

# MANCHIN CHAMPIONS FOR COAL

## LEGAL ACTION



In unprecedented legal action, in 2010, then-Governor Manchin sued the EPA for overstepping their boundaries regarding mountaintop removal practices in West Virginia's coal industry in order to ensure states have the power to oversee, regulate and protect their citizens and resources.

## SUPPORTING LEGISLATION

*Senator Manchin introduced eight pieces of legislation specifically supporting the coal industry.*

Senator Manchin introduced his first bill in February 2011 called the **“EPA Fair Play Act,”** to prevent the EPA from retroactively vetoing mine permits. Senator Manchin reintroduced the bill in the 113<sup>th</sup> Congress in April 2013.

Senator Manchin introduced a budget amendment in March 2013 to prevent Congress from funding the EPA's proposed New Source Performance Standard (NSPS) regulations to block funding for overreaching regulations that set unattainable carbon dioxide emissions standards from new coal-fired power plants. The amendment passed by Unanimous Consent, sending a message to the EPA that their anti-coal regulations are unacceptable.

Senator Manchin introduced the **“Coalfield Accountability and Retired Employee Act”** on March 6, 2013, which protects the promised lifetime pension and health care benefits for thousands of retired miners and their families.

Senator Manchin introduced the bipartisan **“Fair Compliance Act”** in November 2011 to create reasonable timelines and benchmarks for utilities to comply with two major EPA rules to protect jobs and keep utility rates stable.

Senator Manchin introduced the bipartisan **“Clean Water Cooperative Federalism Act”** in October 2011 and again as an amendment in May 2013 to rein in EPA overreach under the Clean Water Act in a way that protects water quality while also supporting economic growth and job creation.

Senator Manchin introduced the **“American Alternative Fuels Act”** in May 2011 to repeal a current law that prohibits the federal government, including the U.S. military, from purchasing fuel produced from alternative fuels, including coal. He reintroduced the legislation in the 113<sup>th</sup> Congress in June 2013.

Senator Manchin introduced the **“Energy Tax Prevention Act”** in March 2011 to permanently suspend EPA efforts to regulate greenhouse gas emissions.

Senator Manchin introduced the **“EPA Stationary Source Regulations Suspension Act”** on January 31, 2011 to protect jobs and coal and manufacturing industries by suspending EPA regulation of greenhouse gases from stationary sources for two years.

Senator Manchin voted for S.J.RES.37 on June 20, 2012, which would stop the EPA from implementing the Utility MACT rule, which is one of the most expensive emissions-reduction rules in the EPA's history for coal-fired plants.

Senator Manchin introduced the **“Coal Residuals Reuse and Management Act”** in October 2011 that would make sure coal is safely disposed.

Senator Manchin introduced the **“Robert C. Byrd Mine and Workplace Safety and Health Act”** in January 2011 to update mine safety rules. He reintroduced the bill in July 2012.

## **BLASTING THE OBAMA ADMINISTRATION**

Senator Manchin wrote a letter to the Senate Energy Committee on March 14, 2011 to request an oversight hearing to investigate the Office of Surface Mining's proposed stream protection regulations for coal operations after the Obama Administration had claimed it was "unhappy" with an analysis that concluded the rule could kill tens of thousands of jobs.

At a Senate Energy Committee in February 2012, Senator Manchin grilled U.S. Energy Secretary Steven Chu and the Obama Administration for slashing funding for clean coal technology research.

Senator Manchin wrote a letter urging the White House to amend the proposed EPA new source performance standard (NSPS) regulations, which would effectively ban any new coal-fired plants from being built in the U.S. because of unobtainable and unprecedented regulations.

In a press release in June 2013, Senator Manchin slammed President Obama's proposal to address climate change, which imposes unreasonable restrictions that will have disastrous consequences for not only the coal industry, but also American jobs and the economy. He vowed to continue to fight President Obama's "war on coal."

## **MINE SAFETY**

During a Senate Health, Education, Labor and Pensions (HELP) Committee hearing to examine efforts to improve mine safety in light of the Upper Big Branch anniversary on March 31, 2011, Senator Manchin recommended important mine safety improvements to Joe Main, Assistant Secretary for Labor for Mine Safety and Health, and Elliot Lewis, Assistant Inspector General at the Labor Department.

In the immediate aftermath of the Upper Big Branch disaster, before investigative reports were submitted, then-Governor Manchin created the Mine and Industry Safety Hot/Tip Line to allow miners to anonymously report unsafe workplace conditions while protecting their job security.

Senator Manchin announced \$1.25 million to fund mine safety training in West Virginia in July 2012.

As Governor, Manchin provided a \$3,000 across-the-board raise for Miners, Health, Safety and Training inspectors and instructors.

In the wake of the Sago and Aracoma mine disasters, then-Governor Manchin wrote and signed into law historic mine safety legislation, S.B. 247, increasing the number of emergency rescue chambers in mines to more than 300 locations in more than 180 mines and placing more than 40,000 new personal breathing devices (self-contained self rescuers) in underground mines.

## **INVESTING IN COAL**

Senator Manchin introduced the coal mining industry to his Senate colleagues in Washington D.C. by hosting a screening of the documentary series "Coal" at the U.S. Capitol so they could better appreciate West Virginia's dedication and hardworking coal miners.

Senator Manchin introduced S. 3514 on August 2, 2012, which would restore the money owed to coal producing states from the Abandoned Mine Land (AML) Trust Fund.

Building upon his mission for a national comprehensive energy policy, then-Governor Manchin signed into law West Virginia's "Alternative and Renewable Energy Portfolio Act" in 2009, which supported the use of all energy sources, including advanced coal technologies. This bill showed further proof that West Virginia could be a national leader in energy independence.

