

United States Senate
WASHINGTON, DC 20510

June 14, 2018

The Honorable Ryan Zinke
Secretary of the Interior
U.S. Department of Interior
1849 C Street, N.W.
Washington, DC 20240

Dear Secretary Zinke,

In August 2017, the Department of Interior (DOI) terminated an important National Academies of Sciences, Engineering, and Medicine (NASEM) public health project entitled *Potential Human Health Effects of Surface Coal Mining Operations in Central Appalachia*.¹ This NASEM project sought to gather all available research on the health effects of mountaintop removal mining in the region. The abrupt cancellation of the project, which had received a \$1 million grant from the DOI Office of Surface Mining Reclamation and Enforcement (OSMRE), raises a number of concerns. A newly released DOI Office of Inspector General report shows that \$548,443 of taxpayer money went unaccounted for.² This report also states that DOI clearly didn't believe the results of this study, and thus protecting the lives of Americans, would be worthwhile. We write to request that you explain the reasons for ending this study, report on its interim findings, and provide an accounting of the taxpayer dollars spent on it.

Mountaintop removal is an extremely destructive form of mining. It releases toxins such as crystalline silica, sulfur, and organic carbon into the surrounding air and groundwater. And it is associated with serious public health problems in communities surrounding the mining activity, including higher rates of heart, lung, and kidney disease, cancer, and birth defects.³ The NASEM project was important because it would have helped residents of Appalachia and the upper Ohio River Valley understand the health and environmental ramifications of mountaintop removal mining occurring where they live.

On August 18, 2017, just days before the scheduled start of a public hearing and business meetings in Kentucky on the NASEM project, OSMRE wrote to NASEM directing it to cease all

¹ Press Release, U.S. Department of the Interior, Office of Surface Mining Reclamation and Enforcement, OSMRE Funds National Academy of Sciences Study of Potential Health Risks Related to Surface Coal Mining in Central Appalachia (Aug. 3, 2016), <https://www.osmre.gov/resources/newsroom/News/2016/080316.pdf>.

² Department of the Interior, Office of Inspector General (June 7, 2018), <http://democrats-naturalresources.house.gov/imo/media/doc/DOI%20IG%20Letter%20on%20Cancellation%20of%20NAS%20Mountaintop%20Removal%20Mining%20Study%20June%207%202018.pdf>.

³ M.A. Ahern et al., *The association between mountaintop mining and birth defects among live births in central Appalachia, 1996-2003*, ENVIRONMENTAL RESEARCH (May 26, 2011), http://www.crmw.net/files/Ahern_et_al_MTR_and_birth_defects_2011.pdf.

work.⁴ OSMRE cited a DOI-wide review of grants and cooperative agreements in excess of \$100,000 as the reason for halting the project. But the mountaintop removal study apparently was the only one of eight NASEM projects with more than \$100,000 in DOI funding that was put on hold.⁵

One week later, on August 25, 2017, several of our colleagues in the House of Representatives wrote to you, questioning the project's termination.⁶ Having received no response, House Committee on Natural Resources Ranking Member Raúl Grijalva wrote to you again on October 17, 2017.⁷ To date, that letter has also gone unanswered. Accordingly, we respectfully request that, by June 29, 2018, you respond in writing to the following questions:

1. The August 18, 2017 letter from OSMRE to NASEM cites "an agency-wide review of its grants and cooperative agreements in excess of \$100,000, largely as a result of [OSMRE's] changing budget situation" as the reason for halting the mountain top removal project. Did OSMRE halt any other projects for this reason? If so, please identify them. If not, why not?
2. According to the DOI Office of Inspector General report in response to Representative Grijalva's October 27, 2017 letter, \$548,443 in funding for the NASEM project went unaccounted for. Please provide a full, line-by-line accounting for this taxpayer money.
3. Did either NASEM or OSMRE prepare a summary or interim report for the mountaintop removal mining project? If so, please provide a copy.
4. Please produce all documents that NASEM and OSMRE generated in connection with the mountaintop removal mining project through August 18, 2017, including raw data, memos, assessments, or other unpublished work.
5. Did NASEM ever prepare written testimony on the project? If so, please provide a copy.

American families living around toxic sites in Appalachia need studies like the NASEM mountaintop removal project so that they can understand the health effects of mining activities in their communities, and they deserve prompt answers to these questions. Should you have any questions about this request, please contact Dr. Mary Schultz of Senator Markey's staff at 202-224-2742.

⁴ Letter from Glenda H. Owens, Acting Director, OSMRE to Dr. Elizabeth A. Eide, Senior Board Director, NASEM (Aug. 18, 2017), <https://www.documentcloud.org/documents/3936617-Interior-Stop-Work-Letter-to-NAS.html>.

⁵ Ken Ward, Jr., *Mountaintop removal mining study singled out for Interior cease-work order*, CHARLESTON GAZETTE-MAIL (Sep. 2, 2017), https://www.wvgazette.com/news/mountaintop-removal-mining-study-singled-out-for-interior-cease-work/article_f941dc2f-58b3-5b03-9d0d-206f8154c900.html

⁶ Letter from Rep. Raúl Grijalva et al. to Secretary Ryan Zinke (Aug. 25, 2017), <https://democrats-energycommerce.house.gov/sites/democrats.energycommerce.house.gov/files/documents/Grijalva%20Pallone%20Letter%20to%20Zinke%20on%20Halting%20NAS%20Mountaintop%20Removal%20Mining%20Study%20August%2025.pdf>.

⁷ Letter from Rep. Raúl Grijalva to Secretary Ryan Zinke (Oct. 17, 2018), <http://democrats-naturalresources.house.gov/imo/media/doc/Grijalva%20Letter%20to%20Zinke%20on%20Missing%20Funds%20for%20MTR%20Study%20October%202017.pdf>.

The Honorable Ryan Zinke

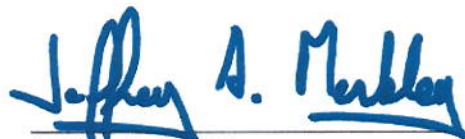
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Sincerely,



Edward J. Markey
U.S. Senator



Jeffrey A. Merkley
U.S. Senator



Ron Wyden
U.S. Senator



Sheldon Whitehouse
U.S. Senator



Benjamin L. Cardin
U.S. Senator



Richard J. Durbin
U.S. Senator



Bernard Sanders
U.S. Senator



Richard Blumenthal
U.S. Senator