

State, Advocacy Group Spar Over Permit For Bankrupt Miner

By Stephanie Joyce

The Wyoming Department of Environmental Quality says it will not meet with a landowners group that is concerned about Alpha Natural Resources' request to renew one of its mining permits.

The Powder River Basin Resource Council objected to Alpha's application to renew its permit for the Eagle Butte mine near Gillette. The group says the permit cannot be renewed under state law because Alpha doesn't have required reclamation bonding to cover clean-up costs. Under federal law, anyone with an objection to a mining permit is entitled to some sort of hearing.

"We wanted to talk to them about ways to maximize the probability that reclamation will occur when it's necessary, but they somehow don't want to talk about it," said Bob LeResche, the council's treasurer. He says the state is breaking the law by refusing to meet with them. The Department of Environmental Quality does not deny that federal law requires it to hold a hearing, but says it is bound by a court order that prohibits the state from "taking any adverse action" with regards to Alpha's mining permits during the bankruptcy proceedings. The court order also suspends the requirement for Alpha to provide reclamation bonding while it is in bankruptcy.

The Resource Council says it is contemplating its next steps, including possibly suing the state.

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Jim Ruby, Executive Secretary
Environmental Quality Council