

Good Samaritan Remediation of Abandoned Hard Rock Mines Act

TNC Smart from the Start

**Rob Ghiglieri
Administrator**

March 11, 2025

[Minerals.nv.gov](https://minerals.nv.gov)

Photo: Buckskin Mine, by Rob Ghiglieri



DECEMBER 18TH, 2024

HEINRICH LEGISLATION TO CLEAN UP ABANDONED MINES SIGNED INTO LAW

WASHINGTON — U.S. Senator Martin Heinrich (D-N.M.) announced today that his [Good Samaritan Remediation of Abandoned Hardrock Mines Act](#) was signed into law by President Joe Biden. Co-led with U.S. Senator Jim Risch (R-Idaho), this legislation will make it easier for “Good Samaritans,” such as state agencies, nonprofits, and other groups, to clean up and improve water quality in and around abandoned hardrock mines.

Heinrich [applauded](#) the passage of the bill in the U.S. House of Representatives last week and hailed the [Senate’s unanimous passage of the bill](#) in July. The House companion legislation is led by U.S. Representatives Celeste Maloy (R-Utah), Mary Peltola (D-Alaska), and Susie Lee (D-Nev.).

“Our Good Samaritan legislation is now the law of the land, after more than 25 years of hard work to get it over the finish line. Good Samaritans will no longer face hurdles preventing them from helping to protect the land, water, fish, and wildlife our communities rely on. This victory belongs to every single person who rolled up their sleeves to fix this longstanding roadblock, and I’d like to thank those who have carried the baton to get us to this point. Now it’s time to get to work to clean up abandoned mines in New Mexico and across the country, making our water cleaner and lands safer,” **said Heinrich.**

“After years of red tape and unnecessary barriers, Good Samaritans willing to clean up long-abandoned mine sites can finally move forward with meaningful remediation. I’m proud to have led the Good Samaritan Remediation of Abandoned Hardrock Mines Act with Senator Heinrich and look forward to the positive impacts this law will have on our land and water in Idaho,” **said Risch.**



BIPARTISAN SUPPORT IN CONGRESS

Led by Representatives Celeste Maloy (R-UT) and Mary Peltola (D-AK) H.R.7779 has 17 bipartisan cosponsors:

Rep. John Curtis (R-UT)	Rep. Susie Lee (D-NV)	Rep. Russ Fulcher (R-ID)
Rep. Brittany Pettersen (D-CO)	Rep. Blake Moore (R-UT)	Rep. Jim Costa (D-CA)
Rep. Owens (R-UT)	Rep. Neguse (D-CO)	Rep. Ryan Zinke (R-MT)
Rep. Steven Horsford (D-NV)	Rep. Lauren Boebert (R-CO)	Rep. Dusty Johnson (R-SD)
Rep. Mark Amodei (R-NV)	Rep. Mike Simpson (R-ID)	Rep. Schrier (D-WA)
Rep. Jason Crow (D-CO)	Rep. Dina Titus (D-NV)	

Led by Senators Martin Heinrich (D-NM) and James Risch (R-ID) S.2781 and 39 bipartisan cosponsors:

Senator Mike Crapo (R-ID)	Senator John Thune (R-SD)	Senator Lisa Murkowski (R-AK)
Senator John Hickenlooper (D-CO)	Senator Kyrsten Sinema (I-AZ)	Senator Jeff Merkley (D-OR)
Senator Steve Daines (R-MT)	Senator Kevin Cramer (R-ND)	Senator Mike Braun (R-IN)
Senator Ben Ray Lujan (D-NM)	Senator Tina Smith (D-MN)	Senator Debbie Stabenow (D-MI)
Senator Mark Kelly (D-AZ)	Senator Ted Budd (R-NC)	Senator Mitt Romney (R-UT)
Senator Cynthia Lummis (R-WY)	Senator Jacky Rosen (D-NV)	Senator Ron Wyden (D-OR)
Senator Alex Padilla (D-CA)	Senator John Boozman (R-AR)	Senator Joni Ernst (R-IA)
Senator Mike Lee (R-UT)	Senator Michael Bennet (D-CO)	Senator Jon Tester (D-MT)
Senator Catherine Cortez Masto (D-NV)	Senator Dan Sullivan (R-AK)	Senator Mike Rounds (R-SD)
Senator Shelley Moore Capito (R-WV)	Senator Laphonza Butler (D-CA)	Senator Brain Schatz (D-HI)
Senator Sheldon Whitehouse (D-RI)	Senator John Barrasso (R-WY)	Senator Mullin (R-OK)
Senator John Hoeven (R-ND)	Senator Joe Manchin (D-WV)	Senator Peter Welch (D-VT)
Senator Jeanne Shaheen (D-NH)	Senator Thomas Tillis (R-NC)	Senator Cotton (R-AR)

