



**New Mexico State Land Office**

**Commissioner of Public Lands  
Stephanie Garcia Richard**

**RADIOACTIVE AND HAZARDOUS  
MATERIALS COMMITTEE**

**MAY 29, 2024**

# Agenda



**NMSLO Legal and Regulatory Framework**



**Holtec “Interim” Storage Facility Status Update**



**Remediation and Reclamation Efforts**



**Uranium Mining**



**Questions**

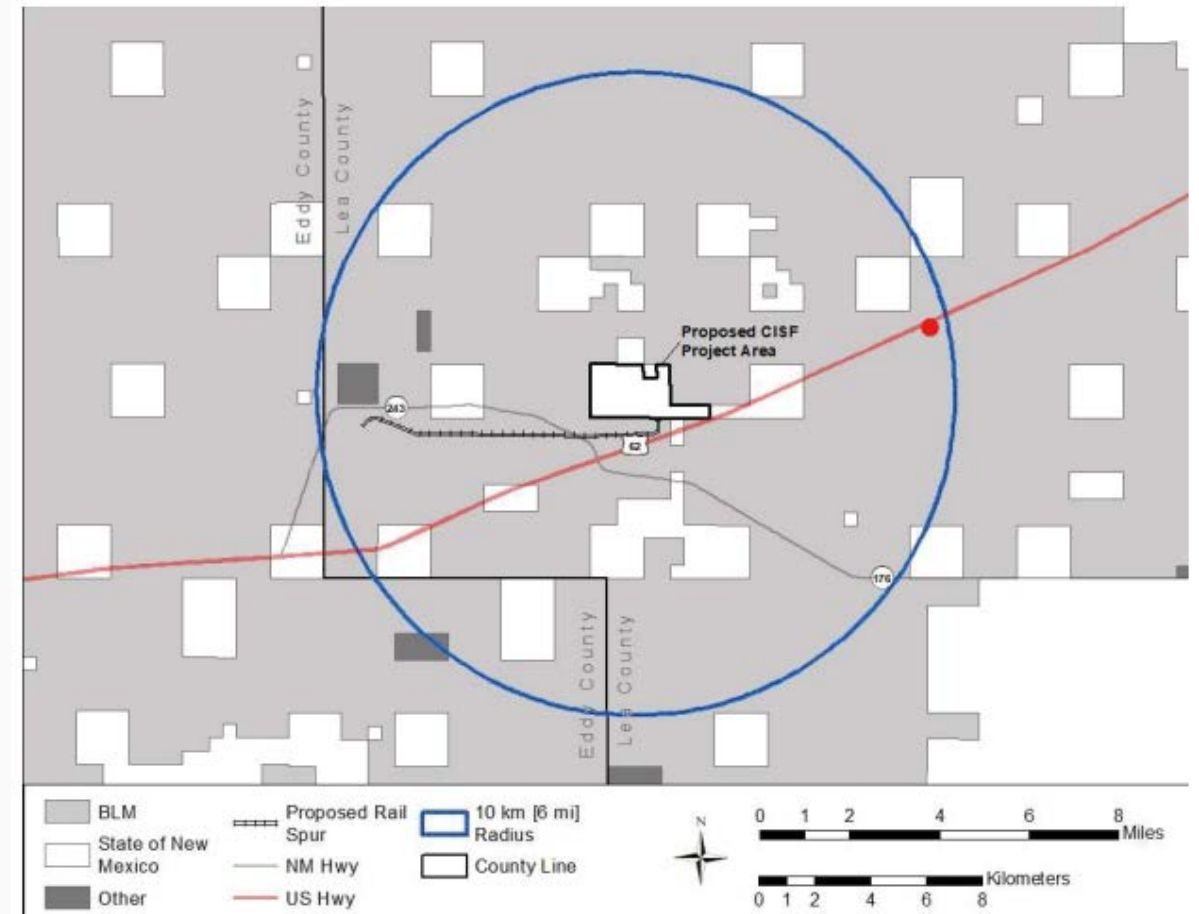
# State Land Office Legal Framework

- Broad authority over the management and disposition of state trust lands (9 million acres of surface, 13 million acres of mineral rights)
- Leases (ag, commercial, oil & gas, renewable, mining, etc.) provide terms and conditions entities must follow (including clean-up requirements)
- Leases also require compliance with other state and federal laws/regs (e.g., EMNRD, Environment Department, PRC, EPA)
- Enforcement tools – achieve compliance via collaboration or litigation

