



# Texas Legislative and Regulatory Update – Uranium Mining

**2013 TMRA Annual Meeting – Hyatt Lost Pines**

Presented by:

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## Important Legislative and Regulatory Factors in Texas

- Leadership at Texas Legislature and State Agencies
- Understanding need for regulatory certainty
- History of in-situ uranium mining in Texas
- Public relations



## Regulation of Uranium Mining in Texas

- Texas Commission of Environmental Quality (TCEQ) - regulates **production** of uranium.
- Railroad Commission of Texas (RCT) – regulates **exploration** for uranium.



## 2013 Legislative Activities

- House Bill 1079 – Uranium Mining Permitting
- House Concurrent Resolution 81 – 50<sup>th</sup> Anniversary of Agreement State status for Texas
- Senate Bill 347 – Env. Rad. & Perp. Care Acct.
- Senate Bill 138 – Geoscientists
- House Bill 1675 – Railroad Comm. continued



## 2013 Legislation – HB 1079

- Addressed several issues within the Area Permit and Production Area Authorization regulatory process at TCEQ.
- Created two options for companies to use when submitting AP and PAA applications to TCEQ.
- Focus is on range table of groundwater quality restoration values.





## 2013 Legislation – HCR 81

- HCR 81 recognized the 50<sup>th</sup> Anniversary of the State of Texas obtaining Agreement State status from the U. S. Nuclear Regulatory Commission.



## 2013 Legislation – SB 347

- Created the Environmental Radiation and Perpetual Care Account at the TCEQ
- Established a sub-account for uranium mining companies within the new ERPC Account
- Capped the fees collected from the uranium mining industry and provided that those fees can only be collected when a company is in production.



## 2013 Legislation – SB 138

- Made amendments to Texas Geoscience Practice Act
- Reflects growth of Texas Board of Professional Geoscientists
- Will likely result in more interaction between TBPG and other state agencies





## 2013 Legislation – SB 1675

- Continues the RCT until 2017.
- Part of Sunset Advisory Commission process.



## State Rulemaking Efforts in Texas

- Recent rulemaking efforts
- Rulemaking efforts to implement 2013 Legislation



## State Rulemaking – Uranium Mining

- Implementation of 2007 Legislation
  - Senate Bill 1604
  - House Bill 3837
  - House Bill 3838



## TCEQ Rulemaking to Implement 2013 Legislation

- HB 1079 Rulemaking – Scheduled to begin May 2014
- SB 347 Rulemaking – Scheduled to begin in 2014 and extend into 2015



## Aquifer Exemptions

- Need for Regulatory Certainty
- Obtain Aquifer Exemption approvals from TCEQ and U.S. EPA Region 6 under Safe Drinking Water Act
- Correspondence from TCEQ to EPA has detailed explanation of legal authority of TCEQ and EPA to review and grant Aquifer Exemption requests





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