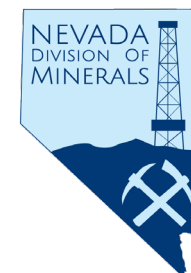
BROAD STAKEHOLDER ENDORSEMENTS

The Good Samaritan Remediation of Abandoned Hardrock Mines Act of 2024 is endorsed by the following:

Angler Action Foundation	Granite Outdoor Alliance	Pheasants Forever
American Fly Fishing Trade Association	Great Old Broads for Wilderness	Pope & Young Club
American Exploration and Mining Association	Houston Safari Club	Property and Environment Research Center
American Rivers	Interstate Mining Compact Commission	Public Lands Foundation Quail Forever
American Sportfishing Association	Izaak Walton League of America	Rocky Mountain Elk Foundation
Archery Trade Association	Mule Deer Foundation	Regeneration Rivian
Association of Fish and Wildlife Agencies	National Association of Forest Service Retirees	Securing America's Future Energy
Backcountry Hunters & Anglers	National Association of Abandoned Mine Land Programs	Sportsmen for the Boundary Waters
Bass Anglers Sportsman Society	National Congress of American Indians	The Nature Conservancy
Bonefish & Tarpon Trust	National Deer Association	The Wildlife Society
Boone and Crockett Club	National Mining Association	Theodore Roosevelt Conservation Partnership
California Outdoor Recreation Partnership	National Wildlife Federation	Trout Unlimited
Campfire Club of America	National Wild Turkey Federation	Western Governors Association
Congressional Sportsmen's Foundation	New York State Conservation	Western States Water Council
Council to Advance Hunting and the Shooting Sports	North Carolina Outdoor Recreation Coalition	Whitetails Unlimited
Delta Waterfowl	Orion: The Hunter's Institute	Wild Salmon Center Wild
Ducks Unlimited	Outdoor Alliance	Sheep Foundation
Ecoflight	Outdoor Recreation Roundtable	Wildlife Forever
Fly Fishers International		Wildlife Management Institute
		North American Grouse Partnership

National Push

- Trout Unlimited
- The National Mining Association
- American Exploration and Mining Association
- National Association of Abandoned Mine Lands Programs
- Interstate Mining Compact Commission
- Western Governor's Association
- Western States Water Council
- Conference of Western Attorney General
- Mining and Metallurgical Society of America
- National Congress of American Indians





Office of the Governor

January 10, 2024

The Honorable Thomas R. Carper
Chairman
U.S. Senate Committee on Environment and Public Works
United States Senate
410 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Shelley Moore Capito
Ranking Member
U.S. Senate Committee on Environment and Public Works
United States Senate
456 Dirksen Senate Office Building
Washington, D.C. 20510

RE: Support for S 2781, *The Good Samaritan Remediation of Abandoned Hardrock Mines Act of 2023*

Dear Chairman Carper and Ranking Member Capito:

