



September 28, 2022

**Letter to Senate Environment and Public Works Committee;
Senate Chemical Safety, Waste Management, Environmental Justice, and Regulatory Oversight
Subcommittee; and,
Senate Fisheries, Water and Wildlife Subcommittee
in Support of the “Good Samaritan Remediation of Abandoned Hardrock Mines Act of 2022”
(S.3571)**

The Honorable Senator Tammy Duckworth, Chair
Subcommittee on Fisheries, Water, and Wildlife
Senate Environment and Public Works Committee
Washington, DC 20510

The Honorable Senator Cynthia Lummis, Ranking Member
Subcommittee on Fisheries, Water, and Wildlife
Senate Environment and Public Works Committee
Washington, DC 20510

The Honorable Senator Jeff Merkley, Chair
Subcommittee on Chemical Safety, Waste Management,
Environmental Justice, and Regulatory Oversight
Senate Environment and Public Works Committee
Washington, DC 20510

The Honorable Senator Roger Wicker, Ranking Member
Subcommittee on Chemical Safety, Waste Management,
Environmental Justice, and Regulatory Oversight
Senate Environment and Public Works Committee
Washington, DC 20510

Dear Chairmen Duckworth and Merkley and Ranking Members Lummis and Wicker:

The Women’s Mining Coalition (WMC) appreciates this opportunity to provide the following statement of support regarding the “Good Samaritan Remediation of Abandoned Hardrock Mines Act of 2022” (S.3571).

For nearly three decades, WMC in conjunction with the U.S. mining industry have advocated for bi-partisan legislation to enable Abandoned Mine Lands (AML) reclamation by addressing the Clean Water Act and Superfund liability issues that are a serious barrier to third-party Good Samaritan AML cleanup efforts.

Virtually all those who have evaluated AML policy issues have recognized and documented the legal impediments to voluntary cleanup of AMLs with complex surface water and groundwater contamination issues due to contact with mine waste and/or seepage from old underground workings. Policymakers and independent researchers like the National Academy of Sciences – National Research Council, and the Western Governors’ Association have urged Congress to eliminate the liability

exposure that thwarts parties that have no previous involvement with a mine from undertaking voluntary reclamation and remediation activities.

Furthermore, Section 40704 of the Infrastructure Investment and Jobs Act (IIJA) established a new abandoned hardrock mine reclamation fund to jumpstart abandoned mine cleanups, yet liability issues provide a significant barrier to the participation of public-private partnerships in this new program. By passing Good Samaritan legislation, Congress can begin to remove these barriers and maximize the value of the public's investment in abandoned hardrock mine remediation.

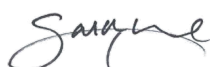
More recently, the Interagency Working Group being led by the Department of the Interior, has asked for information on how to develop meaningful Good Samaritan proposals that include reprocessing of mine tailings and waste. There is a growing awareness of the opportunities associated with reprocessing old mine waste as a source of critical minerals. However, concerns about Superfund and Clean Water Act liability exposure are currently creating significant barriers to reprocessing of legacy mine waste. The liability relief template in S. 3571 is an important initial step in addressing some of the liability concerns in order to capitalize on the critical minerals resources in old mine waste.

The WMC thus strongly supports S.3571. The fifteen Abandoned Mine Land (AML) remediation pilot projects authorized in this bipartisan bill provide a path to addressing the liability issues at AML sites that do not have complex water quality issues.

WMC applauds Senators Risch and Heinrich for their vision and leadership in introducing this important bill. We also appreciate the many bipartisan co-sponsors of S. 3571.

We respectfully ask the members of the Subcommittees on Chemical Safety, Waste Management, Environmental Justice, and Regulatory Oversight, and Fisheries, Water, and Wildlife of the Senate Committee on Environment and Public Works to support S. 3571. Thank you for your consideration of this letter of support.

Sincerely,



Sara Thorne
President



Wanda Burget
WMC Manager

cc: Senate Environment and Public Works Committee Chairman Senator Tom Carper
Senate Environment and Public Works Committee Ranking Member Senator Shelley Moore Capito
Jake Kennedy, United States Senate Committee on Environment and Public Works

The Women's Mining Coalition is a non-profit organization advocating for today's modern mining industry, which is essential to our Nation.