

1 *Senate* BILL NO. 374
 2 INTRODUCED BY *Collins*
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT DIRECTING THE
 5 DEPARTMENT OF NATURAL RESOURCES TO UNDERTAKE A COMPREHENSIVE
 6 STUDY OF THE METHODS AND EFFECTS OF SOLUTION EXTRACTION OF
 7 URANIUM, MAKE RECOMMENDATIONS AND PROPOSE LEGISLATION TO
 8 PROVIDE FOR THE CONTROL OF URANIUM SOLUTION EXTRACTION AND
 9 THE PROTECTION AND REHABILITATION OF LANDS AND WATERS
 10 AFFECTED BY URANIUM SOLUTION EXTRACTION; AND TO PROVIDE AN
 11 IMMEDIATE EFFECTIVE DATE."

12
 13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 14 Section 1. Statement of legislative findings and
 15 policy. The legislature, noting that the energy shortage
 16 has prompted a widespread search for energy resources; that
 17 there is substantially increased prospecting, exploration
 18 and land acquisition for uranium in Montana; that rising
 19 world prices make previously uneconomical uranium deposits
 20 economically recoverable; that many Montana uranium deposits
 21 are so deep or have such a configuration that economic
 22 recovery is only possible through extraction in-place; and
 23 that extraction and energy companies have shown interest in
 24 utilizing in-place leaching in Montana to recover uranium;
 25 and further noting that pilot projects involving solution

1 extraction are being seriously undertaken in other states
 2 and that contamination of fresh water resources is
 3 occurring, finds that solution extraction of uranium
 4 constitutes a technologically feasible method of uranium
 5 extraction which threatens Montana's land and water
 6 resources to the detriment of existing and projected
 7 agricultural, recreational, domestic, and other uses. The
 8 legislature, pursuant to its mandate and authority under
 9 Article IX of the Montana constitution declares that it is
 10 the policy of the state to provide for the protection of the
 11 lands and waters of the state and therefore to make
 12 provisions for the control of uranium solution extraction
 13 and rehabilitation of lands and waters affected by this
 14 extraction.

15 Section 2. Definitions. Unless the context clearly
 16 requires otherwise, in this act:

- 17 (1) "department" means the department of natural
 18 resources and conservation;
- 19 (2) "solution extraction" means any part of the
 20 process followed in the extraction of uranium by injection
 21 of a solvent into zones below the earth's surface and
 22 subsequent withdrawal of the solution and processing of
 23 uranium;
- 24 (3) "person" means a person, partnership, corporation,
 25 association, or other legal entity, or any political

1 subdivision or agency of the state;

2 (4) "operation" means all of the premises, facilities,
3 railroad loops or spurs, roads, injection or extraction
4 wells, associated facilities, equipment, or any other
5 surface or subsurface disturbance associated with or used in
6 the process of solution extraction and processing uranium
7 from a designated area.

8 Section 3. Study by department. (1) The department
9 shall undertake a comprehensive study of the methods and
10 effects of solution extraction of uranium. In addition, the
11 department shall review its authority and the authority of
12 other state and federal agencies to control or regulate
13 solution extraction of uranium.

14 (2) Upon completion of the study, the department shall
15 prepare a report and make recommendations to the governor
16 and to the 1977 legislature to accomplish the policy set
17 forth in this act.

18 Section 4. Suspension of action. No person may
19 propose, initiate construction of or in any way undertake an
20 operation for the purpose of solution extraction of uranium
21 for a period of two (2) years from the effective date of
22 this act.

23 Section 5. Severability. If a part of this act is
24 invalid, all valid parts that are severable from the invalid
25 part remain in effect. If a part of this act is invalid in

1 one or more of its applications, the part remains in effect
2 in all valid applications that are severable from the
3 invalid applications.

4 Section 6. Effective date. This act is effective upon
5 its passage and approval.

-End-

STATE OF MONTANA

REQUEST NO. 175-75

FISCAL NOTE

Form BD-15

In compliance with a written request received February 6, 19 75, there is hereby submitted a Fiscal Note for S.B. 374 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

Description of Proposed Legislation:

An act directing the Department of Natural Resources to undertake a comprehensive study of the methods and effects of solution extraction of uranium, to make recommendations and propose legislation to provide for control of uranium solution extraction and the protection and rehabilitation of lands and waters affected by uranium solution extraction. The act is effective on passage and approval.

