

The LOGBOOK of CSP²

The CENTER for SCIENCE in PUBLIC PARTICIPATION

"Technical Support for Grassroots Public Interest Groups"

CSP²/CSP²/CSP²/CSP²/CSP²/CSP²/CSP²/CSP²/CSP²/ WINTER 2002 **/CSP²/CSP²/CSP²/CSP²/CSP²/CSP²/CSP²/CSP²**

MONTANA

Stillwater Mine: 2001 was the first full year of implementation for the Stillwater Good Neighbor Agreement. The Center provides technical support to the three community organizations, Northern Plains Resource Councils, Stillwater Protective Association, and the Cottonwood Resource Council, that entered into this voluntary agreement with the Stillwater Mining Company.



Sarah Zuzulock

CSP² has employed Sarah Zuzulock, a recent Masters Degree graduate of Montana Tech, to work full-time on this project. Sarah monitored company contractor field data collection for water quality and aquatic impacts, presented this monitoring data to the groups, and brought concerns of the groups to the attention of Stillwater Mining Company.

Jim Kuipers, P.E., worked with the company on implementing a paste backfill scheme to place mine tailings back underground in the mine, avoiding some use the surface for waste disposal. To date the agreement is working well (but not flawlessly) for all parties involved.

Mine-Reclamation Bonding: Stu Levit and Jim Kuipers provided technical support to the Montana Environmental Information Center in a successful effort to pass legislation that amended Montana's reclamation law to insure a more fiscally responsible calculation of mine reclamation bonds, and to make the sureties held for these bonds by the state readily available when needed.

New World Mine: **CSP²** provided technical support to the Greater Yellowstone Coalition for reclamation of the New World Mine, near Yellowstone National Park, Montana. Dave Chambers played an important part in making a major revision to the design of a mine waste repository at the New World reclamation site. The Forest Service, in charge of the reclamation design, had proposed an unlined waste storage impoundment that could have allowed contamination of

groundwater. GYC and **CSP²** were able to convince the Forest Service that a lined impoundment would be more protective of water resources without jeopardizing the financial viability of the project.

Zortman-Landusky Mine: Jim Kuipers has been representing the Fort Belknap Community Council as a member of the technical team to design reclamation alternatives for the mines.

The State of Montana and Bureau of Land Management, the agencies in charge of reclaiming the mines, have just completed a Supplemental EIS that acknowledges approximately \$33 million of funding in addition to the present bond is required to complete reclamation. (The Center had been telling both agencies for several years that the amount of bond they held was insufficient.) The preferred alternative for the SEIS is a compromise between long term water protection and restoration of the landscape.

The selection of a preferred alternative for the SEIS that requires more money than the agencies have on hand is a significant departure from past agency practice, but reflects the thorough technical analysis undertaken during the EIS evaluation process.

CSP² is supporting Fort Belknap, the BLM, and the State in their efforts to secure adequate funding to complete reclamation of the mines.

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"Kick sampling" for macroinvertebrates in the East Boulder River

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Volume 6, Number 1, © 2002

ALASKA

Cruise Ship Pollution: Amy Crook provided critical technical and regulatory analysis to a coalition effort – including Alaska environmental groups, the Alaska governor and several legislators – in passing landmark legislation to monitor and prevent pollution from large cruise ships in Alaska waters. Cruise ships had been dumping photo-processing chemicals, sewage - gray water, and other pollutants into the waters of the Inside Passage.

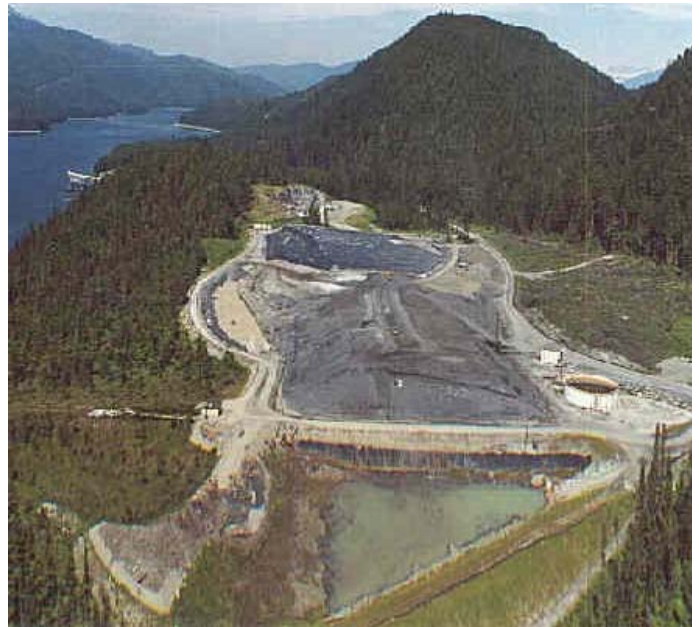
The legislation was passed in a special session of the legislature called by Governor Knowles for the sole purpose of considering this issue. Alaska is the first legislative jurisdiction in North America to pass such regulation, and it is being used by British Columbia as a model for potential regulation there.

