

Statement of United Mine Workers of America
on
Mountaintop Removal

Since several reports have appeared in the media over the years that incompletely or inaccurately indicate the position of the UMWA with regard to mountaintop removal mining, I believe it would be helpful for me to briefly outline our position. The UMWA believes that strong protection for our environment is essential. As we have pointed out many times, our membership lives in the communities in which mining takes place and believes strongly that we have a duty to future generations to protect that environment. At the same time, we make no apologies for seeking to promote the jobs available in the mining and related industries. After all, these jobs average more than \$50,000 per year plus benefits including retiree health care and pensions. West Virginia is already 49th in the per capita income. We surely do not want to drive ourselves into an even more negative position.

Unfortunately, the debate has often been between two extreme positions – one calling for the abolition of coal mining and the other decrying any type of restrictions on mining companies as they damage peoples' houses

and degrade local streams. We do not agree with either of these extreme views.

Some critics have suggested that the UMWA is only interested in the protection of our members' jobs when they work on mountaintop removal sites. Make no mistake, that is important to us. As this statement of policy makes clear, however, we believe that this criticism is unfounded since we also believe in strong environmental and community protections. We do believe that jobs provided in coal mining are worth fighting for and preserving. This is particularly true in our economy in which service sector jobs are often very low paying and without benefits. We are proud of our support for such jobs.

At the same time, we support strong regulatory efforts to protect the water resources of our communities and we also believe that families living in these communities should be protected against blasting debris and the degradation of their communities. We believe that coal companies should be held to a high standard of environmental protection and that the state and federal officials entrusted with that enforcement have on many occasions not sufficiently protected our communities.

The UMWA strongly believes that coal companies should not be permitted to destroy local communities in the process of mountaintop removal mining, including by blasting. Community residents with homes and farms should be protected from the consequences of such damage. Under current law, a homeowner can pursue a damage claim in circuit court. The practical problem is the cost of hiring attorneys and the litigation costs in hiring expert witnesses.

The UWMA believes that there should be additional legal protections to ensure that blasting damage can be easily and completely compensated by coal companies. We suggest a statutory change so that blasting law would be made similar to a provision in state oil and gas law. Under that law, any damage to water supplies caused within 1,000 feet of a gas well is presumed to result from the drilling and operation of the gas well. We likewise suggest that with regard to any property within one mile radius of a blast, there should be a reputable presumption that the blast caused any property damage. This provision, coupled with the present law that a community member may require the company to do a pre-blasting survey, should make the payment of appropriate damages far more practical. This should lead, as it does in the oil

and gas area, to the quick resolution of claims and a more fair protection of community rights.

We also believe that the many sites throughout West Virginia with historical significance, such as the historic portions of Blair Mountain and the Stanley family farm on Kayford Mountain, must be preserved and thus should be off limits for mining.

The coal industry remains “a mainstay of the Mountain State economy.” Coal and coal burning utilities account for nearly 60% of the state’s business tax revenue, and state business taxes paid by coal companies rose more than 35% between 1985 and 1996, at a time when the price of a ton of West Virginia coal dropped by 26%. West Virginia coal companies employ more than 14,000 miners directly, and using economic multipliers employed by the federal government, the industry accounts for more than 40,000 additional jobs. In much of southern West Virginia and in portions of northern West Virginia, the impact is particularly pronounced. In Boone County , for example, almost half of the workforce is employed in the coal industry. In the coal counties of this state, over 10% of all jobs are directly linked to coal mining. Thus, it is not only in the interests of our membership,

but in the broader interests of the citizenry of this state that these issues be resolved in an equitable and timely manner. This Union has a proud history of working not only in the interests of its own members, but on behalf of all working people and the communities they live in. We fully intend to uphold that tradition.