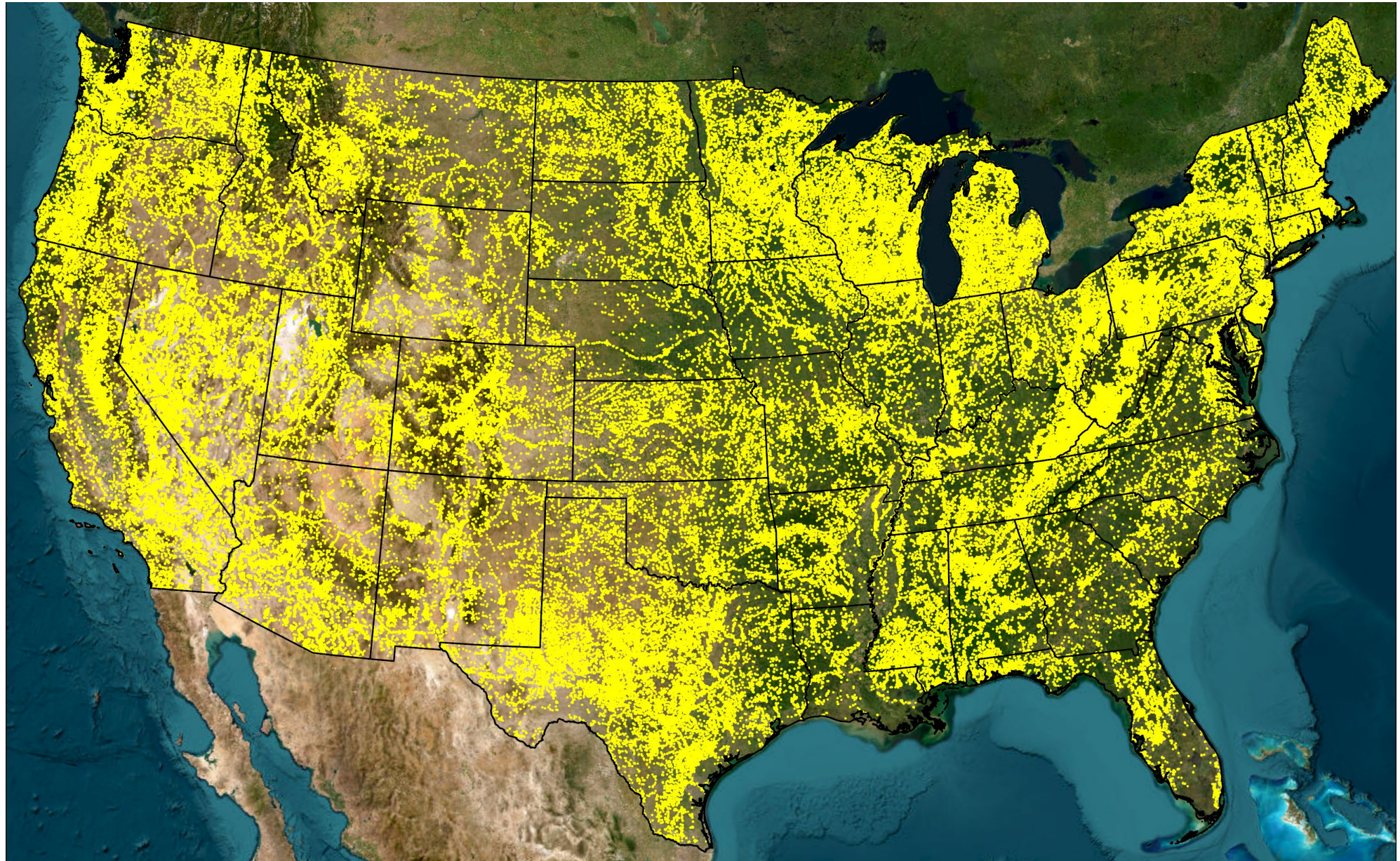
We write to share the State of Nevada's support for The Good Samaritan Remediation of Abandoned Hardrock Mines Act of 2023 (S. 2781).

Modern hardrock mining is fundamental to the domestic supply of critical minerals and plays a vital role in the economy of many rural regions across Nevada and the nation. Today's mining is highly regulated and well-bonded, while historic mining was unregulated and often left behind physically and environmentally hazardous sites. Legacy Abandoned Mine Lands (AML) hazards are found across the nation, but hardrock AML hazards are particularly numerous in the western states with an estimated 300,000 historic mining-related features dotting Nevada's landscape alone. Starting in the 1980s, federal and state regulations were enacted requiring new mines on federal land to be bonded to assure their complete reclamation, but remediation of hardrock AML hazards never received the necessary funding and support.

