

Good Samaritan Remediation of Abandoned Hardrock Mines Act: U.S. Senate Environment & Public Works Committee Advances Legislation



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The United States Senate Environment & Public Works Committee (“Committee”) has moved to the full Senate legislation titled:

Good Samaritan Remediation of Abandoned Hardrock Mines Act of 2024 (“Mines Act”)

The legislation is intended to promote the remediation of abandoned hardrock mines by Good Samaritans.

A Good Samaritan is defined to include a person that is:

1. not a past or current owner or operator of the abandoned site;
2. had no role in the creation of the historic mine residue; and
3. is not potentially liable under any law for the remediation, treatment, or control of the historic mine residue.

The *Mines Act* would require that the United States Environmental Protection Agency establish a Good Samaritan pilot program.

Pursuant to the program, EPA could issue permits to allow Good Samaritans to remediate historic mine residue at abandoned hardrock mine sites without being subject to enforcement or liability under specified environmental laws for past, present, or future releases, threats of releases, or discharges of hazardous substances or other contaminants at or from the abandoned mine site.

The impetus for the legislation is over an estimated 140,000 abandoned hardrock mines of which 22,500 are thought to pose environmental hazards according to GAO.

The legislation is somewhat unusual in that it is supported by both industry and environmental organizations. For example, groups ranging from Ducks Unlimited to the Nature Conservancy co-authored an October 24th letter to U.S. Senate and House Representative leaders regarding this and similar legislation.

An examples of industrial group supporting the legislation is the National Mining Association.

A copy of the Mines Act can be found [here](#) and the October 24th letter from the environmental organizations and statement from the National Mining Association [here](#).

