



Committee on Natural Resources U.S. House of Representatives

Chairman Doc Hastings

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Witnesses Tell the Obama Administration to STOP Costly & Job Destroying Coal Regulations

WASHINGTON, D.C. – Today, the House Natural Resources Subcommittee held a [legislative hearing](#) on [H.R. 2824](#), the *Preventing Government Waste and Protecting Coal Mining Jobs in America Act*, legislation to protect American jobs, save taxpayer dollars, and support U.S. energy production by stopping the Obama Administration from imposing coal regulations that would cost thousands of American jobs and devastate local economies.

Since taking office, the Obama Administration has been conducting a sweeping rewrite of a coal mining regulation (the 2008 Stream Buffer Zone Rule) that will cost jobs and decrease American energy production. The Administration has spent nearly \$9 million taxpayer dollars working to rewrite this rule, including hiring new contractors, only to dismiss those same contractors once it was publicly revealed that the Administration's proposed regulation could cost 7,000 jobs and cause economic harm in 22 states.

"We need to be clear about the Administration's legacy on their effort to rewrite the Stream Buffer Zone Rule. So far, the Administration has spent nearly \$9 million taxpayer dollars re-writing a rule that was never fully implemented without ever providing sound justification for the need for a new rule," [said Subcommittee Chairman Doug Lamborn \(CO-05\)](#). "The legislation will stop the massive ongoing waste currently taking place at the department and save the taxpayer money. It responsibly updates the 1983 regulation by improving environmental safeguards and provides regulatory certainty for an important domestic industry; an industry that not only provides great family-wage jobs with good benefits but also provides affordable energy for the American people and the Nation's manufacturing base."

Witnesses at the hearing underscored the need to stop the Obama Administration's flawed and costly rulemaking process and provide certainty to ensure that America can continue to develop its natural energy resources.

[Thomas L. Clarke](#), Director of the Division of Mining and Reclamation, West Virginia Department of Environmental Protection strongly urged the Obama Administration to STOP this "radical" rewrite of coal regulations. *"The 2008 Stream Buffer Zone rule properly resolved issues that arose in the interpretation of its predecessor rule, did so in a manner that was harmonious with the Clean Water Act and the congressional intent behind SMCRA and*

provided enhanced protection of streams. OSM has not implemented this rule and has never given it a chance to work. Before OSM is allowed to complete a radical revision of its surface mining rules, it should take some time to evaluate the operation of its 2008 rule. The approach of H.R. 2824 is a reasonable way to accomplish this.”

Bradley C. Lambert, Deputy Director of Virginia Department of Mines, Minerals and Energy responded directly to false claims that the 2008 Stream Buffer Zone Rule was developed secretly and published in the “11th hour” with little public comment. *“The development of the 2008 rule was a five year process. OSM solicited public input throughout the process. The agency received over 43,000 comments and held four public hearings that were attended by approximately 700 people. The rule was to take effect on January 12, 2009. However, before the rule was implemented it was suspended. The states had no opportunity to amend our programs to adopt that rule. We believe the 2008 rule contained provisions that would allow disposal of excess spoil in such a manner that would ensure stream protection... We are supportive of the approach contained in H.R. 2824 and believe that the states should be provided an opportunity to implement the 2008 stream buffer zone rule, following which OSM can prepare an assessment of why a different rule is needed.”*

John Paul Jones, Environmental Vice President, Alpha Natural Resources & National Mining Association called on the Obama Administration to end the “expensive fiasco” of needlessly rewriting coal regulations. *“Office of Surface Mining’s (OSM) new proposal is unnecessary, unjustified, and dangerous, and certainly does not meet any cost-benefit standard. After five long years of delay by OSM in refusing to implement the current common-sense regulations, H.R. 2824 provides a reasonable framework and timetable for implementing the 2008 rule in primacy States and evaluating an actual record of its effectiveness before allowing OSM’s ‘expensive fiasco’ to move forward with a costly and unnecessary rewrite of SMCRA regulations that will have devastating economic impacts. For these reasons, we strongly urge this committee to pass H.R. 2824 and bring some much needed finality to this already exhaustive rulemaking process.”*

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