Assumptions:

1. A project coordinator, hydrologist, geologist, engineer, ecologist, part time help, and consultant services would be required for all of FY 76 and half of FY 77.
2. Additional expenses would be incurred for supplies, communications, rent, and travel.
3. Additional office equipment would be necessary.
4. No additional expenses would be incurred in FY 75. The study would be concluded before the 1977 Legislature convenes.

Fiscal Impact:

Increase in expenditures by category	<u>FY 76</u>	<u>FY 77</u>
Personal Services	\$86,365	\$44,845
Operating expenses	47,300	24,800
Capital Outlay	4,000	-0-
Total increase in expenditures	<u>\$137,665</u>	<u>\$69,645</u>

Conclusion:

Enactment of S.B. 374 would result in increased state expenditures of \$207,310 from July, 1975 through December, 1976.


BUDGET DIRECTOR

Office of Budget and Program Planning

Date: February 11, 1975

Approved by Committee
on Natural Resources

Approved by Comm.
on Fish and Game

SENATE BILL NO. 374
INTRODUCED BY COLBERG

A BILL FOR AN ACT ENTITLED: "AN ACT DIRECTING THE DEPARTMENT OF NATURAL RESOURCES TO ~~UNDERTAKE-A-COMPREHENSIVE STUDY--OF--THE-METHODS-AND-EFFECTS-OF-SOLUTION-EXTRACTION-OF URANIUM;~~ MAKE RECOMMENDATIONS AND PROPOSE LEGISLATION TO PROVIDE FOR THE CONTROL OF URANIUM SOLUTION EXTRACTION AND THE PROTECTION AND REHABILITATION OF LANDS AND WATERS AFFECTED BY URANIUM SOLUTION EXTRACTION; AND TO PROVIDE AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Statement of legislative findings and policy. The legislature, noting that the energy shortage has prompted a widespread search for energy resources; that there is substantially increased prospecting, exploration and land acquisition for uranium in Montana; that rising world prices make previously uneconomical uranium deposits economically recoverable; that many Montana uranium deposits are so deep or have such a configuration that economic recovery is only possible through extraction in-place; and that extraction and energy companies have shown interest in utilizing in-place leaching in Montana to recover uranium; and further noting that pilot projects involving solution

extraction are being seriously undertaken in other states and that contamination of fresh water resources is occurring, finds that solution extraction of uranium constitutes a technologically feasible method of uranium extraction which threatens Montana's land and water resources to the detriment of existing and projected agricultural, recreational, domestic, and other uses. The legislature, pursuant to its mandate and authority under Article IX of the Montana constitution declares that it is the policy of the state to provide for the protection of the lands and waters of the state and therefore to make provisions for the control of uranium solution extraction and rehabilitation of lands and waters affected by this extraction.

Section 2. Definitions. Unless the context clearly requires otherwise, in this act:

- (1) "department" means the department of natural resources and conservation;
- (2) "solution extraction" means any part of the process followed in the extraction of uranium by injection of a solvent into zones below the earth's surface and subsequent withdrawal of the solution and processing of uranium;
- (3) "person" means a person, partnership, corporation, association, or other legal entity, or any political

1 subdivision or agency of the state;

2 (4) "operation" means all of the premises, facilities,
3 railroad loops or spurs, roads, injection or extraction
4 wells, associated facilities, equipment, or any other
5 surface or subsurface disturbance associated with or used in
6 the process of solution extraction and processing uranium
7 from a designated area.

8 Section 3. Study REVIEW by department. (1) The
9 ~~department shall undertake a comprehensive study of the~~
10 ~~methods and effects of solution extraction of uranium. In~~
11 ~~addition, the~~ department shall review its authority and the
12 authority of other state and federal agencies to control or
13 regulate solution extraction of uranium.

14 (2) Upon completion of the study REVIEW, the
15 department shall prepare a report and make recommendations
16 to the governor and to the 1977 legislature to accomplish
17 the policy set forth in this act.

18 Section 4. Suspension of action. No person may
19 propose, initiate construction of or in any way undertake an
20 operation for the purpose of solution extraction of uranium
21 for a period of two (2) years from the effective date of
22 this act.

23 Section 5. Severability. If a part of this act is
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