

Before I went to South Dakota in 1955 I worked for the U.S. Geological Survey for many years in the lead and zinc mining districts in Wisconsin, Illinois, and Iowa, and in California and Iowa I worked in ground water.

Before that I had begun my professional career with the Illinois State Geological Survey in 1939, where I worked with coal and with oil and gas matters, so I feel somewhat at home with both mining and water matters.

Taking a brief look at some of the highlights of my prepared statement which you have before you, on the first page I introduce the philosophical goals that we have as well as the practical goals, the philosophical goal of attempting to maintain clean streams and restore scenery, and the practical goals of attempting to do this at the least possible cost to ourselves and our economy.

Unfortunately, with regard to the matter of surface mining, we apparently want to have our cake and eat it too. We wish to keep our streams clean and to restore the land to an enjoyable state and we want to do this at minimum cost.

Attempting to achieve these goals both the State regulatory agencies and the mining industry have been working on this problem for a long time.

The coal mining industry, for example, has been reforesting and otherwise reclaiming surface-mined land for more than 40 years and several other States, as you have heard and as you know the last couple of days, have enacted recent legislation and are administering new regulations all directed toward this matter of providing cleaner water and better reclaimed land.

The great differences, if I may depart here for a moment, in physical conditions in different areas of the country demand different approaches to the problem and this can best be done, I believe, at the State level.

Turning to page 2, as you well know, many of these individual States have already enacted legislation for this purpose in the past few years and they are currently considering revisions. I think it is unfortunate that Senate bill 3132 does not recognize this.

This point was well brought out I believe in the Department of the Interior's report, "Surface Mining and Our Environment," at pages 98 and 99, but the legislation itself does not recognize this.

Senator METCALF. Do you mind my interruption, Dr. Agnew?

Mr. AGNEW. Go right ahead, sir.

Senator METCALF. Will you point out where there is a failure to recognize that and make a suggestion as to how to remedy that failure?

Mr. AGNEW. Well, in some of the introductory sections of the legislation, I believe that such introductory material could well be taking cognizance of, as has been done with other legislation, the efforts that have been carried out and the progress in the various States.

Senator METCALF. I didn't draft this bill. I think this came up from the Department.

Mr. AGNEW. Yes, sir.

Senator METCALF. It is a bill from the administration. However, as you know, those whereas and so forth which are prefatory and preliminary in the bills are of no legal consequence, I used to try to strike them out in executive sessions when I first came to Congress, but I