



Exploring Collaborative Solutions for Mined Land Remediation

@THE UNIVERSITY OF ARIZONA | SEPTEMBER 16, 2016

Sponsored by the Global Mining Law Program, The University of Arizona James E. Rogers College of Law

PREMISE AND SCHEDULE

Statement of Premise: The future of the domestic mining will be substantially impacted by technical and legal issues associated with existing mined lands because the most promising mineral prospects are likely those that have been the subject of prior mining activities. Existing environmental laws place significant liability upon “owners, operators, and arrangers” of mineral properties, and redevelopment, reuse, and scientific planning related to mined land is generally considered to be discouraged by possible environmental liability. This summit brings together knowledgeable leaders to present the range of scientific and policy issues related to mined land remediation and offers all participants an opportunity to discuss legal and technical solutions.

SCHEDULE

Thursday, September 15, 2016

5–7:00 P.M. Informal reception at mining exhibit, Arizona Historical Society Museum, 949 E. Second Street (across street from Tucson Marriott University Park hotel)

Friday, September 16, 2016 (Ares Auditorium, James E. Rogers College of Law)

8–8:30 A.M. Coffee and registration

8:30–8:45 A.M. Introductions

8:45–9:30 A.M. Opening Address and 15-20 minutes for questions and open discussion

Ryan Flynn—Secretary of the Environment, State of New Mexico, “Can Mineral Development and Environmental Sensitivity Live in Harmony?”

9:30–10:45 A.M. Panel: “The State of Affairs” (**Victoria Peacey** moderator)

Luke Danielson—Sustainable Development Strategies Group, “40 Years of Mine Closure Legislation, Where Have We Been and Are There Lessons for the Future?”

Erhardt Werth – Arcadis, “Performance-assured, guaranteed fixed-price remediation; an analysis of the success and limitations of a business model for redevelopment.”

10:45–11 A.M. Break

11 A.M.–12:30 P.M. Panel: Close to Remediation by the Responsible Party (**Mary Poulton** moderator)

John Reynolds—Durango Geophysical Operations, “Bottom up/top down remediation of mine water issues.”

Gail Heath—University of Arizona, “Autonomous Monitoring Systems.”



-
- 12:30–1:30 P.M. Lunch/Panel: Historic Preservation Issues (**John Lacy** moderator)
Jim Garrison—Arizona State Historic Preservation Officer, retired, “Addressing political and practical issues of historic mining properties.”
- 1:30–3 P.M. Panel: Brownfields Redevelopment (**Cassie Boggs** moderator)
Carolyn L. McIntosh—Squire Patton Boggs (U.S.) LLP, “Key Factors for Successful Mining Redevelopment.”
Allen Reilly—Senior Environmental Scientist, Barr Engineering, “Application of Michigan’s Brownfield Laws to Facilitate Redevelopment/Reuse of an Old Mining Facility: A Case Study.”
- 3–3:15 P.M. Break
- 3:15–4:30 P.M. Panel: Good Samaritan Proposals (**Kirsten Engel** moderator)
Josh Hoffman—Congressional Staff, overview of current legislative proposals
James Hopkins—University of Arizona, “Collaborative Federalism, Can Incentives Be Provided?”
Steve Moyer—Trout Unlimited, “Some Thoughts on the Citizen Suit Provision of Good Samaritan Proposals.”
- 4:30–5:30 P.M. Open discussion
- 5:30–7 P.M. Reception, law school patio

Saturday, September 17, 2016 (University of Arizona Law School Faculty Lounge)

- 9–10:30 A.M. Wrap-up Meeting (optional for participants): meeting of moderators and student reporters, any participant is welcome to contribute
- 7:45 P.M. Arizona vs. Hawaii football game (optional)

NOTE ON PROCEDURE: 20 minutes will be allocated after each panel’s presentation to allow break-out sessions for additional commentary and identification of issues by the conference registrants. Student scribes will be available to each break-out group to record the discussion and this person will then provide a two- to five-minute summary of the discussion.

PUBLICATION: The formal presentations during the conference and the commentary will be published in a special edition of the *Arizona Environmental Law Journal*. Any commentary or recorded remarks attributed to a speaker or participant will be subject to that person’s prior ability to edit and approve.