

**Testimony of Mary Freeman in Support of LD 1476 and LD 1433 and Opposition to LD**

**1363** *and LD 1508*

Senator Brenner, Representative Gramlich and members of the Joint Standing Committee on Environment and Natural Resources, I am Mary Freeman, from South Paris, Maine, and I am here representing myself as a veteran Maine gem miner.

My husband and I purchased property in Western Maine and have been exploring Maine pegmatites for more than 25 years. Western Maine is blessed with granite pegmatites that have centuries of mining history without environmental problems. Tourmaline and other gems as well as Spodumene form in these pegmatites.

In 2018 we uncovered large spodumene crystals on the north side of Plumbago Mountain in Newry. Spodumene contains lithium, a metal, and, as a result, concerns have been raised about our proposal to quarry spodumene. Yesterday there was a very informative presentation from the State Geologist and representatives from the Maine DEP on basic geology and the Maine Mining Act. As was discussed, the majority of elements on the periodic table are metals, and the vast majority of minerals contain metal elements. The environmental risks, however, vary by the class of mineral, and spodumene is a very low risk common rock-forming silicate mineral. I refer you to a bulletin by Henry Berry that discusses lithium and the spodumene at Plumbago Mountain and explains its classification. Simply put, spodumene is not in the class of minerals that present the environmental risks that Mining Act was intended to regulate.

LD 1476 and LD 1433 are important because they clarify what types of minerals would be subject to comprehensive regulation under the Mining Act. As you heard yesterday, the Mining Act and Chapter 200 establish a comprehensive set of regulations and a robust permitting process that require a significant dedication of time and money. It would not make sense to

subject relatively benign activities to that regulatory program. These two bills provide important clarifications that would ensure the mining of minerals that present environmental risks are subject to the robust requirements of the Mining Act, but the excavation of minerals that do not present such risks (and that have occurred for generations in Maine) can continue under the Performance Standards for Quarries.

Crushed spodumene of the purity present at Plumbago Mountain is needed to make scientific glass including our computer and cell phone screens. Our proposal to develop a 5 to 10 acre quarry to excavate this spodumene would be indistinguishable in appearance and environmental impact from the limestone and granite quarries that exist throughout Maine. When responding to our request for a quarry license, the DEP agreed and concluded that the environmental risk associated with our proposal to quarry spodumene was generally comparable to extraction of limestone or granite, particularly when compared to mining sulfide deposits to extract metals. Nonetheless, because of uncertainty in the definition of what constitutes a metallic mineral, the DEP denied our request.

We have been working for more than three years with the DEP to try to resolve and clarify issues associated with our proposal to quarry spodumene. Everyone agrees it does not present environmental risks that warrant regulation under the Mining Act. I hope that common sense can prevail and we can clarify the law consistent with its intent. The regulatory burden should be commensurate with the environmental risks. Subjecting relatively benign quarrying activities to regulation under the Mining Act is not needed to protect the environment. I strongly urge you to approve legislation that allows environmentally responsible quarrying of granite pegmatites to proceed in accordance with Maine's Performance Standards for Quarries.

I also understand that Legislators and citizens are concerned about the potential impact of chemical processing of spodumene to make lithium salts for use in EV batteries. We are not proposing to do so. We understand that concern, however, and would support language that requires chemical processing of any ore be regulated under the Mining Act.

Finally, I am opposed to LD 1363 because as drafted, the definition of metallic mineral would subject any mineral containing a metallic or metalloid element of economic value, to the Mining Act regardless of its use. That would include tourmaline because it contains lithium. In fact it would include all Maine's gemstones, granites, gravels and soils and a host of other commonly quarried materials to regulation under the Mining Act and lead to discussions about the economic values of aluminum, iron and other common metals rather than focusing on environmental impacts.

We do not have to sacrifice the environment to have new products; nor do we need to sacrifice advancements to care for our environment. With thoughtful planning and legislating, we can have both.

Thank you for consideration of my comments and I am happy to answer any questions.

Mary Freeman

South Paris, Maine