

Statement by Jason Bohrer, president and CEO of the Lignite Energy Council regarding the Obama Administration's release today of the Stream Protection Rule:

"Today's release of the stream buffer rule, with one month left in the administration, epitomizes midnight regulation and irresponsible rulemaking. This rule was written to address impacts of mining in Appalachia, yet seeks to impose the same conditions on surface mining in North Dakota. The LEC and its members estimate that the rule could prevent mining of more than 600 million tons of coal within the borders of North Dakota, denying counties and schools critical tax revenues, and cost electric customers approximately \$50 million annually.

"Over the last eight years, this administration has repeatedly ignored the benefits and environmental stewardship of North Dakota's lignite industry in favor of one-size-fits-all ultimatums. The so-called Stream Protection Rule is another regulation that was not written for North Dakota, but still places impractical, and in some cases impossible, requirements on our coal producers.

"Despite spending nearly six years and several million taxpayer dollars developing this rule, the LEC and its partners were only allowed 90 days to analyze and comment on 2,000 pages consisting of hundreds of changes to current law. Further, the administration denied opportunity for state agencies, elected officials, and other stakeholders to provide comment.

"North Dakota has a long and proven track record of reclaiming mined lands to a standard of 'as good or better' as before mining. Despite the best efforts of our state and industry to work with the administration, it appears that the technical expertise was ignored and this rule remains a solution in search of a problem. We look forward to working with the incoming administration and our congressional delegation to overturn this rule and work on sensible environmental policy that allows our lignite industry to continue producing clean, low-cost power."