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Judge deals setback to Peabody mine

By DAILY SUN STAFF

A judge in Salt Lake City has dealt a setback to Peabody Western Coal Company, in the company's attempt to operate two mines near Kayenta under one permit and someday reach farther into coal deposits.

The federal Office of Surface Mining violated federal environmental law by not changing its description of a project and related impacts to the environment as the mining proposal changed and major water-infrastructure projects were

dropped, Interior Department Administrative Law Judge Robert Holt ruled Tuesday.

That once included a proposal to tap the Coconino Aquifer for water related to the mines.

The Kayenta and Black Mesa mines were first opened by Peabody in the 1970s.

One of the mines, Kayenta, supplies 8.5 million tons of coal annually to a coal-fired power plant in Page and has a permit to operate through 2026.

The other lost its major customer

near Laughlin a few years ago when the Nevada power plant was closed due to Clean Air Act violations.

"This decision is a testament to the community members on and around Black Mesa who stood up to one of the world's largest coal companies and would not allow Peabody a rubber stamp to mine more coal on Black Mesa," said Andy Bessler, of the Sierra Club. "The Department of Interior made the right decision in sending Peabody back to the drawing board to allow Black Mesa communities into the decision-making process."