

EPA chief to reconsider paying claims over mine waste spill

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In this Aug. 14, 2015, file photo, water flows through a series of sediment retention ponds built to reduce heavy metal and chemical contaminants from the Gold King Mine wastewater accident in the spillway about a quarter mile downstream from the mine outside Silverton, Colo. Environmental Protection Agency Administrator Scott Pruitt said Aug. 4, 2017 that he will consider paying for economic damages from the spill, something the EPA previously said it could not do because of laws protecting the government from lawsuits. His comments came during a tour of the mine on the eve of the second anniversary of the spill. (AP Photo/Brennan Linsley, File)

The Environmental Protection Agency will reconsider whether to pay farmers, business owners and others in three states for economic losses caused by a mine waste spill that government crews accidentally triggered in 2015, the agency's leader said Friday during a visit to the site.

EPA Administrator Scott Pruitt, who toured Gold King Mine with Colorado lawmakers on the eve of the disaster's second anniversary, said he told people to resubmit claims rejected under the Obama administration. It's not clear if the agency could pay on its own or how much of the potential payouts would need to be approved by Congress.

The spill sent 3 million gallons (11.3 million liters) of tainted wastewater from the old gold mine into rivers in Colorado, New Mexico and Utah, causing an estimated \$420 million in economic damages. The EPA has designated the area a Superfund site to pay for a broad cleanup.

Stretches of waterways turned an eerie orange-yellow, and the rivers were temporarily off-limits for agriculture and water utilities, as well as fishing and boating—important contributors to the area's recreational economy. The EPA has said water quality has returned to the conditions before the spill.

Native American reservations along the rivers also were affected.

Pruitt, who had promised to visit the mine during his confirmation hearing earlier this year, said he has sent letters to people whose claims were rejected by former President Barack Obama's EPA.

In January, the agency said federal law prevented it from paying claims because of sovereign immunity, which prohibits most lawsuits against

the government.

The "EPA should be held to the same standard as those we regulate," he said in a statement. "The previous administration failed those who counted on them to protect the environment."

It's uncertain whether the White House and Congress, both controlled by Republicans, are willing to pay for any of the [economic losses](#), although the GOP has been most vocal in demanding the EPA make good.

It's not clear how much money would be at stake in a new round of claims.

Claims for \$1.2 billion in lost income, property damage and personal injuries were initially filed with the EPA, but attorneys for some of the larger claimants later reduced the amounts they were seeking. A review by The Associated Press estimated the damages sought at \$420 million.

The EPA has spent more than \$31.3 million on the spill, including remediation work, water testing and payments to state, local and tribal agencies.

The agency said last year it would pay \$4.5 million to state, local and tribal governments to cover the cost of their emergency response to the [spill](#), but it rejected \$20.4 million in other requests for past and future expenses, again citing [federal law](#).

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