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Think Maine has the toughest mining laws around? Think again!

The much touted Chapter 200 rules actually state “contamination of groundwater from activities permitted under this Chapter may occur within a mining area.” It also explicitly exempts acidity and metal pollution—including arsenic, mercury, and lead from regulation. Wisconsin’s Act 171 the “Prove It First Law” was a much more stringent regulation than Maine’s Chapter 200 rule.

Additionally, changes made to Mining regulations in 2012 consisted of completely removing the Land Use Planning Commission (LUPC) from its previous role in the permitting process, shifting its oversight to zoning. Companies would now only need to acquire one permit through the state Department of Environmental Protection. Other previously required permits were removed as well, including a Site Law permit, a Solid Waste Management Act permit, and a state stormwater permit. Required permits would now be processed by the DEP in a consolidated fashion.

In 2012 permit term limits were also removed from the process, a huge boon for the industry. No longer would companies be required to renegotiate permits on an annual basis; instead, they would be allowed to retain their original permit for the lifetime of the mine. The re-permitting process was a critical safety measure, ensuring potential mining projects would be recurrently subjected to state scrutiny, allowing for identification and response to (inevitable) environmental and safety threats.