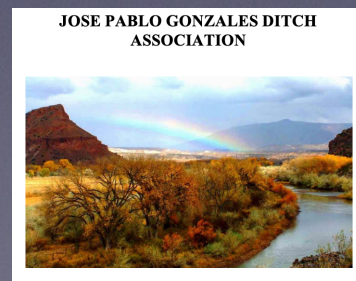


Pathways to Address Proposed Uranium Mining Projects

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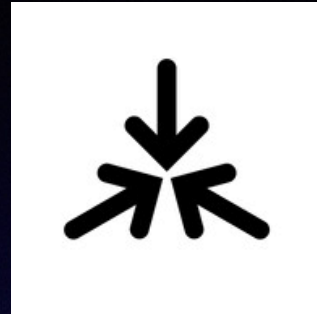


Timeline for NM Uranium Operations



- 1950s-70s: Era of legacy production.
- 1993 and onward: State regulation after most activity has ended.
- Mid 1980s-2024: Era of inactivity (except for recovery).
- 2024-present: Proposed revival of production.

Where are we now?



- **Legacy contamination (past)**

- Much of the state's legacy contamination happened under a fragmented regulatory framework [NMED analysis of SB17 2008].

- **Better science (present)**

- Scientific understanding of known harms and uncertainty has advanced significantly [USGS 2018, Nat'l Academies 2012].

- **Fragmented regulatory framework (future)**

- Law evolved piecemeal with jurisdictional gaps, diffuse responsibility [NMED 2008].
- Eg, there is no specific ISL legislation and ISL is regulated by NMED but not by MMD's Mining Act program [NMED 2008].

New science identifies risks and uncertainties



- New methods:
 - Restoring groundwater and minimizing impact on down-gradient water resources is “difficult to achieve” [USGS Walton-Day et al., 2022].
 - Documented contamination of a domestic well in TX by ISL [Rice 2013].
- Conventional methods:
 - Roca Honda model projects “extreme water use,” averaging 4,700 gallons per minute (which works out to 2.5 billion gallons a year) [Forest Service 2012, BLM 2013, Roca Honda Resources 2025].
 - Metal exposure appear to be associated with problems with immune system, preterm births and inflammation in lungs and brain [Hoover et al. 2023, Gonzalez et al 2022, Wilson et al. 2021].

Opportunity



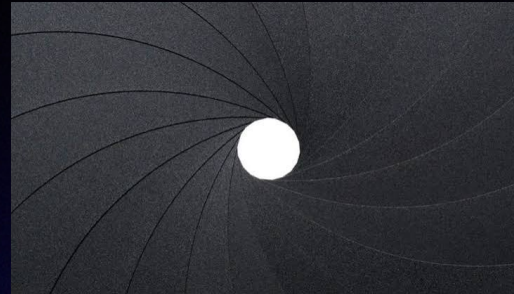
- NM has opportunity to strengthen protective measures before a new era of uranium production.
- Goal: To fully protect NM water and public health as the state considers reviving production.

Alternative Pathways to Address New Projects



- Targeted Legislation: Immediately enact targeted supplemental regulations. OR
- Coordinated Agency Recommendations: Direct agencies to identify gaps and recommend more protective measures.
- Both pathways will produce legislation and regulation that fully protects New Mexico's water and health.

Targeted Legislation



- Focus on key statutes/regs that provide full protection.
- Examples from other states:
 - At least thirty-year post-production water monitoring for all mines (ME).
 - Requires evidence of five other ISL projects that show control over leakage, migration, and excursions (CO).
 - Allows the state to deny a permit for reclamation/restoration uncertainty (CO).
 - Denies permits if operations (including ISL) require perpetual water treatment (CO).
 - Requires facilities discharging into an aquifer to achieve the greatest degree of discharge reduction achievable through best available demonstrated control technology. Achievable is defined industry-wide and not on an operator's financial condition. (AZ)
- Outcome: Legislation and regulation that provide full protection.

Coordinated Agency Recommendations



- Direct agencies to
 - Assess resources, science, and state of existing regulations.
 - Recommend supplemental measures to create coordinated framework.
- Outcome: Legislation and regulation that provide full protection.

Summary



- Proposed revival requires statutory and regulatory measures to fully protect our state's water and health.
- Unlikely to get this opportunity again.

Questions and Discussion