

COALEX STATE INQUIRY REPORT - 220

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TOPIC: PETITIONS FOR COSTS, EXPENSES AND ATTORNEY'S FEES

INQUIRY: I am interested in a listing of all administrative decisions which rule on the award of costs, expenses and attorney's fees. In particular, I am looking for "cost petition" cases that seek awards under SMCRA Secs. 520(d) [30 USC 1270(d)] and 525(e) [30 USC 1275(e)]. In addition, please send a list of the materials available in the Legislative History files of the COALEX Library.

SEARCH RESULTS: The COALEX Library and the other materials available in LEXIS were used to research this report. The list of materials available in the SMCRA Legislative History are organized by type of document (Congressional Hearings, Reports, etc.) and are in chronological order.

The "cost petition" cases are grouped in chronological order according to the agency or court. Not all of the cases included cited to the SMCRA sections indicated above. Interior Administrative Law Judge (ALJ) decisions were checked against the Interior Board of Land Appeals (IBLA) decisions; related cases are listed together. State administrative cases were also researched; relevant "cost petition" cases were retrieved from the Pennsylvania Environmental Hearing Board file, none were identified in the Illinois or Ohio material available in LEXIS. Several state decisions are also listed

Copies of some of the requested citation lists are attached rather than being reproduced in the Report proper. One page containing "key words in context" are attached for the cases listed below. A 1982 Colorado case which provides an excellent discussion of the "calculation of reasonable attorney fees" and June, 1992 Supreme Court decision on attorney's fees are also included.

LEGISLATIVE HISTORY

CONGRESSIONAL HEARINGS

- 1. Regulation of Strip Mining, Hearings on HR 60 and Related Bills Before the Subcommittee on Mines and Mining of the House Committee on Interior and Insular Affairs, 92nd Cong, 1st Sess (September 20, & 21, 1971, October 21, & 26, 1971 and November 29, & 30, 1971), Serial No 92-26.
- Surface Mining, Hearings on S 77 and Related Bills Before the Subcommittee on Minerals, Materials and Fuels of the Senate Committee on Interior and Insular Affairs, 92nd Cong, 1st Sess (November 16, & 17, and December 2, 1971), Serial No 92-13 Part 1.
- 3. Surface Mining, Hearings on S 77 and Related Bills Before the Subcommittee on Minerals, Materials and Fuels of the Senate Committee on Interior and Insular Affairs, 92nd Cong, 1st Sess (November 16, & 17, and December 2, 1971), Serial No 92-13 Part 2.
- 4. Surface Mining, Hearings on S 2777 and S 3000 Before the Subcommittee on Minerals, Materials and Fuels of the Senate Committee on Interior and Insular Affairs, 92nd Cong, 1st Sess (February 24, 1972), Serial No 92-13 Part 3.
- 5. Regulation of Surface Mining Operations Part 1, Hearings on S 425 and S 923 Before the Senate Committee on Interior and Insular Affairs, 93rd Cong, 1st Sess (March 13, 14, 15, & 16, 1973).
- 6. Regulation of Surface Mining Operations Part 2, Hearings on S 425 and S 923 Before the Senate Committee on Interior and Insular Affairs, 93rd Cong, 1st Sess (March 13, 14, 15, & 16, 1973).
- 7. Coal Surface Mining and Reclamation, Hearings Before the Subcommittee on Minerals, Materials and Fuels of the Senate Committee on Interior and Insular Affairs, 93rd Cong, 1st Sess (April 30, 1973).
- 8. Surface Mining Veto Justification Briefing, Hearings on President's Veto of HR 25 Before the Subcommittee on Energy and the Environment and the Subcommittee on Mines and Mining of the House Committee on Interior and Insular Affairs, 94th Cong, 1st Sess (June 3, 1975), Serial No 94-23.
- 9. Reclamation Practices and Environmental Problems of Surface Mining, Hearings on HR 2 before the Subcommittee on Energy and the Environment of the House Committee on Interior and Insular Affairs, 95th Cong, 1st Sess (January 10 & 12, 1977, Serial No 95-1 Part I.
- 10. Surface Mining Control and Reclamation Act of 1977, Hearings on S 7 Before the Subcommittee on Public Lands and Resources of the Senate Committee on Energy and Natural Resources, 95th Cong, 1st Sess (February 7, and March 1, 2, & 3, 1977), Serial No 95-32.
- 11. Surface Mining Control and Reclamation Act of 1977, Hearings on HR 2 before the Subcommittee on Energy and the Environment of the House Committee on Interior and Insular Affairs, 95th Cong, 1st Sess (February 8, 16, & 22, 1977), Serial No 95-1 Part II.
- 12. Surface Mining Control and Reclamation Act of 1977, Hearings on HR 2 Before the Subcommittee on Energy and the Environment of the House Committee on Interior and Insular Affairs, 95th Cong, 1st Sess (February 24, & 25, 1977), Serial No 95-1 Part III.
- 13. Surface Mining Control and Reclamation Act of 1977, Hearings on HR 2 Before the Subcommittee on Energy and the Environment of the House Committee on Interior and

