



U.S. Congressman
Nick Rahall
WORKING FOR WEST VIRGINIANS

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**INTERIOR COMMITTEE APPROVES
RAHALL'S ENERGY BILL PROPOSALS**
Second Front For Retired Miner Health Care Advances

WASHINGTON, D.C. -- As part of its version of national energy legislation, the House Interior Committee today approved U.S. Rep. Nick J. Rahall's (D-WV) proposals to enhance coal use while providing for greater health, safety and environmental protections for coal miners and people who reside in the coalfields.

"We are reserving a seat for coal and the interests of coalfield residents at the national energy table," Rahall said.

Rahall's provisions of the bill would authorize the Abandoned Mine Reclamation Program--the coal industry's version of Superfund--through the year 2010 and allow money from the program to be used to finance a portion of the cost of providing health care to retired coal miners, their families and widows. West Virginia would be a major beneficiary of the legislation as it contains a substantial portion of abandoned coal mines left unreclaimed and has approximately 35,000 retired miners who are dependent on the UMWA Health program.

The Committee's action comes just over one month after Rahall announced his intention to move legislation allowing the use abandoned mine funds for health care. At the time, he said he was "opening up a second front in the battle for coal miner health care." A previous proposal passed by the Congress was vetoed by President Bush.

"Using the AML Fund surplus to provide for a portion of the orphan miners' health care would simply reaffirm Congress' intention to protect the health benefits that were promised by President Truman to the miners over forty years ago," UMWA President Richard Trumka wrote to Committee members prior to the meeting.

Rahall prevailed in the Committee over the objections of western Republican Members who failed, in a motion to strike the provision from the bill, by a vote of 18 to 26.

Other Rahall sponsored provisions of the bill would settle long-standing controversies over the implementation of the federal surface coal mining act.

"I am sick and tired of the continuous litigation, regulatory shenanigans and the bureaucratic malaise that plagues the surface coal mining program 15 years after the enactment of the federal surface mining act," Rahall said. "What we need is stability in the regulatory program, not more and more litigation, so that we can get on with the business of mining coal rather than lining the pockets of the legal profession."

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According to Rahall, the endless round of litigation on issues involving subsidence protections, valid existing rights and the Applicant-Violator System are counterproductive to coal production.

"What a lawyer's delight this has been," he said. "While attorneys in Washington, D.C., argue in court those who are actually in the business of applying for permits on a day-to-day basis in order to mine coal are suffering from the lack of improvements that need to be made to the program."

The Committee also approved Rahall's proposal to insure that eastern and midwestern coal markets are not invaded by low-sulfur federal coal produced in the West. Western Republican Members failed in a bid to strike this provision from the bill as well.

"I hardly think it is fair to operators of coal mines in the Appalachian and Midwestern regions, who are already struggling to keep their businesses going, to have to compete against a potential deluge of federal coal in already soft market conditions. And to what end? So that we can put these existing mines out-of-business and add their workers to the unemployment rolls? This is not the type of policy, under any circumstances, that the federal government should be pursuing," Rahall stated.

At present, over one billion tons of federal coal--an amount equivalent to the annual U.S. coal production rate--is under lease application in the western states. Rahall's legislation would require that the effects on existing mines, and their utility markets, be considered as a prerequisite to approving new federal coal leases.

In addition, Rahall obtained approval of legislation to make the Bureau of Mines' Health, Safety and Mining Technology Program more responsive to the health and safety of the Nation's miners. "Mining continues to be one of the most dangerous occupations in the country. Health and safety issues such as black lung disease, coal dust monitoring and concerns in areas such as roof falls have not been satisfactorily resolved," he said.

Other Rahall sponsored provisions of the bill would: Promote the remining of abandoned coal mine lands with the triple benefit of obtaining additional coal production, reducing the need to mine on undisturbed lands and providing for needed reclamation; initiate a program aimed at using metallurgical grade coals located in McDowell, Wyoming and Raleigh Counties in electric utility boilers; Remove obstacles to the extraction of coalbed methane in the Appalachian Region; and provide financing to combat coal fires.

Of the coal fire provision, Rahall said that the Secretary of the Interior would be required to enter into a cooperative agreement with West Virginia to control and extinguish fires at refuse piles, outcrops and coal seams that are burning in the southern part of the State.

The Interior Committee energy bill was approved with legislation that would provide for new and more stringent requirements to govern the consideration of electric powerline applications for rights-of-way across federal lands. If enacted into law, the provisions would affect the fate of the proposed 765 kilovolt APCO electric transmission line. In order to be constructed as proposed, the powerline requires rights-of-way across federal lands managed by the Forest Service, U.S. Army Corps of Engineers and the National Park Service. The Forest Service, through the Jefferson National Forest, has been designated as the lead federal agency to conduct the necessary Environmental Impact Statement.