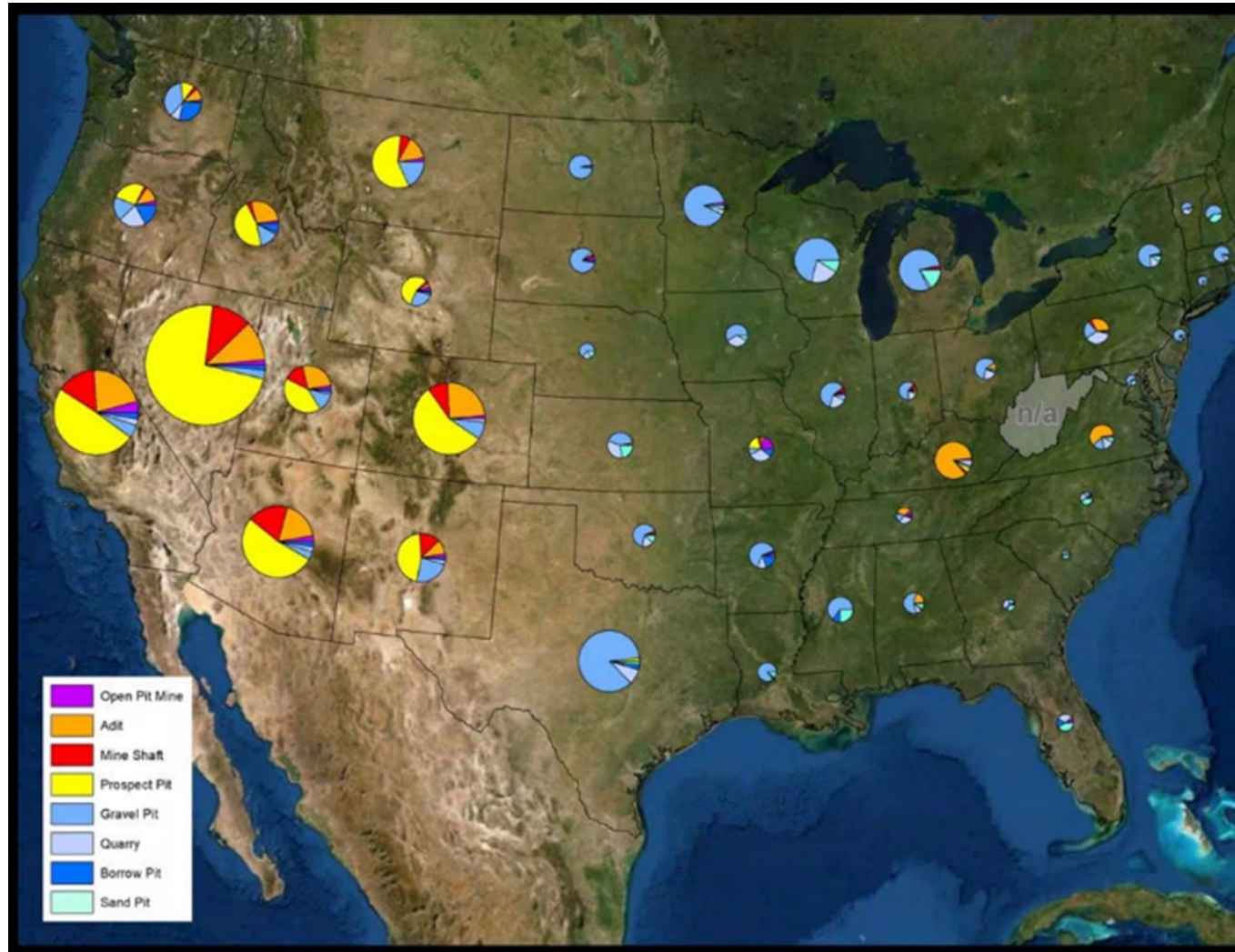
Hardrock AML reclamation is imperative to the health of Nevada communities, wildlife, and environmental quality. Inherent lack of funding and concerns about liability protections have always hindered the cleanup of hardrock AML. Multiple Good Samaritan bills have been introduced in recent years, but they have all failed to provide the necessary Good Samaritan protection for the cleanup of AML hazards. It can also be vital in some instances for State and local governments to have liability protections to be able to complete AML projects. The addition of liability protections is a critical ownership and roles of multiple regulatory authorities is a complex AML problem.

