

## We Need Your Help to Make Mining and Reclamation in America Great Again

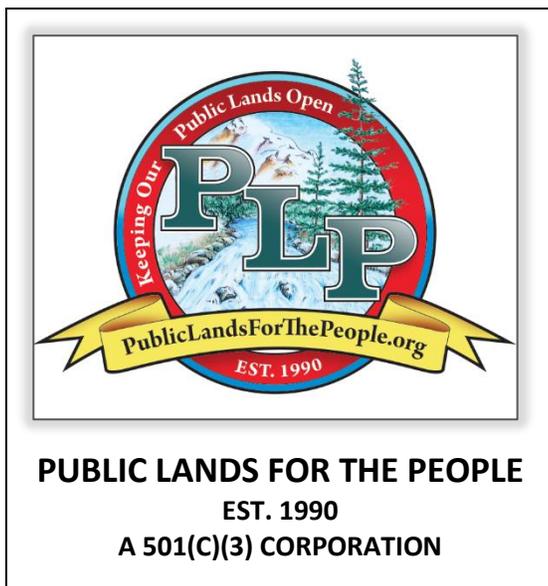
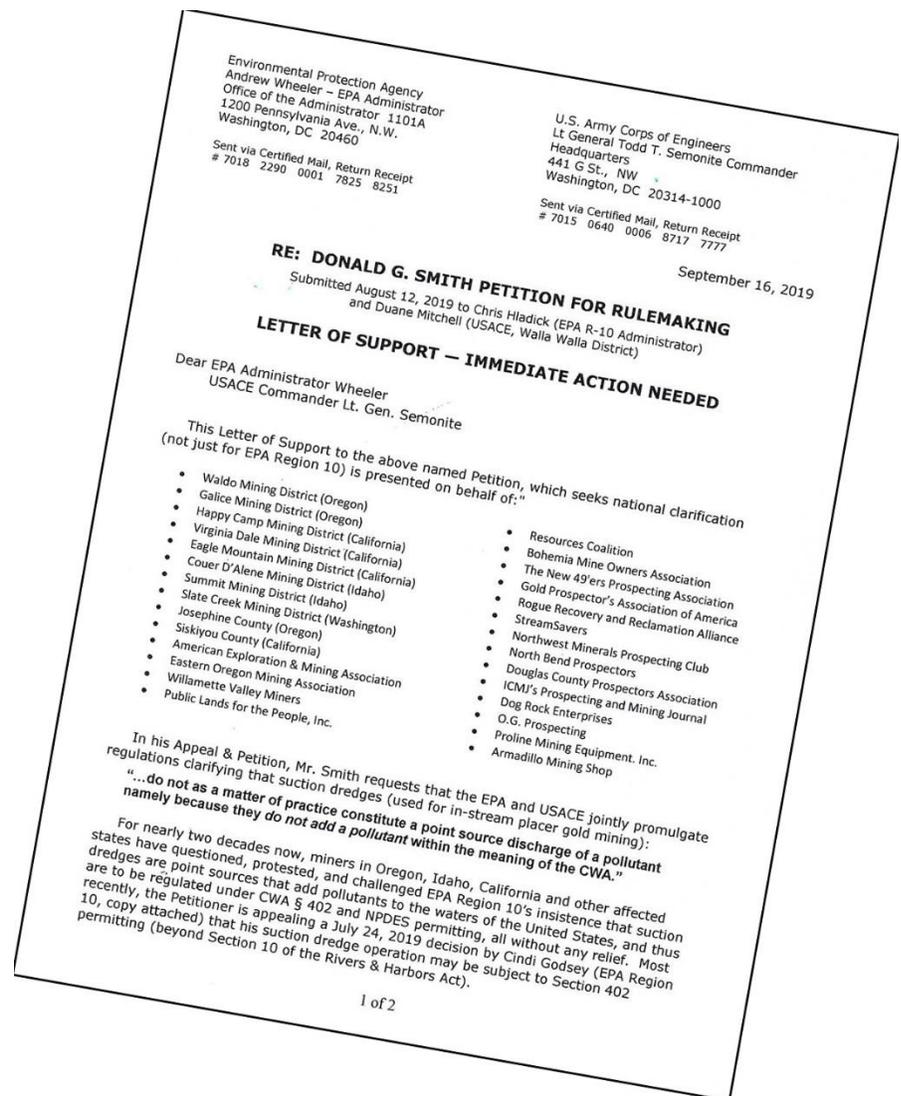
On August 12, 2019, Idaho miner Don Smith petitioned the EPA to correct a glaring error in their permitting process.

On September 16, 2019, a total of 28 groups signed on as supporters, including the American Exploration and Mining Association.

We are extremely grateful for the support of top-tier organizations like AEMA, but we need your help, too.

Within the past four years, two courts have ruled that the addition of a pollutant is required to trigger the need for a permit, but the EPA has not yet addressed the situation in a rulemaking.

Officials within the Trump administration have expressed a willingness to address the issue but they need a little push in the right direction.



Please take a moment to add your company or organization to the list of supporters. We've made it very easy; just visit [www.icmj.com/resources/epa/](http://www.icmj.com/resources/epa/) to view the petition and endorsement letter, and to download a blank copy of the letter to support this petition for rulemaking.

Also, please take a look at the online petition for proposed legislative reform in support of the US critical minerals supply chain. It can be found online at: [www.publiclandsforthepeople.org/take-action/](http://www.publiclandsforthepeople.org/take-action/)

**Public Lands for the People**  
PO Box 1660, Inyokern, CA 93527  
(844) 757-1990

Environmental Protection Agency  
Andrew Wheeler, EPA Administrator  
Office of the Administrator 1101A  
1200 Pennsylvania Ave NW  
Washington, DC 20460

US Army Corps of Engineers  
Lt General Todd T Semonite, Commander  
Headquarters  
441 G St NW  
Washington, DC 20314-1000

**Re: Donald G. Smith Petition for Rulemaking**

(Submitted August 12, 2019 to Chris Hladick, EPA R-10 Administrator;  
and Duane Mitchell, USACE, Walla Walla District)

**Dear EPA Administrator Wheeler and USACE Commander Lt General Semonite:**

In his Appeal & Petition, Mr. Don Smith requested the EPA and USACE jointly promulgate regulations to clarify that suction dredges (used for gold mining and reclamation) “do not as a matter of practice constitute a point source discharge of a pollutant namely because they *do not add a pollutant* within the meaning of the CWA.”

As we are sure you are aware, the Clean Water Act clearly states that NPDES permits are required for the “addition” of a pollutant and no such “trigger” is met when utilizing a suction gold dredge.

You already received a Letter of Support to the above-named Petition seeking national clarification of the NPDES permitting process under Section 402 of the Clean Water Act. This letter was signed by a broad spectrum of organizations, companies and counties—28 in total.

We wish to be added to the list of those requesting an expedited rulemaking to correct this regulatory error.

Sincerely,

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Name (Print): \_\_\_\_\_

Company or Organization: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

I would like to be included by email when the EPA and USACE address this issue

Email: \_\_\_\_\_