

Talking points: buffer zone rollback would harm communities and the environment

- **The buffer zone rule protects streams from mountaintop removal.** The stream buffer zone rule prevents coal mining activities from disturbing land within 100 feet of an intermittent or perennial stream, unless industry can demonstrate that it would not harm water quality or quantity. The 1983 rule is a critical part of the Surface Mining Control and Reclamation Act (SMCRA), and it protects streams from the devastating impacts of mountaintop removal.
- **Mountaintop removal harms the environment.** In mountaintop removal, coal companies use dynamite to literally blow the tops off mountains and then dump the thousands of tons of resulting debris into nearby valleys. These “valley fills” bury streams, obliterate aquatic life and destroy forests.
- **Mountaintop removal harms communities.** Appalachian communities living near mountaintop removal operations have been devastated by the harmful practice. In some cases, entire communities have been forced to leave their generations-old homes. In others, residents are subjected to daily blasting, harmful coal dust and other impacts that harm public health, lower property values and destroy the unique culture of the region.
- **The Bush administration’s own scientists concluded that mountaintop removal is devastating.** In the volumes of studies accompanying a recent Draft Environmental Impact Statement (DEIS), the administration itself acknowledged that mountaintop removal has devastated the environment. The DEIS concluded that the practice has already damaged or destroyed 1,200 miles of streams, and that current and future mountaintop removal could impact 1.4 million acres of forests and as many as 244 species of wildlife. It also stated that without new limits, mountaintop removal will destroy another 350 square miles of mountains, streams and forests.
- **Instead of enforcing the law, the Bush administration is trying to change it.** Federal and state agencies have often approved mountaintop removal and valley fill permits in violation of environmental laws such as SMCRA. Rather than require the coal industry to comply with the law, the Bush administration is attempting to rewrite it in order to legalize waste dumping in streams. The administration’s new proposal would take the “buffer” out of the buffer zone rule, eliminating the prohibition against disturbing area within 100 feet of streams. Instead, coal companies would be free to dump waste directly into streams as long as they show that they’ve minimized the amount of this waste.
- **The buffer zone rollback contradicts public opinion.** During a public comment period on the DEIS, more than 82,000 citizens submitted comments to the administration. The vast majority of these comments urged the administration to protect the environment by placing new limits on mountaintop removal, and by opposing attempts to weaken the buffer zone rule and other existing safeguards.
- **The Bush administration should enforce the law and withdraw its proposed rule.** The Bush administration should withdraw its proposed rule and instead enforce the existing buffer zone rule. This is the best way to continue protecting communities and the environment from harmful mountaintop removal.