

ENERGY AND COMMERCE COMMITTEE:

HEALTH SUBCOMMITTEE  
CHAIRMAN

ENVIRONMENT AND HAZARDOUS  
MATERIALS SUBCOMMITTEE

TELECOMMUNICATIONS AND THE  
INTERNET SUBCOMMITTEE

NATURAL RESOURCES COMMITTEE:

FISHERIES, WILDLIFE AND  
OCEANS SUBCOMMITTEE

DEMOCRATIC POLICY COMMITTEE:

COMMUNICATIONS CHAIR

<http://www.house.gov/pallone>

FRANK PALLONE, JR.

6TH DISTRICT, NEW JERSEY

## Congress of the United States

### House of Representatives

Washington, DC 20515-3006

REPLY TO:

WASHINGTON OFFICE:

☐ 237 CANNON HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-3006  
TELEPHONE: (202) 225-4671

DISTRICT OFFICES:

TOLL-FREE NUMBER:  
(888) 423-1140

☐ 504 BROADWAY  
LONG BRANCH, NJ 07740  
(732) 571-1140

☐ 67/69 CHURCH STREET  
KILMER SQUARE  
NEW BRUNSWICK, NJ 08901  
(732) 249-8892

August 24, 2007

The Honorable Dirk Kempthorne  
Secretary of the U.S. Department of the Interior  
1849 C Street, N.W.  
Washington DC 20240

Dear Secretary Kempthorne,

It has come to our attention that the Department of the Interior is planning on submitting new regulations with regard to the coal mining practice of mountaintop removal. We are strongly opposed to any new regulations that would have a detrimental effect on the diverse environment or the health of the people in the Appalachian region.

According to recent reports, the new regulations would not only allow the practice of mountaintop mining to continue, but would give mine operators more discretion with regard to the removal of excess spoil from mountaintop blasting.

Mountaintop removal, a mining method where the top of a mountain is removed to extract thin seams of coal, permanently destroys streams, forests and mountains. The broken rock, or "excess spoil", from this process is usually dumped into nearby valleys, creating "valley fills" that cover hundreds of acres of land and bury hundreds of miles of streams. This process jeopardizes the future of Appalachia's natural environment and the health of the people who live there.

According to the Draft Environmental Impact Statement (DEIS) released in 2003 to accompany a proposed Stream Buffer Zone rule, mountaintop removal mining has already buried and polluted over 1,200 miles of streams. The DEIS found that, due to the immense riparian, terrestrial and aquatic biodiversity of the southern Appalachian region, the impacts of mountaintop removal valley fills will ultimately have a "disproportionately large impact on the total aquatic genetic diversity of the nation."


This proposed regulation will exacerbate the current problem. Giving coal operators more authority with regard to the disposal of excess fill is a step in the wrong direction, and will cause significant harm to the natural environment and the health of the people living in Appalachia.

It is simply inappropriate to allow the excess spoil from this type of mining to be dumped in mountain streams; polluting waterways, filling valleys, and in some cases, potentially

endangering the lives of area residents. We hope that you will not support any new mountaintop mining regulations that will adversely effect the environment or the health of the region.

Thank you for your attention to this matter. We look forward to continuing to work together.

Sincerely,

  
FRANK PALLONE, JR.  
Member of Congress

  
CHRISTOPHER SHAYS  
Member of Congress