



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 982		DATE: 2/13/2023	
COMMITTEE: Rural Community Development			
TESTIFYING: <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: AARON DICKEY		PHONE NUMBER: 314-810-6768	
BUSINESS/ORGANIZATION NAME: GRAYHAWK COMMUNITY; GRAYHAWK WATER COMPANY		TITLE: ATTORNEY	
ADDRESS: PINE DRIVE			
CITY: STE. GENEVIEVE		STATE: MO	ZIP: 63670
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/13/2023 12:00 AM	
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: BRUCE AND TERRIE BELVIN		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: 4belvin@gmail.com	ATTENDANCE: Written	SUBMIT DATE: 2/13/2023 8:26 PM	
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			

Hello, This is in regards to HB 982, we are Bruce and Terrie Belvin. We are approximately less then 1000 ft to the proposed sand mine on Highway 32. We was never notified by certified letter from DNR for the such proposed mine, DNR told me that we was outside of the area to be notified. We built our retirement home here 6 years ago on a concrete slab and our daughter Amber Petty and her husband Chris owns property adjoined to ours and would be even closer to the proposed mine. Mr. Faulkner mentioned my daughter's proposed home in the meeting today as being one of the closest home's. They had began the building process and since being notified of this have had to put that on hold as fear of having a mine in their backyard literally. You can only imagine how they feel now as not being able to finish their forever home for there family and being in fear of the unknown! Mr. Faulkner has never reached out to us to ever let us know what his intentions are and I'm sure you would be as upset as we are. Mr. Faulkner is a business owner, but if you do a little research you will find he has defaulted on over a \$1 million loan at Eagle Bank, he has defaulted on a loan for Home Service Oil for approximately \$600,000. I asked Mr. Faulkner at the public meeting if this was him and that it was in fact his address and he denied it! How am I to trust a man that says he Is a man of his word if he defaults on payments and when in fact I had it pulled up on Case Net that night at the public meeting and asked if this was for sure him and stated his address listed and he denied it and claimed he didn't remember it. So he proved to me that night that he is a man I can't trust!! This is my retirement home that I put all of my savings into, for some untrusting man to come and try to make his next dollar on and ruin my retirement home and my soon to be neighbors my daughter and her children my grandchildrens home!!!! I am asking you to please pass HB 982 and save my retirement home, my daughters and grandchildrens home and all my neighbors homes!



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: CHARLES MENNEMEYER		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: phxcolleen@yahoo.com	ATTENDANCE: Written	SUBMIT DATE: 2/11/2023 10:05 AM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.		

To Whom It May Concern: I am wholeheartedly in support of HB982. I am a resident in Ste Genevieve County and only approximately 2-3 miles directly north of the proposed silica mine site by NEXGEN. This will deeply impact our water, air, and land for our farm and well water as well as all the surrounding residents who also have farms and wells, etc. I do not want our wells to dry up like the mine did in Brewer, MO plus the air, water, and land pollution from such mine. Our area is blessed with beautiful state parks, conservation areas and natural areas – these areas need to be protected. The proposed mine site is very close to these natural areas and puts them in jeopardy. I understand progress and business needs to happen but as a community and country, we need to start protection our precious resources and natural areas or we will have none left.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: CHRIS ECKERFELS		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/13/2023 12:00 AM	
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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: COLLEEN MENNEMEYER		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: phnxcolleen@aol.com	ATTENDANCE: Written	SUBMIT DATE: 2/11/2023 10:03 AM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.		

To Whom It May Concern: I am wholeheartedly in support of HB982. I am a resident in Ste Genevieve County and only approximately 2-3 miles directly north of the proposed silica mine site by NEXGEN. This will deeply impact our water, air, and land for our farm and well water as well as all the surrounding residents who also have farms and wells, etc. I do not want our wells to dry up like the mine did in Brewer, MO plus the air, water, and land pollution from such mine. Our area is blessed with beautiful state parks, conservation areas and natural areas – these areas need to be protected. The proposed mine site is very close to these natural areas and puts them in jeopardy. I understand progress and business needs to happen but as a community and country, we need to start protection our precious resources and natural areas or we will have none left.



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: DEANNA MOYLAN		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: mohousehunter1@gmail.com	ATTENDANCE: Written	SUBMIT DATE: 2/10/2023 11:20 AM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.		

