

## **Change in the Name of the Board's Reclamation Committee**

**The WIEB Reclamation Committee seeks the Board's approval of a change in its name to the Energy Mineral Reclamation Committee to reflect a change in the scope of its activities to address environmental regulation of the impacts from the production of all energy minerals, with the exception of oil and gas.**

### **Background**

Since 1980 the Board has had a Reclamation Committee. The Committee has almost exclusively focused on issues related to the implementation of the federal Surface Mining Control and Reclamation Act (SMCRA). Recent increases in uranium prices, from \$8/pound to more than \$100/pound have led to an explosion of proposed uranium mining in the West. This is the first significant new uranium mining in the U.S. in at least 20 years. As a result, state agencies charged with regulating uranium mining are not familiar with the issues raised in uranium mine permitting, particularly in-situ solution mining.

On August 27, the Committee sponsored a meeting of interested states to discuss issues associated with the review of proposed uranium mines. The meeting also included a briefing from a uranium market expert to determine if the explosion in mining applications is a short-term or long-term phenomenon. It appears that higher uranium prices and associate interest in uranium mining is a long-term phenomenon. States were asked whether this type of information sharing meeting was valuable. The response was yes, and at least annually.

Given high energy prices, applications related to the permitting and reclamation of other energy minerals, such as oil shale, oil sands/tar sands, and geothermal may increase and there may be value in states and provinces sharing information on the reclamation of these mineral resources. However, at this time, no such interest has been expressed. The Committee would only address these other minerals if interest was expressed by multiple states/provinces.

### **Questions and Answers**

**Q 1: What new activities would be covered under the proposed change in the committee's name?**

**A: In addition to its historic work on coal mine reclamation issues, the Committee would address uranium mining reclamation issues. If interest was expressed by more than one state/province, the Committee would address mine reclamation issues associated with oil shale, oil sands/tar sands, and geothermal. The Committee would NOT address issues related to oil and gas development. There are other multi-state institutions addressing such issues, e.g., the Interstate Oil and Gas Compact Commission and the Western Governors' Association (in the case of coalbed methane and wildlife corridors).**

Q 2: How will the proposed expansion of the Committee's work into uranium permitting and reclamation issues be paid for?

A: For the past several years, the Board has budgeted \$15,000-\$30,000 to support the Committee's work. With the increasing level of cooperation between the federal Office of Surface Mining and western state coal regulatory programs and with the completion of legislation amending the abandoned mine provisions of SMRCA, it is anticipated that the Committee's workload associated with coal reclamation issues will decline. The expansion of the Committee's scope outside of coal reclamation would not increase its budget beyond the funds already allocated. If conditions change, the Committee would report this to the Board and the Board would decide if additional resources should be expended.

Q 3: How many states/provinces might be involved under the proposed expanded scope of the Committee's work?

A: In addition to the existing five coal states (CO, MT, NM, UT, WY), it is believed that Arizona and Saskatchewan may be interested, given their uranium deposits. There are states outside of WIEB that would be interested. Alaska, Texas, North Dakota, South Dakota and Virginia attended the August 27 meeting. Many of these non-WIEB states belong to the Interstate Mining Compact Commission. If these non-WIEB states are interested in participating, the Committee would ask the IMCC to help support their participation through in-kind services. Over the years, the WIEB Reclamation Committee and IMCC have worked closely together on coal reclamation issues.

Q 4: What kind of state/provincial agencies might participate in the Committee's uranium work?

A: The regulation of uranium mines typically involves three types of state agencies: mine reclamation agencies, water quality agencies, and radiation protection agencies (particularly in Nuclear Regulatory Commission "Agreement States"). Water quality agencies are especially involved in uranium solution mining where Underground Injection Control program permits are required.

Q 5: How would representatives from states/provinces and agencies not presently involved in the Reclamation Committee's work be appointed to the Committee?

A: Under the WIEB Bylaws, the WIEB Board member appoints members of a committee. If the Board approves the proposed change in the name of the Committee, Board members would be asked to identify people from their state/province that should be added to the Committee.

Q 6: What kind of uranium-related activities do you anticipate the committee would undertake?

A: It is anticipated that the Committee would hold a uranium workshop the day before the annual meeting of the Committee and the Office of Surface Mining on coal issues. Throughout the year there would likely be email correspondence and perhaps a conference call or two to enable states/provinces to share information on current issues. The WIEB staff would also expand the Committee's web site to include uranium topics.

Proposed Motion

**The name of the Board's Reclamation Committee shall be changed to the Energy Mineral Reclamation Committee and the scope of the Committee's work shall include the regulation of the environmental impacts of energy mineral production, except for oil and gas.**