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SENATE BILL

**55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022**

INTRODUCED BY

DISCUSSION DRAFT

FOR THE RADIOACTIVE AND HAZARDOUS MATERIALS COMMITTEE

AN ACT

RELATING TO THE ENVIRONMENT; CREATING THE URANIUM MINING RECLAMATION SECTION TO COORDINATE THE STATE'S EFFORTS TO CLEAN UP AND RECLAIM FORMER URANIUM MINE AND MILL SITES; PROVIDING DUTIES; CREATING THE URANIUM MINING RECLAMATION REVOLVING FUND; ESTABLISHING THE WATER PROTECTION DIVISION OF THE DEPARTMENT OF ENVIRONMENT IN STATUTE; ESTABLISHING THE GROUND WATER QUALITY BUREAU OF THE WATER PROTECTION DIVISION OF THE DEPARTMENT OF ENVIRONMENT IN STATUTE; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

**SECTION 1.** ~~[NEW MATERIAL]~~ URANIUM MINING RECLAMATION SECTION--CREATED--DUTIES.--

A. The "uranium mining reclamation section" is created in the ground water quality bureau of the water protection division of the department of environment.

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1           B. The uranium mining reclamation section shall:

2                   (1) coordinate the state's efforts to clean up  
3 and reclaim former uranium mine and mill sites. The energy,  
4 minerals and natural resources department; the Indian affairs  
5 department; the office of natural resources trustee; the state  
6 land office; the department of game and fish; the cultural  
7 affairs department; the department of health; the workforce  
8 solutions department; the economic development department; and  
9 the department of transportation shall work in conjunction with  
10 the uranium mining reclamation section to support the section's  
11 duties as they relate to the purposes of the respective  
12 departments and agencies;

13                   (2) develop a strategic plan for the cleanup  
14 of uranium mine and mill sites throughout the state, including  
15 reclamation goals, time lines for the completion of cleanup  
16 activities at specific sites and anticipated funding  
17 requirements;

18                   (3) establish an effective mechanism for  
19 consultation and coordination with the federal government;  
20 Indian nations, tribes and pueblos; communities impacted by  
21 uranium mining; and other states on uranium mine and mill  
22 reclamation activities;

23                   (4) work with the economic development  
24 department, workforce solutions department and industry to  
25 establish uranium mine and mill reclamation as a target

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1 economic development industry in New Mexico, including the  
2 creation, coordination and promotion of worker training and  
3 business development programs for reclamation activities;

4 (5) develop, maintain and update on a regular  
5 basis a centralized repository of uranium mine and mill sites  
6 and reclamation activities. The repository shall include, at  
7 minimum, the location of uranium mine and mill sites,  
8 information about the ownership and legal jurisdiction of each  
9 site and each site's cleanup status; and

10 (6) on an annual basis, report to the  
11 radioactive and hazardous materials committee on the section's  
12 activities in the preceding year.

13 SECTION 2. [NEW MATERIAL] URANIUM MINING RECLAMATION  
14 REVOLVING FUND--CREATED.--

15 A. The "uranium mining reclamation revolving fund"  
16 is created in the state treasury. The uranium mining  
17 reclamation revolving fund consists of appropriations, gifts,  
18 grants, donations and money received by the department of  
19 environment from the federal government or other state agencies  
20 and other sources for conducting uranium mine and mill  
21 reclamation activities.

22 B. Subject to legislative appropriation,  
23 expenditures may be made from the uranium mining reclamation  
24 revolving fund upon vouchers signed by the secretary of  
25 environment and warrants issued by the secretary of finance and

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1 administration for the department of environment to administer  
2 uranium mine and mill reclamation projects and carry out the  
3 duties of the uranium mining reclamation section of the ground  
4 water quality bureau of the water protection division of the  
5 department of environment, including the acquisition of tools  
6 and equipment; expenses incurred by the department of  
7 environment in planning, supervising and undertaking uranium  
8 mine and mill reclamation projects; and expenses incurred in  
9 litigation involving uranium mine or mill sites; provided that  
10 money in the fund shall not be used for the operational  
11 expenses of the uranium mining reclamation section.

12 C. Money in the uranium mining reclamation  
13 revolving fund shall not revert to the general fund at the end  
14 of a fiscal year.

15 SECTION 3. [NEW MATERIAL] WATER PROTECTION DIVISION.--  
16 There is created in the department of environment the "water  
17 protection division".

18 SECTION 4. [NEW MATERIAL] GROUND WATER QUALITY BUREAU.--  
19 There is created in the water protection division of the  
20 department of environment the "ground water quality bureau".

21 SECTION 5. APPROPRIATION.--Three hundred fifty thousand  
22 dollars (\$350,000) is appropriated from the general fund to the  
23 department of environment for expenditure in fiscal year 2023  
24 for the first-year operations of the uranium mining reclamation  
25 section of the ground water quality bureau of the water

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1 protection division of the department. Any unexpended or  
2 unencumbered balance remaining at the end of fiscal year 2023  
3 shall revert to the general fund.

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