



# Winds of Change

the newsletter of the

## Ohio Valley Environmental Coalition

Huntington, WV

www.ohvec.org

*Goodwin Says No Nationwide Permits*

## Judge Expands Ruling Against Valley Fills

*Charleston Gazette, August 14, 2004*

*by Ken Ward Jr.*

A federal judge on Friday expanded his July 8 ruling that blocked the U.S. Army Corps of Engineers from approving mountaintop removal valley fills through a streamlined permit process.

U . S . District Court Judge Joseph R. Goodwin granted a request by the Ohio Valley Environmental Coalition to add six specific mining operations to the injunction.

Goodwin ordered the Corps to suspend Clean Water Act permits for the six operations if they had not commenced fill construction as of the July 8 date of his



**A little more of West Virginia's heritage goes tumbling out the back of a massive dump truck (upper left) at a valley fill in southern WV. The U.S. Army Corps of Engineers considers this type of destruction "minimal."**

activities that cause minor environmental damage.

original ruling.

Originally,

Goodwin blocked the corps from issuing new fill permits through the streamlined process, but also blocked 11 other operations if they had not yet commenced fill construction.

...In his original ruling, Goodwin said the Corps could no longer approve valley fills through a streamlined permit process meant only for

*continued on page 3*

## ***But Bush Says, Not So Fast!***

*Charleston Gazette, Sept. 3, 2004*

*by Ken Ward Jr. and Paul Wilson*

The Bush administration moved Thursday to appeal the latest in a series of federal court rulings to limit mountaintop removal coal mining... The formal notice of appeal was filed Thursday morning in federal court in Huntington.

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## *A Note from Dianne*

by *Dianne Bady*

“Wow that’s it! That’s exactly what I need to do,” I thought, after reading an article that quoted Janet Fout as saying, “If you’re always focusing on yourself instead of others, then eventually you’re going to burn out.”

So I called Janet to tell her that her words were exactly what I needed.

“But YOU taught me that, years ago,” she said.

“Oh. I did? Huh. Well, then, thank you for reminding me of something I’d forgotten.”

I’ve had plenty of opportunity to be self-absorbed this year. During most of 2004, I’ve been either very sick or recovering from two major surgeries. I want to thank hundreds of you, my dear friends and colleagues, for the outpouring of love and care you’ve sent to me during my illnesses.

I’ve stared death in the face. I’ve been immobilized by physical pain and by stark fear.

Please know how much EACH of your expressions of concern has enriched me. Put together, your acts and words of care, and your prayers, brought me out of darkness and into the Light.

I’m now back as OVEC’s co-director, alongside Janet. Because I’m a different person now, my job will be somewhat different. With the help of our staff and our board, my updated responsibilities will be figured out one step at a time.

For this is the way we frequently work together-



**Dianne with one of her cousin’s goats.**

through the fog, through the thunderstorms, gray skies and drizzle, one step at a time. As always, what will keep us going are the flashes of brilliant sunshine, the moments of awe, wonder and hope. The thrill of woodthrush song and of mountain grandeur. The care for those who walk our often rocky paths alongside of us – those who help pull us up when we fall and stay with us through the inevitable confusion, disagreements and less-than-admirable words or acts.

And so, my adventures, our adventures, continue. I have so very much to be thankful for.

*(Dianne had her spleen removed in March and lung cancer surgery in April. [No, she’s never been a smoker.] She is feeling well and happy. Ed.)*

### *Voices of the Coalfields*

## **Coalfield “terror” eludes authorities**

Recent reports of terrorist threats have prompted me to share my observations. These reports are not only true, but there is a clear and present danger. Terrorists have taken to the high ground in the coalfields and have accumulated weapons of mass destruction.

President Bush and candidate Kerry have both recently flown over the coalfields. I realize they are both preoccupied with their respective campaigns, but if they would have just looked out their airplane window, they would have seen that the U.S. has been hit again. They would have had to ask themselves, who blew up those mountains? And what kind of weapons are those that are dumping all that debris into the valleys, and on top of our

fellow American citizens? Oh my God, look at that. There’s a 3-billion-gallon chemical dump ready to be released onto Marsh Fork Elementary School!

It seems to me that if either of these two had seen the carnage below, they would have brought it to the attention of Homeland Security and every major television network in the nation. Either of them could have been touted as a hero. Alas, once again, our leaders are napping while the future of our country and the health and welfare of our citizens are threatened.

Bo Webb (a stellar volunteer with Coal River Mountain Watch)

Letter to the Editor, *Charleston Gazette*, August 13, 2004



# What a SHOCKING Surprise - Pulp Mill Was a Boondoggle After All

In late September 2004, the *Charleston Gazette* reported:

“REMEMBER back in the 1990s, when Parsons & Whittemore planned a \$1 billion paper pulp mill in Mason County, but dropped the project amid controversy over pollution? Well, it’s probably just as well, because the firm has gone **bankrupt**. The town of Nackawic, New Brunswick, Canada, is in shock. Bizarrely, the company said it was closing the community’s pulp mill temporarily for maintenance and hired 40 contractors for that task – then shut the plant permanently and threw 406 employees out of work. Astonished workers occupied the mill in protest. The

following day, Parsons & Whittemore, based in New Jersey, filed bankruptcy for all its operations. A Canadian businessman told us the firm’s actions were ruthless and devastating.”

Good thing indeed! This was the same project that West Virginia officials were willing to do *anything* to get, including offering economic “incentives” of more than \$1 million per job created, advising P&W on ways to keep the unions out, and generally acting as P&W’s bully boy in WV.

Thanks to all the OVEC members and volunteers who are still with us from the days of fighting off what would have been the continent’s largest, dioxin-spewing pulp mill.

## Bush Appeals, Brags to Big Business

*continued from page 1*

By noon, President Bush’s top environmental adviser was announcing the action during a luncheon at the 68th annual state Business Summit at The Greenbrier.

... In his decision, (Judge) Goodwin said the corps could no longer approve mining valley fills through a

## Goodwin Ruling

*continued from page 1*

Rather than these “general” or “nationwide” permits, Goodwin said, coal companies must go through more rigorous individual permit reviews when they propose to bury streams with waste dirt and rock. 🍌

streamlined permit process meant only for activities that cause minor environmental damage.

...The judge ruled with the Ohio Valley Environmental Coalition, and ordered the corps not to issue new Clean Water Act permits for valley fills in Southern West Virginia without individual reviews.

Originally, the judge also told the corps to suspend “general” permits for 11 existing operations if they had not yet started valley fill construction.

A month later, on Aug. 13, Goodwin expanded that part of his ruling to suspend all such permits where construction of valley fills had not started as of the July 8 date of his original ruling.

...Joe Lovett, another of the citizen group lawyers, said the Bush administration “is making a mistake by sending the chief bigwig of its Council on Environmental Quality down here to politicize its appeal of Judge Goodwin’s order.

“We know that West Virginians oppose efforts to weaken the laws that protect our mountains and streams, and I am just sorry that the Bush administration is more interested in rewarding its contributors in the coal industry than in carrying out the wishes of the great majority of the state’s citizens,” Lovett said.

Through early August, the Bush campaign had received more than \$230,000 in contributions from the coal industry, according to the Center for Responsive Politics.

So far this election cycle, the coal industry has contributed \$1.7 million to federal campaigns. Almost all of that money – \$1.5 million of it – has gone to Republicans.

...The share of coal industry contributions going to Republicans has greatly increased, from about 62 percent in 1992 to 92 percent this election, the center reports. 🍌

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OVEC is a 501(c)(3) non-profit organization.



# Reverential Reflections on Mountaintop Removal in WV

by Rev. Mary Ramsay, Stratford, Conn.

For a kid growing up in the midst of about 12 million people, the (wooded) “vacant lot” two doors down was a wonder. I used to retreat to a special place of my own there, and watch the sunlight filter through the green leaves. We even had salamanders in the “brook” that ran out of a big cement pipe from under the roadway.

I never knew what country-dark was until I visited New Hampshire at the age of 17. But even that did not prepare me for the sense of mystery and wonder that I discovered under the stars in West Virginia. The mountains around me seemed to be quietly breathing in the silence of the night, dreaming their own endless and holy dream. The only sounds were the stirrings of other living creatures. Not the drone of sodium lights, not the buzz of florescence, not the whooshing moan of a highway with its high scream of semis – nothing. Just a peace I had never before known. To someone from the most densely populated county in the United States, the mountains of West Virginia were like a homecoming so deeply longed-for, but never visualized. They were like a miracle.

When I first heard about and then saw pictures of mountaintop removal, I felt it like a fist slamming into the pit of my stomach. Every nerve in my body was in revolt: it was so wrong, so obscene in its destructiveness. All over the earth, past human civilizations have reached their peak as they cut down the last of their forests – and then those societies begin to slide into the shadows of history. And they at least cut down their trees for wood! From the long-gone “cedars of Lebanon” to the ancient forests that once covered Europe, they are all gone, and the center of power moved westward as the great forests fell – westward to the United States.


I am sickened by the way we are treating our children’s future. What kind of nation destroys its own lands, making them uninhabitable, the water undrinkable, the precious topsoil thrown away? Have we as a nation gone insane? As human numbers climb and every future water source is as precious as gold, what in the name of all that is most vital do the decision-makers in these mining companies *think*?

I believe that the evil being done to the mountains of Appalachia will go down in history as a crime almost as great as genocide. For it takes the water of life out of the mouths of future generations. And beyond the lives of human beings, the death of mountain ranges *matters*. The deaths of countless birds, animals – whole landscapes – *matters*.

The end of old communities *matters*. The tears and prayers, songs and hopes of the people *matter*. The water – without which none of us can live, *matters*.


