

An OSM official discusses how a benefit of the Obama Administration's new proposed rule is no coal mining.

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OSM 23:36	It's not the issue of who pays for it if it's an avoided cost if it's avoided cost for the operator then it's a benefit.
Contr. 5	Is that a big. Is that I know it's it's in there but is that happen a lot? A lot of these mines replace peoples' water supply? Cause my understanding was talking with Jeff Coker and sorry he's not here. But I understood and maybe I wrongly understood that that you know that that is something but it's really localized and..
Contr. 6	It happens.
Contr. 5	It, it happens.
Contr. 6	I'm not sure it's nature.
Contractor	I don't think it is either.
Contr. 5	From a cost benefit analysis it's really you know in a big like this it's really...
OSM 24:28	But you're not even including it in this. I mean you guys are you know you're saying it's not worth my effort to look at. It's not worth my effort to pull the information. I mean, what are you telling me?
Contr. 5	Well I'm not saying it's not worth my effort. But I understood talking with Jeff that it was it was not a major issue. Otherwise...
OSM	So you dealt with it in a minor way or you haven't dealt with it at all? You haven't dealt with it at all.
Contr. 5	Right.
OSM	I mean...
Contr. 5	Right
OSM	I mean it's a rhetorical question. So yeah. So we I mean you you can't just. Well we're what I'm trying to say and I think what many of the commenters said is that there is no discussion of benefits. There is no view of how there could be benefits and you're telling me now you identified something that you didn't follow up on it because someone described it to you as not significant. But should at least be discussed even if it's not a significant benefit. And if and we don't want you to make those kinds of cuts and determine that it's not worth your while to include it.
Contr. 7 25:28	Would it be the same as when the alternatives were discussed and but you had a reason for not taking them you know kind of the same...
Contr. 8	Not really because if you had a benefit...
Contr. 7	You had you had discussion about it.
Various	(unintelligible)
OSM	(Unintelligible) That's right. We looked at it. We found it was not. Which (Unintelligible) It didn't it didn't float by you right. Was part of the analysis And this was our finding (Unintelligible) Because at that point if it's in a draft document it goes out for public comment and you say if we say because it'll end up being our document you know that a potential benefit is the ability to have improved mining operations that will prevent material damage off the permitted area.
Contr. 3	Likewise it is conceivable reductions in coal production certainly may result in beneficial impacts to water quality (unintelligible)
OSM 26:46	Reduction in coal production.
Contr. 3	But it was get back in saying beneficial adverse drinking water quality impacts will be highly localized depending on the local drinking water quality and water resources.
OSM 26:56	Why? What's the why? The why is because of you're not going to mine it.
Contr. 3	Right
OSM	So, if if there's nothing discussed in terms of improved operations. I mean if you you guys this as a black and white. If you apply the rule you can't mine. If you and so that's the only benefit that the regulations are there to improve mining operations and what's not that coal mining is going to go away, it's that production will improve and the technology will improve and the, the environmental impact Will be lessened over time as as practices improve. So I'm in. I don't. I feel like I'm speaking a foreign language to you guys.
Contractor 27:51	I guess I'm kind of like Josh I this water replacement thing, Diane, to me. I got to be very blunt it would. That would never occur to me as a benefit or a cost either way in an analysis of this. I mean that to me is an obligation of the operator period. And...

>> See -- and I -- as I said, I don't know how this necessarily relates directly to [REDACTED]

>> Is that -- I know it's in there, but does that happen a lot, a lot of these [REDACTED] because my understanding was talking with Jeff Coker and -- sorry, he's not here -- but I understood, and maybe I wrongly understood that that is something but it's really localized, and [REDACTED]

>> It happens. I'm not sure it's major.

>> It happens and it's -- from a [REDACTED]

>> You're not even including it in this. You guys are -- you're saying, it's not worth my effort to look at it; it's not worth my effort to pull the information, what are you telling me?

>> Well, I'm not saying it's not worth my effort, but I understood talking [REDACTED] 00027094 OSM-WDC-B14-00003-000031 Page 7 of 9

with Jeff that it was -- it was not a major issue; otherwise--

>> So you've dealt with it in a minor way or you haven't dealt with it at all? You haven't dealt with it at all?

>> Right.

>> I mean, that's a satirical question, . So yeah, I mean, you can't just -- what I'm trying to say and I think what many of the commenters said is that there is no discussion of [REDACTED]. There's no view of how there could be [REDACTED]

>> would it be the same as when the alternatives were discussed but you had a reason for not taking them -- kind of the same?

>> Not really, because if you have a [REDACTED], then you'll have a discussion about it.

>> You review the reason why you go forward.

>> That's right. We looked at it, we [inaudible]. Right, which then -- it didn't go by you. It was a part of the analysis, and this was our finding with our -- because at that point, if it's in a draft document, it goes out for public comment and you say, and we say because it'll end up being our document, that a [REDACTED]

>> Likewise, [REDACTED]

>> [REDACTED]

>> But it gets back in saying [REDACTED]

>> Why? What's the lie? The lie is because you're [REDACTED] > Right.

>> So there's nothing discussed in terms of [REDACTED]

[REDACTED]. So I don't -- I feel like I'm speaking a foreign language to you guys.

>> I guess -- kind of like Josh. [REDACTED]