

another as stronger reclamation laws and controls were proposed. Such unreasonable opposition has greatly retarded the establishment of laws by individual states and has perpetuated the accumulation of a vast acreage of derelict lands across America. With such advanced techniques in use today, we cannot afford this "inch-by-inch tug of war" for the acreage of devastation will be ten-fold the present in a much shorter period of time—thus the need for federal legislation to accelerate state action now.

One might ask can the surface mining industry afford the costs of strong reclamation requirements? The answer to that question is that the "proof is in the pudding." For even though there was much apprehension in the surface mining industry when strong laws were first proposed and then adopted in Pennsylvania, Kentucky and West Virginia, the industry is presently doing a thriving business under these strong requirements. It has been reported numerous times by reclamation agencies of these states that the cost of reclaiming the mined land is running approximately 0.11¢ to 0.15¢ per ton of coal mined rather than the exorbitant costs ranging from 50¢ to over \$1 per ton as predicted by the industry.

Then one might ask what will happen to the future of coal from a competitive standpoint? From all unbiased and objective reports that we have seen, the predictions are bright for the future of the coal industry. Reports indicate that the demand for coal as a fuel for the generation of electric power alone will require every effort to meet the needs of an exploding population.

In support of the above statement we present a statement by Fred B. Bullard, President of the Kentucky Coal Association, as part of his remarks at the Strip Mining Symposium held July 13-14, 1967, at Owensboro, Kentucky: "As I have mentioned some of the plus values in the coal picture, I am sure some of you have wondered about the other side of the coin. What about the threat of nuclear power for example? Unquestionably increasing amounts of electric power will be produced by nuclear plants in the years ahead. The effect on coal must be viewed however, in the light of the ever-growing demand for electric energy. Coal today produces 54 percent of the nation's electric power. It is estimated that by 1980 nuclear competition will reduce this to 47 percent, but this 47 percent will require twice as much coal as today due to mushrooming power demands."

We recognize that each mining region and sometimes each operation has its own unique characteristics and that it is difficult to establish a criteria so detailed as to consider every peculiar regional characteristic. However, as presented in the Department of the Interior's 1967 report there are certain major objectives that must be considered. These are (1) water quality control, (2) soil stabilization, (3) elimination of safety hazards, (4) conservation and preservation of natural resources, and (5) restoration of national beauty.

More specifically we recommend that in states where strip and surface mining for coal is practiced that requirements be modeled after the surface mine control laws presently in effect in Pennsylvania, Kentucky, and West Virginia. We recommend that specific strong points in each of these laws be considered by the Federal government and states as they prepare regulatory measures. These strong features are as follows: (1) The strong preplanning required by all three states, (2) The protection of "esthetic values" as required by the West Virginia law, (3) The minimum bond of \$500-\$1000 per acre required by the Pennsylvania statutes, (4) The responsibility for administration is lodged in a single agency and that the "agency head" have the right to refuse a mining permit as provided for in the laws of Kentucky and West Virginia, (5) The right of the regulatory state agency to select and fund its own legal and prosecution counsel such as that of the Kentucky laws, (6) The zoning regulations as provided for in the West Virginia law, (7) The regulation in the West Virginia law requiring payment by current surface mining operators of \$30 per acre as a special reclamation fee, such funds now approaching one million dollars in West Virginia are to be used to help reclaim orphaned, previously mined lands and can be used as matching funds in cooperation with the Federal government, (8) The requirement in the West Virginia law that the operator be liable for treble damages where damages have been done to the property of others, (9) In the Pennsylvania law the requirement that a permit be obtained from the water resources agency in addition to a mining permit before operation can begin, (10) The "degree of slope" restriction now in effect in Kentucky which restricts mining on slopes greater than 28°, (11) Strong regulations controlling dredging operations should be included in state and federal regulations, (12) The inclusion of haulage roads