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Better Reclamation

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of Mined Land Reclamation (MLR) of the Department of Conservation and Economic Development has primary responsibility for surface mine control. VCBR sees the procedures and strength of this agency as being a key issue. One specific the group is seeking is more stringent scrutiny of strip-mine permit issuance, both by MLR and by holding public hearings so that citizens have an opportunity to know of and comment upon proposed operations. VCBR does not feel that the MLR has the resources or the power to sufficiently monitor operator compliance with operation and reclamation plans. Because of funding limitations, inspectors have only been able to visit mine sites approximately once every 6 to 8 weeks. When the inspector does visit his powers are limited in that he has no power to issue cease and desist orders. No adequate means for citizens to become involved in enforcement through citizen suit provisions.

Some areas of substantive state law which VCBR is concerned is the dumping of soil and rock (overburden) over outer slope the separation of topsoil from subsoil when the overburden is removed from the coal, an replacement in proper order, and the banning of stripping on mountain sides of extreme slope. Because national strip-mine legislation has suffered repeated veto defeats, with little encouragement for the future, VCBR feels that work in the Virginia legislature is especially important. The only movement in the 1975 or 1976 legislature has been to weaken enforcement by transferring Mined Land Reclamation from the Department on Conservation and Economic Development to the Division of Mines and Quarries of the Department of Labor and Industry.

BETTER RECLAMATION

From time to time since the beginning of the environmental movement, groups of concerned people have come together and formed organizations to give effective voice to their concerns. Knowledge about these organizations and their purposes can often provide a lawyer with an opportunity to use his or her professional skills in furthering a cause which the lawyer believes in and wishes to support. One such citizens group which has formed recently is the Virginia Citizens for Better Reclamation (or V.C.B.R.). This group was formed in response to the abuse of the land in southwest Virginia because of coal strip-mine operations. While many groups have formed in coal-mining areas to urge the abolition of strip-mining, the VCBR seeks to attack industry abuses. The group seeks to do this by monitoring the enforcement of current law and also by lobbying for stricter laws and regulations.

This article is meant to introduce you to VCBR and its concerns. For more detailed information on VCBR or strip-mining in Virginia contact Frank Kilgore, president of VCBR, at Route 1, Box 418, St. Paul, Virginia 24283, or the Environmental Law Group at William and Mary. For an excellent article on surface mining and recent attempts at federal legislation, see the Fall 1975 William and Mary Law Review.