A JOINT MEMORIAL

URGING CONGRESS TO APPROPRIATE FUNDS FOR THE CLEANUP OF

ABANDONED URANIUM MINES OPENED AND OPERATED FOR THE BENEFIT OF

THE FEDERAL GOVERNMENT.

WHEREAS, a recent survey undertaken in cooperation with
the mining and minerals division of the energy, minerals and
natural resources department identified two hundred fifty-nine
abandoned uranium mines in New Mexico that had a record of
production of uranium, one hundred thirty-nine of which have no
record of reclamation, and the mining and minerals division is
currently undertaking a detailed evaluation of the extent of
contamination at twenty-one of those mine sites; and

WHEREAS, many of the unreclaimed uranium mines located in
New Mexico were operated during the 1950s and 1960s when the
primary purchaser of uranium was the federal government; and

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1   WHEREAS, the federal government in 1978 recognized its

2   responsibility to assist financially in the cleanup of

3   contamination from past uranium milling activities through the

4   passage of the federal Uranium Mill Tailings Radiation Control

5   Act of 1978, which provided that the federal government would

6   pay for the cleanup of mill sites that produced uranium solely

7   for government use; and

8   WHEREAS, Title X of the federal Energy Policy Act of 1992

9   also provided that the federal government would pay for the

10   cleanup of mill sites that produced uranium for both government

11   and private use in proportion to the amount of uranium that was

12   used for government purposes; and

13   WHEREAS, if the federal government is responsible for the

14   cost of cleaning up mill sites that produced uranium for

15   national defense purposes, it should also be responsible for

16   the cost of closing and cleaning up the mines that produced the

17   ore for the uranium mills; and

18   WHEREAS, the federal department of energy has developed a

19   policy for managing its surplus uranium inventories, one

20   element of which is to sell part of its surplus uranium

21   inventories; and

22   WHEREAS, it is estimated that the federal department of

23   energy sold approximately five million pounds of uranium in

24   2005, one million pounds in 2006 and five hundred thousand

25   pounds in 2007; and

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1   WHEREAS, in July 2007, the federal department of energy's

2 estimated total excess uranium inventory was equivalent to one

3 hundred sixty million three hundred thousand pounds of natural

4 uranium that, at a conservative value of fifty dollars ($50.00)

5 per pound, represents a value of eight billion dollars

6 ($8,000,000,000); and

7   WHEREAS, much of the federal department of energy's excess

8 uranium inventory originated in the uranium mines and mills in

9 New Mexico, activities that have left a legacy of radioactive

10 contamination threatening the health, safety and welfare of

11 residents in the area of the Grants mineral belt; and

12   WHEREAS, it is appropriate that a substantial portion of

13 the proceeds that will be realized as a result of the federal

14 department of energy's sale of its excess uranium inventory be

15 appropriated for the cleanup of the abandoned uranium mines in

16 New Mexico and elsewhere that produced that excess inventory;

17 and

18   WHEREAS, congress should permit funds generated pursuant

19 to the federal Surface Mining Control and Reclamation Act of

20 1977 to be used to cleanup and reclaim abandoned uranium mines,

21 which expenditures would have been permitted pursuant to the

22 provisions of Senate Bill 2779 and House Bill 5661 introduced

23 in the one-hundred-tenth session of congress; and

24   WHEREAS, it is important that funding through the sale of

25 the federal government's excess uranium inventory and through

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1   the federal Surface Mining Control and Reclamation Act of 1977

2   be made available to New Mexico so that essential but

3   long-delayed remediation activities can be initiated at

4   abandoned uranium mine sites in New Mexico; and

5   WHEREAS, funding through the sale of the federal

6   government's excess uranium inventory and through the federal

7   Surface Mining Control and Reclamation Act of 1977 would

8   provide immediate financial assistance for remediation

9   activities at abandoned uranium mine sites in New Mexico;

10   NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE

11   STATE OF NEW MEXICO that the United States senate and the

12   United States house of representatives be requested to approve,

13   during the one-hundred-eleventh session of congress, a program

14   whereby a significant percentage of the proceeds from the sale

15   by the federal department of energy of its excess uranium

16   inventory should be allocated on an annual basis to New Mexico

17   to be used by state and tribal entities to clean up and close

18   abandoned uranium mines; and

19   BE IT FURTHER RESOLVED that the United States senate and

20   the United States house of representatives be requested to

21   approve, during the one-hundred-eleventh session of congress, a

22   program whereby all federal funds allocated to New Mexico

23   pursuant to the abandoned coal mine program of the federal

24   Surface Mining Control and Reclamation Act of 1977 will be made

25   available for the cleanup of any abandoned mines, including

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uranium mines of state and tribal lands, and not be restricted

to the closing and cleanup only of coal mines; and

BE IT FURTHER RESOLVED that copies of this memorial be

transmitted to New Mexico's congressional delegation, the

governor, the president of the Navajo Nation, the speaker of

the Navajo Nation council, the governor of the Pueblo of Acoma

and the governor of the Pueblo of Laguna.

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