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## Possible Impacts Through the 1980s

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## POSSIBLE IMPACTS THROUGH THE 1980s

**THE PORTSMOUTH OIL REFINERY: WILL IT EVER GET OUT OF THE COURTROOM?** The last remaining litigation over pollution permits for the refinery is nearing its conclusion. The case was argued in Richmond before the Fourth Circuit Court of Appeals in January, 1981, but Norfolk and Western still has a suit pending to recover the refinery site. Now, Governor Dalton is calling for state condemnation of half of the site for use as a state owned/operated coal pier. As construction costs climb, each new delay increases the number of opinions that the refinery may never be built.

**SURFACE MINING:** The Commonwealth continues to battle the federal bureaucratic and legislative interference into what it sees as a state right to control surface mining of coal. As the State's Division of Mined Land Reclamation negotiates and litigates the proposed permanent surface mining program for Virginia with the Federal Office of Surfacing Mining before the D.C. Circuit, the Commonwealth (and many other states) and the Feds prepare for a final showdown on the constitutionality of major portions of the Federal Surface Mining Control and Reclamation Act itself in the United States Supreme Court. The case was argued on February 23, 1981, and should be decided sometime this summer.

**COORS PERMITS:** The proposed Coors Brewery in Rockingham County is about to get final approval on its last needed permit. EPA earlier granted preliminary approval to Coors' PSD permit, and EPA is expected to make final approval soon.

M.J.L.