SENATE BILL 89
55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022

INTRODUCED BY
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AN ACT
RELATING TO THE ENVIRONMENT; DIRECTING THE DEPARTMENT OF
ENVIRONMENT 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; MAKING
AN APPROPRIATION.

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

SECTION 1. [NEW MATERIAL] URANIUM MINING RECLAMATION--
DEPARTMENT OF ENVIRONMENT--DUTIES.--

A. The department of environment shall:

(1) coordinate the state's efforts to clean up
and reclaim former uranium mine and mill sites and undertake
uranium mine and mill site reclamation projects. The energy,
minerals and natural resources department; the Indian affairs
department; the office of natural resources trustee; the state
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land office; the department of game and fish; the cultural
affairs department; the department of health; the workforce
solutions department; the economic development department; and
the department of transportation shall work in conjunction with
the department of environment to support the department's
duties as they relate to the purposes of the respective
departments and agencies;

(2) develop a strategic plan for the cleanup
of uranium mine and mill sites throughout the state, including
reclamation goals, time lines for the completion of cleanup
activities at specific sites and anticipated funding
requirements. The department of environment shall consult with
the departments and agencies enumerated in Paragraph (1) of
this subsection in the development of the strategic plan and
include in the strategic plan the respective agencies' and
departments' input;

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

(4) work with the economic development
department, workforce solutions department and industry to
establish uranium mine and mill reclamation as a target
economic development industry in New Mexico, including the
creation, coordination and promotion of worker training and
business development programs for reclamation activities;

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

(6) on an annual basis, report to the
radioactive and hazardous materials committee on the department
of environment's activities in the preceding year. The
department of environment shall consult with the departments
and agencies enumerated in Paragraph (1) of this subsection and
include in the report the activities undertaken by the
respective departments and agencies in the preceding year that
are related to uranium mine and mill site reclamation.

B. The secretary of environment shall create a
uranium mine reclamation coordinator position and employ
additional staff as needed for the department of environment to
carry out the provisions of this section.

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

A. The "uranium mining reclamation revolving fund"
is created in the state treasury. The uranium mining
reclamation revolving fund consists of appropriations, gifts,
grants, donations and money received by the department of
environment from the federal government or other state agencies
and other sources for conducting uranium mine and mill
reclamation activities. Money recovered for the state by or on
behalf of the department of environment from uranium mine or
mill reclamation related litigation or settlements shall be
deposited in the uranium mining reclamation revolving fund.

B. Subject to legislative appropriation,
expenditures may be made from the uranium mining reclamation
revolving fund upon vouchers signed by the secretary of
environment, or the secretary's designee, and warrants issued
by the secretary of finance and administration for the
department of environment to undertake projects to reclaim
uranium mine and mill sites, including the acquisition of tools
and equipment; expenses incurred by the department of
environment in planning, supervising and completing uranium
mine and mill reclamation projects; and expenses incurred in
litigation involving uranium mine or mill sites; provided that
money in the fund shall not be used for the operational
expenses of the department of environment.

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

SECTION 3. APPROPRIATION.--Three hundred fifty thousand
dollars ($350,000) is appropriated from the general fund to the
department of environment for expenditure in fiscal year 2023 for the department's first-year operating expenses in carrying out the duties of Section 1 of this act. Any unexpended or unencumbered balance remaining at the end of fiscal year 2023 shall revert to the general fund.

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