Come up north and see: it takes a lot of water to quench the thirst of 14 million people . . . or the *billions* of human beings yet to be born in our grandchildren’s lifetime. We must fight the destruction with every kind of wit, skill and imagination that we’ve been given.

Under the stars in the pregnant silence, heaven is hanging in the balance.

*Mary Ramsay arranged a New York City area speaking tour for OVEC board member Larry Gibson last winter. Mary has been so moved by what is happening here that she is now arranging a benefit concert for OVEC and Coal River Mountain Watch in Connecticut.* 

## Global Warming Costly!

Swiss Re, the world’s second-largest reinsurance company, recently warned that the costs of natural disasters caused by global warming is threatening humanity with a catastrophe of its own making. In its report on how climate change is nearing the top of the corporate agenda, Swiss Re said the cost of climatic disasters threatens to double to \$150 billion per year in 10 years.

Global warming is expected to trigger increasingly frequent and violent storms, heat waves, flooding, tornadoes and cyclones while other areas get colder and dryer. 

## Get ACTION ALeRtS!

**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](mailto:vivian@ohvec.org). This is not a discussion list, so you won’t be swamped with e-mails.

**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](http://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.

## Coal Isn't My Friend

by Wilma Steele, Mingo County, WV

One Sunday, a group of friends came together at our home for Bible study. The passages we studied seemed very clear to us. One person said, "Why can't people see that?" An older man pulled a dollar from his pocket and placed it over the words. He asked, "Can you see it now? Money blinds us from the truth."

The truth about mountaintop removal (MTR) is that it is the greediest, most destructive way to mine coal. Coal will be mined any way they are allowed to mine it, until there is none left. MTR is the fastest way for out-of-state coal operators and a few rich CEOs to get richer – quicker.

Most can't wait to make a mountain of money and carry the spoils back home.



Our real mountains mean *nothing* to them.

Our mountains mean *something* to me and they *should* mean something to you.

Listen! I've stood on the hill and watched rocks fall like rain. I've seen gas companies cut hundreds of trees and leave them like corpses littering the ground. When the rains came, these massive rocks and dead trees washed off the mountain. They floated down Mate Creek and many other streams in our county. I watched as my neighbor's bridges, yards, fences, and cars washed off and rolled down the hollows. I was grateful I still had neighbors. I saw yards filled with muddy water. Through the dawn's early light, I saw their "Friends of Coal" signs were still there.

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### Child Killed by Avoidable Mining Tragedy

Sept. 6, 2004, *Charleston Gazette* editorial

In early-morning darkness on August 20, workers were upgrading a road to a strip mine near Inman, Va., about 90 miles southwest of Williamson. They shoved rocks, dirt and other debris over a hillside toward homes below. A rock more than three feet long burst into the home of Dennis and Cindy Davidson, killing their 3-year-old son Jeremy as he slept in his bed. It continued through another wall and landed near the bed of the Davidsons' other son.

Although this tragedy happened in Virginia, it shows why tough safeguard laws are needed in West Virginia and every mining state.

...Laws are only as good as their enforcement. A week before Jeremy Davidson was killed, a Virginia inspector visited the mine and found no violations. Given the operation's disregard for the permitting process, we wonder how thorough Virginia's checkup was. Did the inspector know that unapproved roadwork loomed? The U.S. Office of Surface Mining might be able to determine that, but OSM officials say they don't plan to double-check Virginia regulators after this tragedy.

...The bureaucratic name for the rock that killed Jeremy is "downslope spoil." Downslope spoil is nothing new to coalfield residents, who frequently find rocks of all sizes in their yards and roads. In 2000, OSM found that large surface mines in steep West Virginia terrain frequently violated rules intended to prevent rock slides and erosion.

At the news of Jeremy's death, coalfield residents everywhere felt a sharp pang of, "There but for the grace of God..." People should be able to put their children to bed at night without fear that their corporate neighbors are going to cause deadly boulders to come crashing out of the darkness.

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On Sept. 14, the *Bristol Herald Courier* (Va.) reported that the responsible company, Matt Mining, must pay a total of \$15,000 in fines – \$5,000 for each of the three violations it received after Jeremy was crushed to death. Outraged by the toddler's death, outraged that citizens' concerns about blasting have long been ignored and outraged at this paltry fine, citizens from nearby communities organized a March for Change. Members of Coal River Mountain Watch, the Sierra Club, OVEC and other groups joined the march from Inman, Va. to Appalachia, Va.

## Coal Isn't

*continued from page 5*

I have met the coal companies' hired puppets – their job seems to be to cheat people out of their land while they lie and turn neighbors against one another. I know this is true. We have been locked out of our graveyard – there is even a locked gate that blocks the right-of-way to six acres that our families own. To coal companies, “responsible mining” means paying after the damage is done. That is, if the people quit fighting each other and take the companies to court. This is a poor excuse for responsibility. I don't want their money. I want our mountains and the right-of-ways to family property and graveyards.

If we allow these things to happen and just settle for money, we're to blame. We would rather blame God or our politicians for all our troubles – they must be very tired of that. The Bible says if you have enough faith you can move mountains. In Mingo, all it takes is enough money. If our politicians try to do the right thing, the coal companies turn most of us against them. Just ask Ken Hechler. He spoke against MTR and our miners almost attacked the man. It didn't matter that Hechler had worked very hard for coal miners' black lung legislation.

Coal companies pay to keep people like George Warren on the radio. You know George, the voice of coal companies. He uses his airtime to ridicule anyone that speaks out against MTR. He cried, “Don't bite the hand that feeds you!” I know his questions and I'll answer. Yes George, I have a four-wheeler. No George, I'm not on comp. I'm one of those teachers you make fun of all the time. The worst kind – an art teacher. George, I know the truth when I hear it. I have eyes to see the beauty that is being destroyed. I have a voice to speak against the propaganda that is dished

### *Voices of the Coalfields*



## **I'm Tired of All the Flooding**

Dear Editor,


With all the flooding on Memorial Day and now again in September, are we going to face this every time it rains? Logging, gas and mining companies stripping our mountains are leaving us with the mess and mud. It's washing out our roads and destroying our homes.

I think most of you think logging, gas and mining companies could do their jobs without destroying our mountains and our homes or having our people worry every time it rains.

Geneva Runyon, Mingo County



out in Mingo County.

Coal isn't my friend. It's just an important resource. We are told to be wise stewards of the land – our mountains and our heritage are too important to sell. 

## ***Thanks to All the Awesome OVEC Volunteers!***

Elinore and Nancy Taylor, Eric Fout, Winnie Fox, Bert Dieringer and Janna Blanchard, Libby Callicoat, Laura Varney, Chris Worth, Whitney Eskew, Sidney Tweel and Sue Reynolds for helping out at the Multicultural Festival.

Adam Brown, Ralph, Graham and Morgan Oberly, Mel Tyree, and Winnie Fox for helping with mailings. Cindy Goebel for her encouraging words.

Bill Chafin, Irene Frye, Becky Hunt, Moss Burgess, Denver Mitchell, Rosemary Vidovitch, Marlene and Jimmy Compton and the many others in Logan County who are providing the leadership for ongoing organizing efforts.

Walter and Carol Young, Leroy and Geneva Runyon, Barbara and Roby Chafin, Terry and Wilma Steele and the many others in Mingo County who are providing the leadership for ongoing organizing efforts.

All those who are doing voter registration canvassing and tabling and the NAACP for their continued partnership in this project. Special thanks to Sidney Tweel our most-registering-canvasser and Layne Amerikaner and Lacey Johnson who have continued registering voters, even though they are back at school.

The folks in Hinton for keeping one of our organizers accountable.

Jeri Fogel for getting and keeping students interested in the work of social change.

All those who support our work through contributions of time and money, with a special thank you to Mel Tyree for his increasing volunteerism around the office.

Special thanks to the NAACP for co-hosting CORA's Dismantling Racism training.

The long-suffering drivers and passengers who trekked to Shepherdstown on July 22, with an extra shout-out to ShepPAC.



# New York Times: Friends in White House Come to Coal's Aid

(The MTR graphic accompanying this front page article cited OVEC as a source! Excerpts are below.)

by Christopher Drew and Richard A. Oppel, Jr.  
August 9, 2004

... "They (Bush administration) generally want to do whatever the (coal) industry wants," said Representative Frank Pallone Jr., a New Jersey Democrat... "You don't even have to change the law. You can change the regulations and don't do enforcement."

... The administration has also tried to make surface mining more economical by making it easier for coal companies to blast off the tops of mountains and dispose of rubble in valleys and streams.

Environmentalists say such "mountaintop removal" has destroyed some of Appalachia's beauty and polluted water supplies. They contend that Bush appointees have shifted the government's focus to expediting approvals of new mining permits from limiting the size of the mines.

... Over the last six years, coal companies have donated \$9 million to federal political candidates and party organizations, and 90 percent has gone to Republicans, according to the Center for Responsive Politics.

... Over the last two and a half years, the administration has changed one environmental regulation and announced plans to weaken another. And when officials

## Mining Mountains

How mountaintop mining is done and its effects on the environment.

### THE PROCESS

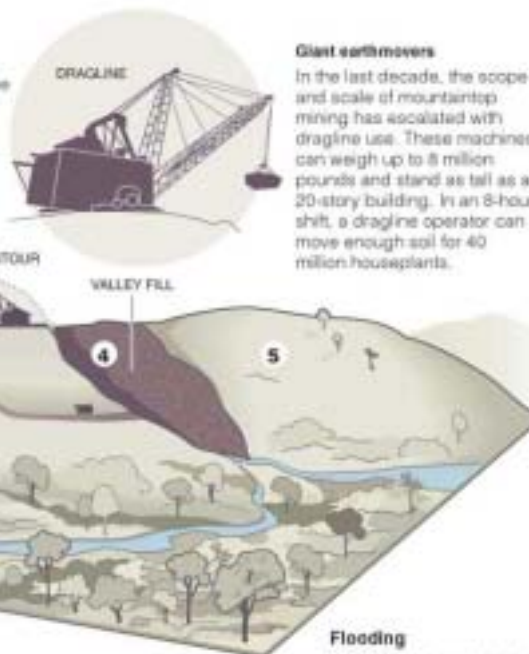
**1** Trees are clear-cut, and explosives are used to loosen the rock and topsoil.

