

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

**August 15, 2024
Student Services and Technology Center, Room 200
University of New Mexico-Gallup
703 Gurley Avenue
Gallup**

The second meeting of the Radioactive and Hazardous Materials Committee (RHMC) was called to order by Representative Joanne J. Ferrary, chair, on August 15, 2024 at 9:28 a.m. in Room 200 of the Student Services and Technology Center at the University of New Mexico-Gallup in Gallup.

Present

Rep. Joanne J. Ferrary, Chair
Sen. Jeff Steinborn, Vice Chair
Rep. Eliseo Lee Alcon
Rep. Stefani Lord
Sen. Shannon D. Pinto
Sen. Nancy Rodriguez
Rep. Debra M. Sariñana

Absent

Rep. Cathrynn N. Brown
Rep. Christine Chandler
Sen. David M. Gallegos
Sen. Brenda G. McKenna
Sen. Joshua A. Sanchez

Advisory Members

Rep. William A. Hall II
Rep. D. Wonda Johnson

Rep. John Block
Sen. Ron Griggs
Sen. Harold Pope

Guest Legislator

Sen. Antoinette Sedillo Lopez

Staff

Paul Estok, Staff Attorney, Legislative Council Service (LCS)
Tom Kricka, Staff Attorney, LCS
Sara Wiedmaier, Researcher, 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, August 15

Welcome and Introductions (9:32 a.m.)

Representative Ferrary welcomed the committee, and committee members and staff introduced themselves. Dr. Sabrina Ezzell, chancellor, University of New Mexico-Gallup, welcomed the committee.

San Juan Generating Station Cleanup (9:35 a.m.)

Justin Ball, bureau chief, Ground Water Quality Bureau, Department of Environment (NMED), provided an overview of NMED's remediation efforts at the site of the San Juan Generating Station, a coal-burning electric power generating station that was operated by the Public Service Company of New Mexico and closed in 2022. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=RHMC&Date=8/15/2024&ItemNumber=1>.

Uranium Mine and Mill Site Reclamation (10:22 a.m.)

Chris Shuey, director, Uranium Impact Assessment Program, Southwest Research and Information Center, and Teracita Keyanna, member, Steering Committee, Red Water Pond Road Community Association, discussed cleanup and reclamation from uranium mining and processing in McKinley and Cibola counties. Mr. Shuey talked about the history of uranium mining and processing in the area, uranium mine waste, the health impacts from exposure to uranium wastes and the policies needed to address the situation. Ms. Keyanna discussed a proposal to move uranium mine waste from the abandoned Quivira Mines near Church Rock to the Red Rock landfill in Thoreau. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=RHMC&Date=8/15/2024&ItemNumber=2>.

Approval of Motion to Send a Letter to the Governor, the State Department of Justice, the New Mexico Congressional Delegation, the NMED, the Energy, Minerals and Natural Resources Department (EMNRD) and the United States Environmental Protection Agency (EPA) to Urge Action to Remediate Contaminated Sites in New Mexico (12:24 p.m.)

On a motion made by Senator Steinborn, seconded by Representative Johnson and without objection, the committee approved sending a letter to the governor, the State Department of Justice, the New Mexico congressional delegation, the NMED, the EMNRD and the EPA to urge: the State Department of Justice to research and advance a legal action against the federal

government to require the federal government to address national-defense-related uranium waste and fund a comprehensive remediation of uranium mining and milling sites; the governor to support the creation of a \$150 million cleanup fund to assist in the remediation of contaminated sites; New Mexico's congressional delegation to introduce legislation requiring the expeditious cleanup of defense-related uranium waste in New Mexico; and the establishment of a working group of interested states, federal agencies and Indian nations, tribes and pueblos to develop an actionable and comprehensive solution to address the issue of contaminated sites, including exploring the siting of a regional uranium waste site.

Issues Concerning Downwinders (1:03 p.m.)

Reverend Holly Beaumont, D.Min., organizing director, Interfaith Worker Justice-New Mexico, and Bernice Gutierrez, member, Tularosa Basin Downwinders Consortium, discussed the history of the federal Radiation Exposure Compensation Act (RECA) and provided an update on proposed federal legislation to extend and expand the RECA that is currently in the United States House of Representatives. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=RHMC&Date=8/15/2024&ItemNumber=3>.

Approval of Motion to Send a Letter to the Speaker of the United States House of Representatives and the New Mexico Congressional Delegation to Support Federal Legislation Relating to the RECA (1:32 p.m.)

On a motion made by Senator Steinborn, seconded by Representative Johnson and without objection, the committee approved sending a letter to the Speaker of the United States House of Representatives and the New Mexico congressional delegation to support the passage of United States Senate Bill 3853 to extend the period for filing claims under the RECA, provide compensation for claims relating to Manhattan Project waste and improve compensation for uranium mine workers.

Funding for the Cleanup of Abandoned, Neglected and Contaminated Sites (1:38 p.m.)

Mr. Ball and Kelsey Bicknell, environmental manager, Albuquerque Bernalillo County Water Utility Authority, discussed neglected contaminated sites around the state. Mr. Ball provided an overview of neglected contaminated sites where known or suspected contamination is causing a threat to human health or the environment, cleanup assistance through an existing state or federal program is not available and a responsible party is not identifiable to assess and clean up the contamination. Ms. Bicknell talked about the need to protect source water from neglected contaminated sites and the Carlisle Village Cleaners superfund site. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=RHMC&Date=8/15/2024&ItemNumber=4>.

Emergency Preparedness and Response (2:37 p.m.)

Adam Berry, emergency manager, Office of Emergency Management, McKinley County; Beverly Simpson, emergency manager, Los Alamos County; Clay Reid, C.H.M.M., senior

director for hazardous materials safety, BNSF Railway; and Cynthia Weehler, co-chair, 285 Alliance, presented information on emergency preparedness and the train derailment near the New Mexico-Arizona border. Mr. Berry provided an overview of emergency response incidents in McKinley County and talked about the train derailment. Ms. Simpson discussed emergency response incidents in Los Alamos County and preparedness for potential incidents involving the Los Alamos National Laboratory. Mr. Reid talked about safety measures at BNSF, including firefighting, first responders and hazardous materials response. Ms. Weehler discussed the dangers from per- and polyfluoroalkyl substances and lead in drinking water, runaway thermal fires from battery storage stations and releases of radioactive and toxic chemicals. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=RHMC&Date=8/15/2024&ItemNumber=5>.

Public Comment (3:23 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 3:36 p.m.