



Winds of Change

the newsletter of the

Ohio Valley Environmental Coalition

Huntington, WV

www.ohvec.org



Judy Bonds (center) with the other winners of the prestigious Goldman Prize - one from each inhabited continent. The winner from South America could not be there because she was unable to get a visa to get in the U.S. - she'd been arrested in the course of her activism.

WV Activist Wins Global Environmental Award

by Peter Slavin

Special to *The Washington Post*, June 9, 2003

At a May stockholders' meeting of one of the nation's largest coal companies, one-time convenience store clerk and Pizza Hut waitress Julia Bonds rose and gave its

CEO a dressing-down. Facing Massey Energy Co. chief Don Blankenship at the nearby podium, she accused Massey's mining operations of trampling on the people and environment of southern West Virginia.

"When it rains, Appalachian children go to bed fully clothed," she said, as Blankenship stood motionless and expressionless. "They lie sleepless and traumatized, ready to evacuate their homes in case of flooding from your strip mines."

As her 12-year-old grandson lies in bed, she went on, he "plans escape routes in case one of your many toxic waste dams fails."

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OVCC: The Ohio Valley Coffee Cartel

by Abe Mwaura

Next to the rice cakes and Maryanne's hummus, there is now a new addition to the Ohio Valley Coffee Cartel (OVCC) Whirlpool fridge. A shipment of coffee – fair trade coffee.

In another grand attempt to take on more tasks than they can possibly handle, the OVCC staff has now taken up trading in the dark elixir of hyperawakeness. You too can satisfy your painful addiction for this nectar, and now you can do it with fair trade coffee from OVCC.

As the coffee (and tea) market in the US continues to grow, the farmers are being exploited even more: by their own governments, by big corporations, and bluntly put, by you.

This means that while you pay almost \$3 for a cup of Starbucks, the farmers are getting mere pennies on the pound, generally not enough to sustain themselves and their families. The system is set up such that most people in these countries cannot even afford their own coffee once it hits their local markets.

OVCC (and even Starbucks) has realized this and taken up a very simple system (yes it's legal – although it's akin to stealing from the rich and giving to the poor) which has been around for a while but is still not entirely popular.

Fair Trade Coffee

Fair trade coffee guarantees the small family farmers a fair price for their coffee, and through this simple economic model several problems these farmers

face can be alleviated.

These problems include job loss and desperation as farmers have been forced from their jobs. The economic instability caused by the lack of fair prices for coffee has driven many of these farmers to starvation.

Sometime they abandon their children, community and property in search of jobs.

Sometimes farmers inadvertently increase environmental problems by cutting down trees, hoping this will make their coffee farms more economically viable.

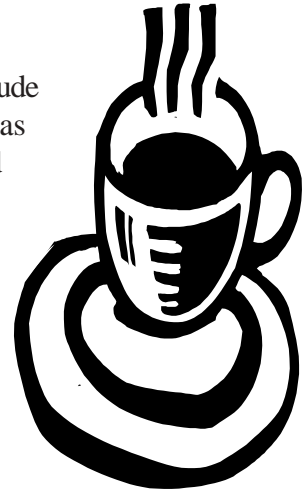
Fair trade brings hope and justice to the farmers who are lifted out of poverty by being paid legitimate prices for their crop and their hard work.

OVCC is selling fair trade coffee from the Arizona-based Tonatierra project, No Justice, No Java, at \$10 per 16 oz. bag. Call us at (304) 522-0246 and we will make sure you get your coffee.

Even when you do get the urge to go to a Starbucks Café, or any other café for that matter, ask for fair trade coffee.

Another thing to do would be to spread the word as widely as possible. Tell your friends or, if you think you can't get the details right, give them this article.

Have a "fair to the last drop" day! ☕



Who is Abe Mwaura, and Why is He Helping OVEC Push Fair Trade Coffee?

Abe was born in Kansas, has lived in Kenya and West Virginia, and now lives in the clouds. He is an avid traveler, and thinks it's a good way to meet women. An unrepentant idealist, he has blindly become a lover of human beings and he likes chocolate.

Many say he will die young, so he has attempted a variety of dangerous things, just to prove them wrong. He has never received a speeding ticket, although it would be well deserved, but he still has a few weeks left in the country to change that trend.

His activism began in the church and community service, and he has always been politically- and socially-

m i n d e d .

Most recently he was an officer in the Marshall Chapter of Habitat for Humanity and Marshall Action for Peaceful



OVEC intern Abe Mwaura.

Solutions where, he got to know Dave Cooper and

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Going (Slowly) Down the Road to Clean Elections

by Janet Fout

The road to clean elections is by no means a high-speed freeway, but little by little, this campaign finance reform legislation is gaining the respect and scrutiny of the West Virginia legislature.

And why shouldn't it? Elected officials currently have to spend a huge portion of their time raising campaign contributions.

This voluntary option will not only free them up to spend more time talking to their constituents about important issues, but also can help restore integrity to the political process.

Note to the Homeland Security Folks: Environmentalists Are Not Terrorists

by Kathryn A. Stone

To the *Charleston Gazette* Editor:

I read with dismay the article by Ken Ward Jr. in the *Gazette* quoting Lt. Col. Herb Lattimore on the subject of potential terrorist groups in our state.

Although I would agree that racial hate groups and certain religious groups, because of past activities, should be in his lexicon of those to watch, lumping environmental activists in this group makes me very suspicious and angers me.

Lt. Col. Lattimore and Bill Raney seem to be kindred

Some may argue that in these times of budgetary shortfalls, the state can't afford to finance political campaigns. But let's face it. As taxpayers, we are already paying, and paying, and paying.

Unfortunately, few regular folks are benefiting from the policies that are being enacted. Instead, our tax dollars are subsidizing those same special interests that finance campaigns (in 2000, less than 1/2 of 1 percent of all West Virginians contributed to legislative races).

For example, the Department of Transportation concluded it would take at minimum \$2.8 billion over the

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spirits. What an opportunity to quiet these nuisances by calling them terrorists! Assail their patriotism and make them pariahs!



This is your Earth without environmental terrorists.

Most environmental activists whom I know (and I count myself as one), are passionately concerned about the health and well-being of all citizens who are at the mercy of wanton industrial pollution and destruction being visited upon our planet (these are the "real" terrorists!).



This is your Earth with environmental terrorists. Any questions?

Clean air, clean water and clean soil are birth rights that everyone should want to protect. To classify this as terrorism is a consummate distortion of truth.

Thank God for these "terrorists," without whom cancer and respiratory ailments, to name a few, would be rampant. 🍂

Mwaura Autobiography

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Janet Fout of OVEC.

OVEC is now seriously reconsidering taking on this wild child, because they are worried about their clean-cut image. HA! He's perfect. He is also very pompous and is always right, and has one of those personalities that deceives you into thinking he knows more than he really does.

He now intends to move to El Salvador at the end of the summer to work with the gang communities in the prisons, and help empower local communities in the rural areas. 🍂

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Clean Elections

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next decade to repair the damage to roads and bridges caused by overweight coal trucks running illegally (a fraction of that amount could fund legislative races!). In 2002 the People's Election Reform Coalition, which tracks special interest contributions to legislators, found that during the special session on overweight coal trucks this summer, 39

out of 47 legislators who favored an increase in coal truck limits received a total of \$100,243 from coal, while 24 of the 48 who opposed the limits received a total of \$14,695.

