



# News Release

US Office of Surface Mining Reclamation and Enforcement (OSM)



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For Immediate Release

Contact: Ben Owens  
(202) 208-2565  
bowens@osmre.gov

## Draft Stream Buffer Zone Environmental Impact Statement Will Be Released for Public Review

The US Office of Surface Mining Reclamation and Enforcement (OSM) is preparing to release a draft Environmental Impact Statement (EIS) considering the effects of a proposed revision to its Stream Buffer Zone Rule and several possible alternatives.

The Draft EIS is scheduled to be available for public review and comment beginning August 24 on the internet at [www.regulations.gov](http://www.regulations.gov). Copies of the EIS have been mailed to interested persons and organizations and to centrally located libraries in the coalfields.

Also available for public review beginning Friday will be OSM's proposed revision of its Stream Buffer Zone / Excess Spoil regulations governing how much "spoil" (displaced rock) surface coal mining operations are allowed to generate and where it may be placed. It also would clarify existing requirements for mining in and around streams – requirements that are not being interpreted consistently. The proposed rules are based on the findings documented by the EIS.

OSM proposed rules to address the same issues in January, 2004, to eliminate confusion over the meaning of the regulations. Uncertainty over what the rules do and do not address had resulted in conflicting legal decisions and inconsistent enforcement. After considering comments received and considering the matter further, OSM determined to analyze in more detail the potential impacts by conducting an Environmental Impact Study.

In June, 2005, the agency published notice of its intent and held meetings in four states to receive suggestions from the public issues to be studied and alternatives to be considered. Based on public input, OSM formed an interdisciplinary team to examine the issues and consider reasonable alternatives.

The potential impacts of five alternatives were studied, including the possibility of taking no action. The proposed rules to be published Friday are based on OSM's preferred alternative, under which OSM would revise its regulations to reduce the adverse environmental effects of excess spoil fill construction and give operators clear standards for mining near bodies of water.

A detailed summary of the five alternatives and a chart comparing the expected impacts of each is available in the executive summary of the EIS available at <http://www.osmre.gov/execsummary/osm-eis-34.pdf>.

More information about the proposed rules and instructions for those wishing to comment on the proposals will be released later this week.

[Draft Environmental Impact Statement, OSM-EIS-34](#) is now available.

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