

Stop #1 – The Good Sam Act

- 15 pilots (Remediation and Investigative)
- Detailed requirements in the Act
- Accelerated EPA goals – all permits granted by summer 2028
- A few inconsistencies – to be discussed



Stop #2 – Pre-Application Discussions

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- Avoids misunderstandings
 - Builds trust
 - Identifies immediate needs
 - Each site is a unicorn
 - Local site knowledge key
 - Identify ways to streamline
 - Better understand project timing
 - Avoids rework





Stop #3 – Eligibility Issues

- 1) Site eligibility
- 2) Good Sam eligibility
- 3) Cooperating Persons eligibility

- With a new law, with no legislative or judicial history, requirements can be read differently depending on history, perspective, and intent.
- Without, and until we have, Guidance/Regulations, important to discuss
- EPA is developing Guidance, while balancing requirements and maintaining flexibility, it's a PILOT.



Layover – Eligibility, Key Focus, Site

- Abandoned Hardrock Mine Site (definition) –
 - “**no responsible owner or operator** has been identified....who is potential liable for...remediation activities under applicable law...”
- Responsible Owner or Operator –
 - “legally responsible under section 301 of the [CWA]; and...financially able to comply....” or
 - “a present or past owner or operator or other person that is liable....under [CERCLA]; and...financially able to comply....”
- The Act does not exempt “innocent landowners” of a site.
 - Historic draft language for “passive landowners” not in final statute.



Layover – Eligibility, Who?

- Good Samaritan –
 - “is not a past or current owner or operator of the [site] or portion of that [site]”
 - “had no role in the creation of the historic mine residue” and
 - “is not potentially liable under any Federal, State, Tribal, or local law for the remediation, treatment, or control of the historic mine residue.”
- Cooperating Person –
 - Any person named by the Good Sam as a cooperating entity.
 - It does not include a responsible owner or operator [of the site];
 - A person that had a role in the creation of the historic mine residue [at the site]; or
 - A Federal agency.

Long layover – Additional Eligibility Considerations

- Low-risk
- Measurable Benefits
- Baseline
- Money
- Experience and Capacity
- Schedule
- Site Access
- Financial Assurance
- CWA 401 Cert





Stop #4 – The Good Sam's Application

- 1) NEPA Environmental Assessment
 - 2) Good Sam Remediation Plan
- Tools to assist (Examples now, Guidance to come):
 - Eligibility Q&A
 - Application Letter
 - EID for NEPA EA
 - Remediation Template (for Sec 4(c) of the Act)
 - Draft Permit
 - Draft comprehensive Guidance, shortly (discussed later)



Stop #5 – A Good Sam Permit

General Conditions:

- Authority
- Scope
- Site
- Goals
- Baseline
- Map
- Contingency Plan
- Monitoring and O&M Plan
 - Health & Safety Plan
 - EA and FONSI
- Timing:
 - Commencement
 - Continuity
 - Modifications
 - (more on next slide)
- Closure
 - Final Reporting
- Liability & Compliance Protections
- Public Notice, Tribal Consultations, Adverse Events
- Oversight, Violations, Inspection, Information
- CWA Sec 401 Cert
- Cost and Financial Assurance
- Health and Safety
- Permit Transfer & Termination

Appendix:

- Maps
- Work Plans
- EID and Docs
- Engineering Diagrams
- Emergency Call Lists
- Draft EA
- FONSI
- Contractor Info and Plans
- Funding Docs
- FA Information

Stop #6 – Permit Modifications

- **Minor Changes:**
 - (i) Does not expand the authorized work area at the Site;
 - (ii) Does not increase the scope, duration, or intensity of physical disturbance;
 - (iii) Does not introduce a new or increased discharge or release; or
 - (iv) Does not relax monitoring, reporting, or protective measures.
- In writing to RPM, automatically approved after 45 days, can be approved more quickly.
- **Modifications:**
 - (i) Expansion of the work area at the Site;
 - (ii) Increases in scope, duration, or intensity of physical disturbance;
 - (iii) Introduction of a new or increased discharge;
 - (iv) Changes to treatment technology that may alter effluent characteristics;
 - (v) Extension of completion deadline; or
 - (vi) Changes to monitoring or reporting.
- Requires written approval from the RPM after review.



