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Hardrock Abandoned Mine Lands

Summit 2025 Recap

September 2025





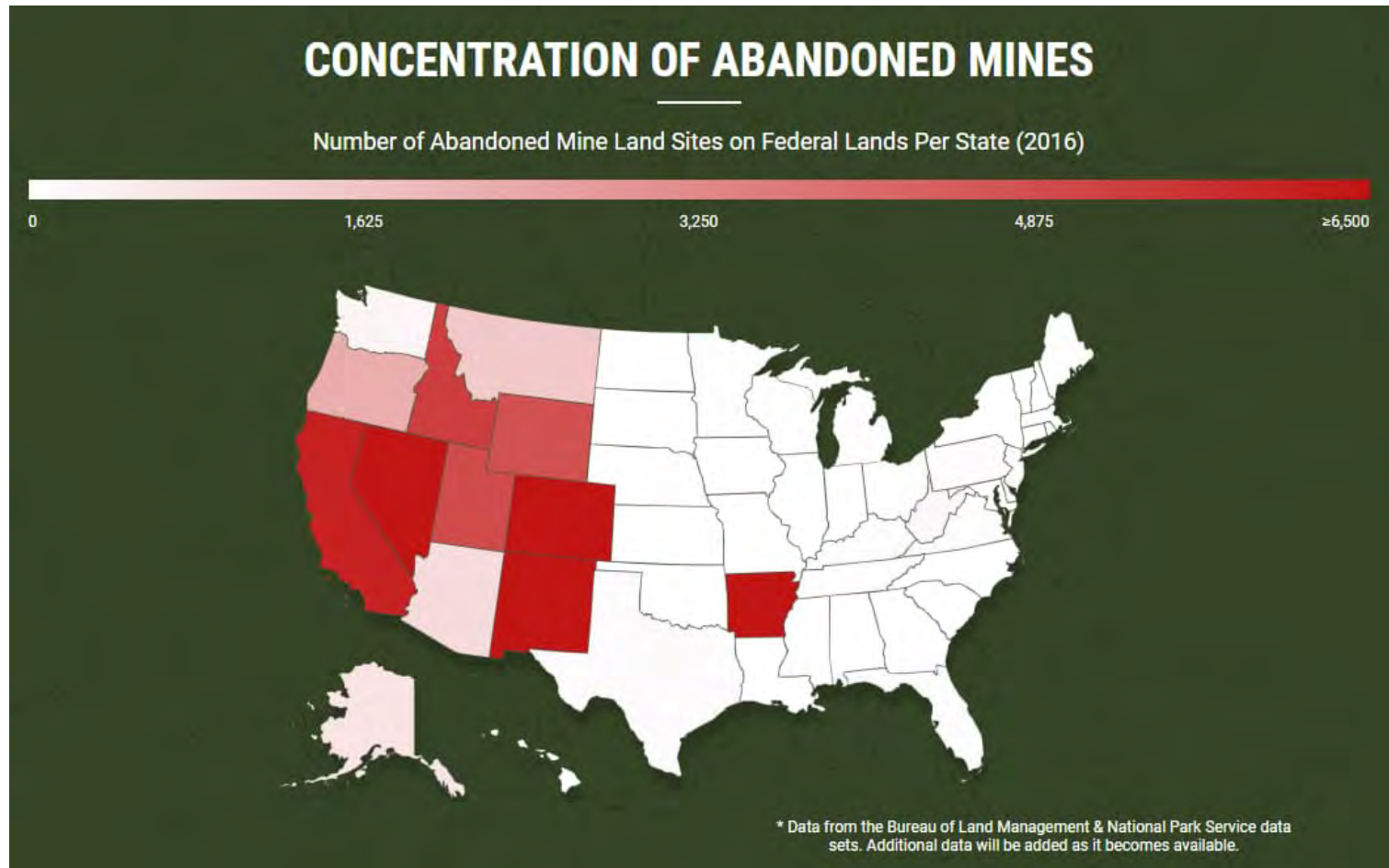
"This is my legacy, legacy,
here
There's no guarantee, it's not
up to me, you can only see."

- Eminem





Hardrock Abandoned Mine Lands





Good Samaritan Legislation

- Encourage the partial or complete remediation of inactive or abandoned mine sites for the public good by Good Samaritans;
- Provide appropriate protections for such Good Samaritans under applicable environmental laws;
- Ensure such remediation creates actual and significant environmental benefits; and
- Create an efficient permit process for remediation projects.



