

# OPPOSE

## **Resolve, Regarding Legislative Review of Chapter 200: Metallic Mineral Exploration, Advanced Exploration and Mining, a Major Substantive Rule of the Department of Environmental Protection**

**Sponsor:** Department of Environmental Protection (DEP)

**Summary:** The bill resubmits the same mining rules the DEP submitted in 2014. The Legislature rejected these rules overwhelmingly last year, and they should do so again.

**Explanation:** Metal mining is a major threat to Maine's clean water. Mining in sulfide deposits, the kind of deposits here in Maine, creates sulfuric acid and toxic, heavy-metal-laden runoff. This "acid mine drainage" pollution can devastate water quality and kill aquatic life. Even modern mines cause major environmental disasters. This happened in August 2014 at the Mt. Polley Mine in British Columbia. The mine opened in 1997, but the tailings dam failed due to a design flaw and released *billions* of gallons of mining waste into pristine streams and lakes. Cleanup costs could reach \$400 million, money the mining company doesn't have. Taxpayers often get stuck with the clean-up cost for mining disasters. Maine taxpayers continue to pay clean-up costs more than 40 years after the Callahan Mine closed in Brooksville, Maine. The biggest part of the clean-up hasn't even started.

Maine needs strong mining rules to protect our clean water. Our rivers, streams, and ponds support some of the best brook trout fishing in the United States. Mining advocates claim that "new technologies" will protect Maine's water quality, but there are no magic, new technologies that prevent mining pollution. The Mt. Polley disaster is proof of that.

DEP's mining rules have many problems. A few of the biggest are:

- They allow mines that are so dangerous, they require wastewater treatment forever. The Legislature should not allow DEP to grant a permit to any mine that cannot prove it will treat wastewater for no more than 10 years after closure.
- They don't require mining companies to pay enough money up front to clean up an environmental catastrophe. The Legislature should require mining companies to put enough money into a trust *before* construction begins to cover a worst-case environmental disaster so taxpayers don't end up paying the bill.
- They allow unlimited contamination of groundwater under "mining areas," a vaguely defined term that could encompass thousands of acres of land. The Legislature should clearly define "mining area" to minimize groundwater pollution.
- They explicitly allow mines close to and underneath Maine's public lands, including Land for Maine's Future lands. Maine voters approved Land for Maine's Future bonds to protect lands from development and ensure that our children and grandchildren have access to the same natural heritage that we enjoy. The Legislature must make sure mining companies don't ruin our public and conservation lands.

**NRCM opposes LD 146.**