

A MEMORIAL

REQUESTING CONGRESS TO FUND THE RECLAMATION OF ABANDONED  
URANIUM MINES AND THE REMEDIATION OF URANIUM MILL TAILINGS.

WHEREAS, the Grants mineral belt, situated between Gallup and the Pueblo of Laguna in New Mexico, contains one of the world's richest uranium deposits; and

WHEREAS, dating back to the 1940s, states such as New Mexico mined uranium for the benefit of the atomic energy commission and the federal government's nuclear weapons program; and

WHEREAS, beginning in the 1950s and 1960s, private companies began extensive exploration, mining and milling activities related to the uranium deposits located in the Grants mineral belt on private, state, federal and tribal lands; and

WHEREAS, these activities continued through the 1990s, resulting in the mining and milling of more than one hundred seventy-five thousand tons of uranium ore from lands located in New Mexico; and

WHEREAS, unremediated contamination resulting from past uranium exploration, mining and milling activities constitutes a continuing threat to the health and well-being of residents of northwestern New Mexico; and

WHEREAS, state and federal studies have repeatedly shown

that surface water, ground water and soils were and remain contaminated by past uranium mining and milling activities; and

WHEREAS, the federal government and others have direct responsibility to provide funding, both for the initial surveying of these mines and for potential subsequent reclamation and remediation where warranted; and

WHEREAS, the Surface Mining Control and Reclamation Act of 1977 is a federal law that mandates a reclamation fee on each ton of coal produced in the country, and Title IV of that act provides for abandoned mine reclamation; and

WHEREAS, in 2006, the United States congress passed amendments to Title IV of the Surface Mining Control and Reclamation Act of 1977, providing that the funds collected from the reclamation fees will now go directly to the states rather than be appropriated by congress, and those amendments limit uncertified states, such as New Mexico, from using the funds available through the Surface Mining Control and Reclamation Act of 1977 for non-coal mine reclamation; and

WHEREAS, H.R. 785, introduced in the United States House of Representatives, would address the need for uncertified states to use Surface Mining Control and Reclamation Act of 1977 funding for non-coal mine reclamation; and

WHEREAS, under the Uranium Mill Tailings Radiation Control Act of 1978, which established two programs, the

United States department of energy is charged with completing surface reclamation at inactive uranium mill tailings piles; and

WHEREAS, various federal agencies were made aware of the tremendous need for the uranium legacy cleanup in the Grants mineral belt by the uranium mining and tailings task force established by the New Mexico legislative council in 2009, and the agencies have since made the uranium legacy cleanup in the Grants mineral belt a high priority; and

WHEREAS, as a result of the activities of the uranium mining and tailings task force, the United States environmental protection agency, specifically region six, took the lead to coordinate various federal, state and tribal agencies to be responsible for the uranium legacy cleanup and for publishing a multi-agency, five-year plan to address the uranium legacy cleanup; and

WHEREAS, New Mexico regulates uranium mining and milling activities through the department of environment and the energy, minerals and natural resources department; and

WHEREAS, the department of environment and the mining and minerals division of the energy, minerals and natural resources department have entered into cooperative agreements with various federal agencies to address the uranium legacy cleanup; and

WHEREAS, funding is a major limitation to completing the

reclamation of abandoned uranium mines and the remediation of uranium mill tailings in the Grants mineral belt;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that congress be requested to expedite the passage of legislation and appropriations to enact the necessary funding for the reclamation of abandoned uranium mines and the remediation of uranium mill tailings; and

BE IT FURTHER RESOLVED that the department of environment and the energy, minerals and natural resources department report on any funding received from the federal government and other sources since 2009 that may be used for the uranium legacy cleanup and that the departments provide a detailed presentation on the specific standards used to determine the expenditures of federal funds by November 1, 2011 to the appropriate interim legislative committee; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the director of the superfund division of region six of the United States environmental protection agency, the secretary of environment, the secretary of energy, minerals and natural resources, the speaker of the United States house of representatives, the president pro tempore of the United States senate and the New Mexico congressional delegation.