Overview of the Good Sam Law

- Law allows: 15 Good Samaritan permits, 15 Investigative Sampling permits.
- Good Sam permit provides a 'shield' from CERCLA and CWA.
- The law is more expansive than the existing CERCLA 107(d) Administrative Tools.
- It requires close coordination with Other Federal Land Managers, States/Tribes/local govts.
- Administration Goals: 2-3 permits approved this winter, start construction spring/summer 2026.
 - All 15 projects initiated by summer 2028.
 - Annual reports to Congress on progress and benefits of the program.



What types of projects is EPA seeking for the pilots?

- EPA is looking to select **model test cases** for the 15 pilots, i.e., to go 15 for 15.

- **Potential Considerations:**

- Geographic distribution
- Complexity distribution
- Good Sam's readiness to apply (e.g., baseline data, NEPA FONSI, access, funding)
- Support/partnership with States/local/communities
- Whether initially to prioritize less-complex projects/applications

For example:

- 1st EPA lead, less complex, ready to start 2026
- 2nd Federal land manager agency or EPA lead, more complex, fits 2026/27 timing
- 3rd most complex (e.g., mixed-ownership, reprocessing), fits 2027/28 timing



What might be a “low risk” project?

- **Threshold eligibility for a permit in the Good Sam Law:**

- “[T]he proposed project poses a **low risk** to the environment, as determined by the Administrator.” §4(b)(1)(d)(emphasis added).
- NEPA analysis must result in a FONSI (finding of no significant impact). §4(l)(2).
- “Remediation” does **not** include any action that requires plugging, opening, or otherwise altering the portal or adit of the abandoned hardrock mine site. §2(14)(C).
 - The site cannot be:
 - In a temporary shutdown or cessation;
 - Included on the CERCLA National Priorities List;
 - The subject of a planned or ongoing response action under CERCLA or similar Federal and State reclamation or cleanup program;
 - A site that has a responsible owner or operator; or
 - A site that was actively mined or processed minerals after December 11, 1980. §2(1)(C).

- **Potential Considerations:**

- Project complexity - projects can be complex, subject to overall “low risk” determination
- Other factors – connections to drinking water resources, types and levels of contaminants present, accessibility and interactions with human and ecological receptors



What is 'measurable progress' under the law?

Good Sam Law – “the proposed activities, as compared to the baseline conditions described in the permit, will make **measurable progress** toward achieving—

- (I) applicable water quality standards;
- (II) improved soil quality;
- (III) improved sediment quality;
- (IV) other improved environmental or safety conditions; **or**
- (V) reductions in threats to soil, sediment, or water quality or other environmental or safety conditions;”

§4(m)(1)(A)(v) (emphasis added)



When might EPA begin reviewing permit applications?

- Target is **October 1, 2025**, to begin EPA reviews.
- Planning a webinar in Aug/Sept to overview the program and answer questions.
- **Potential Considerations:**
 - EPA's readiness to review applications for Good Sam projects on State/private lands
 - A potential Good Sam's readiness to submit
 - Ability to hold pre-application discussions
 - Having adequate time to improve applications, as needed
 - EPA's coordination with Department of Interior and Agriculture, for Federal lands projects



Financial Assurance

- **Why is EPA providing Financial Assurance Guidance?**

- This guidance aims to provide information on how EPA anticipates that project-specific FA may be incorporated into Good Samaritan permits. This should assist potential Good Samaritan with their applications.

- **What is a Good Samaritan?**

- In the context of the definition of a Good Samaritan in the Act, a person or group that wants to improve the environmental conditions associated with an abandoned hardrock mine (for no financial benefit/profit).

- **Why the need for Financial Assurance?**

- FA is required by the Act. With mine remediation projects, it is critical that financial resources are available to complete the action. Without FA, if a project is left incomplete, it could actually cause worse environmental impacts than in its original condition.

- **Why the need for specific guidance for Good Samaritan activities?**

- This is a new, stand-alone law. While it provides liability protections from other environmental laws (CERCLA and CWA) if done according to the permit outline, it does not provide all details on what is needed in a financial assurance context. This guidance will help potential Good Samaritan permit applicants better understand EPA's expectations on what makes a successful application.



Additional Financial Assurance Considerations

- **Modifying the Cost Estimate**

- As the cost estimate changes, so will the need for financial assurance.

- **Modifying the form of Financial Assurance**

- Changes allowed, but no more than once a year.