While some might argue that they wouldn't want their tax dollars supporting campaigns of politicians with whom they don't agree, as a taxpayer, I'm tired of paying for mess after mess heaped on the state by a coal industry

that has the idea it's somehow above the law.

During the 2003 legislative session, the WV Clean Elections Act was taken seriously with the maximum number of House supporters and 11 co-sponsors in the Senate.

This innovative legislation had bi-partisan co-sponsors in both the House and Senate. The lead sponsors were Delegate Jon Amores (Chairman of the House Judiciary Committee) and Senator John Hunter.

Although neither has publicly supported the Act, Gov. Bob Wise and Secretary of State Joe Manchin both have been very positive in meetings with Citizens for Clean Elections representatives.

The bill has been placed in the 2003 interim session in a joint sub-committee of the House and Senate Judiciary committees for additional study.

Interims began May 4 and conclude January 11-13, 2004. Calendar dates for all the sessions are listed at:

www.legis.state.wv.us/general/intsched.html

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Judy Bonds

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Bonds, 50, is a coal miner's daughter. Until 2 1/2 years ago, her family had lived for nine generations – starting not long after the Revolutionary War – in and around Marfork Hollow near the Big Coal River, about 40 miles south of Charleston. But in 2001 they moved away, saying Massey's round-the-clock mining had made life there impossible.

Since then, Bonds, who goes by the nickname Judy, has thrown herself more than ever into a struggle being waged by several thousand West Virginians to save their communities and the mountains themselves from what they see as the relentless assault of coal companies.

Bonds has been in the thick of fights over coal company blasting that sends small boulders crashing into homes, over collisions between cars and overloaded coal trucks barreling along narrow mountain roads, and over dams holding back billions of gallons of coal waste near schools. But even in West Virginia, few knew her name.

That changed in April, when Bonds received the \$125,000 Goldman Prize, the world's premier award for grass-roots environmental activism.

The award recognized Bonds's work opposing "mountaintop removal" – a growing form of strip mining that involves blowing the tops off mountains to get at coal deposits beneath, while millions of tons of rubble are dumped into valleys below, burying streams. Bonds calls it "environmental insanity."

Some towns near these stupendous operations have been abandoned, and the damage to forests, wildlife and water has environmentalists up in arms. The battle to halt

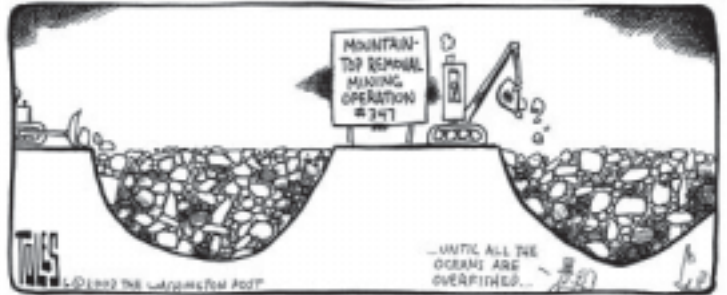
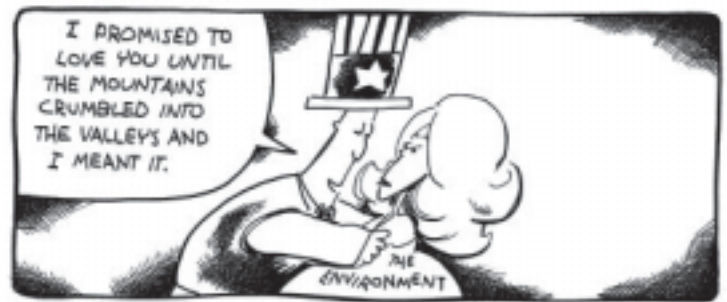
"When it rains, Appalachian children go to bed fully clothed. They lie sleepless and traumatized, ready to evacuate their homes in case of flooding from your strip mines."

Judy Bonds, speaking to Massey Energy CEO Don Blankenship

mountaintop removal, which has centered on whether c l o g g i n g waterways with mining debris violates the federal Clean Water Act, is being waged in the

federal courts and in Congress. The Bush administration, determined to maintain coal as a key energy source, rewrote the Clean Water Act's rules to make mountaintop removal legal by allowing mining waste to be dumped into waterways.

Her national award "speaks volumes for the stereotype of hillbillies," says Bonds, who proudly calls



herself one. Although she makes only \$13,800 a year as organizer for a small community group called Coal River Mountain Watch, she is donating \$49,000 of the prize to her group and its allies.

Her determination has inspired others. "She's very fierce and passionate, and it comes straight from her heart ... That's powerful," says Janet Fout of the Ohio Valley Environmental Coalition.

Bonds is "indefatigable," says former independent gubernatorial candidate and novelist Denise Giardina. "She does not give up."

Bonds's energy and sense of urgency prompt "others to do more than they really want to do," says Bill McCabe, who works with coalfield citizens groups.

The president of the West Virginia Coal Association has surprisingly kind words about her. Bonds is "very devoted to her cause," says William Raney. But, he says, the real environmentalists are coal company personnel who minimize damage from mining operations and later reclaim the land.

West Virginia's major political figures, who rarely criticize the powerful coal industry and generally side with it on mountaintop removal, have been silent on the subject of Bonds's award. She says neither the governor nor any member of Congress has congratulated or even mentioned her.

Asked about her, three top officeholders declined to say anything of substance. Rep. Nick J. Rahall II (D-W.Va.), said in a statement, "Regardless of where you stand on the issue of coal mining, Judy Bonds represents the courage and conviction of the people of Appalachia."

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Judy Bonds

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West Virginians who oppose the coal companies say intimidation still goes on in the coalfields, but Bonds, a friendly but no-nonsense sort, is regarded as fearless. She is credited with inspiring other ordinary people to join the protests, though some who have crossed the coal companies say they have been followed, run off the road, found their car windows smashed and received death threats.

Patty Sebok, a miner's wife who had never spoken in public, says Bonds told her if she wanted something done about overweight coal trucks, she had to act. Sebok testified before the legislature and later went to work for Coal River Mountain Watch.

Bonds carries a remarkable knowledge of the industry in her head and turns almost every conversation back to coal mining.

A friend, environmentalist Vivian Stockman, says Bonds is driven by love of the land, reverence for God's creation and fury at what coal companies are doing – which Bonds calls “rape and take.”

Her coalfield roots give Bonds particular credibility. She grew up poor, one of six children. She remembers her mother and older sister “used to pick up lumps of coal that fell off trains into Marfork to keep us warm.”

Her father retired from the mines at 65 and three months later was dead of coal-dust-induced black lung disease. Her mother admired Mother Jones, the United



We're crushed that Gov. Wise didn't include this entry in the final round of the state quarter design contest - even though this is just an "artist's conception" of how bad the actual mountaintop removal process can be. Go figure ...

Mine Workers organizer a century ago who became a legendary crusader for miners' rights.

This month, Bonds and other coalfield residents will begin touring the country to promote their campaign against mountaintop removal and to build support for a bill in Congress that would restore the prohibition against dumping mine waste in waterways. Coal River Mountain Watch and Bonds are also working with other groups on new court challenges against mountaintop removal under the Clean Water Act and the Endangered Species Act.