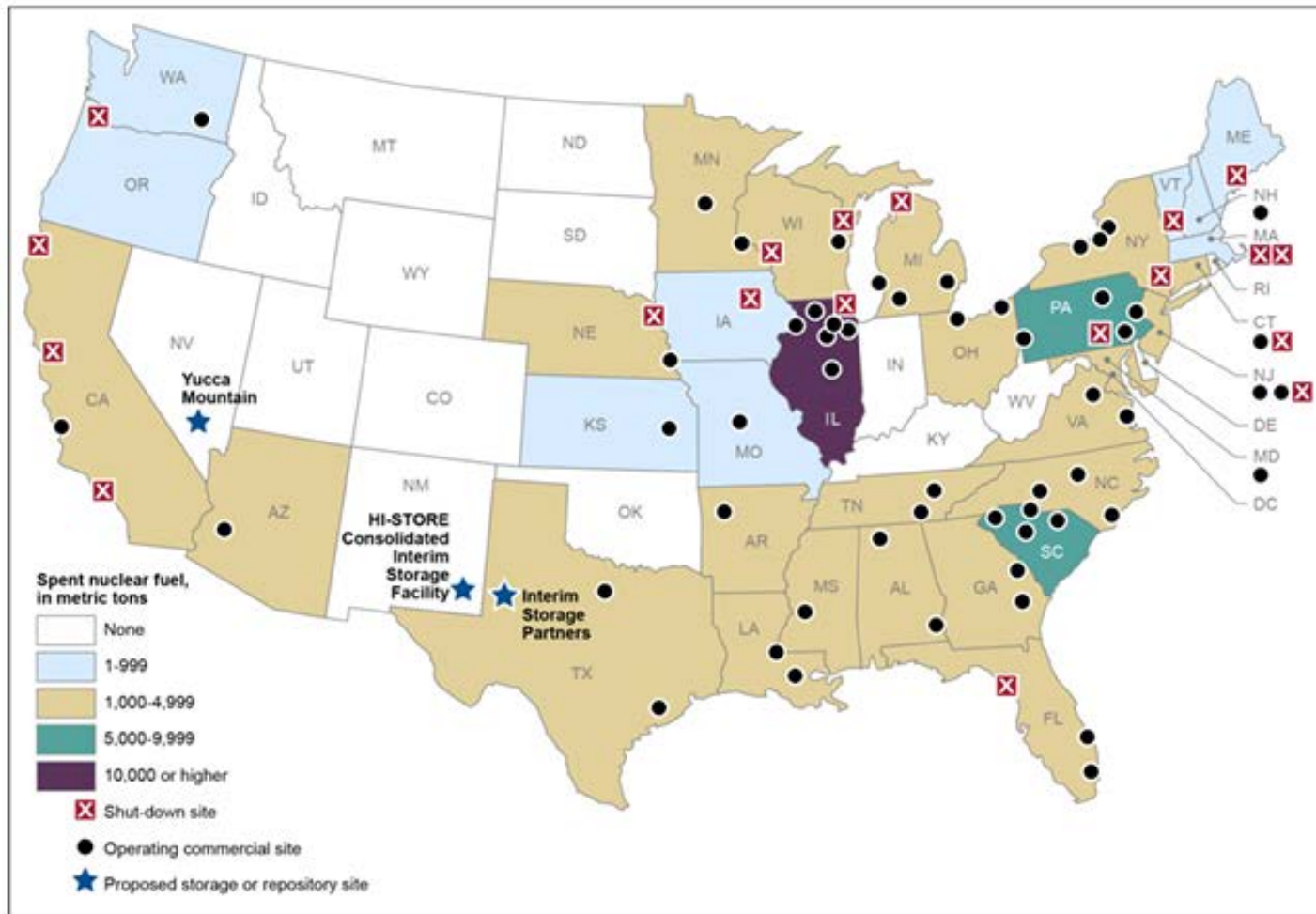


# Holtec Status Update

- NRC issued license to Holtec on May 9, 2023 for “interim” storage (10,000 casks of high-level nuclear waste)
- NMSLO owns/leases mineral rights at site (no current restriction on leasing activities)
- EIS included faulty environmental & safety assessments; relied on misleading applicant info; failed to properly consider NMSLO mineral interests
- **5<sup>th</sup> Circuit Court of Appeals vacated Holtec’s NRC license for NM storage site (March 27, 2024); possible U.S. Supreme Court review**

