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IMMEDIATE RELEASE

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U.S. Army Corps of Engineers will Initiate Rulemaking Associated with Surface Coal Mining in Appalachia

The Assistant Secretary of the Army for Civil Works Jo-Ellen Darcy announced today that the U.S. Army Corps of Engineers will initiate regulatory rulemaking aimed at providing better environmental protection of aquatic resources from the impacts of Appalachian surface coal mining.

The proposed rule change, reflecting an Administration change in policy, would expand the Corps' National Environmental Policy Act (NEPA) scope of analysis to include all of the effects of proposed surface coal mining "valley fills" on downstream aquatic resources, while ensuring that future mining operations remains consistent with federal law.

This rulemaking implements, in part, a June 11, 2009, agreement between the Army, the Department of Interior (DOI), and the Environmental Protection Agency (EPA) in which the agencies committed to review existing authorities and procedures to determine whether regulatory modifications should be proposed to address environmental and public health concerns associated with surface coal mining in Appalachia.

"Today's announcement is a major step in the direction of fulfilling this commitment. The Corps will continue to work closely with EPA and DOI to coordinate its rulemaking effort with other administration initiatives already underway focused on protecting aquatic resources from the adverse environmental impacts of surface coal mining," said Darcy.

Results of the Corps' rulemaking effort will be published in the Federal Register upon conclusion of the process.

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