Two earlier legal challenges to mountaintop removal succeeded in federal district court but were overturned on appeal, and the Bush administration recently signaled its intent to abandon a central environmental curb on such mining.

But Bonds is undaunted. The fight, she says, is “only beginning.”

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*Editor's Note: In the 14 years since the Goldman Foundation started giving this award, the award winners have always met with the head of the Environmental Protection Agency – **except** for this year. That's right, the EPA refused to meet with Judy! Christie Whitman must not have been up to answering questions about mountaintop removal.*



What's It Going To Take? Griles Has GOT to Go

In mid-May, the *Washington Post* and the *New York Times* reported that the Department of the Interior's inspector general is investigating the conduct of Deputy Interior Secretary J. Steven Griles, a former coal industry lobbyist.

The *Post* reported that in 2002, Griles “met at least three times with officials of the National Mining Association while the industry group, a former client, (that) was lobbying the administration to loosen standards for mountaintop mining (sic) operations . . . Griles also took part in a meeting with a dozen executives of another former client, the Edison Electric Institute, to discuss the administration's plans to relax clean-air enforcement actions against aging coal-fired plants.”

Sen. Joseph Lieberman asked the inspector general to investigate Griles. Lieberman wrote that there were “numerous troubling questions about whether the deputy secretary has successfully avoided conflicts of interests, or the appearance of conflicts.”



This person is:
A. A terrorist.
B. An environmentalist.
C. A state official worrying about terrorist groups.
D. Some guy badly in need of a makeover.

Cancer-Plagued Town Investigates Questionable Dumping

by Ann Pancake

Around the coalfields, rumors have been circulating for years, stories that seem more the stuff of horror film than life: Unmarked tanker trucks rumble under the cover of night into dark hollows where they dump mysterious loads.

For the past 16 years, Chauncey, WV, has harbored its own memories of just such an incident in their small Logan County town. This winter, increasingly alarmed by rising cancer deaths, residents decided to get to the bottom of it.

Carlene Mowery, who has spearheaded the investigation, began knocking on doors and community members rallied to help her. She has documented 111 cancer deaths in Chauncey in the last 40 years. In addition to those deaths, 72 people who either live in Chauncey now or spent a significant portion of their lives there have been diagnosed with cancer. All these cases have developed since 1987, the year of the suspected illegal dumping.

That Chauncey, a town of 300 people, has an incredibly high rate of cancer can't be disputed. The reason for the rate is unclear. The community has several possible sources. One is an old power plant that may have contaminated the ground and water with PCBs. Another is a place called "the slate dump" where oil and gas were dumped and buried for many years. But residents seem especially alarmed by November 1987 truck convoys into Chafin's Hollow behind their community.

For three weeks, an average of 25 to 27 tanker trucks a night roared through Chauncey and up into the hollow. No one in the community was told what the trucks were doing. They were hauled by bulldozer up the steep

"Don't you know you ladies can get y'all's asses shot off?"
Unknown truck driver to Chauncey residents, 1987.

hill, and after they dumped, at least some were washed in the creek, causing a major fish kill.

Resident Gail Ferrell actually walked up the hollow and witnessed the dumping. She claims she and her sister saw white trucks parked in a circle and men running hoses from the trucks into a hole in the ground about the width of a telephone pole. "The guys had on white hazardous uniforms. Their faces, everything, was covered. And a man jumped down off the side of the hill and said, 'Don't you know you ladies can get y'all's asses shot off?' That's what he said."

Some trucks had "Halliburton" written on them. At least one truck was blue and white and said "Allegheny



This snapshot, taken by a Chauncey, WV, resident in 1987, shows one of the many convoys of tanker trucks that went up Chaffin's Hollow for three weeks. Their purpose and intent are unknown at this time.

Nuclear Systems." (This truck in particular frightened the community, but they have since learned that the truck could have been for nuclear imaging, not dumping nuclear waste.)

"You could see a creamy-like substance dripping down from the back of the trucks," Ferrell remembers. "Oh, did it ever stink. We had to take off our jackets and put them over our nose and mouth to breathe, it stunk so bad."

Some agencies have suggested the trucks were used to fracture a gas well, but Mowery's research indicates that fracturing a gas well requires 13 truckloads of liquid nitrogen. Records at the Department of Oil and Gas report that 13 trucks did run up the hollow that November. The community, though, saw hundreds of trucks within three weeks.

Carlene Mowery says the community has asked for help for years from the state Division of Environmental Protection, but with little response. Finally Mowery convinced the EPA's Philadelphia office to investigate. During the week of April 21st, the EPA set up a command post in Chauncey, asked residents to visit them with comments and questions, and took soil and water samples from around the community.

Within six to eight weeks, the EPA says it should have some results. However, they don't seem optimistic that these results will be definitive. And some Chauncey residents are not confident that the EPA spent much time testing up Chafin's Hollow.

As Carlene says, "There are just a lot of unanswered questions." When the EPA does return with its results, there will be a public meeting at Omar Elementary School. 🌰

Stay Tuned for "Moving Mountains," MTR Tunes With a Message

The compact disc of music about mountaintop removal that was the brainchild of Jen Osha, and which has had input from many creative folks, is nearing completion. The title is "Moving Mountains."

Creative OVEC members have had a lot of involvement in this project, and even have some songs on the CD. Board member Jeff Bosley is the sound engineer and artwork by Winter Ross is featured on the cover. Stay tuned for CD release parties! Songs on "Moving Mountains" include:

Kiss the Hills Goodbye

T. Paige Dalporto

Planet Earth

Steve Eschleman

Larry's Mountain

Cherylann Hawk, featuring Vassar Clements

Ruination

Debbie Jones



The Spider Song

Michael and Carrie Kline

Written by Glen Lawson

In Yer Way

Kate Long

Company Town

Andrew McKnight

Song for Mother

Mike Morningstar

The Fiddler's Ballad

Jennifer Osha

Under the Blackened Moon

Keith Pitzer

The Mountains of Home

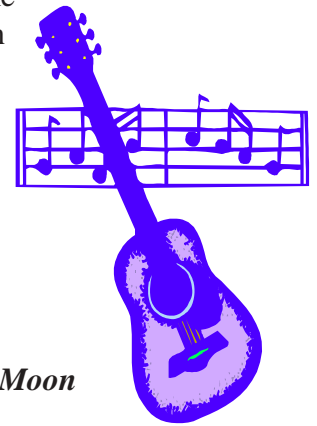
Donna Price and Greg Treadway

Larry's Song

Elaine Purkey

Quiet Mountain

Nathan Wilson



Awwww ... Massey Energy May Be "On Thin Ice," Forbes Magazine Says

by Martyn Chase

Charleston Gazette Business Editor

Wall Street is souring on Massey Energy Co.'s

prospects and the energy giant may be "skating on thin ice" with its big bet on low-sulfur coal in central Appalachia, according to an article in the May 26 issue of *Forbes* magazine.

The magazine also asserts that Massey was forced to hire "inexperienced" workers after it refused to match wage increases by competitors in the aftermath of the 2000-2001 surge in electricity demand. The result: miners "quit in droves" and undercut the company's plans for substantial boosts in coal production.

