

# PROTECTING AMERICA'S WATERS FROM IRRESPONSIBLE MINING: Close the Clean Water Act's Mining Waste Loopholes



## HAILE MINE, SOUTH CAROLINA

Romarco Minerals Inc., a Canadian company, is proposing to develop the largest open pit gold mine east of the Mississippi River. The proposed Haile mine would be located at the headwaters of the Little Lynches River which is a popular river for fishing as well as a major tributary to the Lynches River. The Lynches River is known for its remarkable kayaking and canoeing trips as well as being one of nine designated State Scenic Rivers in South Carolina. Both river corridors provide excellent habitat for fish such as redbreast and wildlife including river otters, white-tailed deer, and wood ducks.

### MINING LOOPHOLES IN THE CLEAN WATER ACT

One of the most important goals of the federal Clean Water Act (CWA) is to prohibit the use of our nation's waters as dump sites for pollution. Unfortunately, public officials have undercut that goal by adopting **two regulatory loopholes that allow hardrock mines to treat the nearest lake or wetland as a waste dump** for massive quantities of toxic, acid-producing tailings.

The mining industry is the single largest source of toxic waste and one of the most environmentally destructive industries in the country. Today's massive mining operations involve blasting, excavating, and crushing many thousands of acres of land and treating the ore with huge quantities of toxic chemicals such as cyanide and sulfuric acid.

The mines that produce our gold, silver, copper, and uranium are notorious for polluting adjacent streams, lakes, and groundwater with toxic by-products. In fact, the Environmental Protection Agency (EPA) estimates that **40% of the headwaters of watersheds in the western United States are contaminated by pollution from hardrock mines**. Toxic spills and acid mine drainage kill wildlife, poison community drinking water, and pose serious health risks.



*White-tailed deer are at risk from the proposed Haile mine. Photo: USFWS.*

### IMPACTS TO COMMUNITIES AND WILDLIFE



*Haile mine would be located at the headwaters of the Little Lynches River. Photo: South Carolina Department of Natural Resources.*

The proposed Haile mine would have significant impacts on the Little Lynches River watershed. Current mercury levels downstream of the proposed mine are already at fish consumption warning levels. The additional discharge of toxic mining waste into headwater streams and wetlands could be disastrous for a fragile river system already degraded by human activities. The current mining plans would involve:

- **Destroying 162 acres of wetlands and seven miles of streams** to get at the microscopic flecks of gold hidden in rock layers under South Carolina's rolling sandhills. The destruction of the wetlands would rank as one of the state's largest wetland impacts to date.
- **Digging eight massive pits**, one nearly a mile across, another more than 800 feet deep, to reach the gold.
- **Threats to drinking water, creeks and wildlife** near the proposed mine. Deer, turtles, bobcats, beavers, raccoons, squirrels, woodpeckers, owls, hawks, herons and ducks are plentiful in the Little Lynches watershed.

## MINE WASTE AND CLEAN WATER DON'T MIX

The Brewer gold mine in Jefferson, South Carolina overlooking the Lynches River is a tragic example of why mining waste and water don't mix. In 1990, a dam retaining toxic mining waste burst, flooding Little Fork Creek with over ten million gallons cyanide laden material. The spill killed 11,000 fish and decimated 50 miles of the Lynches River. At the time both Little Fork Creek and the Lynches River were very popular fishing destinations.

Following the disaster, Brewer was forced to pump and treat ground water contaminated with cyanide, copper, and mercury to prevent it from entering Little Fork Creek. In 1999, Brewer abruptly shut down all activity at the mine in violation of the law and against orders from South Carolina Department of Health and Environmental Control. What is left of the mine is now a federal Superfund Site. Taxpayers will be footing the bill for this disaster for many years to come.



*Acid mine drainage. Photo: Earthworks.*

## WE CAN CLOSE THE MINING LOOPHOLES



*Great blue herons can be seen in the Little Lynches watershed. Photo: USFWS.*

Discharging wastes into waters may be cheaper for mining companies, but it is not a necessary way of doing business. In 1975, EPA began adopting "effluent limitations" that require mines to treat their wastes and meet strict water quality standards, in some cases prohibiting discharges into waters altogether. As part of this process, EPA studied the industry and determined that the effluent limitations were not only feasible but already being met by most mines. These limits, if applied consistently today, would prevent hardrock mines from "storing" their wastes in our waters. Unfortunately, the two CWA loopholes have made the effluent limitations largely ineffectual.

The good news for people who care about pure water, community health, and abundant wildlife is that **EPA and the Army Corps of Engineers can close the mining loopholes with two simple changes to the Clean Water Act regulations.** Closing the loopholes would not prohibit hardrock mining but it would greatly reduce the negative environmental impacts from large mines.

As a nation, we decided that industries should not be able to profit from polluting the waters that sustain America's communities, fish, and wildlife. Help us close the two loopholes in the Clean Water Act that encourage irresponsible mining practices and irresponsible mines.

**TAKE ACTION: Go to [www.nwf.org/miningloopholes](http://www.nwf.org/miningloopholes)**

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