

Reform mining law?

From staff and wire reports
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WASHINGTON -- An Obama administration plan to reform the nation's 137-year-old hardrock mining law could cripple Wyoming's bentonite and uranium mining industries, U.S. Sen. John Barrasso asserted Tuesday.

Barrasso, R-Wyo., made that statement in a media release after Interior Secretary Ken Salazar told the Senate Energy and Natural Resources Committee that "it is time to ensure a fair return to the public for mining activities that occur on public lands and to address the cleanup of abandoned mines."

The General Mining Act of 1872, which gives mining preference over other uses on much of the nation's public lands, has left a legacy of hundreds of thousands of abandoned mines that are polluting rivers and streams throughout the West. Mining companies also don't pay royalties on gold, silver, copper and other hardrock minerals mined on public land.

Reform bills have been introduced in the House and Senate, but past attempts at reform have foundered in the face of opposition from industry and many Western lawmakers. However, a new crop of conservation-minded lawmakers from the West and a new administration sympathetic to reforming the law have generated renewed interest in an overhaul.

Salazar, a former Colorado senator, said he sees "an emergence of bipartisan pressure to get this done."

"We are committing significant resources from the Department of Interior to get this done," Salazar told reporters after the hearing. "I think there is a possibility we can get mining reform done in this Congress."

In his media release, Barrasso said he agreed that there's a need to update the mining law, but said the proposals before the committee go too far.

"They will push American mining jobs overseas, increase our dependence on foreign imports, and restrict access to federal lands," the senator said.

The National Mining Association has said it supports reform in principle, but it has expressed reservations about the details of legislative proposals, particularly royalty formulas.

Some of the proposed royalty formulas would put otherwise profitable mines out of business and cost jobs, Hecla Mining Co. President and CEO Phillips Baker Jr. told the committee.

Barrasso agreed.

"Royalty rates and fees associated with mining must be reasonable and clearly defined in order to ensure a competitive American industry," the senator said. "Mining reform legislation must also provide certainty for access and use of land. Neither of the bills accomplish this goal."

The Environmental Protection Agency's announcement Monday that it plans to develop new regulations related to bonds or other financial assurance by mining companies to protect against environmental abuses creates "a greater sense of urgency" for reform, Salazar said.

The EPA announcement follows a recent Supreme Court decision giving a mining company the go-ahead to dump waste from an Alaskan gold mine into a nearby 23-acre lake, although the material will kill all of the lake's fish.

Environmentalists said they were surprised and pleased by Salazar's testimony and the forcefulness of his remarks to reporters afterward.

"I think it's a very positive development that we have an Interior secretary in the Obama administration

saying mining reform is a top priority and it needs to be done in the Congress," said Jane Danowitz, director of U.S. public lands programs at the Pew Environment Group.