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PRESS RELEASE

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From: Southern Utah Wilderness Alliance and Sierra Club
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Utah's Coal Regulatory Program Challenged

SALT LAKE CITY - The Southern Utah Wilderness Alliance and Utah Chapter of the Sierra Club have requested that the Director of the federal Office of Surface Mining take over administration of Utah's coal regulatory program from the state Division of Oil Gas and Mining.

The Division of Oil, Gas and Mining regulates coal mining activities on state and private lands. Under a cooperative agreement with the Office of Surface Mining, DOGM receives over \$1 million in federal grant monies to administer coal mining on federal public lands where two-thirds of Utah's coal is produced.

The request by environmentalists comes in response to several years of federal oversight reports by OSM which have consistently lambasted the state for its poor performance. Environmentalists are requesting that the cooperative agreement be withdrawn, federal grant monies be withheld and federal oversight be substituted to ensure adequate compliance with the Surface Mining Control and Reclamation Act which authorizes the coal regulatory program.

According to Stephen Koteff, staff attorney for SUWA, "DOGM's incessant failure to adequately inspect mining operations and enforce permit requirements suggests the agency is simply incapable of meeting federal mandates."

Koteff points to OSM reports which indicate that DOGM has

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failed to cite over 90% of the permit violations later uncovered during federal oversight investigations over the past four years.

"Why should federal taxpayers pay DOGM to do nothing, and then pay OSM to do what DOGM isn't doing," asks Koteff.

Conflict between the state DOGM and federal OSM over administration of the coal regulatory program became especially heated last year when the state filed suit in federal court to prevent the federal government from strengthening coal haul road rules. While OSM has insisted that many of Utah's coal transport roads should be subject to permitting requirements to ensure incorporation of environmental and human safeguards, DOGM has actively worked to exclude many of these roads from any such oversight.

"Unbelievably, despite annual performance reports indicating the state's consistent failures, DOGM has made no substantive effort to remedy their ills," said Mark MacAllister of the Utah Chapter of the Sierra Club. Added MacAllister, "these performance trends coupled with DOGM's unscrupulous position on the haul road issue suggest the agency to be firmly in the grasp of the industry."

SUWA and the Sierra Club's request for withdrawal of the state program was submitted under authority of the Surface Mining Control and Reclamation Act and has been sent to the Office of Surface Mining headquarters in Washington.