

ORDINANCE HEARING: Ordinance No. 1 -Regarding uranium mining and milling.

At 10:00 a.m. a hearing was held on an ordinance regarding uranium mining and milling. No one appeared at the hearing,

Moved by Commissioner Keintz and seconded by Commissioner Eikamp to adopt the following ordinance;

Be it ordained by the Board of Commissioners of Marshall County, S.D. as follows:

That the following constitutes the rules and regulations which relate and pertain to uranium mining and milling, exploratory drilling for uranium, construction of nuclear power plants, and radioactive waste disposition in Marshall County and shall be in effect when enacted and obligatory upon all persons, partnerships, firms or corporation when engaged in any activity defined in Section 1 below.

SECTION 1.

DEFINITIONS :

"Uranium mining" means the severance of uranium by any method.

"Uranium milling" means the grinding, crushing, or leaching of uranium ore.

"Exploratory drilling for uranium" means exploration or test drilling for uranium.

"Nuclear power plant" means any device, machine, or assembly thereof that converts nuclear energy into some useful form of power, and generates electricity.

"Radioactive waste" means any by-product resulting from any aspect of the nuclear fuel cycle which has a radioactive nature.

SECTION 11.

A person, partnership, firm or corporation may not commence to construct a nuclear power plant, provide for or dispose of radioactive waste or begin uranium mining, milling, or exploratory drilling with Marshall County, S.D. without first submitting plans documenting the planned extent of such facility and the anticipated impact on the public health, environmental quality, ground water, drinking water, and air quality to the Board of Commissioners of Marshall County. All plans must be approved by a resolution of the Board of Commissioners as being compatible with the public health, environmental quality, ground water, drinking water and air quality and safety of the people of Marshall County before construction of a nuclear power plant, disposition of radioactive waste, or uranium mining filling, or exploratory drilling may-commence; such plans will give special attention to, but not be restricted to, guarantees that water source shall not be contaminated nor diminished, whether those sources are aquifers,

flowing wells, pumped wells, flowing natural springs or surface water. The Board of Commissioners shall have the authority to disapprove any plans which it deems provide insufficient assurance that public health and safety will not be jeopardized.

SECTION 111.

If any part of this ordinance is invalid, all valid parts that are severable from the invalid part remain

in effect.

First reading January 12th, 1982, Second reading January 26, 1982.'

All members present voted in favor of the adoption of the above ordinance and it was so declared by the Chairman.