**2** Huge shovels dig into the topsoil, and trucks start hauling it away.

**3** A dragline digs into the rock to expose the coal.

**4** The draglines and 250-ton trucks dump the topsoil and rock into areas called valley fills.

**5** Coal companies are supposed to reclaim land, but native trees have trouble growing on disturbed topsoil.



### ADVERSE EFFECTS

#### Destruction of forests

When large areas of forests are clear-cut, wildlife habitats are destroyed. Wildlife and plantlife become more vulnerable to predatorial species.

#### Destruction of streams

In recent years, valley fills have buried or damaged 1,200 miles of streams.

#### Blasting

Explosions can cause damage to home foundations and wells.

#### Flooding

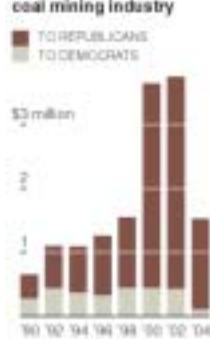
The destruction of natural streams by valley fills and the loss of vegetation can cause flooding.

Sources: Arch Coal Inc., West Virginia Department of Environmental Protection, Ohio Valley Environmental Coalition, Natural Resource Defense Council

## Campaign Contributions

The employees and owners of coal mining companies have given millions of dollars to political candidates, mostly to Republicans.

### Contributions by the coal mining industry



### Top companies nationwide

For 2002 and 2004 election cycles

COMPANY	CONTRIBUTIONS	PERCENTAGE GIVEN TO REPUBLICANS
1. Peabody Energy	\$1,438,011	92%
2. AEI Resources	532,750	94
3. Murray Energy	450,125	96
4. Drummond	351,747	90
5. Arch Coal	298,884	90
6. Bosch	211,900	90
7. Anneist	192,950	94
8. P&G American Coal	153,700	78
9. American Energy	128,900	85
10. International Industries	120,700	99

Note: Data includes contributions from political action committees, soft money donors and individuals giving \$200 or more. It could also include donations from the organization's P.A.C., its individual employees or owners, and those individuals' immediate families. Data is for two-year election cycles.

Source: Center for Responsive Politics

The New York Times

released a new draft of the impact statement in May 2003, environmentalists were outraged.

... The report found that 1,200 miles of streams had been buried or damaged over the past two decades.

... Instead, it called for more coordination among state and federal agencies to simplify the permitting process and minimize environmental harm.

As a result, permits for mountaintop mines started flowing again last year, with 14 approved in West Virginia, up from just 3 in 2002.

But just last month a court dealt a blow to the Bush administration's efforts, in a response to another suit by Mr. Lovett and other environmentalists.

Judge Joseph R. Goodwin of United States District Court in West Virginia barred the Bush administration from using one of the main methods for expediting permit approvals that it had endorsed in the environmental review.

The judge ordered the government to revoke the permits for 11 mines and to conduct more extensive environmental reviews before issuing any new permits. 🌳

## New Campaign Aims to Change Political Same-Old, Same-Old

In a recent press conference, OVEC's Janet Fout announced that Citizens for Clean Elections was beginning their new grassroots campaign for Fair And Clean Elections. Its slogan is: "It's time to change the FACE (Fair and Clean Elections) of West Virginia politics."

Julie Archer, a research analyst for Mountain State Education and Research Foundation, which analyzes campaign contributions for PERC-WV, provided compelling arguments on behalf of Clean Elections in West Virginia, emphasizing that special interests dominate politics here.



**Carol Warren, WV Council of Churches.**

Carol Warren, who spoke on behalf of the WV Council of Churches, voiced strong support for this Clean Elections system that provides greater participation for all people in the electoral process.

*"We're paying for it now anyway," Warren said of the cost of corporate-sponsored campaigns. "When candidates have to pay more attention to raising money than dealing*

*with the issues, regular voters are limited to the process if not through votes then at least by access."* Kris Wise, *Charleston Daily Mail.*

We appreciate the willingness of Rep. Chris O'Neil, a Maine state legislator, to speak about how Maine's Clean Elections law has positively changed the manner in which legislators campaign and conduct state business in Maine since the enactment of this innovative system. (Mr. O'Neil was on hand during the interims to talk about Maine's health care system.)

*Now, he has to have dozens of small contributions from regular voters to qualify for the state campaign fund, and he can't rely on big business to help*

### **GOTV - Volunteer Now!**

**OVEC needs volunteers for our Get Out the Vote (GOTV) work. We need YOU to help with phone banks, canvassing, sending mailings, etc. We'll offer a short training on GOTV canvassing and phone banking. Call Scott at the OVEC office, (304) 522-0246.**

*pay for a win on Election Day. "Now, I have to go knock on my neighbors' doors, tell them I'm a legislator and ask if they think I've done a good job," O'Neil said. "I have to get \$5 from all of them and explain 'You're now vested in the system, and we're partners in this process.' It's a lot better this way."* Kris Wise, *Charleston Daily Mail.*



**Maine State Legislator Chris O'Neil explains clean elections.**

Also our gratitude goes to WV Delegates Bonnie Brown, Dan Foster and Rusty Webb, who spoke at our press conference, giving their support for public financing of elections in West Virginia (some legislative supporters like Senators Jon Hunter and Vic Sprouse and Del. John



**Julie Archer, Mountain State Education and Research Foundation.**

Doyle called to let us know that they were unable to attend because of the need to be in legislative interim meetings).

To learn more about West Virginia's Clean Elections bill, check out OVEC's website – [www.ohvec.org](http://www.ohvec.org), then click on "Campaign Finance Reform."

You will find fact sheets, recent news, a copy of the proposed bill, updates, and other pertinent information regarding Fair And Clean Elections in West Virginia. If you have some time to

spare or are just fed up with politics as usual and would like to be involved with this campaign contact Janet at (304) 522-0246 or e-mail at [ohvec@ohvec.org](mailto:ohvec@ohvec.org). 🍡

**We care, We Count, WE VOTE!**



## Fair And Clean Elections Could Change the *FACE* of WV Politics

by Janet Fout

Fair And Clean Elections in West Virginia. That sure would be welcome relief in the midst of this election season, where there's enough mud being slung to keep all the hogs in our nation knee-deep and happy.

While Fair And Clean Elections in West Virginia may not put a lid on all the lies and half-truths inundating our public airways, it does have the capacity to allow candidates to run on the merits of their ideas and not on how much cash they can beg for from special interests. It could level the playing field and limit spending.

Costs for campaigns are skyrocketing. In West Virginia, according to the People's Election Reform Coalition (PERC-WV), some state Senate races in 2002 topped out over \$400,000 (a state Senator is paid \$15,000). In our gubernatorial 2004 primaries, candidates raised over \$9 million, and the race to the finish isn't over yet! Most of this money isn't coming from regular citizens. According to PERC-WV, less than 1/2 of 1 percent of all West Virginians contribute to campaigns. Special interests who benefit financially are the primary contributors to our politicians' campaigns. My mom always told me, "You get what you pay for." Well, unfortunately, special interests are "buying" and West Virginians are paying.

In some cases, some West Virginians are paying with their lives. Just ask a family member of anyone who died after being killed by an overweight coal truck. Our lawmakers' "solution" to that serious problem was NOT to enforce the law on the books, but to raise the weight limits. It's no small coincidence that campaign contributions from the coal industry, trucking companies and other coal

### **Vote EARLY, but Not Often!**

**No excuses! Oct. 13 is the last day to register to vote. You don't have to wait until Nov. 2 to cast your vote. In October, (13-15, 18-23, and 25-30) any registered voter may vote in person in the office of the clerk at your county courthouse.**

