



4310-05-P

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

Docket ID: OSM-2010-0021;

**S1D1 SS08011000SX064A000156S180110;
S2D2SS08011000SX064A00015X501520**

Stream Protection Rule; Draft Environmental Impact Statement

AGENCY: Office of Surface Mining Reclamation and Enforcement, Department of the Interior.

ACTION: Notice of Availability; Draft Environmental Impact Statement.

SUMMARY: We, the Office of Surface Mining Reclamation and Enforcement (OSMRE), are announcing that the Draft Environmental Impact Statement (DEIS) for the proposed stream protection rule is available for public review and comment.

DATES: Electronic or written comments: We will accept electronic or written comments on or before [INSERT DATE 60 DAYS AFTER THE DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: You may submit comments by any of the following methods:

Federal eRulemaking Portal: <http://www.regulations.gov>. The Docket ID for the DEIS is OSM-2010-0021. Please follow the online instructions for submitting comments.

Mail/Hand-Delivery/Courier: Office of Surface Mining Reclamation and Enforcement, Administrative Record, Room 252 SIB, 1951 Constitution Avenue, N.W., Washington, DC 20240. Please include the appropriate Docket ID: OSM-2010-0021 for the DEIS.

You may review the proposed rule, the draft environmental impact statement, and the draft regulatory impact analysis online at www.osmre.gov. You also may review these documents in person at the location listed below and at the addresses listed under

SUPPLEMENTARY INFORMATION.

Office of Surface Mining Reclamation and Enforcement

Administrative Record, Room 101 SIB

1951 Constitution Avenue, N.W.

Washington, DC 20240

202-208-4264

FOR FURTHER INFORMATION CONTACT: Robin Ferguson, Office of Surface Mining Reclamation and Enforcement, U.S. Department of the Interior, 1951 Constitution Avenue NW, Washington D.C. 20240. Telephone: 202-208-2802. E-mail: rferguson@osmre.gov.

SUPPLEMENTARY INFORMATION:

Background

The DEIS evaluates the direct, indirect, and cumulative environmental impacts of the proposed stream protection rule and its alternatives. Significant advances in scientific knowledge and mining and reclamation techniques have occurred in the more than 30 years that have elapsed since the enactment of the Surface Mining Control and Reclamation Act of 1977, 30 U.S.C. 1201 et seq., and the adoption of federal regulations implementing that law. The primary purpose of the proposed stream protection rule is to update our regulations and provide regulatory certainty to industry using these advances in scientific knowledge to minimize the adverse impacts of surface coal mining operations on surface water, groundwater, fish, wildlife, and related environmental values, with particular emphasis on protecting or restoring streams and aquatic ecosystems.

How Do I Comment on the DEIS?

In accordance with 43 CFR 46.435(a) and 40 CFR 1503.1(a)(4), we invite the public to provide written comments on the DEIS during the 60-day comment period. Please see **ADDRESSES** and **DATES** for more information.

We will review and consider all comments submitted to www.regulations.gov or to the office listed under **ADDRESSES** by the close of the comment period (see **DATES**). We cannot ensure that comments received after the close of the comment period or at a location other than the office and website listed under **ADDRESSES** will be included in the docket for this DEIS or considered in the development of a final EIS.

Please include the Docket ID “OSM-2010-0021” at the beginning of all comments on the DEIS. Your comments should refer to a specific portion of the DEIS (citation to the chapter, section, page, paragraph, and sentence to which your comment applies would be helpful), be confined to issues pertinent to the DEIS, explain the reason for any recommended change or objection, and include supporting data when appropriate.

Before including your address, phone number, or other personally identifiable information in your comment, you should be aware that your entire comment—including your personally identifiable information—may be made publicly available at any time.

While you may ask us in your comment to withhold your personally identifiable information from public review, we cannot guarantee that we will be able to do so.

You may review the proposed rule, the draft environmental impact statement, and the draft regulatory impact analysis online at the websites listed in **ADDRESSES** or in person at the headquarters office location listed in **ADDRESSES** and at the following OSMRE regional, field, and area office locations:

Appalachian Regional Office

Three Parkway Center

Pittsburgh, Pennsylvania 15220

Phone: (412) 937-2828

Mid-Continent Regional Office

William L. Beatty Federal Building

501 Belle Street, Room 216

Alton, Illinois 62002

Phone: (618) 463-6460

Western Regional Office

1999 Broadway, Suite 3320

Denver, Colorado 80201

Phone: (303) 844-1401

Charleston Field Office

1027 Virginia Street, East

Charleston, West Virginia 25301

Phone: (304) 347-7158

Knoxville Field Office

710 Locust Street, 2nd floor

Knoxville, Tennessee 37902

Phone: (865) 545-4103

Lexington Field Office

2675 Regency Road

Lexington, Kentucky 40503

Phone: (859) 260-3900

Beckley Area Office

313 Harper Park Drive

Beckley, West Virginia 25801

Phone: (304) 255-5265

Harrisburg Area Office

215 Limekiln Road

New Cumberland, Pennsylvania 17070

Phone: (717) 730-6985

Albuquerque Area Office

100 Sun Avenue, NE

Pan American Building, Suite 330

Albuquerque, New Mexico 87109

Phone: (505) 761-8989

Casper Area Office

Dick Cheney Federal Building

150 East B Street

Casper, Wyoming 82601

Phone: (307) 261-6550

Birmingham Field Office

135 Gemini Circle, Suite 215

Homewood, Alabama 35209

Phone: (205) 290-7282

Tulsa Field Office

1645 South 101st East Avenue, Suite 145

Tulsa, Oklahoma 74128

Phone: (918) 581-6430

In addition, a limited number of CD copies of the DEIS are available upon request. You may obtain a CD by contacting the person identified in **FOR FURTHER INFORMATION CONTACT.**

If you would like to be placed on the mailing list to receive future information on the EIS,

please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

Public hearings

We will hold a public hearing on the proposed rule and the draft environmental impact statement in the following cities: Charleston, West Virginia; Denver, Colorado; Lexington, Kentucky; Pittsburgh, Pennsylvania; and St. Louis, Missouri. OSMRE representatives will provide information on the proposed rule at each hearing. A court reporter will be available at each hearing to record your comments if you wish to provide input in this fashion. The docket for this rulemaking will include a written summary of each hearing and the transcript provided by the court reporter.

We will announce arrangements, specific locations, dates, and times for each hearing in a Federal Register notice published at least 7 days before each hearing. If you are a disabled individual who needs reasonable accommodation to attend a public hearing, please contact the person listed under **FOR FURTHER INFORMATION CONTACT** after we publish notice of the specific hearing locations and dates.

Dated: July 7, 2015_____

Sterling Rideout

Assistant Director, Program Support

AUTHORITY: 40 CFR 1506.6, 40 CFR 1506.1

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