

## **RESOLUTION NO. 3170 (2019)**

### **A RESOLUTION AMENDING RESOLUTION NO. 2970a THAT DEFINED RESPONSIBILITIES OF THE MOAB TAILINGS PROJECT STEERING COMMITTEE**

**WHEREAS**, in September, 2005 the Secretary of the United States Department of Energy (“Secretary”), Samuel Bodman, issued the Record of Decision approving the removal and transportation of approximately 13 million tons of uranium tailings from the Atlas Mill site on the banks of the Colorado River near Moab, Utah (“Moab Site”) to the planned disposal site near Crescent Junction, Utah (collectively, the “UMTRA Project”);

**WHEREAS**, in May, 2006, the Grand County Council (“Council”) approved the Department of Energy’s (“DOE”) requested Conditional Use Permit (“CUP”) for the UMTRA Project;

**WHEREAS**, in June, 2007, DOE produced 5-year contracts with Energy Solutions, as the remedial action contractor responsible for the planning and execution of the UMTRA Project, and with S&K for technical assistance and oversight of the UMTRA Project;

**WHEREAS**, the Secretary has stated in House Energy and Commerce budget hearings that the UMTRA Project will take some 20 years to complete due to funding constraints;

**WHEREAS**, the Utah Congressional delegation supports a more timely completion of the UMTRA Project and, to this end, included language in the Defense Authorization Act of 2008 requiring UMTRA Project completion by 2019;

**WHEREAS**, in August, 2008, DOE reaffirmed its decision to transport the tailings to the Crescent Junction disposal site primarily by rail which may require a completion date beyond 2019;

**WHEREAS**, the UMTRA Project presents significant benefits and risks to the residents and visitors of Grand County;

**WHEREAS**, Grand County, DOE, and other related federal and local entities have worked, and aim to continue to work together to facilitate the safe and efficient performance of the UMTRA Project;

**WHEREAS**, Grand County seeks to continue the Moab Tailings Project Steering Committee (“Steering Committee”) as a forum and mechanism for open communication and monitoring of the UMTRA Project during its operation, to advise the Council on matters pertaining to the project and to seek appropriate future uses of the Moab Site and Crescent Junction Site upon completion of the UMTRA Project;

**WHEREAS**, on September 1, 2009, the Council approved the job description for a Moab UMTRA Liaison as a new DOE grant position, whose job summary follows:

Under the direct supervision of the Community Development Director, serves as liaison between Grand County and Department of Energy which includes: acting as primary Grand County contact for the Moab and Crescent Junction sites of the UMTRA Project, community outreach, disseminating project information to various community groups, responds to public questions, reviews technical reports and data, attends project meetings, provides reports to the Steering Committee, Community Development Director and Council, provides technical support to the Steering Committee, reviews project progress and monitors compliance with the CUP, reviews construction progress reports, monitors environmental testing.

**WHEREAS**, on February 22, 2011, the Steering Committee voted unanimously to adopt the County's electronic participation policy as defined in County Resolution 2944;

**NOW THEREFORE**, the Council hereby resolves to continue the Steering Committee as follows:

**Committee Responsibilities and Authority.** The Steering Committee is an advisory body hereby authorized by the Council to:

- Monitor and discuss the plans, status, execution and effects of the UMTRA Project.
- Provide the Council with facts, opinions, advice and recommendations, if so requested, on issues related to the UMTRA Project;
- Address federal and state elected and executive officials on issues related to the UMTRA Project;
- Discuss and develop strategies to address current and future impacts of the UMTRA Project on the residents and visitors of Grand County;
- Track the construction process and significant milestones;
- Monitor DOE compliance with the CUP, including the receipt and review of DOE's Annual Statement of Continued Compliance;
- Discuss and develop strategies for the future use of the Moab Site and the Crescent Junction disposal site; and
- Handle other UMTRA Project issues delegated to it by the Council.

**Committee Members.** The Steering Committee shall be made up of representatives of local, state and federal stakeholders related to the UMTRA Project. The following stakeholder representatives shall be members of the Steering Committee:

- County Council member(s);
- County Emergency Management Director, or designee;
- County Travel Council Director, or designee;
- County Road Department Supervisor, or designee;
- County Community Development Director, or designee;
- State Workforce Services Director, or designee;
- Local National Parks (Arches and Canyonlands) Superintendent, or designee;
- BLM Moab Field Office representative;

- Moab City Mayor or Manager, or designee;
- GWSSA Manager, or designee;
- Thompson Springs representative;
- Representative of Crescent Junction;
- Representative of Utah’s Department of Environmental Quality;
- Representative of The Nature Conservancy; and
- Representative of community At-Large.
- Representative of Utah Division of Forestry, Fire and State Lands

The Council may alter Steering Committee membership at its own discretion by majority vote.

Representatives from DOE and other federal agencies, and their contractors, shall be invited and encouraged to participate in Steering Committee meetings on an as needed basis.

**Steering Committee Chairperson.** The Council Member serving on the Steering Committee shall serve as the Chairperson. The Chairperson shall be responsible to call Steering Committee meetings, set meeting agendas, and conduct the meetings.

**Staff.** The Moab UMTRA Liaison will serve as staff to assist with the organization of meetings and to maintain minutes, among other duties per the job description.

**Compensation.** No compensation shall be paid to Steering Committee members for services. Approved and relevant expenses may be reimbursed to Steering Committee members.

**Funding.** Steering Committee expenditures shall be from the Atlas Tailings Fund and shall be approved by Council. The Steering Committee and/or the Council may seek outside funding from non-County sources for Steering Committee operation.

**Quorum.** Five members of the Steering Committee shall be present to constitute a quorum for the transaction of Steering Committee business.

**Meetings.** The Steering Committee shall meet at least quarterly, with meeting dates set by the Chairperson. Meetings shall be conducted in compliance with the Utah Public and Open Meetings Act, Utah Code Title 52, Chapter 4.

**Committee Terms.** Steering Committee members shall not be limited by terms except for elected officials subject to term limits.

**Duration.** The Steering Committee shall remain effective until the UMTRA Project is completed, or until the Council determines the Steering Committee has served its designated purpose and is no longer needed.

**Electronic Participation.** The Steering Committee shall allow electronic participation as defined in County Resolution 2944.

This Resolution was duly and regularly introduced and passed by vote at a regular meeting of the Grand County Council, State of Utah, on the 5<sup>th</sup> day of February, 2019:

APPROVED by the following vote:

AYE Halliday, McGann, Wells, Paxman, Hawks, Clapper

NAY \_\_\_\_\_

ABSENT Morse

ATTEST:

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Chris Baird  
Grand County Clerk/Auditor

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Evan Clapper  
Grand County Council Chair