- Insular Affairs, 95th Cong, 1st Sess (February 28 and March 4, 1977), Serial No 95-1 Part IV.
- 14. Regulation of Surface Mining, Hearings on HR 3 and Related Bills Before the Subcommittee on the Environment and the Subcommittee on Mines and Mining of the House Committee on Interior and Insular Affairs, 93rd Cong, 1st Sess (April 9, 10, 16, & 17 and May 14, & 15, 1977), Serial No. 93-11.
- 15. ICF Inc. Study Inquiry, Hearings Before the Subcommittee on Public Lands and Resources of the Senate Committee on Energy and Natural Resources, 95th Cong, 1st Sess (May 11, 1977), Serial No 95-35.
- 16. Implementation of the Surface Mining Control and Reclamation Act of 1977, Hearings Before the Subcommittee on Energy and the Environment of the House Committee on Interior and Insular Affairs, 95th Cong, 2nd Sess (January 19 & 20, 1978), Serial No 95-27.
- 17. Implementation of Public Law 95-87, Hearings Before the Subcommittee on Public Lands and Resources of the Senate Committee on Energy and Natural Resources, 95th Cong 2nd Sess (April 24, 1978), Serial No 95-122.

COMMITTEE PRINTS

- 1. Legislative Proposals Concerning Surface Mining of Coal: A History of Legislative Proposals and An Analysis of Pending Measures, 92nd Cong, 1st Sess (September 1, 1971) [Senate Committee on Interior and Insular Affairs].
- 2. The Issues Related to Surface Mining: A Summary Review, Serial No 92-10, 92nd Cong, 1st Sess (December, 1971) [Senate Committee on Interior and Insular Affairs].
- 3. Coal Surface Mining and Reclamation: An Environmental and Economic Assessment of Alternatives, Serial No 93-8 (92-43), 93rd Cong, 1st Sess (March, 1973) [Senate Committee on Interior and Insular Affairs].
- 4. State Surface Mining Laws: A Survey, A Comparison with the Proposed Federal Legislation, S Doc No 95-25, 95th Cong, 1st Sess (June, 1977) [Senate Committee on Energy and Natural Resources].

CONGRESSIONAL REPORTS

- 1. Surface Mining Reclamation Act of 1972, S Rep No 1162, 92nd Cong, 2nd Sess (September 18, 1972) [Senate Committee on Interior and Insular Affairs, S 630].
- 2. Surface Mining Reclamation Act of 1973, S Rep No 402, 93rd Cong, 1st Sess (September 21, 1973) [Senate Committee on Interior and Insular Affairs, S 425].
- 3. Surface Mining Control and Reclamation Act of 1974, HR Rep No 1072, 93rd Cong, 2nd Sess (May 30, 1974) [House Committee on Interior and Insular Affairs, HR 11500].

