

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**AN INTERIM ORDER** concerning the application by Uranium Energy Corp., for renewal and amendment of Class I Injection Well Permits WDW423 and WDW424; TCEQ Docket No. 2022-1553-WDW.

On December 14, 2022, the Texas Commission on Environmental Quality (Commission) considered during its open meeting requests for hearing and reconsideration filed by Goliad County Groundwater Conservation District (GCGCD) concerning the application by Uranium Energy Corp., for renewal and amendment of Class I Injection Well Permits WDW423 and WDW424 to authorize construction and operation of Class I injection wells for disposal of industrial nonhazardous wastes associated with in situ uranium mining. The facility would be located at 14869 North U.S. Hwy. 183, Yorktown, Goliad County, Texas.

The requests for hearing and reconsideration were evaluated under the requirements in the applicable statutes and Commission rules, including 30 Texas Administrative Code Chapter 55. The Commission also considered the responses to the requests for hearing filed by the Executive Director, Applicant, and the Office of Public Interest Counsel; the requester's timely reply; all timely public comment; and the Executive Director's Response to Public Comment.

After evaluation of all relevant filings, the Commission determined that GCGCD is affected as a local government and granted its requests for hearing. The Commission also determined to deny GCGCD's request for reconsideration.

The Commission determined that the following issues raised by GCGCD are mixed questions of fact or law that are relevant and material to the decision on the application and directed that they be referred to the State Office of Administrative Hearings (SOAH) for contested case hearing:

- A) Whether the permit application adequately characterizes the geology and identified and assessed faults in the vicinity of the proposed injection wells;
- B) Whether the draft permit provides for adequate monitoring of migration of injected fluids in the vicinity of the proposed injection wells; and
- C) Whether the location and design of the injection wells and pre-injection facilities are adequate.

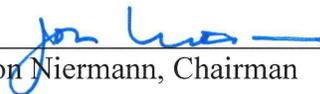
The Commission also referred the matter to the TCEQ's Alternative Dispute Resolution Program, to run concurrently with SOAH preliminary hearing scheduling efforts. Finally, the Commission determined that the maximum duration of the contested case hearing shall be 180 days from the date of the preliminary hearing until the proposal for decision is issued by SOAH.

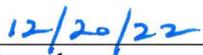
NOW, THEREFORE, BE IT ORDERED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY that:

- 1) The hearing requests of Goliad County Groundwater Conservation District are hereby GRANTED;
- 2) The request for reconsideration is hereby DENIED;
- 3) The following issues are referred to SOAH for a contested case hearing on the application:
  - A) Whether the permit application adequately characterizes the geology and identified and assessed faults in the vicinity of the proposed injection wells;
  - B) Whether the draft permit provides for adequate monitoring of migration of injected fluids in the vicinity of the proposed injection wells; and
  - C) Whether the location and design of the injection wells and pre-injection facilities are adequate.
- 4) All issues not identified as being referred to SOAH in Ordering Provision No. 3 are hereby DENIED;

- 5) This matter is REFERRED to the TCEQ's Alternative Dispute Resolution Program concurrently with the SOAH preliminary hearing scheduling process;
- 6) The maximum duration of the hearing is set at 180 days from the date of the preliminary hearing until the date the proposal for decision is issued by SOAH; and
- 7) If any provision, sentence, clause, or phrase of this Order is for any reason held to be invalid, the invalidity of any portion shall not affect the validity of the remaining portions of the Order.

TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

  
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Jon Niermann, Chairman

  
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Date Signed