Red Dog Mine: Most of our recent effort has been focused on metals contamination along the haul road from the mill to the port loading facility. The Alaska Department of Environmental Conservation (ADEC) has been conducting sampling in the vicinity of the road to determine whether lead contamination could affect subsistence users who pick berries and other plants in that area. The Village of Kivalina, a local native village, has been very critical of ADEC's efforts to define the extent and potential impacts of the contamination. NANA, the regional native corporation that owns the mine, has recently restricted access to the property, heightening tensions with Kivalina. The groups have been in contact with EPA and Park Service (the road runs through a National Monument) to work on issues of mutual concern with regard to this problem.

The Army Corps of Engineers is also slowly moving forward on an environmental impact statement for

expanding the mine's port facility. Kivalina is concerned about the effects of dredging on subsistence fishing and harvesting near the port. The project is also suspect because it is clear that Cominco cannot afford to pay for the work itself. It is likely that the Alaska congressional delegation will attempt to procure government funding to build the expansion.

Greens Creek Mine: Kennecott Greens Creek Mining Company (KGCMC), a subsidiary of Kennecott, Inc., is planning a major expansion of the tailings storage facility. In support of the Southeast Alaska Conservation Council, **CSP²** has been assessing the technical need for a liner for the tailings facility expansion, in order to provide maximum protection for long-term water quality.



"Dry" tailing pile and seepage collection pond next to Hawk Inlet at the Greens Creek Mine

KGCMC also released a revised reclamation plan for the mine. The need for the revised plan was driven by the recognition that acid mine drainage is a possibility for both the tailings and waste rock at the minesite. The original EIS had predicted no acid mine drainage potential for the waste rock or tailings.

Mine-Reclamation Bonding: As a part of its ongoing reclamation bond project, Jim Kuipers and Dave Chambers gave two well-received one-day seminars on the calculation of reclamation bonds in Juneau and Fairbanks. Attendance at these seminars exceeded 40 persons, and included the Alaska Departments of Environmental Conservation and Department of Natural Resources, the US Forest Service and Bureau of Land Management, the Kennecott and Kinross mining companies, and local conservation organizations.

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NEW MEXICO

In New Mexico Jim Kuipers and Steve Blodgett continued working to develop reclamation bonds for the Molycorp Mine at Questa, and the Chino and Tyrone copper mines at Silver City with a coalition of local groups, the New Mexico Environment Department and the New Mexico Division of Mining and Minerals. These are first large mines with reclamation plans and bonds to be developed under New Mexico's recent reclamation statute, which imposed modern reclamation standards on the state's mines.



Seep (probably aluminum) in the Red River below the Capulin waste dump at the Molycorp Mine

The bonds reflect the type of reclamation – based on establishing a sustainable ecosystem – that should be employed by public regulatory agencies, as well as the real costs of accomplishing this task. Ignoring the true costs of reclamation will only impart financial liability to the public.

Molycorp molybdenum mine: The Center is supporting Amigos Bravos, Taos, NM, with technical analysis and testimony at public hearings. The reclamation and closure bonding has increased from approximately \$15 million in total to more than \$130 million. The Center has been working collaboratively with the Molycorp Company in implementing the reclamation plan.

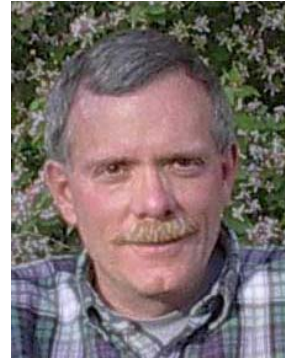
Phelps Dodge copper mines: The present bond for the Chino Mine is \$51 million. The Center's reclamation bond estimate for the mine was \$986 million. The New Mexico Energy, Minerals and Natural Resources Department proposed a compromise estimate of \$759 million. Meanwhile, the Phelps Dodge company, owners of both Silver City mines, proposed that it post a smaller bond amount – \$135 million. At the Tyrone Mine, the other large copper mine in the Silver City area, the Center's bond estimate was \$849 million.