- 4. Surface Mining Control and Reclamation Act of 1974, HR Rep No 1522, 120 Cong Rec 38259, 93rd Cong, 2nd Sess (December 5, 1974) [House Committee on Interior and Insular Affairs, S 425, Conference Report].
- 5. Surface Mining Control and Reclamation Act of 1975, S Rep 28, 94th Cong, 1st Sess (March 5, 1975) [Senate Committee on Interior and Insular Affairs, S 7].
- 6. Surface Mining Control and Reclamation Act of 1975, HR Rep No 45, 94th Cong, 1st Sess (March 6, 1975) [House Committee on Interior and Insular Affairs, HR 25].
- 7. Surface Mining Control and Reclamation Act of 1975, HR Rep No 189, S Rep No 101, 121 Cong Rec 12933, 121 Cong Rec 13009, 94th Cong, 1st Sess (May 2, 1975) [Conference Report, HR 25].
- 8. Surface Mining Control and Reclamation Act of 1976, HR Rep No 896, 94th Cong, 2nd Sess (March 12, 1976) [House Committee on Interior and Insular Affairs, HR 9725].
- 9. Surface Mining Control and Reclamation Act of 1976, HR Rep No 1445, 94th Cong, 2nd Sess (August 31, 1976) [House Committee on Interior and Insular Affairs, HR 13950].
- 10. Surface Mining Control and Reclamation Act of 1977, HR Rep No 218, 95th Cong, 1st Sess (April 22, 1977) [House Committee on Interior and Insular Affairs, HR 2].
- 11. Surface Mining Control and Reclamation Act of 1977, S Rep No 128, 95th Cong, 1st Sess (May 10, 1977) [Senate Committee on Energy and Natural Resources, S 7].
- 12. Surface Mining Control and Reclamation Act of 1977, HR Rep No 493, S Rep No 337, 123 Cong Rec H6938, 95th Cong, 1st Sess (July 12, 1977) [Conference Committee Report, HR 2].

BILLS

- 1. S 630, 92nd Cong, 2nd Sess (September 18, 1972).
- 2. S 425, 93rd Cong, 1st (September 21, 1973).
- 3. HR 11500 93rd Cong, 2nd Sess (May 30, 1974).
- 4. S 425, 93rd Cong, 1st (December 5, 1974).
- 5. HR 25, 94th Cong, 1st Sess (January 14, 1975).
- 6. S. 7, 94th Cong, 1st Sess (January 15, 1975).
- 7. S. 7, 94th Cong, 1st Sess (March 5, 1975).
- 8. HR 25, 94th Cong, 1st Sess (March 6, 1975).
- 9. HR 25, 94th Cong, 1st Sess (March 20, 1975).
- 10. HR 25, 94th Cong, 1st Sess (May 2, 1975) [Conference Committee].
- 11. HR 9725, 94th Cong, 1st Sess (September 19, 1975).
- 12. HR 9725, 94th Cong, 1st Sess (March 12, 1976).
- 13. HR 13950, 94th Cong, 2nd Sess (May 21, 1976).
- 14. HR 13950, 94th Cong, 2nd Sess (August 31, 1976).
- 15. HR 2, 95th Cong, 1st Sess (January 4, 1977).
- 16. S 7, 95th Cong, 1st Sess (January 10, 1977).
- 17. HR 2, 95th Cong, 1st Sess (April 1, 1977).
- 18. HR 2, 95th Cong, 1st Sess (April 22, 1977).
- 19. HR 2, 95th Cong, 1st Sess (May 5, 1977).

- 20. S 7, 95th Cong, 1st Sess (May 10, 1977).
- 21. HR 2, 95th Cong, 1st Sess (June 20, 1977).
- 22. HR 2, 95th Cong, 1st Sess (July 12, 1977) [Conference Committee].

HOUSE DOCUMENTS

- 1. Proposing Legislation to Provide for Cooperation between the Secretary of the Interior and the States with Respect to the Regulation of Surface Coal Mining Operations, H Doc 94-44, 94th Cong, 1st Sess (February 6, 1975).
- 2. Veto of the Surface Mining Control and Reclamation Act of 1975, H Doc No 94-160, 94th Cong, 1st Sess (May 20, 1975).

CONGRESSIONAL RECORD

See attached list.

