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The House Subcommittee on Water Resources and the Environment held a hearing to gather information on abandoned mine sites in the United States and the opportunities for Good Samaritan cleanups. The hearing addressed the liability issues faced by Good Samaritans when cleaning up abandoned mines, which often causes the sites to sit untouched. It is estimated that there are about 500,000 abandoned hard rock mines throughout the United States, a large percentage of which present pollution threats to surface- and groundwater.

A Good Samaritan is defined as any person or entity that has no history with a specific abandoned mine site, including government agencies, nongovernmental organizations, or other private parties. Under the Clean Water Act (CWA) and the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or SUPERFUND), any Good Samaritan responsible for the cleanup of an abandoned mine is also accountable for any new or continuing point-source discharge. The Environmental Protection Agency (EPA) released a guidance document to the permitting process in 2012.

During the hearing, witnesses called for federally supported liability protection for Good Samaritan groups involved in cleanups. Witnesses were either in support of amending the CWA to create new “Good Samaritan Permits”, or expanding CERCLA’s “Good Samaritan Program”, which currently does not take into account ongoing water discharge after a mine has been cleaned. Most of the witnesses called for a strong bipartisan bill to protect Good Samaritan efforts, and the idea that mining companies should be able to qualify as Good Samaritans to help with the cleanup processes.

Sources: congress.gov, house.gov
