



U.S. Office of Surface Mining

News Release



November 30, 2009
For immediate release

Contact: Peter Mali
(202) 208-2566
pmali@osmre.gov

OSM Announces Opportunity to Comment on Options for Revisions to Stream Buffer Zone and Related Rules

(Washington) – The Office of Surface Mining Reclamation and Enforcement (OSM) announced the publication in the Federal Register today of an advance notice of proposed rulemaking requesting comment on alternatives for revising the stream buffer zone rule and other rules concerning mountaintop mining. The stream buffer zone rule determines under what circumstances coal mining may be conducted in or within 100 feet of a perennial or intermittent stream. Mountaintop mining refers to coal mines in the steep terrain of central Appalachia that place excess spoil or waste in adjacent valleys that often contain headwater streams.

On June 11, 2009, the Department of the Interior, the U.S. Environmental Protection Agency, and the U.S. Army Corps of Engineers entered into a memorandum of understanding (MOU) to implement an action plan intended to significantly reduce the harmful environmental consequences of surface coal mining operations in Appalachia. The plan provides for OSM to consider whether revisions to the stream buffer zone rule and other regulations are needed to better protect the environment and the public from the impacts of Appalachian surface coal mining. The notice includes a short description of possible rulemaking options OSM will consider to achieve the MOU's objective.

The public is invited to comment on the potential rule revisions, suggest other options for consideration or suggest other rules revisions to better protect streams. OSM will use the comments to assist in determining appropriate revisions to the stream buffer zone rule published on December 12, 2008, and whether revisions to related rules are also warranted to better protect the environment.

Interested persons may submit comments through the Federal e-Rulemaking Portal: www.regulations.gov under the Docket ID: OSM-2009-0009. The public may also submit comments by mail or courier addressed to: Administrative Record (MS 252), Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW, Washington, DC 20240. Please include the Docket ID with all comments sent by mail or courier. The comment period closes on December 30, 2009.

-OSM-