The article, titled "Not King Coal" and written by Bernard Condon, traced the company's lengthy history of labor and environmental strife in West Virginia and Kentucky, including the 1985 battle with the United Mine Workers and recent environmental disasters along the Big Sandy River and at its mine near Madison. *Forbes* noted that Massey missed its earnings targets in eight of the last nine quarters and that the company's stock price has fallen from \$28 two years ago to about \$10 today.

"[Massey Energy CEO] Don Blankenship made money while making enemies of union members and environmentalists," the article says. "Now he's not even making money. Does he have any friends left?"

The magazine is generally regarded as conservative. Steve Forbes, who ran unsuccessfully for the Republican

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ACTION ALERTS - DO IT!

Stay Informed by E-mail: Join OVEC's Action Alert! e-mail list by sending an e-mail with "join list" in the subject line to vivian@ohvec.org. This is not a discussion list, so you won't be swamped with e-mails. You'll get four to 10 Action Alerts! per month, chock full of useful info.

Stay Informed by Phone: If you don't have or don't like e-mail, call the OVEC office at (304) 522-0246 and ask to be put on our Call List. We'll need your name and phone number. Don't worry - we will only call to let you know about major events or actions.

Stay Informed by WWW: Visit www.ohvec.org frequently for news and action updates. Check out our extensive background information in the Issues section. Look for your friends in the People in Action section.

Does EIS Really Stand for 'Environment Isn't Saved' or 'Everything is Screwed'?

by Vivian Stockman

We waited all this time for *this*?

In May, nearly 2 1/2 years after it was due as part of a lawsuit settlement, several federal and state agencies finally released their draft Environmental Impact Statement on mountaintop removal. For anyone who cares about the future of southern West Virginia and eastern Kentucky, it was a long wait for a brutal smack upside the head.

Joan Mulhern with Earthjustice reminded us that the original intent of this Environmental Impact Statement (EIS) as published in the *Federal Register* was "to consider developing agency policies, guidance, and coordinated agency decision-making processes to minimize, to the maximum extent practicable, the adverse environmental effects to waters of the United States and to fish and wildlife resources affected by mountaintop mining operations, and to environmental resources that could be affected by the

size and location of excess spoil disposal sites in valley fills" (64 Fed. Reg. 5778).

The two attorneys who

"The draft EIS is a wholesale retreat from the promise made by the federal government when it agreed to do this study."
Jim Hecker, Trial Lawyers for Public Justice

filed the case that brought about the EIS were Joe Lovett, now with the Appalachian Center for the Economy and the Environment, and Jim Hecker of Trial Lawyers for Public Justice. In an e-mail, Jim wrote:

"The draft EIS is a wholesale retreat from the promise made by the federal government when it agreed to do this study in December 1998. The promise was to reduce environmental harm caused by valley fills. Instead, the DEIS does not propose a single substantive limit on fill size, location or impacts.

The government trumpets its funding of over 30 studies to prepare the EIS. The studies show that mining and valley fills are causing major environmental harm. The impacts are even greater now than earlier studies suggested. Stream miles filled have increased from 560 to 724, and stream miles impacted have



West Virginia gets its copy of the draft EIS right in the ... chest.

increased to 1,200. Yet despite ... DEIS does not propose a single specific action to limit that harm.

Furthermore, the government is not using two of the most important studies it commissioned – the ones that evaluated the economic impacts of reductions in valley fill sizes, and the cumulative environmental impacts of past and future valley fills. The only reason for this is that the government did not like the results of those studies, because they showed that the economic harm was tiny, and the cumulative environmental harm was enormous. Those studies showed that restricting fill size would only increase coal prices by a dollar a ton, and increase electricity costs by a few cents per megawatt hour.

Instead, the DEIS only proposes more process and more studies. At the same time, the DEIS makes no commitment to retain the only existing limit on fill size—the 250 acre limit that has been in effect since 1998.

All of the alternatives propose to eliminate the buffer zone rule, which is the strongest current protection for intermittent and perennial streams."

The draft DEIS says that "surface mining" has already claimed nearly 400,000 acres of forested mountains.

Future "surface mining" could claim over 1.4 million acres of this incredibly biologically diverse ecosystem.

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Mountaintop Removal EIS

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Patricia Bragg was one of the litigants on the lawsuit, as were the West Virginia Highlands Conservancy and an OVEC board member. When the DEIS was released, Trish wrote:

"This EIS has not reported how our communities have been changed by this mining, and how we are physically, emotionally, and spiritually gutted. We are laid to waste as the rest of the USA allows big corporations to profit at our expense. The politicians would not allow this destruction to take place in their back yards, why should we? They have awakened a sleeping giant and as the people shake themselves, they will arise with even more determination to correct the wrong our very government has inflicted upon us. Every change made in America's history has come about when the masses of people bind together and say, 'Enough is enough.' "

On the day the draft EIS came out, bind together we did.

Earthjustice hosted a telephone press conference, which was well attended by members of the media, and which helped enormously in counteracting the public relations spin put on the document by the Army Corps of Engineers and the Office of Surface Mining.


Their press release was a new low in Doublespeak, even for the Bush administration:

"The draft EIS recommends actions designed specifically to ensure more effective protection for human health and the environment while enabling the Nation to continue to receive the energy benefits of cleaner burning Appalachian coal. The additional steps recommended in the draft EIS build upon Federal and State actions undertaken in recent years that are effectively reducing mountaintop coal mining related environmental impacts."

Fortunately, the folks on the tele-press conference (reps from Appalachian Center for the Economy and the Environment, Coal River Mountain Watch, Earthjustice, Friends of the Earth, Kentuckians For The Commonwealth, OVEC, Trial Lawyers for Public Justice and West Virginia Highlands Conservancy) were able to interpret the Doublespeak for reporters and lay out the truth.

"The EIS studies confirmed the obvious fact that blowing up mountains and burying streams has enormous

and irreversible environmental consequences. It is astonishing, even for the Bush administration, that their response to this information is to further weaken the environmental limits on mountaintop removal mining," Joan Mulhern told reporters.

For more information about this draft, e-mail vivian@ohvec.org, who can forward you good summaries, or call the OVEC office at (304) 522-0246. 

ACTION ALERT

Copies of the massive mountaintop removal draft EIS are available in several regional libraries, as well as on-line at www.epa.gov/region3/mtntop/

Public hearings are set for 2 to 5 p.m. and 7 to 11 p.m. on **July 22** at The Forum at The Hal Rogers Center in Hazard, Ky., and the same times on **July 24** at the Little Theater of the Charleston Civic Center in Charleston, WV.

Massey On Thin Ice


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presidential nomination in 1996 and 2000, is president and editor-in-chief. The magazine has a circulation of more than 900,000, a spokeswoman for *Forbes* said.

Blankenship benefited greatly in the past by facing down the UMW, Condon wrote. "But it's not his only enemy. Environmental regulators, who he says are in cahoots with the union, aren't particularly fond of him either. They say he runs some of the nation's dirtiest mines."

Now Wall Street has joined the critics, Condon wrote. "The cocky, independent streak that served him so well has led to bad decisions, such as hiring cheaper but inexperienced workers."

Massey lost \$33 million on \$1.6 billion in revenues last year.

