

## Public hearing on changing bentonite regulations set for today

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CASPER — Bentonite producers are asking the state to change the rules governing their industry, a move conservationists say will destroy the effectiveness of Wyoming's strip mining law.

The Department of Environmental Quality's (DEQ) Land Advisory Board, a citizen's committee that makes recommendations to the Environmental Quality Council (EQC), will hold a public hearing today on the matter. The meeting is scheduled for 10 a.m. in the city-county building in Casper.

The Crook County Landowners Association, an affiliate of the Powder River Basin Resources Council, opposes the rule changes.

John Huss, PRBRC staff member, said the new rules will restrict the public's access to information about the bentonite mines and make it difficult for landowners to have a say in how the mines on their lands are run.

But Tom Thorson, head of the Bentonite Producers Association and president of Black Hills Bentonite Co. in Casper, says the companies are not trying to sidestep reclamation laws. Bentonite producers have special problems that are not addressed in the existing rules, he said.

Bentonite is a clay-like substance used to make drilling mud, foundry iron binder, paints and other products. Wyoming's production is among the highest in the nation. Figures from the DEQ show more land is leased in Wyoming for bentonite than any other mineral, including coal. Mining takes place in Crook, Washakie, Big Horn, Johnson and other counties.

THE EIGHT MEMBER companies of the bentonite association are petitioning the EQC to establish a special set of rules for the industry.

The DEQ has guidelines affecting all strip mines, Thorson said. Many of those guidelines are aimed at larger operations, such as coal

mines, but the bentonite producers have to obey them.

Thorson said the DEQ may have overstepped its authority in issuing those guidelines because, by state law, only the independent EQC can establish environmental rules in Wyoming.

The bentonite producers want the EQC to allow them to leave pits open and unreclaimed until all the mineral has been removed. That, Thorson said, will allow the companies to use various grades of bentonite when they need it.

Different types of bentonite are used in making different products, he explained. The companies must be able to leave the pits open until market conditions are right to sell the mineral from the various pits.

But Huss said that provision will let companies leave pits unreclaimed indefinitely. The bentonite industry has a poor record of reclamation, he said.

Bob Dorn, head of the DEQ's mine reclamation program, said a survey of unreclaimed

pits in the state shows most are old bentonite pits.

"We're not positive of how many, but we think we're looking at well over 300 sites," Dorn said.

Said Huss, "the special treatment they (bentonite companies) deserve is more strict treatment, not more relaxed regulations."

THORSON SAID most unreclaimed pits are from mines that operated before the state had environmental laws. Bentonite producers today carefully follow the reclamation laws, he said.

But many of the DEQ's regulations do not improve the reclamation or protect the environment, Thorson said. Instead, they only create paperwork and drive up the cost of doing business.

Huss said the proposed changes will allow bentonite companies to leave water from the mines standing in ponds on reclaimed land, whether the water is of good quality or not.

## EQC To Hear Un-reclaimed Pits Argument

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