ADMINISTRATIVE DECISIONS - INTERIOR & PENNSYLVANIA

INTERIOR ADMINISTRATIVE LAW JUDGE (ALJ) DECISIONS

- 1. PENGROVE COAL CO. v OSM, Docket No CH 1-23-R (September 8, 1981).
- 2. K.I.M. COAL CO. v OSM, Docket No CH 1-150-P (April 19, 1984).
- 3. BEAVER CREEK COAL CO. v OSM, Docket No TU 4-13-R (May 30, 1984).
- 4. ILLINOIS SOUTH PROJECT, INC. et al. v OSM, Docket No IN-13-R (August 7, 1984).
- 5. THOMAS F. MURPHY v CONSOLIDATION COAL CO., Docket No CH 3-1-D (January 14, 1985).
- 6. HMR COAL CO. v OSM, Docket No NX 1-110-R (July 15, 1985).
- 7. THE PITTSBURG & MIDWAY COAL MINING CO. v OSM, Docket No DV 5-1-R (July 19, 1985).
- 8. A.L. PHIPPS, et al. v OSM, AM-LE-CO, INC. AND NEW BIG CREEK MINING, Docket No NX 4-39-R (November 10, 1986)[Amends July 24, 1985 decision].
- 9. TURNER BROS., INC. v OSM, Docket Nos TU 6-24-R, TU 6-28-R, TU 6-36-R, TU 6-45-R, TU 6-51-R, TU 6-74-R, TU 6-106-R, TU 7-3-R, TU 7-17-R, TU 7-20-R, TU 7-24-R, TU 7-25-R, TU 7-27-R, TU 7-28-R (September 3, 1987).
- 10. R.C.T. ENGINEERING, INC. v OSM, Docket Nos NX 7-7-R, NX 6-103-R (November 25, 1987).
- 11. MCNABB COAL CO., INC. v OSM, Docket No TU 6-34-R (IBLA 86-1559) (May 23, 1988) [Amends July 23, 1986 decision]. MCNABB COAL CO., INC. v OSM, 101 IBLA 282, IBLA 86-1559 (March 15, 1988).

- 12. RITH ENERGY, INC. v OSM, Docket No NX 7-24-P (April 18, 1989) [Amends August 12, 1988 & September 1, 1988 Orders]. RITH ENERGY, INC. v OSM, RESPONDENT, SAVE OUR CUMBERLAND MOUNTAINS, BLEDSOE COUNTY CHAPTER, INTERVENOR, 108 IBLA 114, IBLA 88-519 (March 30, 1989). RITH ENERGY, INC., 101 IBLA 190, IBLA 88-89, 88-90 (February 17, 1988). RITH ENERGY, INC. v OSM, Docket No NX 88-9-R (November 10, 1987). RITH ENERGY, INC. v OSM, Docket Nos NX 7-169-R, NX 7-3-PR (November 10, 1987).
- 13. DIXIE FUELS CO. v OSM, Docket No NX 91-17-R (April 10, 1992).

NOTE: The citation list of all cases found in response to the search is attached for reference.

INTERIOR BOARD OF LAND APPEALS (IBLA) AND INTERIOR BOARDS OF SURFACE MINING APPEALS (IBSMA) DECISIONS

- 1. DENNIS R. PATRICK v OSM, 1 IBSMA 248, IBSMA 79-21 (September 14, 1979).
- 2. KENTUCKY CONSERVATION COMMITTEE, INC. AND CUMBERLAND CHAPTER OF THE SIERRA CLUB v OSM, 2 IBSMA 370, IBSMA 81-9 (November 25, 1980).
- 3. DELTA MINING CORP., 3 IBSMA 252, IBSMA 81-60 (August 13, 1981).
- 4. OSM v L & R MINING CO., INC., 5 IBSMA 16, IBSMA 82-15 (February 2, 1983). L & R MINING CO., INC. v OSM, Docket No CH 1-222-P (February 18, 1982). L & R MINING CO., INC. v OSM, Docket Nos CH 1-46-R, CH 1-70-P, CH 1-142-P (February 18, 1982) [Amends June 22, 1981 decision].
- 5. IBLA 83-612 COUNCIL OF THE SOUTHERN MOUNTAINS, INC. v OSM, IBSMA 80-34 (On Remand) (July 25, 1984). COUNCIL OF THE SOUTHERN MOUNTAINS, INC. v OSM, 3 IBSMA 44, IBSMA 80-34 (March 23, 1981).
- 6. DONALD ST. CLAIR et al., 84 IBLA 236, IBLA 84-264 (January 2, 1985).
- 7. VIRGINIA CITIZENS FOR BETTER RECLAMATION; VIRGINIA HILL, 88 IBLA 126, IBLA 84-838 (August 2, 1985).
- 8. FRESCA CONSTRUCTION CO., INC. v OSM, 102 IBLA (not known), IBLA 88-295 (April 18, 1988).
- 9. FRESCA CONSTRUCTION CO., INC. v OSM, 101 IBLA 229, IBLA 88-27 (February 26, 1988).
- 10. ALTERNATE FUELS, INC. v OSM, 103 IBLA 187, IBLA 86-88 (July 21, 1988). ALTERNATIVE FUELS, INC. v OSM, Docket No TU 5-23-R (October 18, 1985).
- 11. NATURAL RESOURCES DEFENSE COUNCIL, INC. et al. v OSM, RESPONDENT, WEST ELK COAL CO. AND STATE OF COLORADO, INTERVENORS, 107 IBLA 339, IBLA 87-200 (March 20, 1989). NATURAL RESOURCES DEFENSE COUNCIL, INC., et al. v OSM, RESPONDENT, WEST ELK COAL CO. AND STATE OF COLORADO, Intervenors, 94 IBLA 269, IBLA 83-757, IBLA 81-83 (November 18, 1986). NATURAL RESOURCES DEFENSE COUNCIL, INC. et al. v OSM, 4 IBSMA 4, IBSMA 81-83 (February 24, 1982).
- 12. AMERICAN GILSONITE CO., 111 IBLA 1, IBLA 87-617 (September 19, 1989).

