

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

**June 15, 2023
State Capitol, Room 326
Santa Fe**

The first meeting of the Radioactive and Hazardous Materials Committee was called to order by Senator Jeff Steinborn, vice chair, on Thursday, June 15, 2023, at 9:43 a.m. in Room 326 of the State Capitol in Santa Fe.

Present

Rep. Joanne J. Ferrary, Chair
Sen. Jeff Steinborn, Vice Chair
Rep. Eliseo Lee Alcon
Sen. David M. Gallegos
Rep. Stefani Lord
Sen. Brenda G. McKenna
Sen. Nancy Rodriguez
Sen. Joshua A. Sanchez
Rep. Debra M. Sariñana

Absent

Rep. Cathrynn N. Brown
Rep. Christine Chandler
Sen. Shannon D. Pinto

Advisory Members

Sen. Harold Pope

Rep. John Block
Sen. Ron Griggs
Rep. D. Wonda Johnson

Guest Legislator

Rep. Jenifer Jones

Staff

Tom Kricka, Staff Attorney, Legislative Council Service (LCS)
Sara Wiedmaier, Researcher, LCS
Ian Carrillo, Intern, LCS
Angela Dakan, 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.

Thursday, June 15

Welcome and Introductions (9:43 a.m.)

Senator Steinborn welcomed the committee, and members of the committee, staff and audience introduced themselves.

Overview of the Office of Natural Resources Trustee's (ONRT's) Role in Restoring Resources Affected by the Release of Radioactive and Hazardous Materials (9:49 a.m.)

Maggie Hart Stebbins, natural resources trustee, ONRT, and Kate Girard, executive director, ONRT, presented an overview of the office's mission, its role in the restoration of injured natural resources and its shared responsibility with the Department of Environment (NMED) to stop contamination and to hold polluters accountable.

Ms. Hart Stebbins and Ms. Girard discussed three current cases and several potential new cases undergoing natural resource damage assessments. They also discussed some of the claim settlements that have been reached with polluters through the federal Superfund Act and other state and federal laws and the restoration projects created from and funded by those settlements. The presentation can be found here:

<https://www.nmlegis.gov/handouts/RHMC%20061523%20Item%202%20ONRT%20Overvie1.pdf>.

Discussion of the 2023 Work Plan and Meeting Schedule (10:44 a.m.)

Mr. Kricka presented the proposed 2023 interim work plan and meeting schedule, and committee members discussed the plan and gave input on additional topics of focus. On a motion duly made and seconded, and without objection, the committee voted to approve the work plan and meeting schedule.

Overview of the NMED's Regulation of Radioactive and Hazardous Materials (10:56 a.m.)

Rick Shean, director, Resource Protection Division, NMED, presented an overview of the NMED's regulation of radioactive and hazardous materials and what its authority is at high-profile facilities such as Los Alamos National Laboratory (LANL) and the Waste Isolation Pilot Plant (WIPP). He provided updates on permit renewal applications submitted by LANL and WIPP, legacy waste cleanup at LANL and the department's work with the United States Air Force to remediate the ground water and soil contamination at Kirtland Air Force Base.

Mr. Shean's presentation included information about emerging contaminants; concerns about self regulation of, collaboration on and the challenges of cleanup efforts; and the department's need for more funding and inspection staff.

Santiago Rodriguez, chief, Radiation Control Bureau, Environmental Protection Division, NMED, provided information on how the NMED regulates and monitors the naturally occurring radioactive materials in the waste streams of the oil and gas industry. The presentation can be found here:

<https://www.nmlegis.gov/handouts/RHMC%20061523%20Item%203%20NMED.pdf>.

WIPP Transportation Program (12:01 p.m.)

Jeremy Lewis, acting director, Energy Conservation and Management Division, Energy, Minerals and Natural Resources Department, presented information on the working group for the WIPP Transportation Safety Program, which coordinates with other state agencies, including the Department of Public Safety, the Department of Health and the NMED, and how those agencies contribute to the working group. He also highlighted achievements in the training of emergency responders, medical personnel and volunteers along the WIPP shipping corridor. The presentation can be found here:

<https://www.nmlegis.gov/handouts/RHMC%20061523%20Item%204%20WIPP%20Transportation%20Program.pdf>.

Overview of the State Land Office's Role in the Regulation of Radioactive and Hazardous Materials (1:20 p.m.)

Sunalei Stewart, deputy commissioner of operations, State Land Office, presented information about the office's legal and regulatory role in the management of radioactive and hazardous materials on state trust lands. He provided an update on Holtec International's proposed interim storage facility for spent nuclear waste and how the state's mineral interests at the site have not been properly considered. He also discussed the office's remediation and reclamation efforts and noted that the office would benefit from more staff and funding for enforcement of environmental compliance and other projects. The presentation can be found here:

<https://www.nmlegis.gov/handouts/RHMC%20061523%20Item%205%20SLO%20Overview.pdf>.

Public Comment (1:47 p.m.)

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

Adjournment

There being no further business before the committee, the meeting adjourned at 2:14 p.m.