"It's an ugly turn of events for Blankenship, a brilliant, gutsy operator with an unfortunate tendency to shoot off his mouth," the article said. The article can be read in full at www.forbes.com. 

"Among politicians and businessmen, 'Pragmatism' is the current term for 'To hell with our children.' "

Edward Abbey

Mountaintop Removal Site Used for Federal PR Stunt

by Vivian Stockman

“How does the nation’s top strip mine regulator celebrate Earth Day? By touring a mountaintop removal mine site, of course.”

So began Ken Ward’s April 23 article in the *Charleston Gazette* about Office of Surface Mining director Jeffrey Jarrett’s Earth Day public relations stunt.

Jarrett, with media in tow, came to Arch Coal’s 18-square-mile Samples Mine to tour the company’s “reforestation” test plots. He planted some white pine seedlings with about a dozen Riverside High School students.

“Jeff...celebrated Earth Day 2003 by planting trees at an innovative West Virginia site where the nation’s second largest coal company has joined hands with the local community, watershed groups and schools to restore mined lands,” gushed a press release sent out by OSM.


Sierra Club’s environmental justice resource coordinator for our area, Bill Price, pointed out that

Riverside High kids could hardly be called “local.” The local high school was Clear Fork, but it has been closed. Bill also noted that kids from Marsh Fork High would be more “local” to the Samples Mine area, but that school may be forced to close too. “This is the pattern in the coalfields since they have started blowing up our mountains,” Price said.

“This is the mine that partly surrounds Larry Gibson’s 50-acre family graveyard and park – what a joke it is to think you are doing some kind of good amidst all that gross destruction,” said Julian Martin, a board member of the West Virginia Highlands Conservancy.

One OVEC member e-mailed that she had toured Arch’s Hobet 21 mountaintop removal site, and the “overburden that they use as soil on their prize-winning reclamation site would cut your feet to pieces if you walked on it barefoot. I’ll never forget that place.”


Coal companies are razing the most biologically diverse temperate forests on earth, destroying everything, from the hardwoods, to the understory herbs like ginseng, to the topsoil, to the seed bank in the topsoil, to the streams that are essential to life.

Jarrett’s planting of some pine trees on Earth Day in the soil-less rubble of our former mountaintops was a pathetic public relations ploy. His Earth Day stunt also gave an official stamp of approval to the environmental and cultural destruction of mountaintop removal. It was shameful – but typical of the Bush administration. 

OVEC Volunteers Participate in Health Fair

Hundreds of community residents attended the first health fair sponsored by the local branch of the NAACP, held May 31st at the A.D. Lewis Center in Huntington. OVEC folks Maryanne Graham, Winnie Fox, Elinore Taylor, John Taylor and Thomas Kincaid “personed” the OVEC table at this event.

Clearly, environmental issues are also health issues and OVEC hopes to do its part by helping more folks make the connections. As a rule, people who have less access to health care are more likely to be exposed to a disproportionate amount of toxic pollution, which may lead to health problems. That’s one reason that OVEC took advantage of this opportunity to broaden our outreach in the African-American community.

Thanks to the outstanding leadership of Sylvia Ridgeway, current president of the local NAACP, this may become an annual event we can look forward to. 

Final Assault a Hit in Theater

For six days in April, Charleston was treated to the world premiere run of “Final Assault.” The play is about people working to stop mountaintop removal, and was written by actor and West Virginia native David Selby. Much of the dialogue, which elicited laughs as well as gasps, was derived from news stories about mountaintop removal.

We heard from a lot of people who really enjoyed the play. For example, some folks who are struggling to save their land from becoming part of Arch Coal’s massive Hobet 21 mountaintop removal operation said they absolutely loved the play, and it easily could have been about them.

OVEC is very grateful to Maya Nye and the Charleston Stage Company for making the April 18 performance a fundraiser for OVEC. More than 100 folks turned out for the show, which was followed by a reception with the actors.

Many thanks to the volunteers who sold tickets, served as ushers and who brought goodies for the reception. We raised about \$1,500! The funds will be used for events planned by the Friends of the Mountains, a coalition of groups working to end mountaintop removal.

14th Annual Treehuggers' Ball Features Great Music, Swell Gifts

by Janet Fout

OVEC friends old and new were grooving to the music at our 14th annual Treehugger's Ball held this April. A special thanks goes to Roy and Terry Clark, owners of the Calamity Café, and for their loyal support of OVEC's environmental work year after year. (Be sure to support this fine Huntington restaurant located downtown on the corner of Hal Greer Boulevard and Third Avenue).



It's only right to single out Eric Fout for appreciation. My dedicated OVEC husband has organized the musical part of this tradition for many, many years and has also played music at most, if not all these events, including this one. First there was Eric's group, Two Dudes With Lutes, followed by The Pagan Babies, The Porch Band, Moleskin Panties (a name I decried as sexist!) and the locally famous Big Rock and the Candy Ass Mountain Boys, who soon will premier their first CD.

Attending treehuggers rocked, swayed, shuffled and boogied to the sounds of Paige Del Porto, Them Others, The Common Land Band and Big Rock, and the Candy Ass Mountain Boys. OVEC deeply appreciates the volunteer spirit of all the musicians who give so freely of their time and gifts to help OVEC raise local donations to stop the coal industry's mind-boggling mining practice of mountain range removal and stream annihilation.

OVEC also thanks Troy Haney for his thoughtfulness – buying and donating potted herbs for table favors at this year's event. Sales were brisk for OVEC's new organic Treehugger's Ball T-shirt with a very timely and appropriate quote on the back from Helen Keller: "This is the time for a loud voice, open speech, and fearless thinking. I rejoice that I live in such a splendidly disturbing time." These T-shirts are still available at the OVEC office.

Because OVEC's work focuses on real life and death issues, it's absolutely essential that OVEC staff, members, and volunteers take a break from hard environmental realities and kick up their heels for some fun and relaxation. The Treehuggers' Ball is one way to do that.

And last, but certainly not least, OVEC extends its gratitude to all our members, volunteers and supporters who attend, donate and often leave with empty pockets! We couldn't do this work without your financial support.

Please patronize these artists and businesses that generously donated items for this year's event: *Calamity Café*; Roane County artist *Joe Lung*; artists *Eric Kumlien* and *Clarice Kumlien*; and *Stonecrest Animal Medical Center* and *Berry Hill Garden and Craft Center*, both in Huntington. 🍷

Community Voices Heard Group Leads Organizing Workshop in Whitesville

In May, 25 coalfield residents and mountaintop removal activists and leaders participated in a dynamic organizing workshop in Whitesville, WV. OVEC extends its deep gratitude to Coal River Mountain Watch for lending their office for this event. The organizing workshop was led by Paul Getsos, Sondra Youdelman and Sheila Ireland, from Community Voices Heard, a non-profit, grassroots organization in New York City that empowers mostly women of color and is 5,000 families strong.

Paul is another awardee of the Ford Foundation's Leadership for a Changing World program. His style of organizing caught both Dianne and Janet's attention during a presentation he made at an LCW meeting.

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Just Say NO! to Overweight Coal Trucks



Hundreds of people gathered at the state capitol in Charleston in February to oppose an increase in the weight limits for coal trucks. Not enough politicians heard the people. The rest ignored the people's will and well-being and instead capitulated to the coal industry. Campaign finance reform, anyone?

