

Sen. Bennet – EPW Gold King Mine Oversight Hearing 9/16/2015

Thank you Chairman Inhofe and Senator Boxer for allowing me to speak this morning.

The blowout at the Gold King Mine was a disaster that affected many communities in Colorado and New Mexico.

And although the EPA was working to clean up the mine, there's no denying that they caused the spill.

That's entirely unacceptable.

It's also clear that the agency was slow to communicate with local governments, and didn't obtain water quality results or bring water to farmers who needed it quickly enough.

When Senator Gardner and I traveled to Durango four days after the blowout, the river was still bright orange and closed to the public.

The Animas River really is the lifeblood of Durango. Rafting companies have lost business, farmers couldn't water crops, and moms are still keeping their kids out of the river.

These families deserve to have the full attention and the dedicated resources of the Administration committed to the clean-up.

In the week after the spill, we spoke with Administrator McCarthy and wrote to the EPA and the President.

We appreciate that Administrator McCarthy listened to our call and came to Colorado to view the area and address the community.

Following a crisis like this, it's tempting to point fingers – and we must hold people and agencies responsible for any egregious mistakes or negligence they committed in the days and hours after the spill.

But as the communities recover, it's also critical we look at the bigger picture. Let's identify exactly what went wrong to make sure this doesn't happen again.

We also need to put it in context – The blowout released 3 million gallons of acid mine drainage.

This same amount of polluted water was already being released from the Gold King Mine about every week.

And the four mines in the area release more than 300 million gallons of acid mine drainage into the River every year.

This has been going on for more than 130 years.

In 1902, the water quality was so bad that Durango permanently switched to the Florida (Flor-E-da) River for its main drinking water supply.

That decision largely protected the town's drinking water from the most recent disaster.

There are more than 23,000 abandoned mines in Colorado, including 400 in the San Juan Mountains.

We need solutions to address the acid mine drainage coming from all of these old abandoned mines.

And in the Upper Animas watershed, we need an immediate solution. – That's why we've asked Administrator McCarthy and the President to prioritize funding for a water treatment plant.

We also need to pass Good Samaritan legislation to encourage counties, nonprofits, and companies to clean up abandoned mines.

We worked with Senator Boxer, Senator Mark Udall, and the EPA to establish guidance for Good Samaritans to allow them to do cleanup work without being liable under the Clean Water Act.

Unfortunately, this didn't provide enough certainty and hasn't encouraged action.

Last Congress Mark Udall, Scott Tipton, and I introduced a bill to give Good Samaritans that certainty while still holding them to appropriate standards.

Senator Gardner and I are working to reintroduce a bill this Congress.

And finally, we need to reform the 1872 Mining Law to make sure that companies pay royalties to tax payers.

Thank you again for allowing me to speak briefly and thank you for holding this hearing.