

1 A RESOLUTION OPPOSING THE MINING OF  
2 URANIUM IN THE COMMONWEALTH OF  
3 VIRGINIA IN THE ABSENCE OF AN UNBIASED,  
4 CONCLUSIVE STUDY ON THE POTENTIAL  
5 EFFECTS THEREOF  
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9 WHEREAS, in 1983, in response to proposals to mine uranium in the  
10 Commonwealth of Virginia, the General Assembly enacted a legislative moratorium on  
11 the mining of uranium in Virginia, which remains in effect today; and  
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13 WHEREAS, present-day estimates of uranium ore in Pittsylvania County and the  
14 price of uranium yellowcake indicate that uranium deposits in Pittsylvania County may  
15 be worth as much as \$7 to \$10 billion, prompting proposals to study the consequences  
16 of repealing the moratorium and developing a regulatory framework for uranium mining;  
17 and  
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19 WHEREAS, a company known as Virginia Uranium, Inc. has proposed to  
20 establish one of the largest uranium mining operations in North America in Pittsylvania  
21 County; and  
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23 WHEREAS, uranium mining by the process likely to be used in Pittsylvania  
24 County, if such mining is ultimately approved, results in the creation of huge volumes of  
25 highly mobile, radioactive, sand and clay-like sediments known as mill tailings, which are  
26 stored as slurries and sludge in ponds, and ultimately as dewatered tailings piles, where  
27 they retain 85% of their original radioactivity for hundreds of thousands of years; and  
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29 WHEREAS, historically, tailings pile confinement structures have failed in the  
30 United States and elsewhere, resulting in the release of radioactive particles and  
31 sediments to downstream surface waters; and  
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33 WHEREAS, it is well-documented and generally agreed within the scientific  
34 community that long-term exposure to the level of radiation that could result from a  
35 failure of a tailings pile confinement structure, or even a less catastrophic release, are  
36 highly deleterious to human health; and  
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38 WHEREAS, historically, many uranium mines have not been properly operated or  
39 closed, or in many instances have been abandoned, resulting in radioactive  
40 contamination of ground and surface waters, and in some cases leaving a legacy of  
41 environmental and human tragedy; and  
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43 WHEREAS, all uranium mines in the United States have, to date, been located in  
44 states with low rainfall and high evaporation rates, both of which are important factors in  
45 managing water and minimizing flooding, whereas Virginia's climate includes frequent  
46 tropical storms, hurricanes, and nor'easters, many of which have produced more rainfall

47 in a few hours than the total annual precipitation of the arid states where the nation's  
48 uranium mines are located; and

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50 WHEREAS, by contrast, Virginia's surface water hydrology has the capacity to  
51 cause significant erosion and structural damage to tailings piles, dams, and caps while  
52 simultaneously providing long-distance, transport and dispersal downstream of  
53 radioactive sediments released as a consequence of such erosion and damage, and  
54 many of the uranium mining catastrophes in arid states were caused by the inability to  
55 properly manage water, even though water management in such states is much less  
56 problematic than in Virginia; and

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58 WHEREAS, these past environmental disasters were also attributable to serious  
59 deficiencies in the practices of the uranium mining industry and inadequate federal  
60 regulation, such that in the United States, the federal government was forced to  
61 intervene to remediate the harm and damage, and after two and one-half decades of  
62 remediation and billions of dollars of expenditures, those efforts are still underway; and

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64 WHEREAS, Virginia Beach and Chesapeake own a raw water intake on Lake  
65 Gaston, which is downstream of the proposed mining operation in Pittsylvania County,  
66 and water from the Lake Gaston Project is intermixed throughout the water supplies of  
67 Chesapeake, Norfolk, and Virginia Beach; and

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69 WHEREAS, if a flood of the magnitude of that caused by Hurricane Camille in  
70 1969 were to fragment one or more tailings piles and transport radioactive mill tailings  
71 downstream into Kerr Reservoir and Lake Gaston, the Lake Gaston Project might be  
72 rendered inoperable for an indefinite period of time; and

