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Administration, Congress must roll back clean water protection

BY GENE KARPINSKI, PRESIDENT OF THE LEAGUE OF CONSERVATION VOTERS — 01/31/17 03:35 PM EST
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Access to clean, safe water is a fundamental right, and protecting that right for everyone in this country should not be a partisan issue. Yet, despite the president's enthusiasm for "crystal clear water," he and Republican leaders in Congress seem determined to overturn as many protections for clean water as possible.

First up is the Department of Interior's recently finalized Stream Protection Rule, which will help safeguard the waters of communities living near coal mining operations. Currently, these communities face threats of water contamination from the dumping of toxic mining waste.

Eight years in the making, the Stream Protection Rule updates standards that are over 30 years old and out of step with the latest science and understanding of the impacts of mining pollution on public health. The waste generated by coal mining has been linked to increased rates of cancer, birth defects, and other health problems in nearby communities.

The rule is particularly important to combat the devastating practice of mountaintop removal mining, which has resulted in the destruction of over 2,000 miles of streams, including those that serve as drinking water

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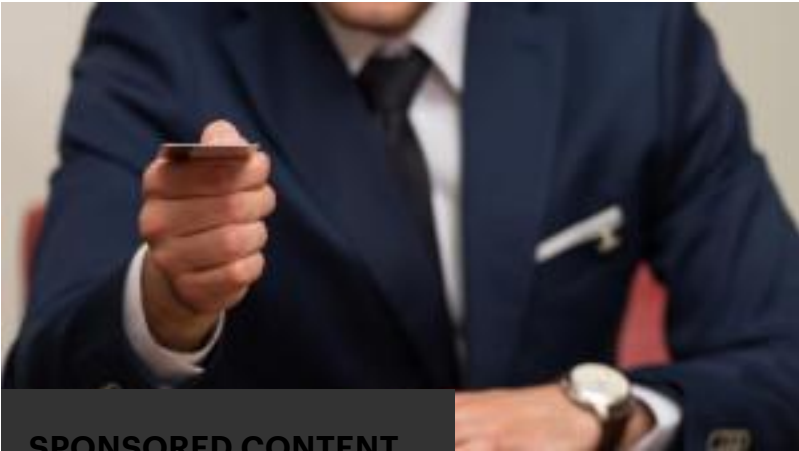
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sources for millions of people, flattened an area the size of Delaware, and decimated forests and natural habitats.

Residents of communities near mining operations have decried the obliteration of their streams, the declining life expectancy of Appalachian communities with many surface mining operations, and the loss of their natural capital and capacity for economic diversification, all for the benefit of coal companies’ bottom lines.

The Stream Protection Rule starts to shift this dynamic by allowing communities to hold mining companies more accountable for their pollution. The new rule is a set of commonsense requirements for surface mining that will better protect ground water, surface water, and ecosystems, while taking into consideration modern mining practices, the best available science, and new technologies. It will protect 6,000 miles of streams and 52,000 acres of forests, sets up new requirements for water quality monitoring and restoration, and generally compels coal mining companies to reduce their impact on the surrounding environment. Additionally, the Department of the Interior estimates the rule will create an average of 156 full time jobs, while costs to the mining industry will be very minimal and impacts on consumers will be negligible.

Despite the low costs and clear benefits to the environment and public health, Congressional Republican leadership and President Trump have decried these safeguards for clean water as overreach by the Obama administration. They have threatened to overturn the rule through the Congressional Review Act (CRA), an extreme tool that allows Congress to overturn an agency rule through a simple majority, 51 votes, in the Senate. This would not only vacate the current rule, but it would permanently prevent the agency from issuing a similar rule in the future to protect these waterways and the health of communities from dangerous, toxic mining waste. The drastic nature of the CRA and its negative ramifications for public health cannot be emphasized enough.



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One only need look to the recent tragedy of Flint, Mich., to understand just how much communities suffer when denied access to clean, safe water. The Stream Protection Rule is an important step in protecting the streams and waterways mining communities depend on, yet by trying to repeal this important rule, Republican leadership in Congress and the President are denying these communities clean drinking water, revealing their true alliances. Will they side with the big polluters, like coal mining companies, who want to keep their free pass to dump toxic pollution into our drinking water, or will they stand up for these communities and others by working to ensure everyone has access to clean, safe water?

Gene Karpinski is president of the League of Conservation Voters.

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