

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

**September 15, 2023  
Dona Ana Community College East Mesa Campus  
East Mesa Main Building, Room 207  
2800 North Sonoma Ranch Boulevard  
Las Cruces**

The third meeting of the Radioactive and Hazardous Materials Committee was called to order by Representative Joanne J. Ferrary, chair, on September 15, 2023 at 10:33 a.m. in the East Mesa Main Building of the Dona Ana Community College East Mesa Campus in Las Cruces.

**Present**

Rep. Joanne J. Ferrary, Chair  
Sen. Jeff Steinborn, Vice Chair  
Rep. Eliseo Lee Alcon  
Rep. Cathrynn N. Brown  
Rep. Christine Chandler  
Sen. David M. Gallegos  
Sen. Shannon D. Pinto  
Sen. Nancy Rodriguez  
Rep. Debra M. Sariñana

**Absent**

Rep. Stefani Lord  
Sen. Brenda G. McKenna  
Sen. Joshua A. Sanchez

**Advisory Members**

Rep. John Block  
Sen. Harold Pope

Sen. Ron Griggs  
Rep. D. Wonda Johnson

**Staff**

Sonya Snyder, Legislative Council Service (LCS)  
Tom Kricka, LCS  
Sara Wiedmaier, 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](http://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, September 15**

### **Introductions (10:33 a.m.)**

Representative Ferrary asked members of the committee, staff and audience to introduce themselves.

### **Approval of Minutes (10:38 a.m.)**

On a motion made by Representative Alcon, seconded by Senator Rodriguez and without objection, the minutes of the August 21, 2023 meeting were approved.

### **Welcome (10:39 a.m.)**

Monica Torres, Ph.D., chancellor, New Mexico State University System of Community Colleges, welcomed the committee to Las Cruces. Dr. Torres discussed Dona Ana Community College programs and enrollment challenges since the pandemic. The presentation can be found here:

<https://www.nmlegis.gov/handouts/RHMC%20091523%20Item%200%20DACC%20Introduction.pdf>.

### **State Emergency Response Commission Report (11:08 a.m.)**

Zach Wachter, M.P.A., local preparedness program manager, Homeland Security and Emergency Management Department, provided a report on the activities of the commission in 2022. Issues discussed included hazardous materials spills, storage of hazardous materials, the inadequacy of fees used to address hazardous materials cleanup and monitoring, the emerging hazards of electric vehicle fires, the security of chemical facilities, cybersecurity threats to hazardous material facility owner-operators, the future goals of resuming biannual commission meetings, bringing the state into compliance with the federal America's Water Infrastructure Act of 2018, digitizing a submission process for industry, updating the Hazardous Chemicals Information Act and rewriting New Mexico's hazardous materials emergency response plan. The presentation can be found here:

<https://www.nmlegis.gov/handouts/RHMC%20091523%20Item%201%20DHSEM.pdf>.

### **Policy Issues in Nuclear Medicine (12:42 p.m.)**

Chris Wagner, chief executive officer, Eden Radioisotopes; Ed Parma, Ph.D., chief science officer, Eden Radioisotopes; and Santiago Rodriguez, chief, Radiation Control Bureau, Department of Environment (NMED), discussed policy issues in nuclear medicine. Mr. Wagner and Dr. Parma provided background information on Eden Radioisotopes and the nuclear medicine industry in general, policy challenges for access to water and electricity and Eden

Radioisotopes' regulatory risk management plan. Mr. Rodriguez discussed the Nuclear Regulation Commission's proposed changes to federal regulations concerning nuclear medicine and the case of the missing microspheres. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=RHMC&Date=9/15/2023&ItemNumber=2>.

**White Sands Test Facility Cleanup and Restorative Measures (2:11 p.m.)**

Kate Girard, executive director, Office of Natural Resources Trustee (ONRT); Rick Shean, director, Resource Protection Division, NMED; and Gill Sorg, supervisor, Dona Ana Soil and Water Conservation District, presented on the progress of cleanup and restorative measures at the White Sands Test Facility. Mr. Shean talked about the regulatory authority of the Resource Protection Division of the NMED to oversee the cleanup of hazardous waste generated by propulsion and materials testing, the corrective action process and the current status and future of the cleanup effort. Ms. Girard discussed the ONRT's role in the restoration of the area affected by the release of hazardous materials. Mr. Sorg provided the perspective of the Dona Ana Soil and Water Conservation District and discussed local water resource issues. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=RHMC&Date=9/15/2023&ItemNumber=3>.

**Approval of Motion to Send Letter to the National Aeronautics and Space Administration (NASA) and the United States Department of Defense to Urge Cooperation with the ONRT on the Restoration of the Ground Water in the Vicinity of the White Sands Test Facility (3:08 p.m.)**

On a motion made by Senator Steinborn, seconded by Senator Pinto and without objection, the committee approved sending a letter to NASA and the United States Department of Defense, copying Dona Ana County and the City of Las Cruces, to encourage NASA and the United States Department of Defense to cooperate with the ONRT on the restoration of the ground water in the vicinity of the White Sands Test Facility.

**Adjournment**

There being no further business before the committee, the meeting adjourned at 3:13 p.m.