



Memorandum

TO: Government Affairs Committee
Water Quality Subcommittee

FROM: Karen Bennett, Vice President, Environmental Affairs
David Finkenbinder, Vice President, Congressional Affairs

DATE: March 31, 2009

SUBJECT: Introduction of Anti-Mining Clean Water Act Legislation

Attached are the "Clean Water Protection Act" (H.R. 1310), introduced by Reps. Frank Pallone (D-N.J.) and David Reichert (R-Wash.) and the "Appalachian Restoration Act" (S. 696), introduced by Sens. Ben Cardin (D-Md.) and Lamar Alexander (R-Tenn.). NMA white papers describing the potential impacts of each of these bills are also attached.

The stated purpose of these bills is to prohibit mountaintop mining. However, H.R. 1310 could prohibit the issuance of section 404 permits under the Clean Water Act for all mining operations and other earth moving projects such as road and building construction. S. 696 is more narrowly focused, and essentially outlaws all coal mining.

If you have questions regarding either piece of legislation, please contact David Finkenbinder at (202) 463-2636 or dfinkenbinder@nma.org or Karen Bennett at (202) 463-3240 or kbennett@nma.org.

Enclosures