

EXECUTIVE CHAMBERS

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



D0007 97

EXECUTIVE ORDER

Roy Romer  
Governor

THE SUMMITVILLE MINE SUPERFUND SITE

- WHEREAS, the Summitville Mine in the San Luis Valley in Southern Colorado has raised concerns about environmental hazards and threats to public health as a result of the use and abandonment of the mine; and
- WHEREAS, as a result of the environmental hazards at the Summitville Mine, the Environmental Protection Agency (EPA) listed the site on the National Priorities List, designated as the "Summitville Mine Superfund Site"; and
- WHEREAS, on April 3, 1993, Governor Romer issued Executive Order B005-93, which established the Summitville Advisory Committee to provide advice about the remediation of the Summitville Mine Superfund Site to the Governor, the Attorney General, the Colorado Department of Public Health and Environment (CDPHE), the Department of Natural Resources (DNR) and EPA, to assure that such remediation protects public health and the environment in a cost-effective, timely manner and to distribute public information; and
- 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 of Colorado is a party or is interested, when required to do so by the Governor; and
- WHEREAS, pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), 42 U.S.C. Sections 9601 to 9567, the State of Colorado is authorized to pursue claims for natural resource damages and cost recovery related to sites where there has been a release or threat of release of hazardous substances; and
- WHEREAS, information received and inspections performed by the Colorado Departments of Natural Resources and Public Health & Environment and EPA have disclosed the existence of contamination at the Summitville Mine Superfund Site which may be contributing to the endangerment of public health and welfare and contamination of the environment; and

WHEREAS, in May 1996, the Governor authorized the Attorney General to file a cost recovery action relating to the Summitville Mine Superfund Site pursuant to CERCLA.

NOW, THEREFORE I, Roy Romer, 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 THAT:

1. The Attorney General take those necessary actions on behalf of the State of Colorado, in consultation with the Governor's Office and the Colorado Departments of Public Health and Environment and Natural Resources, to recover the State's costs for responding to, arising out of, or connected with 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 Summitville Mine Superfund Site and to prosecute said action(s) in any court of competent jurisdiction; and,
2. The Attorney General of Colorado is further ordered to coordinate all such actions with, and to take additional actions specifically requested by, the Governor's Office and the Colorado Departments of Public Health & Environment and Natural Resources, to support their response to contamination at the Summitville Mine Superfund Site.
3. Periodic reports about the status of said action(s) shall be provided.
4. This Order is retroactively effective to October 15, 1996.



GIVEN under my hand and the Executive Seal of the State of Colorado this 20<sup>th</sup> day of June, 1997.

A handwritten signature in black ink, appearing to read "Roy Romer".

Roy Romer  
Governor