

AB 1/SB 1: Iron Mining Bill

This mining bill jeopardizes the health of our families and our environment to support the interests of wealthy, out-of-state mining executives.

Here are some of the most egregious provisions in the bill.

Silences the voice of the public

- Removes citizens' right to sue for illegal environmental damage by a mine. (p. 39*)
- Removes meaningful contested case hearings, which happen before a permit is issued and give the public its only opportunity to impact the mining permit, challenge junk science and question mining officials on the record. (p. 10)
- Only two required public hearings for the entire mining project; current law requires a minimum of three. (p. 10)
- Caps the amount a mining corporation must pay to the state for analyzing its permit, leaving the public to pay the remainder of the bill. (p. 17)
- Directs 40% of all mining tax revenues to the beleaguered Wisconsin Economic Development Corporation, rather than to local governments for their investments in local infrastructure as local law requires. WEDC has recently been under fire for losing track of more than \$8 million in loans it gave to state businesses. (p. 40)
- Allows mining corporations to seek an end to their long-term responsibility for the mining site within 20 years rather than 40 years as required by current law. (p. 37)

Rolls back commonsense environmental protections

- Allows the filling of lake beds. (p. 28)
- Allows mining corporations to dump mine waste into sensitive wetlands and floodplains. (pp. 22-28)
- Doubles the distance around a mining site that can be polluted. (p. 32)
- Allows mining corporations to draw down water levels from rivers, lakes, streams and groundwater. (pp. 29-30)
- Allows iron mining law to supersede all other environmental regulations, unlike current law which gives deference to existing environmental laws, and unlike laws all other industry is subject to. (p. 38)
- Allows DNR to provide an exemption for a mining corporation from any part of the provisions of the mining bill. (p. 15-16)



If the DNR (480 days) and federal government (2-4 years) are operating under two different timelines for permit review as this bill outlines, it basically relinquishes the state's review role in protecting our own resources and assures delays, higher costs and greater uncertainty.

This bill includes a legislative finding for wetlands that states it is **"probable that mining these deposits will result in adverse impacts" to our natural resources, and those impacts are "presumed to be necessary."**

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Eliminates accountability and scientific decisions for permitting a mine

- Removes DNR authority to issue a stop work order if the mining operation is an “immediate and substantial threat to public health and safety or the environment” (p. 39)
- Instead of requiring mines to comply with all rules on air, groundwater, surface water, and solid and hazardous waste management; the bill merely requires the company to be “committed” to complying with those laws. (p. 14)
- Changes the standard for protecting public health, safety and welfare from the protective “will not” cause harm to the subjective “is not likely” to cause harm. (p. 14)

Potential for acid mine drainage

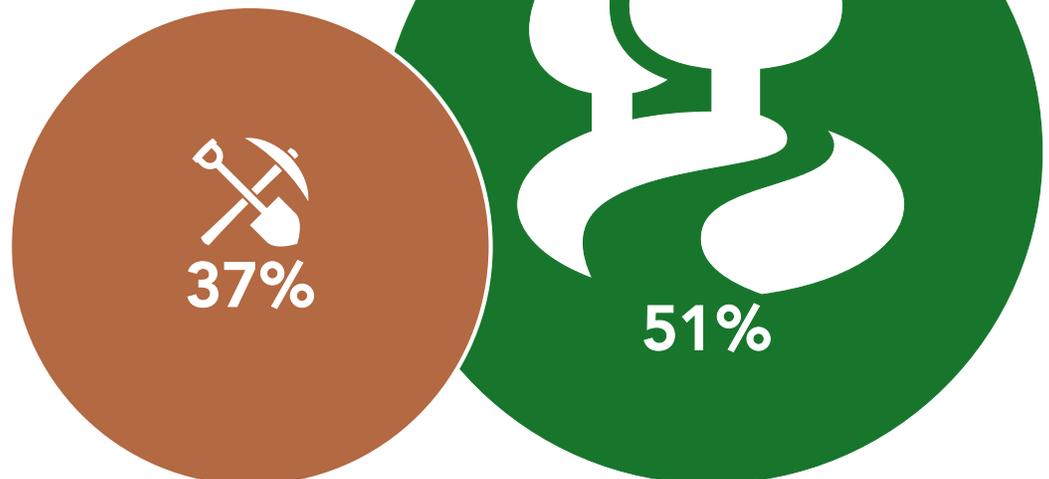
Acid mine drainage occurs when sulfur-containing ore or waste rock is exposed to the environment. The sulfur in this rock reacts with water and oxygen to create sulfuric acid. This acidifies surrounding waters and soils, killing wildlife and damaging ecosystems. The acid can also cause toxic metals such as arsenic or cadmium to leach from mine wastes, contaminating lakes, rivers and groundwater. This bill alters several provisions meant to protect our waterways from this acid mine drainage.

- The DNR and the US Geological Survey agree there is sulfide-containing rock in the area of Northern Wisconsin’s iron deposit in the Penokee Range, and we only have to look as far as northern Minnesota and the Dunka taconite mine for an example of such waste rock leading to acid mine drainage.
- The bill amends the current sulfide mining moratorium, so that it does not apply to iron mining even if sulfide-containing materials are found. (p. 19)



With the Penokees iron ore deposit lying 900 feet below ground, an iron mine will produce massive amounts of waste. This bill allows that waste to be placed directly into waterways and relaxes the information a company must give to DNR for their mining plans.

What the public thinks: **Keep our mining laws strong**



From an October 2011 poll
by Wisconsin Policy
Research Institute, a
conservative organization