

6038.13/1986/8/29

c-1

D0084 86

STATE OF COLORADO

EXECUTIVE CHAMBERS

136 State Capitol
Denver, Colorado 80203-1792
Phone (303) 866-2471



Richard D. Lamm
Governor

EXECUTIVE ORDER

INVESTIGATION AND/OR PROSECUTION OF VIOLATIONS OF THE
LAW RELATED TO, EFFECTING, ARISING OUT OF, CONNECTED
WITH, OR CONTRIBUTING TO THE ACTUAL, SUSPECTED OR
POTENTIAL POLLUTION, CONTAMINATION, DEGRADATION
OR ENDANGERMENT OF THE PUBLIC HEALTH, WELFARE, ENVIRONMENT
OR NATURAL RESOURCES WITHIN THE JURISDICTION
OF THE STATE OF COLORADO FROM THE GLOBE PLANT

WHEREAS, section 24-31-101(1)(a), C.R.S. (1973) provides that the Attorney General shall prosecute and defend all actions and proceedings, civil and criminal, in which the state is a party or is interested when required to do so by the Governor; and

WHEREAS, Executive Order No. D0038-83, issued December 9, 1983, ordered the Attorney General of Colorado to pursue all necessary actions to initiate and pursue on behalf of the State of Colorado claims and/or actions pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. sec., 9601 to 9657 ("CERCLA") related to the sites and/or facilities listed within Executive Order No. D0038-83, which included the Globe Plant; and

WHEREAS, recent information received and inspections performed by the Colorado Department of Health have disclosed grounds to suspect that long-standing public nuisances and/or violations of federal and state environmental laws at the Globe Planet are contributing to the endangerment of public health and welfare, and contamination of the environment.

EXECUTIVE ORDER

INVESTIGATION AND/OR PROSECUTION OF VIOLATIONS OF THE
LAW RELATED TO, EFFECTING, ARISING OUT OF, CONNECTED
WITH, OR CONTRIBUTING TO THE ACTUAL, SUSPECTED OR
POTENTIAL POLLUTION, CONTAMINATION, DEGRADATION
OR ENDANGERMENT OF THE PUBLIC HEALTH, WELFARE, ENVIRONMENT
OR NATURAL RESOURCES WITHIN THE JURISDICTION
OF THE STATE OF COLORADO FROM THE GLOBE PLANT

PAGE 2

NOW, THEREFORE, I, Richard D. Lamm, Governor of the State of Colorado, by the power vested in me by the constitution and laws of the State of Colorado, do hereby order the Attorney General of Colorado to take all necessary action on behalf of the State of Colorado, in consultation with the Colorado Department of Health, to investigate all known, suspected, or potential violations of the laws of the State of Colorado (including its common law), and laws of the United States that may be enforced by the State of Colorado, related directly or indirectly to, effecting, arising out of, connected with, or contributing to the known, suspected, or potential pollution, contamination, degradation, or endangerment of the environment or natural resources within the jurisdiction of the State of Colorado by past or present activities or practices at the Globe Plant and to prosecute in any court of competent jurisdiction as deemed appropriate by the State of Colorado through civil and/or criminal actions, specifically including action(s) on behalf of the State of Colorado pursuant to 42 U.S.C. sec. 6972 (Federal Resource Conservation and Recovery Act), and/or 33 U.S.C. sec. 1365 (Federal Water Pollution Control Act), such actual or suspected violations.

GIVEN under my hand and the
Executive Seal of the State of
Colorado, this 29th day of August,
1986.


Richard D. Lamm
Governor