As a resident of Ste. Genevieve County and in a community depending on wells for our water in Grayhawk, I urge the committee to pass HB982. The St. Francois Mountain aquifer is fragile with thousands of people and businesses in eight counties relying on the water table. Environmental protection is urgently needed to preserve natural areas like Hawn State Park and Pickle Springs as well as local farms. Counties should have the right to pass local ordinances to protect our citizens from any mining operation when deemed a threat to air or water quality. Thank you for your serious consideration.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: JILLIAN DITCH ANSLOW		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE:		SUBMIT DATE: 2/13/2023 12:00 AM
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: JIM STEITZ		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: jimsteitz@mac.com		ATTENDANCE: In-Person	SUBMIT DATE: 2/13/2023 11:52 AM

THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

I urge you to support HR 982, and to thereby prohibit any sand mining operation from unduly damaging the landscape and quality of life for the people of Sainte Genevieve, as well as people like myself who regularly cherish Hawn State Park and other state conservation areas in the vicinity. While we acknowledge private property rights and the place of industry, these are conditional upon reasonable respect for other human beings and for the landscape upon which we depend for both material and spiritual sustenance. The proposed NextGen silica mining operation does neither. For Missouri to allow the Department of Natural Resources to issue the water, air, and surface mining permits for the scalping of another precious, irreplaceable area of our diminishing deciduous forest is an abject abdication of our responsibility. The wildflowers and trees gracing this land as are unaware that an interloping mining company and a state agency, somehow numbed to their moral standing and significance, is proposing to terminate their existence for the crime of existing atop a cheap commodity like silica. This mining is also likely to derange the hydrology of the landscape well beyond the mining footprint, alternately draining or flooding fragile wetlands and springs that nurture southern plant relics from the last glacial period. It is painfully ironic that this destruction would occur near Hawn State Park, a place acknowledged to be of utmost biological value. By mere historical contingency and accident of borders, NextGen Silica has acquired the nominal power to destroy lands and waters of equal sanctity. This equivalence of value on either side of the park border has been recognized by local residents, whose opposition should have killed this asinine waste of life, land, and resources long ago. The purpose of a regulatory agency like DNR is to defend the interests of state residents against confiscation and commandeering by outside financial interests, not to facilitate it. Again, I implore you support HR 982, to direct the Department of Natural Resources to scrutinize all relevant permits to sand mining operations in this county, on the eminently reasonable, rational, substantive grounds that Missouri's precious forest and aquatic ecosystems, and the quality of life of both local residents and visitors from St. Louis are more valuable than any quantity of sand. Missouri must recognize this truth and preserve this exquisite region, which our children will value long after the sand miners have vanished into unremembered history.



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: JOE DITTRICH		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: josephdittrich5354@gmail.com	ATTENDANCE: Written	SUBMIT DATE: 2/12/2023 9:44 AM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.		

Dear Rural Development Committee, I have hiked and camped around the proposed silica sand project for the past 50 years in Hawn State Park, Pickle Springs Conservation Area, and Hickory Canyon. In the 70's there weren't a lot of people who knew about this area. The location was convenient for people from St. Louis and Cape Girardeau to backpack and camp without feeling crowded. I would train in Hawn State Park for hikes that I did in Colorado, Montana, and New Zealand. The trails got me in shape to tackle more challenging altitudes and distances. It was through word of mouth that it has become one of the premier locations for camping and hiking in eastern Missouri. Through the support of the Missouri Department of Conservation the trails are maintained and preserved just like 50 years ago. We have all seen an increase in the number of families who seek experiences outside. Hiking and camping as a family is affordable and healthy, and creates memories that will last a lifetime. I would like future generations to have the same opportunity that I had to enjoy this natural gem without the pollution and unnatural impact of a silica sand mine. HB 982 provides a process that keeps Hawn and Pickle Creek natural and clean for future generations to enjoy the wonderful natural habitats of Missouri. I am grateful to have had the chance to enjoy the area and hope HB 982 is passed to keep this area free of mining pollution of all kinds.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: JOHN A. DONZE		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/13/2023 12:00 AM	
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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: KENDRA VARNS WALLIS		PHONE NUMBER: 816-210-3413	
BUSINESS/ORGANIZATION NAME: MISSOURI PARKS ASSOCIATION		TITLE: EXECUTIVE DIRECTOR	
ADDRESS: PO BOX 8531			
CITY: KANSAS CITY		STATE: MO	ZIP: 64114
EMAIL: kendra.wallis@missouriparks.org	ATTENDANCE: Written	SUBMIT DATE: 2/12/2023 1:59 PM	

THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

The Missouri Parks Association supports House Bill 982 that strengthens the regulations applicable to any mining for sandstone or silica sand proposed for any portion of the Lamotte Sandstone geologic formation located in Ste. Genevieve County, a county of historical and environmental significance that contains Hawn State Park as well as Felix Vallé State Historic Site. The county, through its county commission and health board, passed ordinances to protect public health, property values, public safety, and the environment of this important area of Missouri, and we support these local efforts. The Missouri Parks Association opposes the proposed construction and operation of a silica sand mine and processing facility across Highway 32 from the entrance to Hawn State Park on Highway 144, where the proposed mine site sits in the midst of the largest, most ecologically valuable block of such land in Ste. Genevieve County. It is bounded by the Missouri Department of Conservation (MDC)-managed 1,135- acre Hickory Canyons Natural Area to the northwest (only 1.37 miles from the mine site), the Horton Farm Conservation Area to the southeast (only 1,100 feet from the mine and within the area restricted by Section 444.779.4(5) of HB 982), and the nearly 5,000-acre Hawn State Park stretching across the south (some two miles from the mine), with MDC's 256-acre Pickle Springs Natural Area adjacent to the west. The proposed mine has the potential to negatively impact the visitor experience of Hawn State Park Natural Areas and Outstanding State Resource Water as well as Hickory Canyons and Horton Conservation Area, by creating light pollution, noise from blasting, and increases in locally heavy truck and train traffic during the proposed 24/7 sand mining, processing, and truck or rail shipping operations. Also, the proposed silica mining and processing operation will have the additional risk of fugitive dust, respirable fine particulate silica reaching the park areas with the inherent health risks and air and water pollution. On behalf of the almost 3,000 members of the Missouri Parks Association who enjoy and invest in Missouri and the 120,000 visitors a year to Hawn State Park, we ask you to pass HB 982, legislation that would strengthen the protections around public lands while protecting public health.



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: KIRBY MORRIS		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: bee_morris@hotmail.com	ATTENDANCE: Written	SUBMIT DATE: 2/11/2023 8:05 AM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.		

I wanted to take a moment and voice my approval for this bill. Local people need to have the power to enforce regulations that will protect local interests. I own property that is close to this proposed ecologic disaster, NexGen Silicia mine, and a very concerned about water quality and air quality in the future if this operation commences. Please pass this bill to protect the near by state park and residents of the immediate area. Thank you.



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: LORI WILLIAMS		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: loriditch16@gmail.com	ATTENDANCE: Written	SUBMIT DATE: 2/11/2023 9:48 PM
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I have lived in Ste Genevieve county for 61 years . My father was a farmer unil his passing at the age of 90. Water he used for catlle and other live stock. Please save our county. Thank you Lori Ditch Williams



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: NANCY THOMPSON		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: nancy@useful-community-development.org	ATTENDANCE: Written	SUBMIT DATE: 2/13/2023 11:24 AM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.		

I support this bill, and would like to see it even stronger. When the state has invested money, time, and effort into a conservation cause such as the Hawn and Pickle Springs areas, and a private foundation has purchased the Hickory Canyons Natural Area, it is very poorly advised to grant a mining permit for a product such as silica sand in the area. The potential for polluting streams and groundwater is too great, not to mention the heavy truck traffic volume that would be required. LaMotte sandstone is a rare geologic characteristic in our state, and we want to protect it within Ste. Genevieve County.



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: SHIRLEY WOLVERSON		PHONE NUMBER: 314-809-0324	
BUSINESS/ORGANIZATION NAME: MISSOURI PARKS ASSOCIATION		TITLE: VICE PRESIDENT	
ADDRESS: 427 GREECEY AVENUE			
CITY: WEBSTER GROVES		STATE: MO	ZIP: 63119
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/13/2023 12:00 AM	
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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: TRESSA KELTING		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: Tskelting@gmail.com	ATTENDANCE: In-Person	SUBMIT DATE: 2/10/2023 9:47 PM

THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

I am in support of legislation to regulate where silica mines can operate. I personally have a very real concern of Nexgen's planned silica mine in Sainte Genevieve County, I live directly across 32 from the proposed site. My neighbors and myself will have increased traffic to contend with, the water table is a concern...will the water table drop..will my well go dry? Will my water be contaminated?Will the water be affected in the surrounding Conservation areas and what devastation could it bring to the wildlife?I watch the Bald Eagles fly over my house from the Nexgen mine sight..where will they go when their home is destroyed? As with all the wildlife to be pushed off 200 plus acres?Then there is the silica dust that will without a doubt be airborne. That it is unacceptable to risk the health of the neighborhood is an understatement. I find it sadly laughable that I go to my job where in my safety training I am educated to use a respirator when in the position of dealing with silica due to health risk...yet I could be expected to live next to a silica mine? I purchased this property months before learning of this mine. This is my retirement home. I never would have chosen this location had I known I could possibly be in this predicament that could severely affect my health and that of my husband. For these and many reasons unsaid in this brief message please pass legislation that will aid residents of the great state of Missouri stand against this greedy industry that cares only for the dollar and not for the community and nature.



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: ALAN REINKEMEYER		PHONE NUMBER: 573-694-6984	
BUSINESS/ORGANIZATION NAME: ASSOCIATED GENERAL CONTRACTORS OF MISSOURI		TITLE: VICE PRESIDENT	
ADDRESS: 1221 JEFFERSON STREET			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65109
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/13/2023 12:00 AM	
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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: ARNIE C. "HONEST-ABE" DIENOFF-STATE PUBLIC ADVOCATE		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: arniedienoff@yahoo.com	ATTENDANCE: Written	SUBMIT DATE: 2/13/2023 11:26 PM
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I am Opposed to this Bill and Legislation. Why add more layers and Regulatory Requirements? Mines are Covered under the Department of Natural Resources, State Mine Commission and Water Quality Commission. The basis and Counties are covered by current State Regulations.



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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: DAN KLEINSORGE		PHONE NUMBER: 573-635-0208	
REPRESENTING:		TITLE:	
ADDRESS: 409 EAST MCCARTY STREET			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/13/2023 12:00 AM	
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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: KARA CORCHES		PHONE NUMBER: 573-634-3511	
BUSINESS/ORGANIZATION NAME: MISSOURI CHAMBER OF COMMERCE AND INDUSTRY		TITLE: VP OF GOVERNMENT AFFAIRS	
ADDRESS: 428 E. CAPITOL AVE			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL: kcorches@mochamber.com	ATTENDANCE: In-Person	SUBMIT DATE: 2/13/2023 12:07 PM	
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Verbal testimony in person



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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: RANDY SCHERR		PHONE NUMBER: 573-636-6200	
REPRESENTING: MINING INDUSTRY COUNCIL OF MISSOURI		TITLE:	
ADDRESS: 101 E. HIGH			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL: rjscherr@swllc.us.com	ATTENDANCE: Written	SUBMIT DATE: 2/13/2023 9:20 AM	
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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: RANDY SCHERR		PHONE NUMBER: 573-636-6200	
REPRESENTING: MISSOURI CONCRETE ASSOCIATION		TITLE:	
ADDRESS: 101 E. HIGH			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL: rjscherr@swllc.us.com	ATTENDANCE: Written	SUBMIT DATE: 2/13/2023 9:18 AM	
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MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 982		DATE: 2/13/2023
COMMITTEE: Rural Community Development		
TESTIFYING: <input type="checkbox"/> IN SUPPORT OF <input checked="" type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES		
WITNESS NAME		
BUSINESS/ORGANIZATION:		
WITNESS NAME: RAY MCCARTY		PHONE NUMBER: 573-680-9478
BUSINESS/ORGANIZATION NAME: ASSOCIATED INDUSTRIES OF MISSOURI		TITLE: PRESIDENT/CEO
ADDRESS: 3234 W. TRUMAN BLVD.		
CITY: JEFFERSON CITY		STATE: MO
		ZIP: 65109
EMAIL: rmccarty@aimo.com	ATTENDANCE: In-Person	SUBMIT DATE: 2/10/2023 12:38 PM

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Associated Industries of Missouri opposes this bill, including the substitute (1551H.03C). The bill as filed and as amended by the House Committee Substitute, would violate the due process provisions of the U.S. Constitution by denying new mining operations the privilege of engaging in business like those in business already. Also, if the company that is applying for a mine permit is located outside the state, the language could violate the dormant Commerce Clause of the U.S. Constitution by blocking out-of-state businesses from enjoying the same benefit as Missouri businesses. We oppose this language and the intent of the bill. Missouri should be encouraging mining operations, not discouraging them.