**Only you can make democracy work – so vote early!**

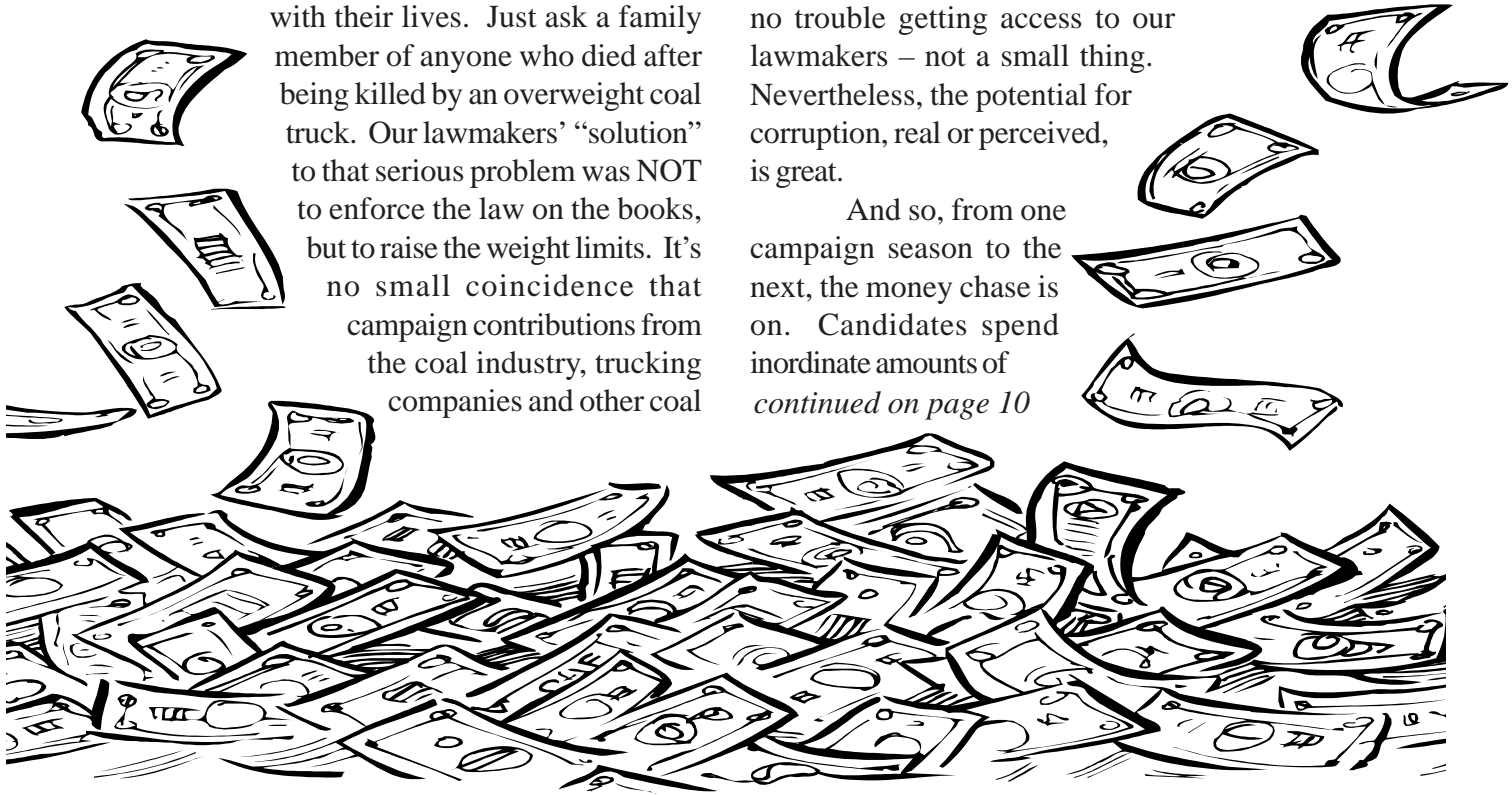
supporters to those who voted in favor of the increase, far exceeded those who voted against raising the limits.

While many politicians swear they are not swayed by campaign contributions, only the most politically naive believes he/she is not influenced in some manner (especially if there are plans to milk the same campaign cash cow when the next election cycle rolls around).

In the very least, wealthy contributors generally have no trouble getting access to our lawmakers – not a small thing. Nevertheless, the potential for corruption, real or perceived, is great.

And so, from one campaign season to the next, the money chase is on. Candidates spend inordinate amounts of

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## Changing the FACE

*continued from page 9*

time raising dough for campaigns from special interests (unless they are independently wealthy).

Frankly, considering all the serious issues affecting people’s very lives here – spiraling costs of health care and prescription drugs, a deteriorating environment due to mountaintop removal, deforestation and repeated flooding, poor air quality that triggers many respiratory ailments especially in children and the elderly, mercury contamination of our state’s water so bad that pregnant women are advised to restrict their (and their children’s) consumption of fish, thousands of West Virginians without good paying jobs, retirement benefits going down the drain, consolidation of rural schools forcing too many children to endure long bus rides (to name a few major issues) – wouldn’t citizens prefer lawmakers spend their time focusing on finding solutions to these kinds of problems instead of always dialing for campaign dollars?

Honestly, candidates are faced with a tough choice under our current system for financing campaigns. Either a candidate spends time raising money from special interests, or he/she faces the possibility of not having enough money to run a viable campaign. The candidate is caught up in a very flawed system. But there is a solution that could free politicians from the bonds of special interest campaign contributions. It’s a voluntary system already working in Maine, Arizona, Vermont, North Carolina and New Mexico where candidates can choose to run clean.

How might the face of West Virginia politics change if we instituted a system of public financing fashioned after the laws enacted in Maine and Arizona?

Fair and Clean Elections could provide money for people from all walks of life who have won the public trust, to run for office and get elected. In Arizona, more women and people of color have been elected to public office. In a healthy democracy, the views at the statehouse should reflect the many differing views of the people that are represented.

Indeed, you do “get what you pay for.” Maybe West Virginians would get more beneficial laws IF they helped pay for the campaigns. One expert on elections,



**Turn some of your trash into cash for OVEC!**  
**Recycle your ink jet printer cartridges. Call**  
**or e-mail Maryanne, (304) 522-0246, or**  
**mago@ezwv.com, to get your supply of postage-pre-**  
**paid bags.**



reminding us that elections are supposed to be for the public good, has said that the small amount of money the public would spend to finance elections, relative to the current spending in a state’s budget, is wholly justifiable because of the potential public benefit.

Fair And Clean Elections holds the potential to change the way elected officials campaign.

At the same time it is changing the way our lawmakers ultimately conduct business at the statehouse.

Many people now believe it’s time to change the FACE (Fair And Clean Elections) of politics in West Virginia.

*About 900,000 people are represented by the organizations involved in the Citizens for Clean Elections, a broad-based nonpartisan coalition comprised of environmental, labor, faith-based, community and good government groups.*

*(OVEC takes the lead in organizing and coordinating its efforts.)*



## ☆☆ DEMOCRACY WORKS! ☆☆

### *Clean Elections – for the Future!*

In *Building the Countermovement*, Laurie Spivak of altnet.org writes:

“Progressives share a common set of values... (which) center on our children’s future: their health, their prosperity, their education, and the environment, as well as the global situation that they inherit. From the pilgrims on the Mayflower to our newest waves of immigrants, for more than 300 years, people have come to America to give their children a chance at a better life.

“Securing that future through forward-looking policies, bold vision and political reform is the mission that unites progressives. **...most important for long-term sustainability, progressives must address campaign finance reform. It’s time to end the preferential treatment of big business and parasitic lobbyists in Washington. America’s broken campaign finance system is rigged for corporate special interests...** Millions of disaffected Americans never bother to vote and a Harris Interactive poll found that a whopping 87 percent of Americans believe that big corporations have far too much power and influence in Washington.”

Get involved in OVEC’s campaign finance reform and Get Out The Vote work! In our own small way, we are helping to make the future better!



# Another Reason There is No Such Thing As “Clean” Coal

After coal is burned to create electricity, utilities have to do something with the remaining ash. “Something” could be leaving the ash in great heaps at power plants or trucking it to mines to “dispose” of it.

The disposal of power plant waste, which contains everything present in coal – including toxic heavy metals like arsenic, lead, mercury and cadmium – is not regulated by the federal government.

That’s bad news, according to Jeff Stant with the Clean Air Task Force.

## Dump Wherever

The unregulated dumping of ash means that power plants pass on their troubles to us. They avoid the costs of building landfills for their wastes that have liners, extensive monitoring, corrective action requirements, financial assurance and other standard safeguards.

The result is water supplies contaminated with heavy metals, toxic salts and radioactivity that have ruined drinking water wells and private property, killed livestock, damaged crops, wiped out fish, reptiles, amphibians and other life

## EPA Wording Found to Mirror Industry’s; Influence on Mercury Proposal Probed

*Washington Post*, Sept. 21, 2004  
by Juliet Eilperin

For the third time, environmental advocates have discovered passages in the Bush administration’s proposal for regulating mercury pollution from power plants that mirror **almost word-for-word** portions of memos written by a law firm representing coal-fired power plants.

The passages state that the Environmental Protection Agency is not required to regulate other hazardous toxins emitted by power plants, such as lead and arsenic. Several attorneys general, as well as some environmental groups, have argued that the Clean Air Act compels the EPA to regulate these emissions as well as mercury...

“The Bush administration continues to let industry write the rules on pollution, and this is just one more example of how they abuse the public trust,” (Sen. James M. Jeffords (I-Vt.)), said. 🍌

and probably harmed people.

The National Research Council, which is a part of the National Academy of Sciences, is launching a study of the effects of dumping power plant waste into coal mines. Environmental groups will be watching and working to make certain that this study is legitimate.

## And yet another

Emissions of sulfur dioxide, which causes acid rain, rose 4 percent in 2003. Coal-fired power plants were the main source of the 10.6 million tons of sulfur dioxide. That total compared with 10.2 million tons in 2002. 🍌

## Coal-Fired Plants Raising New Health Concerns

by Pamlea Brogan of Gannett News Service and Jean Tarbett of the *Huntington Herald-Dispatch* (Aug. 11, 2004)

*Dispatch* (Aug. 11, 2004)

WASHINGTON – Across the country, coal is making a comeback to meet consumers’ increased demands for electricity, but a new report indicates that it may be linked to deaths from heart and lung disease.

The report marks the Huntington metropolitan area as the *sixth-highest in per capita deaths related to air pollution*.

...The Dirty Air Dirty Power report, a June study conducted by a group called Clear The Air, indicated that *West Virginia had the highest per capita death rate from health problems related to coal-powered energy plants*.

Kentucky had the second-highest, and Ohio had the fourth-highest, according to the report. Charleston was ranked as having the fourth-highest per capita death rate for a metropolitan area, and Huntington the sixth-highest.

The Environmental Protection Agency estimates that in 2002, coal-fired plants accounted for:

- ✘ 63 percent of the nation’s sulfur dioxide emissions, a major cause of acid rain.
- ✘ 40 percent of mercury emissions, which can cause brain damage in fetuses and neurological problems in children.
- ✘ 22 percent of nitrogen oxide emissions that cause smog.

