

HOUSE ENERGY, ENVIRONMENT AND NATURAL RESOURCES COMMITTEE
SUBSTITUTE FOR
HOUSE BILL 164

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

This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

AN ACT

RELATING TO THE ENVIRONMENT; DIRECTING THE DEPARTMENT OF ENVIRONMENT TO COORDINATE EFFORTS ACROSS THE STATE TO CLEAN UP AND RECLAIM FORMER URANIUM MINE AND MILL SITES; PROVIDING DUTIES; DIRECTING THE CREATION OF A URANIUM MINE RECLAMATION COORDINATOR POSITION IN THE DEPARTMENT OF ENVIRONMENT; DIRECTING THE CREATION OF A URANIUM MINE RECLAMATION COORDINATOR POSITION IN THE ENERGY, MINERALS AND NATURAL

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RESOURCES DEPARTMENT; CREATING THE URANIUM MINING RECLAMATION
REVOLVING FUND H AFC → ; ~~MAKING AN APPROPRIATION~~ ← H AFC .

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 efforts across the state to clean up and reclaim former uranium mine and mill sites. The energy, minerals and natural resources department; the Indian affairs department; the office of natural resources trustee; the state 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

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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 shall use any information currently maintained or possessed by the energy, minerals and natural resources department relating to uranium mine and mill sites; 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

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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] ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT--URANIUM MINE RECLAMATION COORDINATOR.--
The secretary of energy, minerals and natural resources shall create a uranium mine reclamation coordinator position and employ additional staff as needed to coordinate the department's uranium mine and mill site reclamation activities and effectively collaborate and engage with the department of environment in carrying out the provisions of Section 1 of this 2022 act.

SECTION 3. [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 or the energy, minerals and natural resources department 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

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behalf of the department of environment or the energy, minerals and natural resources department from uranium mine or mill reclamation related litigation or settlements shall be deposited in the uranium mining reclamation revolving fund.

B. The uranium mining reclamation revolving fund shall be administered by the department of environment. Money in the fund is subject to appropriation by the legislature. Expenditures may be made from the fund for the department of environment or the energy, minerals and natural resources department to undertake projects to reclaim uranium mine and mill sites, including the acquisition of tools and equipment; expenses incurred by the department of environment or the energy, minerals and natural resources department 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 or the energy, minerals and natural resources department. Disbursements from the fund shall be made by warrant of the secretary of finance and administration pursuant to vouchers signed by the secretary of environment or the secretary of energy, minerals and natural resources or their designees.

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

H AFC → ~~SECTION 4. 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 and subsequent fiscal years for the department's operating expenses in carrying out the duties of Section 1 of this act. Any unexpended or unencumbered balance remaining at the end of a fiscal year shall not revert to the general fund.~~ ←HAFC

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