Fact Sheet

U.S. DEPARTMENT OF ENERGY | Legacy Management

Uranium Leasing Program

This fact sheet provides information about the Uranium Leasing Program.
The program is managed by the U.S. Department of Energy Office of Legacy Management.

Program Overview

The Uranium Leasing Program (ULP) is managed by the U.S. Department of Energy (DOE) Office of Legacy Management (LM). LM is the caretaker of legacy sites that played a critical role in America's nuclear history, including land leased for mining.

ULP administers 31 lease tracts, all located within the Uravan Mineral Belt in southwestern Colorado. Of those 31 lease tracts, 29 are considered actively held under lease, while two tracts have been placed in inactive status indefinitely. LM's administrative duties include ongoing monitoring and oversight of leaseholder activities, as well as annual inspections to identify and correct safety hazards or environmental compliance issues.

Site History

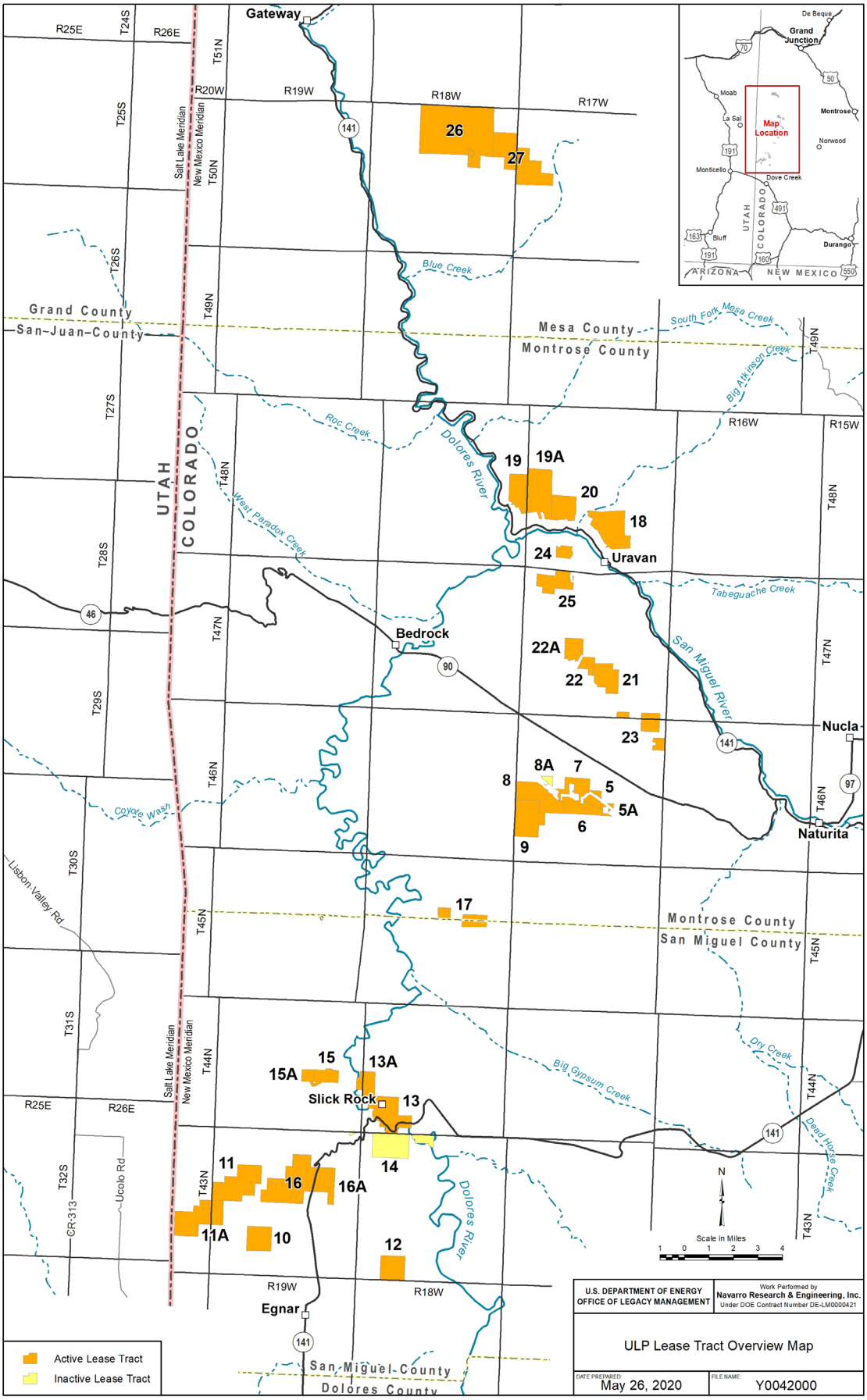
Legislation, including the Atomic Energy Act, authorized the U.S. Atomic Energy Commission (AEC), predecessor agency to the DOE, to withdraw lands from the public domain and then lease the land to private industry for mineral exploration and mining of uranium and vanadium ores. A total of 25,000 acres of land in southwestern Colorado, northern New Mexico, and southeastern Utah were withdrawn from the public domain during the late 1940s and early 1950s.

