

As Prepared for Delivery
Opening Statement
Ranking Member Holt
EMR Hearing on the FY2012 Budget Request for the
Office of Surface Mining, Reclamation and Enforcement
April 7, 2011

Thank you, Mr. Chairman.

The Office of Surface Mining Reclamation and Enforcement (OSM) is charged with protecting citizens and the environment from the harmful effects of surface coal mining operations, ensuring that land is restored following mining activities, and addressing the effects of past mining operations by reclaiming and restoring abandoned coal mines.

Under the Bush Administration, the Office of Surface Mining routinely allowed some of the most destructive practices to go unchecked. During its final days in office, the Bush Administration issued a “midnight regulation,” revising the Stream Buffer Zone Rule to remove key protections for streams and rivers threatened by the dumping of mining waste.

Yet mountaintop removal mining has significant impacts to the people and places of Appalachia. According to the Environmental Protection Agency, since 1992, nearly 2,000 miles of Appalachian streams have been filled as a result of mountaintop removal activities. Mountaintop removal in Appalachia has deforested an area the size of Delaware. A recent EPA study found that mountaintop removal mining adversely impacted aquatic life downstream in nine out of every 10 streams in the region.

However, the Bush Administration's revised stream buffer rule loosened the restrictions on placing valley fill – the waste byproduct of mountaintop removal mining – in or near streams. This rule was challenged in court and the Obama Administration is now going through the process of issuing a new Stream Protection Rule. It is critical that the revised rule ensure that our environment and these communities are properly protected. That is why I am a cosponsor of the Clean Water Protection Act (H.R. 1375), a bill introduced by my colleague from New Jersey, Rep. Pallone, to prohibit the dumping of waste from mountaintop removal coal mines into our precious rivers and streams.

The Administration also is requesting an additional \$3.9 million and 25 full time employees to expand oversight of stream protection activities in Appalachia. This commitment must be maintained.

Regarding the Abandoned Mine Land (AML) coal program, the Administration is proposing reforms that would eliminate unnecessary spending and focus mine reclamation efforts on the most dangerous abandoned coal mines. The proposal would do away with payments to states and Native American Tribes that have completed their abandoned coal mine reclamation activities, saving taxpayers approximately \$1.2 billion over the next decade. It also would institute a competitive process for AML grants so that the funds could go to the highest priority abandoned coal mines. Currently, AML funds are allocated based on current and historic coal production, as opposed to where the greatest need for reclamation activities exists. I look forward to learning more regarding the merits of this proposal.

The responsibility of OSM to our environment and the American public is tremendous, and it is imperative that the Congress provide this agency with the tools it needs to do its job.

I thank the Chairman for holding this hearing and the witnesses for their testimony today. I yield back.