

House GOP revives bill protecting firms that clean up mines

Dan Elliott, Associated Press, 10-30-15

Congressional Republicans revived “Good Samaritan” legislation Thursday designed to encourage companies and nonprofits to help clean up thousands of abandoned mines across the nation by protecting them from liability for environmental accidents.

The proposal was one of three the House Natural Resources Committee unveiled after the Environmental Protection Agency inadvertently unleashed 3 million gallons of wastewater laced with heavy metals from an inactive Colorado gold mine in August. Rivers were contaminated in Colorado, New Mexico and Utah, including the Southern Ute Reservation and Navajo Nation.

A second bill would allow the Bureau of Land Management and nonprofits to solicit donations to clean up abandoned mines and oil and gas wells. The BLM oversees more than 380,000 square miles of federal land. The third would funnel more money toward training mining engineers as the current generation nears retirement.

An EPA-led contractor crew accidentally triggered the spill at the Gold King Mine in southwestern Colorado while trying to drain water backed up inside. The crew was trying to insert a drainage pipe through debris blocking the mine but didn’t measure the water depth first, according to a review by the Interior Department.

Republicans have been among most vocal in criticizing the EPA for the spill, but none of the bills revealed Thursday appeared to directly target the agency or limit its authority to clean up abandoned mines.

“The idea is EPA is still involved,” said Rep. Rob Bishop, R-Utah, chairman of the committee. “The magnitude of the scale is simply overwhelming, and they cannot handle it. They need help.”

The EPA said it does not comment on pending legislation.

Similar legislation previously introduced by both Republicans and Democrats has failed. Colorado Republican Rep. Doug Lamborn, sponsor of the new measure, said that’s because either environmentalists or the industry didn’t like the bills.

“We’re trying to thread the needle and have both buy-in from environmentalists and industry support,” he said.

He said the Obama administration might block his bill, until a new president takes over in 2017. But without liability protection, “no one in their right mind” would attempt a cleanup, he said.

The White House press office didn’t immediately respond to a request for comment.

Lamborn and Bishop said the bill will not offer protection for deliberate or negligent acts or cover companies that caused the environmental damage in the first place.

“Bad actors by definition are not Good Samaritans,” Bishop said.

None of the bills provides compensation for rafting companies, farmers or others who lost money because of the spill, which released pollution into the Animas and San Juan rivers and sent an eerie mustard yellow plume downstream.

Bishop said he wants to see a compensation fund, but that will require cooperation from other committees.