

Department of Interior Proposes Stream Protection Rule

JULY 21, 2015

On July 16, 2015, the Department of Interior's Office of Surface Mining Reclamation and Enforcement (OSMRE) proposed a [new rule](#) intended to protect streams from the impacts of surface and underground mining operations. The rule would require companies to monitor and test streams before, during, and after mining operations, as well as restore land and waterways to pre-mining conditions. The rule also imposes tougher bonding requirements than its predecessor, a rule issued in 1983 under the 1977 Surface Mining Control and Reclamation Act. You may recall that the 1983 rule was updated in 2008; however, environmental groups challenged the revised rule and, in 2014, the U.S. District Court for the District of Columbia [vacated](#) it.

The newly proposed rule was criticized before its publication. On March 26, 2015, for instance, Republican Alexander Mooney introduced a bill styled the Supporting Transparent Regulatory and Environmental Actions in Mining Act (or STREAM Act). The bill would mandate that OSMRE release to the public all data used to write the proposed rule.

OSMRE will hold public hearings at five locations throughout the country during the proposed rule's 60-day public comment period.

1 Min Read

Related Locations

Chicago

Washington, DC

Related Topics

Rulemaking

Water

Related Capabilities

Environmental

Environmental Litigation & Enforcement

Related Regions

North America

This entry has been created for information and planning purposes. It is not intended to be, nor should it be substituted for, legal advice, which turns on specific facts.