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 Environmentalists are requesting that the cooperative agreement be withdrawn, federal grant monies be withheld and federal oversight be substituted to ensure adequate compliance with the Surface Mining Control and Reclamation Act which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
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.

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