When you're finished with this newsletter, please pass it on!

OVEC, Other Activists Do Double Duty in Foggy Bottom

In April, OVEC organized a group of about 30 coalfield residents and activists to travel to Washington, DC, to help Coal River Mountain Watch's Judy Bonds celebrate winning the 2003 Goldman Environmental Prize for North America. (Thanks, Dave Cooper!)

Many an eye moistened during the moving ceremony, held at the National Geographic Society's Auditorium. We are so proud of you, Judy!

True to form, we multi-tasking activists couldn't resist a visit to the offices of West Virginia Senators Byrd and Rockefeller since we were already in the neighborhood.

We thanked Sen. Byrd for publicly stating that the National Academy of Sciences recommendations on coal sludge impoundments should be implemented.

Those recommendations include identifying alternatives to coal sludge impoundments and ways to reduce completely eliminate the "need" for these impoundments.

We also voiced our concerns over the severe mountaintop removal-related flooding of the coalfields.

A few folks also visited some House Republicans who are likely to support the Clean Water Protection Act of 2003, a bipartisan bill that would stop coal companies from dumping our former mountains into our streams.

The bill would also prevent industries from dumping all manner of wastes into our nation's waters. 🍓

MSHA Doesn't Get Mad, It Gets Even - Against Its Own People

by Vivian Stockman

What do you get when you diligently and effectively do your job and attempt to expose wrongdoing? Investigated and put on indefinite leave, of course.

In June 2003, Jack Spadaro, a longtime mine inspector and a champion of miners and coalfield residents, was put on administrative leave from his job as superintendent of the Mine Safety and Health Administration's National Mine Academy, which is in Beckley. Jack figures MSHA will put him on some sort of personnel action any day now.

Under Bush's rule, MSHA just doesn't like Jack. Jack is at odds with MSHA's current push to weaken the rules governing miners' exposure to coal dust. Coal dust gives miners black lung disease. If there's an explosion in an underground mine, the dustier the air, the further the explosion travels.

MSHA wasn't too thrilled, either, when Jack blew the whistle on MSHA's investigation of the Massey Energy



Paul and Nanette Nelson of Coal River Mountain Watch speak to one of Senator Byrd's aides (off camera at right) about the dangers of coal sludge impoundments. OVEC organized a trip to Washington, DC, to support Judy Bonds as she received the Goldman Prize. About 30 people carpooled. We also made arrangements to meet with Sen. Byrd's office to talk about coal sludge impoundments, since in January Sen. Byrd publicly emphasized that much better regulation of these impoundments is needed. Our group met with an aide for Sen. Rockefeller as well. And we had a whole lot of fun!!!

coal sludge impoundment disaster. That catastrophe unleashed 306 million gallons of chemical-laden black goo, which fouled about 70 miles of Kentucky and West Virginia waterways and left sludge up to 7-feet-deep in some people's yards. According to Jack, top MSHA officials didn't want to examine "serious deficiencies that were revealed during the investigation regarding the (agency's) review and approval process for this impoundment." While saying Jack's complaints weren't valid, MSHA blocked the release of nearly half of the report its own Inspector General prepared on the disaster and MSHA's oversight of the Massey operation.

According to *Mine Safety and Health News*, this is the third time in eight months that MSHA has threatened disciplinary action against Jack. On June 4, Jack was in DC, sent there by MSHA for some meetings. In a move more suited to jack-booted thugs, MSHA officials stormed his Beckley offices, confiscated his work and changed his

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Organizing, Training to Take on Assorted Environmental Obscenities



Participants at OVEC's and Coal River Mountain Watch's organizing workshop included Julie Archer, Eddie Harmon, Julian Martin, Frank Young, Viv Stockman and Janice Nease.



During the June organizing training, Judy Bonds awarded a check to Larry Maynard so the Delbarton Environment Awareness Community Foundation in Mingo County can get a computer. The money came from Judy's Goldman Environmental Prize. Judy also made a very generous donation to OVEC. Thanks so much, Judy!



Larry Gibson, second from left, talks to Sheila Ireland, Sondra Youdelman and Paul Getsos of Community Voices Heard, who visited Kayford Mountain to see the cracks in a hillside caused by old underground mining that threaten the nearby town of Dorothy, WV.

Workshop

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After the workshop, Larry Maynard who has started his own group in Delbarton, WV, said he liked the graphics, other techniques and learning communications skills. He realized after participating in the workshop that he was bogging people down with too much information - that he needed to streamline his "rap" with people he approached. Alisa, Larry's wife, said she liked Paul's New York style, that it was a "tough love" approach. 🍌

Awardees Visit OVEC to Learn More About Mountain Massacre in WV

Five fellow awardees from the Ford Foundation's Leadership for a Changing World (LCW) program visited West Virginia in mid-May to learn more about OVEC's work, especially fighting mountaintop removal.

These nationally-recognized leaders were among the 2001 winners when Dianne Bady, Janet Fout and Laura Forman were recognized as an award-winning grassroots leadership team.

The group, along with several of their colleagues, watched *Mucked*, a movie by film maker Bob Gates, showing the devastating coalfield floods in West Virginia in 2001 and 2002, where thousands of homes were destroyed and 14 people lost their lives as a result of mountaintop removal mining and deforestation.

Wanting to see mountaintop removal for themselves, the group braved heavy rains and dodged many gigantic coal trucks, to travel to Kayford Mountain where they met OVEC board member Larry Gibson. Larry demonstrated how the mountains are being annihilated around Kayford using the scale-model designed by artist Carol Jackson.

Folks were astounded by the destruction that they saw - incredulous that beautiful, forested mountains were

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Fourth Interstate Summit for the Mountains a Success



Most of the participants at the 4th Summit for the Mountains are smiling because they know they're winning.

OVEC held its Fourth Summit for the Mountains March 7-9 at the beautiful Pipestem State Park Resort in southern West Virginia. About 50 mountaintop removal activists spent the weekend brainstorming and strategizing. OVEC used special funds from the Ford Foundation's Leadership for a Changing World Award to pay for the event.

The Saturday night entertainment included songs from Kate Long and poems from Bob Henry Baber. We had a blast giving out the following awards, complete with silly prizes:

- 👉 The Laura Forman Passion for Justice Award to John Taylor;
- 😊 Speaking Truth to Power Award to Judy Bonds, Janice Nease and Freda Williams;
- 🐔 Glad You Are on Our Side Award to Patty Sebok;
- 👉 Hospitality Award to Kathryn Stone, who places shelter over our heads and lunch in our bellies;
- 🌟* Courage in the Face of Adversity Award to Walter Young;
- 👉 Sharing the Homeplace Award to Larry Gibson;
- 🌟 Taking it to the Top Award to Regina Hendrix;
- 📄 Excellence in Website Maintenance and Technical Crisis Abatement to Don Alexander (who donates some of the time that goes into the OVEC website);
- ✂️ Excellence in Typo Catching and Icon Finding Award to Rosalie Blaul.

Congratulations to all the awardees, and to each and every one of you working to end mountaintop removal! 🌰

Awardees Visit

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being annihilated. Dale Asis, who lives and works in Chicago with immigrant communities, was awestruck by the many, varied shades of green that he saw on intact mountains - attesting to the unique diversity of West Virginia's valuable hardwood forests.

