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E.P.A. Plans Closer Review of Mountaintop Mining Permits

By MIREYA NAVARRO

In a sharp reversal of Bush administration policies, the head of the Environmental Protection Agency said Tuesday that the agency planned an aggressive review of permit requests for mountaintop coal mining, citing serious concerns about potential harm to water quality.

The administrator, Lisa P. Jackson, said her agency had sent two letters to the Army Corps of Engineers on Monday in which it expressed concern about two proposed mining operations in West Virginia and Kentucky involving mountaintop removal, a form of strip mining that blasts the tops off mountains and dumps leftover rock in valleys, burying streams.

The letters recommended that the corps deny the West Virginia permit application and that the Kentucky application be revised to ensure the protection of streams.

“"The two letters reflect E.P.A.’s considerable concern regarding the environmental impact these projects would have on fragile habitats and streams,"" Ms. Jackson said in a statement. “"I have directed the agency to review other mining permit requests. E.P.A. will use the best science and follow the letter of the law in ensuring we are protecting the environment.”"

Officials of the National Mining Association, an industry group, said the action amounted to a moratorium on the 200 pending mining permits throughout Appalachia — a view the agency categorically denied — and jeopardized thousands of mining jobs. The group says that mountaintop mining in the region produces about 10 percent of all coal mined in the United States.

“"E.P.A.’s announcement is especially troublesome from an administration that with one hand proposes enormous fiscal stimulus to put Americans back to work and with the other hand takes their jobs away,"” Hal Quinn, president and chief executive of the group, said in a statement.

But Jennifer Chavez, a lawyer with EarthJustice, a law firm that has sued to stop mountaintop mining, said the E.P.A. was only reversing a practice of issuing permits “like
hotcakes” under the Bush administration.

“We see this as a very good sign,” Ms. Chavez said, adding that the action indicated that the agency planned to “take a serious look” at issues her firm had sought to draw attention to for some time.

Environmentalists suffered a setback last month when a federal appeals court panel in Richmond, Va., overturned a 2007 district court decision that the corps had improperly issued permits for mountaintop removal. That decision created a backlog of permits awaiting review.