

Message

From: Michael Bastasch [mike@dailycallernewsfoundation.org]
Sent: 8/4/2017 5:29:21 PM
To: Hewitt, James [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=41b19dd598d340bb8032923d902d4bd1-Hewitt, Jam]
CC: ethan@dailycallernewsfoundation.org; Abboud, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b6f5af791a1842f1adcc088cbf9ed3ce-Abboud, Mic]
Subject: Re: FW: embargoed until 2//ADMINISTRATOR PRUITT VISITS GOLD KING MINE ON ANNIVERSARY OF SPILL

Thanks!

On Fri, Aug 4, 2017 at 1:27 PM, Hewitt, James <hewitt.james@epa.gov> wrote:

Hey guys ,

I wanted to pass along our press release on Administrator Pruitt's visit to Gold King Mine in Colorado today. **This is embargoed until 2 PM ET.**

Best,
James

Contact Information: press@epa.gov

ADMINISTRATOR PRUITT VISITS GOLD KING MINE ON ANNIVERSARY OF SPILL

"A New Review is Paramount for Those Who Suffered Losses" - Administrator Pruitt

Silverton, Colo (August 4, 2017) – On the eve of the two-year anniversary of Gold King Mine spill, Administrator Scott Pruitt visited the site outside Silverton, Colorado to discuss his commitment to those affected by the release of 3 million gallons of contaminated mine water into the Cement Creek and Animas River.

"EPA should be held to the same standard as those we regulate," **said EPA Administrator Pruitt.** "The previous Administration failed those who counted on them to protect the environment."

Despite the release of 3 million gallons of contaminated water tainted with arsenic, lead and other heavy metals, which turned the Animas River mustard-yellow, and moved

along the San Juan River through Colorado, New Mexico, Utah and American Indian land to Lake Powell in Utah, the EPA Administrator at the time, Gina McCarthy, nor President Obama nor Vice President Biden, ever visited the site of the spill itself.

Fulfilling his promise during his confirmation hearing to the people of Colorado to visit the site, Administrator Pruitt, along with U.S. Senators Cory Gardner and Michael Bennett and Colorado Governor John Hickenlooper toured Gold King Mine, met with EPA staff on site and discussed a path forward.

“When I was appointed EPA Administrator by President Trump, I committed to review the Gold King Mine decision made by the previous Administration. A new review is paramount to ensure that those who have, in fact, suffered losses have a fair opportunity to have their claims heard,” **said Administrator Pruitt.**

Following the tour, EPA political appointees are participating in a town hall in Durango, Colo. with local residents to hear directly from those living around the mine about how they have been affected by the spill.

“We want to listen and learn directly from the community,” **said Ken Wagner, senior advisor to the administrator for regional and state affairs.** “The local community is ground zero in environmental disasters, and we want to hear their concerns and do our best to coordinate and provide assistance.”

Additional Background:

In January 2017, the previous EPA administration denied 79 administrative claims filed by farmers, ranchers, homeowners, businesses, employees, state and local governments, as well as other individuals seeking damages in connection with the Gold King Mine incident.

On March 16, 2017, EPA provided over \$90,000 in additional reimbursements to five entities in Colorado and Utah for costs incurred responding to the August, 5, 2015 release. These payments represent requests received by EPA prior to December 16, 2016, that had adequate documentation. They were evaluated following enactment of the Water Infrastructure Improvements for the Nation (WIIN) Act on December 16, 2016.

On July 5, 2017, EPA Administrator Scott Pruitt announced his decision to reconsider claims for Gold King Mine damages previously denied by the past Administration. As part of this process, EPA is continuing to review pending claims.

Following the Administrator’s instruction, EPA sent letters to approximately 77 claimants whose claims related to the 2015 Gold King Mine release were previously denied. Each letter informs claimants that EPA has reexamined applicable law and facts and will reconsider all of the claims. In some cases, the letter also requests claimants submit any additional documentation in support of their claims.

According to the Federal Tort Claims Act, individuals, businesses, or governmental entities that have a claim for money damages resulting from personal injury or property loss or damage must file their administrative claims within two years of the date the claim accrued.

Some claimants have already filed legal challenges to the Agency's denial of their claims. Those actions will continue to follow the judicial process. In February, the State of Utah filed an administrative claim seeking \$1.9 billion. On August 2, 2017 Utah sued the mine owners and EPA contractors for cleanup compensation and unspecified damages. The State of New Mexico and the Navajo Nation, whose administrative claims were denied, have filed motions seeking to add their tort claims to the preexisting Gold King Mine litigation in the District of New Mexico.

The Gold King Mine release occurred on August 5, 2015. EPA has spent more than \$29 million responding and addressed many of the issues arising out of the Gold King Mine incident including reimbursing response costs by state, local and tribal governments, providing continued water treatment and monitoring, listing the Bonita Peak Mining District on the National Priorities List of Superfund sites, and conducting research to improve our understanding of how contaminants move through complex river systems. There are an estimated 500,000 abandoned mine sites across the United States.

There are currently 144 total claims pending, including the ones undergoing reconsideration, that require EPA action. EPA has six months (until the end of December) to act on claims under reconsideration.

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