ludlow, SD, on state Highway 85. Follow the road about 5 miles always turning to the left. We will park at the U.S. Forest Service sign and walk up to the sacred site for the Wopila (Thank You) prayers. It is about a quarter mile, uphill walk.

Following the Wopila, we will go to the Reva Gap Campground on state Highway 20, between the towns of Buffalo and Reva for lunch. In the afternoon, U.S. Forest Service personnel will

give a presentation regarding the cleanup project, and what else will happen to the other 102 abandoned uranium mines and prospects.

**An Environmental Campout is planned for June 10-16 at the Reva Gap Campground** which is located in the beautiful Slim Buttes area in northwestern SD. Board member, Harold One Feather, will be coordinating the event and day trips to the site where the Keystone XL Pipeline plans on entering South Dakota, to the Bowman-Haley Lake and Shadehill Reservoir which collect the radioactive runoff from the North Cave Hills abandoned uranium mines, and other trips to historic sites. Bring your own camping gear, food, and water. Primitive camping available. Contact Harold at [bhdefenders@msn.com](mailto:bhdefenders@msn.com), or PO Box 2003, Rapid City, SD 57709.

Submitted by Charmaine White Face, Coordinator