



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

OFFICE OF THE
REGIONAL ADMINISTRATOR

FEB 23 2018

The Honorable Russell Begaye
President, Navajo Nation
P.O. Box 7440
Window Rock, AZ 86515

Dear President Begaye:

I am writing to continue our government-to-government consultation on the *2014 Federal Agencies Actions to Address Impacts of Uranium Contamination in the Navajo Nation* working draft (see enclosure). I requested time on the Navajo Nation Council agenda the morning of April 19 to discuss the United States Environmental Protection Agency's (EPA) efforts to clean up the Navajo abandoned uranium mines, and would be available to separately consult with you.

This draft 2014-2018 Five-Year Plan was developed by the EPA, the Bureau of Indian Affairs, the Nuclear Regulatory Commission, the Department of Energy, the Agency for Toxic Substances and Disease Registry, and the Indian Health Service. During the initial 2008-2012 Five-Year Plan, the Agencies invested over \$100 million to reduce the most urgent risks to Navajo residents by remediating 34 contaminated homes, providing safe drinking water to 1,825 families, and performing stabilization or cleanup work at nine abandoned mines. We also conducted field assessments of 240 water supplies and 520 mines to gain a more complete understanding of the widespread scope of potential exposures to uranium contamination on the Navajo Nation. The work done to date would not have been possible without the partnership of your office, the Navajo Nation Environmental Protection Agency, and the Navajo Nation Department of Justice. This plan continues the work begun during the past five years, makes adjustments based on information gained during the initial plan, and identifies the next steps in addressing the most significant risks to human health and the environment.

This consultation process will be conducted in accordance with the *EPA Policy on Consultation and Coordination with Indian Tribes* (<http://www.epa.gov/tribal/consultation/consult-policy.htm>). Information about this consultation will be posted on EPA's Tribal Consultation Opportunities Tracking System (<http://tcots.epa.gov/oita/TConsultation.nsf/TC?OpenView>). At the end of the consultation period, EPA will provide written feedback on how input was considered in the final action. Subject to your approval, the EPA has invited partner agencies to join in this consultation as outlined in the portion of the EPA consultation policy related to joint undertakings. Consultation can occur with each agency involved in the plan individually or we could arrange for this joint consultation.

I would also like to offer formal consultation on the settlement agreement, also known as the Tronox settlement, between the United States and Anadarko Petroleum Corporation and some of its affiliates that took effect on January 21, 2015. The settlement provides almost \$1 billion for EPA Region 9 cleanup of approximately 50 abandoned uranium mines on and very near the Navajo Nation. In addition to the USEPA distribution, approximately \$45 million was distributed directly to the Navajo Nation as

part of the settlement. Coordination and consultation with the Navajo Nation will be an important part of our implementation of this settlement.

Finally, I look forward to learning more about the Diné Uranium Remediation Advisory Commission and working closely with it as it develops disposal options for cleanup of the mines.

I am designating Clancy Tenley, Assistant Director of the Region 9 Superfund program, as our point of contact for working with your staff to arrange this consultation; he can be reached at (415) 972-3785. Please also feel free to contact me at (415) 947-8702, or Superfund Director Enrique Manzanilla at (415) 972-3843. We are committed to continuing our partnership with the Navajo Nation to remedy the legacy of uranium contamination.

Sincerely,

A handwritten signature in black ink, appearing to read "Jared Blumenfeld".

Jared Blumenfeld
Regional Administrator

Enclosure

cc: Donald Benn, PhD, Executive Director, Navajo Nation Environmental Protection Agency
David Taylor, Navajo Nation Department of Justice