

Richmond Times-Dispatch

SUNDAY, AUGUST 7, 2011

VIRGINIA'S NEWS LEADER • INRICH.COM • A MEDIA GENERAL NEWSPAPER

Virginia never banned uranium mining

By JOHN C. WATKINS

If you stay around long enough in state government you begin to see some of the same issues reappear. One of the very first public policy issues I dealt with as a freshman delegate in the Virginia General Assembly back in 1982 was whether to allow uranium mining in Virginia. Now, as Yogi Berra says, "It's déjà vu all over again."

Today, opponents would have us believe that the General Assembly imposed a ban on uranium mining back in the early 1980s. It did not. I know. I was there.

Here is what really happened:

Coincident with the joint venture between Marline Uranium Corp. and Union Carbide and the announcement of the discovery and intent to mine the largest undeveloped uranium ore deposit in North America, located in Pittsylvania County, the General Assembly imposed a temporary moratorium — not a ban — on uranium mining so that an independent study it had commissioned in 1981 on the potential feasibility and impacts of uranium mining could be completed.

The moratorium was intended as a first, not last, step in a lengthy examination of uranium mining in Virginia. Despite popular myths to the contrary, the moratorium simply directed that no permit applications for uranium mining could be accepted prior to July 1, 1984, and until a program for permitting uranium mining is established in statute.

From 1981 to 1985, four state government bodies — the Virginia Coal and Energy Commission (VCEC), the Uranium Mining Subcommittee, the Uranium Administrative Group (UAG) and the Uranium Task Force (UTF) — exhaustively studied virtually every aspect of the issue to determine, in effect, how a uranium mining permitting program should be established.

In 1984, a 12-month independent study of the potential radiological risks associated with uranium mining and milling, conducted by SENES Consulting Limited and overseen by the UTF and the UAG, concluded, "that uranium development [in Pittsylvania County] can be undertaken with minimal risks."

Based on these findings, the UAG then concluded in its final report to the VCEC "that uranium development activity can be undertaken with an acceptable level of risk and with economic benefits to the state" and recommended that the General Assembly lift the moratorium on uranium mining and begin promulgating the necessary regulatory and permitting structure to enable development to proceed.

In early 1985, the VCEC submitted its own report to the General Assembly based on the conclusions and recommendations of the UAG. That report concluded that "the moratorium on uranium development can be lifted if essential specific recommendations derived from the work of the [UTF] are enacted into law."

The report proposed draft legislation to lift the moratorium and establish necessary regulations for the industry.

Despite these findings, the General Assembly did not act after Marline made it clear it was no longer economically viable to develop the deposit due to a severe downturn in the market for uranium. Absent the primary advocate, the General Assembly moved on to other business, effectively leaving the moratorium in place.

Fast forward another 25 years.

The market for uranium yellow cake has recovered, and the Pittsylvania County deposit is economically viable again. This time, the local owners approached the General Assembly to pick up where Marline left off.

The VCEC, on which I continue to serve, has commissioned a study by the National Academies of Science to assist Virginia to determine whether uranium mining can be undertaken in a manner that safeguards the environment, natural and historic resources, agricultural lands and the health and well-being of its citizens.

In addition, the VCEC commissioned a socioeconomic study on the impacts of uranium mining. Both studies are scheduled for completion prior to the 2012 General Assembly session. We expect to have by that time a considerable amount of updated information from those studies to add to the findings and recommendations of the 1985 VCEC report.

Virginia has not "banned" uranium mining. The General Assembly prudently called a "time out" in the 1980s until it could gather enough information about uranium mining to establish prudent public policy, which it later received through the VCEC.

No uranium is mined in Virginia today because there are no regulations in place to give oversight of the operations. There are no regulations in place because the General Assembly has not acted to direct state agencies to promulgate them.

Hence, the question that will be placed before the General Assembly is not whether to lift a fictitious "ban" but whether to finally remove the "time out" and to direct state agencies to promulgate uranium mining regulations.

John C. Watkins, a Republican, is a member of the Virginia Senate, where he represents the 10 District, which includes Amelia and Powhatan counties, and parts Chesterfield, Cumberland, Goochland and Henrico counties as well as part of the city of Richmond. Contact Watkins at www.senatorjohnwatkins.com.