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: ROBERT MOYLAN		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: rcmoylan5@gmail.com	ATTENDANCE: Written	SUBMIT DATE: 2/11/2023 4:23 PM
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This project is at the headwaters of Establishment Creek. This creek feeds water into multiple lakes on its way to the Mississippi. Potential for contamination is very likely and can pose a health risk to humans and livestock. Water table aquifer flows east from the mine site towards the Mississippi. Possible depletion and contamination of the water table may not be repairable. In St Charles, MO the have been forced to relocate wells due to ground water contamination. In addition water has to be purchased to maintain water for the community. Sainte Genevieve County does not have the infrastructure to distribute purchased water, thus if the water table is impaired, many properties will not remain viable for residents or livestock. Please base you decision on the health of our water and our commnity



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: ROGER FAULKNER		PHONE NUMBER: 573-535-8806	
BUSINESS/ORGANIZATION NAME: NEXGEN SILICA		TITLE:	
ADDRESS: 10160 STATE ROUTE OO			
CITY: BLOOMSDALE		STATE: MO	ZIP: 63627
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/13/2023 12:00 AM	
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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: CHRISTINE WALLACH		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: chriswallach2015@gmail.com	ATTENDANCE: Written	SUBMIT DATE: 2/10/2023 5:52 PM
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Vote to prohibit DNR from issuing permits for a silica frac sand mine located in a 3rd or 4th class county where the proposed mine is located within 2.5 miles of a State park, conservation area, or natural area. You must preserve the health of our parks and the people of Missouri.



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: MELISSA VATTEROTT		PHONE NUMBER: 314-581-0561	
BUSINESS/ORGANIZATION NAME: MISSOURI COALITION FOR THE ENVIRONMENT		TITLE: POLICY DIRECTOR	
ADDRESS: 725 KINGSLAND AVE., STE. 100 ST. LOUIS, MO			
CITY: ST. LOUIS		STATE: MO	ZIP: 63130
EMAIL: mvatterott@moenvironment.org	ATTENDANCE: Written	SUBMIT DATE: 2/13/2023 10:14 AM	

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February 13, 2023 Chairman Rodger Reedy Rural Community Development Committee MO House of Representatives 201 W Capitol Ave., Rm. 411-2 Jefferson City, MO 65101 Dear Chairman Reedy and Members of the Committee, Missouri Coalition for the Environment (MCE) is a statewide, advocacy nonprofit organization that works to empower Missourians to protect their environment and health. HB 982 is a great first step to providing public health and environmental protections around mining operations for Missourians. Unfortunately, HB 982 only provides these protections for counties that contain the LaMotte Sandstone geologic formation, an area limited to Ste. Genevieve County per the Missouri Department of Conservation's website. As such, MCE urges you to consider amending the bill to provide protections statewide, as we have mineral interests and risks associated with mining various minerals throughout the state. Mining must be done responsibly and limit impacts on current and future Missourians. Earth's minerals are finite. As such, there are risks associated with continuous mining of them. If Missouri wants to leverage the mineral reserves in our state, we must do so in a manner that acknowledges risks and minimizes impacts to our social, economic, and environmental wellbeing through safe and responsible mining practices. This involves thorough analysis of the landscape on and surrounding a proposed mining site, the environmental resources that will be at risk of degradation or destruction if an operation opens, and the critical resources for healthy living that will be harmed including air quality and drinking water. Missouri must also require analysis of the short and long term impacts on other economic interests including tourism in nearby state parks and conservation areas, floating on Missouri's many pristine rivers, and nearby agricultural and forestry activities. Lastly, we must balance the interest of certain minerals in the short term with the decades-long harms that may be felt once certain materials are brought up to the surface. In addition to practices that will minimize all of these risks, we also must ensure practices are in place to prevent harms from unexpected spills and fires, from certain waste management practices, and from mine closures and cleanups. We must also prioritize use of energy efficiency at these facilities to reduce the greenhouse gas emission contribution from mining operations in the face of increased extreme weather events due to climate change. We must also utilize practices that minimize water quantity depletion, minimize waste generation, and protect ecosystem services from surrounding areas. (1) We believe Missouri must switch to a fossil fuel-free society for the sake of Missouri's people. Missourians of all incomes, races, and corners of the state will be impacted by climate change, though some more than others. Missouri must develop a well thought out road map for this transition to avoid future environmental injustices and such a road map requires protections against excessive and damaging mining. Mining for silica sand, which is the mineral of concern in HB 982, does not play a part in any road map toward energy self-sufficiency through the use of renewable energy infrastructure and transitioning away from fossil fuel use. However, if the Legislature does not decide to halt further silica

sand operations in our state despite their risks to Missouri's people and their environment, then protections like those outlined in HB 982 are needed. HB 982 is focused on the impacts of silica sand mining, as that is the type of mining operation that would occur in the LaMotte Sandstone geologic formation - the geographic scope of this bill. The mining of silica sand creates numerous risks to human health and the environment and the use of silica sand in hydraulic fracturing or "fracking" for natural gas contributes to our increasingly unstable environment as a result of climate change. I've summarized them below.

