

**Congress of the United States**  
**Washington, DC 20515**

June 1, 2009

Brigadier General John W. Peabody  
U.S. Army Corps of Engineers  
Great Lakes and Ohio River Division  
550 Main Street, Room 10032  
Cincinnati, Ohio 45202-3222

Dear General Peabody:

We write to express our deep concern with the growing backlog of coal mining permit applications currently pending in the U.S. Corps of Engineers District Engineers' Offices under your command. Media reports placed the backlog in the range of 150-200 permits. The Environmental Protection Agency's recent announcement that it plans to review pending coal mining permit applications raises the prospect that the backlog will only continue to grow. Since many of these permit applications have been pending for a year or more, it would seem that EPA had more than an adequate opportunity to review and comment on these applications.

The permitting delays pose grave consequences for our constituents and local economies. First, these permits are necessary to create and sustain some of the highest paying jobs in our states. Second, in addition to miners employed at these operations, the products and services purchased to support their construction and operation creates thousands of other jobs. Third, the coal produced at these operations provides affordable and reliable electricity that keep factories and businesses competitive. Finally, the tax revenues from coal mining fund schools and other vital government services. In sum, we have significant concerns about policies that impede economic development in a difficult economic time.

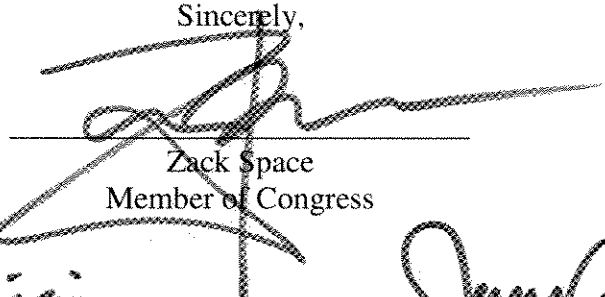
So that we can formulate a better understanding of the breadth and depth of the current permit backlog, we would appreciate you furnishing information that responds to the following questions:

1. How many coal mining permit applications are currently pending in each District Engineers Office?
2. How many of these pending permit applications have had public notices issued by the District engineers before February 24, 2009?
3. How many of these permit applications have been deemed complete by the district engineers?
4. Under the Corps regulations for processing permits, how many of the pending permit applications were available for EPA review and comment prior to its announcement that it would conduct further review of pending permits?
5. What, if any, criteria has EPA furnished the district engineers about which permits EPA will subject to further review as indicated in the agency's recent announcement?

6. Has the Corps developed a plan that will clear the backlog of coal mining permits and assure processing of future applications within the timeframes provided for in the agency's regulations?

In view of the urgency of this matter, we would appreciate your prompt response to our concerns and questions.

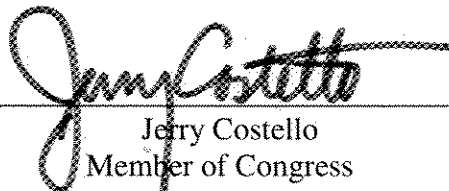
Sincerely,



Zack Space  
Member of Congress



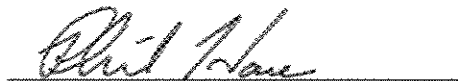
John Bocieri  
Member of Congress



Jerry Costello  
Member of Congress



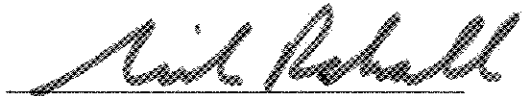
Brad Ellsworth  
Member of Congress



Phil Hare  
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Charlie Wilson  
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