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VIDEO: NCLA Holiday Parody Takes Digs at EPA's Role in Causing Gold King Mine Environ. Disaster

“Gold Mine Colossal Mess” (the Saga behind *Todd Hennis v. United States* set to “Good King Wenceslas”)



Washington, DC (December 12, 2022) – The Environmental Protection Agency’s (EPA) inexcusable actions near Silverton, Colorado directly caused one of the largest environmental catastrophes ever created by the federal government. The very bureaucrats who were supposed to protect the environment instead destroyed it with their arrogance and incompetence. To make matters worse, in the wake of the disaster, EPA refused to fully compensate downstream communities that relied on the watershed that the administrative state’s actions had polluted. EPA even took over NCLA client Todd Hennis’s land and built a water-treatment facility on it without his permission. More than seven years after taking his property, EPA still refuses to compensate Mr. Hennis.

This series of disastrous events inspired a parody song and [video](#) collaboration between the New Civil Liberties Alliance, a nonpartisan, nonprofit civil liberties group, and internet celebrity Remy Munasifi, best known for his [series](#) of satirical songs that skewer government ineptitude. Set to the tune of the familiar Christmas carol “Good King Wenceslas,” the song and video for “Gold Mine Colossal Mess” detail EPA’s catastrophic actions surrounding August 5, 2015, when EPA personnel breached the Gold King Mine. The result: three million gallons of toxic mine waste and heavy minerals flowed into a tributary of the Animas River, part of the Colorado River watershed. The bright orange toxic sludge soon turned the Animas into “the orange river seen around the world.”

Shortly after the spill, Mr. Hennis verbally authorized EPA to temporarily use a portion of his property for an emergency staging area for equipment and supplies, recognizing that time was of the essence to mitigate the environmental disaster of EPA’s own making. Rather than thank Mr. Hennis for his quick cooperation and compensate him for the use of his land, EPA took advantage of him. Without so much as a phone call or email to Mr. Hennis, EPA constructed a \$2.3 million dollar water-treatment facility on a pre-existing concrete slab on his property. Mr. Hennis never granted EPA permission to construct a water-treatment facility on his property, nor did he authorize EPA to occupy, use, and pollute his land indefinitely. Yet EPA remains there to this day.

NCLA represents Mr. Hennis in the lawsuit [*Todd Hennis v. United States*](#), challenging the government’s physical invasion, occupation, use, taking, and contamination of Mr. Hennis’s property. In August of this year, the U.S. Court of Federal Claims denied the federal government’s motion to dismiss, which [allowed](#) Mr. Hennis’s lawsuit to go forward to discovery and ultimately trial. With NCLA’s help, we expect Mr. Hennis to ultimately prevail.

This year’s holiday parody song is NCLA’s second humorous carol. Last year’s [video](#), entitled “Mandates We Have Heard on High,” criticized vaccine mandates, which federal courts started striking down soon afterward.

For more information about *Hennis v. United States*, please visit the case page [here](#).

ABOUT NCLA

[NCLA](#) is a nonpartisan, nonprofit civil rights group founded by prominent legal scholar [Philip Hamburger](#) to protect constitutional freedoms from violations by the Administrative State. NCLA’s public-interest litigation and other pro bono advocacy strive to tame the unlawful power of state and federal agencies and to foster a new civil liberties movement that will help restore Americans’ fundamental rights.

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