Health harms of silica sand mining
Crystalline silica is a human carcinogen. Workers are at particular risk given direct and long-term exposure. The mining, transport, processing, and use of silica sand in the fracking process for natural gas create the air pollutants particulate matter 2.5 (PM 2.5) and respirable crystalline silica. Respirable crystalline silica can cause major problems when inhaled, including lung-related diseases and kidney disease. (2) Studies show associations between residential proximity to these mining operations and an increase in adverse effects such as risk of pregnancy effects, cancer, hospitalizations and asthma. (3) Environmental harms of silica sand mining

Mines disrupt the land's structure, natural drainage, depletion of ground water sources, stacking of mine waste, topsoil loss, degraded forests, and harm to aquatic life in nearby waterways. Removal of natural vegetation inherently disrupts the local ecosystem causing biodiversity loss. Large extraction of groundwater is often needed, lowering the local groundwater table. Additionally, mining activities, with the site's lack of vegetation, can lead to surface erosion as well as buildup of mud, silt, and sand, which impacts the land's capacity to drain water and contributes to degradation of nearby waterways' from sedimentation. Additionally, PM generated by silica mining and the mining waste accumulate on leaves of nearby plants, disrupting the plants' natural processes necessary for plant health. (4) Environmental harms of hydraulic fracturing or "fracking," which uses silica sand

It is also important to note that the fracking operations at which silica sand is used cause immediate environmental and public health risks beyond the long term impacts associated with climate change. Studies have indicated that these gas and oil operations can lead to loss of habitat for animal and plant life, decline of species, disrupt animal migration which all leads to land degradation. (5) They have also been associated with human health risks. (6) Protections outlined in HB 982

HB 982 creates one-half mile setbacks for mining operations from any city, town, or village, certain educational institutions, churches, subdivisions, parks, and certain water supplies. The bill also creates one-quarter mile setbacks from "(1) any occupied residential dwelling; (2) Any cave or sinkhole; (3) Any losing stream or tributary of any losing stream; (4) Any stream segment or tributary thereof of any department-designated outstanding state resource waters; or (5) Any stream segment or tributary thereof that has a beneficial use designation by the department [of natural resources (DNR)]." MCE believes these protections are good and would urge this committee to consider amending them to increase all of these setbacks to one mile given the seriousness of the environmental and health risks outlined above. As mentioned above, we'd like to see the geographic applicability of these setbacks be expanded to all of Missouri, not just the LaMotte Sandstone geologic formation. We'd also like to see setbacks of equal distance provided for cemeteries, federal parks, and wildlife refuges added to this bill.

Concerns with other types of mining operations
As mentioned above, certain minerals are important for renewable energy infrastructure. They are also important for technological devices we use in everyday life. (7) It has become increasingly important to understand where minerals in our phones, laptops, electric vehicle batteries, wind turbines, and more come from and the impact it has on both Missouri communities and those working in the global supply chains for these minerals and the end products requiring these minerals. Two such minerals that play a role in these resources are rare earth elements (REEs) and cobalt. I've attached fact sheets in an email regarding the numerous harms of REEs and cobalt for this testimony. Given these very significant risks associated with mining of such minerals, MCE urges this committee to amend HB 982 to include greater health and environmental protections for all mining operations in the state, not just those that deal with sandstone for silica sand, so that we can balance the need of these resources with the long-term harms that workers, communities, and nearby natural areas will feel if such protections are not in place. Below, I have outlined additional protections MCE respectfully requests this committee to consider.