- 13. SAVE OUR CUMBERLAND MOUNTAINS, INC., 111 IBLA 197, IBLA 89-410 (October 11, 1989).
- 14. MR. & MRS. WILLIAM J. HAMILTON, IBLA 87-261 (October 15, 1990).

ADMINISTRATIVE DECISIONS - PENN. ENVIRON. HEARING BD.

- 1. HARRY G. SHEESLEY AND ALMA JEAN SHEESLEY v COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF ENVIRONMENTAL RESOURCES AND EQUITABLE COAL CO., INTERVENOR, 1982 EHB 85, EHB Docket No 81-061-H (April 29, 1982).
- 2. CHERNICKY COAL v COMMONWEAL. OF PENN., DEPT. OF ENVIRON. RESOURCES, 1985 EHB 360, EHB Docket No 84-226-G (January 21, 1985).
- 3. RALPH BLOOM, JR. v COMMONWEAL. OF PENN., DEPT. OF ENVIRON. RESOURCES, 1985 EHB 86, EHB Docket No 84-145-G (February 20, 1985).
- 4. JAY TOWNSHIP, et al. v COMMONWEAL. OF PENN., DEPT. OF ENVIRON. RESOURCES AND E.M. BROWN COAL CO., INC., 1987 Pa Envirn LEXIS 144, EHB Docket No 82-300-W (February 2, 1987). JAY TOWNSHIP, et al. v COMMONWEAL. OF PENN., DEPT. OF ENVIRON. RESOURCES AND E.M. BROWN COAL CO., INC., 1987 Pa Envirn LEXIS 145, EHB Docket No 82-300-W (February 2, 1987).
- 5. HEPBURNIA COAL CO. v COMMONWEAL. OF PENN., DEPT. OF ENVIRON. RESOURCES, 1988 Pa Envirn LEXIS 158, EHB Docket No. 85-309-G (October 19, 1988).
- 6. MARK AND ELAINE MENDELSON v COMMONWEAL. OF PENN., DEPT. OF ENVIRON. RESOURCES, 1990 Pa Enviro LEXIS 13, EHB Docket No 88-336-M (January 5, 1990).
- 7. JAMES E. MARTIN v COMMONWEAL. OF PENN., DEPT. OF ENVIRON. RESOURCES, 1990 Pa Envirn LEXIS 97, EHB Docket No 84-028-G (July 17, 1990). JAMES E. MARTIN v COMMONWEAL. OF PENN., DEPT. OF ENVIRON. RESOURCES, 1989 Pa Envirn LEXIS 114, EHB Docket Nos 83-121-G, 84-016-G, 84-028-G (July 26, 1989). JAMES E. MARTIN v COMMONWEAL. OF PENN., DEPT. OF ENVIRON. RESOURCES, 1989 Pa Envirn LEXIS 99, EHB Docket No 85-064-W (June 12, 1989). JAMES E. MARTIN v COMMONWEAL. OF PENN., DEPT. OF ENVIRON. RESOURCES, 1986 Pa Envirn LEXIS 154, EHB Docket No 85-064-G (February 7, 1986).
- 8. SWISTOCK ASSOC. COAL CORP. v COMMONWEAL. OF PENN., DEPT. OF ENVIRON. RESOURCES, 1990 Pa Envirn LEXIS 163, EHB Docket No 88-240-M (October 2, 1990).
- 9. PEARL MARION SMITH v COMMONWEAL. OF PENN., DEPT. OF ENVIRON. RESOURCES, 1990 Pa Envirn LEXIS 151, EHB Docket No 87-414-F (October 22, 1990).
- 10. COMMONWEAL. OF PENN., DEPT. OF ENVIRON. RESOURCES v US WRECKING, INC., 1990 Pa Envirn LEXIS 176, EHB Docket No 90-034-CP-W (November 21, 1990).

