

**ONE HUNDRED SECOND LEGISLATURE - FIRST SESSION - 2011**  
**COMMITTEE STATEMENT**  
**LB498**

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**Hearing Date:** Wednesday February 16, 2011  
**Committee On:** Natural Resources  
**Introducer:** Louden  
**One Liner:** Change water resources provisions relating to in situ uranium mining

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**  
**Aye:** 8 Senators Carlson, Christensen, Dubas, Haar, Langemeier, McCoy, Schilz, Smith  
**Nay:**  
**Absent:**  
**Present Not Voting:**

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<b>Proponents:</b> Senator LeRoy Louden Mark McGuire William Goranson Jim Stokey	<b>Representing:</b> Introducer Cameco Resources Crow Butte Resources Crow Butte Resources
<b>Opponents:</b> Ken Winston	<b>Representing:</b> Nebraska Sierra Club
<b>Neutral:</b>	<b>Representing:</b>

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**Summary of purpose and/or changes:**  
LB 498 would change permit restrictions for water transfers for in-situ mining.

Section 1 amends 46-676.01, relating to the Industrial Ground Water Regulatory Act, by stating that the act does not apply to in-situ recovery facilities recirculating water from an exempted aquifer as determined by the Department of Environmental Quality.

Section 2 amends 46-677, relating to groundwater withdrawal permits under the act, by adding that in-situ uranium mining is an industrial purpose and a permit to withdraw and transfer water must be obtained before construction of water wells.

Section 3 amends 46-706, which contains the definitions under the Ground Water Management and Protection Act, by adding that "consumptive use" does not include water withdrawn for in-situ uranium mining where water is subsequently reinjected into the underlying aquifer from which it was withdrawn.

Section 4 repeals the original sections.

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**Explanation of amendments:**

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The committee amendment replaces the bill. It amends 46-683.01, which states the conditions under which an application to amend a permit would be allowed under the Industrial Ground Water Regulatory Act. Current language allows a permit to be amended unless it would increase daily peak withdrawal or the annual volume by more than 25 percent from the amounts allowed in the original permit. New language adds an exception to this rule for applications requesting an increase in the maximum daily volumetric flow rate or annual volume to levels allowed under a Department of Environmental Quality-issued permit.

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Chris Langemeier, Chairperson