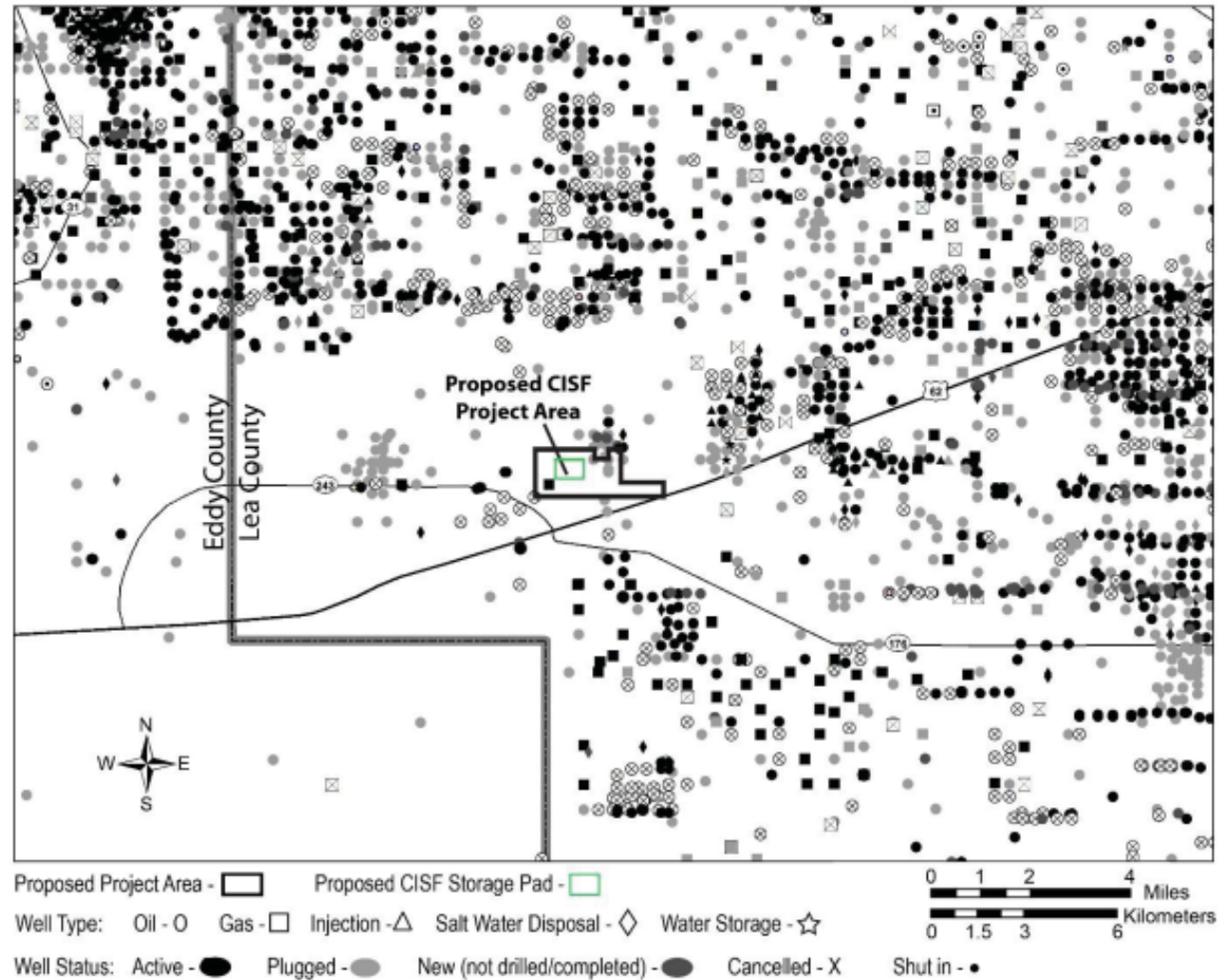


# Spent Nuclear Fuel Amounts Currently Stored at 70 Sites in 35 States













Sources: GAO analysis of data from Gutherman Technical Services, LLC, the