

INFORM
P.O. Box 332
Paradox, CO 81429
(970) 859-7456
jennifer@informcolorado.org

FOR IMMEDIATE RELEASE

July 26, 2019

Colorado Appeals Court Orders Closure and Cleanup of Neglected Uranium Mine

Court ruling signals end of ‘zombie mine’ era

A decision from the Colorado Court of Appeals on Thursday has ordered the closure and reclamation of a long-dormant uranium mine in western Montrose County. The court ruling reaffirmed state law that requires the reclamation of mines within 10 years of ceasing production and ordered a cleanup of the Van 4 Mine after determining that it had not operated since at least 1989.

“Colorado law does not allow inactive mines to remain unproductive yet unreclaimed for decades because they pose environmental threats and prevent otherwise beneficial uses of the land,” said Jeffrey C. Parsons, senior attorney with the Western Mining Action Project based in Lyons, Colo., the firm that represented conservation groups in the case. “The Court recognized the plain language of the statute and clear intent of the legislature. We see this decision as the beginning of the end of the zombie uranium mine era in Colorado.”

The Information Network for Responsible Mining (INFORM), Sheep Mountain Alliance and Earthworks sued the Colorado Mined Land Reclamation Board after the Board voted to approve an extended period of “temporary cessation” for the Van 4 Mine, despite the fact that the state mining law limits that idle period to 10 years.

Despite a 1977 state law that requires all mines to be fully reclaimed after mining ends, state regulators did not enforce the law for several decades. As a result, several dozen uranium mines on the Western Slope were never cleaned up despite having ceased operations in the 1980s, as operators continued to find loopholes that allowed them to postpone cleanups indefinitely.

“It’s vital that mines are reclaimed once they’re done producing to protect public health, wildlife habitat and the environment,” said Jennifer Thurston, director of INFORM. “When they operate, mines provide important economic benefits, but if they are left unreclaimed once they’re done mining, at that point the only thing we get back from them is pollution.”

The Van 4 Mine is located on top of Bull Canyon near the Dolores River Canyon Wilderness Study Area, and is within designated critical habitat for Gunnison Sage Grouse, a threatened species under the Endangered Species Act. The area is a popular destination for recreation and was a historically important uranium mining district.

“Cleaning up old mines is important to the regional economy that is reliant on public lands,” said Lexi Tuddenham, director of Sheep Mountain Alliance. “Reclamation projects also create jobs in rural communities that are trying to diversify their economies. We’re pleased with this decision because it provides local benefits while helping us create a regional economy where conservation and recreation strike a balance with traditional industries.”

The Van 4 Mine was constructed in the late 1970s but had only a short run before going idle in the uranium bust that followed. Since receiving its current, active permit in 1997, the mine has had no record of ore production. The permit for the Van 4 Mine is currently held by Piñon Ridge Mining LLC, a subsidiary of Western Uranium Corporation.

“The problem of zombie mines is widespread in the West,” said Pete Dronkers, Southwest Circuit Rider with Earthworks. “Thousands of mines have been allowed to slip through and irresponsible mining companies have repeatedly been left off the hook. This decision is encouraging, and Colorado can now take a step forward in getting neglected mines cleaned up.”

Final reclamation of a site – which generally entails the revegetation of surface lands to support wildlife as well as final containment and stabilization of mining waste – is required after mining ceases in order to return the land to “beneficial public use” as required by state law.

Colorado has more uranium mines than any other state, with an estimated 3,000 mines that produced uranium since the 1890s, mostly on the Western Slope. There are 31 uranium mines currently permitted by the state, and only a few have been fully reclaimed. The last of these mines stopped operating in 2009.

The court decision can be accessed online at: <http://bit.ly/2SKMYr5>

INFORM
P.O. Box 332
Paradox, CO 81429
(970) 859-7456

jennifer@informcolorado.org