

1 A JOINT MEMORIAL

2 URGING CONGRESS TO APPROPRIATE FUNDS FOR THE CLEANUP OF  
3 ABANDONED URANIUM MINES OPENED AND OPERATED FOR THE BENEFIT  
4 OF THE FEDERAL GOVERNMENT.

5  
6 WHEREAS, a recent survey undertaken in cooperation with  
7 the mining and minerals division of the energy, minerals and  
8 natural resources department identified two hundred  
9 fifty-nine abandoned uranium mines in New Mexico that had a  
10 record of production of uranium, one hundred thirty-nine of  
11 which have no record of reclamation, and the mining and  
12 minerals division is currently undertaking a detailed  
13 evaluation of the extent of contamination at twenty-one of  
14 those mine sites; and

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

19 WHEREAS, the federal government in 1978 recognized its  
20 responsibility to assist financially in the cleanup of  
21 contamination from past uranium milling activities through  
22 the passage of the federal Uranium Mill Tailings Radiation  
23 Control Act of 1978, which provided that the federal  
24 government would pay for the cleanup of mill sites that  
25 produced uranium solely for government use; and

1           WHEREAS, Title X of the federal Energy Policy Act of  
2 1992 also provided that the federal government would pay for  
3 the cleanup of mill sites that produced uranium for both  
4 government and private use in proportion to the amount of  
5 uranium that was used for government purposes; and

6           WHEREAS, if the federal government is responsible for  
7 the cost of cleaning up mill sites that produced uranium for  
8 national defense purposes, it should also be responsible for  
9 the cost of closing and cleaning up the mines that produced  
10 the ore for the uranium mills; and

11           WHEREAS, the federal department of energy has developed  
12 a policy for managing its surplus uranium inventories, one  
13 element of which is to sell part of its surplus uranium  
14 inventories; and

15           WHEREAS, it is estimated that the federal department of  
16 energy sold approximately five million pounds of uranium in  
17 2005, one million pounds in 2006 and five hundred thousand  
18 pounds in 2007; and

19           WHEREAS, in July 2007, the federal department of  
20 energy's estimated total excess uranium inventory was  
21 equivalent to one hundred sixty million three hundred  
22 thousand pounds of natural uranium that, at a conservative  
23 value of fifty dollars (\$50.00) per pound, represents a value  
24 of eight billion dollars (\$8,000,000,000); and

25           WHEREAS, much of the federal department of energy's

1 excess uranium inventory originated in the uranium mines and  
2 mills in New Mexico, activities that have left a legacy of  
3 radioactive contamination threatening the health, safety and  
4 welfare of residents in the area of the Grants mineral belt;  
5 and

6 WHEREAS, it is appropriate that a substantial portion of  
7 the proceeds that will be realized as a result of the federal  
8 department of energy's sale of its excess uranium inventory  
9 be appropriated for the cleanup of the abandoned uranium  
10 mines in New Mexico and elsewhere that produced that excess  
11 inventory; and

12 WHEREAS, congress should permit funds generated pursuant  
13 to the federal Surface Mining Control and Reclamation Act of  
14 1977 to be used to cleanup and reclaim abandoned uranium  
15 mines, which expenditures would have been permitted pursuant  
16 to the provisions of Senate Bill 2779 and House Bill 5661  
17 introduced in the one-hundred-tenth session of congress; and

18 WHEREAS, it is important that funding through the sale  
19 of the federal government's excess uranium inventory and  
20 through the federal Surface Mining Control and Reclamation  
21 Act of 1977 be made available to New Mexico so that essential  
22 but long-delayed remediation activities can be initiated at  
23 abandoned uranium mine sites in New Mexico; and

24 WHEREAS, funding through the sale of the federal  
25 government's excess uranium inventory and through the federal

1 Surface Mining Control and Reclamation Act of 1977 would  
2 provide immediate financial assistance for remediation  
3 activities at abandoned uranium mine sites in New Mexico;

4 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE  
5 STATE OF NEW MEXICO that the United States senate and the  
6 United States house of representatives be requested to  
7 approve, during the one-hundred-eleventh session of congress,  
8 a program whereby a significant percentage of the proceeds  
9 from the sale by the federal department of energy of its  
10 excess uranium inventory should be allocated on an annual  
11 basis to New Mexico to be used by state and tribal entities  
12 to clean up and close abandoned uranium mines; and

13 BE IT FURTHER RESOLVED that the United States senate and  
14 the United States house of representatives be requested to  
15 approve, during the one-hundred-eleventh session of congress,  
16 a program whereby all federal funds allocated to New Mexico  
17 pursuant to the abandoned coal mine program of the federal  
18 Surface Mining Control and Reclamation Act of 1977 will be  
19 made available for the cleanup of any abandoned mines,  
20 including uranium mines of state and tribal lands, and not be  
21 restricted to the closing and cleanup only of coal mines; and

22 BE IT FURTHER RESOLVED that copies of this memorial be  
23 transmitted to New Mexico's congressional delegation, the  
24 governor, the president of the Navajo Nation, the speaker of  
25 the Navajo Nation council, the governor of the Pueblo of Acoma

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and the governor of the Pueblo of Laguna. \_\_\_\_\_