

Opening Statement of
Chairman Doug Lamborn
Wednesday, November 4, 2015, at 10:30 a.m.
1334 Longworth House Office Building
Before the Energy and Mineral Resources Subcommittee
Legislative Hearing on:

H.R. 3843 (Rep. Doug Lamborn), “*Locatable Minerals Claim Location and Maintenance Fees Act of 2015*”; and,

H.R. 3844 (Rep. Jody Hice), “*Energy and Minerals Reclamation Foundation Establishment Act.*”

Today, the subcommittee is meeting to discuss H.R. 3843, the “*Locatable Minerals Claim Location and Maintenance Fees Act of 2015*” that I introduced on Wednesday, October 28th and H.R. 3844, the “*Energy and Minerals Reclamation Foundation Establishment Act*” that was introduced by Congressman Hice also last Wednesday.

These bills plus H.R. 3734, the “*Mining School Enhancement Act*” introduced by Rep. Hardy of Nevada on October 9th are the Natural Resources Committee’s three-pronged response to the EPA’s Gold King and the Standard Mine spills that occurred in my state, Colorado, in August and September of this year.

The three bills provide a path forward to tackle the problem of abandoned mines that need remediation.

The foundation bill sponsored by Congressman Hice provides a way for concerned individuals and organizations, like environmental groups that have been so vocal on this issue, to raise money to help fund the clean-ups through the private sector.

In the Committee's investigation of the Gold King mine spill we discovered that out of 15, 326 employees EPA has no 'mining engineers' and only 68 geologists, two of which are assigned to Region 8 where the spills occurred. In contrast, out of 8,790 employees, BLM has 36 'mining engineers' and 170 geologists.

The U.S. Bureau of Reclamation, in the Department of the Interior's recent *Technical Evaluation of the Gold King Mine Incident Report*, found that in "Abandoned mine guidelines and manuals" there is significant emphasis on environmental issues – "with little appreciation for the engineering complexity of some abandoned mine projects that often require, but do not receive, a significant level of expertise."¹

The mining Schools bill sponsored by Congressman Hardy provides for the training necessary to have mining engineers in the

¹ <http://www.usbr.gov/docs/goldkingminereport.pdf> (pg. 2)

future, in part, to ensure that the Nation has the technical expertise to competently preform clean-up of AML sites. The subcommittee anticipates holding a hearing on the bill in the near future.

My legislation, H.R.3843, includes a Good Samaritan title, which provides limited liability relief for existing conditions at AML sites for the Clean Water Act and the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), to encourage volunteer clean-up of both coal and non-coal AML sites.

H.R. 3843 includes two additional titles. Title I authorizes the collection of Claim Location and Maintenance fees for a period of 7 years. This title also directs the United States Geological Survey to enter into MOUs with the BLM, Forest Service and OSM to facilitate the development and maintenance of the United States Mineral Deposit Database Project.

The database will ultimately provide information on mine features, mineral deposits and mineral districts in the U.S. providing accurate information on the number of AML sites and those AML sites that are or have the potential to degrade the environment.

Title II authorizes an existing non-coal AML program at BLM that has been funded through the Appropriations process. In addition, this title requires both the BLM and Forest Service to identify 20 AML priority sites on federal lands suitable for Good Samaritan Remediation.

Two of our witnesses today have experience with Good Samaritan clean-up of AML sites; Chris Wood with Trout Unlimited; and, Eric Cavazza, with the Bureau of Abandoned Mine Reclamation in Pennsylvania.

I'd also like to welcome, Jeff Plumlee with the USGS, who is here from Colorado.

I want to thank all the witnesses for being here and look forward to hearing from them today.