

**Roanoke River Basin Bi State Commission  
Visitor's Center at John H. Kerr Dam & Reservoir**

**Summary of Minutes from August 27, 2012 Meeting**

RRBBC members present:

NC: Representative James Crawford, Chuck Peoples, Larry Yarborough, and Nate Hall.

VA: Senator Frank Ruff, Delegates James Edmunds, Tommy Wright, and Charles Poindexter, John Feild, Mike McEvoy, and Haywood Hamlet

Staff present:

NC: Tom Fransen and Toya Ogallo, NCDENR; Rick Seekins, Kerr-Tar COG

VA: Tammy Stephenson, VADEQ

Chairman McEvoy called the meeting to order. He introduced Michael Womack, Operations Project Manager for John H. Kerr Reservoir, who welcomed the group to the facility and gave a brief history of the dam and other facilities. Chairman McEvoy then called for introductions around the room.

Chairman McEvoy proposed that the order of events change on the agenda, having the presentation on Kerr 216 study first, then consider the resolution on uranium mining.

Upon a motion by Mr. Hamlet, seconded by Mr. Feild, the Commission unanimously approved the minutes from the July 25, 2012 meeting.

**Committee Reports**

Mr. Yarborough gave a brief report on the NC Delegation to the Commission. He mentioned that the North Carolina Department of Environment and Natural Resources (DENR) is working on the Reallocation Study of Water Supply In Kerr Lake as required in NC Session Law 2012-200 (with the exception of an adjustment to Dominion's Mecklenburg Power Station allocation.)

Mr. Feild gave a report on the VRRBAC meeting that occurred earlier this day. He noted that the VRRBAC passed a resolution supporting the North Carolina delegation's position, opposing lifting the ban on uranium mining.

## Presentation

Frank Yelverton, Biologist, Environmental Resources Section, US Army Corps of Engineers, gave a presentation on the Kerr 216 Study update. A copy of this presentation is included as part of these minutes.

## Resolution

Chairman McEvoy stated that both the North Carolina and Virginia delegations had passed a resolution in opposition to lifting the ban on uranium mining in Virginia.

Delegate Wright made a motion that the Bi-State Commission opposes lifting the ban on uranium mining. Mr. Hamlet seconded the motion. Delegate Poindexter said he thought they should wait on all the studies to be completed.

After some discussion, the motion passed with majority vote of those present. Delegate Poindexter abstained from voting.

There was further discussion on wording of the resolution. Using the VRRBAC resolution as a guide, changes were made as follows, upon a motion by Mr. Hamlet, seconded by Delegate Edmunds, and majority vote of the Bi-State Commission (Delegate Poindexter abstained):

*A Resolution Advising the **General Assemblies and Governors of the Commonwealth of Virginia and State of North Carolina** ~~Virginia Delegation to the Roanoke River Basin Bi-State Commission on the Mining and Milling of Uranium in Virginia~~*

~~**WHEREAS**, the Virginia Roanoke River Basin Advisory Committee has been established in the executive branch of state government as an advisory committee to the Virginia Delegation of the Roanoke River Basin Bi-State Commission for the purpose of assisting the Delegation in fulfilling its duties and carrying out the objectives of the Commission, pursuant to Virginia Code § 62.1-69.39; and~~

**WHEREAS**, the Roanoke River Basin Bi-State Commission is a body created by legislation enacted by the Commonwealth of Virginia and the State of North Carolina, Virginia Code §62.1-69.37 and N.C.G.S. §77-91, in part to provide guidance, conduct joint meetings, and make recommendations to local, state and federal legislative and administrative bodies, and to others as it deems necessary and appropriate, regarding the use, stewardship, and enhancement of the Basin's water and other natural resources; and

**WHEREAS**, the Commonwealth of Virginia has deposits of uranium **in various regions**, including deposits located in the Roanoke River Basin, **including the Coles Hill deposit** ~~with at least one, the Coles Hill deposit, being of significant economic value~~, the mining of which has been prohibited by legislative moratorium since 1982 by an act of the Virginia General Assembly; and

**WHEREAS**, at the request of the Virginia Coal and Energy Commission, the National Academics of Sciences (NAS) has completed a study entitled Uranium Mining in Virginia: Scientific, Technical, Environmental, Human Health and Safety, and Regulatory Aspects of Uranium Mining and Processing in Virginia which, along with other reports sponsored by various interested parties, have explored the risks and benefits of uranium mining; and

**WHEREAS**, significant opposition to the mining and milling of uranium has been expressed by local governments, citizen organizations, and landowners in the Roanoke River Basin;

**NOW, THEREFORE, THE VIRGINIA ROANOKE RIVER BASIN BI-STATE COMMISSION ADVISORY COMMITTEE RESOLVES TO ADVISE THE VIRGINIA DELEGATION TO THE ROANOKE RIVER BI-STATE COMMISSION THAT ADVISES THE GENERAL ASSEMBLY AND GOVERNOR OF THE COMMONWEALTH OF VIRGINIA AND THE GENERAL ASSEMBLY AND GOVERNOR OF NORTH CAROLINA THAT:**

1. Uranium mining and milling in Virginia has unique challenges associated with extreme natural events. The Commonwealth's climate and hydrology ~~are expected to support positive water balances at specific mining sites~~ **would be a major challenge to safe mining in Virginia.**
2. Virginia has experience regulating hard rock and coal mining, as well as monitoring electrical production at nuclear power plants, but the Commonwealth has no regulatory structure to address uranium mining and no experience with such operations. The federal agency with oversight responsibilities for uranium milling has little experience at locations with **Virginia's climate and hydrology** ~~a positive water balance.~~
3. The long term risks of tailings disposal are poorly defined. An off-site release of radioactive compounds or heavy metals from the operation proposed at the Coles Hill site would negatively impact communities that rely on the Roanoke River Basin's water resources for potable water, tourism and agricultural production as well as basin's fisheries and wildlife. Such impacts are likely to be a combination of actual damages and public perception of contamination **that could extend over a significant period of time.**

**THE ROANOKE RIVER BASIN BI-STATE COMMISSION FURTHER RESOLVES THAT;**

~~These risks, as well as others highlighted in the NAS report, support a conclusion that the prohibition on uranium mining in Virginia should remain and the Commission hereby states its opposition to elimination or modification of the existing legislative moratorium. in place. The Virginia Delegation should work cooperatively with their counterparts from North Carolina to express to the Virginia General Assembly support for preservation of the uranium mining prohibition.~~

Michael T. McEvoy, Chair

Larry Yarborough, Vice Chair

*This resolution shall be transmitted to the General Assemblies and Governors of Virginia and North Carolina, as well as the Virginia Coal and Energy Commission and its uranium study sub-committees.*

*Adopted this the 27th day of August 2012.*

As allowed by the By Laws, this resolution will be distributed to the members absent for their consideration, providing them with the 10 business days allowed.

Chairman McEvoy mentioned that the next meeting would be in North Carolina. Members will be polled for a meeting date.

As there was no further business to discuss, the meeting was adjourned.