Stop #7 – Financial Assurance

- Guidance Published:
 - Each project different, specific determinations needed
 - Depends on Good Sam, Cooperating Person, funding source(s), specific project FA needs
- Types available:
 - Corporate Guarantee
 - 3rd Party Guarantee
- Can be modified during life of project





Stop #8 – A Permit Decision

- Application Received (remediation example steps, investigative less required)
- Completeness Check
 - Includes assuring statutory requirements met
 - EPA/FLMA workgroup review
 - Decision Document for management (includes NEPA and Remediation Plan components)
- If complete:
 - 14-day notification letters (State/Tribal/local)
 - Coordination with others:
 - State programs, EPA Regions, Bureaus (BLM, FS, NPS), as applicable
 - Develop of Federal Register package (application, draft permit, documentation)
 - 30-day public notice and comment
 - Response to Comments
- Final permit to management (EPA/DOI/USDA) for decision – approve/deny

Stop #9 – Comprehensive Guidance

- Under development:
 - Public comment in the fall of this year
 - Targeting final by March 2027
 - Integrating EPA, DOI, and USDA requirements
- All aspects of the Act addressed (e.g., eligibility, roles, applications, liability protections, baseline, monitoring, reprocessing, NEPA)
 - Appendix A – Characteristics of Low-Risk Sites
 - Appendix B – Remediation Plan Template



Stop #10 – Future Pilot Projects

- 6-8 projects in 2027
- (15-x) projects in 2028
- Additional Goals:
 - Conversion of ISP
 - Geographic distribution
 - Type of project distribution
 - Complexity distribution
 - Reprocessing of mine waste
- Reports to Congress each year
- Further guidance/rules, as needed



Final Stop – OUR Destination!!!!

- A permanent program, authorized by Congress
- Identified funding for Good Sams
- Cooperative approach to permits
- Streamlined approach
- 100s of sites with improved human health protections and healthier ecosystems



Detour – 107(d) & CERCLA streamlining for mine sites

- Section 107(d) of CERCLA:
 - Provides that persons shall not be liable for costs or damages for actions or inactions taken in the course of "rendering care, assistance, or advice in accordance with the National Contingency Plan (NCP) or at the direction of an on-scene coordinator."
- EPA developed model:
 - Comfort/Status Letter; and
 - Settlement Agreement and Order on Consent
- Appropriate for non-labile volunteers (Good Sams) that don't qualify or need a Good Sam permit.



Detour #2 – Streamlining the CERCLA Cleanup of Mine Sites

- Use the following slides, if we have time.
- Draft approach under consideration by EPA.
- Applicable to CERCLA (NPL & Non-NPL) Cleanups



PROPOSED FRAMEWORK FOR EXPEDITED ABANDONED MINE CLEANUP



PROPOSED GOAL

Accelerate abandoned mine cleanup and **reduce overall cleanup costs** by targeting high impact contamination sources with proven methods.



RATIONALE



Expedites cleanup

by using existing information to identify significant contaminant sources.



Reduces unnecessary characterization before implementing cleanup actions.



Applies proven remedy models to common mine site conditions.



Reduces contaminant mass and migration earlier, lowering overall project costs and improving watershed outcomes.



Protecting human health and the environment while using resources wisely.

1. STREAMLINED SITE CHARACTERIZATION

Focus on key data to identify significant sources.

5. BETTER OUTCOMES

Faster results for communities and the environment.



2. SIGNIFICANT SOURCE REDUCTION

Select and implement proven removal approaches.

