

Uranium Moratorium

Uranium Moratorium Background

- Deposit found in Coles Hill in Pittsylvania County valued at \$10 billion (in 2007)
- Proposed sites for tailing (chemical waste) storage are directly upstream of Kerr Reservoir and Lake Gaston
- Multiple studies have shown the negative impacts of uranium mining to environment and human health

Timeline:

May 21, 2018 – SCOTUS agreed to hear the case of Virginia Uranium Inc v Warren

November 5, 2018 – Oral Arguments

June 17, 2019 SCOTUS affirmed judgement of 4th Circuit

The Supreme Court has ruled that Virginia has the authority to ban uranium mining under state law (despite the Atomic Energy Act which allows the federal government to regulate the processing of nuclear fuel). They stated that the federal government lacks authority over uranium ore “prior to removal from its place of deposit in nature”.

However, it is legal to process ore and store tailings in VA if the uranium has been mined out of state and transported into Virginia.

- SCOTUS votes:
 - o For moratorium: Gorsuch, Thomas, Kavanaugh
 - o Opinion concurring with judgement: Ginsburg, Sotomayor, and Kagan
 - o Against: Roberts, Breyer, Alito

Article with more information:

<https://theconversation.com/the-supreme-courts-virginia-uranium-ruling-hints-at-the-limits-of-federal-power-115881>

Full Supreme Court Ruling:

https://www.supremecourt.gov/opinions/18pdf/16-1275_7lho.pdf