

**MINUTES
of the
SECOND MEETING
of the
RADIOACTIVE AND HAZARDOUS MATERIALS COMMITTEE**

**July 11, 2025
New Mexico State University-Grants
Fidel Hall, Room 220
1500 Third Street
Grants**

The second meeting of the Radioactive and Hazardous Materials Committee (RHMC) was called to order by Senator Jeff Steinborn, chair, on July 11, 2025 at 9:27 a.m. in Room 220 of Fidel Hall at the New Mexico State University campus in Grants.

Present

Sen. Jeff Steinborn, Chair
Rep. Joanne J. Ferrary, Vice Chair
Rep. John Block*
Sen. Angel M. Charley
Rep. Stefani Lord
Sen. Harold Pope
Rep. Debra M. Sariñana*
Sen. Antoinette Sedillo Lopez

Absent

Rep. Cathrynn N. Brown
Rep. Meredith A. Dixon
Sen. David M. Gallegos
Rep. Yanira Gurrola
Rep. D. Wonda Johnson
Sen. James G. Townsend

Advisory Members

Sen. Shannon D. Pinto

Sen. Crystal Brantley
Sen. Anthony L. Thornton

Guest Legislators

Rep. Michelle Paulene Abeyta
Sen. Linda M. López
Rep. Patricia A. Lundstrom

*Appointed by the speaker of the house of representatives or the president pro tempore of the senate as a voting member for this meeting only.

Staff

Paul Estok, Staff Attorney, Legislative Council Service (LCS)
Sara Wiedmaier, Researcher, LCS
Charlie Brewer, Staff, LCS

Guests

The guest list is in the meeting file.

Handouts

Handouts and other written testimony are in the meeting file and posted on the legislature's website.

References to Webcast

The time reference noted next to each agenda item in this document is cross-referenced to the webcast of the committee meeting, which can be found at www.nmlegis.gov, under the "Webcast" tab. The presentations made and committee discussions for agenda items can be found on the recorded webcast for this meeting.

Friday, July 11

Welcome and Introductions (9:27 a.m.)

Senator Steinborn welcomed attendees and invited members of the committee, staff and public to introduce themselves.

Welcome and Update (9:33 a.m.)

Marlene Chavez-Toivanen, Ph.D., campus executive and academic officer, New Mexico State University (NMSU) Grants Community College, welcomed members of the committee and provided updates about the NMSU campus and its current academic and career programs, including adult education programs as well as industry-recognized credential programs in science and nursing.

San Juan Mine Site Investigation Report (9:45 a.m.)

Erik Munroe, manager, Coal Mine Reclamation Program, Mining and Minerals Division, Energy, Minerals and Natural Resources Department (EMNRD), presented on the San Juan mine remediation and restoration project. Mr. Munroe discussed the specific legislative objectives of the investigative report and familiarized the committee with how the EMNRD conducts its research to determine the environmental contamination level of lands and waters near the former mine. This research is used to guide reclamation and restoration planning decisions as well as future regulatory actions. He covered current water monitoring practices used to map distributions of chemicals in the surrounding bodies of water and in statistical analyses. The results of the study suggested that while the ground water quality surrounding the mine contains higher concentrations of chemicals introduced through mining operations, the quality of the ground water is expected to recover due to the existing mine closure plan and the cessation of mine dewatering. The study found that the existing mine closure plan is adequate to recover ground water levels to normal and estimated that restoration would take approximately 10-15 years. Other efforts, such as revegetation, were also mentioned as part of ongoing restoration efforts. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=RHMC&Date=7/11/2025&ItemNumber=2>.

Status of Proposed New Uranium Mines in New Mexico (10:47 a.m.)

David "D.J." Ennis, manager, Mining Act Reclamation Program, Mining and Minerals Division, EMNRD, gave a presentation on mine permitting processes and status updates on the progress of new uranium mining permits for the following locations: La Jara Mesa Mine in Cibola County, Roca Honda Mine in McKinley County and one exploratory permit for uranium in the Cebolleta Land Grant north of Laguna Pueblo in Cibola County. Mr. Ennis also presented on two in situ recovery projects: the Grants Precision extraction and the Crownpoint-Church Rock extractions. He gave an overview of the New Mexico Mining Act, the act's reclamation program and state and federal mine permitting laws, then moved on to discuss the state and federal permit statuses for each mine, exploratory drill and recovery. Committee members were concerned that environmental and health considerations are generally not taken into account when obtaining a lawful permit to extract, with some members mentioning the existing gaps in public health and worker safety in mining operations, and also in regard to the permitting process. Some committee members expressed concern about the various tribal communities that could be affected by incoming mining contracts. In response, Mr. Ennis emphasized numerous opportunities for public participation in the permitting process in which citizens can voice concerns and participate in the decision-making process. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=RHMC&Date=7/11/2025&ItemNumber=3>.

Uranium Ore Transportation Update (12:32 p.m.)

