

Texas Mining and Reclamation Association

# Developments in Texas

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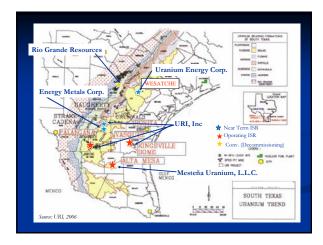
#### Texas Uranium

- Uranium Mining in Texas has been around for almost 40 years.
- Uranium development focused in South Texas
- From the late 1960's through the early 1990's most of the uranium was recovered using conventional mining.
  - Several relatively small surface mines
  - Four conventional mills
  - All are reclaimed and decommissioned

#### Texas Uranium

- Starting in the mid 1970's, ISR became the predominate means for uranium recovery.
- Texas ISR Uranium
  - Over 10 companies had ISR operations
  - Peak activity during mid-'80's
  - Most operations shut-in by early '90's due to low prices.
  - Almost all sites were restored and decommissioned since that time
- By 1999, all uranium recovery operations shut down
- 2004 saw the recovery in the industry

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# **Texas Regulatory Environment**

- Agreement State for radioactive materials
- Delegated agency for UIC programs
   Texas Commission on Environmental Quality
- Texas has a long history with uranium mining
- State regulations are some of the most detailed and comprehensive relative to the States where uranium mining takes place

## **Developments**

- Legislation addresses uranium recovery and exploration in a limited way
- The lack of clarity of legislative intent creates uncertainty

## **Developments**

- The administrative procedures for UIC permits
  - Class III UIC permit process is a fully adjudicated process
  - Production Area Authorizations (PAA's) are used to manage
  - PAA's had always been an administrative process requiring notice and comment with clear procedures
- The industry resurgence identified gaps in the permitting

  - Opportunity to consider past performance for existing operators

## **Updating Rules**

- TCEQ and TMRA identified areas where consistency and updates were needed
- TMRA issued a white paper with its concerns
  - Provide regulatory certainty in the permitting process
  - Provide a better defined annual reporting process
- TMRA filed a petition for Rulemaking with TCEQ
  - Petition denied
  - TCEQ staff instructed to start rulemaking process

    - Consider all stakeholders

## Licensing

- Department of State Health Services
  - A huge organization
  - Radiation Control is a very small program
- Key issues
  - Adequate staffing.

  - Fully funded by license fees to the Texas General Fund
     Requires appropriation by legislature
- TMRA has supported legislation to set aside license fees for direct funding of the Radiation Program

## Legislation

- Texas Legislature meets on a biennial schedule.
- 2007 is a Legislative Session that ends May 30<sup>th</sup>.
- There are currently 4 bills that will some effect on Texas' uranium industry
  - H.B. 3837
  - H.B. 3838
  - S.B. 1604
  - S.B. 2007
- These bills are pending in either one of the two houses

# Legislation

- - Addresses the gaps in the Natural Resources Code with respect to Groundwater Conservation Districts
    Provides clarity in jurisdiction

  - Provides additional reporting to Groundwater Districts
- H.B. 3838
  - Companion bill to H.B. 3837
  - Addresses similar gaps in the Water Code
- Provides reporting to Groundwater Districts
- TMRA is supporting these bills

## Legislation

- S.B. 1604

  - Provides additional FTE for managing program
  - Addresses issues related to byproduct disposal
- Transfer attempted in early '90's and failed to work
- This time legislative intent is clearer and funding supported
- TMRA supports this legislation

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# Legislation

- S.B. 2007
  - Creates a Groundwater Conservation District in Brooks county
  - Mesteña Uranium LLC operates Alta Mesa Project within District Boundaries
  - First GCD created with a uranium operation as a stakeholder
- Passed Senate unanimously
- Pending in House Committee consideration
- TMRA is neutral on bill

#### Conclusion

- Texas agencies are working hard to prepare for the influx of new license and permit applications
- Agencies are staffing up with competent people
- Increased uranium price increases interest
  - New operators
  - Prospective jobs
  - Awareness
  - A priority to the State for economic development
- Regulatory certainty is a priority



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