



# COMMONWEALTH of VIRGINIA

## Office of the Governor

Martin L. Kent  
Chief of Staff

March 8, 2012

The Honorable R. Lee Ware, Jr.  
Member, Virginia House of Delegates  
P.O. Box 406  
Richmond, Virginia 23218

Dear Delegate Ware:

Unfortunately based on some errant reports and correspondence, it appears that there is some misunderstanding and there has been some mischaracterization of the information that was presented to the Uranium Subcommittee yesterday concerning the transparency and openness with which our uranium working group will conduct its review. While the response from legislators was generally positive, we understand that some interested parties, individuals or groups — on one side of this issue or the other — have already come to some incorrect conclusions on the process. We believe our presentation yesterday was very clear, and I write in an effort to restate the information shared concerning public participation and input into our work in order to eliminate any concerns that may have developed as a result of the inaccurate information published in today's reports of your meeting.

The General Assembly can rest assured that we will, solicit, consider, and incorporate comments, questions, and concerns the public wishes to share regarding this issue of tremendous importance. There will be multiple opportunities for public input, such that the working group can produce a full and complete analysis of the questions and concerns that must be addressed before the General Assembly can make an informed decision on the larger policy issue. We have developed a detailed work plan that ensures that important level of openness and transparency, while at the same time allowing the working group to accomplish the work that must be done so that the General Assembly can ultimately make an informed decision. It is attached for your review along with the presentation you received at yesterday's meeting.

At the request of many legislators via a detailed letter of Jan. 18, 2012, the Governor established a working group of leading state subject matter experts from VDH, VDEQ and DMME to identify and examine carefully the pertinent health and safety concerns, environmental questions, and economic impacts arising from potential uranium mining in Virginia. The working group will provide additional information from an objective, scientific, state-regulatory basis to inform everyone about whether and how state regulations might be constructed to ensure public safety while realizing economic benefits. When the Governor

established this working group, he gave it the charge to actively seek input from and regularly update the citizens of the Commonwealth. That is how the process will operate. Virginia citizens must have a regular opportunity to comment in the course of our work.

The working group will periodically report its progress and accept input from the public during four open meetings. These public meetings will be conducted by the Uranium Subcommittee of the Coal and Energy Commission and are expected to take up the relevant issues in accordance with the schedule below. Additional information concerning dates, times and locations of these meetings will be posted on the working group's web portal as soon as it is available.

- June 2012 – Mine Permitting, Environmental Impact Analysis and Environmental Monitoring of Mine Sites, Disposal of Mine Waste, Mine Site Reclamation
- August 2012 – Water Quality Monitoring Plan for Surface and Groundwater, Air Quality Monitoring Plan, Virginia Water Quality Standards and Waterworks Regulations
- October 2012 – Findings on Issues Related to Public Health and Safety, Mill Licensing, Tailings Storage, Disposal and Monitoring, Mill Site Closure/Decommissioning, Drinking Water Regulations, Private Well Regulatory Framework, Recreational Use of Waters, Reinstitution of the Radon Program, Environmental Monitoring, Epidemiological Surveillance
- November 2012 – Worker Health and Safety, Unified Emergency Preparedness and Response Plan, Summary of Findings and Presentation of Draft Statutory Changes and Conceptual Regulation, Summary of Findings and Recommendations Regarding Financial Impacts

At the end of these meetings, following the updates by working group experts, opportunity will be given for public comment. Furthermore, we have also launched a web portal, [www.uwg.vi.virginia.gov](http://www.uwg.vi.virginia.gov), to allow members of the public to submit their comments and questions at any time day or night throughout this review process. Written comments submitted through this portal or by mail will be incorporated and addressed in the work of the group. At each meeting, a summary of those written comments will be presented. Our examination of questions of health, safety and environmental protection will seek to address the comments and concerns offered, and public presentations will detail how that is being done.

This working group is solely focused on scientific, legal, regulatory, and factual questions that need to be further examined. If the General Assembly directs the agencies to promulgate appropriate regulations to govern uranium mining, that is a separate process and will follow the Administrative Process Act, providing for additional public review and comment.

Virginia must take a cautious and studious approach when considering future commercial development of uranium deposits beneath our soil. Recent studies by the National Academies of

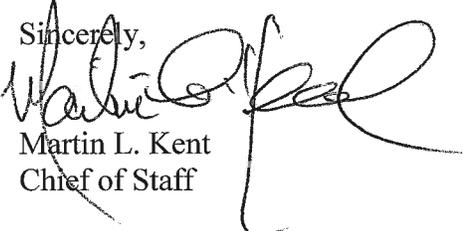
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Science and several other groups identified multiple questions that need further study before the General Assembly considers lifting the moratorium on regulations to uranium mining. Important health and safety concerns must be examined carefully before a decision about lifting the moratorium is made. That is why we asked the General Assembly to defer making a decision on this issue until at least the 2013 session.

Ultimately, it is the General Assembly that must decide whether or not to lift the uranium moratorium. We are hopeful that the work of our working group and its agency-based and retained, independent experts can thoughtfully evaluate the multiple regulatory issues and help the General Assembly make an informed determination about whether uranium mining and milling can be conducted in the Commonwealth.

We have maintained that the economic potential of Virginia's large uranium deposits is significant and we must use all of our natural resources if it can be done safely. However, no changes should be made to our longstanding moratorium on mining this resource unless it is reasonably determined that the extraction and processing of Virginia's uranium deposits can be conducted economically and safely. The General Assembly's decision on this matter must be guided by the facts and put public safety first.

I look forward to continuing our close partnership with the General Assembly in studying this issue, and on behalf of the Governor I again commit that this work group will provide balanced, scientific information to you and to the public throughout this process. I would ask that you make this letter and attachments available to members of the Uranium Subcommittee and to all other parties interested in this matter. Thank you for all your hard work on this complicated but important issue.

Sincerely,  
  
Martin L. Kent  
Chief of Staff

MLK/kfs  
Enclosures

cc: The Honorable William J. Howell  
The Honorable M. Kirkland Cox  
The Honorable David J. Toscano  
The Honorable Richard L. Saslaw  
The Honorable Thomas K. Norment, Jr.