

**From:** [kilgarvan@pwless.net](mailto:kilgarvan@pwless.net)  
**To:** [DEP, MiningComments2016](#)  
**Subject:** Comments on mining rules  
**Date:** Sunday, November 20, 2016 11:05:07 AM

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Dear Board members,

I have carefully read over the latest revisions to rules concerning metallic mining. I find them inadequate to protect public health, to protect the Maine taxpayers in event of spill or long term leaching of toxins, and to accomplish the original purpose of creating the extra jobs that was incentive for this ill-fated mining bill several years ago that the DEP has been struggling to help implement. The ultimate `solution` to this dilemma would in fact be to rescind that original bill that put the DEP in this impossible position in the first place, not keep trying to tweak it to make it appear to be a safe option. You are putting `lipstick on a pig` and fooling no one.

Specifically, here are my objections to the present changes as you requested we focus comments on that.

First, the area that started this whole issue is the potential for Irving to open the mine at Bald Mtn. So let us be honest as to the intent and the specific location even though I am sure my concerns apply elsewhere in Maine.

Maine is a state loaded with river systems and lakes, we all know this, we rely on this clean water resource. We also know that all water flows downhill or into the ground and aquifers. That area in particular below Bald Mountain is a sensitive area that feeds into our two major river systems and our lakes. It has been clearly stated by geologists and water scientists that due to the highly acidic nature of that deposit this is a particularly risky area to develop a mine. In fact it has never been successfully done in such a deposit without Serious long term consequences. We are relying on unsubstantiated promises by a company with a profit motive to believe their treatment system will work, their tailings ponds will hold, espec in what might be heavy rains. Any permission to create a potentially toxic stew up above our important water resources is folly. Assurances ring hollow in light of the history of the metallic mining industry anywhere in the world. We don't want this here!!!

Second, third party monitoring sounds fine but when they actually start to find something to be alarmed about in their sampling it will already be too late. Common sense tell us that by the time something shows up in a stream or groundwater it will be too late to avoid a major health issue because it will continue downstream. I am not convinced they have either the technology or the will (and dollars) to reverse such a slow catastrophe.

Along those lines, concerning the 15% up front surety for `worst case scenario`, two objections arise. One, that the demonstrated history of mining companies is that they bail out on really big cleanup costs in the end merely by going bankrupt and re-organizing under a new name, or selling their interest. In the end, EVERY local or state government ends up stuck with a substantial part of that bill in perpetuity, at least for monitoring.

If you really want to make that bond mean something, make it 100% of worse case cost and make it cash. If the company really believes in their

process so deeply and that there is perhaps a billion or more in gold up here they will gladly offer to cover all of it in advance since they don't believe they would have an accident. That fact they won't indicates they know full well there is considerable risk or even likelihood of a failure.

Finally, while I know you want to keep attention on the details rather than address the elephant in the room, recall that arguments on the legislative floor for mining centered on jobs not on technical issues of mining.

So in weighing risk versus benefit as you must, keep this in mind. Here in Aroostook, our economic future if we are to have one we can sustain, depends on things like outdoor recreation including hunting and fishing, on agriculture, and on our well-known reputation for being a safe clean place to raise a family. This is even more true today and clean, safe water will be a key part as climate change dries that resource up elsewhere. So this should not be some political ploy about adding jobs without realizing the risk of losing our Existing ones based on our `brand` for clean agricultural products or safe recreational experiences. This is a trade off, not a gain.

If you think in today's world an arsenic leak doesn't matter think what can happen to our potato industry if even the rumor of a problem at a mine was to get out on the Internet. A sample #wantanyarsenicwiththosefries? We are positioned in long run to be the breadbasket for New England. We can't risk our future on a gamble. And finally we are talking dollars too much. What about health risks? people live along those lakes or rivers, drawing their water mostly from wells. Where is the financial aid for a family whose child gets seriously ill? I see no financial assurances written into this that will go directly to affected families. Just for the State coffers.

Sincerely,  
Jeremiah Leary  
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