

Take Action! Protect Our Water from Bush's New "Stream Destruction Rules"



Proposed Rule to Weaken the Stream Buffer Zone Rules

The Bush administration has proposed "clarifying" the stream buffer zone rules. The proposed changes will legalize the illegal--coal companies will be given free rein to destroy streams and fill valleys with hundreds of millions of tons of mine waste.



Yeah, this stream looks fine. Over 3,000 miles of streams in Appalachia have been buried. Photos courtesy of OVEC.

The current stream buffer zone rule protects streams from valley fills.

The federal surface mining law (SMCRA) currently prohibits surface mining or mining activities within 100 feet of perennial or intermittent streams unless the government finds that the mining **won't adversely affect the water quality or quantity** (30 CFR 816.57). Filling an entire stream with waste, as is done in mountaintop removal, is a violation of this rule--but the Bush administration won't enforce it.

So the Bush Administration has decided to change the rule instead of following it.

The proposed rule would allow companies to mine next to or through streams if they can show, whatever the damage, that mining operations won't increase suspended solids within 100 feet downstream and will **minimize the destruction of fish and wildlife "to the extent possible."** This is a non-enforceable standard that means nothing.

Ignoring Public Comments, Listening to Big Coal. Office of Surface Mining Director Jeff Jarrett proposed this change weeks *before* the comment period ended on the mountaintop removal draft Environmental Impact Statement, which addressed changing the stream buffer zone rule. OSM totally disregarded the over 80,000 people who sent in comments!

Speak out against Bush's stream destruction!

1. Attend a Public Hearing on Tuesday, March 30

Charleston, WV 6-9 p.m., Civic Center, Room 206, 200 Civic Center Dr.

Also: Washington, DC 2-4 p.m., OSM, S. Interior Auditorium, 1951 Constitution Avenue NW.

Please use the rear entrance to the building and have photo ID with you.

Greentree, PA, 6-9 p.m. Best Western Parkway Center, 8th Floor in the Horizon Room, 875 Greentree Road.

Hazard, KY 6-9 p.m., Hazard Community College, Hazard Campus, Jolly Center, Room 208.

Harriman, TN 6-9 p.m., Roane State Community College, O'Brien Building, Room 101.

2. Write Comments--Deadline April 7

Send an email to osmrules@osmre.gov

Or write: **OSM, Administrative Room 101, 1951 Constitution Avenue, NW, Washington, DC 20240.**

West Virginians: To arrange carpooling, for a sample letter and for more info contact: Ohio Valley Environmental Coalition (www.ohvec.org) at 304-522-0246 or vivian@ohvec.org

Flier prepared by Citizens Coal Council www.citizenscoalcouncil.org