

PROTECTING OUR WATERS FROM METALS MINING

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EXECUTIVE SUMMARY

Mining for gold, copper, zinc, and lead took place in the 19th and early 20th century in Virginia, evidenced by hundreds of abandoned mines along the Gold-Pyrite Belt extending from Fairfax to Halifax Counties.¹ A large-scale version of this toxic industry is now moving forward without a comprehensive regulatory framework nor sufficient financial assurances, putting public health and drinking water at risk.

We must support communities most at risk, protect water resources, and develop an effective regulatory framework at the state level for mining metals.

CHALLENGE

Metal mining is the nation's #1 toxic polluter,² and is a land intensive process which often involves the use of cyanide. The mining procedures can result in perpetual acid mine drainage,³ catastrophic waste containment failures,⁴ the destruction of cultural heritage, and the devastation of local economies as a result of the boom and bust cycle of the metal mining industry.

Mining companies have been prospecting near Virginia's gold-pyrite belt for approximately six years,⁵ announcing "high grade" findings.⁶ This belt contains metals like iron, gold, copper and zinc,⁷ and intersects innumerable Environmental Justice communities often overburdened with existing pollution.^{8,9} It also crosses the James River,¹⁰ which provides drinking water for 2.7 million people, brings millions of dollars into Virginia's economy from commercial fishing, and attracts over 6 million visitors annually.¹¹

Currently, Virginia's mineral mining regulations are not designed to address modern-day industrial base and precious metal mining. Rather, they are focused on the majority of active non-metal mining permits – sand, gravel and stone aggregates.¹²

As the Commonwealth spends millions to restore the Chesapeake Bay and our Southern Rivers, and reduce nutrient and sediment pollution discharges across the watershed, introduction of a new significant source of pollution – industrial metal mining – threatens the viability

of those efforts.

Legislation from the 2021 General Assembly session required the study of the effects of gold mining on the Commonwealth,¹³ but assessment of current regulations' abilities to protect public health, safety and welfare of Virginians from the full suite of metals being explored, including copper, zinc and lead, has not yet occurred.

Additionally, hundreds of historic metal mines lay abandoned across Virginia's landscape.¹⁴ The cost to taxpayers of reclaiming these abandoned sites is a burden and the negative health and environmental impacts of *not* reclaiming these sites is dangerous.¹⁵ We should not add to this problem.

SOLUTION

In order to protect people and the Commonwealth's natural resources, specifically its rivers and streams, Virginia must put in place an effective regulatory framework for mining metals.

To do so, the Commonwealth must seek a broad analysis of existing metal mining regulations—not limited to just one commercial product. Additionally, any workgroup and/or study and review processes must include robust public engagement and education. Economic and environmental tolls of hardrock mining and reclamation should be part of any evaluations, and should not be overlooked because our current regulatory standards are either non-existent or outdated. The threat of large-scale mining is truly Virginia-wide, and would have both short and long term impacts, so existing bonding, reclamation, closure, and monitoring regulations must be comprehensively evaluated and updated.

While the Commonwealth does its due diligence in reviewing outdated and insufficient regulations, it should also implement a 'pause' on permitting any new metal mining projects. The granting of permits for the mining of gold, copper, lead, or zinc, for example, without sufficient knowledge of project impacts, or with deficient regulatory oversight of impacts is inappropriate given the potential environmental and economic harms.

POLICY RECOMMENDATIONS

Evaluate existing bonding, reclamation, closure, and monitoring regulations to develop a regulatory framework for mining metals that is protective of public health, and our environment.

Pause the issuance of permits for large-scale gold mining until the General Assembly has the time to review the public health and environmental impacts determined by the Department of Energy study on gold mining. *The study must be reported to the General Assembly by December 1, 2022.*

Virginia should study and assess the mining impacts of copper, zinc and lead and pause the issuance of permits until an assessment is complete.