- 11. JAMES BUFFY AND HARRY K. LANDIS, JR. v COMMONWEAL. OF PENN., DEPT. OF ENVIRON. RESOURCES AND PBS COALS, INC., 1990 Pa Envirn LEXIS 185, EHB Docket No 90-284-E (December 18, 1990).
- 12. WOOD PROCESSORS, INC., et al. v COMMONWEAL. OF PENN., DEPT. OF ENVIRON. RESOURCES, 1992 Pa Envirn LEXIS 38, EHB Docket No 90-442-F (April 2, 1992).
- 13. MCDONALD LAND & MINING CO., INC. v COMMONWEAL. OF PENN., DEPT. OF ENVIRON. RESOURCES, 1992 Pa Envirn LEXIS 54, EHB Docket No 90-464-E (April 30, 1992). MCDONALD LAND & MINING CO., INC. v COMMONWEAL. OF PENN., DEPT. OF ENVIRON. RESOURCES, 1992 Pa Envirn LEXIS 33, EHB Docket No 91-173-E (March 24, 1992).
- 14. Big B MINING CO. v COMMONWEAL. OF PENN., DEPT. OF ENVIRON. RESOURCES, 1992 Pa Envirn LEXIS 73, EHB Docket No 83-215-G (June 19, 1992). BIG B MINING CO. v COMMONWEAL. OF PENN., DEPT. OF ENVIRON. RESOURCES, 142 Pa Commw 215, 597 A 2d 202 (Pa Commw Ct 1991). BIG B MINING CO. v COMMONWEAL. OF PENN., DEPT. OF ENVIRON. RESOURCES, 1990 Pa Envirn LEXIS 36, EHB Docket No 83-215-G (March 12, 1990).

COURT DECISIONS

STATE COURT DECISIONS

- 1. FIDEL RAMOS, et al. v RICHARD D. LAMM, 539 F Supp 730 (D Col 1982). [Full text of case attached.]
- 2. MAYNARD C. GRAHAM AND MARIAN GRAHAM v COMMONW. OF PENN., DEPT. OF ENVIRON. RESOURCES, 79 Pa Commw 403, 469 A 2d 709 (Pa Commw Ct 1984).
- 3. PLYMOUTH FERTILIZER CO., INC. v LAVON R. BALMER, ELOISE JUNE BALMER, 488 NE 2d 1129 (Ind Ct App 1986).
- 4. MURIEL J. SMITH v NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET, Commonweal. of Ky., 712 SW 2d 951 (Ky Ct App 1986).
- 5. COMMONWEAL. OF PENNA., DEPT. OF ENVIRON. RESOURCES AND ELWOOD D. YODER, ET AL. v PBS COALS, INC., AND FETTEROLF MINING, INC., 122 Pa Commw 541, 552 A 2d 714 (Pa Commw Ct 1988).
- ROBERT KWALWASSER v COMMOWEAL. OF PENNA., DEPT. OF ENVIRON. RESOURCES, 131 Pa Commw 77, 569 A 2d 422 (Pa Commw Ct 1990). ROBERT KWALWASSER v COMMOWEAL. OF PENNA., DEPT. OF ENVIRON. RESOURCES, 1998 Pa Envirn LEXIS 198, EHB Docket No 84-108-H (December 22, 1988).
- 7. LARRY SCHARTIGER et al. v LAND USE CORP. et al., 1991 W Va LEXIS 96, No 19482 (W Va 1991).



FEDERAL COURT DECISIONS

1. CITY OF BURLINGTON v ERNEST DAGUE, SR., et al., 1992 US LEXIS 4363, 60 USLW 4717 (US 1992). [Full text of case attached.]

ATTACHMENTS

- A. The list of Congressional Records entries available in Legislative History files in the COALEX Library.
- B. Interior ALJ decisions listed above: First page in "KWIC".
- C. The list of all ALJ cases retrieved in response to the search request (the request is also included).
- D. IBLA and IBSMA decisions listed above: First page in "KWIC".
- E. Pennsylvania Environmental Hearing Board decisions: First page in "KWIC".
- F. FIDEL RAMOS, et al. v RICHARD D. LAMM, 539 F Supp 730 (D Col 1982). [Full text of case.]
- G. State court decisions listed above: First page in "KWIC".
- H. CITY OF BURLINGTON v ERNEST DAGUE, SR., et al., 1992 US LEXIS 4363, 60 USLW 4717 (US 1992). [Full text of case.]