



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

MAY 14 2009

OFFICE OF  
WATER

The Honorable Nick J. Rahall  
Chairman  
Committee on Natural Resources  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Chairman Rahall:

Thank you for your letter of May 14, 2009, regarding Clean Water Act (CWA) permitting of surface coal mining operations in the Appalachian coalfields. As the national manager for the Environmental Protection Agency's (EPA) water programs, the Administrator has asked me to respond to your letter. I understand the importance of coal mining in Appalachia for jobs, the economy, and meeting the Nation's energy needs. I also want to emphasize the need to ensure that coal mining is conducted in a manner that is fully consistent with the requirements of the CWA, the Surface Mining Control and Reclamation Act, the National Environmental Policy Act, and other applicable federal laws. The Environmental Protection Agency is working closely with our partners at the U.S. Army Corps of Engineers, the Departments of the Interior, and the states, to ensure the review of proposed coal mining projects proceeds in a predictable, timely, and environmentally responsible manner.

The current permit numbers identified in your letter are correct. EPA has raised environmental concerns with six pending permit applications in the Corps Huntington District out of a total of approximately forty-eight we have reviewed. We have advised the Corps that EPA does not intend to provide additional comments on the remaining forty-two permits. The Corps may proceed with appropriate permit decisions on those remaining projects.

Thank you again for your letter. If you have any additional questions, please feel free to contact me or your staff may call Denis Borum, in EPA's Office of Congressional and Intergovernmental Relations, at (202) 564-4836.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael H. Shapiro".

Michael H. Shapiro  
Acting Assistant Administrator