



December 3, 2009

The Honorable Rick Boucher  
U.S. House of Representatives  
2187 Rayburn House Office Building  
Washington, DC 20515-4609

Dear Congressman Boucher,

I am writing to urge your taking action today to help Virginia's coal industry and those industries dependent on coal, the thousands of Virginians it employs and the families whose livelihood is tied to coal.

As you may know, the Environmental Protection Agency (EPA) has recently decided to place a hold on 79 surface mining permits in order to subject them to an "enhanced review" process. What is most troubling is that the general public and affected stakeholders have not been given any rationale for this decision. Moreover, EPA has not announced any criteria or schedule that will guide this "enhanced review" process.

Given how we arrived at this point, one can only surmise that there is an undisclosed political agenda that is driving this process rather than sound science and the economic needs of Virginia and other states. Special interest groups have been actively urging EPA to shut down Virginia's coal industry by every means possible and have even gone so far as to take legal action to implement their agenda. The Fourth Circuit Court of Appeals correctly recognized the flawed, political nature of their actions and rejected their efforts. Now, however, the EPA seems to have taken up this banner of the political special interests.

The fact of the matter is that these 79 permits have been extensively reviewed. Indeed, the EPA has already had the opportunity to comment on these applications and has either made comments or chosen not to. EPA should not have a "second bite at the apple" just to satisfy a political agenda.

Refusal by EPA to move forward in a transparent manner threatens thousands of Virginia jobs and threatens an energy source used to produce over one-half of all electricity in Virginia. It is never a good time for an arbitrary bureaucratic fiat to hold up

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projects that create and sustain Virginia jobs, but now, when unemployment levels are over 10%, is one of the absolute worst possible times.

On behalf of the Virginia Chamber of Commerce, I would make two specific requests of you. First, I urge you to take whatever action is necessary to reform the permitting system with regard to coal production so that it is a transparent, predictable process not given to political pressure, and second, I request that you please report back to us your position on this issue as well as what specific actions you have taken to help remedy this situation on behalf of Virginia families and businesses.

Thank you for your consideration of our position and our concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Hugh D. Keogh". The signature is written in a cursive, flowing style.

Hugh D. Keogh  
President & CEO