

HOUSE APPROPRIATIONS AND FINANCE COMMITTEE SUBSTITUTE FOR  
HOUSE MEMORIAL 50

**50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011**

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

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

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

9           WHEREAS, state and federal studies have repeatedly shown  
10          that surface water, ground water and soils were and remain  
11          contaminated by past uranium mining and milling activities; and

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

16          WHEREAS, the Surface Mining Control and Reclamation Act of  
17          1977 is a federal law that mandates a reclamation fee on each  
18          ton of coal produced in the country, and Title IV of that act  
19          provides for abandoned mine reclamation; and

20          WHEREAS, in 2006, the United States congress passed  
21          amendments to Title IV of the Surface Mining Control and  
22          Reclamation Act of 1977, providing that the funds collected  
23          from the reclamation fees will now go directly to the states  
24          rather than be appropriated by congress, and those amendments  
25          limit uncertified states, such as New Mexico, from using the

1 funds available through the Surface Mining Control and  
2 Reclamation Act of 1977 for non-coal mine reclamation; and

3 WHEREAS, H.R. 785, introduced in the United States House  
4 of Representatives, would address the need for uncertified  
5 states to use Surface Mining Control and Reclamation Act of  
6 1977 funding for non-coal mine reclamation; and

7 WHEREAS, under the Uranium Mill Tailings Radiation Control  
8 Act of 1978, which established two programs, the United States  
9 department of energy is charged with completing surface  
10 reclamation at inactive uranium mill tailings piles; and

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

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

24 WHEREAS, New Mexico regulates uranium mining and milling  
25 activities through the department of environment and the

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1 energy, minerals and natural resources department; and

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

7 WHEREAS, funding is a major limitation to completing the  
8 reclamation of abandoned uranium mines and the remediation of  
9 uranium mill tailings in the Grants mineral belt;

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

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

24 BE IT FURTHER RESOLVED that copies of this memorial be  
25 transmitted to the director of the superfund division of region

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1 six of the United States environmental protection agency, the  
2 secretary of environment, the secretary of energy, minerals and  
3 natural resources, the speaker of the United States house of  
4 representatives, the president pro tempore of the United States  
5 senate and the New Mexico congressional delegation.

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