

C.A.R.D. NEWSLETTER

August 12, 2008



Coloradoans Against Resource Destruction

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Fort Collins Ranked #2 - Uranium Mining Would Change That!

It's no surprise to anyone who lives in northern Colorado that Fort Collins earned a second place in CNNMoney.com's annual ranking of best small cities in America. The bicycle culture and grant award from the Department of Energy for solar projects made the point loud and clear: one of the reasons Fort Collins ranks number two on the list its commitment to the environment.

The prospect of uranium mining in our region threatens our environment, despite our best efforts at living green. To protect our community, each person reading this newsletter needs to be involved - so we can keep our ranking! See below for some of the many volunteer activities. Or contact Jackie at jladolph@frii.com for other opportunities.

Ault Highland Fall Festival

Who doesn't like fall festivals? Spend some time August 8th through 10th at the CARD booth for the Ault Highland Festival. Contact Nora nora1704@comcast.net for more information and to sign up. You will receive training, and new people will be partnered with "old hands." This is a job anyone can do, and it's also a fun way to spend a few hours.

DOE Sued Over Uranium Leases

A newly filed lawsuit accuses the Department of Energy of violating federal law during agency approval of uranium leases in the Uravan mining district in Montrose, Mesa and San Miguel counties.

Durango-based Energy Minerals Law Center and Western Mining Action Project in Lyons has filed suit against the Department of for failure to follow the National Environmental Policy Act in assessing the environmental impacts of thousands of uranium mining leases to over 27,000 acres of land.

The suit argues that granting the leases with improper NEPA review, including 6,600 acres of leases to Montrose County-based Energy Fuels Inc., ignores the cumulative impacts of

past, present and potential uranium contamination. The suit also claims the DOE failed to discuss impacts from the proposed Energy Fuels Resources Piñon Ridge uranium mill in the Paradox Valley, as well as the White Mesa, Utah mill and Canon City mill (currently not operated).

They allege that the DOE did not follow federal law in determining the environmental impacts associated with the leasing. It argues that these impacts must also be taken into consideration.

The federal court is asked to require the DOE halt the issuance of leases and start over. The plaintiffs ask the court to demand that DOE address the uranium leasing program - both issuance of new leases and the cleanup of old sites - through the NEPA process by doing proper environmental impact statements, or EIS. An EIS could result in an option of "no action" in the case of issuance of new leases.

"The DOE went forward based on the 2007 assessment and finding of no impact," said Travis Stills, the attorney handling the suit. "The crux of the complaint is based on the fact that the DOE needed to do an environmental impact statement. Federal law requires that they take a comprehensive look at the whole program."

"The DOE's actions defy logic for a program established to encourage the expansion of uranium mining when we all know the history of contamination and disease that existed in the past in the Uravan Mining district," Jeffrey Parsons, attorney for the plaintiffs, said Thursday. "The legacy of uranium mining in Colorado has been devastating."

Parsons said the whole purpose of NEPA was to assess cumulative environmental impacts in a region and, if it appeared as though there would be, to prepare an EIS on specific sites. He said the lawsuit should come as no surprise to the DOE, as the groups have been trying to get a remedy for almost two years. "We also want them to work with BLM and EPA along with other federal agencies to develop a long-term leasing program based on assessing the cumulative impacts of uranium mining and milling in this region and each agency passes the buck and refuses to take responsibility for it," he said. "So, we are asking the court to intervene and to order the DOE Office of Legacy Management to do their job properly."

The plaintiffs in the lawsuit are Denver-based INFORM, statewide Colorado Environmental Coalition, Denver Center for Native Ecosystems, and the national Center for Biological Diversity.

Lawsuit Filed in Fremont County

Citizens in Fremont County have filed a lawsuit designed to hold their County Commissioners accountable for their approval of uranium exploration within 500 feet of 44 land- and home-owners. Tallahassee Area Community (TAC), the group filing the suit, has been active in opposing an open pit mine proposed by an Australia-based company. The lawsuit alleges that the County Commissioners found the proposed exploration to be incompatible with the County Master Plan and inharmonious with the surrounding neighborhood. But the Commission still issued a Conditional Use Permit, which is needed before exploration starts. The lawsuit alleges that this violated rules that require an applicant to prove that an activity won't harm surrounding property values or pose a threat to the

health, safety, and welfare of residents. The suit also alleges that adequate water has not been identified to allow the project to go forward.

Past uranium exploration projects have a record of negatively impacting community health, safety and welfare. For example, the Goliad County Commission in Texas has filed suit to stop exploration due to negative impacts on the air and water in their area. In northern Colorado, proposed uranium mining appears to be negatively impacting property values.

Kay Hawkle, a TAC member, said "If the Board of Commissioners isn't required to follow its own rules, how can we possibly expect an Australian limited liability corporation to believe that it has to follow the County's rules?"