The study released by Clear the Air, an environmental coalition, found that pollution from coal-fired power plants is linked to 24,000 deaths annually. That’s more than the 20,000 people killed each year in homicides

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# Mountaintop Removal / Valley Fill

Mountaintop removal continues to make the news all across the nation!

Here are just a few of the recent mentions...

## Clotheslines or Coal Crimes?

Author Bill Mckibben made a modest proposal in a column for the July 12 Fort Worth, Texas, *Star-Telegram*:

“If you’re wondering what (prior to Nov. 2) you can do about our deadly dependence on foreign energy, or about ever-rising utility bills, or about the flood of carbon into the atmosphere that’s steadily raising temperatures, here’s one answer: Let air and sun and wind do their job.

“To be specific, buy 50 feet of clothesline and a \$3 bag of clothespins and become a solar energy pioneer.

“The average American family devotes 5 to 6 percent of its annual electric budget to the motor and heating coils inside its clothes dryer.

“Undampening your socks ties you into the vast world energy grid, with its legacy of mountaintop-removal coal mining, terrorist-vulnerable natural gas pipelines and all the rest... (t)he clothesline is the most elegant solution to the problem of drying clothes in good weather.

“And if it storms? Just leave them up until they dry again – you’ll be able to boast about rain-washed clothes.

“If we all used clotheslines, we could save 30 million tons of coal a year or shut down 15 nuclear power plants. And you don’t have to wait to start.

“Yours could be up by this afternoon.”



**In Logan County, a coal truck rumbles past a formerly-quiet mountain cemetery, hauling a little bit more of Appalachia away. In the background, the mountaintop removal mine that is relentlessly creeping down the valley.**

## Ignoring a Mountain of Science

In July, the Union of Concerned Scientists (UCS) released a report documenting a host of new examples in which Bush officials have inappropriately interfered with scientific judgment to support the president’s predetermined agenda.

News stories about the report that appeared in papers nationwide noted that, among other things, the administration has suppressed information on environmental damage from mountaintop removal:

“The administration has also shown no reluctance to shape scientific findings in service to its political agenda. In one case, Deputy Interior Secretary J. Stephen Griles, a former lobbyist for the mining industry, directed agency scientists and staff to drop any consideration of alternatives that could minimize environmental damage from mountaintop mining, which the administration was seeking to boost. ‘We were flabbergasted and outraged,’ one high-ranking staff scientist at the Fish and Wildlife Service told UCS.”

# Strip Mining In The News

## Madly Moving Mountains

According to Roger LeBaron Hooke, a University of Maine scientist, humans are surpassing other natural forces (rivers, wind, oceans, glaciers) as earth movers. He finds this achievement troubling, and other scientists are taking note.

“One might ask how long such rates of increase can be sustained and whether it will be rational behavior or catastrophe that brings them to an end,” Hooke noted. “I wonder how much longer we can continue making a mess of the planet.”

Among the environmental problems linked to these activities are acid mine drainage and river sedimentation.

Mountaintop removal, a technique for strip mining coal in the Appalachian coal belt, results in the destruction of river valleys, he adds.

## Battling the Big Shots - And Winning!

by Jim Hightower

For those who sit around whining that the Powers That Be are just too powerful, so there's no use even bothering with battling the b\*\*tards – take note and take

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**Southern West Virginia beautification projects, King Coal style - mountaintop removal strip mining, valleys filled up with trees, soil, small critters and other assorted “rubble,” and the ever present sludge lakes, haul roads, dust and noise from the constant blasting ... need we go on?**



heart...

First is a coalition of environmental and citizen groups in the West Virginia area that has been battling the coal-industry giants. For years, these groups have been trying to stop the industry from using a devastating, disgusting, and just plain dumb mining practice called “mountaintop removal.”

Instead of tunneling into the mountains to get at the coal, the corporations simply blow up the top third of the mountains, shove the rubble into valleys and streams below, then scoop out the coal.

Not only is this unbelievably destructive, but, thanks to the coalition’s determined push, a federal judge has now ruled that the permitting process that rubberstamps this abomination is illegal.



Sunlight and shadows play over a devastated WV landscape.

### *Mercury, Coal and Human Health*

## **A Mother’s Statement on the Effects of Mercury Poisoning on Children**

On Sept. 8, we held a press conference to locally release a new report on mercury emissions from coal-fired power plants. Expectant mother and OVEC volunteer Libby Callicoa joined OVEC staffer Abe Mwaura, the Ohio Environmental Council’s Jack Shaner and the Ohio B.A.S.S. Chapter Federation’s Jim Doss in detailing the effects of mercury on fish and, ultimately, human health. Here’s Libby’s statement:

“In 11 weeks, I’ll be giving birth to my first child. As a mother I have come to know the fears that a woman has when she’s trying to have a healthy baby in today’s world. As many of us are looking to the Middle East as the pinnacle of terrorism and evil, mothers see terror here in our food, our air, our water and our land. Mercury contamination in our environment, especially in our food chain, has become a dark cloud hovering over each developing fetus and young child. We now know that developing fetuses and children are the most vulnerable to the effects of mercury contamination. The threat is so severe that the government and other groups such as the National Academy of Sciences recommend that pregnant and nursing mothers not eat more than 6 ounces of fish per month.

“The health effects of mercury contamination are:

- ☠ ***Impaired memory***
- ☠ ***Mental retardation***
- ☠ ***Reflex and visual abnormalities***

- ☠ ***Seizure disorders***
- ☠ ***Cerebral palsy***
- ☠ ***Blindness and deafness***
- ☠ ***Loss of motor function***
- ☠ ***Lowered IQ***
- ☠ ***Abnormal muscle tone***

“The EPA estimates that 630,000 children may be born in the US every year with neurological problems due to their in-utero mercury exposure. That’s about 16 percent of the 4 million children born every year.

“We all know as adults that it’s not getting any easier to find your way in the world. And for those kids poisoned by mercury, the world will always be a continuous maze with roadblocks in the form of physical and mental disabilities, reliance on others for basic needs, and the diminished ability to reach their dreams. We are everyone responsible for this injustice. Our lack of action and our shortsighted policy in generating electricity is robbing our children of their right to freedom, justice and the pursuit of happiness.

“I am asking each of you to do your part to make a difference – start today by conserving your use of electricity at home and end by converting our source of electricity from coal-fired power plants to alternative energy sources.

“Thank you for your time.

“I am a mother and my name is Elizabeth Callicoa.”



# Say What You Want, King Coal, Mountaineers Do NOT Support MTR

by Cindy Rank

Chair, West Virginia Highlands Conservancy Mining Committee

“Do West Virginia residents oppose mountaintop removal mining?”

It’s hard to believe that we should still be *asking* that question.

After reading the scientific reports and predictions in the Draft Mountaintop Removal/Valley Fill Environmental Impact Assessment (DEIS), after years of reports of devastating floods and disappearing communities and families uprooted from their ancestral homes, after significant legal victories in the courts, after watching hundreds of brave individuals speak and demonstrate against the practice that is destroying their lives and livelihoods, we SHOULD be asking why this extreme form of mining can be allowed to continue.

However, the coal industry continues to fund massive campaigns to tell the world that coal is wonderful and that coal is a basic necessity for life as we know it and that any means of getting that coal out of the ground and into our lightbulbs is good for everyone. Industry’s recent

## Voices of the Coalfields



### MTR NOT “Sustainable”

Heartwood’s Andy Mahler submitted this letter to the editor of the *Louisville Courier-Journal*:

In a recent letter, J. Steven Gardner of Versailles (Ky.) offered his professional opinion, “as an engineer and scientist ... that mountaintop mining is one of the best examples of sustainable development in the region.” If obliterating mountaintops and dumping the rubble into some of the most biologically diverse streams in America is “sustainable,” then the word has lost all meaning. I have witnessed the devastation (yes, that is the right word) at first hand and consider it to be the most destructive peacetime activity in human history. Were this desecration of our land, our communities, and our heritage the work of a foreign power (rather than powerful corporations with friends in high places) it would rightly be considered an act of war. Tragically, it is just business as usual for Old King Coal.”

Great letter, Andy! Letters to the editor are excellent tools – use them! 🍓

“cleaner and greener” and “coal keeps the lights on” campaigns are wont to imply that all West Virginians still worship at the feet of an ever-beneficent King Coal and that we support whatever it takes to get the coal out.

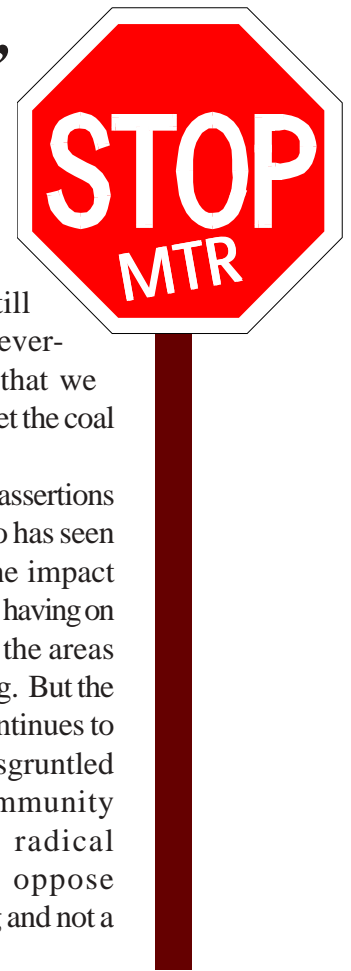
Of course, industry’s assertions don’t ring true to anyone who has seen first hand or heard about the impact mountaintop removal mining is having on the people and resources of the areas where the practice is occurring. But the fact remains that industry continues to claim that it’s only a few disgruntled miners, a handful of community dissidents and some radical environmentalists that oppose mountaintop removal mining and not a majority of West Virginians.