“With the enormous hardrock AML task at hand, we respectfully urge the Committee’s favorable considerations of S. 2781 to provide liability protection for Good Samaritans...”
-Governor Joe Lombardo

USGS USMIN Dataset



The West's AML Problem



Nevada:

- Physical AML, started in 1987
 - Estimates
 - 40,000 -50,000 hazards
 - 33 years remaining to complete inventory
 - 37 years remaining to complete safeguarding
 - 116 years to closes 70% of hazards
 - Cost ~\$600,000,000 (not including inflation)
- Thousands of environmental AML hazards
 - No funding dedicated towards inventory
 - Up to tens of billions of dollars to remediate with no time estimate

What's In The Bill

Defines:

- ✓ Abandoned Mine Site
- ✓ Good Sam
- ✓ Responsible Owner
- ✓ Cooperating Person
- ✓ Remediation

Scope:

- ✓ Specifies that nothing in the Act reduces any existing liability or releases any person from liability from local, state or federal law except in compliance with the Act. Further, nothing in the Act authorizes any mining, exploration or processing, except for reprocessing as provided by a permit that contributes to the remediation of the abandoned mine site.



What's In The Bill

Establishes a Pilot Program of 15 Good Samaritan Remediation Projects over 7 Years

Eligibility:

- ✓ Low Risk Projects
- ✓ Projects with partial, interim or completed remediation
- ✓ Good Samaritan must have resources to complete work
- ✓ EPA Administrator approval
- ✓ Must demonstrate the purpose is remediation of historic mine residue, including reprocessing



What's In The Bill

Identifies:

- ✓ Requirements for Permit Application
- ✓ Needed Content for Permit
- ✓ 18 months to Commence Work After Receiving a Permit
- ✓ Roles

Allows:

- ✓ Investigative Sampling and Conversion to Project
- ✓ O&M
- ✓ Environmental Review
- ✓ Public Comment



What's In The Bill

Effects of the Permit:

- ✓ Receive conditional protection from liability under the Clean Water Act and CERCLA to the extent that they are in compliance with a Good Samaritan permit.
- ✓ Are not subject to enforcement, civil or criminal penalties, citizen suits or any other liability under the Clean Water Act and CERCLA.
- ✓ Does not allow any new mining, exploration, or other activities.
- ✓ A conditional safe harbor is given to permittees that correct permit violations and noncompliance within a reasonable amount of time