C.A.R.D. Wins Another Award

Thanks to everyone's hard work, we have another award to hang on the wall! In March, C.A.R.D. received a "Best of" Award from the *Rocky Mountain Chronicle*. We were named the "Best Proof the Grassroots Organizing is a Renewable Energy Source." This month, we received a 2008 "Green Giant Award" from the Poudre Valley Green Party.

Be part of an award winning team by donating or volunteering! What you do is part of your community's future.

Twenty-Six Years Later

A federal judge has ordered Colorado based Newmont Mining to help clean up the Midnite uranium mine. Newmont owns a majority of Dawn Mining, the company that operated the open pit mine north of Spokane, Washington. The mine shut down in 1981, leaking uranium, radium and lead into the streams and ground of the Spokane Indian Reservation.

The Midnite Mine takes up 350 acres. Two water treatment facilities were supposed to decontaminate the water leaking from the pits that were the mine. In spite of this effort to contain the abandoned mine's destruction, it is estimated that over \$150 million dollars will be needed to completely clean the site.

Though it is a win for the federal government in the fight to hold mining companies accountable, an appeal is inevitable. This will lengthen the amount of time that the mine leaks its toxins. The same technique used in the Midnite Mine, open pit mining, is proposed for the southern part of the Centennial Project in Weld County – only seven miles from Fort Collins and 16 miles from Greeley.

Finland Looks to Colorado

At a recent conference, Liliias Jarding, one of our Coordinating Committee members, ran into a woman from Finland. Uranium mining is also proposed there. When the woman discovered that Liliias was with C.A.R.D., she was thrilled. She said that people in Finland have been inspired by C.A.R.D.'s activities.

This is just one example of the many positive comments our community's efforts have received. Be part of the solution. It will take every person to continue the work to block uranium mining in our area.

Nunn Harvest Festival

CARD will have a booth at the Nunn Harvest Festival on August 15th. We need volunteers that day. Interested people should e-mail Nora Dixon, at nora1704@comcast.net.

Apparently the Centennial Project is not big enough.

(article from www.powertechexposed.com)

On June 24, Powertech Vice President Richard Blubaugh filed a [Notice of Intent \(NOI\) to Conduct Prospecting](#) with the Colorado Division of Reclamation, Mining and Safety. Powertech proposes to drill eight exploration boreholes and two ground water monitoring wells in an unspecified area six miles west of Nunn. The boreholes would range from 160-900 feet deep.

Under a previous NOI submitted in mid-2007, Powertech drilled 20 exploration boreholes and three monitoring wells, and “rehabilitated” 26 exploration holes originally drilled by Rocky Mountain Energy in the late 1970s and early 1980s (see *photo at right*). Details of this prospecting effort are considered confidential in accordance with state law in effect at the time. On June 2, 2008, Governor Ritter signed [Senate Bill 228](#), which begins to lift the veil of secrecy surrounding NOIs. However, the law is vague and implementing rules have not been drafted, so determining what information is confidential and what is not is a topic for debate.

In a [July 22 letter from the CDRMS to Blubaugh](#), Reclamation Specialist Allen Sorenson informed Powertech that the NOI as filed is “incomplete”. Sorenson cites some relatively minor deficiencies, but also challenges Powertech's decision to designate certain information as confidential:

You have placed the details of the proposed ground water monitoring wells in the confidential section of the NOI. Please provide your reasoning and rationale in terms of SB 228 for excluding this information from the public record.

And in an acknowledgment that exploratory drilling can bring radioactive materials to the surface, Sorenson places the following conditions on the drilling operation:

DRMS requires that Powertech commit to the following procedure and requirement for this NOI:

The surface of the backfilled mud pits will not exceed the following limits:

1. The concentration of radium 226 or radium 228 in soil may not exceed the background level by more than 5 picocuries per gram (pCi/g) or 0.185 becquerels per gram (Bq/g) averaged over the first 15 centimeters (cm) of soil below the surface; and
2. The concentration of natural uranium in soil with no radioactive decay products present may not exceed the background level by more than 30 pCi/g or 1.11 Bq/g, averaged over the top 15 cm of soil below the surface; and 150 pCi/g or 5.55 Bq/g, average concentration at depths greater than 15 cm below the surface, so that no individual member of the public will receive an effective dose equivalent in excess of 100 mrem per year or 1 millisievert (mSv) per year.

The DRMS will require test results demonstrating that these limits have not been exceeded; the tests are to be conducted during or immediately following the reclamation of the mud pits. If these limits are exceeded, DRMS may require appropriate offsite disposal of mud pit contents.

According to state rules, Powertech has sixty days from the date of the letter to address the issues raised. Otherwise, the DRMS may terminate the NOI.

Who Are We?

CARD (Coloradoans Against Resource Destruction) is a diverse collection of citizens concerned about the health, environmental and economic impacts of uranium-related activity. Our goal is to prevent uranium mining in Colorado and protect our valuable resources, especially our water, for future generations.

The CARD website, www.nunnglow.com, has a wealth of information about the proposed mining, the processes and the potential impact on our air and water. On our website you can learn what you can do to stop the proposed uranium mining, sign an online petition and make a donation.