

From: Turley, Jim [<mailto:jturley@walker-cat.com>]  
Sent: Monday, October 22, 2007 1:21 PM  
To: Dennis Rice  
Subject: Surface Mining Control and Reclamation Act of 1977

The practice of valley fill construction was formally recognized by Congress with the Passage of the Surface Mining Control and Reclamation Act of 1977. In the 30 years since the passage of that legislation, the coal industry has been burdened by continuous litigation which has sought to outlaw this practice, which is a necessary component to all forms of mining in steep sloped terrain. The proposed rule seeks to reinforce the Congressional intent of thirty years ago, by specifically recognizing and regulating valley fill construction, which would hopefully mean an end to the wasteful litigation which has plague the industry for decades.

Please lend your support to this passage of this rule and give the coal industry the regulatory stability which it needs to continue to provide this county with a vital source of energy.

Thank you for your consideration.