

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

**September 13, 2024  
Zia Park Casino, Hotel and Racetrack  
3901 West Millen Drive  
Hobbs**

The third meeting of the Radioactive and Hazardous Materials Committee was called to order by Representative Joanne J. Ferrary, chair, on September 13, 2024 at 9:17 a.m. at the Zia Park Casino, Hotel and Racetrack in Hobbs.

**Present**

Rep. Joanne J. Ferrary, Chair  
Rep. Eliseo Lee Alcon  
Rep. Cathrynn N. Brown  
Rep. William A. Hall II\*  
Rep. Stefani Lord  
Sen. Shannon D. Pinto  
Rep. Debra M. Sariñana

**Absent**

Sen. Jeff Steinborn, Vice Chair  
Rep. Christine Chandler  
Sen. David M. Gallegos  
Sen. Brenda G. McKenna  
Sen. Nancy Rodriguez  
Sen. Joshua A. Sanchez

**Advisory Members**

Rep. John Block

Sen. Ron Griggs  
Rep. D. Wonda Johnson  
Sen. Harold Pope

\*Appointed by the president pro tempore of the senate as a voting member for this meeting only.

**Staff**

Tom Kricka, Staff Attorney, Legislative Council Service (LCS)  
Paul Estok, Staff Attorney, LCS  
Erika Falance, Staff, LCS

**Guests**

The guest list is in the meeting file.

**Minutes Approval**

The minutes for this meeting have not been officially approved by the committee.

**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](http://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.

## **Friday, September 13**

### **Tour of Setbacks from Oil and Gas Operations for Committee Members and Staff (8:00 a.m.)**

#### **Welcome and Introductions (9:17 a.m.)**

Representative Ferrary welcomed everyone, and members of the committee and staff introduced themselves.

#### **Welcome and Status Update (9:33 a.m.)**

Sam Cobb, mayor, City of Hobbs, welcomed the committee and gave a general update on economic development in Hobbs, highlighting a new solar project and stressing the importance of the oil and gas industry to the city and county.

#### **Update on Uranium Enrichment (9:42 a.m.)**

Lisa Hardison, head of communications and public relations, Urenco USA (UUSA), and John Kirkpatrick, managing director, UUSA, gave a brief overview of UUSA's operations in New Mexico and presented a video briefly introducing its operations worldwide. Ms. Hardison highlighted the company's commitment to the local community. Mr. Kirkpatrick described UUSA's current operation, plans for increasing capacity and the opportunity UUSA sees for growth in its New Mexico facility. Rose Gardner, co-founder, Alliance for Environmental Strategies, and resident, City of Eunice, expressed the concerns of her organization about how UUSA would deal with the nuclear waste the plant produces. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=RHMC&Date=9/13/2024&ItemNumber=1>.

### **Waste Isolation Pilot Plant (WIPP) Operations, Expansion, Storage and Shipments of Transuranic Waste and the Proposed Clean Energy Project at the WIPP Site (10:44 a.m.)**

Don Hancock, director, Nuclear Waste Safety Program and administrator, Southwest Research and Information Center, addressed the WIPP permit renewal and the need for additional public information and engagement. Mr. Hancock described current activities at the site and aspects of the renewed permit. Michael Gerle, director, Environmental Regulatory Compliance Division, Carlsbad Field Office, United States Department of Energy, summarized the mission of the WIPP and what the facility has accomplished to date, noting that it continues to provide safe and compliant disposal of transuranic waste while protecting workers, the public and the environment. In addition, Mr. Gerle gave a brief description of current mining

operations at the WIPP. Megan McLean, environmental scientist, Hazardous Waste Bureau, Department of Environment (NMED), spoke about the recent successful negotiation of the WIPP facility operating permit as well as some of the new conditions included in the permit renewal. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=RHMC&Date=9/13/2024&ItemNumber=2>.

#### **Approval of Minutes (12:02 p.m.)**

Upon a motion duly made and seconded, and without any objections, the committee approved the minutes of the August 15, 2024 meeting.

#### **Setbacks from Oil and Gas Operations (12:24 p.m.)**

Colin Cox, staff attorney, Climate Law Institute, Center for Biological Diversity, presented data and information about the harmful levels of pollutants from oil and gas wells located in close proximity to schools, with particular emphasis on the danger posed to school-age children exposed to pollutants. Jozee Zuniga, organizer, Center for Biological Diversity, described the ill effects she suffered while living and attending school in close proximity to oil and gas wells. Sharon Wilson, director, Oilfield Witness, and certified thermographer, presented thermographic images of methane and other volatile gases escaping from oil and gas wells. Ms. Wilson described how wind and weather distribute the pollutants across the landscape. Dr. Gunnar Schade, associate professor, Atmospheric Sciences, Texas A&M University, focused on a current study being conducted that suggests that ozone, methane, ethane and radon have been detected in the air, primarily as a result of oil and gas well emissions. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=RHMC&Date=9/13/2024&ItemNumber=3>.

#### **Produced Water and Water Reuse (2:06 p.m.)**

John Rhoderick, director, Water Protection Division, NMED, detailed the current status of rulemaking concerning water reuse for augmenting freshwater sources to reduce the strain on freshwater resources. Mr. Rhoderick described the department's efforts to encourage public engagement in the rulemaking process. Mr. Rhoderick also provided an update on the efforts to develop regulations for the use of treated produced water. He noted that the NMED is engaged in developing foundational rules based on sound science. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=RHMC&Date=9/13/2024&ItemNumber=4>.

#### **Public Comment (2:27 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 2:37 p.m.