A very special thanks goes to OVEC board co-chair John Taylor, who so graciously drove his van and spent time with our guests for three days! 🌰

**Leadership
for a
Changing
World
awardees
and friends
agree that
they love
WV's**

mountains while at Kayford Mountain, WV, in May.



Think Christmas in July for that Perfect Holiday Gift

by Janet Fout

Few people would argue that the winter of 2003 was long and cold. Thankfully, the thoughts of frigid mornings, frost-covered windshields and icy streets are behind us for now. But when July comes around, you might find yourself thinking, "Before I know it, it's going to be Christmas!" And sure enough, those warm summer days roll by faster than a CSX coal train filled with the remnants of West Virginia's mountains.

Sooner than you think, you may be caught in a December whirlwind searching for that perfect Christmas gift for family members, loved ones and other people you care about. But this year, it's going to be different! You pledge NOT to be one of those last-minute shoppers buying yet another set of body wash and lotion for Aunt Crystal that she doesn't want or need – purchased in a last-minute panic.

Well, does OVEC ever have a great deal for you! It's Christmas in July! We'll help you keep that promise to yourself! A very limited number of lovely, delicate hand-blown West Virginia glass ornaments made especially for OVEC are still available to buy now!


For the past four years, OVEC has offered these beautiful items to help raise funds for our "Stop Mountaintop Removal!" campaign. Every ornament in this exclusive, collectible series features West Virginia plants and animals whose habitat is destroyed by mountaintop removal.

You can ease your burden of last-minute Christmas shopping by purchasing these collector's items and help protect the mountains at the same time. Call OVEC at (304) 522-0246 today and get a head start on Christmas.

Prices: Pilgrim ornaments, \$45 each or two for \$85

Glassworks ornaments, \$40 each or two for \$75

Please include an additional \$4.00 for postage and handling.

All proceeds (above costs) support OVEC's efforts to protect West Virginia's mountains, streams and mountain communities. Order yours today by calling OVEC or send an e-mail to us at ohvec@ohvec.org. 

Academics, Universities Come to the Rescue of the Mountains


On April 23 and 24, nearly 40 people attended a symposium at the University of Pennsylvania organized by Mary Hufford, professor and director of the Center for Folklore and Ethnography. The university's Institute for Environmental Studies co-sponsored the event, "Sustaining the Mountains: Ecological Citizenship for the 21st Century." A flier advertising the event read in part: "To get at the



Left: Glassworks, Inc., Weston, WV, fourth edition in the collection, Wood Thrush-2002 in amber by Kelsey Murphy and Bob Bomkamp. Right: Glassworks, Inc., Weston, WV, fourth edition in the collection, Jack-in-the Pulpit-2002 in amethyst by Kelsey Murphy and Bob Bomkamp.



Left: Pilgrim Glass, Inc., Huntington, WV, third edition in the collection, Bloodroot-2001 in white by Kelsey Murphy. Right: Pilgrim Glass, Inc., Huntington, WV, third edition in the collection, Cerulean Warbler- 2001 in cobalt by Kelsey Murphy.

remaining coal reserves, the coal industry is taking down the Appalachian mountains through a method of strip mining known as 'mountaintop removal and valley fill.' Disappearing along with the mountains and valleys is a wealth of biocultural diversity and associated historical and ecological memory. Can the mountains and communities of Central Appalachia survive the national demand for coal-fired electricity?" 

DECAF Takes on Proposed Massive Delbarton Slurry Impoundment that Threatens Residents

by Jen Osha

The day after OVEC's Summit for the Mountains, Erin, Paul and I went to Delbarton in Mingo County to meet with Larry and Alisa Maynard.

Larry has founded DECAF, Delbarton Environmental Community Action Foundation. We arrived at his home to find that he plans to convert his house into the DECAF headquarters. Larry, Alisa, and the other DECAF members are certainly committed! Larry, Walter Young and Leroy Runyon are the primary movers and shakers.

DECAF's main concern is the slurry impoundment above Delbarton, which is under expansion. When (if ???) the Delbarton Coal impoundment is completed, it will be 250 feet high, sitting directly over the 474 residents who live within 1,000 feet of the mine entrance. The number of residents doesn't even include all of the people who live 5 miles downstream and 1 mile upstream – the "inundation area" should this impoundment, built by yet another Massey

Energy subsidiary, ever fail. The current emergency evacuation plan calls for downstream residents to travel upstream into oncoming sludge in case of a break!

After our trip to Delbarton, Erin and I felt strongly that we wanted to visit the site of a slurry spill to better understand the potential consequences of a break in Delbarton. So we headed down to meet Monroe Cassady for the sludge tour of Inez, Ky. We stayed with Glen Cornett and his family. The Cornetts were the first residents to be submerged in sludge from the spill.

On October 11, 2000, Inez was the site of a slurry spill twice that of Buffalo Creek and around 20 times as big as that of the *Exxon Valdez*. Over 300 million gallons of sludge broke into an abandoned mine below the Big Hollow impoundment and flowed into two watersheds, then into the Tug Fork of the Big Sandy River. Sludge inched its way down Coldwater Creek like lava, forming its own layer of fog as it traveled. One-hundred and eleven million gallons

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Spadaro

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ACTION ALERT

Send letters or calls of support for Jack Spadaro to Sen. Robert Byrd and Congressman Nick Joe Rahall. These politicians know what is up, and most likely are on Jack's side, so please make sure your letters and calls have a respectful tone.

The Honorable Robert Byrd
United States Senate
311 Hart Senate Office Building
Washington, D.C. 20510-4801
Phone: (202) 224-3954
Fax: (202) 224-4168
senator_byrd@byrd.senate.gov

The Honorable Nick J. Rahall II
US House of Representatives
2307 Rayburn House Office Building
Washington, D.C. 20515-4803
Phone: (202) 225-3452
Fax: (202) 225-9061
nrahall@mail.house.gov

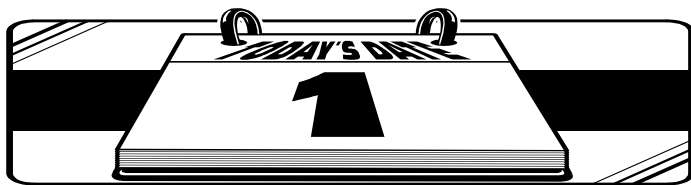
office door locks. Upon his return, Jack was not even allowed back into the Academy building.

MSHA is apparently charging Jack with fraud and misappropriation of government funds. At his supervisors' requests, Jack hired Sam Bond to teach at the Academy about three years ago. During the week, Sam stayed at the academy's living quarters and did not pay for his meals or his rent, which is apparently why MSHA is punishing Jack.

The publisher of *Mine Safety and Health News* received many anonymous notes from Jack's co-workers who call Jack's suspension a "witch hunt" and "vindictive." One co-worker told the *News* that MSHA's own regulations dictate that MSHA employees are not to be charged room and board at the Academy.

The Academy employees who contacted the *News* had very high praise for Jack. One wrote that "a small group of academy employees, encouraged by (MSHA) headquarters, conspired with the Republican administration to get rid of Jack. Shame on them. They seized upon whatever they could, and that was his compassion for a former federal inspector with MS who was so disabled that he moved about the building in a motorized scooter."

