

Kara Potter  
Washington  
LD 795

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Greetings Greetings Senator Tepler, Representative Doudera, and ENR Committee Members,

My name is Kara Potter. I live in Washington, ME and I am asking testifying against LD 795 - "An Act to Exempt Pegmatite Mining from the Maine Metallic Mineral Mining Act and Establish a Permit-by-rule Process."

This is unnecessary. We do not need to establish a permit by rule process for any type of mine. We have our mining regulations in place for just this reason. Yet, many keep finding reasons to circumvent our mining laws. Why?

In fact this is the exact reason these laws were put into place! So that prosed mines could ensure residents safety. If they appear to be too strict then it is because the mine is unsafe. Why would our representatives vote to make our land, water, and air less safe for us?

While many Mainers think we have strict mining regulations, 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.

Creating more ways for mining operations (regardless of what they're mining) to circumvent these regulations we agreed upon is not in the best interests of Mainers and I ask that you will NOT support LD 795.

Thank you for your time.  
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