This ludicrous assumption has once again been proven false by a recent poll about mountaintop removal mining and environmental attitudes commissioned by the Appalachian Center for the Economy and the Environment and conducted by the highly respected national polling firm Lake, Snell, Perry & Associates.

(As most readers know, the Appalachian Center is the law and policy group that has aided the West Virginia Highlands Conservancy, OVEC and other citizen and environmental groups in appeals and litigation against illegal and devastating mine permits.)

**The results of the poll fully support the belief that a solid majority of West Virginia residents DO NOT SUPPORT mountaintop removal coal mining! And indeed, many of those who oppose the practice are STRONGLY OPPOSED to the practice.**

The strength and depth of these poll results prompted Daniel Gotoff, vice president of Lake, Snell, Perry and Associates to say, “Rarely do we see such unanimity of opposition. Across the state, a solid majority of voters opposes the practice of mountaintop removal, and there is remarkable intensity to that opposition. Furthermore, candidates for elected office should take heed, as many



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## MTR Poll

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voters say they will consider a candidate's opposition on this crucial issue when they cast their ballots."

The survey was conducted June 13-15, 2004. Professional interviewers talked by phone with 500 likely voters in West Virginia. Results of the poll reveal solid opposition to the practice of mountaintop removal mining and show that opposition to be broad and deep, across all demographics groups and every region of the state:

☞ By a nearly 2 to 1 margin, likely voters oppose mountaintop removal mining (56 percent opposed, 29 percent favored and 15 percent were undecided).

☞ Among the 56 percent who opposed the practice, 39 percent strongly opposed. Among the 29 percent in favor, only 12 percent strongly favored.

☞ Among men and women, under and over 50-year-olds, across all regions of the state, in union and non-union households alike, responses from all groups showed between 53-65 percent opposed and 17-32 percent in support. No one group defined by age, gender, location, etc., supported rather than opposed MTR.

The poll also shows that voters are overwhelmingly concerned about the findings of federal government studies that describe the impacts of mountaintop removal on the state's environment. After the initial questions about MTR summarized above, participants in the survey were read several of the findings from the EIS:

☛ Upon hearing that if new limits are not placed on mountaintop removal, the estimated area that will be stripped by the end of the decade encompasses 1.4 million acres of forests mountains and streams (over 2,200 square miles), 79 percent are concerned and only 18 percent are not.

☛ Upon hearing the finding that more than 1,200 miles of streams in Appalachia have already been buried or destroyed by mountaintop removal coal mining, with another 1,000 miles projected for burial and destruction in the next ten years if limits are not placed on MTR, again 78 percent expressed concern.

After hearing more about mountaintop removal, participants in the survey were told that many people responding to such a survey change their minds at the end of the survey and were re-asked the question about their opposition or support of the practice. A full 66 percent expressed opposition to the practice, only 26 percent still

expressed support and 8 percent remained unsure.

In addition to questions about mountaintop removal, the survey asked West Virginians their opinion of current environmental policies and laws, as well as their thoughts on the Bush administration's handling of environmental issues.

In response, a majority of the West Virginians polled said that they supported strengthening current environmental laws and 60 percent of those questioned reported being strongly opposed to changes made to federal environmental laws by the Bush administration.

More poll results can be found at [www.appalachian-center.org](http://www.appalachian-center.org). Check it out.

Rumor has it that the coal industry has conducted their own polls, but all we've seen is increased PR, intrusion into the public schools by the coal-sponsored CEDAR program, and more permits coming faster every day. 🌰

*\*Yes, we know raccoons can't talk. But if they could ...*

## Power Plants

*continued from page 11*

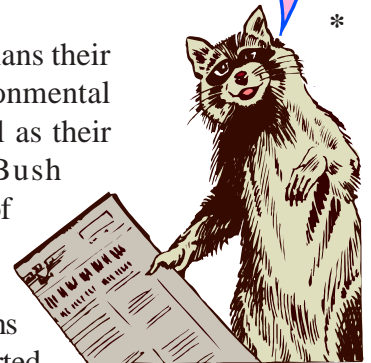
and the 17,000 killed each year by drunken drivers, according to the report. The study found that 22,000 of the deaths could be avoided using the latest pollution controls.

... West Virginia claimed the highest per capita death rate, with 33.1 of every 100,000 people dying from heart or lung disease that could be linked to coal emissions.

"Once again, we're No. 1 in a dreadful thing," (said Vivian Stockman, project coordinator with the Ohio Valley Environmental Coalition.) "This report is really an exclamation mark and an underline of what we've feared for a long time about coal fired power plants. It screams out that we really need to address the pollution problem seriously.

"When we think of coal, we think of cheap energy, but the report shows how terribly expensive it is for our health and our children's health." 🌰

Hey Gov. Bob,  
**STOP MTR!**



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

# OVEC and NAACP Partner at Tri-State Multi-Cultural Festival

by Janet Fout

Huntington's beautiful Ritter Park was already abuzz with activity when we arrived to set up our tent early on September 4. We knew the park's shade would be welcome on what promised to be a scorching reminder it was technically still summer. Eric (Fout), Scott Straight (OVEC's intern), and I were already breaking a sweat!

As in previous years, OVEC and the Huntington-Cabell Branch of NAACP shared tent and table space. Sylvia Ridgeway arrived early to bring NAACP literature. This hard-working lady was scheduled for double duty – first at OVEC's table and then with the Ebenezer United Methodist Church.

Our volunteers, some of whom worked late into the evening, included board members Eric Fout, Elinore Taylor and Winnie Fox, and members Nancy Taylor, Janna Blanchard, Burt Dieringer, Lora Varney, Libby Callicoat, and Sidney Tweel. Some of these folks have been leading OVEC's voter registration drive and saw the Tri-State Multi-cultural Festival as an another opportunity to get more people registered to vote. We had a steady stream of visitors as our volunteers not only registered new voters, but also provided information about OVEC's work to stop/curb



**Lora Varney, an OVEC volunteer, explains voter registration to a new registrant at the Tri-State Multi-cultural festival.**

## *Haiti Floods Linked to Deforestation*

Denuded of the vegetation that once locked fertile mountain soil to rocky hillsides, Haiti suffers flooding after every significant rainfall. In May, the start of the six-month rainy season, walls of mud swept away whole villages in the rural southeast, leaving more than 3,000 dead or missing.

mountaintop removal and sold our T-shirts, tote bags, hats, and the new *Moving Mountains* CDs.

We listened to such diverse music: Mariachi Azteca 2000, Sackcloth2joy, jazz and bluegrass. A youth ensemble performed interpretive dance, massage therapists gave free massages, a Marshall University club demonstrated martial arts, and children got to see a puppet show. One of the most popular booths, organized by Sachilko Watawbe and Haruka Hamaguchi (who teach Japanese at the public high schools) let people try on Japanese kimonos, learn to write one's name in Japanese, or make an origami sculpture.

Thanks to our volunteers for making OVEC's participation in the Tri-State Multi-Cultural Festival successful! 🌰



**NAACP's Sylvia Ridgeway.**



**International students from Marshall University taught oragami and offered kimonos for folks to try on during the Festival. This busy booth was a hit with kids!**

## *Free Collectible When You Join OVEC*

OVEC still has a few of the hand blown West Virginia glass Christmas ornaments made by Pilgrim Glass (now a collector's item) and designed by master glass artisan, Kelsey Murphy.

Etched on these ornaments is Bloodroot, *Sanguinaria canadensis*, a West Virginia wildflower.

OVEC is offering this ornament **FREE with a membership (or membership renewal) of \$60 or more.**

We also have a limited number of Wood Thrush and Jack-in-the-Pulpit ornaments, designed by Ms. Murphy and manufactured at Glassworks (also now closed). Just let us know which ornament you would like to receive.

To order: Call Maryanne at (304) 522-0246 or e-mail her at [mago@ezwv.com](mailto:mago@ezwv.com). In the subject line of the e-mail write "Special Membership Offer." 🌰



## **The Role of Mountaintop Removal in Economic Insecurity and Homeland Destruction**

by Vivian Stockman

As soon as students in ShepPAC at Shepherd University heard that the West Virginia Coal Association was promoting a state-sponsored workshop coming to their town, the students contacted OVEC and Coal River Mountain Watch. Together, we organized a demonstration to counter the latest in WV Governor Bob Wise's Energy Task Force Energy Roadmap Workshop Series – "The role of coal in economic and homeland security."

We wanted to make certain that people know that an energy roadmap which includes mountaintop removal / valley fill coal mining is no high road to the future, but is instead a Highway to Hell.

There is no economic security in destroying ecosystem services which support our lives and culture. There is no homeland security when thousands of tons of explosives are unleashed upon the Appalachian Mountains each day. There is no homeland security when your home is destroyed by floods raging off denuded mountains, when your community is driven away by blasting.

Other groups joined us to make certain Americans understand other ways our continued heavy reliance on coal is harming our health and our futures.

For instance, Tri-State Citizens Mining Network described the stream-eating, building-wrecking, union-busting ravages of longwall mining. Citizens for Alternatives to Longview Power reminded us that, compared to all other states in the country, West Virginians have the highest risk of dying from heart disease and lung cancer caused by power plant pollution. Pollution from these coal-fired plants can cause or worsen heart disease, asthma, lung cancer, and other lung diseases. In addition, these plants release mercury, which can cause brain damage in babies and children.

Chesapeake Climate Action Network delivered a ton of coal, which marked the both the beginning and end of the Highway to Hell.

On the very hot and humid July 22, about 60 people rallied alongside the football field at the Shepherdstown Middle School, close to the Clarion Hotel where the coal cronies were engaged in their mis-information marathon. At our event, coalfield residents spoke of the horror of living near mountaintop removal operations. Musicians Ryan



**Telling the truth whether Big Coal wanted to hear it or not, more than four dozen people rallied on July 22 near the hotel where there the "coal guys" were having their mis-information marathon in Shepherdstown.**

Harvey and Andrew McKnight presented rousing songs about injustice and activism against injustice. We posted signs marking the Highway to Hell. As usual (despite grueling transportation glitches), we had loads of fun while getting our message across.