Department of Energy, and the Nuclear Regulatory Commission; Map Resources (map). | GAO-21-603

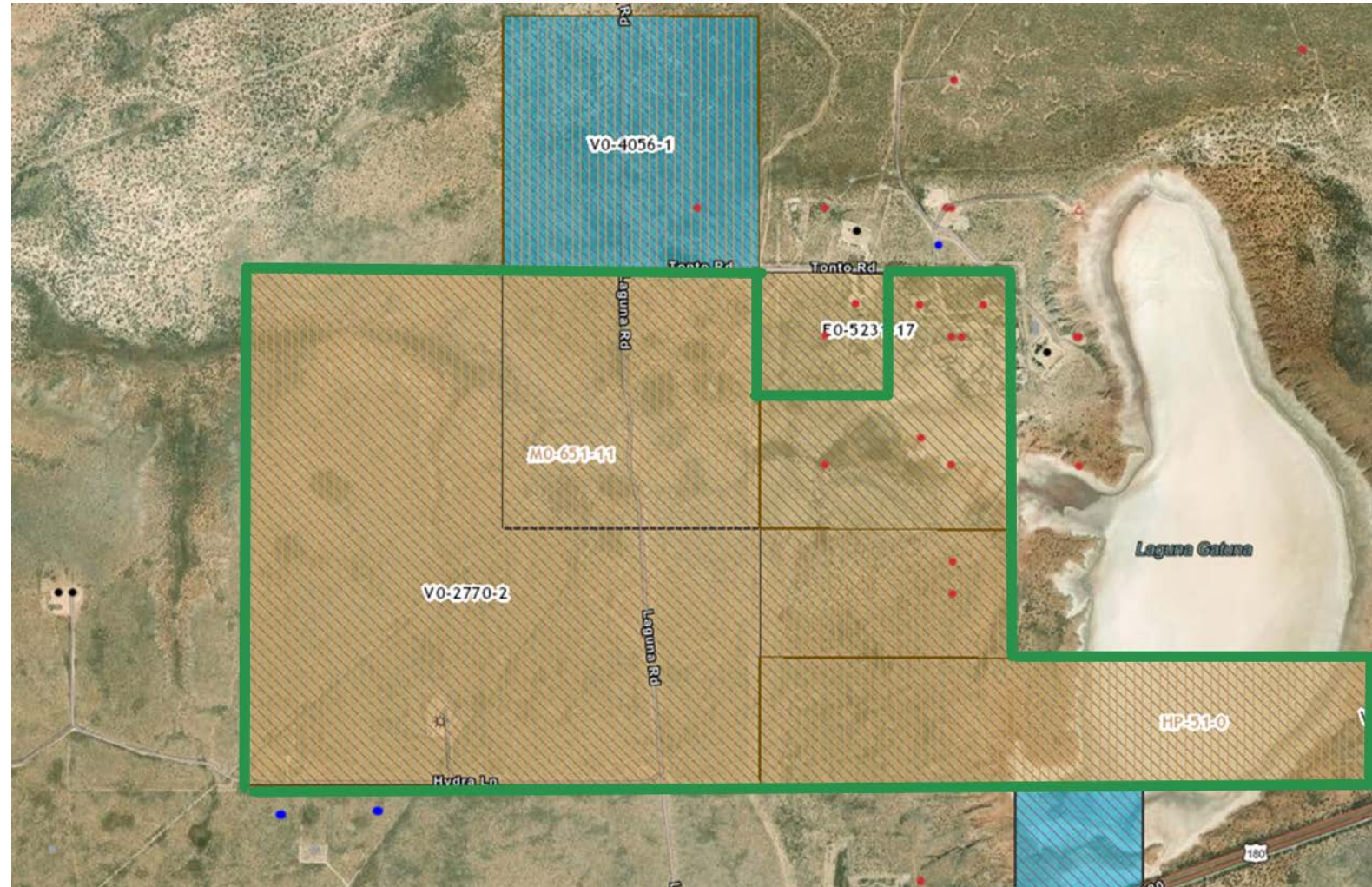
# Oil & Gas Wells Within and Surrounding Project Area