- **Access to Financial Assurance**

- Permits should include language on how and when EPA would access the financial assurance mechanism.

- **Release of Financial Assurance**

- After all obligations under the permit are complete.



Timeline

- **September 2025**

- EPA Webinar
 - Open to the public
 - Overview of program
 - Additional details on applications
 - Q & A

- **October 2025**

- Application discussions with promising Good Sams

- **November 2025 – February 2026**

- Work through the details of permits
- Coordination
- Public involvement
- Approvals



Go to Flow Chart

- PDF



2025 AML Summit

- Just shy of 100 attendees (80 in person, nearly 20 virtually)
- Attendees – Contributors
 - Federal Agencies (BLM, USFS, EPA)
 - State Agencies (AZ, CA, CO, ID, NM, NV, MT...)
 - Industry (Freeport, Integra, Rio Tinto...)
 - Good Samaritans
- Site Visit
 - 33 in attendance
 - Nick Michael
- 2026 Summit
 - Seeking someone to chair the committee





Arizona – Katherine Mine





Arizona – Katherine Mine

- Nearby Surface Water: Lake Mohave
- Operating Years: 1900-1933
- Main Commodities: Gold & Silver
- Main Features: Shaft, tailings
- Current Landowner: National Park Service
- Key Stakeholders: Bullhead City

ADEQ Perspective:

Pros: Accessible, mine waste washing onto recreated beaches

Cons: Minimal surface water quality impacts; no related impairments



Colorado – Griffin Mine Site

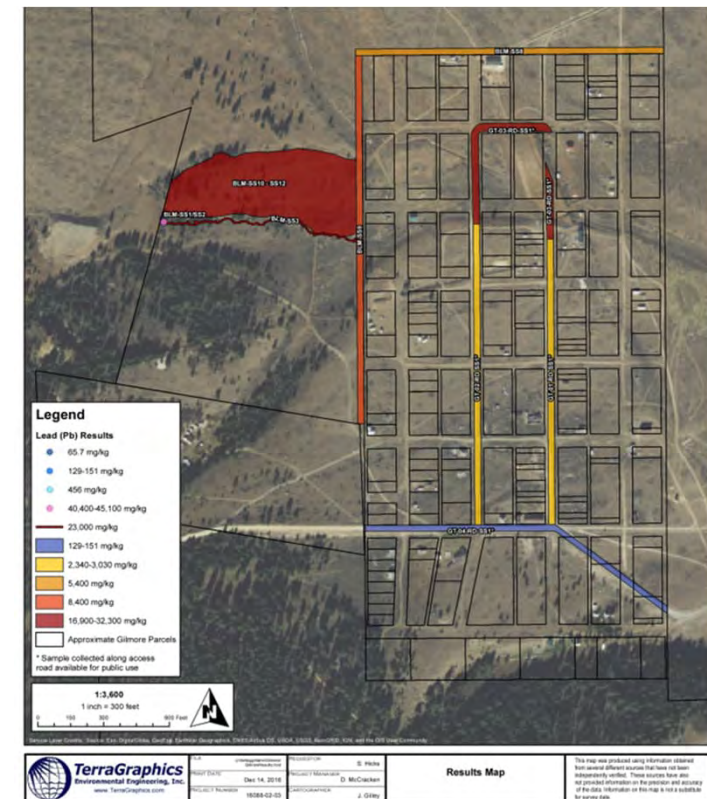
- Private lands – still securing landowner by-in
- Pre-1980
- No identified PRPs
- Characterization – multiple water and soil sampling events completed
- Low risk – execute proven BMPs to address environmental impacts
- Anticipated improvements – reduced metals loading, re-establishment of riparian corridor and reduced erosion.





Idaho – Gilmore Townsite and Surrounding Lands

- Large-scale Hard Rock Mining and Milling Operations
- 1950s
- Contaminated Soils (As, Pb)
- IDEQ conducted characterization
- Private Land Owners





Wyoming – Ferris-Haggarty Mine

- Carbon County
- 15 mi. West of Encampment, WY
- 9,000 ft elev.
- Underground Mine
- Copper contamination
- Access limited
- Oceola Tunnel
(discharging, impaired Haggarty Creek)
- Upper Adit
- Two Shafts
- Steeply dipping vein deposit





“Legacy, Legacy, Legacy,
Mine Excellence, baby, you
going to let ‘em see.”

- Jay Z