Is this Site Eligible for Good Sam

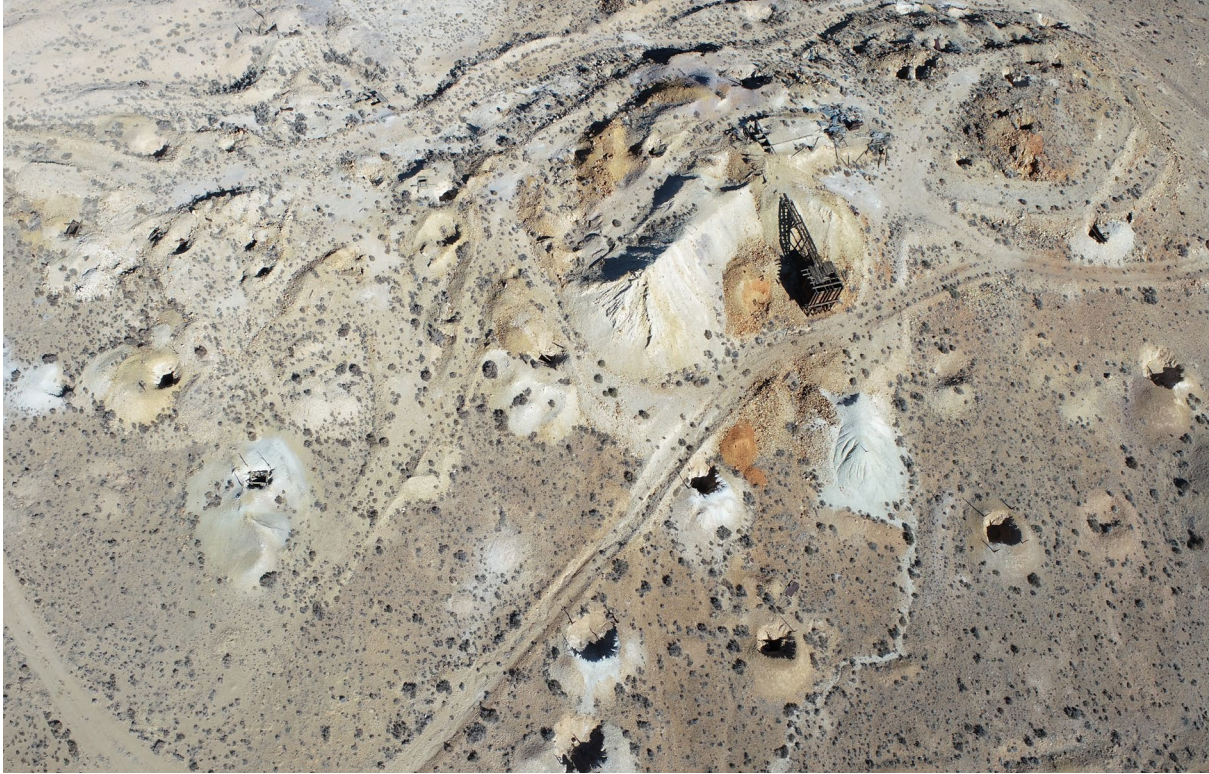


Photo of AML Site in NV, Photo owned by NDOM

- ✓ The proposed project must be located in the United States.
- ✓ The site must have been used for the production of a mineral other than coal and either the mining occurred on Federal land pursuant to the Mining Law of 1872, or the site is located on non-federal land.
- ✓ The site cannot have a “responsible owner or operator”.
- ✓ The site is not eligible if it is on the Superfund National Priority List (NPL).
- ✓ A site is not eligible if there is a planned or ongoing CERCLA response action.
 - ✓ However, a site may still be eligible if it was subject to a previous CERCLA response action, so long as the site is not included on the NPL.

Is this Site Eligible for Good Sam



Photo of AML Site in NV, Photo owned by NDOM

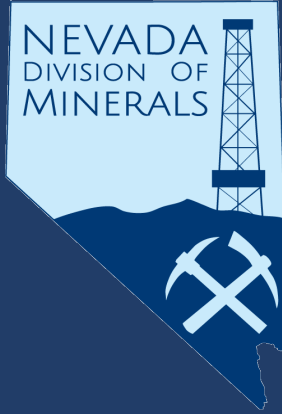
- ✓ The site is not eligible if mining or mineral processing occurred after December 11, 1980
- ✓ The site is not eligible if it is in temporary shutdown or cessation
- ✓ A site is only eligible if the project is “low risk”
- ✓ The law’s authorization is for projects with the purpose of remediation of historic mine residue
- ✓ A site may include point sources of pollution (e.g., a draining mine adit) and/or non-point sources of pollution, such as erosion from contaminated tailing piles

Next Steps

- ✓ Develop Program Guidance
- ✓ Define “Low Risk”
- ✓ Project Selection Criteria
- ✓ Rollout of Projects
- ✓ Diversity in Location and Types of Projects
- ✓ Co-Permitting with Land Managers
- ✓ Use Lessons Learned for Permanent Good Sam Bill
- ✓ Funding the Abandoned Hardrock Mine Reclamation Program
 - ✓ S.544 Cortez Masto, Risch, Rosen, Crapo, Murkowski



Questions



MINERALS.NV.GOV

NDOMDATA.COM

