New Mexico Uranium Permitting Activities

Navajo Uranium Stakeholder Workshop
Gallup, New Mexico
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New Mexico Agencies Involved in Uranium Permitting

- Mining and Minerals Division (MMD), Energy, Minerals and Natural Resources Department (EMNRD)
- New Mexico Environment Department (NMED)
- Office of State Engineer (OSE)
- Department of Game & Fish (DGF)
- Department of Cultural Affairs (DCA)
Who Has Jurisdiction over New Uranium Mining Operations on Non-Indian Land in New Mexico?

- Exploration: MMD - Mining Act
- Conventional Mining:
  - Underground and Open Pit: NMED – Water Quality Act
- In Situ Leach Operations & Uranium Milling
  - NRC – Atomic Energy Act
  - NMED – Water Quality Act
New Mexico Mining Act Permit Categories

- **Regular Existing:** 2 yrs production between 1970 and 1993; > 10 acres of disturbance.

- **Minimal Impact Existing:** 2 yrs production between 1970 and 1993; < 10 acres of disturbance.

- **Regular New:** Operation started in 1993 or later: > 10 acres of disturbance.

- **Minimal Impact New:** Operation started in 1993 or later; < 10 acres of disturbance.

- **Regular Exploration:** > 5 acres of disturbance.

- **Minimal Impact Exploration:** < 5 acres of disturbance.
Mine Permit Application to Mining & Minerals Division

Discharge Permit Application to Waste & Water Management Division

Public Notice & Comment, Public Hearing (if required)

Agency & Interagency Review

Public Notice & Comment, Public Hearing (if required)

Agency & Interagency Review
Uranium Exploration Applications
New Mexico Mining Act
New Mine Permit Requirements

- Application must include 12 months of baseline data. Agency must prepare an environmental evaluation which includes an analysis of the reasonably foreseeable impacts of the proposed activities on the environment and the local community. 69-36-9.F, G

- Application must include a determination of the probable hydrologic consequences of the mining and reclamation, both on and off the permit area, including water quantity and quality of surface and groundwater. 69-36-7.I(6)

- Agency must find that the proposed mining operation is designed to meet without perpetual care all applicable environmental requirements imposed by the Mining Act and other laws; 69-36-12.B(4)
New Mexico Mining Act
New Mine Permit Requirements

- New mine reclamation must achieve a self-sustaining ecosystem appropriate for the surrounding life zone. 69-36-7.H
- All pits and waste units must be designed to facilitate contemporaneous reclamation. 69-36-7.H
- Applicant must file financial assurance sufficient to assure completion of permit requirements if the work had to be done by the State. 69-36-7.Q
- Before Mining Act permit can be issued, the New Mexico Environment Department Secretary must determine that the mining activities will achieve compliance with all applicable environmental standards. 69-36-7.P