National and State Level Events Affecting SOCM Members

AT THE FEDERAL LEVEL

The federal Office of Surface Mining (OSM) in 1986 completed its second year as the primary strip mine regulating agency in Tennessee. (The State had given up primacy in October, 1984). SOCM members continue to give OSM a mixed review on its primacy performance. There are some careful and competent professionals working for OSM, yet policies on mining through stream beds, when citizen input is allowed on significant revisions of mining plans, and timing of citizen input on permit hearings has drawn criticism from SOCM.

On several instances it has only been because of constant citizen monitoring and pressing for enforcement actions that OSM has taken significant enforcement actions on major violations, such as mishandling of toxic materials.

There have also been reminders in 1986 that the two acre loophole (Federal law allows mining without a permit on less than two acres) and the near absence of State enforcement of the 25 ton limit open the door to illegal (wildcat) mining. It has probably only been the continued decline in the coal market (a holdover of the early '80's recession and the continued slump in much of the basic manufacturing sector) that has kept wildcatting from becoming an even greater problem.

Also at the Federal level in 1986, SOCM and other citizen groups throughout the country have continued their legal appeals of strip mine regulations which were seriously weakened in the early months of the Reagan administration. The industry has appealed many of the citizens' groups early wins.

"We're supportive of environmental groups, but our thing is a little bit different. We are more of a citizen's action group. We're interested in working with people on their problems, the ones they identify themselves, and we rarely get involved in things that don't involve people."

— RAYMOND WEAVER —

AT THE STATE LEVEL

Elections and Primacy

1986 was a major election year for Tennesseans, with the election of a new governor and some new state legislators. The change in the state administration, of course, also brings changes in appointment to most state departments and brings rumors of possible reorganization plans for state government.

In the immediate aftermath of the election, rumors abounded that the new administration would seek to regain state primacy (primacy enforcement of strip mine laws) quickly. SOCM members met with allies and with administration representatives to express what SOCM feels are essential provisions in a state strip mine law. As this Annual Report goes to print, however, it is much less certain that strip mine legislation will be proposed in the 1987 legislative session; SOCM will continue to monitor the situation.

Oil and Gas

The Department of Conservation in 1986 brought together representatives of state agencies, industry, and environmental groups concerned about problems regarding oil and gas development into an Interagency Task Force. The Task Force issued a report in the fall, outlining major problems, and proposing stronger enforcement of some existing regulations, formation of certain new regulations, and urging passage of several legislative amendments. The Report called for legislation dealing with reclamation of surface disturbances, bonding for surface reclamation, and money for plugging and reclaiming orphan areas.