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74 WHEREAS, a worst-case scenario would include abandonment of the lake  
75 Gaston Project, termination of the water services contract with Norfolk (requiring the  
76 payment to Norfolk of its stranded capital costs), and the construction of a seawater  
77 desalination plant to replace the abandoned water supply at a direct cost to Virginia  
78 Beach in excess of \$500 million; and

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80 WHEREAS proponents of uranium mining do not dispute the environmental  
81 consequences of past uranium mining practices in the United States or elsewhere, but  
82 instead maintain that much more stringent regulations and improved uranium tailings  
83 confinement technology will prevent any significant release of radioactive substances  
84 downstream; and

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86 WHEREAS, no mines or uranium tailings confinement cells have ever been  
87 constructed in locations, such as Virginia, that are subject to frequent tropical storms,  
88 hurricanes, nor'easters, and other storms that can and have produced precipitation  
89 approaching the Probable Maximum Precipitation (PMP), as defined by the National  
90 Weather Service, such that there can be no reasonable assurance under the present  
91 state of knowledge of the subject that uranium mining can be performed safely in  
92 Virginia; and

93  
94 WHEREAS, on November 6, 2008, the Virginia Coal and Energy Commission  
95 (VCEC) adopted a resolution urging the Virginia Center for Coal and Energy Research  
96 (VCCER) to enter into an agreement with the National Academy of Sciences, or other  
97 comparable scientific or academic institution independent of the Center, to conduct a  
98 wide-ranging study of the impact of uranium mining in the Commonwealth of Virginia;  
99 and

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101 WHEREAS, the City of Virginia Beach does not oppose an unbiased, scientific  
102 study of the potential impacts of uranium mining in Virginia by an independent entity  
103 such as the National Academy of Sciences.  
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105 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF  
106 VIRGINIA BEACH, VIRGINIA:  
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108 That unless and until it can be demonstrated a reasonable degree of scientific  
109 certainty that there will be no significant release of radioactive sediments downstream  
110 under any circumstances, including, but not limited to, a direct hit on the mining facilities  
111 by a Probable Maximum Precipitation (PMP) storm event, the City of Virginia Beach is  
112 opposed to: (1) uranium mining in Virginia, including the proposed Virginia Uranium  
113 operation; (2) the elimination of the existing legislative moratorium on uranium mining,  
114 and (3) any attempt to develop a regulatory framework for uranium mining.  
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116 BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF VIRGINIA  
117 BEACH, VIRGINIA:  
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119 That any study commissioned by or used by the Commonwealth of Virginia to  
120 determine the feasibility of uranium mining in Virginia must include the following criteria:  
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- 122 (1) The study must thoroughly evaluate the risks, including those  
123 resulting from a worst-case scenario as previously described, to  
124 the citizens of Virginia and assess whether uranium mining and  
125 milling in Virginia can be undertaken in a manner that will  
126 completely safeguard the Commonwealth's environment, natural  
127 and historic resources, agricultural lands, and the health and well-  
128 being of its citizens;
- 129 (2) The entire study process must be open to the public and the press;  
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- 131 (3) The City of Virginia Beach and other potentially impacted  
132 jurisdictions must be included as active participants in the study  
133 process;  
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- 135 (4) The study must be conducted, and the conclusions of such study  
136 shall be determined, by a group of qualified and impartial experts,  
137 such as the National Academy of Sciences, who are completely  
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139 independent of the uranium mining industry, the nuclear power  
140 industry, and any state commission that has assumed or been  
141 charged with the responsibility for providing such a study;

142  
143 (5) A peer review group that is independent of the VCEC and the  
144 VCCER and includes adequate representation from environmental,  
145 public health, water supply and water resource agencies, including  
146 the Army Corps of Engineers, is established to monitor and critique  
147 the study; and

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149 (6) That the study must be adequately funded and under no deadline  
150 for the completion of the study.

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153 BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF VIRGINIA  
154 BEACH, VIRGINIA:

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156 That the City Clerk is hereby directed to transmit a certified copy of this  
157 Resolution to each member and member-elect of the City's Congressional and General  
158 Assembly Delegations.

Adopted by the City Council of the City of Virginia Beach on the \_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_, 2008.

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