

Rep. Yarmuth
H.R. 2050, the Appalachian Communities Health Emergency Act
April 9, 2019

Thank you Chairman Lowenthal and members of this Committee for inviting me here to join you today.

This bottle of liquid was given to me in early 2011, taken directly from the spout in the home of the Urias family near Island Creek in Pike County, Kentucky in December of 2010. The liquid is reddish-orange in color, and if I leave it sitting here on this table long enough, you'll see it slowly sort into layers at the bottom. You'll notice I called it "liquid" instead of water, because I do not believe that a single one of us here today would consider drinking or bathing ourselves or our children in this each day.

The Urias family has called Pike County—the heart of coal country—home for nearly two centuries. They've relied on well water for years, but as mountain removal mining became more prominent, the constant barrage of blasts from nearby mining sites shifted the ground beneath them and their well dried up. They dug another, which also failed. This water is from their third well, where chemicals from nearby blast sites and water runoff have leached into the water table, resulting in arsenic levels more than 130 times the level deemed safe by the EPA.

This is what comes out of the faucets in many homes in America in the 21st Century. Arsenic. Dangerous chemicals. Poison to men, women, and children—the families who rely on it.

I'm here today to share with you my legislation, H.R. 2050, the Appalachian Communities Health Emergency Act, or ACHE Act, an effort to help correct the grave injustice happening in so many of our nation's coal communities. To this day, no federal health study has ever been conducted to examine the role mountaintop removal mining has the health and wellness of nearby communities. We got close toward the end of the Obama Administration, when a study was ordered to be conducted by the National Academy of Sciences, only to be soon halted by the Trump Administration when it was nearly halfway complete in August of 2017.

My legislation is simple. It would order the Department of Interior's Office of Surface Mining Reclamation and Enforcement to place a moratorium on all new mountaintop removal permits until a federal health study could be conducted. If the surface mining methods being used are determined to be safe by the Department of Health and Human Services for the health of those in surrounding communities, permitting can continue as planned. But until and unless that determination is made, we should not allow that practice to continue.

Do not get me wrong: I am personally opposed to mountaintop removal mining and believe it should be banned entirely. Mining companies destroy our mountains, clear large tracts of trees

and wildlife, pollute our rivers and streams, tear up and wash away the roads we rely on, and leave behind a barren earth that is completely unusable without major remediation.

But my common sense legislation does not go so far as to ban this reckless practice. It will simply provide families in the coal communities of my home state of Kentucky, Tennessee, West Virginia, and Virginia, with the answers they are owed. Is it safe to breathe the air around them, drink the water beneath them, or raise the families they love where they live?

We owe it to them, we owe it to our environment, and we owe it to the future generations of this nation and of this planet. We should be able to look them in the eye and tell them that we're not sitting idly by as their health is jeopardized by a dangerous practice in search of nothing more than the fossil fuels of our past and a quick profit.

When unsafe levels of lead were discovered in the water supplied to Congressional offices in the Cannon House Office Building nearly three years ago, all hell broke loose. We were immediately advised not to drink the water, signs went up in the bathrooms and at water fountains throughout the building, and every office was provided with safe, clean water coolers. That continues to this day for most of the building. Don't the people of Appalachia deserve the same level of urgency, the same concern?

When we learned in August of 2017 that the Trump administration was halting the NAS health study, I worked closely with Chairman Grijalva, Energy and Commerce Chairman Pallone, and the respective Oversight and Investigation Chairs of both this committee and the Committee on Science and Technology to call for answers from this administration. Nearly two years later, we've still received no substantive response.

I'm proud to reintroduce this legislation this Congress to try to get some answers for residents of my home state and others, and I look forward to continuing to pursue the truth for those whose lives and livelihoods depend on it.

Thank you for the opportunity to discuss H.R. 2050 today, and thank you all for the important work you do as members of this Committee.