

Obviously the task of preparing such a code to cover all of the mining operations in Arizona—including everything from the giant Morenci Mine to each sand and gravel pit or flagstone quarry—is fraught with such complexities as to make it unworkable.

Multiply these problems by 50 for the 50 States and you have utter chaos. I hasten to recognize, of course, that Senate bill 3132 states in section 3, subsection (d) that the diversity of conditions in the various mining areas makes the establishment of uniform regulations on a nationwide basis infeasible.

Yet the bill does indeed, in all of its provisions, vest the Secretary of the Interior with the power to require, approve, and oversee the administration of State plans which meet criteria he establishes.

I submit, gentlemen, that this could and probably would be tantamount to investing the Department of the Interior with the authority to establish and enforce a uniform, or very nearly uniform, plan on a nationwide basis. No individual secretary and no single department of the Federal Government possibly could be sufficiently knowledgeable about the many intricate and often subtle problems involved in the successful operation of every individual mine in any given State to promulgate and enforce workable rules and regulations.

This is, in our view, a matter which does not now need in Arizona, legislative control. Certainly not in Arizona nor in any other non-ferrous metals mining area have there been any significant problems of land reclamation.

In those areas where any additional legislative control might be indicated, and I am not at all sure there are any such, in view of the testimony I have heard here, we feel it is patently a matter which can be dealt with successfully only at the most local feasible governmental level.

Even a State code would have to delegate insofar as possible the authority to deal with individual situations to the county or even the city levels. Only the people most intimately involved can make responsible judgments concerning comparative values; only they can know fully how many jobs are involved, what ecological values will be affected, what environmental amenities are actually at stake, and what effect certain proposed regulations will have on the operations of a specific property.

And, gentlemen, we point out and urge your most serious consideration of the fact that a large percentage of the mining operations in this country today are marginal or nearly so. It has been for many years a race between constantly rising costs and lowering ore grades on the one hand and technological advances on the other hand.

Only virtual miracles of technology have enabled us to continue to extend the life of properties which already have faced a number of times the likelihood of being shut down permanently.

We point out further two facts: One, that the preplanning of the detailed operations of a given hard rock, open pit mine over the period of even a year is at best a flexible, changeable thing.

Unpredictable facts of geology, economics, personnel, technology, and so on force every company I know of to be extremely versatile and adaptable in meeting the exigencies of the moment.

From a purely practical point of view, therefore, the conception of such a detailed conservation and reclamation plan spanning the