

**Sen. Martin Heinrich (D-N.M.)**  
**EPW oversight hearing on the Gold King Mine spill**

Thank you, Chairman Inhofe and Ranking Member Boxer for holding this important hearing today.

Last month, a large plume of bright orange mine waste spilled into the Animas and San Juan Rivers and polluted the Four Corners region.

I share the anger and frustration over this terrible accident.

When I toured the affected areas following the spill, I visited with impacted residents--including farmers in Aztec--as well as San Juan County leaders and Navajo Nation President Russell Begaye.

In the Southwest, water is our most precious resource, so you can imagine the kind of impact this disaster has had on our communities.

I have demanded that the EPA act with urgency to protect our health and safety and repair the damage inflicted on this watershed. This must be our first and top priority.

But we must also look over the horizon and take action to address the hundreds of thousands of other similarly contaminated mines that litter the West and are leaking toxins into our watersheds.

There are estimates that 40 percent of Western watersheds have been polluted by toxic mining waste and that reclaiming and cleaning up abandoned mines could cost upwards of 32 to 72 billion dollars.

I want to show you maps of New Mexico and Colorado, the two states most affected by this spill.

These maps show all of the abandoned hardrock mines and the waters polluted by hardrock metals.

You can see that Southwestern Colorado--where the Gold King Mine is--has literally thousands of unreclaimed mines.

If we chose any other Western state, the map would look similar, and in some states even worse.

This latest disaster is all too familiar.

In 1975, in an even larger accident than the Gold King blowout, a large tailings pile near

Silverton, Colorado spilled 50,000 tons of tailings laden with toxic heavy metals into the Animas River watershed.

In 1979, a breached dam at a uranium mill tailings disposal pond near Church Rock, New Mexico, on the Navajo Nation, sent more than 1,000 tons of solid radioactive waste and 93 million gallons of acidic liquid into the Rio Puerco.

For decades before the spill last month, the Gold King Mine leached water laced with heavy metals and sulfuric acid into Cement Creek, a tributary of the Animas River.

Over the last 10 years, an average of 200 gallons of highly polluted water per minute--or more than 100 million gallons per year--flowed out of this mine into the Animas River via Cement Creek.

The Gold King and other abandoned mines in the San Juan Mountains are polluting the Animas and San Juan watershed as we speak.

Beyond the immediate cleanup of this spill, it is high time that we overhaul our abandoned mine cleanup policies to make future disasters less likely.

While developers of resources like oil, natural gas, and coal all pay royalties to return a fair value to taxpayers for our public resources, hardrock mining companies can still mine valuable minerals on America's public land for free without any plan to address a century of pollution from abandoned mines.

A comprehensive approach to mining reform should include the establishment of a Hardrock Reclamation Fund, funded by a fair royalty on public minerals; Good Samaritan authority to allow third parties to cleanup mine sites they had no role in creating; and a comprehensive survey of abandoned mines and a plan to clean them up.

I appreciate the value of the hardrock mining industry. My father and my mother's father both made a living in hardrock mining. This industry continues to provide good-paying jobs throughout the West. And some mining companies are already stepping up to help clean up old abandoned mines.

But passing long overdue reforms to our federal mining law--which has not been updated since 1872--is critical if we want to address the root cause of this disaster, stop future disasters, and protect the health of our communities, our land, and our water.

We must make sure this mine waste spill is cleaned up, and that affected communities are made

whole. Additionally, we must go further than that, and finally address the decades-long disaster that is abandoned hardrock mines.

If we stop our efforts with this one incident, we can be sure we will see similar spills again and again in the decades to come. We shouldn't wait for disasters like this one to strike; Western communities deserve full and complete protection of their drinking and irrigation water.

I applaud this committee's efforts to bring oversight to the EPA. But if we, as a Congress, stop there, we are leaving behind millions of people living in communities whose water comes from watersheds like the Animas and the San Juan.

Thank you.