Mining Operations Requiring Permits
We urge the Legislature to require all proposed mining operators to obtain permits from DNR, including those seeking to mine metallic minerals. The public deserves to know where these mines are and the associated risks to which they are exposed. As of right now, only non-metallic mineral operations require permits. We urge the Legislature to expand some definitions related to the mining of minerals to ensure all mining operations are within the permitting framework and overall authority of DNR's Land Reclamation Program: Metallic minerals and nonmetallic minerals shall both be within Land Reclamation Program's (LRP) permitting authority. Aluminum shall be added to the definition of "metallic minerals." Metallic minerals shall be added to the definition of "minerals" under the LRP permitting authority. Silica sand shall be added to the definition of "minerals" under LRP permitting authority. Stone, sand, gravel, clay, peat, talc, and topsoil (other nonmetallics that are not currently in the "metallic minerals" definition) shall be added to the definition of "minerals" under LRP permitting

authority. Stronger Protections in the Permit Application: We urge the Legislature to require increased requirements in the mining permit application, including:

- Specifics for the conservation plan required pursuant to RSMo. 444.722A hydrogeological evaluation**
- Results from a water resource needs assessment**
- Analysis of short term and long term environmental consequences that cannot be avoided**
- Analysis of potential hazards**
- Monitoring plans for air quality, groundwater, and surface water**
- Environmental assessment worksheets for proposed operations mining cobalt, REEs and silica sand.**

MCE can provide more additional thoughts on these specific permit application proposals at your request.

Greater Government Oversight of Mines in Operation and Closed Mines To ensure that we understand the risks avoided and occurred at mining sites in Missouri, we urge the Legislature to require all mining operations to submit annual reports to DNR including practices used to minimize health and environmental harm, data from air and water monitoring, volume of greenhouse gas emissions emitted, volume of discharge into waterbodies, and volume and type of minerals mined. We also urge the Legislature to pass stronger protections for abandoned mines and to require stronger DNR oversight of reclamation efforts.

Greater Health Protections Given the serious and long lasting impacts to public health and the environment from silica sand, cobalt, REE, iron, and lead mining, we strongly urge the Legislature to direct DNR to adopt rules related to air quality, mine reclamation, and radioactive waste liability at mines involving silica sand, cobalt, REE, iron, and lead.

Greater Collaboration between State and Local Governments Local governments and their communities need to be equipped with the resources and knowledge to address the specific mining interests and risks in their local geography. As such, we urge the Legislature to direct the staff director to develop with the Missouri Department of Conservation and political subdivisions model standards and criteria that local subdivisions can use for local mining ordinances. We also urge the Legislature to direct the staff director to create a DNR webpage outlining all local ordinances and local permits for reference by other political subdivisions. This helps local political subdivisions with mineral resources to learn from each other and not be burdened to craft local ordinances all on their own when some communities will have similar minerals of interest and/or resources to protect. It also ensures Missourians have easy access to local ordinances in their communities and in the areas where they hike, swim, and otherwise recreate.

Transparency Currently, complaints regarding mining operations are not obtainable via Missouri Sunshine Law. Missourians deserve to know what concerns residents near existing mining operations have and to protect themselves from being exposed to those harms. As such, we urge the Legislature to require that complaints from concerned citizens regarding mining operations be obtainable by the public pursuant to the Missouri Sunshine Law RSMo. 610.010-310.028 with personally identifiable information of the complainant redacted.

Notice to the Public and Public Engagement To protect the health and safety of 1) communities living near mineral reserves, 2) communities that rely on the air, water, and soil resources that would be impacted by mining operations, and 3) residents of both of these communities decades from now, we must ensure the public is adequately informed about proposed mines and the risks involved. This includes ensuring the public is given ample opportunity to weigh in on whether such operations are a good fit for their communities. As such, MCE recommends the Missouri Legislature advance the following policies. The Legislature shall require public notices to help Missourians be informed of proposed mining operations on DNR's website and in local newspapers when a proposed operator submits a mining application permit, not just when mines are intended to begin operating. We also urge the Legislature to direct DNR to publish all mining permit applications on their website and allow for public comment for sixty days after receipt of the application. Those who may have a "direct personal interest" in the proposed mining operation shall have up to thirty (30) days to request a public hearing. Currently, they are only afforded fifteen (15) days.