Jack has hired attorneys Roger Forman and Jason Huber to defend him against MSHA's attack. A whistleblower couldn't ask for better legal aid. 🍌



UPCOMING EVENTS

Friday, July 4, 10 p.m. on WV Public Television, part of the “Headwaters: Real Stories from Rural America” documentary series from Appalshop. “Coal Bucket Outlaw” is built around a day in the life of a Kentucky coal truck driver. The program gives Americans a direct look at where our energy comes from and reveals the human and environmental price we pay for our national addiction to fossil fuels.

Saturday, July 5, 1 p.m. to ? 14th Annual Fourth of July Celebration at the Stanley Heirs park on Kayford Mountain with OVEC board member Larry Gibson. Bring a covered dish and drinks. Music by the Carpenter Ants, bingo and more. The celebration continues Sunday. Call Larry at (304) 542-1134 or e-mail vivian@ohvec.org for info and directions.

Monday, July 21, 6 p.m. WV Department of Environmental Protection headquarters at 10 McJunkin Road, Nitro. Public hearing on proposed changes to post-mining land use regulations. The proposed changes are on file with the Secretary of State’s office. Written comments will be accepted until the public hearing. Mail comments to:

**WV Department of Environmental Protection
Attn: Matt Crum
1356 Hansford Street
Charleston, WV 25301**

Tuesday, July 22, 2-5 p.m. and 7-11 p.m. at the Forum at the Hal Rogers Center, 101 Bulldog Lane, Hazard, Ky. Public hearing on the draft Environmental Impact Statement (EIS) about mountaintop removal.

Thursday, July 24, 2-5 p.m. and 7-11 p.m. at the Charleston Civic Center, Little Theater, 200 Civic Center Drive, Charleston, WV. Second public hearing on the draft EIS about mountaintop removal.

The EIS is also open for written public comments, which *must be submitted by August 29* to:

**Mr. John Forren, U.S. EPA (3ES30)
1650 Arch Street
Philadelphia, PA 19103**

The 4,000 page draft EIS document can be viewed at: www.epa.gov/region3/mtntop/eis.htm

DECAF

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of black water rushed into Wolf Creek. In both watersheds, residents lay sleeping. They received no warning from Martin County Coal nor its owner – again, Massey Energy. MCC said the breakthrough occurred at 12:15 a.m., but state officials said it wasn’t reported until 3:45 a.m.

Ten days after the spill, black water reached the Ohio River. For 20 miles, all aquatic life died in what was termed a “total kill.” Responding to the crisis, a representative for Martin County Coal stated that the slurry spill was “the direct, sole and proximate result of an act of God, the occurrence of which was not within the control of Martin County Coal.” Sound familiar? After a moment of silence, Erin said aptly, “The only act of God I see is that no one was killed.”

The truth is that MCC had plenty of warning. So did the Mine Safety and Health Administration. In May of 1994, millions of gallons of sludge escaped into the mine shaft and thence into Wolf Creek.

Larry Wilson, an MSHA engineer, recommended that a mine shaft be completely filled in to avoid a possible loss of life if a cave-in did occur. MCC did not fill in the mine shaft.

There are a number of frightening similarities between the spill in Inez and a potential spill in Delbarton. In addition to the obvious Massey connection, both impoundments are located very close to abandoned underground mine shafts. In both cases, a Massey representative, and not a third party, is in charge of notifying residents if their lives are in danger. In Inez, if both the sludge and the water had broken out into the same watershed, people could have died.

Glen Cornett’s son-in-law, Greg Porter, was a contractor who was hired by Martin County Coal to work on the Big Branch impoundment after the 1994 break. “They should have shut it down right then,” he said angrily.

For 6 months he worked double shifts to haul strip rock to reinforce the dam. “Slurry Lake is what they ought to call it. It’d kill any living thing it touched. I know. I’ve worked around it, been around it.”

When Greg heard about proposed enlargement of the slurry impoundment in Delbarton, he had a message he wanted to share with DECAF and other activists:

“Put the word out – Don’t let them put a slurry pond in if there’s a deep mine already there. Because it will break. It will leak. And they might not be as lucky as we were.”


Contact DECAF at: getsomedecaf@yahoo.com



A New Way to Help Out OVEC, and Keep Turning Your Trash into Cash!

Now you can use your credit card to donate to OVEC on-line. Go to www.ohvec.org and click on the "Donate" button or the disappearing mountain to use your Mastercard or Visa. Many thanks to OVEC's web wizard, Don Alexander, for setting up this system.




Call or e-mail Maryanne, (304) 522-0246, or mago@ezwv.com, to get your supply of bags. 

Endangered-Species Lawsuit Targets MTR

As mountaintop removal destroys wildlife habitat, coal companies and their supposed government regulators are ignoring rules written to protect endangered species.

That's why several groups have filed a notice of intent to sue the Department of Interior and the U.S. Army Corps of Engineers for failing to properly examine mining impacts to endangered species before issuing mountaintop removal permits.

Attorneys Joe Lovett of the Appalachian Center for the Economy and Environment, and Scott Edwards, of the Water Keeper Alliance, filed the notice on behalf of OVEC, Coal River Mountain Watch, the West Virginia Highlands Conservancy and six southern WV families. 



And another big "Thank You!" to Daniela Woodyard and other folks who recycle their empty printer ink cartridges by sending them off to Envirosmart, which refills and sells them.

Envirosmart provides us with free, postage-paid bags, with an OVEC code stamped on them, to give you.

Each month, the company counts how many OVEC supporters sent in cartridges, then sends us a check.

Make a **DIFFERENCE!** Join a **WINNING TEAM!** Get **ACTIVE** with **OVEC!**

- Γ **OVEC** stopped plans for a toxic waste incinerator in Ohio that would have imported waste from across the nation.
- Γ **OVEC** organizing forced an end to chronic pollution violations at the Ashland Oil refinery in Catlettsburg, Ky.
- Γ **OVEC** led the broad effort to stop plans for the nation's largest pulp mill, which would have used outdated, heavily polluting technologies.
- Γ An **OVEC** lawsuit compelled state government to enforce important provisions of the federal Clean Water Act.
- Γ **OVEC** worked with other groups to stimulate passage of first-step campaign finance reform laws in West Virginia.
- Γ **OVEC** is changing the face of "politics as usual" in West Virginia through our Clean Elections work.
- Γ **OVEC** is committed to bringing an end to mountaintop removal/valley fill strip mining.

Cut this coupon out *today* and mail to: OVEC, P.O. Box 6753, Huntington, WV 25773-6753

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For more information call (304) 522-0246 or go to www.ohvec.org
Remember – All donations to OVEC are tax deductible!

A Little Justice for the Coalfields, If You Please!



On June 23, about 100 people gathered outside the Charleston branch of the U.S. Office of Surface Mining to condemn that agency's dismal record of enforcing mining laws. Enforcing the laws would go a long way toward reining in the excesses of mountaintop removal/valley fill strip mining. People also gathered simultaneously in Lexington, Ky., and Pittsburgh, Pa., to demand justice for coalfield residents and as a way to demonstrate that this is not just a West Virginia issue.

photo by Abe Mwaura

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