Daniel Moquin, principal attorney, Natural Resources Unit, Navajo Nation Department of Justice, and Stephen B. Etsitty, executive director, Navajo Nation Environmental Protection Agency (Navajo Nation EPA), gave a joint presentation on the agreement between the Navajo Nation and Energy Fuels Resources (USA) Inc. to conduct regular inspections of cargo vehicles making their way through the Navajo Nation, specifically addressing those transporting uranium ore. They outlined the agreement as well as issues encountered. Mr. Etsitty described their inspection practices, which include examining the paperwork and conducting a full inspection of the transporting vehicle, checking for the proper containment of compounds and checking for radiation. Mr. Moquin and Mr. Etsitty mentioned that the Navajo Nation EPA is one of the only entities to implement such a thorough practice, not only within tribal lands, but throughout the country. Mr. Etsitty recalled a truck incident that eventually led to the implementation of the program. He described the restrictions the Navajo Nation EPA placed on cargo vehicles traveling through Navajo lands as well as their emergency response action. The presentation also covered the drivers of uranium prices and political obstacles to preventing excess shipments, as well as the federal regulation of radioactive materials and preemptions by federal law. After questions by the committee concerning worker safety and the implementation of cargo checks,

Senator Steinborn suggested that the committee consider drafting legislation to place tougher restrictions and requirements on the transportation of uranium and other volatile compounds in the state. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=RHMC&Date=7/11/2025&ItemNumber=5>.

San Juan Generating Station Remediation and Restoration Study (1:39 p.m.)

John Rhoderick, deputy secretary, Department of Environment (NMED), presented on the 2024 remediation and restoration study for the San Juan Generating Station, as directed by House Bill (HB) 142 (2023), the San Juan Generating Station Facility and Mine Remediation and Restoration Study Act. Mr. Rhoderick gave a progress report concerning ground water contamination and the steps being taken to monitor, assess and neutralize any contamination generated by the facility. Mr. Rhoderick went over the scope and requirements of HB 142 in regard to the San Juan mining operations and ongoing land reclamation efforts. He discussed the act's requirements, which include remediation plans, and the prevention of cleanup delays and providing stronger oversight and enforcement. He mentioned that NMED is currently evaluating options for future restoration efforts and described department goals that include the identification, tracking and remediation of ground water contamination in the areas surrounding the generating station and mine site. Mr. Rhoderick then presented a more detailed project overview of the department's remediation plans, including opportunities for public involvement. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=RHMC&Date=7/11/2025&ItemNumber=4>.

The Federal Radiation Exposure Compensation Act Resurrected: What Happens Now (2:15 p.m.)

Tina Cordova, co-founder, Tularosa Basin Downwinders Consortium, presented on radiation exposure in the Southwest and shared what services her organization offers, as well as its commitment to seeking justice for downwinders exposed to radiation from nuclear testing in the mid-20th century. Specifically, Ms. Cordova referenced the extensive irradiating effects of the Trinity nuclear test, noting that New Mexico is the second most irradiated state in the country. She described the reparations that her organization advocates for, such as medical coverage for victims of fallout and radiation exposure as well as for uranium workers. She informed the committee that the coverage they have won through various lawsuits insures victims from the years of exposure spanning from 1944 to 1962, providing coverage up to \$100,000 and covering up to 19 types of cancer. Ms. Cordova added that there is still room for improvement and that there would need to be more involvement from state government, specifically for proper data retrieval. She requested that the committee consider drafting legislation to structure outreach and resolve missing or inaccessible records within government agencies, as well as to provide further funding for health care specifically for New Mexico residents affected by radiation exposure. Representative Ferrary suggested that the committee

draft legislation to allow downwinders to be included in Medicaid programs. Other considerations, such as a Netflix contract for a downwinders film, were also mentioned.

Approval of Minutes (2:58 p.m.)

Upon a motion made and seconded, the minutes for the meeting of May 29, 2025 were approved with no objections.

Neglected Contaminated Site Cleanup (3:00 p.m.)

Mr. Rhoderick gave a presentation on the status of various neglected contaminated sites and provided updates on the progress of cleanup projects as well as phase action time lines. Mr. Rhoderick went through a series of abandoned contaminated sites to be restored into usable land. He described the different methods each site would require to be restored and reviewed contract start dates for cleanup, project kickoffs and contract end dates. He discussed the methods of evaluation used to determine the levels of contamination and the specific remediation efforts that are needed for each site. Mr. Rhoderick mentioned that there are numerous sites that need cleanup but with the current budgeting restriction of \$2 million, they can afford to fund the cleanup of only six sites per quarter. He then presented on the contracts currently in effect within the budget. During questions, Senator Steinborn conveyed that proper characterization of abandoned sites should be a priority in the budget and for future appropriations. Senator Steinborn then suggested that the legislature take a multipronged approach to the cleanup of contaminated sites that involves a more strategic use of resources and funding, as well as potentially seeking legal action against responsible parties. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=RHMC&Date=7/11/2025&ItemNumber=7>.

Public Comment (3:37 p.m.)

A list of individuals who made public comment is available in the meeting file.

Adjournment

There being no further business before the committee, the meeting adjourned at 3:45 p.m.