# Oil, Gas and Mineral Site Activity

## NM Trust Lands - By Estate

-  Subsurface
-  Surface and Subsurface
-  Oil and Gas Leases
  -  Gas, Active
  -  Oil, Active
  -  Oil, Cancelled
  -  Oil, New
  -  Oil, Plugged
-  Minerals Leases
-  Project Area



# Remediation and Reclamation Efforts



## Created New Environmental Compliance Office

- Secured three new Environmental Specialist positions in 2022 Legislative Session
- Stepped-up remediation & reclamation expertise & activities



## Enforcement and Accountability Program

- 463 oil & gas wells plugged
- At least \$46 million in remediation costs NOT shouldered by taxpayers
- 30 lawsuits filed

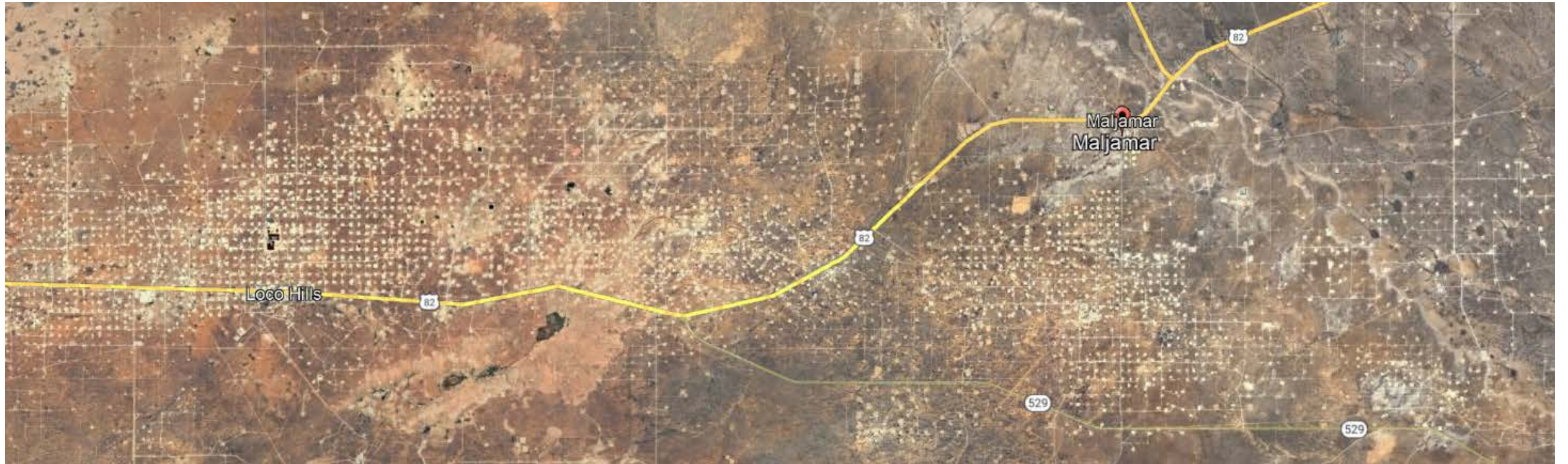


## Bonding

- Ensure all leases are bonded
- Protect taxpayers and land trust beneficiaries



# The Big Picture, Challenge



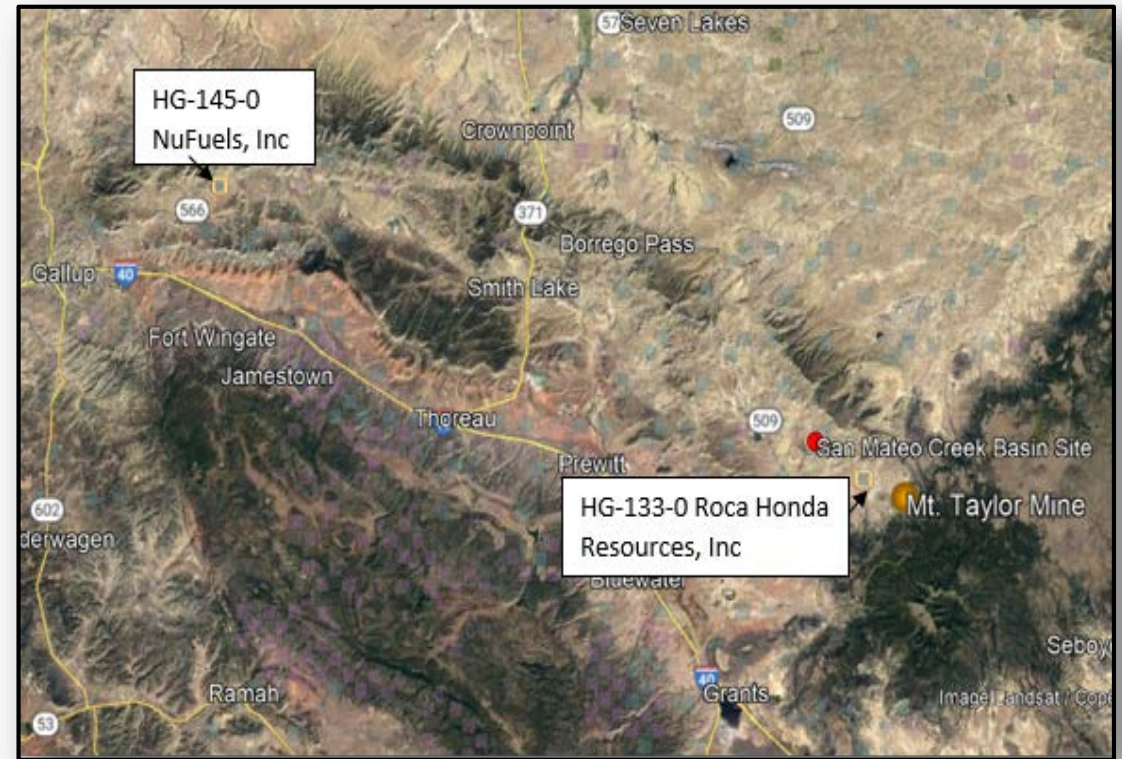
# On the Ground Example

Sanmal Queen Unit: Smith & Marris / MMCP Leasing Lawsuit



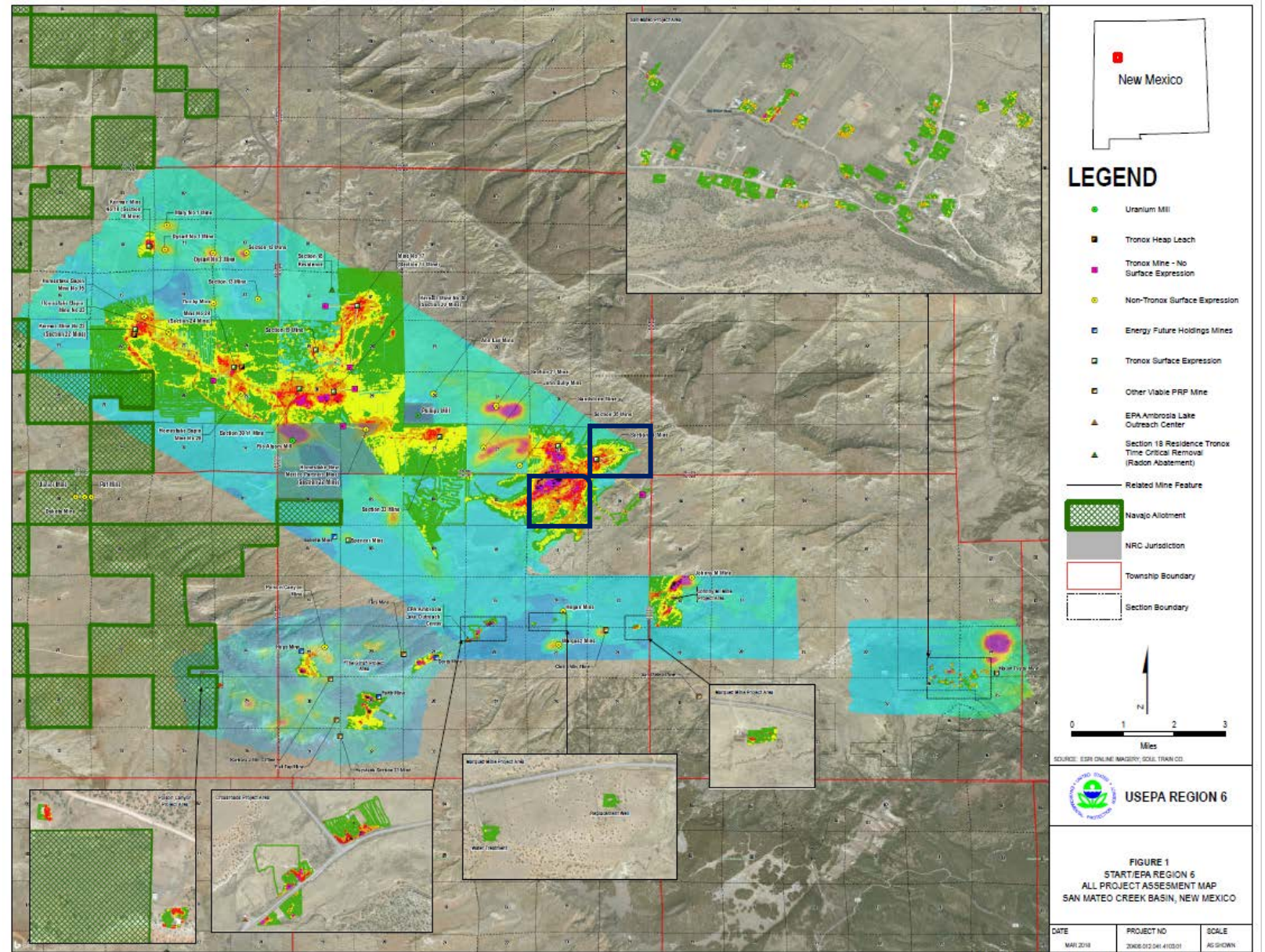
# Uranium Activity on State Trust Lands

- Two active, legacy uranium mining leases (neither producing)
  - NuFuels, Inc. (signed 2018; expires 2033)
  - Roco Hondo Resources, LLC (signed 2015; expires 2030)
- Major site contamination (San Mateo Creek Basin)
- Collaborating with NMED, EMNRD on legacy mine inventory and clean-up



# San Mateo Creek Basin EPA Project Map Surface Uranium Contamination

## NMSLO Sections 2 & 36



**QUESTIONS?**



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