

## Media Advisory

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## **Regional Citizen Groups Unite to Demand OSM Pull Buffer Zone Rule Change**

*Bush Administration Proposal Would Weaken Mining Law; Give Green Light to More Mountaintop Removal and Endanger Communities, Water*

**What:** Pull the Rule! Central Appalachian Citizen groups will host simultaneous actions to assert their united demand that the Office of Surface Mining, Reclamation and Enforcement (OSM) pull its proposed changes to the federal stream buffer zone rule. The groups have criticized the broad re-write of the rule, saying OSM's proposed changes would eliminate one of the key legal hurdles used in challenging mountaintop removal coal mining.

After their actions, the groups' members will attend the public hearings, which OSM scheduled for the same day in four locations in four states. OSM refused to grant public hearings in several other states where citizens asked for them. Members of the Appalachia-Virginia based Southern Appalachian Mountain Stewards Virginia citizens will still gather to express their extreme concern over the rule change and outrage that they were denied a hearing.

**When /** **Pull the Rule!** Wednesday October 24, 2007

**Who /** *Charleston (W.Va.) House Holiday Inn, 600 Kanawha Boulevard East.*

**Where:** Members of Student Environmental Action Coalition, Coal River Mountain Watch, Ohio Valley Environmental Coalition, West Virginia Highlands Conservancy, and the West Virginia Sierra Club will **gather outside hearing venue at 4:45 p.m. for a "Pull the Rule, Protect Our Water!" rally; they will enter the hearing at 6 p.m.**

***Hazard Community & Technical College, Hazard Campus, Hazard, Ky.***

Members of Kentuckians For The Commonwealth and Southern Appalachian Mountain Stewards of Virginia will hold a demonstration and press conference at 6 p.m. outside the Jolly Center auditorium before entering the hearing to give public testimony.

***Pellissippi State Technical Community College, 10915 Hardin Valley Rd., Knoxville, Tenn.***

Members of Save Our Cumberland Mountains, TN Alumni & Students for Sustainable Campuses and United Mountain Defense will **rally outside the hearing venue at 5 p.m.; they will enter the hearing at 6 p.m.**

***Ramada Inn Washington in Washington, Pa.***

Citizens Coal Council along with member groups Center for Coalfield Justice and Mountain Watershed Association **will rally outside the entrance to the Ramada Inn from 5:15 to 6:00 p.m., asking OSM to “Pull the Rule and Enforce the Law”; they will enter the hearing at 6 p.m.**

**Why:** Citizen groups demanded public hearings on the proposed rule change. OSM denied hearings to concerned citizens in Alabama, Colorado, Ohio, Virginia, and other affected states. In its re-write of a more than 20-year-old rule that limits mining activity within 100 feet of streams, OSM would exempt from the rule valley fills at mountaintop removal operations. The rule change would have national implications as massive coal sludge impoundments would also be exempted from the rule. OSM itself notes that 70 to 90 million tons of preparation slurry are produced annually and in 2001 there were 713 fresh-water and coal waste impoundments associated with coal processing facilities in the United States.

The proposed rulemaking ("Excess Spoil, Coal Mine Waste, and Buffers for Waters of the United States," 72 Fed. Reg. 48890) would repeal a 1983 regulation, adopted by the Reagan Administration, which protects streams from coal mining activities by creating a 100-foot buffer zone around them, unless the activity will cause no harm to the watercourse.

The community groups are upset OSM is rushing the hearings, giving the groups less than two weeks to prepare for the hearings. Additionally, there is a concern that the hearings will be deliberately structured in such a way as to thwart the feedback that the federal agency clearly does not want to hear. Citizens also requested a 90-day extension on the public comment period on OSM's environmental impact statement on the proposed rule change. OSM took three years to complete the EIS, but granted the citizens only an extra 30 days to submit comments, which are due by Nov. 23.

Mountaintop removal coal mining has already buried or otherwise affected over 1,200 miles of biologically crucial fresh water streams. A major national poll conducted in August 2007 stated: "77 percent of Americans feel it would be better for the Bush Administration to concentrate first on energy conservation before resorting to more mountaintop removal."

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