



Clean Water Act Amendments to Restrict 404 Permits Costing American Jobs and Revenue

The Women's Mining Coalition (WMC) opposes legislation introduced by Senators Ben Cardin (D-MD) and Lamar Alexander (R-TN), the "Appalachian Restoration Act" (S. 696), which would ban surface coal mining in Appalachia.

- S. 696 prevents the issuance of a Section 404 permit for any operations that remove an entire coal seam "from outcrop to outcrop or seams running through the upper fraction of a mountain, ridge or hill by removing substantially all of the overburden off the mine bench."
- The Environmental Protection Agency and the Congressional Research Service have confirmed that S. 696 would extend to all surface coal mining operations, even though the sponsors promote it as a regional ban on mountaintop mining.
- This legislation would be devastating to coal mining employment and to communities that rely on coal mining for their economic well being.

WMC also opposes legislation introduced in the House by Representative Frank Pallone (D-NJ), the "Clean Water Protection Act" (H.R. 1310).

- H.R. 1310 limits the definition of "fill material" and would negatively affect all earth moving activities, road and highway construction, private and commercial development and many of the projects funded in the \$787 billion economic stimulus package.
- The measure would overturn a rule proposed during the Clinton Administration and change 30 years of regulatory practice. Regardless, H.R. 1310 also is being described by its supporters as narrowly written to outlaw only 404 fill permits for mountaintop mining operations.

WMC urges members of Congress to oppose S. 696 and H.R. 1310.

Congressional opposition to mountaintop mining is fostered by an inaccurate representation of landscape impacts of the practice, with little or no consideration of final reclamation and the economic benefits of mining and post-mining development in local communities.

The practice is necessary and dependent on the geography and topography of specific mine sites. Restricting or precluding the production of more than 10 million tons of coal from Appalachian mines jeopardizes a reliable and affordable source of domestic energy, resulting in consumer electricity price increases and jobs loss.