Overview of Populations Who Will Be Impacted by Mining If we do not have protective policies in place to address the concerns mentioned above, it will create health disparities for Missourians in multiple parts of the state. Mining workers will endure the brunt of the health impacts, impacts felt in both the short and long term. Residents immediately surrounding mines and those downwind and downstream will also feel the impacts due to degradation of air quality, water quality, and surrounding natural areas. In particular, mining of some of the minerals mentioned above generates radioactive waste, waste that causes health concerns plaguing the surrounding communities for decades. We see this today with the impacts of the 1940s Manhattan Project in St. Louis, where adults who lived and played near Coldwater Creek decades ago as well as residents living near there today have endured disproportionate rates of rare cancers, autoimmune diseases, birth defects, and other serious health ailments. (8) St. Louis is still dealing with the cleanup of this radioactive material and Missouri decision makers must ensure we do not make similar mistakes by exposing residents to these harmful substances. Missouri's children near mine sites could be at increased risk for health concerns. Research indicates that there is a strong association between the dust found in homes near mining-impacted Superfund sites and increased health concerns for children's neurodevelopment. (9) Children are more likely to spend time outdoors and be exposed to toxic contaminants within the air, water, and ground. Adults who lived near Coldwater Creek as children can attest to this and the impacts they've

endured as a result of the improper management of radioactive waste from the Manhattan Project. Studies also show populations farther away from mining operations and mining waste sites can still be exposed to toxic contaminants if they are exposed to other uses of mining waste such as in driveways. (10) Lastly, Missouri tourists can be impacted by the short term and long term harms from mining as the contaminants enter into our natural areas - harming wildlife, degrading forestland, and contaminating rivers and streams. This means residents from any and all legislative districts can be impacted by these contaminants as well as others who travel from other states to visit our wonderful state parks, conservation areas, and other natural areas. This contamination of our state's natural areas poses two significant threats to Missouri. First, the serious health risks for those who visit natural areas adjacent to and downstream from mining operations. Second, the economic impact to Missouri through loss of tourism if our state parks, conservation areas, and popular waterways become contaminated with cancer-causing and neurologically-damaging toxins. Without significant protections in place, increased mining can have significant impacts on Missourians both near and far from the mines. The responsibility to ensure safety of all Missourians relies on the local and state governments. As a result, the Legislature, DNR, and local elected officials must act to protect Missourians living now and in the future. Once again, Missouri Coalition for the Environment believes HB 982 as written provides important protections for those who live, work, and play near the LaMotte Sandstone geologic formation and for the wellbeing of the fauna and flora of that area. MCE respectfully urges this committee to amend this bill to ensure the entire state has adequate protections from the harms of not only silica sand mines but mines of other minerals, especially the harms of cobalt, REEs, iron, lead, and lead. Thank you for your time. Sincerely, Melissa Vatterott, JD Policy Director Missouri Coalition for the Environment mvatterott@moenvironment.org (314) 727-0600, ext. 111 (1) See Green Remediation Best Management Practices: Mining Sites, U.S. EPA, Office of Solid Waste & Emergency Response, 2012, https://www.epa.gov/sites/default/files/2015-04/documents/gr_factsheet_miningsites.pdf. (2) Health Effects of Particulate Matter and Silica Exposure, UW-Eau Claire, <https://www.uwec.edu/academics/college-arts-sciences/departments-programs/watershed-institute/explore-opportunities/sand-mining-research/impact-silica/health-effects/#> (last visited December 8, 2022). (3) Anna Lin-Schweitzer, Integrated effort needed to mitigate fracking while protecting both humans and the environment (2022), <https://ysph.yale.edu/news-article/integrated-effort-needed-to-mitigate-fracking-while-protecting-both-humans-and-the-environment/>. (4) Id. (5) Id. (6) Id. (7) The Energy Act of 2020 defines a "critical mineral" as a non-fuel mineral or mineral material essential to the economic or national security of the U.S. and which has a supply chain vulnerable to disruption. U.S. Geological Survey Releases 2022 List of Critical Minerals, U.S. Geological Survey, January 22, 2022, <https://www.usgs.gov/news/national-news-release/us-geological-survey-releases-2022-list-critical-minerals>. (8) Coldwater Creek & FUSRAP Sites, Missouri Coalition for the Environment, <https://moenvironment.org/blog/coldwater-creek-fusrap-sites/> (2018). (9) Zota et al., Metal sources and exposures in the homes of young children living near a mining-impacted Superfund site, 21 J Expo Sci Environ Epidemiol 495, 495 (2011), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3161168/pdf/nihms301796.pdf>. (10) Id.



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WITNESS NAME		
BUSINESS/ORGANIZATION:		
WITNESS NAME: WILLIAM A LASHLEY		PHONE NUMBER: 573-883-8550
BUSINESS/ORGANIZATION NAME: LHOIST NA		TITLE: PLANT MANAGER
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CITY: STE GENEVIEVE		STATE: MO
		ZIP: 63670
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