(continued on next column)

From the Executive Director

The Center has added two new directors to the board:

Mike Clark is the executive director of Yellowstone Heritage, a new organization working to preserve wildlife habitat and working landscapes on private lands in the Greater Yellowstone Ecosystem, which includes parts of Montana, Idaho and Wyoming.



Dave Chambers is the Executive Director of CSP

Mike worked for many years on problems caused by coal mining in Appalachia while working for Highlander Center, and while at Environmental Policy Institute and Friends of the Earth oversaw a project that monitored the implementation of federal laws on coal mining.

He is the former executive director of the Greater Yellowstone Coalition, the region's largest environmental organization. While at GYC, he helped to negotiate the buy-out of the New World Mine, a proposed gold mine just outside the northeast corner of Yellowstone National Park.

Johnnie Moore is a Professor of Geology at the University of Montana, where he directs the Murdock Environmental Geochemistry Laboratory (a central laboratory for inorganic analyses), and teaches courses in Environmental Geology and Global Change, Environmental Geochemistry and Environmental Analysis. His research examines the cycling of metals and metalloids in aquatic systems – specifically the transport and fate of metals and metalloids in wetland, river and reservoir systems.

In the short time since these distinguished individuals joined the board they have each made a significant contribution to the Center's long-range planning efforts.

Welcome!

(New Mexico - continued from previous column)

Phelps Dodge has refused to negotiate with public interest groups, and instead struck a back room deal with the governor's office on the reclamation. Because the public has not been able to participate in the process, the reclamation concerns at issue in these plans are likely to be litigated to test the meaning of the New Mexico reclamation statute.

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- Become a Donor to the **CENTER for SCIENCE in PUBLIC PARTICIPATION**. You can help us to provide local public interest organizations with technical analysis and policy support. **CSP²** is the only organization focusing on providing technical support to local groups on local issues. We realize that there are a lot of good causes, and that everyone is asking for your support. A donation of \$25, or more, would help our efforts in furthering rational debate on natural resource issues.
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CANADA

CSP² routinely works in coalition with Canadian Native and conservation groups to build their technical capacity. One of the primary goals is to share our expertise with public interest groups so that they are better able to evaluate development projects, discern the accuracy of proposals, and more effectively participate in natural resource policy making.

Tulsequah Chief Mine: Amy Crook has been assisting the Douglas Indian Association and the Transboundary Watershed Alliance in the review of the Tulsequah Chief Mine and ongoing water quality sampling program on the Taku River. Water quality samples collected by Douglas Indian Association to date show elevated levels of metals in the Taku River as far down as the US/Canadian border. The source of the contamination is a combination of old mine tailings in the river, leachate from the mine site, and natural conditions in a heavily mineralized area. We are assisting the agencies with designing and performing sampling to identify pollution sources.

CSP² has been invited to participate on the International Project Review Team hosted by the provincial government of British Columbia. The USEPA, which also participates in this process, requested our assistance on water quality issues because of our long-term involvement with the Tulsequah Chief project and our contract with the Douglas Indian Association.

CSP² is the only NGO allowed to participate in the committee because of our technical expertise. Direct participation in the Canadian decision process, where many issues are decided before any actions go to public review, provides a real strategic advantage to our clients.

Taku & Yukon Rivers Watershed Planning: Amy has also been working with two Canadian conservation groups, the Transboundary Watershed Alliance and the Yukon Conservation Society, to start watershed planning efforts in the Taku and Yukon River basins. Both transboundary watersheds have important ecosystems and critical habitat for fisheries and wildlife. Both are threatened by industrial development and insidious declines in ecosystem quality due to damaging land use management practices. Both watershed planning efforts have had led to preliminary meetings between Native representatives, public interest groups and state and federal governments. The planning effort for both watersheds suffers from a chronic lack of funding and dedicated staff.

Brewery Creek Mine: Dave Chambers has been working with the Tr'ondëk Hwech'in, Hän Nation, in Dawson City, Yukon, on a review of the Reclamation Plan and Yukon Water License closure options for the Brewery Creek mine. Brewery Creek is a relatively small mining project, but is the first heap leach gold mine in the Yukon. The mine is adjacent to Han Nation lands, and contamination from the heap leach pad and waste piles is having some impact on the small streams draining the mine area.

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