From 1949 through 2008, AEC and its successor agencies administered three separate and distinct leasing periods (1949-1962, 1974-1994, and 1996-2008). In aggregate, these leasing programs produced over 3 million tons of ore, yielding approximately 14.5 million pounds of uranium and 75 million pounds of vanadium, which generated $66 million in royalties to the federal government.

In 1994, all existing leases were allowed to expire to give DOE the opportunity to prepare a programmatic Environmental Assessment (EA) to determine if the leasing program should continue. The EA was finalized and approved in July 1995. A Finding of No Significant Impact (FONSI) was issued in August 1995 for the continued leasing of DOE-managed lands for the exploration and production of uranium and vanadium ores. In 1996, DOE reoffered respective leases to the previous leaseholders. At that time, many former leaseholders opted out of the program, leaving just two leaseholders, who decided to continue with their leases.

Land associated with the single, fully reclaimed lease tract in New Mexico was returned to the public domain in 1994. In 1999, under similar circumstances, lands associated with the five lease tracts located in Utah were also returned to the public domain.

Uranium Leasing Program Site, C-JD-5 Mine



Uranium Leasing Program Lease Tract Locations

In October 1994, DOE initiated a mine reconnaissance program to locate, identify, and quantify mine-related features associated with the abandoned uranium "legacy" mine sites located on the lease tracts. Based on the information gained during the reconnaissance activities, DOE systematically reclaimed all of its legacy mine sites, with the last ones completed in 2011.

In 2005, DOE prepared a second programmatic EA to determine if the leasing program should continue. The EA was finalized and approved in July 2007. A FONSI was issued in that same month for the continued leasing of DOE-managed lands for another 10-year period for the exploration and production of uranium and vanadium ores.

In April 2008, DOE executed new 10-year lease agreements with the existing leaseholders of the 13 active lease tracts. In June 2008, DOE executed new 10-year lease agreements (through a competitive bid process) for 18 of the 19 inactive lease tracts; the remaining lease tract (C-JD-8A) received no bids and was placed on inactive status indefinitely.

On July 31, 2008, several environmental organizations filed suit against DOE and the ULP in federal court for the District of Colorado, claiming that DOE violated the National Environmental Policy Act (NEPA). In April 2009, one additional environmental organization joined the lawsuit, claiming that DOE also violated the Endangered Species Act.

In early 2011, DOE determined that a Programmatic Environmental Impact Statement (PEIS) should be prepared to further assess the potential environmental impacts, including site-specific impacts, associated with program activities that were defined under a reasonable range of alternatives. At that time, DOE advised the leaseholders that it would not approve any plans (e.g., exploration, development, mining, or reclamation) until the PEIS process was completed.

On October 18, 2011, the court ruled that DOE violated NEPA by issuing the 2007 EA and FONSI finding instead of issuing an environmental impact statement. The court invalidated the July 2007 evaluation and finding, stayed the 29 leases in existence under the program, and prohibited DOE from issuing any new leases or approving any activities on lands governed by the program until an adequate environmental analysis was conducted.

DOE announced the public availability of the Final Uranium Leasing Program Programmatic Environmental Impact Statement on March 21, 2014. During the evaluation, DOE conducted a 109-day public comment period, held four public meetings in southwestern Colorado, and considered all public comments on the draft PEIS while preparing the document. The PEIS informed the decision-making by DOE on the future course of the ULP. As a result, DOE issued a Record of Decision on May 6, 2014. Although the environmental impact statement was completed in 2014, the federal court did not dissolve the injunction until March 18, 2019.

Current Status

On March 18, 2019, the court granted the motion submitted by DOE to dissolve the injunction and then closed the case, ending a seven-year injunction on the program. The court acknowledged that the PEIS and subsequent Record of Decision by DOE represented an adequate analysis that complied with NEPA. The new environmental evaluation was central to the court's decision in resuming the lease program in a manner that protects public health and the environment. The leasing program evaluation determined that continuing the program will result in "negligible to moderate" potential environmental impacts and will provide access to a domestic source of uranium.

DOE plans to continue the leasing program for an additional 10-year period and executed new 10-year leases in January 2020 with the existing leaseholders. The lessees may begin preparing exploration and mining plans, as well as site-specific environmental assessments, which DOE must approve before any mining can be initiated. In addition, the lessees must provide reclamation bonds and develop site-specific mitigation plans for each mining activity. Due to the low market prices of uranium and vanadium at the time of this publication, DOE has not received any mining plans for review and evaluation, except for one lessee who submitted plans during the injunction.

CONTACT INFORMATION

IN CASE OF AN EMERGENCY AT THE LEASE TRACK LOCATION, CONTACT 911.

Information about LM is available at **www.energy.gov/lm**

Site specific documents related to the ULP are available on the LM website at **www.energy.gov/lm/services/property-management/uranium-leasing-program**

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