



“Voice of the Western Slope since 1953”
*A coalition of counties, communities, businesses &
individuals*

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RECLAMATION OF MINED LANDS, “GOOD SAMARITAN” LEGISLATION

WHEREAS: Thousands of abandoned or inactive mines exist in Colorado and elsewhere in the United States; and

WHEREAS: Abandoned mines can be a source of mine drainage that contributes heavy metals into streams adversely impacting water quality and aquatic habitat; and

WHEREAS: Cleanup of these sites is hampered by liability exposure to parties who are interested in remediating such sites but who are not responsible for existing conditions, and often the owner of the mine cannot be found or is not the one responsible for the conditions and the owner is not economically able to assist in clean up; and

WHEREAS: Current environmental law (CERCLA) serves to inhibit the clean-up of abandoned or inactive mines, and a third party undertaking to clean up an abandoned or inactive mine (a “Good Samaritan”) will be exposed to the same liability that would apply to a party responsible for creating the site’s problems in the first place;

NOW THEREFORE BE IT RESOLVED that CLUB 20 supports legislation that amends the Clean Water Act to protect a remediating, non-responsible third party from becoming legally responsible for any discharge or environmental contamination caused by previous or current landowners, or for any remaining discharges after completion of a clean-up project in an effort to improve water quality.

BE IT FURTHER RESOLVED that CLUB 20 supports the creation of a permit whereby Good Samaritans can help clean up abandoned mines without liability risks and which would require the permit holder to meet approved standards and requirements but would terminate upon completion of clean up.

Adopted September 6, 2002.