

**From:** [NeilG](#)  
**To:** [DEP, MiningComments2016](#)  
**Subject:** Proposed mining rules  
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My comments on the “revised” mining rules proposed by the Department of Environmental Protection are basically a reiteration of comments I have made in October 2013, February 2015, September 2015, and October of this year. My comments are almost identical because the rules are almost identical. They still allow mining on public lands, and under lakes, rivers, and coastal waters, they still allow mines in floodplains, and they still do not require anything approaching adequate financial coverage.

So I find myself doing the same thing over and over, along with hundreds of concerned Maine citizens/taxpayers, because DEP is doing the same thing over and over. And everyone knows what it is if you do the same thing over and over and expect a different result.

It is time for DEP to realize that Maine’s citizens will not accept rules that give mining companies the right to ruin Maine’s environment and walk away after covering 15% of the potential damage. Citizens have come out in force every time these rules have been proposed to oppose them. If we have to we will do it again. And again. And again. Why is this not clear to the people at DEP? If DEP cannot produce rules that the citizenry will accept within the confines of the current law, then DEP must tell the Legislature that the law must be changed.

What follows below the line is the testimony I addressed to the Board of Environmental Protection at its hearing in October. There is nothing in the new rules that makes it necessary to change a word of it.

Thank you for your attention to my comments.

Neil Gallagher

4 Stowe Lane

Brunswick, Maine 04011

207-838-2932

[hollowtree0511@gmail.com](mailto:hollowtree0511@gmail.com)

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Before approving the revised mining rules, ask yourself if you know of one single case, at any time and anywhere in the world, where extensive mining did not lead to any significant damage, or where there was full remediation and the responsible company fully covered all the costs. If you know of such a case, I would like to know about it.

I have personal experience with how mining works. I grew up in Scranton, Pennsylvania, once the coal capital of the country, within a block of an exhausted anthracite breaker and the huge pile of tailings (called culm) it left behind. It was ugly, but our neighborhood was fortunate in that it never caught fire. Many of the piles did, and the fires can burn for decades, stinking, causing respiratory disease, and peeling off house paint; some communities never recover. [See <http://thetimes-tribune.com/news/long-time-burning-mine-fires-widespread-hard-to-douse-1.1695663>]

I know that DEP and the mining companies will say, Oh, that was a different era, that was not Maine, and coal is not the resource here. All very true, yet the basics are the same. Corporations are machines made to make money, and when there is an activity that loses money, they drop it, and they find a way to avoid paying for the consequences, or they go bankrupt and leave the local jurisdictions holding the bag. That is what happened in the coal region. That is what happened with the Callahan Mine, closed to mining in 1972 and still fouling the beautiful Brooksville area. And that is what will happen to Bald Mountain. The only protection an area has is to get an irrevocable bond from the company that is more than sufficient to pay for ALL remediation that may be required. The safeguards in these regulations do not come close to doing that; it is an open question whether any upper bound can be put on the cost of environmental damage that mining could cause. Or whether a price can be put on permanent damage to an area's air, land or water.

The new version of DEP's mining rules is just a warmed over version of the first two, and will do nothing to prevent mining companies from coming in, squeezing out all the profits they can, and leaving a legacy of pollution for Maine to suffer from, and pay for, for generations. And the environment may never recover.

You are the Board of Environmental Protection. Please follow the lead of both the

126th and 127th Legislatures, and reject these mining rules, which protect no one except the mining companies.