3. REDUCED MIGRATION

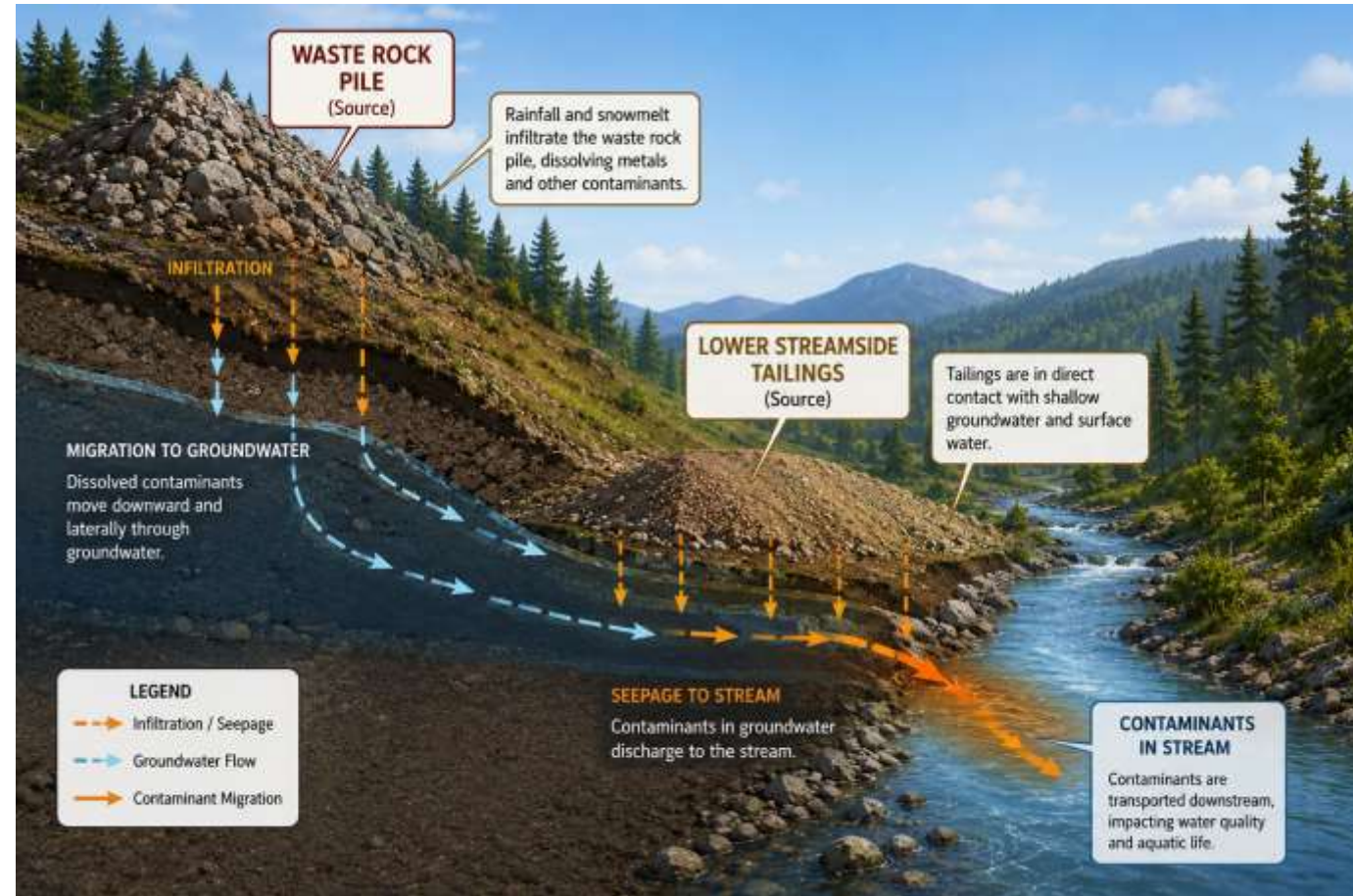
Lower contaminant loading to protect water resources and ecosystems.

4. LOWER OVERALL COSTS

Eliminate unnecessary steps and long-term operation and maintenance.

Accelerated Cleanup Through Significant Source Reduction

- Proven removal technologies requiring minimal post-removal management
- Reduces contaminant mass and migration
- Avoid long term maintenance costs



EXPEDITED MINE FRAMEWORK: BETTER OUTCOMES, SOONER

1) CURRENT APPROACH: STOPGAP MEASURES



- Removal actions often serve as **interim measures** while comprehensive remedial studies continue
- Requires **future remedial action** to address sources



2) EXPEDITED FRAMEWORK: COORDINATED & PROACTIVE



Eliminate target sources early using proven, durable technologies



Coordinated implementation with partners maximizes cleanup efficiency and leverages ongoing work



Reduce contaminant mass and migration may eliminate need for future remedial action (*supports No Further Action*)

3) REMEDIES THAT DELIVER LASTING RESULTS



Eliminate future O&M
No long-term operations or maintenance required



Durable solutions that reduce risk today and avoid long-term costs tomorrow

4) APPLIES TO NPL AND NON-NPL SITES



Applies to **NPL Sites**



Applies to **non-NPL Sites**