

United States Senate

WASHINGTON, DC 20510

July 14, 2022

Hon. Tom Carper
Chairman
Environment and Public Works Committee
United States Senate
410 Dirksen Senate Office Building
Washington, D.C. 20510

Hon. Shelly Moore Capito
Ranking Member
Environment and Public Works Committee
United States Senate
456 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chairman Carper and Ranking Member Capito:

We recently introduced S. 3571, the bipartisan Good Samaritan Remediation of Abandoned Hardrock Mines Act. We would like to respectfully request that the committee hold a hearing on this legislation at the next available opportunity.

There are over 140,000 abandoned mine features on Federal, State, Tribal and private lands which pose risk to human health and the environment. Organizations that have no legal or financial responsibility to these abandoned mines – true Good Samaritans – want to volunteer to remediate some of these sites. Unfortunately, liability risks under the Clean Water Act, as well as the Comprehensive Environmental Response, Compensation and Liability Act, prevent volunteer cleanup by leaving these Good Samaritans legally responsible for the mine pollution, even if they have made the mines safer.

S. 3571 would allow fifteen permits to be issued as part of a pilot program to begin cleaning up these abandoned mines. These permits give conditional liability relief for Good Samaritans to enable not-for-profit cleanup efforts to move forward, while ensuring Good Samaritans have the skills and resources to comply with federal oversight. The permits granted under this law would be narrow; the permits only cover remediation of past mining residues and do not extend to exploration, or processing of newly mined materials. Further, the projects require an environmental assessment with a finding of no significant impact to move forward.

Section 40704 of the Infrastructure Investment and Jobs Act established a new abandoned hardrock mine reclamation fund to jumpstart abandoned mine cleanups, yet liability issues will prevent public-private partnerships from taking advantage of this new program. This Act begins to remove these hurdles to maximize the impact of the new abandoned hardrock mine remediation program, both on the ground and in communities.

This legislation is supported by a broad coalition of environmental groups as well as the mining industry. Thank you for your consideration.

Sincerely,



Martin Heinrich
United States Senator




James E. Risch
United States Senator



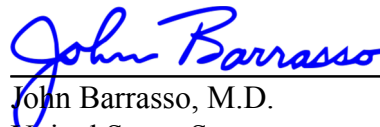
Catherine Cortez Masto
United States Senator



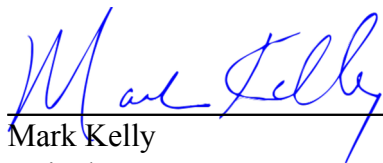
Steve Daines
United States Senator



Kyrsten Sinema
United States Senator



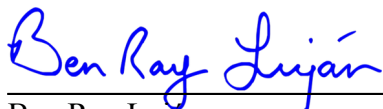
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