Remember, if we obey the Stop Signs (Stop Global Warming, Stop Mountaintop Removal) and Yield to Alternative Energy, we can get off the Highway to Hell and onto the road to a sane, safer future. 🌳

### ***Moving Mountains Release Party in Shepherdstown Benefits OVEC, CRMW***

Dozens of members of Coal River Mountain Watch and OVEC trekked from the coalfields and Huntington to Shepherdstown, WV as guests of Shepherd University students active in Shepherd Progressive Action Committee (ShepPAC).

Appalled by mountaintop removal, the students wanted to help. They conceived of an awareness- and fundraiser event for our groups on July 21, followed by a gathering to counter Big Coal's propaganda on July 22.

When singer/songwriter Andrew McKnight, who is on OVEC's Action Alert e-mail list, heard about the plans, he rallied fellow musicians on the *Moving Mountains: Voices of Appalachia Rise Up Against Mountaintop*

*continued on page 20*

# Historic Blair Mountain Prepares for Its Last Stand

by Regina Hendrix, OVEC board member

In July 1921, Matewan mayor Sid Hatfield was shot and killed on the steps of the McDowell County Courthouse.

As captured in the movie *Matewan*, Hatfield was a fervent supporter of coal miners and their efforts to unionize. His murder galvanized miners' simmering frustration into an armed protest to unionize West Virginia's coal mines.

The shooting war that followed in Logan County during August and September of 1921 became known as the Battle of Blair Mountain, where 10,000 coal miners rose up against state officials and armed federal troops in an undeclared civil war that lasted ten days.

Although the battle did not achieve the immediate goal to unionize the Logan coalfields, the United Mine Workers of America won a moral victory, as the public at large learned of the everyday injustices endured by working men and women in a socio-political environment dominated by private, coal company interests.

These political, economic and cultural forces shaped the power structure of 20<sup>th</sup> Century America.

Union efforts in the area were eventually vindicated with the 1933 passage of the National Industrial Recovery Act, which legalized the right of coal miners to join a union without the fear of reprisals from mine owners or operators. Widespread unionization followed in the West Virginia coalfields.

Several recent events have heightened local and national interest in the site of the battle:

◆ Robert Shogan, an author of national prominence, has just released a new book, *The Battle of Blair Mountain: The Story of America's Largest Labor Uprising*. He visited Charleston, Charles Town, and Logan in June 2004 to promote the book and to tour the battlefield site.

◆ The Jefferson County Preservation Alliance to Save Our Heritage has been working for the past three years to prevent the demolition of the historic jailhouse where a number of the Blair Mountain coal miners, including leader Bill Blizzard, were imprisoned prior to their treason trial in 1922.

◆ Route 17 in Logan County has been designated a National Scenic Byway.

But the historic site of the Battle of Blair Mountain remains largely unrecognized and unprotected.

Late last year, I met Kenny King, an OVEC member and a resident of Logan County whose ancestors took part in this battle. Kenny has been exploring the Blair Mountain area and documenting artifacts from this site for over 10

years. He has compiled an impressive record of the artifacts that still dot the battlefield's landscape.

Since 1980 there have been several efforts to have the site of the Battle of Blair Mountain designated an Historic Place. For various reasons, none of these efforts have been carried to a successful conclusion.

In order to present an application for the National  
*continued on page 20*

## ACTION ALERT

Letters of support to your congressional representatives will enlist their assistance in preserving this site of West Virginia history. Talking points:

- ◆ The battle of Blair Mountain is one of the most significant historical events in West Virginia.
- ◆ We have always treated our battlefields with respect.
- ◆ The battle of Blair Mountain was the first time that airplanes were deployed in an industrial dispute.
- ◆ There is currently a lack of recreational land in Logan County. Historic preservation would supplement Chief Logan State Park.
- ◆ Historical preservation listing would complement the designation of Route 17 as a scenic byway and will enhance tourism in Logan County.
- ◆ There are currently plans to preserve the site of the trials at the Jefferson County Courthouse. Preservation of the battleground completes the honoring of this event.
- ◆ The Battle of Blair Mountain has had a lasting impact on the lives of many residents, not only in Logan County, but throughout the entire state of West Virginia and surrounding states.
- ◆ Listing as an historical landmark will provide permanent protection for an important labor history site.

### ADDRESSES:

**Senator Robert C. Byrd**, 311 Hart Senate Office Bldg., Wash., D. C. 20510-4801

**Senator John D. Rockefeller III**, 531 Hart Senate Office Bldg., Wash., D. C. 20510-4802

**Congressman Alan Mollohan**, Rayburn House Office Bldg., Wash., D. C. 20515-4801

**Congresswoman Shelley Moore Capito**, 1431 Longworth House Office Bldg., Wash., D. C. 20515-4802

**Congressman Nick Rahall**, 2307 Rayburn House Office Bldg., Wash., D.C. 20515-4803

When you write, please forward a copy for the record to: Regina Hendrix, 1637 Quarrier St., Apt. 3, Charleston, WV, 25311. E-mail: regina1936@verizon.net. (304) 343-5211.

## Blair Mountain

*continued from page 19*

Register, Kenny needed assistance with the mapping, aerial photography and the historical narrative.

That assistance is now being provided by Friends of the Mountains, a coalition of environmental groups of which OVEC is a member. (The FOM group meets monthly to coordinate efforts and activism against mountaintop removal in Appalachia).

The FOM coalition has procured the services of Frank Unger, a historian from Walton, WV. Frank and Kenny have done the research, the mapping and the historical narrative, which has been submitted to the WV State Historic Preservation Office for preliminary review and recommendation.

The application will be presented to the Archives

## ***A Sad Good-bye to Bill Maxey, Who Spoke the Truth About MTR***

In a painfully sad moment at the July 21 event in Shepherdstown, hydrologist Don Maxey, brother of Bill Maxey, read a message against mountaintop removal from Bill, who lay dying of cancer in a Charleston hospice.

Three days later, Bill died. He was the head of the WV Division of Forestry who resigned his position rather than endorse mountaintop removal.

Bill said, via his brother, "We're sacrificing thousands of acres of productive forests for a short-term gain by a relative few. But unfortunately, those few are politically powerful people." In his statement, Bill noted that mountaintop removal mining employees far fewer people than does underground mining. He said that it will take

## CD Release

*continued from page 18*

*Removal Coal Mining* CD. Our fund-raiser became a CD release party! Besides McKnight, musicians Keith and Joan Pitzer and Cherylann Hawk, as well as Falling Mountain label founder Michael DeLalla, all joined ShepPAC in contributing much time and labor to making the event a success.

Coal River Mountain Watch's Judy Bonds presented Appalachian Treasures. Next, coalfield residents answered audience questions about what it is like to live in the shadow of mountaintop removal operations.

After a short break, the musicians began making us laugh and cry. Out in the lobby, folks were buying up OVEC T-shirts, designed by artist Joe Lung and the *Moving Mountains* CD. Many thanks to all! 🍂

and History Commission. The Commission will make a recommendation to the National Park Service for placement of this site on the National Register of Historic Places.

We are indebted to Susan Lapis of SouthWings, who volunteered to fly our photographer, Chuck Wyrostock, over the battle site while he did the photography required for the nomination. 🍂



**Bill Blizzard, with his wife, during his trial on treason charges in Charles Town.**

hundreds of years, if not millennia, to build up enough soil on mountaintop removal mines to grow trees.

The *Charleston Daily Mail* obituary said:

*"Maxey said at the time (of his resignation) that aides to then-Gov. Cecil Underwood forced him to issue a statement toning down his position (on mountaintop removal).*

*"He also alleged the state Department of Environmental Protection and federal Office of Surface Mining tried to get him to approve regulations that would justify mountaintop removal mining..."* 🍂

## ***Coal vs. Wind - A Few Facts***

Coal generates 54 percent of United States' electricity, and is the single biggest air polluter here. Coal pollutes when it is mined, transported to the power plant, stored and burned.

☹️ Air pollution: Burning coal causes smog, soot, acid rain, global warming, and toxic air emissions.

☹️ Wastes generated: Ash, sludge, toxic chemicals, and waste heat create more environmental problems.

☹️ Fuel supply: Mining, transporting, and storing coal levels mountains and pollutes the land, water, and air.

☹️ Water use: Coal plants need billions of gallons of cooling water and harm wildlife.

Wind power generates electricity with:

☺️ No air emissions;

☺️ No fuel to mine, transport, or store;

☺️ No cooling water;

☺️ No water pollution;

☺️ No wastes. 🍂



# The Race to Dismantle Racism: It's Still Alive and Well

by Vivian Stockman

If you are a white person, you may think the bad old days of racism are gone. It's horrifying that there's still an occasional cross burning and some crazies here and there who commit other vile hate crimes, but society no longer condones racist behavior, right?

If you are a person of color, you know otherwise.

On Sept. 18, about 20 people gathered in Huntington to learn more about racism at a workshop sponsored by the Commission on Religion in Appalachia (CORA), the Huntington-Cabell branch of the NAACP and OVEC.

On its website, CORA notes that racism is an everyday part of life for people of color:

## ***Jack Spadaro Settles Long Fight With MSHA, Retires for Sake of His Health***

A few weeks ago, Jack Spadaro called the OVEC office to let us know that, for the sake of his health, he was retiring. He once again extended his heartfelt thanks to everyone who has spoken out of his behalf. He is truly awed and humbled by all the support he got from OVEC members and people around across the country. Don't worry; we will still have Jack on our side as he looks forward to volunteering in our work.

