

Subject: Comments pertaining to OSM-EIS-34

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To: nolan@theoec.org

Office of Surface Mining Reclamation and Enforcement

To: Office of Surface Mining Reclamation and Enforcement

I am writing today to ask the Office to abandon OSM-EIS-34; as its implementation would further the destructive practice of mountaintop removal mining, which buries streams, poisons drinking water, and devastates nearby communities.

As written, this rule would ease the 100 foot buffer zone restrictions on valley and stream fills, allowing coal companies to scrape mountains clean and fill with debris Appalachia's precious hollows. This should not be permitted. Under the 1977 Surface Mining and Reclamation Act, mountains must be restored after mining to their original contours.

Right now, this landmark legislation is being ignored and flaunted by coal companies that would rather fill a valley than return mountains to their original contours after mining. The stream buffer rule must be upheld and strengthened. No mining should take place and no mining waste should be dumped within 100 feet of any stream.

The rule as written is far too vague for the kind of rigorous enforcement the mining industry has consistently proved it needs. In contrast, the 100 foot standard is clear and certain, and makes eminent sense.

Aquatic resources, such as high value streams and rivers, should not be compromised for the sake of administrative or industry ease. The original rule is a good one, and need not be weakened.

The streams of Appalachia should not be the private dumping grounds of the coal mining industry. Water quality is dramatically compromised when valleys and streams are filled with mining debris--water that was once drinkable becomes acidic and undrinkable. Poor families with wells lose their water source, and small cash-strapped communities are forced to make heavy investments in water treatment solutions.

For these reasons, rule OSM-EIS-34 should be abandoned by the Office of Surface Mining and Reclamation. All of our nation's resources have value; our mountains and forests are just as valuable as the coal that lies beneath them.

Sincerely,
Jerome Berman
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