

Preliminary Quality Review Comments from Dr. Kathleen Segerson on the Mountaintop Mining and Conductivity Benchmark Reports, January 19, 2011

Mountain Top Mining Report

1. Yes, the report is very responsive to the charge questions.
2. This is not my field, but the report appears to be technically very sound.
3. Clear and logical?

In general, the report is clear and logical. I have only two comments.

Line 21 of the Executive Summary (p. 1) is confusing. Are these the technical recommendations of the Review Panel, and, if so, are they really described in the draft EPA report? Should this read “in the Panel’s full report” or something comparable?

There is also some ambiguity in terminology in some places in the letter to the administrator and the executive summary. In some places it says that the panel “recommends” that EPA do something, while in other places it says that “EPA should” do something or “the Panel recommends that EPA should.” It is a bit hard to know which of the suggestions are things for EPA to consider doing, and which are things that the Panel believes are more essential. For example, with regard to cumulative effects, is the Panel saying that it is important/essential to provide information about cumulative impacts from all five perspectives, or is the Panel just suggesting that these are different perspectives that EPA could take? Is there some way to clarify the language so that the stronger “needs to” recommendations can be clearly separated from the weaker “should consider” recommendations?

4. Yes, the conclusions are well-supported by the report.

Comments on Conductivity Benchmark Report, January 19, 2011

1. Yes, the report is responsive to the charge questions.
2. I am not aware of any technical errors or omissions
3. The report is clear and logical.

My only comment is the following:

In contrast to the letter regarding Mountain Top Mining, this letter to the administrator simply states conclusions and concerns but no recommendations for improvement. While one might interpret concerns as recommendations, the two are not necessarily equivalent. (One might have a concern about something but not be able to really address that concern, given available information/data. This is different from expressing a concern that something is missing that can and should be included/addressed.) The executive summary includes some recommendations, but the letter does not. Are any of the recommendations in the report at a sufficiently high level that they should be included in the letter to the administrator?

4. The conclusions are supported by the report.