From the *Charleston Gazette*, Oct. 9, 2004:


"Longtime federal mine inspector and engineer Jack Spadaro has settled his fight with the Bush administration over his demotion at the U.S. Mine Safety and Health Administration.

... "I retired," Spadaro said. "I've been fighting with this administration for four years, and I just didn't want to fight with this administration anymore."

"Spadaro had been appealing his demotion and forced relocation to the government's Merit Systems Protection Board.

"I just felt it was taking too long to do the appeal," Spadaro said. "I didn't want to spend the time in Pittsburgh while I made the appeal."

"...Spadaro said that, under the settlement, he dropped his appeal of MSHA's action against him. The agency dropped its personnel action, he said. MSHA also restored a reduction in Spadaro's pay grade, which would have cut his retirement pay, he said."

Jack had also criticized MSHA for its handling of an investigation into the Oct. 2000 Massey Energy coal sludge impoundment disaster. 

*Why? Because American society is not, and never has been, blind or neutral when it comes to racial identity. And as we have built our institutions – our churches, our government, our businesses, our community organizations – many of those forms of bias and discrimination get built right in... As people of conscience, we have a responsibility to dismantle the racism that has been built into our organizations and our communities.*



CORA's Chetan Tawalker led the Huntington "Race to Dismantle Racism" workshop. Chetan noted that racism really is not much discussed in our society. Participants agreed to make the workshop a safe place to speak up. We agreed that we are all victims of a racist society. Our attendance at the workshop signaled our willingness to become more aware, to begin changing not only ourselves, but also society.

We agreed that the human family is deeply hurt by racism. "For any of us to say, 'I am not touched by racism' is like a fish saying, 'I ain't wet'," Chetan said.

We examined what we figured was better about racism in the United States since the 1960s civil rights movement and what we figured was worse. We concluded that while society looks different, racism is still rampant. Though many individuals no longer hold prejudice in their hearts, institutional power structures, which act as enforcers of racism, have not changed. Examples of such institutions are government, businesses, and financial, educational and non-profit organizations, and even organized religion. If you think that isn't true, just ask yourself the following question regarding any of those institutions: "Who wields power and who controls the money?"

We defined racism as having two parts: Race – race-based prejudice (which exists even though there is no biological validity to dividing humanity into distinct races) and Ism – referring to institutionalized power enforcing this labeling and hierarchical ordering of humanity. The "ism" in racism allows us to define others, who seem not to be like ourselves, as less than human.

Every major institution in the United States was created, way before the 1960s civil rights movement, to serve the interests of white people, especially white males.

*continued on page 23*



## Stand Up to Logging, MTR

Dear Editor,

West Virginia is leading the nation in Federal Emergency Management Agency assistance. Finally, we've found something to bring us out of 50th place.

This is a leadership position we can easily maintain since we continue to have unregulated clear-cut logging and over 400,000 acres of devastated moonscape as a result of mountaintop removal mining.

More than 1,000 miles of our mountain streams have been buried with the waste from what used to be our mountaintops. All native plants and animals have been eliminated. Downstream areas have been silted over, paving the way for more flooding problems. Ecosystems have been destroyed.

This irresponsible excavation of coal makes the landscape so unsightly that it permanently ruins tourism.

It is a sad irony that mountaintop removal has actually destroyed more coal mining jobs than it has created.

Union miners are replaced by relatively few heavy equipment operators. Yes, it is indeed all about the loss of jobs.

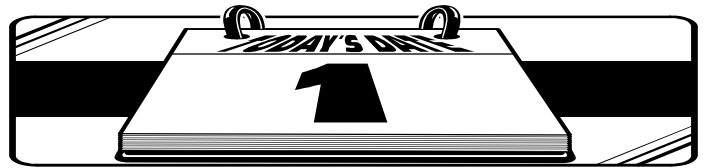
After the 2001 floods, I flew over southern West Virginia and viewed the mud trails coming off the mountaintop removal sites. Our governor flew over these sites at the same time and said he didn't know what caused the flooding and let's not have a witch hunt.

Well, I know what caused the flooding, and most other residents of our state are painfully aware of the consequences of clear-cut logging and mountaintop removal. Contact your congressional representatives and tell them you've had enough. Contact your state and local representatives and let them know you are opposed to clear-cut logging and mountaintop removal. Join with the many organizations laboring to end this exploitation of our land and people.

Regina Hendrix, Charleston 

“Once a government is committed to the principle of silencing the voice of opposition, it has only one way to go, and that is down the path of increasingly repressive measures, until it becomes a source of terror to all its citizens and creates a country where everyone lives in fear.”

*Harry S. Truman*



## CALENDAR

**Oct. 13-30:** 9 a.m.-4:30 p.m. Early voting at county courthouses. No waiting in lines! **VOTE!**

**Oct. 14:** League of Women Voters sponsors a “Meet the Candidates” event at Woodlands Retirement Center in Huntington. Call Helen Gibbins for details, (304) 736-3287.

**Oct. 21:** 7 p.m. Marshall University Yeager Scholars panel on bioconservation. Joan C. Edwards Experimental Theater. Logan County resident and OVEC member Bill Chafin will talk about impacts of mountaintop removal on his community. Open to the public. Other perspectives will also be given.

**Oct. 23:** 9 a.m.-4:30 p.m. Saturday early voting at court houses. No lines! **VOTE!**

**Oct. 23:** 7:30-9:30 p.m. “Forever Wild” with Walkin’ Jim Stoltz. A multi-media benefit show for OVEC at the La Belle Theatre in South Charleston, 311 D St. \$10 donation. Tickets available from OVEC board members, at the OVEC office or at the door. **Volunteers needed.**

**Oct. 24 – 25:** West Virginia Council of Churches “Freedom Showcase” Assembly at John XXIII Pastoral Center in Charleston, including showcases on Clean Elections and organizing. Contact Rev. Dennis Sparks at (304) 344-3141.


**Oct. 26:** 6-8 p.m. “Meet the Candidates” at A.D. Lewis Center in Huntington. Cosponsored by NAACP and OVEC.

**Oct. 26:** 6 p.m. Delbarton-area community meeting on flooding issues at Burch Elementary School.

**Oct. 30:** 9 a.m.- 4:30 p.m. Saturday early voting. **VOTE!**

**Nov. 2:** 6:30 a.m.-7:30 p.m. **Make Democracy Work: VOTE! VOTE! VOTE!**

**Nov. 16-18:** Endangered Indiana Bat and Coal Mining Forum, Louisville, Ky. Hosted by Bat Conservation International and the Office of Surface Mining. For info: Kimery Vories at (618) 463-6463 x 103.

**Nov. 17-19:** Conference on Prison Issues. Huttonsville Pastoral Center. Contact Carol Warren with the Office of Peace and Justice for the Wheeling/Charleston Diocese of the Catholic Church, (304) 343-3360. 

# Bush Administration Gutting FOIA and Hurting Public's Right to Know

by Ellen Smith, Editor and Owner  
excerpted from *Mine Safety and Health News*

Phone calls have been coming into *Mine Safety and Health News* for about a month from mine operators stating that they can no longer get information from the Mine Safety and Health Administration through the Freedom of Information Act.

## Racism

*continued from page 21*

People and ideas in American society have changed, yet the institutions have not. This is the unfinished business of the civil rights movement.

How do we bring about the change we need? For many, faith traditions provide guidelines. CORA aims to help us work toward positive change. If you want to become a part of CORA's anti-racism transformation team, contact Carlyne Brown, CORA's Dismantling Racism Program Coordinator, at [cauc@aol.com](mailto:cauc@aol.com) or (304) 920-2672. 🌰

This has been a complaint from the United Mine Workers for over a year, but what is happening at MSHA is in fact occurring government-wide.

Last week, Ed Clair, the U.S. Labor Department's Associate Solicitor for Mine Safety and Health, disclosed that, without public comment or input, MSHA secretly changed its long-standing policy of routinely releasing inspector notes under the Freedom of Information Act. The policy has been in place since 1977.

Under the "pre-Bush MSHA" federal officials never denied *Mine Safety and Health News* information. As a reporter, I could get MSHA inspector notes and inspection records, even while the investigations were still under way.

But things in the Bush Administration are different, and not for the better, when it comes to getting information from the government.

Even routine request for biographical information on MSHA officials are denied, citing "privacy" concerns, hardly a proper exemption under FOIA. 🌰

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

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

\_\_\_\_\_ New member or renewal (Dues \$15-\$30 yearly, pay what you can)

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



***“Forever Wild”- A Celebration of  
Wilderness Songs, Stories and  
Visions by Walkin’ Jim Stoltz***

Please join OVEC from 7:30 to 9:30 p.m. on Saturday, Oct. 23 at the LaBelle Theatre, 311 D St., South Charleston for “Forever Wild” with Walkin’ Jim Stoltz. Tickets for this OVEC-fundraiser are \$10 (suggested donation).

Jim Stoltz is known to most folks as “Walkin’ Jim.” The name stems from over 25,000 miles of wilderness travel on annual, months-long backcountry treks through America’s last wild places. His music, recorded on 8 different releases, stems from this extensive wilderness experience. The songs get regular airplay on National Public Radio.

When he’s not out walking, Jim travels the country with a multi-media show, “Forever Wild,” combining his photography, poetry, stories and live music. The show promotes preservation of



**Walkin’ Jim Stoltz**

America’s last wild places and has received an “Outstanding Achievement Award” from the EPA for “sharing nature and wilderness with others across America through your extraordinary words, images, and music.”

This is a fabulous show, so please join us!

Contact the office at (304) 522-0246 for tickets or to volunteer to help at this event.

**Ohio Valley Environmental Coalition  
P O Box 6753  
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